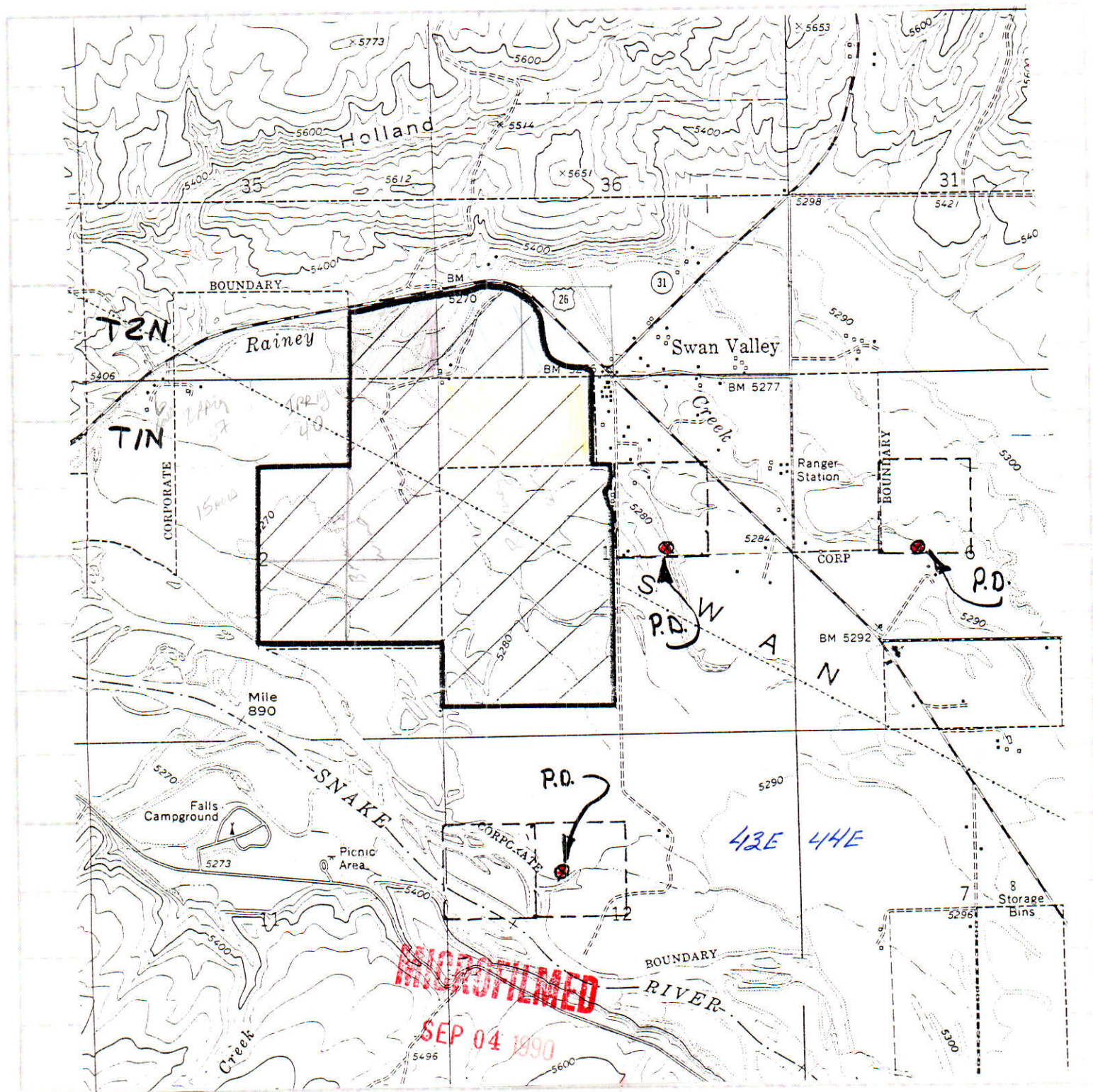


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

NO'S TR438/23-0023,
TR489/23-0038A, 23-
0099, 23-0037

Notice is hereby given
that Everett or Anna R.
Griffel, Swan Valley, ID,
has applied to the Depart-
ment of Water Resources
to add points of diversion,
and change places of use
of the waters of Rainey
Creek tributary to Snake
River, South Fork. The
rights sought to be
changed area:

T438/23-0023 in case of
Rexburg Irrigation vs.
Teton Irrigation Canal Co.
dated December 16, 1910
in District Court and re-
corded as follows:

AMOUNT: 3.20 CFS

PRIORITY: June 1, 1897

POINT OF DIVERSION:
NWSW SEC 6 T1N R44E,
B.M. Bonneville County

The water is used to irri-
gate land from April 1 to
November 1 within NWNW
SEC 1 NENE SEC2 T1N;
SESE SEC35 SWSW
SEC36 T2N R43E
T489/23-0038A in case of
Rexburg Irrigation vs.
Teton Irrigation Canal Co.
dated December 16, 1910
in District Court and re-
corded as follows:

AMOUNT 1.06 CFS

PRIORITY: June 1, 1890

POINT OF DIVERSION:
SWNW SEC8 T1N R44E

The water is used to irri-
gate land from April 1 to
November 1 within S1/2
NW1/4SW1/4 SEC1 T1N
R43E

No. 23-0037 Decreed to
Charles Englis in case of
Rexburg Irrigation vs
Teton Irrigation Canal Co.
dated December 16, 1910
in District Court and re-
corded as follows:

AMOUNT: 3.00 CFS

PRIORITY: June 1, 1889

POINT OF DIVERSION:
SWNW SEC8 T1N 44E

The water is used to irri-
gate land from April 1 to
November 1 within S1/2-
NW1/4SW1/4 SEC N1/2NW1/4
SEC12 T1N R43E

NO. 23-0099 Decreed to
Luther Smith in case of
Palisade Irrigation Co. vs.
Lynn Crandall dated Janu-
ary 16, 1951 in District
Court and recorded as fol-
lows:

AMOUNT: 3.20 CFS

PRIORITY: January 22,
1916

POINT OF DIVERSION:
Not listed in Decree

The water is used to irri-
gate land from April 1 to
December 31 within
N1/2NW1/4 SEC 1 NENE
S1/2NE1/4 SEC 2 T1N;
SESE SEC35 S1/2SE1/4
SEC36 T2N R43E

TO BE CHANGED AS
FOLLOWS:

The water will be diverted
within the SENW SEC6
T1N R44E; SENW SEC12
SWNE SEC1 T1N R43E,
and used to irrigate 548
acres within the W1/2
SECNENE1/2NE1/4N1/2SE1/4
SEC2 T1N; SESE SEC35
S1/2SW1/4 SEC36 T2N
R43E.

Any protest against ap-
proval of the proposed
change of water right must
be filed with the Idaho De-
partment of Water Re-
sources, 150 Shoup Ave.,
Idaho Falls, ID 83402, on
or before October 9, 1989.

R. Keith Higginson
Director

PUBLISH: Thursday,
September 21 and 28,
1989.

Affidavit Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

OCT 24 1989

I, Sinda Capps McSwine, being first duly sworn upon oath, depose
and say that I am Bruce Clark of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated September 21, 1989,
and ending with the issue dated September 28, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 6 day of October in the year of 1989, before me,

a Notary Public, personally appeared Sinda Capps McSwine,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

NOTARIES

SEP 04 1990

Sheva R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

OCT - 2 1989

Department of Water Resources
Eastern District Office

LEGAL ADVERTISING INVOICE

Amount Due

8364

Account Name Idaho Department of Water Resources - Eastern			Account Number 100564	
Address 150 Shoup Ave., Suite 15		City/State Idaho Falls, Idaho		Zip 83402
Ordered By Rita Bodel	PO. Number	Rate nt	Run Dates 1989 September 21, 28, 1989	
Identification Notice of Proposed Change of Water Right - Griffel			Estimated Inches	Real Inches
			Legal Number 3692	

1 Number of Affidavits Requested

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.'S TR438/23-0023,
TR489/23-0038A,
23-0099, 23-0037

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork.

The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows: AMOUNT: 3.20 CFS

PRIORITY: June 1, 1897
POINT OF DIVERSION: NESW SEC6 T1N R44E, B.M. Bonneville County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 T1N; SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows: AMOUNT 1.06 CFS

PRIORITY: June 1, 1890
POINT OF DIVERSION: SWNW SEC 8 T1N R44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SEC1 T1N R43E

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.00 CFS
PRIORITY: June 1, 1889
POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4 SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS
PRIORITY: January 22, 1916
POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres within the W1/2 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. KEITH HIGGINSON
Director
Pub. Sept. 21, 28, 1989

COUNTY OF ADA)

On this 28th day of September 1989, before me, a Notary Public, personally appeared Debbie Richards, known or identified

to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 12/93

ie Richards, being duly at she is the Principal Clerk of The spaper printed and published at Boise, nd having a general circulation therein s been continuously and uninterruptedly ng a period of twelve consecutive cation of the notice, a copy of which is ice was published in The Idaho Section 60-108, Idaho Code as

secutive daily ☐ single ☐ odd skip

September 21, 1989

September 28, 1989

SEP 04 1990

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

Date 092889 INVOICE No. L00175494
Account No. 44660 TR-38/23-0
Description 75494NOTIC
Times 2 Lines 82
Tab Lines _____

SOLD TO:

DEPT. OF WATER RESOURCES
150 SHOUP AVE. SUITE 15
IDAHO FALLS
ID 83402

\$ 82.00

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister

_____, being duly sworn,
deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED CHANGE

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 092189 _____, or once a
_____ WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 092189, and the last pub-
lication thereof being on the 092889, and said _____

NOTICE OF PROPOSED CHANGE

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28
day of September 1989

Sue Baumeister
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO.'S TR438/23-0023, TR489/23-0038A, 23-0099, 23-0037

Notice is hereby given that Ever-
ett or Anna R. Griffel, Swan Valley,
ID, has applied to the Department of
Water Resources to add points of di-
version and change places of use of
the waters of Rainey Creek tributary
to Snake River, South Fork. The
rights sought to be changed are:
TR438/23-0023 in case of Rexburg Ir-
rigation vs. Teton Irrigation Canal
Co. dated December 16, 1910 in Dis-
trict Court and recorded as follows:
AMOUNT: 3.20 CFS
PRIORITY: June 1, 1897
POINT OF DIVERSION: NESW
SEC6 T1N R44E, B.M. Bonneville
County

The water is used to irrigate land
from April 1 to November 1 within
NWNW SEC1 NENE SEC 2 T1N;
SESE SEC35 SWSW SEC36 T2N
R43E

T489/23-0038A in case of Rexburg Ir-
rigation vs. Teton Irrigation Canal
Co. dated December 16, 1910 in Dis-
trict Court and recorded as follows:
AMOUNT: 1.06 CFS
PRIORITY: June 1, 1890
POINT OF DIVERSION: SWNW
SEC8 T1N R44E

The water is used to irrigate land
from April 1 to November 1 within

S1/2NW1/4 SW1/4 SEC1 T1N R43E
NO. 23-0037 Decreed to Charles Eng-
lis in case of Rexburg Irrigation vs.
Teton Irrigation Canal Co. dated De-
cember 16, 1910 in District Court and
recorded as follows:
AMOUNT: 3.00 CFS
PRIORITY: June 1, 1889
POINT OF DIVERSION: SWNW
SEC8 T1N 44E

The water is used to irrigate land
from April 1 to November 1 within
S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4
SEC12 T1N R43E

NO. 23-0099 Decreed to Luther
Smith in case of Palisade Irrigation
Co. vs. Lynn Crandall dated January
16, 1951 in District Court and record-
ed as follows:
AMOUNT: 3.20 CFS
PRIORITY: January 22, 1916
POINT OF DIVERSION: Not listed
in Decree

The water is used to irrigate land
from April 1 to December 31 within
N1/2NW1/4 SEC1 NENE S1/2NE1/4
SEC2 T1N; SESE SEC35 S1/2SE1/4
SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within
the SENW SEC6 T1N R44E; SENW
SEC12 SWNE SEC1 T1N R43E, and
used to irrigate 548 acres within the
W1/2 SEC1 NENE S1/2NE1/4
N1/2SE1/4 SEC2 T1N; SESE SEC35
S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of
the proposed change of water right
must be filed with the Idaho Depart-
ment of Water Resources, 150 Shoup
Ave., Idaho Falls, ID 83402, on or
before October 9, 1989.
R. Keith Higginson
Director

Doc # 425

Affidavit of Publication

STATE OF IDAHO,
County of Bonneville, } ss.

I, W. G. Gulayson, of THE POST COMPANY, a corporation, publishers of the IDAHO FALLS DAILY POST, a daily newspaper of general circulation, published daily except Sunday, at Idaho Falls, Bonneville County, Idaho, do solemnly swear that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 7 consecutive weeks, first publication having been made on the 1 day of Feb, 1929, last publication having been made on the 8 day of Feb, 1929; that said notice was published in the regular and entire issue of each number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Further, that said newspaper has been so published continuously and uninterruptedly for more than 78 weeks prior to the date first herein mentioned.

NOTICE OF PROPOSED TRANSFER of Water Right

Notice is hereby given that Samuel J. Weeks of Irwin, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.2 second feet of the water of Ramey Creek from the land upon which it is now used, i. e. SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 1 N., R. 44 E., B. M. to the following described tract: Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 1; Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 2, Twp. 1 N., R. 43 E., B. M.; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp. 2 N., R. 43 E., B. M.

And that, on the 18th day of February, A. D. 1929, at 10 o'clock a. m., at Dept. of Reclamation, Capitol Bldg., Boise, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to suggest and

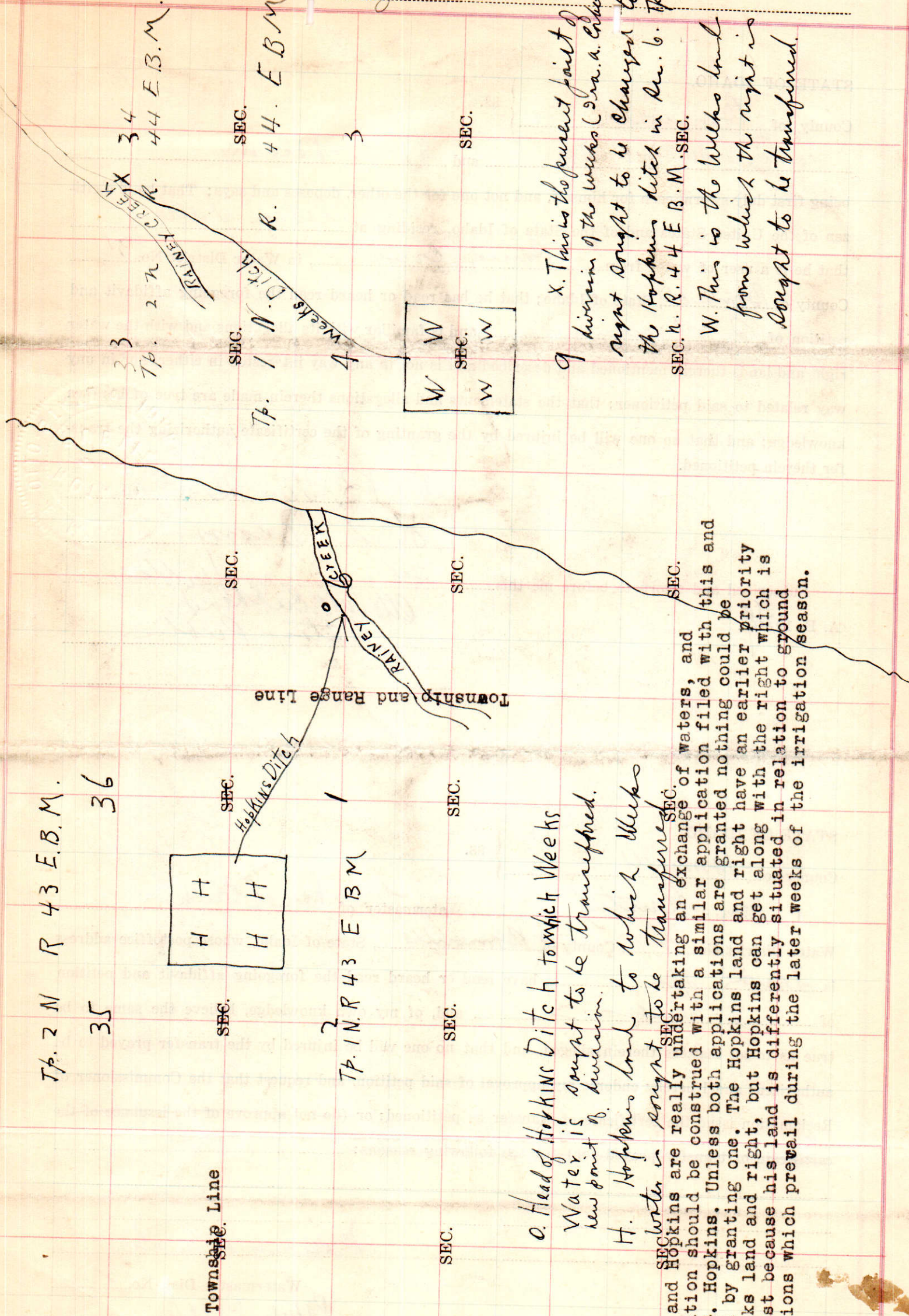
W. G. Gulayson
Subscribed and sworn to before me this 9 day of Feb, 1929.

Frank Stone
Notary Public.

MY COMMISSION EXPIRES NOV. 23, 1933
RESIDING AT IDAHO FALLS, IDAHO

MICROFILMED

Samuel J. Weeks



O. Head of Hopkins Ditch to which Weeks water is sought to be transferred.

H. Hopkins land to which Weeks water is sought to be transferred.

Note: Weeks and Hopkins are really undertaking an exchange of waters, and this application should be construed with a similar application filed with this and made by C. G. Hopkins. Unless both applications are granted nothing could be accomplished by granting one. The Hopkins land and right have an earlier priority than the Weeks land and right, but Hopkins can get along with the right which is shut off first because his land is differently situated in relation to ground water conditions which prevail during the later weeks of the irrigation season.

X. This is the present point of diversion of the Weeks (S. A. A. Creek) right sought to be charged to the Hopkins ditch in Sec. 6. Tp. 1. R. 4. E. B. M. SEC.

W. This is the Weeks land from which the right is sought to be transferred.

Page 1 of 12STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3605APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
APPROVEDName of applicant Everett or Anna R. Griffel Phone (208) 483-3755
Post Office address P.O. Box 27 Swan Valley, ID 83449

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To allow use of several points of diversion to better irrigate this large block of land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
TR 438/23-0023	6-01-1897	3.20	Irrigation	4-1 to 11-1
TR 489/23-0038A	6-01-1890	1.06	Irrigation	4-1 to 11-1
23-0099	1-22-1916	3.20	Irrigation	4-1 to 11-1
23-0037	6-01-1889	3.00	Irrigation	4-1 to 11-1

2. Total amount of water being transferred 10.46 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Rainey Creek & Snake River, South tributary to Snake River, South Fork & Snake River Fork
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	6	1N	44E	Bonneville	
		SE	NW	12	1N	43E		
		SW	NE	1	1N	43E		

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	43E	1					LT 3 30	LT 4 37	38	38	39	38	25	25					270
		2	LT 1 38		38	38									38	37			189
2N	43E	35																37	37
		36											38	14					38 52

Lot Descriptions ADDED 5-7-90
TJL/ukeTotal acres 534 548

PART 1

6. General Information:

a. Description of diversion system Ditches to flood irrigationb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No affect. Thus water has been traditionally used on our ground.

d. Remarks:

Rt. 23-0037 - applicants will get disclaimer from owners of N 1/2 NW 1/4 Sec. 12**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 23-0023/0037/0038/0099And said application is hereby APPROVED, subject to the following limitations and conditions:See attached sheet for conditions of approval.**MICROFILMED**

SEP 04 1990

Witness my hand this

16th

day of

August, 19 90J. Shaw Saylor

Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of Rexburg Irrigation vs. Teton Irrigation Canal Co.
dated 12-16-1910 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 438/23-0023 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Rainey Creek tributary to Snake River, South Fork

4. Date or priority 6-01-1897

5. Water is used for the following purpose:

amount 3.20 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	6	1N	44E	Bonneville	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	43E	1						A											
		2	A																
2N	43E	35																A	
		36										A							

Total acres Not listed

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED

SEP 04 1990

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of Rexburg Irrigation vs. Teton Irrigation Canal Co.
dated 12-16-1910 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 489/23-0038A which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Rainey Creek tributary to Snake River, South Fork

4. Date or priority 6-01-1890

5. Water is used for the following purpose:

amount 1.06 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.06 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: Not listed

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	*	SW	NW	8	1N	4E	Bonanza	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	43E	1							A	A	A	A	A	A					

MICROFILMED

SEP 04 1990

Total acres Not listed

9. Describe any other water rights used for the same purpose as described above 23-0037
Transfer 489 3611 23-0038 into on A & B portions. The transfer pertains to the B portion of
the right. * from the original place of use listed diversion listed in transfer 489. DMB

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 23-0037 Decreed to Charles Englis
in case of Rexburg Irrigation vs. Teton Irrigation Canal Co.
dated 12-16-1910 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Rainey Creek tributary to Snake River, South Fork

4. Date or priority 6-01-1889

5. Water is used for the following purpose:

amount 3.00 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	8	1N	44E	Bonneville	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	43E	1							A	A	A	A	A	A					
		12					A	A											

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Total acres _____

9. Describe any other water rights used for the same purpose as described above 23-0038A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 3.00 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	8	1N	44E	Bonneville	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	43E	1							38	38	39	38	25	25					203

Total acres 203

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.00 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	8	1N	44E	Bonneville	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	43E	12					A	A											

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 23-0099 Decreed to Luther Smith
in case of Palisade Irrigation Co. vs. Lynn Crandall
dated 1-16-1951 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Rainey Creek tributary to Snake River, South Fork

4. Date or priority 1-22-1916

5. Water is used for the following purpose:

amount 3.20 cfs for Irrigation purposes from 4-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: Not listed

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	43E	1					A	A											
		2	A		A	A													
2N	43E	35																A	
		36																	

Total acres NA

9. Describe any other water rights used for the same purpose as described above 23-0023

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

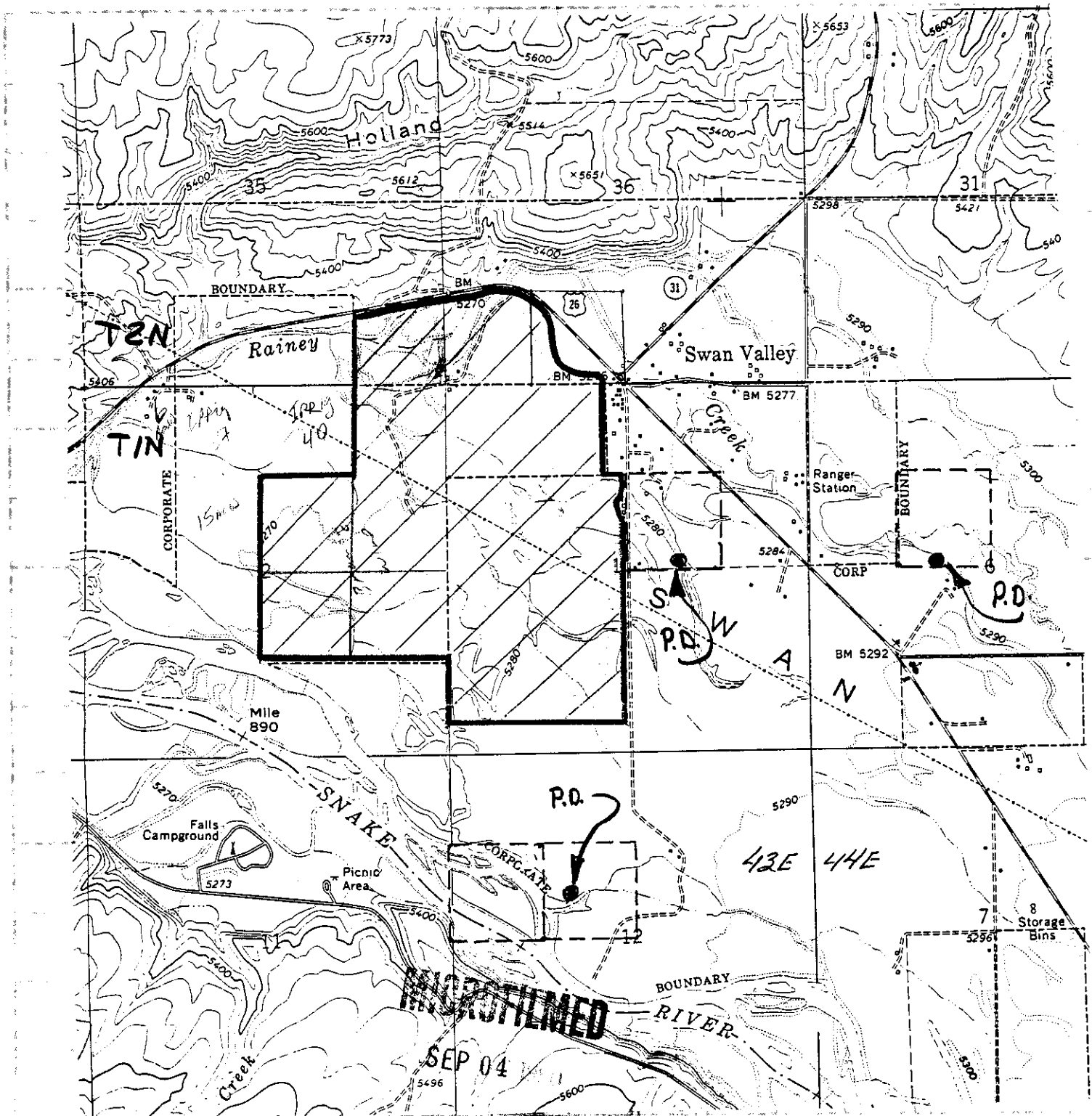
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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SEP 04 1990

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Ernest J. Giffel Anna R. Giffel
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of July, 1989.

Patricia L. Weeks
(Notary Public)

My commission expires 10-8-94

Assisted by HWT**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by HWT Date 7-21-89 Protest filed by _____Prelim. check by SMD Fee \$50.00Receipted by HWT Date 7-21-89 *E009556Published in State Wide Copies of protest forwarded by _____Pub. dates 9-21-89, 28-89, NOV 11-16-89, 23-89 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

SEP 14 1990

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 489

THIS IS TO CERTIFY That Therese Gottsche, of Swan Valley, County of Bonneville, State of Idaho, has a right to the use of the waters of Rainey Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants, J. M. Stevens, District Judge, wherein 1.94 second feet of the waters of Rainey Creek, in Water District No. 36, were dedicated to the NW $\frac{1}{4}$ of Sec. 12, and south 20 acres of the SW $\frac{1}{4}$ of Sec. 1, Twp. 1 N., R. 43 E., B.M., said right bearing date of priority of June 1, 1890; and that said decree has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 3 of Decrees, at page 450:

THAT, upon the application of Therese Gottsche for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.94 second feet of the waters of Rainey Creek upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is given below, said water to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.94 sec. ft., dated June 1, 1890

S $\frac{1}{2}$ of N $\frac{1}{2}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 5, Twp. 1 N., R. 44 E., B.M.

THAT the water to be transferred has heretofore been diverted at a point in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 8, Twp. 1 N., R. 44 E., B.M., but will hereafter, by virtue of this certificate, be diverted at a point in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 34, Twp. 2 N., R. 44 E., B.M.

THAT the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 20th day of June, 1970.

(SEAL)

GEO. N. CARTER

Commissioner of Reclamation.

MICROFILMED

SEP 04 1990

PARCEL MASTER INQUIRY

PARCEL NO	800000120002 A	EAT YR	QUANTITY	UNIT	VALUE
EFFECTIVE DATE	120688	EXPIRE DATE	1	184960 AC	31743
			5	48000 AC	1203
NAME AND	STOLTENBERG DENIS L	10 89	1000 AC		5800
ADDRESS	P O BOX 36	19	3000 AC		
	SWAN VALLEY ID 83449-0036	31 86			29197
		32			10039

LEGAL NE1/4 LESS 3.03 A.
NE1/4 NW1/4. LOT 1.
SEC 12, T 1N, R 43

236960 *** 77982

CODE AREA	00700	TYPE	LOCATION	4001	COMMAND KEYS:	1-TAX
PREVIOUS PARCEL #		WORKFILE	7-EQJ	10-ENTRY	11-UPDAT	
COMMENTS	86 CANC # 2287	HO	12-NX PG	13-NAME	14-ADDRS	

ENTER COMMAND OR PARCEL #
PROPERTY ADDRESS 1306 STOLTENBERG LN 83449 PARCEL # A

MICROFILMED

SEP 04 1990

CONSOLIDATED TAX NOTICE AND RECEIPT
28129

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
4,624	07	R100003359001	24184

SE1/4 SE1/4 LESS R/W
& 1.55 A NW COR,
SEC 35, T 2N, R 43

GRIFFEL ANNA R
P O BOX 27
SWAN VALLEY ID 83449-0027

DELINQUENT CERT.

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

CONSOLIDATED TAX NOTICE AND RECEIPT
28131

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
12,317	102	R01N43E012406	30715

LOT 3 LESS 8.29 A, LOT 4,
SEC 1, T 1N, R 43

GRIFFEL ANNA R
P O BOX 27
SWAN VALLEY ID 83449-0027

DELINQUENT CERT.

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.004691	21.70	TAX 52.04
92 SCHOL	.005684	26.28	PEN.
FIRE # 2	.000633	2.92	SUB TOT.
AMBULANCE	.000245	1.14	TOT.
CODE AREA TAX .011253			52.04
TOTAL TAX:			52.04
2ND INSTALLMENT			TAX 26.02
			PEN.
			SUB TOT.
			TOT.
1ST INSTALLMENT			TAX 26.02
			PEN.
			SUB TOT.
			TOT.

PLEASE READ BACK OF NOTICE

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.004691	57.78	TAX 138.60
92 SCHOL	.005684	70.00	PEN.
FIRE # 2	.000633	7.80	SUB TOT.
AMBULANCE	.000245	3.02	TOT.
CODE AREA TAX .011253			138.60
TOTAL TAX:			138.60
2ND INSTALLMENT			TAX 69.30
			PEN.
			SUB TOT.
			TOT.
1ST INSTALLMENT			TAX 69.30
			PEN.
			SUB TOT.
			TOT.

CONSOLIDATED TAX NOTICE AND RECEIPT
28128

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
22,582	102	R01N43E020002	30719

LOT 1 LESS 1.73 A, S1/2 NE1/4,
N1/2 SE1/4, SEC 2,
T 1N, R 43

GRIFFEL ANN R
P O BOX 27
SWAN VALLEY ID 83449-0027

DELINQUENT CERT

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

COUNTY
92 SCHOOL
FIRE # 2
AMBULANCE

*004691	105.94	TAX	254.14
*005684	128.36	PEN.	
*000633	14.30	SUB TOT.	
*000245	5.54	TOT.	

1ST INSTALLMENT

TAX 127.07

PEN.

SUB TOT.

TOT.

CODE AREA TAX

254.14

2ND INSTALLMENT

TAX 127.07

PEN.

SUB TOT.

TOT.

TOTAL TAX:

254.14

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

PLEASE READ BACK OF NOTICE

CONSOLIDATED TAX NOTICE AND RECEIPT
28130

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
28,631	07	R100003366717	24190

2956 SWAN VALLEY HWY
HOME EXEMPT S1/2 SW1/4 S HWY LESS 6.04 A,
B, 402 SEC 36, T 2N, R 43

TAXABLE

20,229

GRIFFEL ANNA R
P O BOX 27
SWAN VALLEY ID 83449-0027

DELINQUENT CERT

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

COUNTY
92 SCHOOL
FIRE # 2
AMBULANCE

*004691	94.90	TAX	143.07
*005684	114.98	PEN.	
*000633	12.80	SUB TOT.	
*000245	4.96	TOT.	

1ST INSTALLMENT

TAX 143.07

PEN.

SUB TOT.

TOT.

CODE AREA TAX

227.64

LANDFILL

SPECIALS

LIBRARY

38.50

20.00

TOTAL TAX:

286.14

NOT RECORDED
SEP 04 1990

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

PLEASE READ BACK OF NOTICE

CONSOLIDATED TAX NOTICE AND RECEIPT

1988

BONNEVILLE COUNTY
PERSONAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
17,696	07	P2GRIFEEVE01	3079

322 STOLTENBERG LN
RR # R600000014201
S1/2 NW1/4 LESS 3.45 A,
N 140 A SW1/4,
SEC 1, T 1N, R 43

DELINQUENT CERT

GRIFFEL EVERETT FRED
P O BOX 86
SWAN VALLEY ID 83449-0086

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

CONSOLIDATED TAX NOTICE AND RECEIPT

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
10,204	103	K02N44E294801	34806

SW1/4, SEC 29, T 2N, R 44

GRIFFEL EVERETT F
P O BOX 86
SWAN VALLEY ID 83449-0086

DELINQUENT CERT

IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

PLEASE READ BACK OF NOTICE

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

COUNTY	004691	47.86	TAX	114.82
92 SCHOL	005684	58.00	PEN.	
FIRE # 2	000633	6.46	SUB TOT.	
AMBULANCE	000245	2.50	TOT.	

CODE AREA TAX	011253	114.82	TAX	57.41
			PEN.	
			SUB TOT.	
			TOT.	

TOTAL TAX:		114.82	TAX	57.41
			PEN.	
			SUB TOT.	
			TOT.	

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SEP 04 1990

CONSOLIDATED TAX NOTICE AND RECEIPT 28133

1988

BONNEVILLE COUNTY
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
57,996	07	RG00000014201	24077

322 STULTENBERG LN
S1/2 NW1/4 LESS 3.45 A,
N 140 A SW1/4, SEC 1,
T 1N, R 43

DELINQUENT CERT
GRIFFEL EVERETT FRED
P O BOX 86
SWAN VALLEY ID 83449-0086

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

COUNTY	004691	272.06	TAX	652.62
92 SCHOOL	005684	329.64	PEN.	
FIRE # 2	000633	36.72	SUB TOT.	
AMBUANCE	000245	14.20	INT.	
			TOT.	

CODE AREA TAX	011253	652.62	TAX	326.31
			PEN.	
			SUB TOT.	
			INT.	
			TOT.	

TOTAL TAX:	652.62		2ND INSTALLMENT	226.31
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IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

CONSOLIDATED TAX NOTICE AND RECEIPT

1911

1988

BONNEVILLE COUNTY
MOBILE HOME

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
4,651	07	TACAD721212	3260

322 STULTENBERG LN
ACADEMY 1972 12 X 46

ALSO USE CODE 4781 & 4789
SEC 1, T 1N, R 43
RR # RG00000014201

DELINQUENT CERT
GRIFFEL EVERETT FRED
P O BOX 86
SWAN VALLEY ID 83449-0086

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

COUNTY	004691	21.82	TAX	52.34
92 SCHOOL	005684	26.44	PEN.	
FIRE # 2	000633	2.94	SUB TOT.	
AMBUANCE	000245	1.14	INT.	
			TOT.	

CODE AREA TAX	011253	52.34	TAX	26.17
			PEN.	
			SUB TOT.	
			INT.	
			TOT.	

TOTAL TAX:	52.34		2ND INSTALLMENT	26.17
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IF RECEIPT REQUIRED RETURN ENTIRE NOTICE

PLEASE READ BACK OF NOTICE

MICROFILMED
SEP 04 1990

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

OCT 24 1989

No 20368

I, Linda Copps McGuire, being first duly sworn upon oath, depose and say that I am Bureau Chief of the TIMES NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated September 21, 1989, and ending with the issue dated September 28, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 6 day of October in the year of 1989, before me,

Notary Public, personally appeared Linda Copps McGuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

SEP 04 1990

OCT - 2 1989

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Eastern District Office

LEGAL ADVERTISING INVOICE

Amount Due

8364

Account Name Idaho Department of Water Resources - Eastern			Account Number 100564	
Address 150 Shoup Ave., Suite 15		City/State Idaho Falls, Idaho		Zip 83402
Ordered By Rita Bodell	P.O. Number	Rate nt	Run Dates 1989 September 21, 28, 1989	
Identification Notice of Proposed Change of Water Right - Griffel			Estimated Inches	Real Inches
Number of Affidavits Requested 1			Legal Number 3692	

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. S TR438/23-0023,
TR489/23-0038A,
23-0099, 23-0037

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:
AMOUNT: 3.20 CFS
PRIORITY: June 1, 1897
POINT OF DIVERSION: NENE SEC6 TIN R44E, B.M. Bonneville, Blaine County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 TIN SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:
AMOUNT 1.06 CFS
PRIORITY: June 1, 1890
POINT OF DIVERSION: SWNW SEC 8 TIN R44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SEC1 TIN R43E

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 14, 1910 in District Court and recorded as follows:
AMOUNT: 3.00 CFS
PRIORITY: June 1, 1889
POINT OF DIVERSION: SWNW SEC8 TIN 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SEC1 NENE SEC2 TIN SESE SEC35 SWSW SEC36 T2N R43E

NO. 23-0099 Decreed to Luffa Smith in case of Palisade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:
AMOUNT: 3.20 CFS
PRIORITY: January 22, 1916
POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 TIN: SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 TIN R44E; SENW SEC12 SWNE SEC1 TIN R43E, and used to irrigate 548 acres within the W1/2 SEC1 NENE S1/2NE1/4 SEC2 TIN: SESE SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. KEITH HIGGINSON

Pub. Notary Public

COUNTY OF ADA

On this 28th day of September 1989, before me, a Notary Public, personally appeared Debbie Richards, known or identified

to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 12/93

ie Richards, being duly at she is the Principal Clerk of The spaper printed and published at Boise, nd having a general circulation therein s been continuously and uninterruptedly ng a period of twelve consecutive cation of the notice, a copy of which is ice was published in The Idaho Section 60-108, Idaho Code as

secutive daily ☐ single ☐ odd skip

e issue of September 21, 1989

September 28, 1989

Richardson
MICROFILMED

SEP 04 1989

Proof of Publication
The Post-Register

RECEIVED

OCT 5 1989

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene ..., first being duly sworn, depose and say: That I am the
..... Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for two consecutive weeks, first publication having been made
on the 21st day of September , 19. 89 ., last publication
having been made on the 28th day of September , 19. 89 ., and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this .. 3rd. ... day of October , 19. 89 .

Ted Delezene
.....
Deon R. Napier
.....
Notary Public

My commission expires .. September. 30, , 19. 94 .

B10

Local Advertisers
OK
MICROFILMED
SEP 04 1990

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO.'S TR438/23-0023, TR489/23-0038A,
23-0099, 23-0037**

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.20 CFS; PRIORITY: June 1, 1897

POINT OF DIVERSION: NESW SEC6 T1N R44E, B.M. Bonneville County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 T1N; SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 1.06 CFS; PRIORITY: June 1, 1890

POINT OF DIVERSION: SWNW SEC8 T1N R44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 T1N R43E

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.00 CFS; PRIORITY: June 1, 1889

POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4 SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS; PRIORITY: January 22, 1916

POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres within the W1/2 SEC1 NENE S1/2NE1/4 N1/2SE1/4 SEC2 T1N; SESE SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. Keith Higginson
Director

Published: September 21, 28, 1989

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 092889 INVOICE No. L00175494
Account No. 14660 TR-58/23-0
Description 75494NOTIC
Times 2 Lines 82
Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
150 SHoup AVE. SUITE 15
IDAHO FALLS
ID 83402

\$ 82.00

NOTICE

ade by you. Statement will be rendered the first of the month.
Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED CHANGE

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 092189 WEEK 2 for 2 consecutive WEEKS, or once a
publication thereof being on the 092189, and the last pub-
lication thereof being on the 092889, and said

NOTICE OF PROPOSED CHANGE

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28
day of September 1989

Sheral M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED
OCT - 2 1989
Department of Water Resources
Eastern District Office

NOTICE OF
CORRECTION

Notice is hereby given that PROPOSED CHANGE OF WATER RIGHT NO.'s TR438/23-0023, TR489-0038A, 23-0099, 23-0037 in the name of Everett or Anna R. Griffel, was advertised incorrectly on September 21 and 28, 1989.

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the water of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.20 CFS

PRIORITY: June 1, 1897

POINT OF DIVERSION: NESW SEC 6 T1N R4E, B.M. Bonneville, County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC 1 NENE SEC2 T1N; SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT 1.06 CFS

PRIORITY: June 1, 1890

POINT OF DIVERSION: SWNW SEC8 T1N R44E

The water is used to irrigate land from April 1 to November 1 within S $\frac{1}{2}$ -NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC1 T1N R43E

No. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.00 CFS

PRIORITY: June 1, 1889

POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S $\frac{1}{2}$ -NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC1N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS

PRIORITY: January 22, 1916

POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC 1 NENE S $\frac{1}{2}$ NE $\frac{1}{4}$ SEC 2 T1N; SESE SEC35 S $\frac{1}{2}$ SE $\frac{1}{4}$ SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SEC2 T1N; SESE SEC35 S $\frac{1}{2}$ SW $\frac{1}{4}$ SEC36 T2N R43E.

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. Keith Higginson

Director

PUBLISH: Thursday, November 16, and 23, 1989.

Affidavit Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

No 20575

I, Linda Capps McQuinn being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated November 16, 1989, and ending with the issue dated November 23, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 17 day of December in the year of 1989, before me, a Notary Public, personally appeared Linda Capps McQuinn, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

RECEIVED

NOV 1 1989

LEGAL ADVERTISING INVOICE

Department of Water Resources
Eastern District Office

Account Name Idaho Department of Water Resources (Eastern)		Account Number #100564	
Address 150 Shoup Avenue, Suite 15		City/State Idaho Falls, ID	Zip 83402
Ordered By Rita Bode11	P.O. Number	Rate NT	Run Dates 1989 November 16, 23
Identification Notice of Correction		Estimated Inches	Real Inches
Number of Affidavits Requested 1			Legal Number #4110

*Their error.
Their expense.
RB*

NOTICE OF CORRECTION
Notice is hereby given that PROPOSED CHANGE OF WATER RIGHT NO.'S TR438/23-0023, TR489/23-0038A, 23-0099, 23-0037 in the name of Everett or Anna R. Griffel, was advertised incorrectly on September 21 & 28, 1989.

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:
AMOUNT: 3.20 CFS
PRIORITY: June 1, 1897
POINT OF DIVERSION: NESW SEC6 TIN R44E, B.M. Bonneville County
The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 TIN; SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:
AMOUNT: 1.06 CFS
PRIORITY: June 1, 1890
POINT OF DIVERSION: SWNW SEC8 TIN R44E
The water is used to irrigate land from April 1 to November 1 within S½NW¼ SW¼ SEC1 TIN R43E

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:
AMOUNT: 3.00 CFS
PRIORITY: June 1, 1889
POINT OF DIVERSION: SWNW SEC8 TIN 44E
The water is used to irrigate land from April 1 to November 1 within S½NW¼ SW¼ SEC1 N½NW¼ SEC12 TIN R43E

NO. 23-0099 Decreed to Luther Smith in case of Pellsade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:
AMOUNT: 3.20 CFS
PRIORITY: January 22, 1916
POINT OF DIVERSION: Not listed in Decree
The water is used to irrigate land from April 1 to December 31 within N½NW¼ SECT NENE S½NE¼ SEC2 TIN; SESE SEC35 S½SE¼ SEC36 T2N R43E
TO BE CHANGED AS FOLLOWS:
The water will be diverted within the SENW SEC3 TIN R44E; SENW SEC12 SWNE SEC1 TIN R43E, and used to irrigate 540 acres within the W½ SEC1 NENE S½NE¼ N½SE¼ SEC2 TIN; SESE SEC35 S½SW¼ SEC36 T2N R43E

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before December 4, 1989.

R. Keith Hagstron
Pub. Nov. 16, 23, 1989

Julie Day

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for two

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of Nov. 16, 1989

and ending with the issue of Nov. 23, 1989

Julie Day

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 23rd day of November in the year of 1989, before me, a Notary Public, personally appeared Julie Day, known or identified

to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Linda Rice
Notary Public for Idaho
Residing at Boise, Id.
My commission expires: 12/93

MICROFILMED

SEP 04 1990

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

Gorbett, Ira A. 3.2 23-0023

438 Weeks, Samuel J. 3.2 23-0023

MICROFILMED

SEP 04 1990

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 438

THIS is to certify that Samuel J. Weeks, of Irwin, County of Bonneville, State of Idaho, has a right to the use of the waters of Rainey Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Rexburg Irrigation Co., et al, plaintiffs, vs. Teton Irrigation Canal Co., et al., defendants, J. M. Stevens, District Judge, wherein 3.2 second feet of the waters of Rainey Creek, in Water District No. 36, were dedicated to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, Twp. 1 N., R. 44 E., B.M., said right bearing date of priority of June 1, 1897; that said decree has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 3 of Decrees, at page 450:

That, upon the application of Samuel J. Weeks for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 3.2 second feet of the waters of Rainey Creek upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is given below, said water to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

3.2 second feet, dated June 1, 1897

Lot 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec.1; Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Sec.2; Twp. 1 N., R. 43 E., B.M.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp. 2 N., R. 43 E., B.M.

That the water right to be transferred has heretofore been diverted at a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, Twp. 2 N., R. 44 E., B.M. and carried through the Weeks ditch but will hereafter, by virtue of this certificate, be diverted at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, Twp. 1 N., R. 44 E., B.M. and carried through the Hopkins ditch.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

WITNESSES, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 5th day of March, 1929.

Commissioner of Reclamation.

23-0023

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the matter of the Application of)
Samuel J. Weeks for Transfer of)
Water Right: Water Dist. No.36)

ORDER GRANTING TRANSFER

WHEREAS, On the 13th day of February, 1929, at the Department of Reclamation of the state of Idaho, at Boise, the matter of the application of Samuel J. Weeks for a transfer of water right came regularly on for hearing, pursuant to the published notice: and,

WHEREAS, No one appeared at the hearing, either in person or by affidavit to protest the said application, and the evidence filed with the said application shows that a greater duty of water would result by reason of the transfer, and that no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be granted and that the certificate of transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 5th day of March, 1929.



Commissioner of Reclamation.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 2161-2162, 2163-2164, 2165-2166, 2167-2168, 2169-2170, 2171-2172, 2173-2174, 2175-2176, 2177-2178, 2179-2180, 2181-2182, 2183-2184, 2185-2186, 2187-2188, 2189-2190, 2191-2192, 2193-2194, 2195-2196, 2197-2198, 2199-2200, 2201-2202, 2203-2204, 2205-2206, 2207-2208, 2209-2210, 2211-2212, 2213-2214, 2215-2216, 2217-2218, 2219-2220, 2221-2222, 2223-2224, 2225-2226, 2227-2228, 2229-2230, 2231-2232, 2233-2234, 2235-2236, 2237-2238, 2239-2240, 2241-2242, 2243-2244, 2245-2246, 2247-2248, 2249-2250, 2251-2252, 2253-2254, 2255-2256, 2257-2258, 2259-2260, 2261-2262, 2263-2264, 2265-2266, 2267-2268, 2269-2270, 2271-2272, 2273-2274, 2275-2276, 2277-2278, 2279-2280, 2281-2282, 2283-2284, 2285-2286, 2287-2288, 2289-2290, 2291-2292, 2293-2294, 2295-2296, 2297-2298, 2299-2300, 2301-2302, 2303-2304, 2305-2306, 2307-2308, 2309-2310, 2311-2312, 2313-2314, 2315-2316, 2317-2318, 2319-2320, 2321-2322, 2323-2324, 2325-2326, 2327-2328, 2329-2330, 2331-2332, 2333-2334, 2335-2336, 2337-2338, 2339-2340, 2341-2342, 2343-2344, 2345-2346, 2347-2348, 2349-2350, 2351-2352, 2353-2354, 2355-2356, 2357-2358, 2359-2360, 2361-2362, 2363-2364, 2365-2366, 2367-2368, 2369-2370, 2371-2372, 2373-2374, 2375-2376, 2377-2378, 2379-2380, 2381-2382, 2383-2384, 2385-2386, 2387-2388, 2389-2390, 2391-2392, 2393-2394, 2395-2396, 2397-2398, 2399-2400, 2401-2402, 2403-2404, 2405-2406, 2407-2408, 2409-2410, 2411-2412, 2413-2414, 2415-2416, 2417-2418, 2419-2420, 2421-2422, 2423-2424, 2425-2426, 2427-2428, 2429-2430, 2431-2432, 2433-2434, 2435-2436, 2437-2438, 2439-2440, 2441-2442, 2443-2444, 2445-2446, 2447-2448, 2449-2450, 2451-2452, 2453-2454, 2455-2456, 2457-2458, 2459-2460, 2461-2462, 2463-2464, 2465-2466, 2467-2468, 2469-2470, 2471-2472, 2473-2474, 2475-2476, 2477-2478, 2479-2480, 2481-2482, 2483-2484, 2485-2486, 2487-2488, 2489-2490, 2491-2492, 2493-2494, 2495-2496, 2497-2498, 2499-2500, 2501-2502, 2503-2504, 2505-2506, 2507-2508, 2509-2510, 2511-2512, 2513-2514, 2515-2516, 2517-2518, 2519-2520, 2521-2522, 2523-2524, 2525-2526, 2527-2528, 2529-2530, 2531-2532, 2533-2534, 2535-2536, 2537-2538, 2539-2540, 2541-2542, 2543-2544, 2545-2546, 2547-2548, 2549-2550, 2551-2552, 2553-2554, 2555-2556, 2557-2558, 2559-2560, 2561-2562, 2563-2564, 2565-2566, 2567-2568, 2569-2570, 2571-2572, 2573-2574, 2575-2576, 2577-2578, 2579-2580, 2581-2582, 2583-2584, 2585-2586, 2587-2588, 2589-2590, 2591-2592, 2593-2594, 2595-2596, 2597-2598, 2599-2600, 2601-2602, 2603-2604, 2605-2606, 2607-2608, 2609-2610, 2611-2612, 2613-2614, 2615-2616, 2617-2618, 2619-2620, 2621-2622, 2623-2624, 2625-2626, 2627-2628, 2629-2630, 2631-2632, 2633-2634, 2635-2636, 2637-2638, 2639-2640, 2641-2642, 2643-2644, 2645-2646, 2647-2648, 2649-2650, 2651-2652, 2653-2654, 2655-2656, 2657-2658, 2659-2660, 2661-2662, 2663-2664, 2665-2666, 2667-2668, 2669-2670, 2671-2672, 2673-2674, 2675-2676, 2677-2678, 2679-2680, 2681-2682, 2683-2684, 2685-2686, 2687-2688, 2689-2690, 2691-2692, 2693-2694, 2695-2696, 2697-2698, 2699-2700, 2701-2702, 2703-2704, 2705-2706, 2707-2708, 2709-2710, 2711-2712, 2713-2714, 2715-2716, 2717-2718, 2719-2720, 2721-2722, 2723-2724, 2725-2726, 2727-2728, 2729-2730, 2731-2732, 2733-2734, 2735-2736, 27

Union National Life Insurance Company, et al.,

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

U. S. C. R. 111.

—

the City of New York, at 11,

[illegible]

(File #) was on the board from [redacted] to [redacted]

[illegible]

It is further agreed, that the water to be used, to have flow at or actively to the extent of, for irrigation and other purposes, the following number of inches of water, each fifty inches thereof to be equivalent to one foot of water per second, as prescribed by the laws of the State of California.

August 16, 1990

RE: Transfer of Water Rights Nos. 23-0023/0037/0038/0099

Everett or Anna R. Griffel
P.O. Box 27
Swan Valley, ID 83449

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3605). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED

SEP 1 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TJL*

DATE: JUNE 21, 1990

RE: TRANSFER APPLICATION NO. 3605

*CONDITIONS Revised AS PER
Review & Discussion w/GARY
I REPRINTED this memo w/REVISIONS.*

TJL 8-2-90

=====

This memo supplements a previous memo concerning the transfer and conditions of approval. I have used bold print to note additions/revisions to the previous memo. Most of the revisions address prior concerns raised in review of this transfer. Skip Jones has responded to some of our questions and as resolved or clarified certain matters.

This transfer seeks to change the place of use under one decreed right, 23-0037, and change or add points of diversion to this right and three additional decreed rights. The transfer also describes specific number of acres per quarter-quarter section. All four decreed rights divert from Rainey Creek. The Decree containing 23-0099 however lists the source of water for this right as Lower Rainey Creek.

Ownership records and consent of landowner to change place of use from land in Section 12, T1N R43E under right 23-0037, are part of the transfer file and appear in order (we overlooked the fact that lot 1 is the NWNW of sec. 12, and that lot 1. is listed in the tax notice as being owned by Stoltenberg).

This application proposes that one of the additional points of diversion will divert water from the South Fork of the Snake River, thereby resulting in a source change. The Department may allow this added point of diversion on the condition that the diversion is regulated as a Rainey Creek diversion and not a Snake River diversion. For example, any cuts made to Rainey Creek diversions would also be applicable to the Snake River diversion.

Conditions of Approval:

1. <<R04>> Use of water under this license is subject to control by the watermaster of State Water District No. 01, Snake River.
2. Approval of this transfer authorizes a point of diversion from the South Fork Snake River, but the diversion shall be regulated as a Rainey Creek diversion under Right No.s 23-0023, 23-0037, 23-0038A and 23-0099, according to priority.
3. Only one ditch may serve the place of use at any one time.

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Measurements and delivery of water to these rights will be made at either the SENW Section 12, T1N R43E (Brandywine ditch), or the Rainey ditch at the SENW Section 1, T1N R43E.

4. Approval of this transfer does not recognize that water diverted under right no. 23-0099 is diverted to lands other than that described as the place of use in the decree of Pallisade Irrigation Co. v. Lynn Crandall.

5. When combined, Right No.s 23-0023, 23-0037, 23-0038A & 23-0099 shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the land identified under item B.5.

6. <<T04>> Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

7. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

To, Tim Luke & Jim Johnson
Re: Transf. Applic #3605

This is to answer the questions you posed for
above Transf. Applic.

Question # 1/ This transf. does not intend to expand the place of use
of any of the rts. including 23-00099. It seeks only
to unify the rts as to the singular points of diversion
they share and list the combined acres they serve. If you
piece the rts together I think you will find they cover
the stated land list on line 5 of Part 1. If you
took a different tack & keyed on the phrase
"lands not heretofore irrigated," you would then
have to consider that all the adjacent grounds listed are
implied to have been irrigated as reflected by previous
decree (Rexburg vs Teton Irrig). Any movement of
23-00099 would be onto previously irrigated ground.

I think the first scenario is the one I advocate
since we have been addressing multiple rts on adj. grounds
this way as does the adj. claims process.
The condition you state is not counter to the intent
of the transfer.

RECEIVED

APR 11 1994

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Question # 2/ Please note that Mr Stoltmberg's tax notice
says NE NW & Lot 1. Lot 1 is the NW NW. See
✓
TJL attached plat map. Attachment "A"

Question # 3/ I checked the adjudication filings for the N 1/2 NE
of Sect 12 T1N R43E and have found that there are
no filings for that tract. The only potential filing
OR ✓
TJL was A 23-00001 which was filed by Francis
Stoltmberg and then deleted by his request. Attachment "C"

Question # 4/ The watermaster of C0001 has determined that there
is adequate flow from Rainey Creek so that a
transfer to the Snake River does not constitute an
improvement on the use of said rts.

Question # 5/ Please see adj claim 23-00008 (^{enclosed} ~~closed~~) which shows
the Weeks Bros as claimants. Also note on line 14
that they state the POA listed in original decree
OR ✓
TJL (SW 1/4 Sect 1) was incorrect and should have stated
SE 1/4 Sect 1. Attachment "B"

I hope the above helps

2/2/2010
J. C. Jones

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-00048
Date Received: 8/25/1989
Receipt No: E009979
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEEKS BROTHERS 208-483-3361
Address: C/O STEVE WEEKS
P.O. BOX 25
SWAN VALLEY, ID 83449
2. Date of Priority: JUN 01, 1893
3. Source: RAINEY CREEK, LOWER Trib. to: SNAKE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	44E	7	SW	NE	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 572.5 Acre Feet Per

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

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SEP 04 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	43E	1	NE	SE		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0

A23-00048

Page 1

Date: 06/20/90

TO answer question #5;

- 1/ Another party Feels they have this rt.
- 2/ See line 14 of remarks

Attachment "B"

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	43E	1	SE	SE		IRR	39.0
						Section Acres	157.0
	44E	6	NW	SW		IRR	36.0
			SW	SW		IRR	36.0
						Section Acres	72.0
						Total Acres	229.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

23-00098, PALISADES CANAL RTS, PALISADES STORAGE RTS.

14. Remarks:

P/D AND P/U INCOMPLETE IN DECREE.

APPEARS TO BE ERROR IN DESCRIPTION IN DECREE. SHOULD BE SE1/4
OF SECTION 1 RATHER THAN SW1/4 AS INDICATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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SEP 04 1990

Date: 06/20/90

ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A23-00101

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
DELETE*** O - ORIGINAL OWNER ***
STOLTENBERG

FRANCIS

1 -
2 -
3 -
City -
Phone - 208-000-0000
State- ID Zip- 00000

1 -
2 -
3 -
City -
Phone - 208-000-0000
State- ID Zip- 00000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/22/1916 15 Error in Region

+ - - Source - - - - - + + - - Tributary - - - - - +
DELETE NOT RECEIPTED

+ - - Twn Rng Sec Tract Lot Rfng County (Blank if no Index Code)
01N 43E 1 (19) BONNEVILLE

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 4.200
43 - DOMESTIC

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
4.200

+ - - Twn Rng Sec Tract Lot Acres Code Description County
01N 43E 1 01 IRRIGATION (19) BONNEVILLE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

NUMBERS FOR THIS RT. ARE 01-0366 & 23-0101.
CLAIMANT DECIDED NOT TO FILE THE ADJUDICATION CLAIM SINCE OTHER

MICROFILMED

SEP 04 1990

Attachment "C"

ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

(OD-124)

Adj. flag translation: ADJUDICATION CLAIM

Water right number - A23-00101

Remarks - RIGHTS SUFFICIENTLY COVERED PROPERTY.

Old Water Right Numbers -

No Old Water Right Numbers Found

Conditions of Approval - No Conditions of Approval found.

Decree Date - 00/00/0000

Decree Plaintiff - LYNN CRANDALL.

Decree Defendant -

PARISADE IRR. CO., ET AL.

Comments - No Comments Found

Audit Fields -

Adjudication Rights Dates and Flags Area		Civil Case Number
Court Report Filing	00/00/0000	Field Inspection Made
Objection Filed Date	00/00/0000	Field Inspection Flag
Response Filed Date	00/00/0000	Verified Date
Claim Received Date	00/00/0000	Last Amended Date
		Receipt Number
		POU Ownership Flag
		Name Connector

39576

MICROFILMED

SEP 12 1990

MEMORANDUM

TO: H.W. Jones

THRU: Jim Johnson

FROM: Tim Luke

RE: Transfer Application No. 3605

DATE: 6-14-90

=====

Skip;

Jim and I have reviewed this transfer and have developed some concerns and questions. You may recall I spoke with you before about this transfer. Since you seemed to be knowledgeable of the transfer, we thought we would first address these questions to you, rather than the applicants.

1. Right no. 23-0099 was decreed in the Palisades Irrig. Co. v Lynn Crandall case. Judgement no. 2 specifically states that the rights "shall not be subject to transfer to any lands not heretofore irrigated, and if the owners or their successors in interest transfer the same to lands not heretofore irrigated, such rights shall immediately lapse and become void and of no effect."

You will note on the transfer that 23-0099 as recorded, does not cover all of the land described as the place of use after the requested change. Therefore, we feel that we must add a condition to this transfer which stipulates that water under right 23-0099 can not be diverted to lands other than that described under this decreed right.

2. We note from our overlap report that if the transfer is approved, there will be no rights appurtenant to the NWNW section 12, T1N R43E. We also note that there is no ownership information for this particular parcel. Mr. Stoltenberg's tax notice does not indicate that he owns this tract. It does not appear that the owner of this tract has been contacted or has provided consent to the transfer. The current land owner therefore should be notified that this land can not be irrigated if the transfer is approved, unless a new application is filed and approved.

3. We also note from the overlap report that there are other rights appurtenant to the NENW of Section 12, the tract which Stoltenberg does own. It would seem that additional volume from

↓
Perhaps we should condition so that
orig of this (cont) must receive new app.

MICROFILMED

SEP 04 1990

See
Gov. Lot
Sheet

Attachment
"A"

No Adj.
claims

Filed on
NENW or NWNW (L-1)
of Sec 12 T1N R43E

the South Fork Snake River would be required to irrigate this tract if the right from Rainey Creek is removed. Information should be requested from ~~from~~ Stoltenberg on how he proposes ~~to~~ not to increase the volume under other rights if the transfer is approved.

Watermaster
has approved
this change

4. Of the 548 acres identified in the proposed transfer, 245 acres were previously identified as using the Lower Rainey Creek as a source by the Decree. The transfer appears to drop this source and proposes to use Rainey Creek and South Fork Snake River.

See
attached ✓
Adj. claim
Attach. B. *gg*
ok

5. Right no. 23-00048 is appurtenant to the SW1/4 of section 1, T1N R43E using Rainey Creek. Why is this right not included on the transfer application?

We would appreciate your review of this transfer and either providing a response to our concerns or discussing the matter further with us.

MICROFILMED

SEP 14 1990

MEMORANDUM

TO: TIM

FROM: JIM JOHNSON

RE: TRANSFER APPLICATION NO. 3605

DATE: May 14, 1990

=====

I have reviewed the above referenced transfer application and have the following comments:

1. Right No. 23-0099 was decreed in the Palisade Irrigation Company vs. Lynn Crandall court case. Judgment No. II. specifically states that the water rights "...shall not be subject to transfer to any lands not heretofore irrigated, and if the owners or their successors in interest shall attempt to transfer the same to lands not heretofore irrigated, such rights shall immediately lapse and become void and of no effect." The place of use description listed on the transfer includes ~~N~~1/2 SE1/4 Section 2 which prior to the transfer application did not have any water appurtenant. (I am assuming that the land was not irrigated at the time of the decree.) Using water from this right on said land will cause it to become lapsed.

Note: Remaining POU in transfer is already described by 23-0099. Perhaps applicant is planning for 23-0099 to change OR Add POU. Own condition transfer not to include N/2 SE 1/4 2.

2. If water is removed from the NWNW Section 12 T01N R43E and if this land continues to be irrigated it becomes an illegal use of water. The current land owner should be notified that this land cannot be irrigated until a water right is filed.

3. Additional volume from South Fork of the Snake River will be required to irrigate land within the NENW Section 12 T01N R43E if the water right from Rainey Creek is removed. Information should be requested from the land owner on how he proposes not to increase the volume if the transfer is approved.

4. Of the 548 acres shown irrigated in the proposed transfer 245 acres were previously identified as using the Lower Rainey Creek as a source by the Decree. The transfer appears to drop this source and proposes to use Rainey Creek and South Fork of the Snake River.

5. Right 23-00048 is appurtenant to the SW1/4 Section 1 T01N R43E using Rainey Creek. Why is this right not included on the transfer application?

MICROFILMED

SEP 04 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: May 11, 1990

RE: TRANSFER APPLICATION NO. 3605

=====

This transfer seeks to change the place of use under 'one' decreed right, 23-0037, and change or add points of diversion to this right and three additional decreed rights. All four decreed rights divert from Rainey Creek.

Ownership records and consent of landowner to change place of use from land in Section 12, T1N R43E under right 23-0037, are part of the transfer file and appear in order.

This application proposes that one of the additional points of diversion will divert water from the South Fork of the Snake River, thereby resulting in a source change. The Department may approve the transfer by allowing the additional points of diversion as proposed by the transfer but without adding the South Fork Snake River as a source. To accomplish this and avoid possible expansion of the rights, the transfer must be carefully conditioned. The database should not be changed to include the South Fork of the Snake River as a source of water for any of the rights identified in this transfer. Points of diversion listed in B.4 should be added. Listed below are the recommended conditions:

<<R04>> Use of water under this license is subject to control by the watermaster of State Water District No. 01, Snake River. ✓

Approval of this transfer does not recognize a change in source from Rainey Creek to the South Fork of the Snake River. Right No.s 23-0023, 23-0037, 23-0038A and 23-0099 shall be regulated as Rainey Creek diversions, according to priority. All Rainey Creek priority cuts made to these rights are applicable to all points of diversion.

Only one ditch may serve the place of use at any one time. Measurements and delivery of water to these rights will be made at either the SENW Section 12, T1N R43E (Brandywine ditch), or the Rainey ditch at the SENW Section 1, T1N R43E.

When combined, Right No.s 23-0023, 23-0037, 23-0038A & 23-0099 shall provide no more than 0.02 cfs per acre nor more than 0.02 afa per acre for the land identified under item B.5.

SEP 04 1990

<<T02>> The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

<<T04>> Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

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SEP 04 1990

MEMORANDUM

TO: JIM

FROM: TIM LUKE

RE: LAPSED PERMIT — *TRANSFER App.*

DATE: 5-7-90

Jim;

I am having some difficulty in advocating any position or recommendation for this transfer. The transfer involves four decreed rights from Rainey Ck. The applicant is seeking to add a point of diversion from a different source, the South Fork of the Snake River.

I struggle with how the Department would control diversions from two different sources under multiple rights. I am not certain how we might condition this transfer if we are to approve it.

No TAT Notices! Do not show ownership of NW 1/4 sec 12.
Ownership records all are all complete, consent to change P.O. in ~~app~~ from NW 1/4 NW of sec 12 order 23-0037 is sufficient.

Only problem is expansion des. by changing source to S.F. Fork Snake R. Also how to manage diversions and condition transfer.

Only one recorded downstream diversion on Rainey Ck, but some decreed rights do not include P.O. descriptions as part of Rt. There is some worry (and) downstream not owned by applicant. Concern that water not diverted from Rainey will be diverted from by downstream user. May need to contact Snake Valley River Rizer for diversion details.

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WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
2300023	STOLTENBERG	D	SNAKE RIVER, SOUTH F 01N 43E	1											
0100366	STOLTENBERG	D	SNAKE RIVER, SOUTH F 01N 43E	1											
0100366	STOLTENBERG	D	SNAKE RIVER, SOUTH F 01N 43E	1											
2300023	WEEKS	D	RAINEY CREEK	01N 43E	1										
2300037	ENGELS	D	RAINEY CREEK	01N 43E	1										
2300038A	ENGELS	D	RAINEY CREEK	01N 43E	1										
2300048	OKDEN	D	RAINEY CREEK	01N 43E	1										
2300098	WEEKS BROTHERS	D	LOWER RAINEY CREEK	01N 43E	1										
2300099	SMITH	D	LOWER RAINEY CREEK	01N 43E	1										
2300101	STOLTENBERG	D	SNAKE RIVER, SOUTH F 01N 43E	1											
2304006	CAMPBELL	S	GROUNDWATER	01N 43E	1	X									
2304031	OTTINO	S	RAINEY CREEK	01N 43E	1	7									7
2304066	SARGENT	S	GROUNDWATER	01N 43E	1	10									10
	1986 MAPPING DATA	-	COUNTY 19 QUAD Y 48 01N 43E	1		43 39	41 45	40 36 37 35	37 41 35 40						469
						173 174									
2300023	BITTON	D	SNAKE RIVER, SOUTH F 01N 43E	2											
0100364	BITTON	D	SNAKE RIVER, SOUTH F 01N 43E	2											
0100365	BITTON	D	SNAKE RIVER, SOUTH F 01N 43E	2											
0100367	KRUSE	D	SNAKE RIVER, SOUTH F 01N 43E	2											
0102007	BEERMAN	L	SNAKE RIVER, SOUTH F 01N 43E	2											
0102012A	LOWDER	L	SNAKE RIVER, SOUTH F 01N 43E	2		15									45
0102012B	LOWDER	L	SNAKE RIVER, SOUTH F 01N 43E	2		25									52
2300003	KRUSE	D	SNAKE RIVER, SOUTH F 01N 43E	2											28
2300023	WEEKS	D	RAINEY CREEK	01N 43E	2										
2300088	BITTON	D	SNAKE RIVER, SOUTH F 01N 43E	2											
2300099	SMITH	D	LOWER RAINEY CREEK	01N 43E	2	X									
2300100	BITTON	D	SNAKE RIVER, SOUTH F 01N 43E	2											
2300103	KRUSE	D	SNAKE RIVER, SOUTH F 01N 43E	2											
	1986 MAPPING DATA	-	COUNTY 19 QUAD Y 48 01N 43E	2		39 39	41 45	40 36 37 35	37 41 35 40						211
						173 174									
2300023	WEEKS	D	RAINEY CREEK	02N 43E	35										
2300023	SMITH	D	LOWER RAINEY CREEK	02N 43E	35										
2300099	1986 MAPPING DATA	-	COUNTY 19 QUAD Y 48 02N 43E	35											
2300023	WEEKS	D	RAINEY CREEK	02N 43E	36										
2300023	SMITH	D	LOWER RAINEY CREEK	02N 43E	36										
2300099	SMITH	S	SPRING	02N 43E	36										
2304001	WISE	S	SPRING	02N 43E	36										
2304011	AUGUSTUS	S	SPRING	02N 43E	36										

1990
1986 MAPPING DATA

2304071	BUTTON	S	GROUNDWATER	02N 43E 36	:	:	:	3	3
2307083	WELSTAD	L	GROUNDWATER	02N 43E 36	:	:	:	3	3
	1986 MAPPING DATA	---	COUNTY 19 QUAD Y	48 02N 43E 36	1	4	:	35 32 : 41 19 33 42	210

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WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
2300099	T01N R43E S 1																		
2300023					:	4LX			:				:				:		
19 MAPPING: 1L32 2L35 3L37 4L42																			146
2300099	T01N R43E S 2																		
0100364		2LX			:	3LX			:				:				:		
0100365		2LX			:	3LX			:				:				:		
0100367					:		4LX		:				:				:		
2300003					:		4LX		:				:				:		
2300023	1LX				:				:				:				:		
2300088		2LX			:	3LX			:				:				:		
2300100		2LX			:	3LX			:				:				:		
2300103					:		4LX		:				:				:		
19 MAPPING: 1L37 2L40 3L37 4L6 7L11 8L39																			170
2300099	T02N R43E S35																		
2300099	T02N R43E S36																		

SLIP 64-100

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MAY 10 1990
FBI

WR-NUMBER	NAME	SIG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
2300037	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	1	:	:	:	:	:	:	:	:	:
0100366	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	1	:	:	:	:	:	:	:	:	:
0103366	STOLTENBERG	D	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300023	WEEKS	D	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300037	ENGLIS	D	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300038A	ENGLIS	D	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300048	OAKDEN	D	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300098	WEEKS BROTHERS	D	LOWER RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300099	SMITH	D	LOWER RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2300101	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	1	:	:	:	:	:	:	:	:	:
2304006	CAMPBELL	S	GROUNDWATER	01N	43E	1	:	:	:	:	:	:	:	:	:
2304031	OTTINO	S	RAINEY CREEK	01N	43E	1	:	:	:	:	:	:	:	:	:
2304066	SARGENT	S	GROUNDWATER	01N	43E	1	:	:	:	:	:	:	:	:	:
	1986 MAPPING DATA	---	COUNTY 19 QUAD Y	48	01N	43E	1	43	39	:	41	45	:	40	469

2300037	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	12	X	X	X	X	:	:	:	:	:
0100366	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	12	X	X	X	X	:	:	:	:	:
0103366	STOLTENBERG	D	RAINEY CREEK	01N	43E	12	X	X	X	X	:	:	:	:	:
2300037	ENGLIS	D	BRANDWINE CHANNEL	01N	43E	12	X	X	X	X	:	:	:	:	:
2300050B	STOLTENBERG	D	SNAKE RIVER, SOUTH F	01N	43E	12	X	X	X	X	:	:	:	:	:
2300101	STOLTENBERG	D	COUNTY 19 QUAD Y	48	01N	43E	12	38	37	33	39	:	:	:	221

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SEP 04 1990

Water is still irrigated if land
is still irrigated if been
irrigated.

* Snake River Creek water
Report is removed, the
inflow is reduced from
South Fork Snake River
will be increased.

T/IN 45E SEC 12	NE NW	NW NW	Priority	Source
01-366	X	X	1/22/1916	Snake R.
23-037	X	X	6/1/1989	Rainey CK.
23-101	X	X	1/22/1916	Brandywine Slough

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SEP 04 1990

7-24-89
8-31-89
rent/or Anna Griffle HWS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: James M. Dunn

1. Right number 23-0023, 23-0037, 23-0038A Applicant _____
23-0099
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
23-0023 (SE 1/4 2N 43E Sec 36 ? ownership)
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD-01 Send copy

D.O.P.
12-4-89

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RDC Date 4-7-90

RECEIVED
JUN 21 1990

RECEIVED
APR 20 1990

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 23-0023 ETC.

WATER DISTRICT 01

WATERMASTER

R CARLSON

DATE:

1/11/89

COMMENTS:

Every water right must be
administerable by the water master.
This proposal appears to represent
an enlargement in these rights.



I do endorse approval of this change.



~~I do not endorse approval of this change.~~

I recommend the following conditions of approval:

That only one ditch will serve the place of use at one time.

Measurements will be made at either the SENG Sect. 12 TIN R43E (Brandywine ditch)
or the Rainey Ditch at the SENG Sect. 1 TIN R43E.

Per SEP;

This is point
at which ditchholder
can take measurements.

R Carlson
Watermaster

MICROFILMED

SEP 89

07-Nov-1989

The Times News
P.O. Box 548
Twin Falls, ID 83303

Gentlemen:

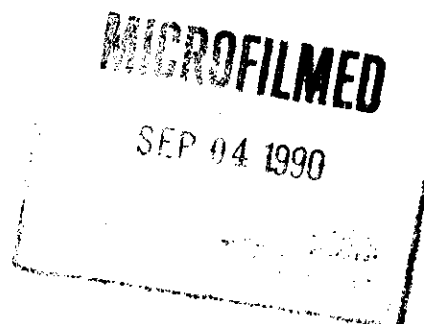
We are re-submitting a legal notice, #TR489/23-0023, TR489/23-0038A, 23-0099, 23-0037 to be published on November 16 and 23, 1989. This notice was originally published in your paper on October 19 and 26, 1989. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print, we therefore request it be re-advertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any correction, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by December 4, 1989. Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary



NOTICE OF CORRECTION

Notice is hereby given that PROPOSED CHANGE OF WATER RIGHT NO.'S TR438/23-0023, TR489/23-0038A, 23-0099, 23-0037 in the name of Everett or Anna R. Griffel, was advertised incorrectly on September 21 & 28, 1989.

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.20 CFS

PRIORITY: June 1, 1897

POINT OF DIVERSION: NESW SEC6 T1N R44E, B.M. Bonneville County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 T1N; SESE SEC35 S1SW SEC36 T2N R43E

SEP 04 1990

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation

Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT 1.06 CFS PRIORITY: June 1, 1890

POINT OF DIVERSION: SWNW SEC8 T1N R44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 T1N R43E

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.00 CFS PRIORITY: June 1, 1889

POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4 SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS PRIORITY: January 22, 1916

POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres

SEP 04 1990

within the W1/2 SEC1 NENE S1/2NE1/4 N1/2SE1/4 SEC2 T1N; SESE
SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water
right must be filed with the Idaho Department of Water Resources,
150 Shoup Ave., Idaho Falls, ID 83402, on or before December 4,
1989.

R. Keith Higginson

Director

Published in the TIMES NEWS on November 16 & 23, 1989.

RECEIVED
NOV 24 1989

07-Nov-1989

The Idaho Statesman
P.O. Box 40
Boise, ID 83707

Gentlemen:

We are re-submitting a legal notice, #TR489/23-0023, TR489/23-0038A, 23-0099, 23-0037 to be published on November 16 and 23, 1989. This notice was originally published in your paper on October 19 and 26, 1989. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print, we therefore request it be re-advertised again at your expense.

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An affidavit of publication must be submitted to this office by December 4, 1989. Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

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SEP 04 1990

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T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.20 CFS PRIORITY: June 1, 1897

POINT OF DIVERSION: NESW SEC6 T1N R44E, B.M. Bonneville County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 T1N; SESE SEC35 SESE SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation

RECEIVED
SEP 04 1989

Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT 1.06 CFS

PRIORITY: June 1, 1890

POINT OF DIVERSION: SWNW SEC8 T1N R44E

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AMOUNT: 3.00 CFS

PRIORITY: June 1, 1889

POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4 SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade

Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS

PRIORITY: January 22, 1916

POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

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SEP 04 1990

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres

within the W1/2 SEC1 NENE S1/2NE1/4 N1/2SE1/4 SEC2 T1N; SESE
SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water
right must be filed with the Idaho Department of Water Resources,
150 Shoup Ave., Idaho Falls, ID 83402, on or before December 4,
1989.

R. Keith Higginson

Director

Published in the IDAHO STATESMAN on November 16 & 23, 1989.

MICROFILMED

SEP 04 1990

13-Sep-1989

Everett or Anna R. Griffel
P.O. Box 27
Swan Valley, ID 83449

RE: Transfer Application

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application statewide. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before final action is taken. If the protest is not resolved by the involved parties this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/rb

MICROFILMED

SEP 04 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.'S TR438/23-0023, TR489/23-0038A, 23-0099, 23-0037

Notice is hereby given that Everett or Anna R. Griffel, Swan Valley, ID, has applied to the Department of Water Resources to add points of diversion and change places of use of the waters of Rainey Creek tributary to Snake River, South Fork. The rights sought to be changed are:

T438/23-0023 in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT: 3.20 CFS PRIORITY: June 1, 1897

POINT OF DIVERSION: NESW SEC6 T1N R44E, B.M. Bonneville County

The water is used to irrigate land from April 1 to November 1 within NWNW SEC1 NENE SEC2 T1N; SESE SEC35 SWSW SEC36 T2N R43E

T489/23-0038A in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910 in District Court and recorded as follows:

AMOUNT 1.06 CFS PRIORITY: June 1, 1890

POINT OF DIVERSION: SWNW SEC8 T1N R44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 T1N R43E

MICROFILMED

SEP 04 1990

NO. 23-0037 Decreed to Charles Englis in case of Rexburg Irrigation vs. Teton Irrigation Canal Co. dated December 16, 1910

in District Court and recorded as follows:

AMOUNT: 3.00 CFS PRIORITY: June 1, 1889

POINT OF DIVERSION: SWNW SEC8 T1N 44E

The water is used to irrigate land from April 1 to November 1 within S1/2NW1/4 SW1/4 SEC1 N1/2NW1/4 SEC12 T1N R43E

NO. 23-0099 Decreed to Luther Smith in case of Palisade

Irrigation Co. vs. Lynn Crandall dated January 16, 1951 in District Court and recorded as follows:

AMOUNT: 3.20 CFS PRIORITY: January 22, 1916

POINT OF DIVERSION: Not listed in Decree

The water is used to irrigate land from April 1 to December 31 within N1/2NW1/4 SEC1 NENE S1/2NE1/4 SEC2 T1N; SESE SEC35 S1/2SE1/4 SEC36 T2N R43E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SENW SEC6 T1N R44E; SENW SEC12 SWNE SEC1 T1N R43E, and used to irrigate 548 acres within the W1/2 SEC1 NENE S1/2NE1/4 N1/2SE1/4 SEC2 T1N; SESE SEC35 S1/2SW1/4 SEC36 T2N R43E

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before October 9, 1989.

R. Keith Higginson
Director

Published in the TIMES NEWS on September 21 & 28, 1989.

MICROFILMED
SEP 24 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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MICROFILMED

SEP 04 1990

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R. Keith Higginson

Director

Published in the LEWISTON MORNING TRIBUNE on September 21 & 28, 1989

MICROFILMED

SEP 14 1990

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MICROFILMED

SEP 04 1990

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R. Keith Higginson
Director

Published in the IDAHO STATESMAN on September 21 & 28, 1989.

MICROFILMED
SEP 04 1990

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MICROFILMED

SEP 04 1990

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R. Keith Higginson

Director

Published in the POST-REGISTER on September 21 & 28, 1989.

MICROFILMED

SEP 04 1990

March 7, 1929.

Re: Transfers Water Rights
Samuel J. Weeks
C. G. Hopkins

MR. OTTO E. McCUTCHEON
Attorney at law
Idaho Falls, Idaho

Dear Sir:-

Enclosing you herewith certificates of transfer
of water rights issued to Samuel J. Weeks and C. G. Hopkins,
with receipts for fees paid.

We are also returning herewith the abstracts of title
sent in for reference in regard to these transfers.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation

By _____
Chief Clerk

C.T.-438-439
R-22940-12941
2 Abs. Title

March 7, 1929.

Re: Transfers- Weeks-Hopkins.

MR. G. CLYDE BALDWIN
Idaho Falls, Idaho.

Dear Sir:-

Enclosing you herewith copies of Certificates of
Transfer of water rights issued to Samuel J. Weeks and
G. G. Hopkins.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

2 Encl.

RECORDED

OTTO E. MCCUTCHEON
ATTORNEY AND COUNSELLOR-AT-LAW
SUITE 207-209 SALISBURY BLDG.
IDAHO FALLS, IDAHO

WESTERN UNION CODE
CABLE ADDRESS: OTTOCUTCH

March 2nd, 1929.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

Referring to the application of Samuel J. Weeks to transfer water right on which hearing was had February 18th, you will please find enclosed my check for \$1.00 in payment of your fee, proof of publication of the notice, and abstract of title.

You will note that there is a mortgage on the water, but of course any transfer of the particular water right belonging to the land when the mortgage was executed could not affect the rights of the mortgagee. However, I assume that the fact that the right is encumbered will not deter you in issuing the certificate of transfer.

Very truly yours,

Otto E. McCutcheon

OEM:LK
Enc.

9-5-29

This case and that of C. G. Hopkins are exchanges. It does not appear that the fed. land Bank will suffer by the transfer inasmuch as it holds mortgages on both tracts of land. Geo M. Carter

NOTED

Affidavit of Publication

STATE OF IDAHO, }
County of Bonneville, } ss.

I, W. G. Gulayson, of THE POST COMPANY, a corporation, publishers of the IDAHO FALLS DAILY POST, a daily newspaper of general circulation, published daily except Sunday, at Idaho Falls, Bonneville County, Idaho, do solemnly swear that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 7 consecutive weeks, first publication having been made on the 1 day of Feb, 1929, last publication having been made on the 8 day of Feb, 1929; that said notice was published in the regular and entire issue of each number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Further, that said newspaper has been so published continuously and uninterruptedly for more than 78 weeks prior to the date first herein mentioned.

Subscribed and sworn to before me this 9

day of Feb, 1929.

Frank Stone
Notary Public.

MY COMMISSION EXPIRES NOV. 25, 1930
RESIDING AT IDAHO FALLS, IDAHO

RECORDED
INDEXED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Jan. 28, 1929

PUBLISHER THE POST

Idaho Falls, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for ^{two}~~four~~ consecutive weeks prior to February 18, 1929, the date set for ^{hearing}~~proof~~, the expense of the publication to be paid by the applicant, Samuel J. Weeks, of Irwin, Idaho, ^{hearing}~~proof~~, to whom you should furnish proof of publication on or prior to the date set for ~~proof~~.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

CHS. H. CARTER

Commissioner of Reclamation.

Samuel J. Weeks
RECEIVED

January 28 , 1929.

Re: Transfers- Samuel J. Weeks
C. S. Hopkins

FORM 21

Notice of Proposed Transfer of Water Right

Notice is hereby given that Samuel J. Weeks of Irwin
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.2 second feet
of the water of Raney Creek.

from the land upon which it is now used, i. e. SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 9,
Twp. 1 N., R. 44 E., B.M.

to the following described tract: Lot 4 (NW $\frac{1}{4}$) Sec. 1; Lot 1 (NE $\frac{1}{4}$) Sec. 2, Twp. 1 N.,
R. 45 E., B.M.; SW $\frac{1}{4}$ Sec. 36, SE $\frac{1}{4}$ Sec. 36, Twp. 2 N., R. 45 E., B.M.

And that, on the 18th day of February, A. D. 1929, at 10 o'clock a.m., at Dept. of Reclamation, Capital Bldg., Boise, Idaho,
before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Geo. H. Carter,

Commissioner of Reclamation.



January 26, 1929

OTTO E. McCUTCHEON, Esquire,
Attorney-at-law,
Idaho Falls, Idaho.

Dear Mr. McCutcheon:

This will acknowledge receipt of your communication of January 24, transmitting two applications for transfer of water rights, applicants - C. S. HOPKINS and SAMUEL J. WICKS.

I have examined the applications and find that they are in sufficient form to prepare publication notice, which will be done. Copy of the notices, showing time and place of hearing, will be forwarded to you.

I believe that on or before the date of the hearing you should furnish some evidence of title or ownership of these rights by the applicants in question; ordinarily, it is required that an abstract of title to the lands to which such water is appurtenant by the decree of the court be furnished, however, in the case of a good many applications for transfer in the Idaho Falls territory individual water rights are evidenced by stock certificates; in such cases, the stock certificate possibly meets the statutory requirement. Therefore, I shall leave it to your own good judgment as to the most appropriate way in which to submit evidence of title vested in these applicants.

Very truly yours,

Commissioner of Reclamation.

GHC/tp

RECEIVED

Application For Transfer of Water Right

STATE OF IDAHO,

County of Bonanza

} ss.

Samuel J. Weeks

, being first duly sworn, deposes and says:

That his name is Samuel J. Weeks

; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Idaho.That he is the owner and using a certain water right, bearing date of priority of 6/1, 1897 for 3 1/5 cubic feet per second of the waters of Rainey CreekCounty of Bonanza, State of Idaho, decreed to Ira A. Corbettby decree of Judge, John Stevens of the Sixth Judicial District of the State ofIdaho, in and for the County of Freemont, in the case of Rayburn & Co et alvs. Teton & Co et al, said decree bearing date of Mar. 16 1910

(or obtained by virtue of License No. _____, issued by the State Engineer of the State of Idaho, dated _____, 19____, bearing date of priority of _____, 19____)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 36 in the County of Bonanza and State of Idaho, to-wit:SE 1/4 NW 1/4, SW 1/4 SE 1/4 Sec 4 NE 1/4 NW 1/4, NW 1/4 NE 1/4 Sec 9 Tp 1 North R 44 E 3Bm -_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. by purchase of the land and water

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the SE 1/4 NW 1/4 (NW 1/4 Sec 4) of Section 34, Township 2N, Range 44, B. M., and conducted to the above described lands through ditches

as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 3 1/5 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Bonanza and State of Idaho, to-wit:SE 1/4, SE 1/4 NW 1/4, NW 1/4 SE 1/4 Sec 8 Tp 1 N R 44 E 3Bm -owned by C. B. Hopkins Int 1/4 (NW 1/4 NW 1/4) Sec 1, 1/4 (NE 1/4 NE 1/4) Sec 2.Tp 1 No. R. 43 E 3Bm; SW 1/4 SW 1/4 Sec 36, SE 1/4 SE 1/4 Sec 35 Tp 2 N R 43 E 3Bm. owned by C. B. Hopkins.That his reasons for desiring to make such transfer are as follows: affiant Weeksneeds to be only priority, while Hopkins can get along with a later priority on account of local conditions and the situation of the two tracts of land in relation to the movement of ground water later in the irrigation season.
CT. 438 Saml J. Weeks

That he intends to divert and convey said 3 1/2 second feet of water to the tract of land last above described in the following manner, to-wit:
thru a ditch heading on west bank of Ramey creek (Hopkins letter) 1/2 mile south and 1/4 mile & 600 ft. East of NW Cor. Sec. 6 Tp. 1 N. R 44 E 13m.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFOR, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

Subscribed and sworn to before me this 21 day of July A. D. 1929.
Samuel J. Weeks Applicant.
William Cuthbert Notary Public

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Ramey Creek -
Where is the diversion point located? (NW 4 NW 4 Sec. 34 Tp. 2 N. R 44 E 13m -
Through what ditch is it now conducted? Weeks ditch
How much land is now irrigated by the water sought to be transferred? 160 a.
Give the description: SE 4 NW 4, SW 4 SE 4, NE 4 NW 4, NW 4 NE 4
Sec 9 Tp. 1 N. R 44 E 13m -
What is the total amount of water in inches, or second feet, dedicated to said land? 160 "
What kind of crops are being raised? alfalfa, grain, potatoes
How much water per acre is now required to irrigate said land? 2 "
What will be the effect on the land now irrigated, if the use of water on it is discontinued?
Very up. but Applicant intends to purchase water of
Ch. Hopkins for three a/c. having an inferior date of priority.
Give location of new point of diversion, if change is to be made. See above top of this page.
Through what ditch will it be conducted after transfer? Hopkins - heading in Sec 6 - 1 N. R 4
How much water will be required per acre to irrigate the land to which this water is transferred?
1 "

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source. Yes. Ramey Creek -

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source. Yes. Ramey Creek - 160 - 9/1/1889 -

Signed Samuel J. Weeks Applicant.

STATE OF IDAHO,

County of Bonwill } ss.

C. B. Van Horn and H. D. Beam

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Roman Valley that he is a user of water from Rainey Creek, in Water District No. 36 County of Bonwill, State of Idaho; that he has read or heard read the foregoing affidavit and petition of R. J. Weeks - and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

C. B. Van Horn
H. D. Beam.

Subscribed and sworn to before me this

A. D. 1929

24 day of August
Oliver C. Cuthbert
Notary Public

STATE OF IDAHO,

County of Bonwill } ss.

I, Wm. Burton, Watermaster of Rainey Creek

Water District No. 36, County of Bonwill, State of Idaho, whose postoffice address is Irwin Idaho, have read or heard read the foregoing affidavit and petition of R. J. Weeks - and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or ~~(do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:~~

William Burton

Watermaster Dist. No. 36

Rainey Creek

Dated at Idaho Falls, Idaho, this 24 day of 24 July, 1929

Name of Applicant

Samuel J. Weeks

Tp. 2 N R 43 E B.M.

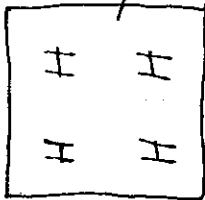
35

36

Township Line

SEC.

SEC.



Hopkins Ditch

SEC.

Township and Range Line

RAINY CREEK

Tp. 1 N. R 43 E B.M.

SEC.

SEC.

SEC.

SEC.

a. Head of Hopkins Ditch to which Weeks Water is sought to be transferred. New point of diversion.

H. Hopkins land to which Weeks water is sought to be transferred.

SEC. 35

Note: Weeks and Hopkins are really undertaking an exchange of waters, and this application should be construed with a similar application filed with this and made by C. G. Hopkins. Unless both applications are granted nothing could be accomplished by granting one. The Hopkins land and right have an earlier priority than the Weeks land and right, but Hopkins can get along with the right which is shut off first because his land is differently situated in relation to ground water conditions which prevail during the later weeks of the irrigation season.

33

Tp. 2 N

34

44 E B.M.

SEC.

SEC.

Tp. 1 N.

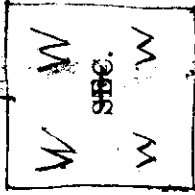
R.

44 E B.M.

3

4

Weeks Ditch



SEC.

9. This is the present point of diversion of the Weeks (Sra. a. Exhibit) right sought to be changed to the Hopkins ditch in Sec. 6. Tp. 1 SEC. 44 E B.M. SEC.

W. This is the Weeks land from which the right is sought to be transferred.