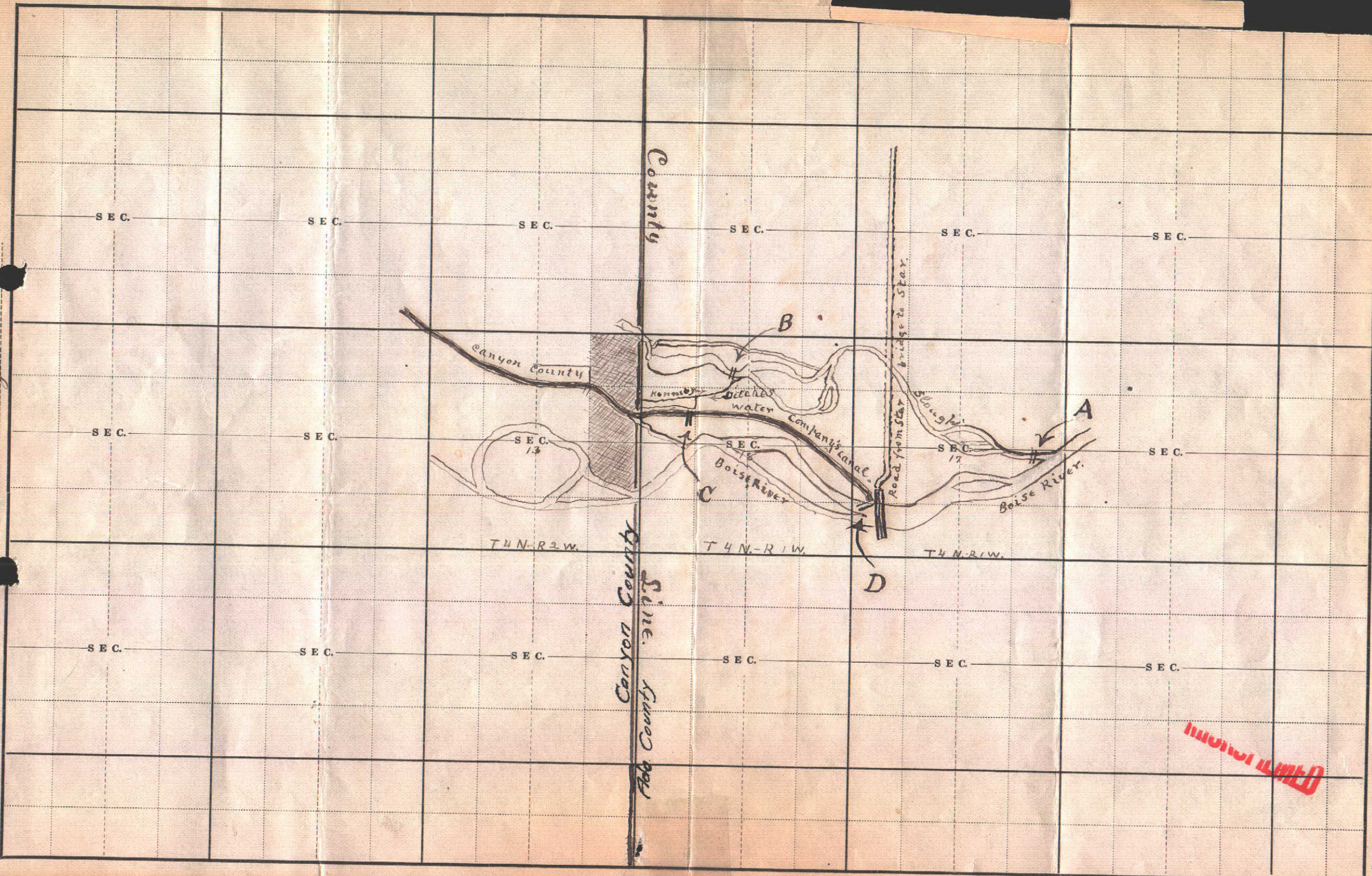


NAME OF APPLICANT

Daniel W. Kennedy

63-0163



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK. A - Mr Kennedy's proposed point of diversion at Boise River
B - Mr Kennedy's proposed point of diversion from the "from Slough"
C - Mr Kennedy's proposed point of diversion at Boise River
D - Mr Kennedy's proposed point of diversion at Boise River

STATE OF IDAHO,

County of

Canyon.

} ss.

Daniel W. Kennedy.

being first duly sworn, upon his

oath deposes and says:

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

East 1/2 of the NE 1/4 and the NE 1/4 of SE 1/4 of Sec. 13 T. 4 N. R. 2 W. B. M.

as evidenced by the decree dated Eighteenth (18th) day of January 1906

in the cause entitled Farmers Cooperative Ditch Company, Plaintiff,

vs. Riverside Irrigation District Ltd & al, Defendant, brought

in the district court of the 7th 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 point:

Canyon County Water Company's heading at north end of Star bridge across the Boise River in SW 1/4 of SW 1/4 of SE 1/4 T. 4 N. R. 1 W. at a point 25 rods east of the NW corner of the SW 1/4 of the SW 1/4 of Sec 17 in Ada County.

That such change will be made for the following reasons, to-wit: The present or old point of diversion from the Boise River is expensive, unsatisfactory and inconvenient. A large portion of the water is furthermore lost by seepage in its long passage through the sloughs. The amount of decreed water which deponent wishes to take through the new or proposed point of diversion, as stated above, is 130 inches.

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.

Subscribed and sworn to before me this

18th day of March - 1924

Daniel W. Kennedy

R. G. Parmer

Notary Public.

My commission expires

May 25 - 1924

(Over)

State of Idaho
Residing at Middleton, Idaho

RECEIVED
MAR 19 1921
DEPARTMENT OF RECLAMATION

Effective April 10, 1911

STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF
POINT OF DIVERSION

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

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

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

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

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

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

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

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

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

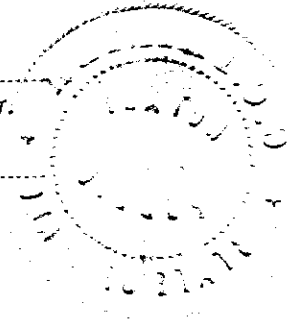
I hereby certify that this map was prepared from an actual survey made by me.....191.... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date.....191.....

(over.)



That the defendants JOSEPH PENNAULT and RICHARD Z. JOHNSON be, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about four miles above Boise City, through what is known as the Walling, or Boise Valley Water Ditch, for use upon the town lots and lands lying under said ditch for irrigating and domestic purposes, in the following amount and from the following date;

63 0161 2300 inches, from May 1, 1866; and hereby designated as Right No 30.

And that said defendants be awarded, for power purposes only, the use of said waters in the following amount from the following date, and it is hereby ordered that the quantity of water so awarded for power purposes shall be used for such purposes only, and after such use shall be returned to Boise River;

T 654
694
701
702
712
713
720
737
739
753
754
823
829

63 0162 10000 inches, from July 1, 1877; and hereby designated as Right No 66. And be adjudged to pay \$273.00 costs in addition to the costs incurred by them.

XXXX. XXXX.

That the defendant WILLIAM P. KENNEDY be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SW 1/4 of Sec. 17, T. 4 N. R. 1 W. B.M., for use upon the N. 1/2 of NE 1/4 and lot 1 of Sec. 13, and SE 1/4 of SE 1/4 of Sec. 13, T. 4 N. R. 2 W. B.M., in the following amount and from the following date;

63 0163 150 inches, from June 1, 1866; and hereby designated as Right No 31.

And be adjudged to pay \$9.10 costs in addition to the costs incurred by him.

XXXX. XXXX.

That the defendants FRANK L. LEONARD, EDNA E. LEONARD, J. S. B. MARVILL and ESTATE OF ALBERT SMITH, be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river in Sec. 15, T. 3 N. R. 2 W. B.M., at a point a short distance east of the NW corner of said section; also at a point on Sec. 9, a short distance west of said section corner, and also a short distance below on said Section 9, all in T. 3 N. R. 2 W. B.M., for use upon an irregular shaped tract of land in lot 6, and N. 1/2 of SE 1/4 of Sec. 9, T. 3 N. R. 2 W. B.M., and an irregular tract in the N. 1/2 and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following amount and from the following date;

63 0164 175 inches, from June 1, 1866. and hereby designated as Right No 32.

And be adjudged to pay \$12.35 costs in addition to the costs incurred by them.

1879
1906
1855