

Printed for Sale by the Statesman Shop, Boise Idaho.

STATE OF IDAHO,
County of Bingham } ss.

P.E. Van Orden being first duly sworn, upon his oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:
The East Half of the North-west Quarter, South-west Quarter of the North-west Quarter and the North-west Quarter of the South-west Quarter, Section 17, Township Three South of Range 34, E.B.M.

as evidenced by the decree dated _____ day of 1910.
in the cause entitled The Rexburg Irrigation Company, et., al., Plaintiff,
vs. The Teton Irrigation company, et., al., Defendant, brought
in the district court of the Sixth Judicial District of the State of Idaho, or

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. _____

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

To the Peoples' Ditch beginning at Berryman & Roger's head gate on Snake River

That such change will be made for the following reasons, to-wit: That the canal of the Watson Slough Irrigation Company is not high enough to properly irrigate the above described land and the canal belonging to the Peoples Canal & Irrigation Company is a higher ditch and sufficiently high to convey water to the above land so the whole thereof may be properly irrigated and the consent of both parties have been obtained as appears by signed copy of resolution hereto attached

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

P. E. Van Orden

Subscribed and sworn to before me this eighth day of July, 1911.

W. A. Beakley
Notary Public.

My commission expires Feb. 11th, 1913.
(over.)

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at
9⁰⁰ a. M. JUL 13 1911 19
STATE ENGINEER.

RECORDED

STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF
POINT OF DIVERSION

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section.

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows:

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details:

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
 - (f) Lands to be irrigated to be shown by crosshatching, outlining, or coloring.
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Points or points of use.
 - (g) Point or points of return to stream after use.

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191..... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date 191.....
(over.)

Thomas, Idaho, April 26-1911

At a regular meeting of the Directors of the Watson Slough Irrigation Company at Thomas, Idaho, April 26-1911, "It was moved and seconded that Mr. P.E. Van Orden and Mr. P.P. Fackerell have the consent of the Directors of the Watson Slough Irrigation Company to transfer their water to the Peoples Ditch. Motion carried by unanimous vote.

E. Cleary
Secretary

P. P. Fackerell
President

B. F. Kleber

B. H. Whitcomb

J. L. ...

W. H. ...

Directors

RECEIVED

JUL 13 1911

OFFICE OF STATE ENGINEER

RECEIVED

JUN 17 1911

OFFICE OF STATE ENGINEER

MICROFILMED

Snake River

36 1/2

Name - Peter E. Van Orden

Am't- 440 inches

From Watson Slough Irr. Co.

To - Peoples' Canal Irr. Co.

Filed - July 17, 1911

Moreland, Idaho June 10, 1911.

At a regular meeting of the Board of Directors of the Peoples' Canal and Irrigation Company at a regular meeting held at the Commercial Club rooms at Blackfoot, Idaho on the 19th day of April 1911, it was moved and seconded that Peter E. Van Orden have the consent of the directors of the said Peoples' Canal and Irrigation Company to transfer Four Hundred Forty (440) Inches of water from the Watson Slough Irrigation Company to the said Peoples' Canal and Irrigation Company's Canal. The motion was duly carried.

Attest

W. P. [Signature]
Secretary

Christian J. Christensen
President of Board.

RECEIVED
JUN 17 1911
OFFICE OF STATE ENGINEER

RECEIVED
JUL 13 1911
OFFICE OF STATE ENGINEER

RECORDED

Quincy, July 15, 1862

Handwritten text on lined paper: "Handwritten text on lined paper, possibly a signature or name, written in cursive script." The text is written in dark ink on a piece of white paper with horizontal blue lines. The handwriting is cursive and appears to be a name or signature, though it is difficult to decipher. The text is written across several lines of the paper.

Don't be a dreamer

William S. Burroughs

My handwriting is grainy. It is so bad I can't read it.

SEC.

SEC.	SEC.	SEC.	SEC.	SEC.
------	------	------	------	------

[illegible]

25/7

W. A. R. C.

SEC.

01-0147

October 20, 1911.

Re transfer-Van Orden

W. A. Beakley, Lawyer
Blackfoot, Idaho.

Sir:-

In reply to your letter of the 17th inst.
would state that the inclosed letter was mailed
to Mr. Van Orden but was returned to this office.
From the letter you will see that the affidavit
for change of point of diversion has been filed,
together with one copy of the map.

Very truly yours,

State Engineer.

Inc. I-M

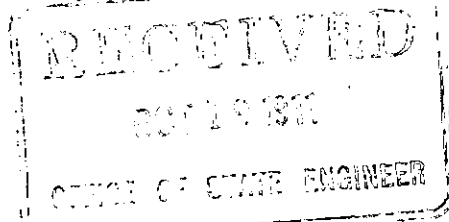
By...

MICROFILMED

BEAKLEY & EMERICK
ATTORNEYS AND
COUNSELLORS-AT-LAW
ROOMS 1, 2 AND 4, WEST & BOYLE BLDG.
BLACKFOOT, IDAHO

OCTOBER 17, 1911.

Mr. A. E. Robinson,
State Engineer,
Boise, Idaho.



Dear Sir:

Re Transfer of water right- VanOrden.

Reply to yours of October 2nd, 1911, beg leave to say that we received quite a while ago from you a return of some maps or diagrams to be corrected, together with some other papers, and we made the corrections as we understood the papers to require; and again mailed them to you. And, as we have never heard from them, we supposed you had them long ago. If you haven't them, please send us other papers so that we may make them out without further delay,- for it will be a very material loss to Mr. VanOrden, unless this matter is adjusted without any great delay.

Very truly yours,

WAB^c-J.

RECEIVED

61-0147
October 3, 1911

Re Change in Pt.Div.

Peter E. Van Orden,
Moreland, Idaho

Sir:-

- I am returning you herewith one copy of the map filed with your affidavit as to change in point of diversion, the other copy, together with the affidavit being placed on file in this office.

Very truly yours,

State Engineer.

M

By...

MICROFILMED

Boise, Idaho, September 2, 1911.

Re Transfer of Water Right.- VanOrden.

W. A. Beakley, Lawyer,
Blackfoot, Idaho.

Sir:--

Replying to yours of the 30th ult. beg
to advise that we wrote you on June 26th, last,
relative to this matter, since which time we have
received no communication relative thereto, ex-
cept your letter of the 30th ult, to which this
is in answer.

Very truly yours,

State Engineer.

By _____

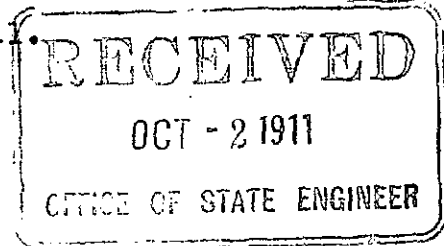
W/G.

MICROFILMED

61 0147

W. A. BEAKLEY
ATTORNEY AND
COUNSELLOR-AT-LAW
ROOMS 1, 2 AND 4 WEST & BOYLE BLDG.
BLACKFOOT, IDAHO

September 30, 1911.



State Engineer,
Boise, Idaho.

Dear Sir:

On June 14th, 1911 the undersigned as Attorney for Peter E. VanOrden, of near Blackfoot, Idaho wrote you in regard to a permit or certificate authorizing the transfer of 440 inches of water of the Watson Slough Irrigation Company to the Peoples' Canal & Irrigation Company. Shortly after that time we received the map for correction, which corrections were promptly made and all of the papers returned to you. Since that time we have not heard from you in any manner.

Mr. VanOrden is very anxious to have a definite understanding about this matter, for- if it continues as it is, he will have to pay assessments in each of the above named companies, which will be quite a burden.

Kindly let us know at your earliest convenience as to the present status of this matter, and greatly oblige,

Yours very truly,

WAB.-J.

W A Beakley
Atty for Peter E VanOrden

MICROFILMED

Boise, Idaho, June 26, 1911.

Re Transfer of Point of Diversion.

F. A. Beakley,
Blackfoot, Idaho.

Sir:--

Further replying to yours of the 14th inst., beg to advise that you should file in this office affidavit for change of point of diversion, together with two maps as per the enclosed form and instructions on back thereof. I return resolutions of the Board of Directors of the Watson Slough Irrigation Company and the resolutions of the Board of Directors of the People's Canal and Irrigation Company, which should be attached to the affidavit in question.

Very truly yours,

Y State Engineer.

Enc. R-DB.

By _____

W/G.

MICROFILMED

Blackfoot, Idaho, June 14, 1911.

State Engineer,
Boise, Idaho.

Dear Sir,-

I hereby make application to the State Engineer for a certificate authorizing the undersigned to transfer the use of Four Hundred forty inches continuous flow of the water of Snake River from the Watson Slough Irrigation Company to the Peoples' Canal and Irrigation Company. This water is to be used on the same land for which it was purchased from the Watson Slough Irrigation Company but the ditch is entirely too low and the undersigned, Peter Van Orden has had to rent water for the purpose of irrigating his place and the Peoples' Canal is higher and will cover his land. Inclosed also you should find the consent in writing of the directors of both of these companies.

As the water is being needed for irrigation from the Peoples' Canal by Peter E. Van Orden, it is earnestly hoped that this matter will receive your prompt attention.

Very truly yours,

3 enc.

WAB-JMB.

Peter E. Van Orden.

By W. A. Beakley
His attorney.

