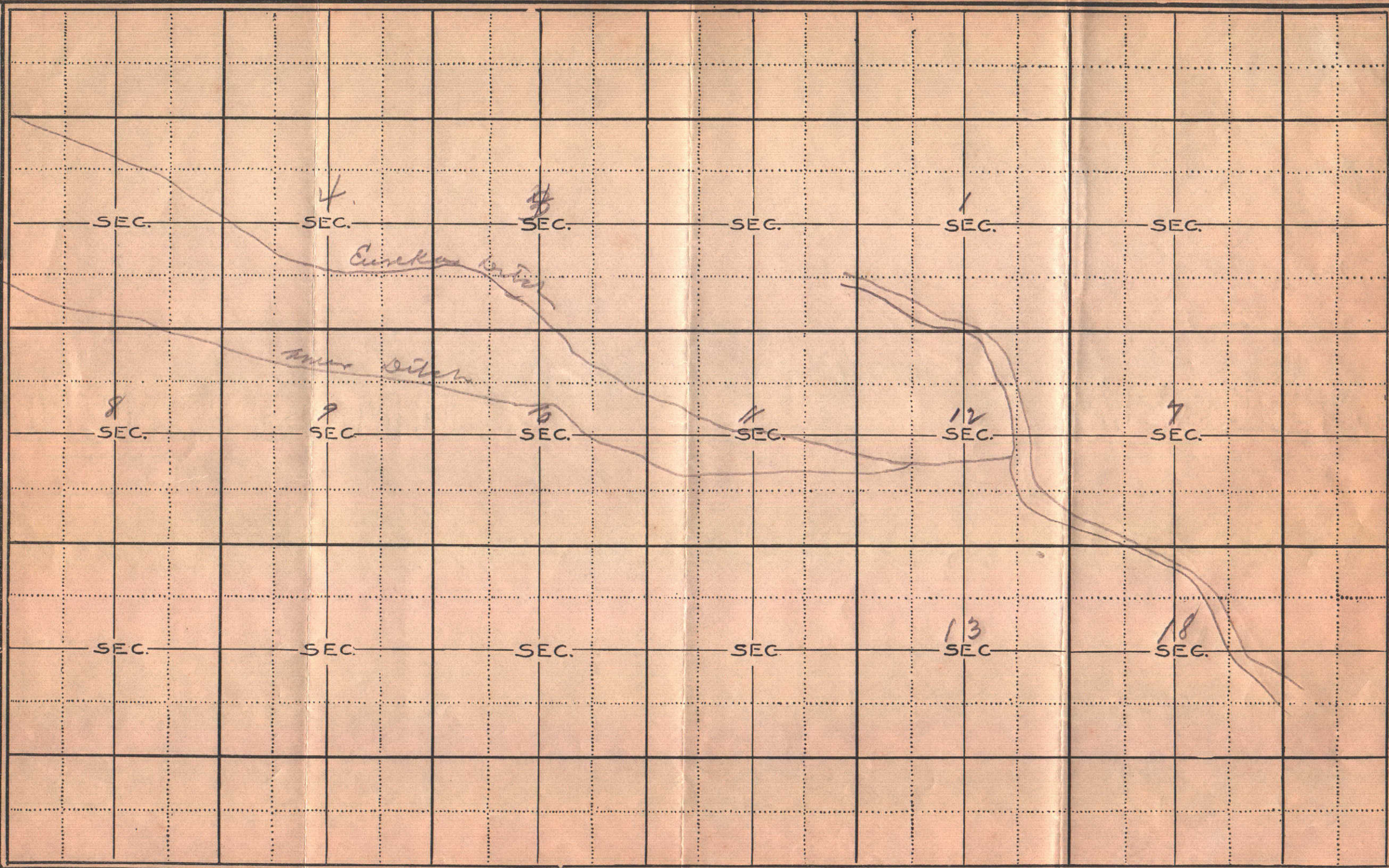


Name of Applicant



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.

STATE OF IDAHO,

County of Ada

} ss.

Thomas T. Johnstone

being first duly sworn, upon his

oath deposes and says:

63-0171

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

Northwest quarter of Southeast quarter (NW¹SE¹)
1/4 of Northeast quarter of Southwest quarter (NE¹SW¹)
Sec. 3, T. 4 N. R. 4 W. B. 1 E.

as evidenced by the decree dated January 18th day of Jan. 1906

in the cause entitled Farmers Cooperative Ditch Co., Plaintiff,

vs. Riverside Irrigation District, Defendant, brought

in the district court of the Third Judicial District of the State of Idaho, or

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

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

From the American Ditch to the Eureka ditch heading about
the middle of SW¹ of Sec. 12, T. 4 N. R. 4 W. B. 1 E.

That such change will be made for the following reasons, to-wit:

By taking
the water from the Eureka ditch I can
shorten my main lateral about a quarter
of a mile. I have the consent of the stock
holders of the Eureka ditch to use said
ditch.

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

And further deponent saith not.

Thomas T. Johnstone

Subscribed and sworn to before me this 2nd day of April, 1912.

Elana M. Brown
Notary Public.

My commission expires May 23, 1915.

(over.)

RECEIVED

APR - 2 1912

OFFICE OF STATE ENGINEER

STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF
POINT OF DIVERSION

12 A
Affidavit of Thos. T. Johnston
Change of Point of Diversion
from American Ditch to
Eureka Ditch.

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

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

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

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

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

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

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

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

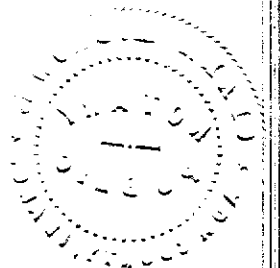
If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me191..... and correctly shows position of points indicated thereon.

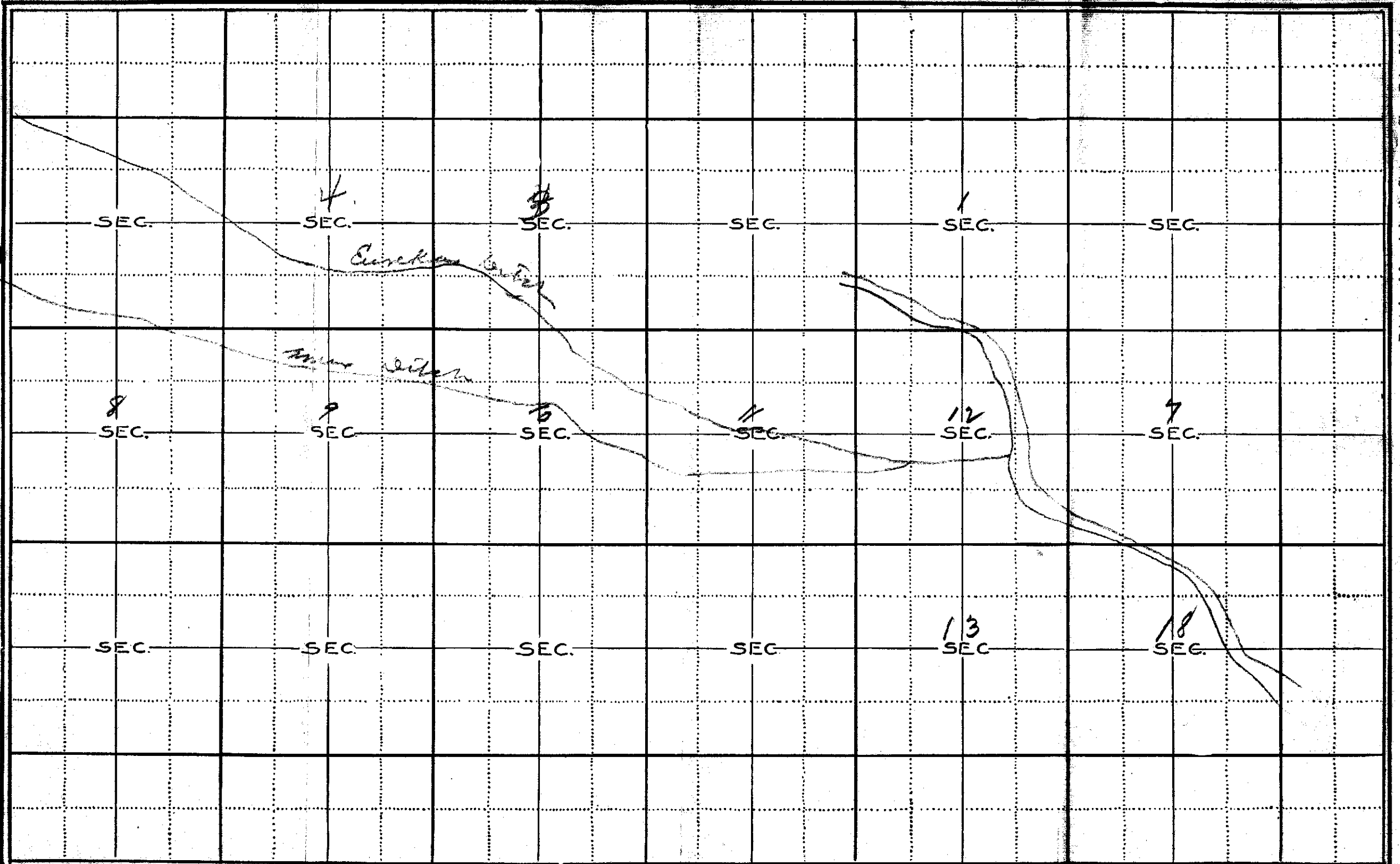
.....
Engineer.

P. O.

Date 191.....
(over.)



Name of Applicant



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.