

✓ 18673
August 12, 1953

Mr. Edward Solberg
Chairman of Board of Trustees
Troy, Idaho

Dear Mr. Solberg:

We do not have records of any water rights on Big Meadow Creek north of Troy, Idaho.

However, you have probably acquired a right by appropriation through actual diversion and Beneficial Use.

Not having any record of rights on Big Meadow Creek in the name of the University of Idaho or H. L. Cartwright, we do not know what you acquired from them.

Water in natural streams is public water and belongs to the State and is controlled by the State and the only way you can control all the water in the stream is by appropriation and works that are able to divert and put to Beneficial Use all the water in the stream.

I would not anticipate any difficulty about your water right except in the matter of making an official record.

You already have an uncompleted permit No. 18673 for one (1) cubic foot per second from an un-named stream tributary to Little Bear Creek on which the time for Completion of Works was indefinitely extended on October 31, 1938 on account of financial difficulties with the proviso that the applicant (Village of Troy) should notify the Department of Reclamation within 30 days after the removal of the disability. This right may still be eligible for completion of record and may be all the right you need if completed. Otherwise, you may initiate record rights with present priority on works completed or contemplated or you may go to the district court in a quiet title proceedings and have your present rights defined and made a matter of record.

Either myself or deputy may be in North Idaho sometime this Fall and can stop and help analyze your problems.

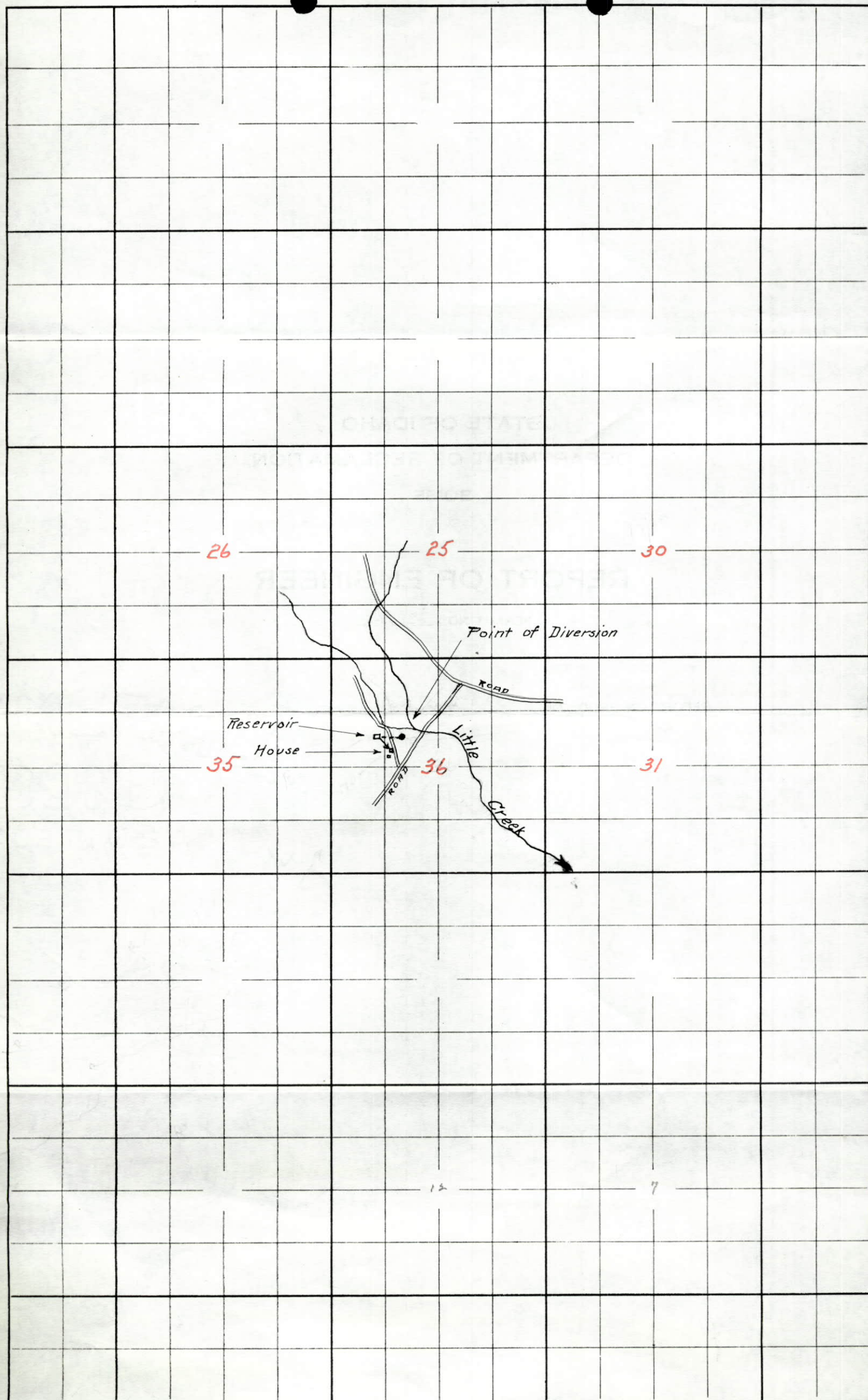
Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:pj

18894

(Letter from Troy & other copies sent to E. L. Humphrey)



AFFIDAVIT OF PUBLICATION

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

W. T. MARINEAU
being first duly sworn, on oath
deposes and says:

That I am and at all times herein
mentioned have been the

Printer

of The DAILY IDAHONIAN, that
said DAILY IDAHONIAN is a
newspaper of general circulation
printed and published daily, ex-
cept Sunday, at Moscow, in the
County of Latah and State of
Idaho; that the Daily Idahonian
has been continuously and unin-
terruptedly published in Latah
County, Idaho, during the period
of seventy-eight consecutive weeks
prior to the first publication of

attached copy of.....

Notice

that said.....

Notice

of which the annexed is a full, true
and correct printed copy, was pub-
lished in the regular and entire
issue of said newspaper, and not
in any supplement thereof.....4.....
times in the following issues of
said paper.....

Jan. 4, 11, 18, 25, 1940

194.....

Printer

Subscribed and sworn to before
me this 26 day of Jan. 1940

194.....

Notary Public.

NOTICE FOR PUBLICATION.

Notice of Proof Application of Water
To Beneficial Use.

Notice is hereby given that at 10:00
A. M. on the 5th day of February, 1940,
at Moscow, County of Latah, State of
Idaho, before W. K. Armour, Notary
Public, proof will be submitted of the
application to beneficial use of 0.002
cubic feet per second of underground
percolating waters apparently supplied
from Big Meadow Creek in accordance
with the terms and conditions of Per-
mit No. 18894 heretofore issued by the
Commissioner of Reclamation of the
State of Idaho.

The name and postoffice address of
the person holding said permit are is H.
L. Cartwright, RFD No. 3, Troy, Idaho.

The use to which said water has
been applied is Domestic—stock water-
ing and private vegetable garden.

The amount applied to beneficial use
is 0.002 C. F. S.

The place where said water is used—
The place where said water is used (if
for irrigation, give full and accurate
description of the lands irrigated)—

Small garden, one-half acre in extent
at the farm home in SE 1/4 NW 1/4 Sec. 36,
T. 40 N., R. 4 W. B. M.

The name of the canal or ditch or
other works by which said water is
conducted to such place of use is—
There is but a short pipeline from the
creek to the house and therefore carries
no name.

The right to take water from such
works is based upon Permit No. 18894.

The source of supply from which
such water is diverted is underground
percolating waters apparently supplied
from Big Meadow Creek.

The date of priority which said user
is prepared to establish is September
12, 1939.

JAMES SPOFFORD

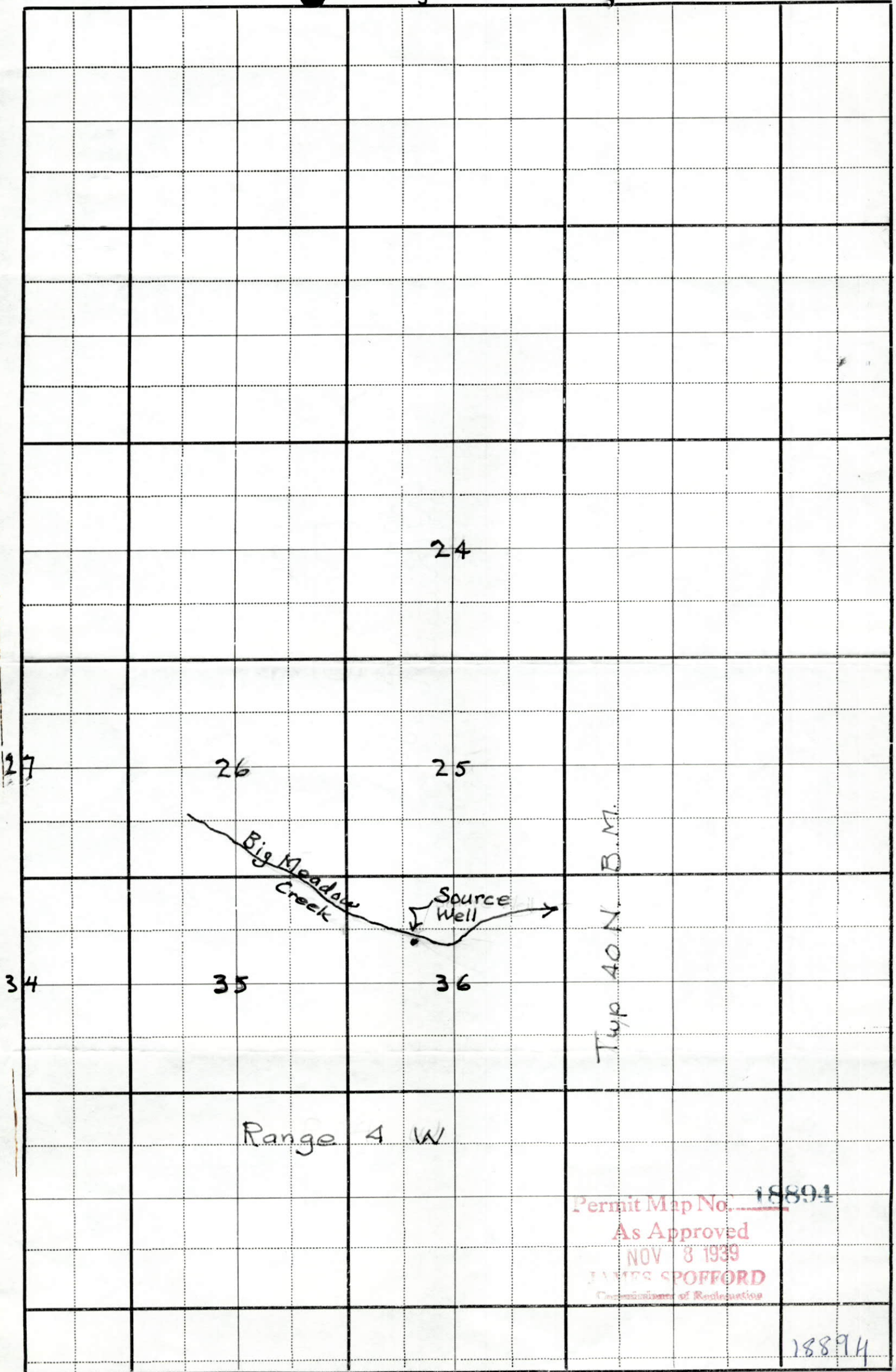
Commissioner of Reclamation.
Jan. 4-11-18-25,

18894

RECEIVED
FEB 9 1940
Department of Reclamation

NAME OF APPLICANT H. L. Cartwright.

FORM No. 0



Affidavit of Publication

STATE OF IDAHO }
COUNTY OF LATAH } ss.

H. D. Phelps, being first duly sworn on oath, deposes and says:

That he is the printer of THE LATAH COUNTY PRESS, a weekly newspaper printed and published continuously and uninterruptedly during a period of more than 78 weeks prior to the first publication of the advertisement hereinafter named, at Troy, Latah County, State of Idaho, with more than two hundred (200) bona fide subscribers living within the said county,

That the Notice which the one hereto attached is a true copy, was published in said paper.....times, being published in.....consecutive weekly issues, the first publication being on the 10 day of June, 1954, and the last on the 1 day of July, 1954; that the Notice was published in the regular and entire issue of said paper, and was published in the newspaper proper and not in the supplement thereof.

E M Roe

Subscribed and sworn to before me this 2 day of July, 1954.

F. D. Brocke

Notary Public for the State of Idaho, residing at Troy, Idaho.

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 12th day of July, 1954, at Troy, County of Latah, State of Idaho, before F. O. Brocke, a Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of an un-named stream in accordance with the terms and conditions of Permit No. 18673 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are The Village of Troy, Troy Idaho.

The use to which said water has been applied is Domestic water supply for the Village of Troy.

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used, Village of Troy, Troy, Idaho.

The right to take water from such works is based upon Permit No. 18673.

The source of supply from which such water is diverted is an un-named stream, tributary to Little Bear Creek.

The date of priority which said user is prepared to establish is August 6, 1938.

MARK R. KULP

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date May, 5, 1954

Latah County Press,
Troy, Idaho.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHTS
NOTICE IS HEREBY GIVEN**
that the Village of Troy, of Troy,
Idaho, has applied to the State
Reclamation Engineer of the

State of Idaho for a certificate authorizing them to change the place of use of the water of Ehrlish Creek, or Big Meadow Creek, for amount of .12 cubic foot per second, with priority date of August 12, 1938, the point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. The place of use is NE $\frac{1}{4}$ Section 26, Twp. 40 N., R. 4 W. B. M. and also .002 cubic foot per second of subterranean flow from Meadow Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., R. 4 W. B. M. The place of use in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., R. 4 W. B. M. To be transferred to the Village of Troy, Idaho, located in Section 7, Twp. 39 N., R. 5 W. and Section 12, Twp. 39 N., R. 4 W., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. And that on the 5th day of June, 1954 at 10 o'clock A. M. at Room 107 State House, Boise, Idaho, before the State Reclamation 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.

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **June 5, 1954** the date set for the hearing, the expense of the publication to be paid by the applicant, **Village of Troy, Troy, Idaho.**

to whom you should furnish proof of publication on or prior to the date set for the hearing.

Please acknowledge receipt of this notice, and furnish this department with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Roy. W. Thompson,
Supervisor of Water Distribution,

ate should not be issued authorizing such transfer.
MARK R. KULP
State Reclamation Engineer
Pub. May 13-20
5/13/54

T-825
83-2014

Name of Applicant.....

23

Present P.D.

23

T40N. R.4W.

SEC.

SEC.

SEC.

University P.D.

23
26

23
26

SEC.

SEC.

SEC.

26

26

36

31

SEC.

SEC.

SEC.

Cartwright P.D.

36

36

SEC.

SEC.

SEC.

T39N. R4W.

SEC.

SEC.

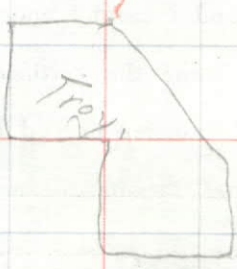
SEC.

Big Meadow Creek

SEC.

SEC.

SEC.



Name of Applicant.....

SEC.

SEC.

SEC.

*For map see transfer on
License 18672*

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

T-825 HAS BEEN PLACED
File 83-2014. A COPY OF
THE Certificate of Transfer For T-825
HAS BEEN PLACED IN 86-2013.

All correspondence regarding
T-825 is in 83-2014.

86 2039

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 825.

THIS IS TO CERTIFY that, THE VILLAGE OF TROY, Latah County, Idaho, is the owner of and using a certain water right, bearing priority date of September 12, 1937, for 0.002 cubic foot per second of subterranean water awarded to H. L. Cartwright by License No. 18894 of the State Department of Reclamation dated October 1, 1940, for use in the SE 1/4 Section 36, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 7 of Licenses at Page 4028.

Also a water right bearing priority date of August 12, 1938, for 0.12 cubic foot per second of the waters of Ehrlich Creek, a tributary of Big Meadow Creek, awarded to the University of Idaho by License No. 18672 of the State Department of Reclamation dated October 29, 1953, for use in the Northeast Quarter of Section 26, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 8 of Licenses at Page 5167.

That the said Village of Troy has become the owner of said water rights through purchase.

And that now, upon the application of the Village of Troy, Troy, Idaho, for a Certificate of Transfer of Water Rights, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted the right to the use of 0.002 second foot of subterranean water and to the use of 0.12 second foot of the waters of Ehrlich Creek upon the above described lands is hereby abandoned, and the place of use of such rights and to which the water rights hereby confirmed shall become appurtenant, by this certificate, for domestic purposes is described as follows, to-wit:

Water system of the Village of Troy,
located in Section 7, Township 39 North,
Range 5 West B.M. and Section 12,
Township 39 North, Range 4 West B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

0.002 cubic foot per second of subterranean water
with priority of September 12, 1937.

0.12 cubic foot per second of the waters of
Ehrlich Creek with priority of August 12, 1938.

That the water rights hereby transferred have heretofore been conducted to the first above described place of use with points of diversion in the SE 1/4 NW 1/4 Section 36 and the NE 1/4 SW 1/4 Section 23, Township 40 North, Range 4 West B.M.

That the water rights hereby transferred will hereafter be conducted to the last above described place of use with point of diversion in the NE 1/4 NW 1/4 Section 23, Township 40 North, Range 4 West B.M.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, A.D. 1954.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

86 2039

T-825
53-2014

C O P Y
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

The Village of Troy)
Troy, Idaho)

For a Transfer of Water Right,)
County of Latah, Idaho)

ORDER GRANTING TRANSFER

No. 825

WHEREAS, On the 5th day of June, 1954, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of The Village of Troy, Troy, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, 1954.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

86 2039

T-825
83-2014

State of Idaho
License and Certificate of Water Right

Water License No. 18585 Amount 2.5 second feet
Water District No. Priority January 26, 1938

THIS IS TO CERTIFY that PROGRESS IRRIGATING COMPANY, A CORPORATION,
of Malad, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 26, 1938; that Permit No. 18585
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.5 second feet, was issued thereunder on September 22, 1938, showing that said works
were completed on the 2nd day of July, 1938; and that on the 10th
day of February, 1939,

PROGRESS IRRIGATING COMPANY, A CORPORATION,
of Malad, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of subterranean
waters, a tributary of, for the purpose of irrigation and domestic
use, under Use Permit No. 18585 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4027, on the 19th day of August, 1940;

The right hereby confirmed dates from January 26, 1938;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 13, Tp. 14 S., R. 35 E., B. M. Oneida County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.5
cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No Acres Actually Irrigated
14 S.	36 E.	13	NE 1/4 SW 1/4	30	10
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	30
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		24	NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	10	30
			SW 1/4 NW 1/4	40	-
			SE 1/4 NW 1/4	40	20
			NE 1/4 SW 1/4	40	10
			SE 1/4 SW 1/4	40	30
			NE 1/4 SE 1/4	20	20
			NW 1/4 SE 1/4	20	20
14 S.	36 E.	18	NW 1/4 SW 1/4	24	40
		19	SW 1/4 SW 1/4	24	40
			NW 1/4 NW 1/4	32	32

Total Number of Acres Irrigated - - 562

State of Idaho
License and Certificate of Water Right

Water License No. 18585
Water District No.

Amount 2.5 second feet
Priority January 26, 1938

THIS IS TO CERTIFY that PROGRESS IRRIGATING COMPANY, A CORPORATION,
of Malad, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 26, 1938; that Permit No. 18585
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.5 second feet, was issued thereunder on September 22, 1938, showing that said works
were completed on the 10th day of July, 1938; and that on the 10th



The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 19th day of August, 1940

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 18894
Water District No.

Amount 0.002 second foot
Priority September 12, 1939

THIS IS TO CERTIFY that H. L. CARTWRIGHT of Troy, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 12, 1939; that Permit No. 18894 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.002 second feet, was issued thereunder on January 3, 1940, showing that said works were completed on the 29th day of December, 1939; and that on the 5th day of February, 1940,

H. L. CARTWRIGHT of Troy, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of subterranean waters, a tributary of, for the purpose of domestic, stock watering and private vegetable garden under Use Permit No. 18894 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4028, on the 1st day of October, 1940;

The right hereby confirmed dates from September 12, 1939;

The Point of Diversion is located in the SE 1/4 NW 1/4, Sec. 36, Tp. 40 N., R. 4 W., B. M. Latah County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.002 cubic feet per second.

Description and location of use

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Point of use of water is in the SE 1/4 NW 1/4 Section 36, Township 40 N., Range 4 W., B.M.					

Trans #825

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 1st day of October, 1940

JAMES SPOFFORD
Commissioner of Reclamation

(SEAL)

86 2039

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHOApplication No. 26258
Permit No. 18894
District No.

1. Name of Applicant: H. L. CARTWRIGHT
Postoffice address: Troy County: Latah State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:
II. The financial resources of the applicant are:
(a) Cash on hand:
(c) Bonds to be issued:
(d) Other resources:
2. Quantity of water claimed: 0.002 cubic feet per second.
3. Source of water supply: apparently supplied by Big Meadow Creek
Underground-percolating / which is a tributary of
4. Location of point of diversion: 2000 feet distant from the NW corner of Section 36, T. 40 N., R. 4 W., B. M., and is the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T. 40 N., R. 4 W., B. M., County of Latah.
5. Water is to be used for: Domestic purposes, stock watering, private vegetable garden
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section T., R., B. M., in the of Section, T., R., B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.
7. Estimated cost of works: \$ 900.00
8. Kind of works: Well 15 ft. deep and 4 ft. in diameter, 420 ft. of 1 $\frac{1}{4}$ " pipe and 700 gal. concrete tank
9. Height of dam None feet; length of dam at top feet; length of dam at bottom feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet; dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is six months years.
13. The time required for the complete application of the water to the proposed use is six months additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

H. L. CARTWRIGHT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. September 12, 1939

Returned to applicant for correction: September 13, 1939

Corrected application received: November 6, 1939

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18894

Recorded in Book 68 Page 18894 Approved November 8, 1939

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before January 7, 1940 and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 8, 1940

The whole of said work to be completed on or before May 8, 1940

Beneficial use of water appropriated in accordance herewith, to be made on or before May 8, 1940

Witness my hand this 8th day of November, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN Governor of the State of Idaho, and GEO. H. CURTIS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 8th day of November 1939

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSEN

Governor.

Remarks: The water that I am filing upon has been used beneficially by me upon my land and in my home since 1912.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			Permit No. 18894 Certificate of Completion of Works																
			TO ALL WHOM IT MAY CONCERN: This is to certify that H. L. CARTWRIGHT, of Troy, County of Latah, and State of Idaho, the holder of Permit No. 18894, issued upon Application No. 26258, bearing date of priority of September 12, 1939, authorizing the diversion of 0.002 second feet of underground-percolating waters, apparently supplied by Big Meadow Creek, County of Latah, State of Idaho, for domestic purposes, stock watering, private vegetable garden purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.002 second feet of underground-percolating waters, apparently supplied by Big Meadow Creek; that the point of diversion of said waters is in the SE$\frac{1}{4}$ NW$\frac{1}{4}$ of Section 36, Township 40 North, Range 4 West, B. M. Witness my hand this 3rd day of January, A. D. 1940.																
			JAMES SPOFFORD Commissioner of Reclamation																
			Proof of completion of works made December 29, 1939. Certificate of Completion of Works issued January 3, 1940.																
			LICENSE ISSUED FOR 0.002 SEC. FT. P 4028																

WATER RIGHT NUMBER 86-2039

OWNER LAST NAME - CARTWRIGHT
OWNER LAST NAME - CITY OF TROYFIRST NAME - H. L.
FIRST NAME -ORIG OWNER - O
ORIG OWNER -ADDRESS LINE 1 -
ADDRESS LINE 3 -ADDRESS LINE 2 -
CITY - TROY

STATE - ID ZIP CODE - 83871

SOURCE - GROUNDWATER
SOURCE - EHRLICH CREEKTRIBUTARY OF -
TRIBUTARY OF - BIG MEADOW CREEKLICENSE -
ANNUAL DIV. VOLUME -

STATUS -

PRIORITY - 09-12-1939 COUNTY - LATAH

TOTAL DIV. RATE - .1200 -CFS

SECTION POINT - NWNW 23 40N 04W LOT REDIV -

FROM - TO - USE - DOMESTIC

USE DIV. RATE - .1200 CFS USE DIV. VOLUME - .00 AFA

PLACE OF USE - TWN RNG SEC

WELL NAME -

DATE - TOTAL ACRES 0

MARKS - SOURCES ARE GROUNDWTR. & EHRLICH CK.; TRIB. BIG MEADOW CK.

P/U VILLAGE OF TROY, S17, T39N, R5W & S12, T39N, R4W.

COMBINED WITH 86-2013 BY TRANS. 825.

FOR IRRIG USE -

WATER RIGHTS FOR SAME USE -

DUE DATE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 18894

DUE DATE - FLD EXAM - COND. OF APPROVAL -

VERSION MEANS -

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 188941 86-2039
Old No. New No.

Record

1. Original Owner: H. L. CartwrightPresent Owner: Village of Troy

2. Address:

3. City: Troy State: ID Zip:4. A. Source of Water: SW + Erlich Creek

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 9-12-1939D. County: 57E. Total Diversion Rate: 12

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank): T

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWNW</u>	<u>23</u>	<u>40N</u>	<u>4W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for D purposes. Amount 12
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code:

9. A. Decree Name:

10. Remarks: A. Sources are ~~SW~~; Chrich Creek.
B. P/U Village of Troy, S7, T39N, R5W + S12, T39N, R4W.
C. Combined with Pt. #8672 by Trans. #825.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 18894

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

October 16, 1953

RE: Permits Nos. 18672, 1867³, and 18894

Mr. Edward Solberg
Board of Trustees
Troy, Idaho

Dear Mr. Solberg:

Following is the status of the water rights for Village of Troy as shown by records in this department a conversation with you in Troy on September 23, 1953. Also recommendations are made as to how to complete the rights and transfer them to the present point of diversion and place of use.

License No. 18894 (Page 4028) issued to H. L. Cartwright with priority of September 12, 1939, for 0.002 cubic feet per second of water from a subterranean source with point of diversion in the SE₄ NE₄ Section 36, Township 40 North, Range 4 West, B.M., for domestic, stock water and garden purposes in the same subdivision.

The following should be done with this license.

1. Send in the deed to this department for recording. It will be returned.
 2. Make application for transfer in point of diversion and place of use.
- Blanks for same are enclosed.

Inasmuch as the source claims underflow of Big Meadow Creek, it can be moved upstream to present dam and the place of use changed to Village of Troy.

Permit No. 18673 in the name of the Village of Troy, for 1 cubic foot per second of water with point of diversion in the SE₄ NE₄ Section 23, Township 40 North, Range 4 West, B.M., with priority of August 6, 1938, for domestic supply for Village of Troy.

Works to be a 5' dam, 50' long on top made of concrete. 6" or 8" pipe 6 miles long to Troy. Extension of time was granted October 31, 1938. This department to be advised when able to go ahead with work. Plans for a higher dam were submitted by G. A. Riedesel on March 18, 1950.

18894

October 16, 1953

In order to bring this permit to license:

1. Affidavits proving completion of works should be furnished by Village of Troy and two witnesses.
2. Write a letter advising that first dam constructed proved inadequate, that plans were sent this department for approval, and that a higher better dam was constructed in 1950.
3. Make beneficial use proof in regular manner.

Priority will be as much later than August 6, 1938, as beneficial use proof is past due.

Permit No. 18672 was issued to the University of Idaho for 0.8 cubic foot per second of water from Ehrlich Creek, a tributary of Big Meadow Creek, with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 40 North, Range 4 West, B.M., for domestic purposes at the University Summer Camp.

Priority date was August 12, 1938 (filing date); proof of completion of works was due March 2, 1939; beneficial use proof was due March 2, 1939; completion of works proof was made on February 14, 1939; the date for proof of beneficial use was extended to April 2, 1939, and proofs for same were received on April 10, 1939, but the \$5.00 fee was never received so License was not issued. It is never issued before the fee for same is paid.

This license can be brought to license for an amount of 0.12 cubic foot per second. This should be done.

Then it should: (1) be transferred to the Village of Troy; and (2) have the place of use changed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
Enc.

P. S. Forms for proof on Permit No. 18673 are enclosed.

18894

RECEIVED
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOISE, IDAHO

Troy, Idaho

1953 AUG 17 AM 10:16

August 15, 1953

COPY		
NO REPLY:		
TO	INITIAL	DATE
FILE		

Attention Mr. Mark R. Kulp

Bureau of Reclamation
Boise, Idaho

Gentlemen:

Reference is made to our letter of
August 8th and your letter of August 12th.

We note that you have no record of
water rights on Big Meadow Creek north of Troy,
Idaho. Maybe there could be a confusion in the
name of creek, as it is sometimes called Little
Bear Creek. The University of Idaho and H. L.
Cartwright had water rights on the creek and
which now are transferred to Village of Troy,
but they may have been named as being on Little
Bear Creek, as it is called both Big Meadow
Creek and Little Bear Creek.

Our dam is built on the said creek.

We wish to file water permit on Big Meadow
Creek ~~and~~ Little Bear Creek and all its tributaries.

Yours very truly,

Edward Solberg

Chairman of Board of
Trustees of Village
of Troy, Idaho

RECEIVED
AUG 18 1953
Department of Reclamation

18894

✓
18673

August 12, 1933

Mr. Edward Solberg
Chairman of Board of Trustees
Troy, Idaho

Dear Mr. Solberg:

We do not have records of any water rights on Big Meadow Creek north of Troy, Idaho.

However, you have probably acquired a right by appropriation through actual diversion and Beneficial Use.

Not having any record of rights on Big Meadow Creek in the name of the University of Idaho or H. L. Cartwright, we do not know what you acquired from them.

Water in natural streams is public water and belongs to the State and is controlled by the State and the only way you can control all the water in the stream is by appropriation and works that are able to divert and put to Beneficial Use all the water in the stream.

I would not anticipate any difficulty about your water right except in the matter of making an official record.

You already have an uncompleted permit No. 18673 for one (1) cubic foot per second from an un-named stream tributary to Little Bear Creek on which the time for Completion of Works was indefinitely extended on October 31, 1932 on account of financial difficulties with the proviso that the applicant (Village of Troy) should notify the Department of Reclamation within 30 days after the removal of the disability. This right may still be eligible for completion of record and may be all the right you need if completed. Otherwise, you may initiate record rights with present priority on works completed or contemplated or you may go to the district court in a quiet title proceedings and have your present rights defined and made a matter of record.

Either myself or deputy may be in North Idaho sometime this fall and can stop and help analyze your problems.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:pj

18894

Letter from Troy + other info re water rights

DEPARTMENT OF RECLAMATION
CIVIL ENGINEERING OFFICE, ROOM 1
BOISE, IDAHO
VILLAGE OF TROY
Troy, Idaho

AUG 30 11 30 AM

August 8, 1953

Bureau of Reclamation
Boise, Idaho

Gentlemen:

In 1939 we purchased the water rights from the University of Idaho on the Big Meadow Creek north of Troy, Idaho and have been using water from the creek ever since for a water supply for our Village. Recently we acquired the water rights formerly held by H. L. Cartwright on said creek.

In 1951 we constructed a dam for a reservoir on the above mentioned creek for a water storage to take us through the summer when the water flow of the creek is not sufficient for our town. We have from time to time purchased timber land for a water shed and at the present time own approximately 1000 acres of land adjacent to our storage dam.

Will any action on our part be necessary in order that we may have full control on all water in said creek.

Yours very truly,

Edward Solberg

Chairman of Board of
Trustees of the
Village of Troy, Idaho

RECEIVED
AUG 12 1953
Department of Reclamation

ORIGINAL FILE COPY
REPLY PREPARED ☐
NO REPLY ☐ (INITIALS)
TO: *150* INITIAL: DATE:
FILE

18672

October 2, 1940

Re: Permit No. 18394

Mr. H. L. Cartwright
Route 3
Troy, Idaho

Dear Mr. Cartwright:

We are herewith enclosing License and Certificate of water right issued under the above numbered permit, confirming your right to use 0.002 second foot of subterranean waters, with date of priority of September 12, 1939, for domestic, stock watering, and private vegetable garden use in the SW¹/₄ of Section 36, Township 40 North, Range 4 West, E. M.

We are also enclosing the Departmental Receipt No. 17580 for the \$5.00 fee which you paid in connection with this final proof.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

18894

Troy, Idaho.

Sept 28 1940.

Dept of Reclamation

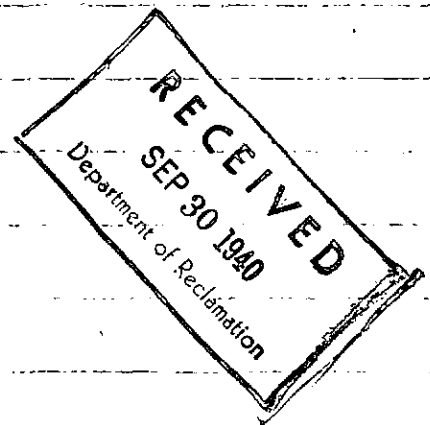
Boise, Idaho.

Re: Permit 18894

Dear Sirs;

Having received notice, on Sept 25; that your Field Engineer's report, as to our claim, is now on file at your office, I am enclosing a check for five (\$5) dollars for the fee, as required.

Yours respectfully
H. L. Cartwright



18894

September 25, 1940

Re: Permit No. 18894

Mr. H. L. Cartwright,
Troy, Idaho.

Dear Mr. Cartwright:

We now have on file the report of our Field Engineer on examination for beneficial use under the above numbered permit.

This report shows that you are using .002 of a second foot of subterranean water for domestic, stock watering, and garden use.

Therefore, upon receipt of the \$5.00 fee a license will be issued accordingly.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

JLA

Chief Clerk

18894

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18894

This proof is for beneficial use In Water District No. _____

1. Name of applicant H. L. Cartwright, Route 3, Troy, Idaho
2. Source of water supply: Subterranean percolating waters apparently from Big Meadow Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., Range 4 W., B.M.
of Section _____
- T. _____ R. _____ County of Latah

4. Describe works as they exist, giving dimensions and capacities of same: Shallow well,

housed, and equipped with Montgomery Ward engine
and belt driven pump of 1 $\frac{1}{2}$ " intake capacity. Discharge
pipe leads to 700 gal. concrete reservoir (90 ft. lift+) and
hydrants in house and grounds.

5. Water is used for: Domestic, stock watering and private vegetable garden

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): _____

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? none

Remarks: _____

This examination was made on the 25th day of July, 1940

(Signed)

Fred A. Tolman
Examiner.

18894

91
H. L. Cartwright
Route 3- Troy, Idaho

Permit No. 18894

Examination for Beneficial use

County Latah

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

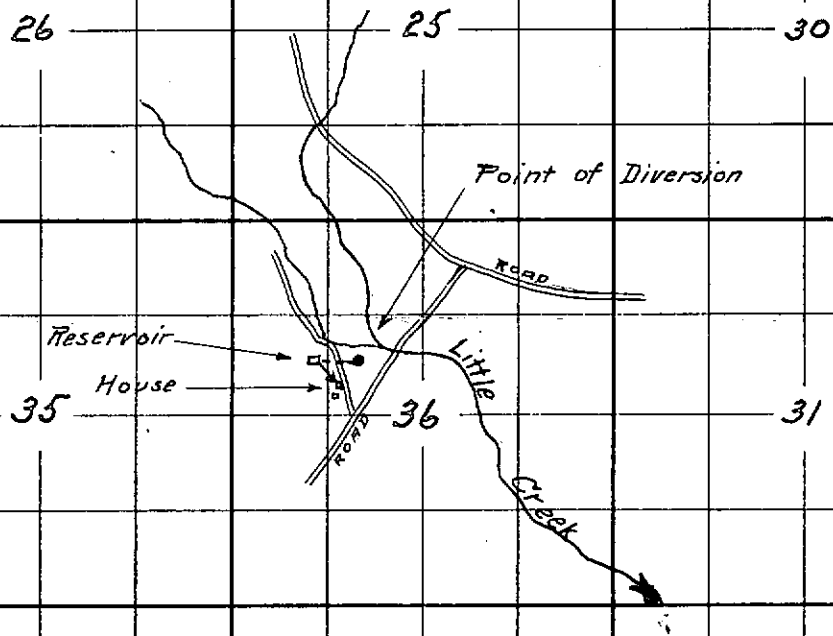
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

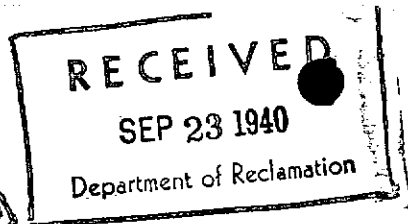
REPORT OF ENGINEER

PERMIT NO. 18894

REPORT ON PROOF OF Beneficial Use

OK. 0.02 cfs. Fee \$5⁰⁰
AD.





Troy, Idaho.

Sept 21, 1940

Dept of Reclamation
Boise Idaho.

Dear Sir; In reply to your
letter of Sept 9 regarding Permit
No. 18894.

We received your notice of
a 5 dollar fee due your
department as soon as
we are advised Mr. Tolman
has turned in his report.

We would certainly appreciate
it if this matter could
be brought to a final
settlement.

Yours Truly
H. L. Cartwright.

18894

September 9, 1940

Re: Permit No. 18894

Mr. H. L. Cartwright,
Troy, Idaho.

Dear Mr. Cartwright:

In reply to your letter of September 7th, in
regard to the above numbered permit:

It is the practice of this Department for our
field engineer, Mr. Tolman, to make examinations
during the summer months, when weather conditions
are favorable, and to complete the reports later
on.

At present he is out of the office on his vacation,
but will be back next week. We shall refer your
letter to him upon his return, and advise you as
to his report.

Meanwhile, the fee in connection with this final
proof is \$5.00, which you may send at your convenience.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

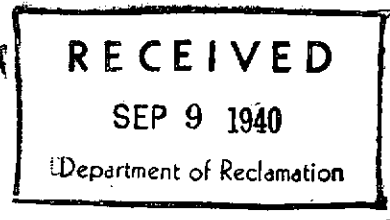
Chief Clerk

JLA

18894

Troy, Idaho
Sept. 7, 1940.

Joe. Spofford
Dept of Reclamation
Boise, Ida.



Dear Sir: In regard to Permit No. 18894,
Some time ago your Field Engineer,
Mr. Tolman, made an inspection of
our water system, and if he found
it as we had stated in our
claim for the permit, can the
final arrangements be made
now?

Yours truly
H. L. Cartwright
Troy, Ida.

18894

March 30, 1940

Re: Permit No. 18894

Mr. H. L. Cartwright,
Troy, Idaho.

Dear Mr. Cartwright:-

We have your letter of March 25th, in regard to examination by our field engineer in connection with beneficial use proof under your above numbered permit.

As we explained in our previous letter, this department has but one field engineer, who makes examinations all over the state. Naturally, with weather conditions as they are, no examinations are made during the winter months- as in many cases it would be impossible to make the proper examination at that time.

Also, in order to keep the expense of making these examinations at a minimum, it is the custom to try and arrange these inspection trips, so that several examinations in the same vicinity may be made in one trip.

We have referred your letter to Mr. Tolman, our Field Engineer, and he will contact you when he finds he can arrange to make this examination.

We assure you the matter has not been overlooked, but will be taken care of in regular course.

Very truly yours,

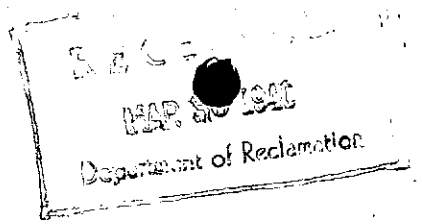
JAMES SPOFFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18894

Re: Permit No. 18894



Troy, Idaho.

March 28 1940

Joe Spofford
Dept of Reclamation
Boise, Ida

Dear Sir; On Feb. 18 we received
acknowledgement of your
receipt of description of holder,
and all other requirements
you requested of us, concern-
ing this water Permit.

You stated at that time,
that Mr. Tolman, Field engineer
would make the final exam-
ination. We have seen no-
thing of him as yet and
hope the matter has not
been overlooked and forgot-
ten.

It stands to reason we

18894

would like to have this
attended to at the earliest
convenience of your dept.
Yours truly
H. L. Cartwright

18894

February 12, 1940

Re: Permit No. 18894

Mr. H. L. Cartwright,
Route 3,
Troy, Idaho.

Dear Sir:-

We acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of publication from the Daily Idahoian, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the Department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this Department, will contact you at the time set for the examination, so that you may show him over the grounds.

After his report is on file in this department, you will be further notified in regard to fees before the issuance of a license.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

18894

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18894

Proof of Application of Water to Beneficial Use

Deposition of Holder

✓ Ques. 1. State your name, residence, occupation and postoffice address.

Ans. H. L. Cartwright Farmer of Troy Idaho Route 3

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 18894 Nov 9 1939 Sept 12 1939

✓ Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Point of diversion is in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 36 T 40 N Range 4 W, B.M.

✓ Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Diversion works consist of a 15' well, force pump (gasoline) and 420 feet of 1 1/8" pipe to a 700 gal. concrete reservoir. This system can produce about 3000 gal. of water per day, which is three (3) times what I am asking for.

✓ Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for domestic use, fire protection stock watering, and irrigating an 1/2 acre farm garden adjacent to my home. The whole use is in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T 40 N R 4 W B.M.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Used only for domestic and stock purposes.

18894

OK
HD

✓ Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. About 500 gals per day - aside from irrigating uses

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

✓ Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The use of water has been continuous since 1912 in the amount asked for in my application - viz. about 1000 gals per day - for Domestic - stock - and garden.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign)

N. L. Cartwright

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Moscow, County of Latah, State of Idaho, on this 5th day of February, A. D. 1940.

W. H. Amos
Natay Pugh

My commission expires

July 31 - 1941

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18894

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

✓ Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Conrad M. Lindquist Age 28
R.R. 3 Troy, Idaho Farmer

✓ Ques. 2. Are you acquainted with H. L. Cartwright, the holder of Permit No. 18894? How long have you known him and where does he reside?

Ans. Twelve years Troy Idaho R.R. 3

✓ Ques. 3. Have you read or heard read said Permit No. 18894, and are you familiar with its provisions and conditions?

Ans. Yes

✓ Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. SE ⁴ NW ⁴ Sec 36 R 40 north Twp 4 W. B. M.
Water works consist of a 1 1/2" pipe 420 feet long carrying water to a 700 gal concrete reservoir and a distribution system of 3/4" pipe. The water is pumped from a 15' well.

✓ Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 2 gals per minute from a 3/4" distribution pipe
3 gals per min is .0066 cfs per sec.

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Domestic, Stock & a garden irrigation, fire protection

18894
OKHO

✓ Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Stock watering Domestic use and
fire protection

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

✓ Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

✓ Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Just as previously stated in this
application for use -

(Signed)

Conrad F. Lindgren

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Marion, County of Latah, State of Idaho, on this day of 5th February, A. D. 1940

My commission expires

July 21 - 1941

J. H. Vroman
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18894

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

✓ Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans.

Walter R. Cairy Troy Ida. age 50 yrs
Farming R. 3

✓ Ques. 2. Are you acquainted with H. L. Cartwright, the holder of Permit No. 18894? How long have you known him and where does he reside?

Ans.

2 1/2 yrs. Troy Ida R. 3

✓ Ques. 3. Have you read or heard read said Permit No. 18894, and are you familiar with its provisions and conditions?

Ans.

Yes

✓ Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. ? SE 1/4 NW 1/4 Sec 36 R 40 N Twp 4 W B.M.

Works consist of 1 1/4" pipe - 420' long to carry water to a 700 gal Concrete Reservoir. And a distribution system from reservoir. Water is pumped from a 15' well.

✓ Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. ? About 3 gals per minute from 3/4" distribution from Res.
3 gals per min = .0066 cu. ft. per sec.

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans.

Domestic use, Stock watering gardening & fire protection Cartwright farm.
The garden is behind the house and does not exceed 1/2 acre in area.

OK
40

18894

✓ Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Stock watering - Domestic use and fire protection.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

✓ Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Just as previously stated in this application -

(Signed)

Walter R. Cairy

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Maxloo, County of Latah, State of Idaho, on this day of 5th February, A. D. 1940

My commission expires

July 31-1941

W. R. Cairy
Notary Public.

AFFIDAVIT OF PUBLICATION

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

W. T. MARINEAU
being first duly sworn, on oath
deposes and says:

That I am and at all times herein
mentioned have been the

Printer
of The DAILY IDAHONIAN, that
said DAILY IDAHONIAN is a
newspaper of general circulation
printed and published daily, ex-
cept Sunday, at Moscow, in the
County of Latah and State of
Idaho; that the Daily Idahonian
has been continuously and unin-
terruptedly published in Latah
County, Idaho, during the period
of seventy-eight consecutive weeks
prior to the first publication of

attached copy of.....

Notice
.....

that said.....

Notice
.....

of which the annexed is a full, true
and correct printed copy, was pub-
lished in the regular and entire
issue of said newspaper, and not
in any supplement thereof.....4.....
times in the following issues of
said paper.....

Jan. 4, 11, 18, 25, 1940

....., 194.....
W. T. Marineau
Printer

Subscribed and sworn to before
me this 26 day of Jan. 1940

James E. Estey
Notary Public.

NOTICE FOR PUBLICATION.

Notice of Proof Application of Water
To Beneficial Use.

Notice is hereby given that at 10:00
A. M. on the 5th day of February, 1940,
at Moscow, County of Latah, State of
Idaho, before W. K. Armour, Notary
Public, proof will be submitted of the
application to beneficial use of 0.002
cubic feet per second of underground
percolating waters apparently supplied
from Big Meadow Creek in accordance
with the terms and conditions of Per-
mit No. 18894 heretofore issued by the
Commissioner of Reclamation of the
State of Idaho.

The name and postoffice address of
the person holding said permit are H.
L. Cartwright, RFD No. 3, Troy, Idaho.

The use to which said water has
been applied is Domestic—stock water-
ing and private vegetable garden.

The amount applied to beneficial use
is 0.002 C. F. S.

The place where said water is used—

The place where said water is used (if

for irrigation, give full and accurate

description of the lands irrigated)—

Small garden, one-half acre in extent

at the farm home in SE 1/4 NW 1/4 Sec. 36,

T. 40 N., R. 4 W. B. M.

The name of the canal or ditch or

other works by which said water is

conducted to such place of use is—

There is but a short pipeline from the

creek to the house and therefore carries

no name.

The right to take water from such

works is based upon Permit No. 18894.

The source of supply from which

such water is diverted is underground

percolating waters apparently supplied

from Big Meadow Creek.

The date of priority which said user

is prepared to establish is September

12, 1939.

JAMES SPOFFORD
Commissioner of Reclamation.
Jan. 4-11-18-25

18894

FEB 6 1940

Department of Reclamation

TO

H. L. Cartwright
P. O. Box 3
Tray Idaho

MOSCOW, IDAHO

Jan. 26, 1940

IN ACCOUNT WITH

NEWS-REVIEW PUBLISHING COMPANY, INC.

THE DAILY NEWS-REVIEW

An Evening Newspaper

PHONE 2435-2436

ACCOUNT _____

PROMPT DELIVERY ON ALL WORK

W. T. MARINEAU, MANAGER

COMMERCIAL PRINTING

Notice Jan. 4-11-18-25

and
Wm.
Jan. 27, 1940

11 25

18894

Fig 9 04

Department of Commerce

MOSCOW, IDAHO

Feb 8 - 1940

James Spafford
Commissioner of Reclamation
Boise, Idaho

Dear Sir -

Enclosed herewith is deposition of permit
Holder N.L. Cartwright and two witnesses
Walter R. Cairg and Conrad N. Lindquist
and affidavit of publication of notice
all properly executed

Yours Respectfully
W. K. Armour
Notary Public

18894

State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho, January 24, 1940

Re: Permit No. 18894
H. L. Cartwright

Mr. W. K. Armour,
Notary Public,
Moscow, Idaho.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18894

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On February 5, 1940, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Moscow, Idaho before W. K. Armour, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.

18894

January 11, 1940

Re: Permit No. 18894

Daily Idahonian
Moscow, Idaho.

Gentlemen:-

We have received no acknowledgment of our letter of December 28th, enclosing Notice for publication, nor have we received a copy of your paper containing this notice, as requested.

Please advise if this notice is being published, and send us a copy of an issue containing same.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

JLA

By

Chief Clerk

18894

January 5, 1940

Re: Permit No. 18894

Mr. H. L. Cartwright,
Route 3,
Troy, Idaho.

Dear Sir:-

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 0.002 second foot of underground percolating waters, in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 40 North, Range 4 West, E. M., Latah County, for domestic purposes, stock watering, and private vegetable garden.

The Department's Receipt No. 17246 for the \$5.00 fee which you paid in connection with this proof is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

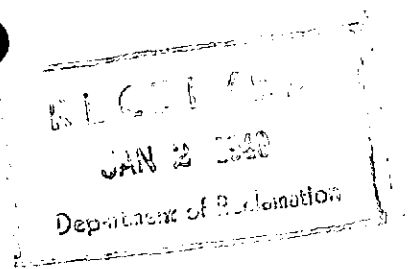
By

Chief Clerk

JLA
Encs.

18894

Permit No. 18894

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Latah } ss.

✓ H.L. Cartwright

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho,

✓ No. 18894, and that his postoffice address is RFD #3 Troy

✓ State of Idaho

✓ Second: That the name of the stream from which said water is to be directed is from underground flow of Big Meadow Creek

✓ Third: That the point of diversion of said water is SE 1/4 of Sec 36, T40 N R 4 W Boise Meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April - 1 5-9-40, 1940

✓ Fifth: That the use for which said water is intended is Domestic-Stock watering, and private vegetable garden.

✓ Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

1. Kind of works: 420 feet of 1 1/2" pipe, 700 gal Concrete Tank, 15' well
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam None feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 700 gals. are feet

(c) Size of headgate: Width none feet, height feet.

(d) Conduit X width at bottom feet, width at water line

(State whether ditch, flume or pipe.)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 0.002 second feet of water.

Eighth: That water appropriated under said permit is available for one-half (1/2) acres of land described as follows: adjacent to the farm home in the above described parcel of land, ie, in the SE 1/4 Sec 36, T40 N R 4 W BM.

Ninth: Remarks: That the works are now complete and working satisfactorily.

H.L. Cartwright
(Sign here)

Subscribed and sworn to before me this 29 day of December, 1939

My commission expires July 21 - 1941

Notary Public.

Morrow. J. J.

18894

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Date . . December 28, 1939 . . .

Re: Permit No. 18894

Daily Idahonian,
Moscow, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 5, 1940, the date set for proof, the expense of the publication to be paid by the applicant,

H. L. Cartwright
R. F. D. 3, Troy, Idaho
to whom you should furnish proof of publication on or prior to the date for proof.

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

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

18894

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at **10:00** A. M. on the **5th** day of **February**, 19**40**,
 at **Moscow**, County of **Latah**, State of Idaho, before
W.K. Armour Notary Public, proof will be submitted of the
 application to beneficial use of **0.002** cubic feet per second of ~~the water of~~ **UNDERGROUND**
~~apparently supplied from Big Meadow Creek~~
percolating waters in accordance with the terms and conditions of Permit No. **18894**

heretofore issued by the **Commissioner of Reclamation** of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are **is**
H.L. Cartwright RFD #3 Troy Idaho

The use to which said water has been applied is **Domestic-stockwatering and private**
vegetable garden

The amount applied to beneficial use is **0.002 C.F.S.**

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) **Small garden, one-half acre in extent at the farm home**
in SE 1/4 sec 36, T40 N R 4 W. B.M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is **There is but a short pipeline from the creek to the house and there-**
fore carries no name.

The right to take water from such works is based upon Permit No. **18894**

The source of supply from which such water is diverted is ~~Big Meadow Creek and other~~
~~percolating~~
underground/waters thereof. apparently supplied from **Big Meadow Creek**

The date of priority which said user is prepared to establish is **September 12, 1939**

JAMES SPOFFORD

Commissioner of Reclamation.

18894

December 22, 1939

Re: Permit No. 18894

Mr. H. J. Cartwright,
Route 3,
Troy, Idaho.

Dear Sir:-

We acknowledge receipt of Notice in duplicate and also your authorization to publish same in the Daily Idahonian, all in connection with beneficial use proof under the above numbered permit.

We have changed this notice in one particular, as the water covered by your permit is described as underground percolating water apparently supplied from Big Meadow Creek-- and shall send the notice to the newspaper with instructions in regard to publishing it for four consecutive weeks prior to February 5th, the date which you have set for proof.

About ten days prior to that date, we shall send to the Notary Public, Mr. W. K. Armour, depositions consisting of one for the holder and one for each of two witnesses, so that he may have them in ample time for the proof.

On that date you should appear at Mr. Armour's office, with two disinterested witnesses who are familiar with the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Meanwhile, we call your attention to the fact that you have not yet submitted the Affidavit of proof of completion of works, which was enclosed to you in our letter of December 14th. This is required before you submit your beneficial use proof.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JIA

Chief Clerk

18894

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 20, 1939

(P. O.) RFD#3 Troy Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Daily Idehonian of Moscow Idaho, published in
the county in which the works are situated.

H. L. Cartwright

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

18894

December 14, 1939

Re: Permit No. 18894

Mr. H. J. Cartwright,
Route 3,
Troy, Idaho.

Dear Sir:-

We are in receipt of your letter of December 11th, and note that you are now ready to make proofs of completion of works and beneficial use under the above numbered permit.

We enclose an affidavit, which is all that will be required for proof of completion of works. This affidavit should be executed before a Notary Public, and returned to this office, with a fee of \$5.00, and upon approval, a Certificate of Completion of Works will be issued.

In making the proof of beneficial use, it is necessary to publish a notice of your intention to make such proof for four weeks prior to the date set, in some newspaper published in the county where the water is diverted.

We enclose forms for making out this notice, which must be in duplicate, and which must set out the hour, date, and name of the Notary Public before whom the proof will be made. In setting the date- be sure to put it at least forty days ahead, so as to allow time for the four weeks publication. We also enclose a form of authorization for us to have this notice published in the newspaper which you may name.

Both copies of the notice, and the authorization, should be returned to this office, and upon receipt thereof we shall send it to the newspaper, with instructions in regard to publishing same.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JJA
Enc.

18894

Troy, Idaho.

Dec. 11/1939.

Mr. James Spofford, Com.
Dept. of Reclamation,
Boise, Ida.

Dear Sir: I re regard to our Application
No 26258, permit No 18894 recorded on
page 68, to appropriate the water of
Big Meadow Creek, Idaho, and recently
approved by your department.

We have fully completed all require-
ments as stated on page three (3) and
are making beneficial use of these
waters, and now desire to present
your dept. final proof of our
Application if you will please
send us blanks on which to present
the required proof.

Yours very truly
H. L. Cartwright
Troy, Idaho.
Route 3.

18894

November 20, 1939

Re: Permit No. 18894

Mr. John L. Howard,
C/o College of Engineering,
University of Idaho,
Moscow, Idaho.

Dear Sir:-

We are in receipt of your letter of November 18th, in reference to our form letter which accompanied the above numbered permit in the name of H. L. Cartwright.

This is an old printed form, and the last line should have been corrected to read the fourth instead of the third page.

The limitations and conditions referred to are the date set for completion of one-fifth of the work, proof of final completion of all the works, and date of making proof of application of the water to beneficial use.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

JLA

By

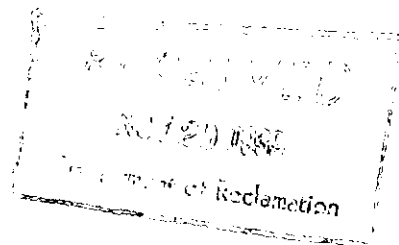
Chief Clerk

18894

UNIVERSITY OF IDAHO

COLLEGE OF ENGINEERING

MOSCOW
Nov. 18. 1939



Mr James Spofford
Commissioner of Reclamation
Capitol Bldg
Boise, Idaho.

My dear Mr. Spofford:

Mr H.L. Cartwright of Troy was in my office today asking about some things on the water application that you returned to him recently. I think I was able to answer all his questions except one relative to that enclosure sent with the permit. This enclosure said something about the right being restricted according to the instructions on page three of the folder. I could find nothing on this page except what we had put there ourselves. I would appreciate any remarks you may have to make in order that I may send your reply to Mr Cartwright to convince him that everything is all right with the application and his permit to use water. His permit number is 18894 and the application number is 26258.

Thanking you for your trouble,

Sincerely,

John W. Howard
John W. Howard.

18894

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18894

Boise, Idaho, November 10, 1939

Dear Sir:

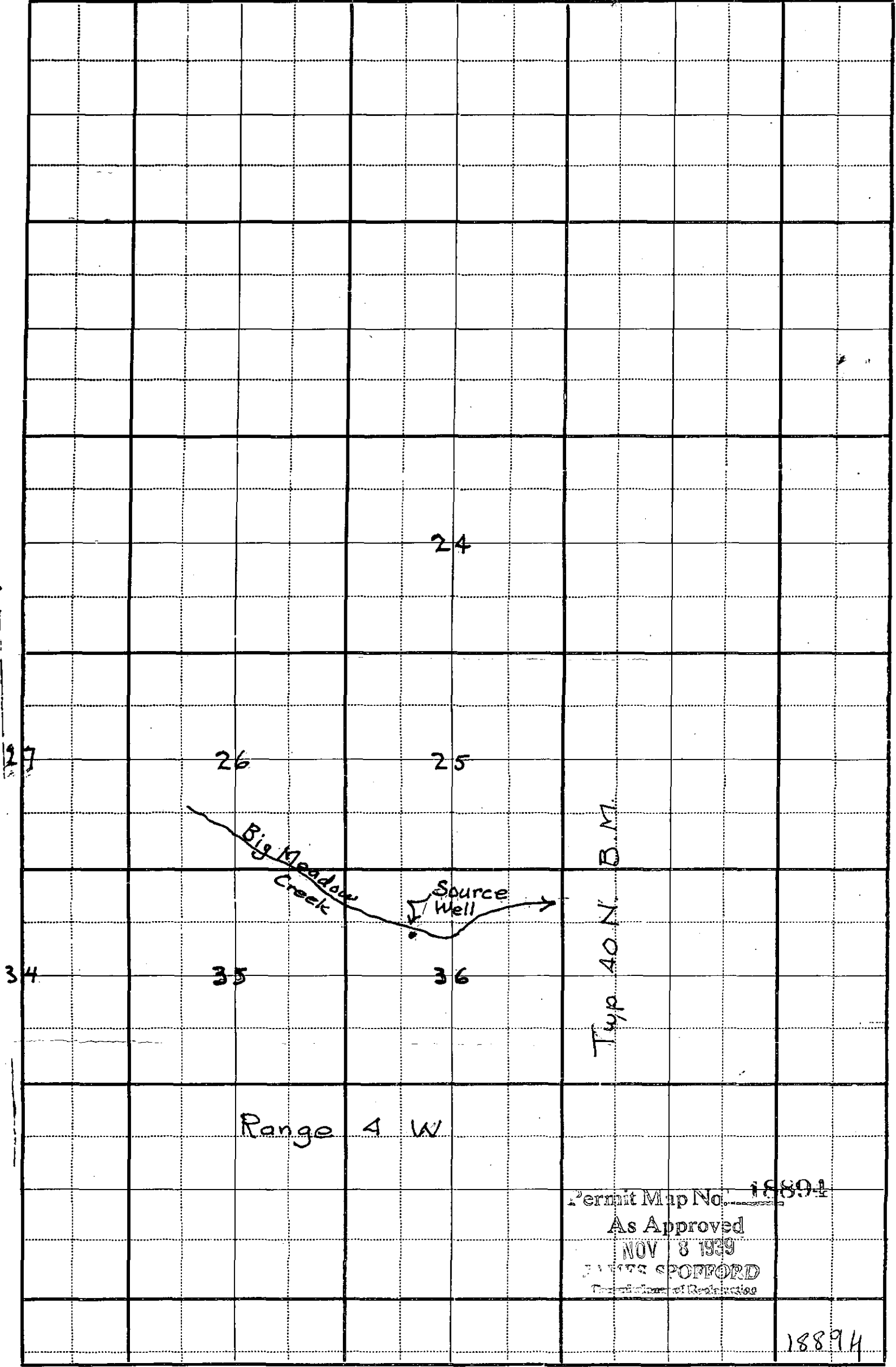
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

H. L. Cartwright
R. F. D.
Troy, Idaho

JAMES SPOFFORD

Commissioner of Reclamation.

18894



Mr. Harry Dewey:

Then with
the application of Cartwright
for water. Hope I have
made the changes
correctly and that
everything is all right
otherwise.

1

Crk.
Young
Johnston
NOV 6 1922
RECEIVED BY POSTAL

18894

Re: Application No. 26258

September 13, 1939

Prof. John W. Howard,
C/o College of Engineering,
University of Idaho,
Moscow, Idaho.

Dear Sir:-

We acknowledge receipt of the application of E. L. Cartwright, of Troy, Idaho, for subterranean water in the NW¹/₄ Section 36, Township 40 North, Range 2 West, B.M., accompanied by his personal check for the \$5.00 filing fee.

We have entered the application, and given it a priority date, but are returning it herein for one or two small corrections or changes, which should be made and back in this office

by Nov 11, 1939

The quantity of water should be given in cubic feet per second, but we have changed this to conform; and have also changed the description of the point of diversion to show the exact 40-acre subdivision.

Questions 12 and 13 should allow at least six months time, in order to allow time for making the necessary proofs of completion of works and beneficial use- the latter of which requires publication for four consecutive weeks in a newspaper in the county where the water is located.

Also, under Remarks- We suggest that this should be changed so as to simply state the fact that the water has been used by applicant for the designated length of time; The permit itself, when issued, is only an indication of a water right, as provided by the statutes- and cannot serve as a protection from other users. In case of a controversy the matter will, of course, have to be finally determined in the courts.

Please take the matter up with Mr. Cartwright, and have the application corrected accordingly.

Very truly yours,

JAMES SPOTFORD

Commissioner of Reclamation

By

Deputy Commissioner

A

18894

September 13, 1939

Dear John:-

In connection with the H. L. Carywright filing, which we are returning for minor corrections, I thought that you might be interested in knowing that there are two permits issued on un-named streams in Township 40 North, Range 2 West.

One is to E. W. Felton, for one second foot, with priority of March 29, 1937, in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33; and one to the Village of Troy for one second foot, with priority of August 6, 1938, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23.

I am not sure whether Felton's permit is on the same stream, but thought that I would bring it to your attention.

There is also a permit issued on Ehrlich Creek, which is a tributary to Big Meadow Creek, to the University of Idaho, for 0.8 second foot, with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Twp. 40 North, Range 2 West, with date of priority of August 12, 1938.

These priority dates would, of course, be conditional upon the applicant's completing their works and making beneficial use proof before the due dates.

I trust that this information will be of some help to you, and wish you the best of luck with the new group of neophytes.

Very truly yours,

D:A

18894

Dear Harry:

This is the claim I spoke to you of when I saw you in Boise the other day. The Old gentleman will probably have to establish his use by a court edict of some sort, but this is simple if he has previously filed on the water. Hope that everything needed in the application is there and perfectly clear.

yours, as a bum typist,

John Howard

SEP 2 1940
U.S. DEPT. OF AGRICULTURE
WASHINGTON, D.C.

18894

1-11-49

THE DAILY IDAHO

NOTICE FOR PUBLICATION.

Office of Proof Application of Water
To Beneficial Use.

Notice is hereby given that at 10:00 A. M. on the 5th day of February, 1940, at Moscow, County of Latah, State of Idaho, before W. K. Armour, Notar Public, proof will be submitted of the application to beneficial use of 0.002 cubic feet per second of underground percolating waters apparently supplied from Big Meadow Creek in accordance with the terms and conditions of Permit No. 18894 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are is H. L. Cartwright, RFD No. 3, Troy, Idaho.

The use to which said water has been applied is Domestic--stock watering and private vegetable garden.

The amount applied to beneficial use is 0.002 C. F. S.

The place where said water is used--
The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)--
small garden, one-half acre in extent at the farm home in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, T. 40 N., R. 4 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is--
There is but a short pipeline from the creek to the house and therefore carries no name.

The right to take water from such works is based upon Permit No. 18894.

The source of supply from which such water is diverted is underground percolating waters apparently supplied from Big Meadow Creek.

The date of priority which said user is prepared to establish is September 12, 1939.

JAMES SPOFFORD
Commissioner of Reclamation.
Jan. 4-11-18-25.

L 18894 (4028) 9-12-39

N. L. Cartwright

0.002 c/s -

ent.

domestic - stork + private vegetable
garden

SE NW 36 - 40 x 4 m.

P. 2 + place of use

Permit pump - "underground"
percolating - apparently
supplied by Big Meadow
Creek -

THE TERMS GROUND WATER, WELL, WELL DRILLER, DOMESTIC PURPOSES AND WATER RIGHT; PRESCRIBING ADDITIONAL DUTIES OF THE STATE RECLAMATION ENGINEER WITH RESPECT TO GROUND WATERS; PRESCRIBING A PROCEDURE FOR THE APPROPRIATION OF GROUND WATER THROUGH APPLICATION, PERMIT AND LICENSE; DECLARING THE BUSINESS OF DRILLING FOR GROUND WATER TO BE AFFECTED WITH THE PUBLIC INTEREST AND REQUIRING REPORTS FROM WELL DRILLERS TO THE STATE RECLAMATION ENGINEER; PROVIDING FOR THE INTERPRETATION OF THIS ACT IN HARMONY WITH EXISTING WATER LAWS; PROVIDING THAT THE PROVISIONS OF THIS ACT ARE SEPARABLE; AND REPEALING ALL LAWS IN CONFLICT HEREWITH.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. Ground waters are public waters.--It is hereby declared that the traditional policy of the state of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable

● Kaur, Loko ●

L 22027 (5026)

2075 - 3.12.51

ant -

P.D. - S.E.S.W. dec 7 -

8 9 7 - S.W. -

use on campus
(domestic)

Not
du 776
over

shall be adjudged by the courts to be unconstitutional or invalid, the same shall not effect the validity of any part or parts thereof which can be given effect without the part or parts adjudged to be unconstitutional or invalid. The legislature hereby declares that it would have passed the remaining parts of this act if it had been known that such other part or parts thereof would be declared unconstitutional or invalid.

C O P Y

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

The Village of Troy)
Troy, Idaho)

For a Transfer of Water Right,)
County of Latah, Idaho)

ORDER GRANTING TRANSFER

No. 825

WHEREAS, On the 5th day of June, 1954, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of The Village of Troy, Troy, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, 1954.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

7-825
83-2014

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 825.

THIS IS TO CERTIFY that, THE VILLAGE OF TROY, Latah County, Idaho, is the owner of and using a certain water right, bearing priority date of September 12, 1939, for 0.002 cubic foot per second of subterranean water awarded to H. L. Cartwright by License No. 18894 of the State Department of Reclamation dated October 1, 1940, for use in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 7 of Licenses at Page 4028.

Also a water right bearing priority date of August 12, 1938, for 0.12 cubic foot per second of the waters of Ehrlich Creek, a tributary of Big Meadow Creek, awarded to the University of Idaho by License No. 18672 of the State Department of Reclamation dated October 29, 1953, for use in the Northeast Quarter of Section 26, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 8 of Licenses at Page 5167.

That the said Village of Troy has become the owner of said water rights through purchase.

And that now, upon the application of the Village of Troy, Troy, Idaho, for a Certificate of Transfer of Water Rights, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted the right to the use of 0.002 second foot of subterranean water and to the use of 0.12 second foot of the waters of Ehrlich Creek upon the above described lands is hereby abandoned, and the place of use of such rights and to which the water rights hereby confirmed shall become appurtenant, by this certificate, for domestic purposes is described as follows, to-wit:

Water system of the Village of Troy,
located in Section 7, Township 39 North,
Range 5 West B.M. and Section 12,
Township 39 North, Range 4 West B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

0.002 cubic foot per second of subterranean water
with priority of September 12, 1939.

0.12 cubic foot per second of the waters of
Ehrlich Creek with priority of August 12, 1938.

T-825
8-3-2014

That the water rights hereby transferred have heretofore been conducted to the first above described place of use with points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 40 North, Range 4 West B.M.

That the water rights hereby transferred will hereafter be conducted to the last above described place of use with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 40 North, Range 4 West B.M.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, A.D. 1954.

Mark R Kulp
MARK R. KULP
State Reclamation Engineer



T-825
82-3017

July 22, 1954

Mr. Edward Solberg, Mayor
Village of Troy
Troy, Idaho

Dear Mr. Solberg:

We enclose transfer certificate No. 825 together with departmental receipt No. 26784 for the \$2.00 recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

A:hll
Enc.

T-825
83-2014

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF LATAH } ss.

H. D. Phelps, being first duly sworn on oath, deposes and says:

That he is the printer of THE LATAH COUNTY PRESS, a weekly newspaper printed and published continuously and uninterruptedly during a period of more than 78 weeks prior to the first publication of the advertisement hereinafter named, at Troy, Latah County, State of Idaho, with more than two hundred (200) bona fide subscribers living within the said county,

That the Notice which the one hereto attached is a true copy, was published in said paper.....times, being published in.....consecutive weekly issues, the first publication being on the 10 day of June, 1954, and the last on the 1 day of July, 1954; that the Notice was published in the regular and entire issue of said paper, and was published in the newspaper proper and not in the supplement thereof.

E M Roe

Subscribed and sworn to before me this 2 day of July, 1954

F O Brocke

Notary Public for the State of Idaho, residing at Troy, Idaho:

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 12th day of July, 1954, at Troy, County of Latah, State of Idaho, before F. O. Brocke, a Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of an un-named stream in accordance with the terms and conditions of Permit No. 18673 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are The Village of Troy, Troy Idaho.

The use to which said water has been applied is Domestic water supply for the Village of Troy.

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used, Village of Troy, Troy, Idaho.

The right to take water from such works is based upon Permit No. 18673.

The source of supply from which such water is diverted is an un-named stream, tributary to Little Bear Creek.

The date of priority which said user is prepared to establish is August 6, 1938.

MARK R. KULP
State Reclamation Engineer



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, RECLAMATION ENGINEER

BOISE

July 10, 1954

RECEIVED
JUL 16 1954
Department of Reclamation

Mr. Edward Solberg, Mayor
Village of Troy
Troy, Idaho

Dear Mayor Solberg:

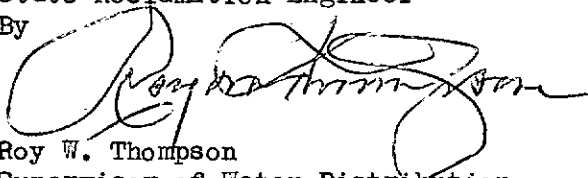
There have been no protests filed in connection with your applications for transfer of water from Ehrlich Creek and also subterranean water under License No. 18894.

Therefore, upon receipt of the affidavit of publication which the Latah County Press was instructed to send you, your Certificate of Transfer can be issued.

There is a recording fee of \$1.00 required in connection with each of these transfers.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Supervisor of Water Distribution

T:br

T-805
83-2014

July 10, 1954

Mr. Edward Solberg, Mayor
Village of Troy
Troy, Idaho

Dear Mayor Solberg:

There have been no protests filed in connection with your applications for transfer of water from Ehrlich Creek and also subterranean water under License No. 18894.

Therefore, upon receipt of the affidavit of publication which the Latah County Press was instructed to send you, your Certificate of Transfer can be issued.

There is a recording fee of \$1.00 required in connection with each of these transfers.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:br

T-825
83-3014

COPY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

The Village of Troy)
Troy, Idaho)

For a Transfer of Water Right,)
County of Latah, Idaho)

ORDER GRANTING TRANSFER

No. 825

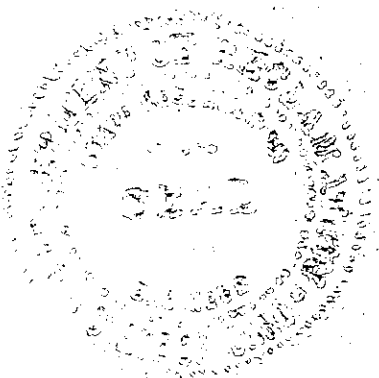
WHEREAS, On the 5th day of June, 1954, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of The Village of Troy, Troy, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, 1954.

MARK R. KULP
State Reclamation Engineer



T-825
83-3014

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 825.

THIS IS TO CERTIFY that, THE VILLAGE OF TROY, Latah County, Idaho, is the owner of and using a certain water right, bearing priority date of September 12, 1939, for 0.002 cubic foot per second of subterranean water awarded to H. L. Cartwright by License No. 18394 of the State Department of Reclamation dated October 1, 1940, for use in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 7 of Licenses at Page 4028.

Also a water right bearing priority date of August 12, 1938, for 0.12 cubic foot per second of the waters of Ehrlich Creek, a tributary of Big Meadow Creek, awarded to the University of Idaho by License No. 18572 of the State Department of Reclamation dated October 29, 1953, for use in the Northeast Quarter of Section 26, Township 40 North, Range 4 West B.M.

Said License is recorded in Volume 8 of Licenses at Page 5167.

That the said Village of Troy has become the owner of said water rights through purchase.

And that now, upon the application of the Village of Troy, Troy, Idaho, for a Certificate of Transfer of Water Rights, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted the right to the use of 0.002 second foot of subterranean water and to the use of 0.12 second foot of the waters of Ehrlich Creek upon the above described lands is hereby abandoned, and the place of use of such rights and to which the water rights hereby confirmed shall become appurtenant, by this certificate, for domestic purposes is described as follows, to-wit:

Water system of the Village of Troy,
located in Section 7, Township 39 North,
Range 5 West B.M. and Section 12,
Township 39 North, Range 4 West B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

0.002 cubic foot per second of subterranean water
with priority of September 12, 1939.

0.12 cubic foot per second of the waters of
Ehrlich Creek with priority of August 12, 1938.

T-825
83-2014

That the water rights hereby transferred have heretofore been conducted to the first above described place of use with points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 40 North, Range 4 West B.M.

That the water rights hereby transferred will hereafter be conducted to the last above described place of use with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 40 North, Range 4 West B.M.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 21st day of July, A.D. 1954.

MARK R. KULP
State Reclamation Engineer



T-855
83-2014

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date May, 5, 1954

Latah County Press,
Troy, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **June 5, 1954** the date set for the hearing, the expense of the publication to be paid by the applicant, **Village of Troy, Troy, Idaho.**

to whom you should furnish proof of publication on or prior to the date set for the hearing.

Please acknowledge receipt of this notice, and furnish this department with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Roy. W. Thompson,
Supervisor of Water Distribution,

T-825
83-2014

NOTICE OF PROPOSED CHANGE OF WATER RIGHT.

Notice is hereby given that the Village of Troy of Troy Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Ehrlich Creek, or Big Meadow Creek, for amount of .12 cubic foot per second, with priority date of August 12, 1938, the point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. The place of use is NE $\frac{1}{4}$ Section 26, Twp. 40 N., R. 4 W. B.M. and also .002 cubic foot per second of subterranean flow from Meadow Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., R. 4 W. B.M. The place of use in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., R. 4 W. B.M. To be transfered to the Village of Troy, Idaho, located in Section 7, Twp. 39 N., R. 5 W. and Section 12, Twp. 39 N., R. 4 W., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. And that on the 5th day of June, 1954 at 10 o'clock A.M. at Room 107 State House, Boise, Idaho, before the State Reclamation 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.

MARK R. KULP
State Reclamation Engineer

T-825
83-2014

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date May, 5, 1954

Latah County Press,
Troy, Idaho.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHTS**
NOTICE IS HEREBY GIVEN
at the Village of Troy, of Troy,
Idaho, has applied to the State
Reclamation Engineer of the

Gentlemen:

Enclosed you will find notice for publication once a week
for two consecutive weeks prior to **June 5, 1954**

the date set for the hearing, the expense of the publication to be
paid by the applicant, **Village of Troy, Troy, Idaho.**

to whom you should furnish proof of publication on or prior to the
date set for the hearing.

Please acknowledge receipt of this notice, and furnish this
department with a copy of the first publication, in order that we may
check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Roy. W. Thompson,
Supervisor of Water Distribution.

State of Idaho for a certificate
authorizing them to change the
place of use of the water of Ehr-
sh Creek, or Big Meadow Creek,
for amount of .12 cubic foot per
second, with priority date of
August 12, 1938, the point of di-
version is located in the NE $\frac{1}{4}$
Section 23, Twp. 40 N., R.
4 W. The place of use is NE $\frac{1}{4}$
Section 26, Twp. 40 N., R. 4 W.
and also .002 cubic foot per
second of subterranean flow from
Meadow Creek with point of di-
version in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec-
tion 36, Twp. 40 N., R. 4 W. B. M.
The place of use in the SE $\frac{1}{4}$
NW $\frac{1}{4}$ Section 36, Twp. 40 N., R.
4 W. B. M. To be transferred to
the Village of Troy, Idaho, locat-
ed in Section 7, Twp. 39 N., R. 5
W. and Section 12, Twp. 39 N., R.
4 W., with point of diversion in
the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Twp.
40 N., R. 4 W. And that on the
5th day of June, 1954 at 10 o'-
clock A. M. at Room 107 State
House, Boise, Idaho, before the
State Reclamation Engineer, or
his authorized agent, the oppor-
tunity will be given to any and
all persons to appear and pre-
sent, for his consideration any
reason or reasons why a certifi-

ate should not be issued author-
izing such transfer.

MARK R. KULP
State Reclamation Engineer
Pub. May 13-20
5/13/54

T-825
82-2014

NOTICE OF PROPOSED CHANGE OF WATER RIGHT.

Notice is hereby given that the Village of Troy of Troy Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Ehrlich Creek, or Big Meadow Creek, for amount of .12 cubic foot per second, with priority date of August 12, 1938, the point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. The place of use is NE $\frac{1}{4}$ Section 26, Twp. 40 N., R. 4 W. B.M. and also .002 cubic foot per second of subterranean flow from Meadow Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{2}$ Section 36, Twp. 40 N., R. 4 W. B.M. The place of use in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 40 N., R. 4 W. B.M. To be transfered to the Village of Troy, Idaho, located in Section 7, Twp. 39 N., R. 5 W. and Section 12, Twp. 39 N., R. 4 W., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Twp. 40 N., R. 4 W. And that on the 5th day of June, 1954 at 10 o'clock A.M. at Room 107 State House, Boise, Idaho, before the State Reclamation 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.

MARK R. KULP
State Reclamation Engineer

T-825
83-5014

Application For Transfer of Water Right

STATE OF IDAHO

County of Latah

ss.

The Village of Troy

being first duly sworn, deposes and says:

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

That he is the owner and using a certain water right, bearing date of priority of Aug. 12 1938, for .12 cubic feet per second of the waters of Ehrlich Cr. a trib. Big Meadow C County of Latah, State of Idaho, decreed to by decree of Judge, of the Judicial District of the State of Idaho, in and for the County of, in the case of vs. said decree bearing date of (or obtained by virtue of License No. 18672, issued by the State Engineer of the State of Idaho, dated Oct. 29, 1953, bearing date of, 19)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. in the County of and State of Idaho, to-wit:

domestic use at a camp on NE ²⁶ S. 26, T. 40 N. R. 4 W.B.M.

with point of diversion in NE ²⁶ SW ²⁶, S. 23, T. 40 N. R. 4 W.B.M.

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. a trade agreement

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 ^{NE SW} NW ²⁶ NW ²⁶, S. 23 of Section 40 N., Township 40 N., Range 4 West, B. M., and conducted to the above described lands through a pipe line as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of .12 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 Latah and State of Idaho, to-wit:

Water system of Village of Troy

in S. 7, T. 39 N., R. 5 W.B.M. and S. 12, T. 39 N. R. 4 W.B.M.

That his reasons for desiring to make such transfer are as follows:

The Village of Troy needed more water.

T-825
83-2014

That he intends to divert and convey said.....second feet of water to the tract of land last above described in the following manner, to-wit:

Through a pipe line to the village of Troy.

Point of diversion for the pipe line is from a reservoir in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ S. 23, T. 40 N., R. 4 W.B.M.

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

WHEREFORE, 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.

Village of Troy, by Edward Solberg, Mayor

Edward Solberg

Applicant.

Subscribed and sworn to before me this

5

day of

May

A.D. 1954

M. C. Hamblin

M. C. HAMBLIN

Notary Public, Boise, Idaho

My commission expires 3/5/55

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?

Where is the diversion point located?

Through what ditch is it now conducted?

How much land is now irrigated by the water sought to be transferred?

Give the description:

What is the total amount of water in inches, or second feet, dedicated to said land?

What kind of crops are being raised?

How much water per acre is now required to irrigate said land?

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Give location of new point of diversion, if change is to be made

Through what ditch will it be conducted after transfer?

How much water will be required per acre to irrigate the land to which this water is transferred?

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.

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.

Village of Troy, by Edward Solberg

Signed *Edward Solberg* Mayor

Applicant.

Subscribed & sworn to before me this 5 day of May, 1954

M. C. Hamblin

M. C. HAMBLIN

Notary Public, Boise, Idaho

My commission expires 3/5/55

STATE OF IDAHO,

County of.....

ss.

and

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..... that he is user of water from..... in Water District No..... County of, State of Idaho; that he has read or heard read the foregoing affidavit and petition of..... 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.

Subscribed and sworn to before me this.....day of.....

A. D. 19.....

STATE OF IDAHO,

County of.....

ss.

I, ..., Watermaster of..... Water District No....., 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 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:

Watermaster Dist. No.....

Dated at, Idaho, this.....day of....., 19.....

T-825
83-2014

Name of Applicant.....

23

PROCTOR RD

25

T40N. R.4W.

SEC.

SEC.

SEC.

UNIVERSITY P.D.

23

26

25

26

SEC.

SEC.

SEC.

26

26

36

37

SEC.

SEC.

SEC.

BOATWRIGHT P.D.

36

36

SEC.

SEC.

SEC.

T40N. R.4W.

SEC.

SEC.

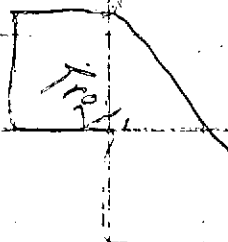
SEC.

SEC.

SEC.

SEC.

BIG Meadow Creek



7

Application For Transfer of Water Right

STATE OF IDAHO

County of Latah

SS.

The Village of Troy

being first duly sworn, deposes and says:

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

That he is the owner and using a certain water right, bearing date of priority of Sept. 12, 1939.
.002
for cubic feet per second of the waters of subterranean supplied by Big Meadow Creek
County of Latah, State of Idaho, decreed to License 18894
by XXXXXX Department of Reclamation
XXXXXX Judicial District of the State of
Idaho, in and for the County of, in the case of
vs., said decree bearing date of

(or obtained by virtue of License No. 18894....., issued by the State Engineer of the State of Idaho,
dated October 1 1940, 19....., bearing date of....., 19.....)

for the purpose of irrigating the following described lands situate, lying and being in Water District
No. in the County of Latah and State of Idaho, to-wit:
used for domestic, stock water, and garden in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 40 N.
Range 4 W. B. M. has been changed to domestic use in the Village of Troy
in S. 7, T. 39 N., R. 5 West B. M. and S. 12, T. 39 N. R. 4 W. B. M.

..... and is the person (or representative of
the corporation) to whom such right so issued, or has become the owner thereof in the following man-
ner, i. e. purchase

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 NW¹/₄ NW¹/₄, S. 23, T. 40 N. of
Section....., Township....., Range.....4..... West, B. M., and con-
ducted to the above described lands through.....a steel pipe line.....
as per map herewith and of this affidavit made a part; See map in file 186673

That affiant and petitioner desires to abandon the use of 002.....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..... and State of Idaho, to-wit:

That his reasons for desiring to make such transfer are as follows:

It has been necessary to obtain additional water for Village of Troy

T-825
83-2014

That he intends to divert and convey said.....second feet of water to the tract of land last above described in the following manner, to-wit:

No change in point of diversion.

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

WHEREFORE, 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.

The Village of Troy
by Edward Solberg, Mayor

Edward Solberg Applicant.

Subscribed and sworn to before me this.....5.....day of.....*May*.....

A. D. 19*54*.....

M. C. Hamblin

M. C. HAMBLIN

Notary Public, Boise, Idaho

My commission expires 3/5/55

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?.....

Where is the diversion point located?.....

Through what ditch is it now conducted?.....

How much land is now irrigated by the water sought to be transferred?.....

Give the description:.....

What is the total amount of water in inches, or second feet, dedicated to said land?.....

What kind of crops are being raised?.....

How much water per acre is now required to irrigate said land?.....

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Give location of new point of diversion, if change is to be made.....

Through what ditch will it be conducted after transfer?

How much water will be required per acre to irrigate the land to which this water is transferred?.....

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.....

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.....

The Village of Troy

Signed by Edward Solberg, Mayor

Edward Solberg

Applicant.

Subscribed and sworn to before me this 5 day of May, 1954

M. C. Hamblin

M. C. HAMBLIN

Notary Public, Boise, Idaho

My commission expires 3/5/55

STATE OF IDAHO.

County of.....

ss.

and

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.....

that he is user of water from....., in Water District No.....

County of, State of Idaho; that he has read or heard read the foregoing affidavit and petition of..... 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 trans-

fer therein petitioned.

Subscribed and sworn to before me this..... day of.....

A. D. 19.....

STATE OF IDAHO.

County of.....

ss.

I, ..., Watermaster of.....

Water District No....., 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 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:

Watermaster Dist. No.....

Dated at, Idaho, this..... day of....., 19.....

7-825

Name of Applicant.....

For map see transfer on
Lience 18672

INTER-DEPARTMENT MEMO--1

DATE May 6, 1954

FROM Deputy State Reclamation Engineer

TO

SUBJECT REGARDING: License No. 18894

The surface water and subterranean water are one and the same source in this area.

E. N. Humphrey.

E. N. HUMPHREY

Deputy State Reclamation Engineer

*T-823
P3-2014*

SIGNATURE