

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT.

Notice is hereby given that James B. Steele of Twin Falls, Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of forty (40) inches of the water of House Creek, and tributaries, from the land upon which it is now used, i. e., NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E. B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13, T. 15 S., R. 12 E. B. M. to the following described tract: NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, T. 15 S., R. 13 E. B. M., and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 15 S., R. 12 E. B. M.

And that, on the 5th day of June, A. D. 1916, at Twin Falls, at the office of C. M. Booth, before the State Engineer 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.

J. H. SMITH,
State Engineer.

Adv. 5-3-5-24.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Twin Falls,) ss.

Thos Doney being first duly sworn,
says that he is the *Proprietor* of the Twin Falls Chronicle,
a newspaper of general circulation, published weekly in Twin Falls, in said
County and State; that the annexed notice was published
successive weeks in said newspaper; that the date of the first publication was
on the *3d* day of *May* 191*6*, and the date of the
last publication was on the *24* day of *May* 191*6*.

Thos Doney
Subscribed and sworn to before me this *5th*
day of *May* 191*6*

C. M. Booth
Notary Public.

Name of Applicant

Jarvis B. Steele, Twin Falls Ida
Care C. M. Booth, Twin Falls Ida

Township 15 S. R 12 E B.M.

↔ Township 15 S. R 13 E B.M.

Land to which
Transfer is to be
made.

Land that
cannot be
surveyed.

SEC.

SEC.

12
SEC.

1
SEC.

8
SEC.

9
SEC.

SEC.

SEC.

13
SEC.

18
SEC.

17
SEC.

16
SEC.

SEC.

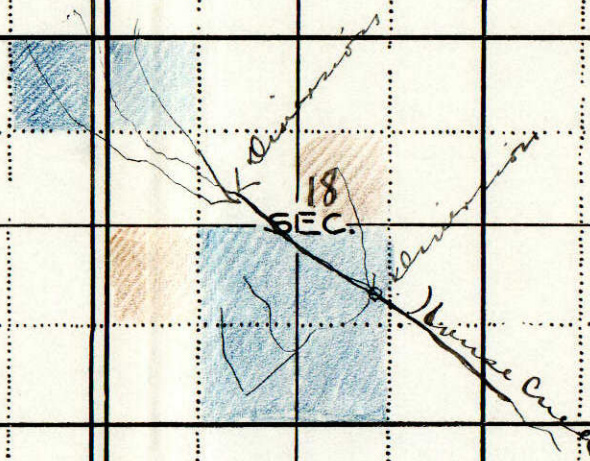
SEC.

24
SEC.

19
SEC.

20
SEC.

21
SEC.



TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

36 31 32 33 34 35 36 31

1 6 5 4 3 2 1 6

12 7 8 9 10 11 12 7

13 18 17 16 15 14 13 18

24 19 20 21 22 23 24 19

25 30 29 28 27 26 25 30

36 31 32 33 34 35 36 31

1 6 5 4 3 2 1 6

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

	Steele, James B.	1.84		47-0026
191	Steele, James B.	0.80	1.04	47-0026A

T
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 R

interests of irrigation, as it will enable the applicant to irrigate more lands with the same amount of water that he is now able to do.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 5th day of June, 1916.

James B. Steele
Geo. W. Clark

Subscribed and sworn to before me this 5th day of June, 1916.

Chas. L. Roth,
Notary Public.

C. M. BOOTH
LAWYER
TWIN FALLS, IDAHO

July 6, 1916

State Engineer,
Boise, Idaho.

Dear Sir:

With reference to transfer of water upon application of James B. Steele (House Creek and tributaries) and to your wire to me that transfer had been made, will you kindly forward certificate of transfer as soon as possible.

This certificate of transfer becomes ~~rather~~ rather important in connection with a business deal in which Mr. Steele is interested in certain lands on House Creek and tributaries. If you could mail the certificate of transfer upon receipt of this letter, I would greatly appreciate it.

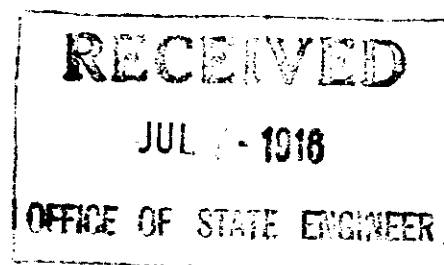
Thanking you in advance for your courtesy, I am,

Very truly yours,



L-B.

Steele Transfer



SWEeley & SWEeley
ATTORNEYS AT LAW
TWIN FALLS, IDAHO

Twin Falls, Idaho,
July 20, 1916.

Mr. J. H. Smith,
State Engineer,
Boise, Idaho.

Dear Sir:

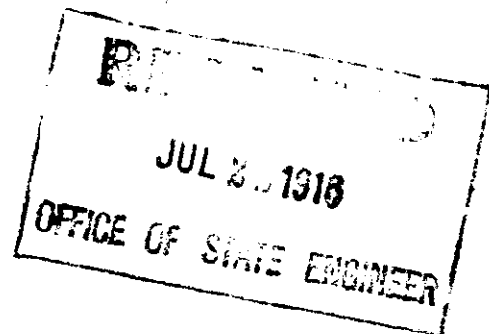
In reapplication of James B. Steel for transfer of water right, we enclose check for Two Dollars to cover certified copies as by you furnished and thank you for the same.

We were somewhat at a loss to figure out how the change could be made in view of the fact that Steel does not own certain lands to which water was decreed which seems to be a condition precedent to the change under Section 3264 of the Laws of 1915 and we note that the application for transfer and the affidavit in connection therewith are silent on this point. As a matter of fact a portion of the land from which it is sought to transfer the water, is held under homestead entry by a client of ours who has been using the water on that land until recently stopped by the injunction predicated upon the certificate alleged to have issued from your office on June 28th.

Yours truly,

SWEeley & SWEeley

By EMS.



File 47-C 47-0026

S T A T E O F I D A H O .

OFFICE OF STATE ENGINEER.

CERTIFICATE NO. 191, AUTHORIZING THE TRANSFER OF WATER RIGHT
WATER DISTRICT No. 48.

.....

Permission is hereby granted James B. Steele, of Twin Falls, County of Twin Falls, State of Idaho to transfer the use of forty (40) inches of the waters of the waters of House Creek, and tributaries, in Water District No. 48, County of Twin Falls, State of Idaho, from the lands for which it was originally decreed, i.e., the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E., B.M., and the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 13, T. 15 S., R. 12 E., B.M. to the following described lands, to-wit:- NW $\frac{1}{4}$ of NW $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E., B.M., and the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 13, T. 15 S., R. 12 E.B.M., said water to be diverted in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 18, T. 15 S., R. 13 E.B.M.

The water right appurtenant to the above described lands was adjudged by decree dated January 3, 1914, of C. O. Stockalager, Judge of the District Court of the Fourth Judicial District of the State of Idaho, in and for the county of Twin Falls, in the case of James B. Steele, et al, plaintiffs, vs. Cedar Canal Company, et al., defendants, in the following words, to-wit:

"IT is further, ORDERED, ADJUDGED AND DECREED, that the Plaintiffs James B. Steele, have and enjoy the right to use one and forty-two fiftieths cubic feet per second of time of the flow of the waters of House Creek and its tributaries, *****

and the priority of appropriation to date from the first day of May, 1897".

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this 12th day of July, A.D. 1916.

J. H. SMITH,

State Engineer.

By Fred A. Wilkie.....Deputy.

(SEAL)

MICROFILMED

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS.

Ira Brackett, Sarah Brackett, James	(	
B. Steele, Lewis L. Steele, W. R.		
McMillan, John McRae and Robert	(	
Rogerson, partners and tenants in		
common, under the name and style	(	
of Rogerson, McRae and McMillan, W.A.		
Fausett, Mary Persons, George Reynolds,	(	
Jerry Emery, J. F. Clark, The Owyhee		
Sheep & Land Company, a corporation, M.E.	(	
Brooks, Emil C. Jahtzen, P. D. Davis and		
Vineyard Land and Stock Company, a corporation,	(	ORDER AMENDING AND
Plaintiffs,	(	SUPPLEMENTING
vs.	(	JUDGMENT AND DECREE.
The Cedar Creek Canal Company, a corporation,	(	
The Twin Falls West End Irrigation Company,		
a corporation, Albert W. Hartwell, Frank D.	(	
Hartwell, Fred H. Hartwell, Charles M. Hartwell,		
D. B. Hartwell, Nora M. Hartwell, G. G. Conover,	(	
Ida F. Conover, Albert W. Conover, R. F. Finleyson,		
E. H. Perkins, Cummins, and P. J. Grimes,	(	
Defendants,	(	

The above entitled matter coming on to be heard before the Court on the 18th day of January, 1917, upon the stipulation of counsel for all of the parties plaintiff and defendant interested in the decree heretofore entered in said matter, said stipulation being duly filed, and it appearing to the court from said stipulation, and from the records and files and evidence herein, that the judgment and decree heretofore entered and filed erroneously decrees and appropriates to the above named, W. A. Fausett, one and forty fiftieths cubic feet per second of time of the flow of the waters of Cedar Creek, for stock and domestic purposes and for the irrigation of the east half of the Southwest quarter ($E\frac{1}{2} SW\frac{1}{4}$) and the Southeast quarter of the Northwest quarter ($SE\frac{1}{4} NW\frac{1}{4}$) and the Southeast quarter of the Northeast quarter ($SE\frac{1}{4} NE\frac{1}{4}$)

of section fourteen (14) Township Fifteen (15) South, Range twelve (12) East Boise Meridian, and that priority of said appropriation is by said judgment and decree made to date from the first day of May, 1894, and

It further appearing from the stipulation herein, and from the records and evidence in the above entitled matter that there should be adjudged and decreed to the said plaintiff, W. A. Fausett, the right to use and enjoy one and forty fiftieths cubic feet per second of time of the flow of the waters of Little House Creek, for stock and domestic purposes, and for the irrigation of the said above described lands, and that priority of said appropriation should date from the first day of May, 1904.

It is, therefore, ordered, adjudged and decreed, that the judgment and decree heretofore entered shall be, and the same is hereby, supplemented and amended so that the same shall decree and appropriate to the above named plaintiff, W. A. Fausett, the right to use and enjoy one and forty fiftieths cubic feet per second of time of the flow of the waters of Little House Creek, for stock and domestic purposes and for the irrigation of the following described lands, to-wit:

East half of the Southwest quarter (SE 1/2 SW 1/4), and the Southeast quarter of the Northwest quarter (SE 1/4 NW 1/4), and the Southwest quarter of the Southeast quarter (SW 1/4 SE 1/4) of Section fourteen (14) Township Fifteen (15) South, Range twelve (12) East Boise Meridian, and that priority of said appropriation date from the first day of May, 1904.

This order is made and entered as a nunc pro tunc order, as of the date of the judgment ^{and decree} which it supplements and amends.

Dated at Twin Falls, Idaho, this 18th day of January, A. D. Nineteen Hundred and Seventeen.

BY THE COURT:

W. A. BARBOCK,

District Judge.

STATE OF IDAHO, ()
SS
COUNTY OF TWIN FALLS, ()

I, C. C. HIGGINS, Clerk of the District Court of the Eleventh Judicial District of the State of Idaho, in and for Twin Falls County, do hereby certify the foregoing to be a full, true and correct copy of amended decree, entered in the case of Mrs Brackett, et al, plaintiffs, vs. The Cedar Creek Canal Company, et al, defendants, and found at in Book 4 of Judgments, at page 301, records of my office.

In witness whereof, I have hereunto set my hand and affixed my official seal this 14th day of April, A. D. 1921.

(SEAL)

C. C. HIGGINS, Clerk.

BY: C. L. BOEHM, Deputy.

July 13, 1916.

Re Certificate Transfer No.191.

C. M. Booth, Attorney,
Twin Falls, Idaho.

Sir:--

Enclosing herewith Certificate of Transfer issued
to Jas. B. Steele, with receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

CT191-R8404.

By _____

MICROFILMED

WESTERN UNION TELEGRAM

Form 260

GEORGE W. E. ATKINS, VICE-PRESIDENT

NEWCOMB CARLTON, PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S No.	TIME FILED	CHECK
----------------	------------	-------

SEND the following Telegram, subject to the terms
on back hereof, which are hereby agreed to

Boise, Idaho.
June 29th, 1916.

C. M. Booth,
Twin Falls, Idaho.

Steel transfer granted. Use water any time.

Transfer forwarded soon as possible.

F. A. Wilkie,
Deputy State Engineer.

File Steel Transfer

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L
If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.	

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, VICE-PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Day Message	
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If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.	

RECEIVED AT

36SX HY 22

TWINFALLS IDA 908A JUNE 29 1916

STATE ENGINEER 13

BOISE IDA

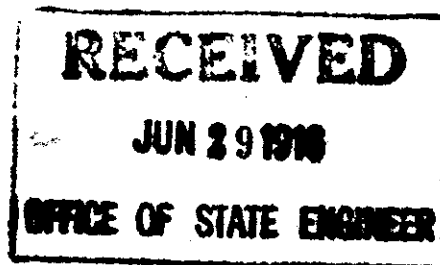
YOURS TWENTY SIXTH JAMES B STEELE TRANSFER HOUSE CREEK WATER

MUST IRRIGATE LANDS CAN YOU RUSH TRANSFER WIRE MY EXPENSE

WHEN GRANTED

C M BOOTH

928AM



Boise, Idaho, June 26, 1916.

Mr. C. M. Booth,

Twin Falls, Idaho.

Dear Sir:-

This is to acknowledge receipt of the application for transfer of James B. Steele, properly filled in in all particulars, and to say the transfer will be granted. It will be issued and forwarded to you as soon as possible.

Very truly yours,

J. H. Smith,

State Engineer,

By

Deputy.

61112-2001

J. H. SMITH
STATE ENGINEER
FRED A. WILKIE
DEPUTY STATE ENGINEER

State of Idaho
Engineering Department
Boise

Boise, Idaho, June 19th, 1916.

Re: Application for Transfer of Water Right.

Mr. G. C. M. Booth,
Twin Falls, Idaho.

Dear Sir:

I am returning to you herewith application for transfer of water right of James B. Steele.

It will be necessary for you, as the man holding the hearing, to fill in the second blank on Page 3, making some recommendation, pro or con, as will be shown by these blanks.

Very truly yours,

J. H. Smith,
State Engineer.

By

Fred A. Wilkie
Deputy.

FAW/FM

Transfer, J. B. Steele.

Herewith.
G. C. M. Booth

Boise, Idaho, June 19th, 1916.

Re: Application for Transfer of Water Right.

Mr. G. C. M. Booth,
Twin Falls, Idaho.

Dear Sir:

I am returning to you herewith application for transfer of water right of James B. Steele.

It will be necessary for you, as the man holding the hearing, to fill in the second blank on Page 3, making some recommendation, pro or con, as will be shown by these blanks.

Very truly yours,

J. H. Smith,
State Engineer.

By _____
Deputy.

FAW/FM

Transfer, J. B. Steele.

RECEIVED
JUN 21 1916

C. M. BOOTH
LAWYER
TWIN FALLS, IDAHO

*Return for signature
in blank no p. 3*

June 10th

1916

State Engineer,

Boise, Idaho.

Dear Sir:

Transfer of Water Right - James B. Steele:

I am just in receipt of your favor of the 8th instant, stating that "The application should be filled in by you and returned to this office." I do not find any blanks in the application to be filled in. I return the application herewith and would like to have you designate what blanks should be filled in. On the 3rd page are some blanks but they are evidently to be filled in by a water master, and in this case there is no water master.

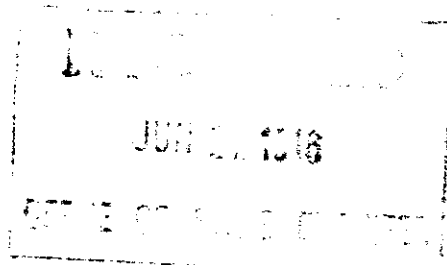
Kindly advise me in the matter and oblige.

Very truly yours,

C. M. Booth

Inc.

M-B



June 8, 1916.

ReTransfer of Water Right-Jas. B. Steele.

C. M. Booth, Attorney,
Twin Falls, Idaho.

Sir:--

We are just in receipt of affidavits in support of the transfer of water right of Jas. B. Steele, the affidavit of publication and check for fee in the sum of \$1.00. The application should be filled in by you and returned to this office. The examination will be made as soon as we can get to it.

Very truly yours,

J. E. SMITH,

State Engineer.

By _____

RECORDED

OFFICE OF THE STATE ENGINEER

BOISE, IDAHO.

- - - 0 - - -

James B. Steele, Applica-)
tion for Transfer of Water.) C E R T I F I C A T E

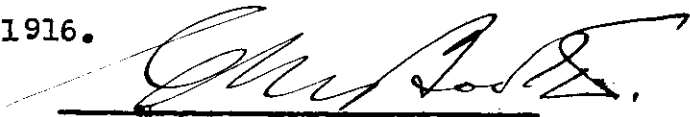
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State of Idaho)
County of Twin Falls) ..ss..

I, C. M. Booth, a Notary Public in and for said County and State, hereby certify that on this 5th day of June, 1916, James B. Steele and George Clark appeared before me and each being duly sworn testified as set forth in the affidavit attached hereto.

I further certify that on this 5th day of June, 1916, I was at my office in the Twin Falls Bank & Trust Company Building, Twin Falls, Idaho, from 9 o'clock A. M. until 5:30 o'clock P. M., and that no person appeared before me to protest against the transfer of water as applied for by the said James B. Steele, and that no protests have been filed with or communicated to me concerning said transfer.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 5th day of June, 1916.


Notary Public.

OFFICE OF THE STATE ENGINEER

BOISE, IDAHO.

- - - o - - -

James B. Steele, Applica-)
tion for Transfer of Water.) A F F I D A V I T

- - - - -

State of Idaho)
County of Twin Falls) ..ss..

James B. Steele and Geo. Black, being each first duly sworn, for himself deposes and says: that he is well acquainted with the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E. B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 15 S., R. 12 E. B. M., and is also well acquainted with the following described land, to wit:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E. B. M., and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 15 S., R. 12 E. B. M.

That he is well acquainted with the waters of House Creek and its tributaries; that no one will be injured by granting the application of James B. Steele to change 40 inches of the waters of said House Creek and its tributaries from the lands first above described to the lands last above described; that in fact said 40 inches of water can not be used upon all of the lands first above described, but can be put to beneficial use and can be used economically for irrigation purposes in case said transfer is allowed.

That the allowance of said transfer will be in the interests of economical application of water and in the

47-C

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

Ira Brackett, Sarah E. Brackett, James B.
Steele, Lewis L. Steele, W. R. McMillen,
John McRae and Robert Rogersen, partners &
tenants in common under the name and style
of Rogersen, McRae and McMillen, W. A.
Fausett, Mary Parsons, George Reynolds,
Jerry Emery, J. F. Clay, The Owyhee Land
& Sheep Company, a corporation, A. E. Brooks,
Emil C. Jantzen, P. D. Davis, and Vineyard
Land and Stock Company, a corporation,

Plaintiffs,

vs.

D E C R E E.

The Cedar Canal Company, a corporation; The
Twin Falls West End Irrigation Company, a
corporation; Albert W. Hartwell, Frank D.
Hartwell, Fred H. Hartwell, Charles M. Hartwell,
D. B. Hartwell, Nora M. Hartwell, G. G. Conover,
Ida E. Conover, Albert W. Conover, R. P.
Finleyson, E. H. Perkins, Cummings and
P. J. Crimes.

Defendants.

This cause came regularly on for trial and was tried on the third
day of June, 1912, to the Court without a jury, the jury having been express-
ly waived, and the parties plaintiff and defendant and cross-complainants
and intervenors being in court with their respective counsel herein: and the
court, having heard the evidence and proofs introduced by the parties herein
and the argument of counsel for said parties respectively, and having made
and filed his findings of fact and conclusions of law herein:

NOW, THEREFORE, In consideration of the law and the premises, and
in accordance with said findings of fact and conclusions of law, it is hereby

ORDERED, ADJUDGED AND DECREED, as follows, to-wit:

47 0625

Trans.

1. That Ira Brackett have and enjoy the right to use five and one-
half cubic feet per second of time of the flow of the waters of said
Cedar Creek and its tributaries, for the irrigation of the certain tracts of
land, situated in Twin Falls County, State of Idaho, and described as
follows, to-wit:

MICROFILMED

May 31, 1916.

Re Transfer- Jas.B.Steele.

Mr. C. M. Booth,
Attorney at law,
Twin Falls, Idaho.

Sir:--

I am enclosing herewith the application for transfer of Jas B.Steele and authorize you to take the hearing, as it will be impossible for a man from this office to be present. The examination of the ground will be make later.

Very truly yours,

J. H. SMITH,

State Engineer.

App.Tr.

By _____

RECEIVED

May 2, 1916.

Re notice, App. Trans.

The Chronicle,
Twin Falls, Idaho.

Gentlemen:--

Enclosing herewith notice of transfer of water right which please publish once a week for four consecutive weeks. The expense of the publication will be paid by James B. Steele, of Twin Falls, to whom proof of publication should be furnished on or before June 5th.

Please mail me a copy if the first publication that I may compare same with my records.

Very truly yours,

J. H. SMITH,

State Engineer.

H

By _____

RECEIVED

May 2, 1916.

Re Transfer - Jas. B. Steele,

C. M. Booth, Attorney,
Twin Falls, Idaho.

Sir:--

June 5th has been set as the date for hearing on the above transfer of water right and notice for publication has been mailed to the Twin Falls Chronicle.

The hearing will be at your office before the State Engineer, or his authorized agent. An examination of the land will be made prior to the hearing.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____



C. M. BOOTH
LAWYER
TWIN FALLS, IDAHO

April 27th

1916

State Engineer,
Boise, Idaho.

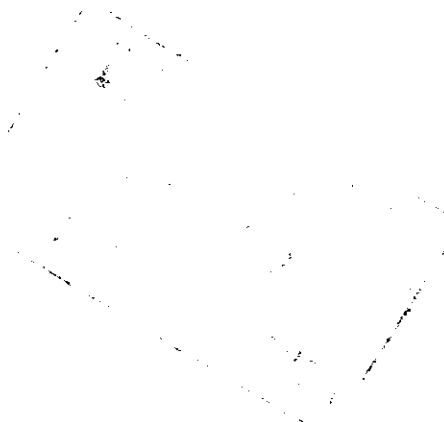
Dear Sir:

I am enclosing herewith application of James B. Steele for transfer of water right, together with map. Will you kindly have hearing of said matter set before me and keep me advised in connection therewith.

Very truly yours,



Inc.
M-B



Notice of Proposed Transfer of Water Right

Notice is hereby given that James B. Steele of Twin Falls
Idaho

, has applied to the State Engineer of the State of Idaho for a certificate
authorizing him to transfer the use of forty (40) inches of the water of
House creek, and tributaries,

from the land upon which it is now used, i. e. NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ &
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15 S., R. 13 E.B.M. & NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13,
T. 15 S., R. 12 E.B.M.

to the following described tract: NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, T. 15 S., R. 13 E.B.M.
and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 15 S., R. 12 E.B.M.

And that, on the 3rd day of June, A. D.
1916, at Stanton ~~Stanton~~ the office of C. M. Booth,

before the ~~Water Commissioner of this Division,~~ 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 certifi-
cate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from J. H. Smith,
Watermaster of said stream.

State Engineer.

Application for Transfer of Water Right

STATE OF IDAHO,

County of Twin Falls

} ss.

James B. Steele

, being first duly sworn, deposes and says:

That his name is James B. Steele; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Twin Falls, Idaho.

That he is the owner and using a certain water right of 92 inches of the waters of House Creek and tributaries

County of Twin Falls, State of Idaho, decreed to James B. Steeleby decree of Judge C. O. Stockslager, of theFourth Judicial District of the State of Idaho, in and for the County of Twin Falls, in the case of James B. Steele, et al,vs. Cedar Canal Company, et al,, said decree bearing date of January 3, 1914.

~~(as obtained by virtue of license No. _____, issued by the State Engineer of the State of Idaho dated _____)~~, for the purpose of irrigating the

following described lands situate, lying and being in the County of Twin Falls andState of Idaho, to-wit: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18,T. 15 S., R. 13 E. B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T. 15 S., R. 12 E. B. M.and is the person ~~(as the representative of the com-~~~~paction)~~ to whom such right so issued, ~~or has become the owner thereof in the following manner, to-wit:~~

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 at

NW $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 18 - 15 - 13 E. B. M.

and conducted to the above described lands through ditches (Lands described) as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 40 inches 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 Twin Falls and State of Idaho,

to-wit: NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 18, T. 15 S., R. 13 E. B. M.and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T. 15 S., R. 12 E. B. M.

That his reasons for desiring to make such transfer are as follows: Water was erroneously decreed to wrong land description, by reason of survey not being definitely known at time of decree. Water can only be used for irrigation purposes on the lands last described.

That he intends to divert and convey said ⁴⁰~~20~~ inches of water to the tract of land last above described in the following manner, to-wit: ditches

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this James B Steele day of April
A. D. 1916
Chas L. Roth
Notary Public

STATE OF IDAHO,

County of Twin Falls } ss.
Ira Brackett and J M Bratten

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 Rogerson Ida
that he is a user of water from Cedar Creek & its tributary County of Twin Falls
State of Idaho; that he has read or heard read the foregoing affidavit and petition of James B Steele, 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.

Ira Brackett
J M Bratten
Subscribed and sworn to before me this _____ day of April
A. D. 1916.
Chas L. Roth
Notary Public.

STATE OF IDAHO.

County of.....

ss.

No Watermaster

I,, Watermaster of

County of, State of Idaho, whose postoffice address is.....

....., have read or heard read the foregoing affidavit and petition of
....., 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 State Engineer 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:.....
.....
.....

Watermaster.

Notice having been duly published for thirty days of the intention of the above named.....

James B. Steele..... to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at *Twin Falls Idaho*, on *June 5 - 1916* according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing that the fol-
lowing injuries would be sustained by others if such transfer is permitted)~~ *I am acquainted*

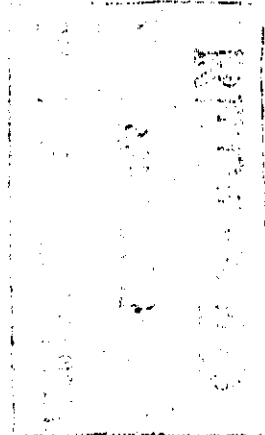
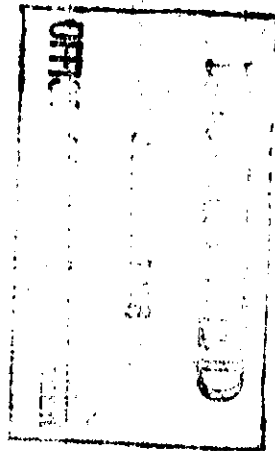
*personally with the conditions surrounding
the proposed transfer and know that
no person will be injured by such transfer,
and that such transfer is in the interests of economy
in the use of water.*

I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer sought
hereinabove.

Oliver R. Smith
Commissioner of Water Division No.....

Notary Public
By *before whom hearing
was had.*

June 5
Miss Falls - CM. Broder -



The N.W. of N.W.; S.W. of the N.W.; S.E. of the N.W.; of Section 13, Township 14 South, Range 13 E.B.M.; the N.E. of the N.E.; the N.E. of the S.E.; the S.E. of the S.E.; the S.W. of the S.E.; and the S.E. of the S.W. of Section 14, Township 14 South, Range 13 E.B.M.; comprising three hundred and twenty acres of land, and for stock and domestic purposes, and the priority of the said appropriation date from the first day of May, 1894.

17 0026 2. It is further ORDERED, ADJUDGED AND DECREED that the plaintiff James B. Steele have and enjoy the right to use one and forty-two fiftieths cubic feet per second of time of the flow of the waters of House Creek and its tributaries for the irrigation of the certain tracts of land situated in Twin Falls County, State of Idaho, and described as follows, to-wit:

The N.W. of the N.W.; the S.W. of the N.E.; the N.W. of the S.E.; S.W. of the S.E.; and the N.W. of the S.W. of Section 18, Township 15 South, of Range 13 East of the Boise Meridian; and, also the N.E. of the N.E. of Section 13, Township 15 South of Range 12 East of the Boise Meridian, and for stock and domestic purposes, and the priority of appropriation to date from the first day of May, 1897.

That said James B. Steele have and enjoy the right to use for stock and domestic purposes, and for the irrigation of the certain tract of land situated in Twin Falls County, State of Idaho, and described as follows, to-wit: The S.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and the S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 23, Township 15 South, Range 12 East of the Boise Meridian, and that priority of the said last mentioned appropriation date from the first day of May, 1904, in and to the amount of forty-two fiftieths cubic feet per second of time of the flow of the waters of a certain springs situated on Little House Creek, tributary of said House Creek.

17 0027 3. That the plaintiff E. A. Fausett have the right to use and enjoy one and forty-fiftieths cubic feet per second of time of the flow of the waters of said Cedar Creek for stock and domestic purposes, and for the irrigation of a certain tract of land situated in Twin Falls County, State of Idaho, and described as follows, to-wit: The East half of the Northwest quarter, and the Southeast quarter of the Northwest quarter and the Southeast quarter of the Northeast quarter of Section

MICROFILMED

July 12th, 1916.

C. E. Booth,
Twin Falls, Idaho.

Dear Sir:-

Yours of the 6th received. The transfer
will be made and forwarded to you today.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____
Deputy.

PAW-NLS

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