

Identification No. _____

Transfer No. 13-0030

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

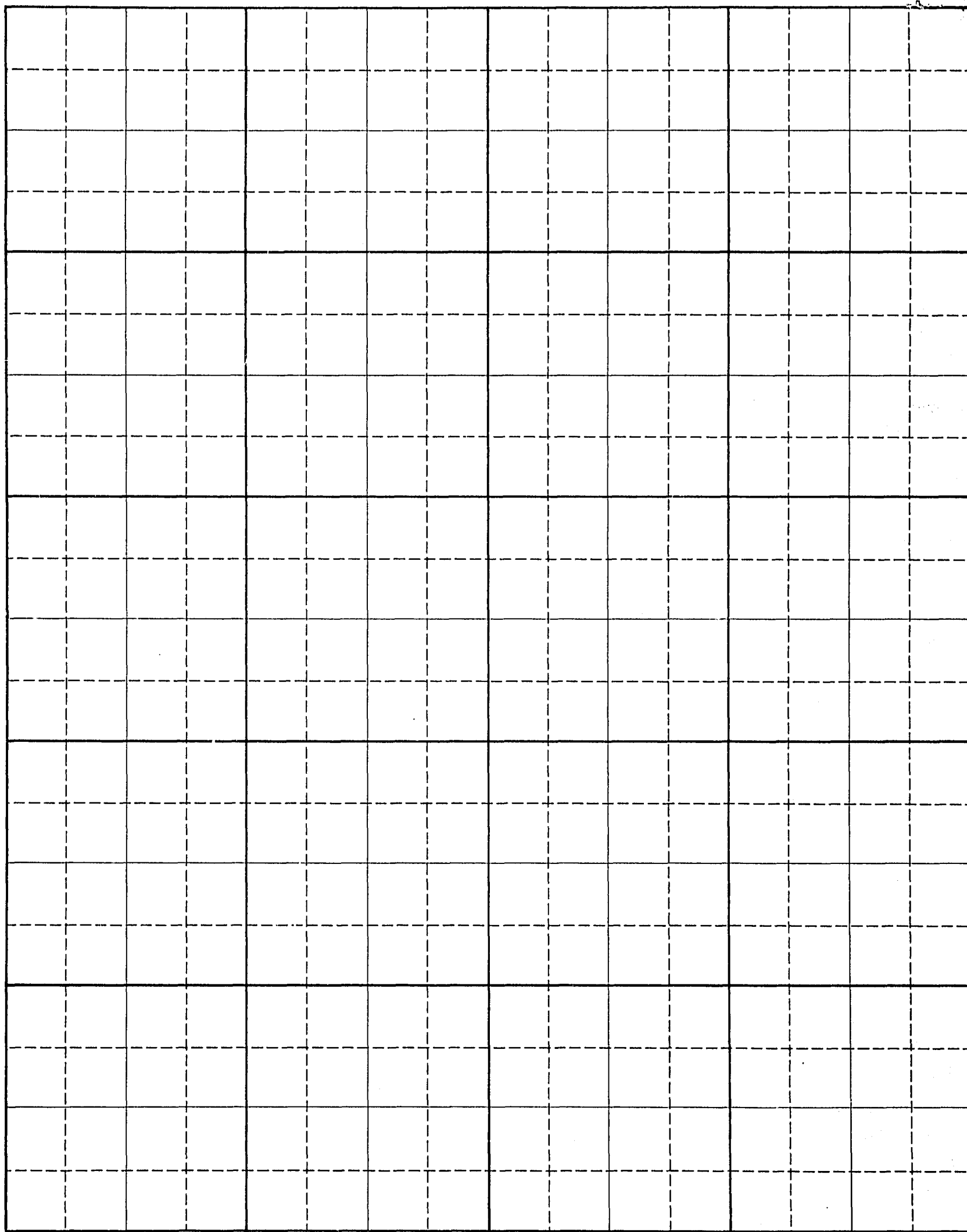
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder CACHE VALLEY COUNCIL, BOY SCOUTS OF AMERICA
Post office address 199 Pioneer Avenue, Box 600 Logan, Utah
2. Right obtained by:
a. Decree to Alvin C. & LeRoy Hull in Case of McEwan
(Name)
vs. Franklin Sugar Co. Dated 7/9/24 in 5th Judicial District
(Name of Court)
Court. County of Franklin
b. License No. 13-030 issued by the State of Idaho, Department of Reclamation.
Cub River
3. Source of water Carter Creek (L. Hand Fork, tributary to Cub River
(Name of stream or source)
4. Date of Priority (No date given in decree - stated a primary right to the use, at all times during the irrigation season.) None
5. Amount of water a. 2.4 c.f.s. or
b. _____ acre feet/annum
6. Water is used for irrigation & domestic from April 1 to October 31
(unspecified; most recent:) (Month, Day) (Month, Day)
7. Original location of point of diversion is SE 1/4 NE 1/4 of Section 34,
Township 14S, Range 41E, B.M., in Franklin County;
Additional points of diversion, if any NONE
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	41E	34					H.E.S. No. 87												157.57
							See Attached Legal Description												

Total number of acres presently irrigated 157.57

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
240 S. HOLMES
IDAHO FALLS, IDAHO 83401



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: Purchased from
A. C. Hull family. (Ella M. Hull, deceased widow of Alvin C. Hull)

10. CHANGE IN POINT OF DIVERSION

NO CHANGE

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____
_____, Range _____, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____

- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____

- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____

- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE (unsurveyed)

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
14S	41E	34				H.B.S. No. 87													78.78
						and													
						Land Patent No)													78.79

Total number of acres to be irrigated 2157.57

b. Do you intend to make the transfer permanent? YES

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

One-half of land in HES No. 87 will still be irrigated in small undesignated patches (troop camp sites, etc.). One-half of land formerly irrigated will be abandoned in HES No. 87, and land in Patent No. 11-71-0116 will be irrigated instead.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

CACHE VALLEY COUNCIL, B.S.A.

Donald A. Fulton President
(signature of applicant)

Subscribed and sworn to before me this 27 day of June, 1972

Harvey J. Willmore
(notary public)

My commission expires My Commission Expires Jan. 30, 1975

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 13-0030,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 15th day of August, 19 72.

Stephen M. Ward
Deputy Director ~~State Reclamation Engineer~~

FOR DEPARTMENT USE ONLY

Received by <u>Ba</u>	Date <u>6/28/72</u>	Protest filed by:	Date
Prelim. check by	Date		
Fee received by <u>Ba</u>	Date <u>6/28/72</u>	Fee \$ <u>30.00</u>	# <u>7333</u>
Approved for publication by <u>D</u>			
Published in	Dates		
Hearing held			
Watermaster Recommendation sent			

LAND CONTRACT

THIS AGREEMENT, made this 1st day of November, 1966, between
ELLA M. JULL, of Whitney, Franklin County, Idaho, hereinafter termed the
Seller, and CACHE VALLEY COUNCIL BOY SCOUTS OF AMERICA, of Cache County,
Utah, hereinafter termed the Purchaser.

WITNESSETH:

In consideration of the stipulations herein contained and the pay-
ments to be made as hereinafter specified, the seller hereby agrees to
sell to the purchaser and the purchaser hereby agrees to buy from the
seller the following described real property in the County of Franklin,
State of Idaho:

Homestead Entry Survey No. 87, situated in Section 34, unsurveyed,
in Township 14 South, Range 41 East, and in Section 3, unsurveyed,
in Township 14 South of Range 41 East of the Boise Meridian as
shown by the Field notes of the Survey thereof, on file in the
office of the United States Surveyor General at Boise, Idaho,
and more particularly described as follows, to-wit: Commencing
at corner No. 1, U.S.L.M. No. 87 and running thence North 7°12'
East 40.29 chains to corner No. 2; thence North 4°27' West 36.74
chains to corner No. 3; thence South 87°30' East 13.03 chains to
corner No. 4; thence South 4°33' East 37.75 chains to corner
No. 5; thence South 81°22' East 14.38 chains to corner No. 6;
thence South 8°40' West 19.91 chains to corner No. 7; thence
North 82°46' West 26.86 chains to corner No. 1 to the place of
beginning, and containing 157.57 acres.

Together with any and all water rights and irrigating ditches
belonging or in anywise appertaining thereto.

For the sum of Seventy-five Thousand (\$75,000.00) Dollars, of which the
purchaser has paid the sum of Ten Thousand (\$10,000.00) Dollars as a down
payment, receipt of which is hereby acknowledged by the seller, and the
purchaser agrees to pay the remainder of the principal, Sixty-five Thousand
(\$65,000.00) Dollars, together with interest thereon from November 1, 1966,
at the rate of five (5%) per cent per annum, shall be payable as follows:

(a) A minimum of \$4,393.93 shall be paid on the unpaid
principal balance each fiscal year beginning November 1st and ending the
following October 31st, the first such minimum principal payment being
due on or before October 31, 1967;

(b) Such minimum principal payment may be paid for each
fiscal year at any time and from time to time during such fiscal year
within the discretion of purchaser;

(c) Each payment made under this land contract shall be
applied first to interest and the balance to principal;

I-3280

127897

The United States of America

To all to whom these presents shall come, Greeting:

RECEPTION
FILE BOOK
RECORDED
INDEXED

WHEREAS

Cache Valley Council, Boy Scouts of America,
is entitled to a Land Patent pursuant to General Exchange
Act of March 20, 1922 (42 Stat. 465), as amended by the
act of February 28, 1925 (43 Stat. 1090), for the following
described lands:

Boise Meridian, Idaho

T. 14 S., R. 41 E., unsurveyed,
Tract 37

Containing 199.71 acres;

NOW KNOW YE, that there is, therefore, granted by the
UNITED STATES, unto the above named claimant the land above
described; TO HAVE AND TO HOLD the said land with all the
rights, privileges, immunities, and appurtenances, of what-
soever nature, thereunto belonging, unto the said claimant,
its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals
constructed by the authority of the United States.
Act of August 30, 1890, 26 Stat. 391; 43 U.S.C.
945;
2. All oil and gas, in or under said land, together
with the right to enter upon the land to drill
and remove the same, in accordance with the pro-
visions of the act of February 28, 1925 (43 Stat.
1090);
3. Reserving to the United States, and its assigns,
an easement for an existing road, No. 30007, over
and across Tract No. 37, being 66 feet in width,

Patent Number

11-71-0116

Recorded at the request of

9:15 a.m. MAY 18 1971 p.m.

CLEO L. SVENSON, RECORDER

By Evelith J. Allen Deputy

FRANKLIN COUNTY, IDAHO

2.05 fee

Mail: 199 Pioneer Avenue

Logan, Utah 84321

lying equally on each side of the centerline with additional width for cuts and fills. The centerline of the road enters said Tract 37 approximately 14 chains N. $04^{\circ}33'W.$, from corner No. 5 of H.E.S. No. 87; the said road traverses in an easterly and northerly direction over and across said Tract 37; the centerline of the road leaves Tract 37 approximately 2 chains S. $01^{\circ}52'E.$, of corner No. 9 of Tract 37.

Provided, that if for a period of 5 years, the United States or its assigns, shall cease to use, or preserve for prospective future use, the above road, or any segment thereof, for the purposes reserved, or if at any time the United States of America determines that the road or any segment thereof, is no longer needed for the purposes reserved, the easement traversed thereby shall terminate. In the event of such non-use or of such determination by the United States of America, the United States of America shall furnish to the patentee, its successors or assigns; a statement in recordable form evidencing termination.

The foregoing reservation is in accordance with the provisions of the act of February 28, 1925 (43 Stat. 1090).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the TWENTY-EIGHTH day of APRIL in the year
of our Lord one thousand nine hundred and SEVENTY-ONE
and of the Independence of the United States the one hundred
and NINETY-FIFTH.

By Orval H. Hadley
Manager, Idaho Land Office

Patent Number 11 71-0116

No 2213

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 20, 19 *72*, and ending
with the issue of *July 27*, 19 *72*

Fees, \$ *19.98*

Subscribed and sworn to before me this *28* day
of *July*, 19 *72*

Bl Ann D. Ladd

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 13-0030

Notice is hereby given that Cache Valley Council, Boy Scouts of America, 199 Pioneer Avenue, Box 600, Logan, Utah, has applied to the Department of Water Administration for a change of the place of use of the waters of Carter Creek, tributary to the Cub River. The right sought to be changed is evidenced by Decree to Alvin C. and LeRoy Hull in case of McEwan vs. Franklin Sugar Co., dated July 9, 1924, in Fifth Judicial District Court, County of Franklin, and is recorded as follows:

Amount: 2.4 cfs

Priority: Not given in Decree, stated a primary right to the use at all times during the irrigation season.

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, Twp. 14 S,

Rge. 41 E, B.M., Franklin County.

The water is used for irrigation and domestic purposes within Homestead Entry Survey No. 87 (157.57 acres).

TO BE CHANGED
AS FOLLOWS:

The water will be used for irrigation and domestic purposes within Homestead Entry Survey No. 87 (78.78 acres) and Land Patent No. 11-71-0116 (78.79 acres).

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, Statehouse Annex 2, Boise, Idaho, 83707, on or before August 7, 1972.

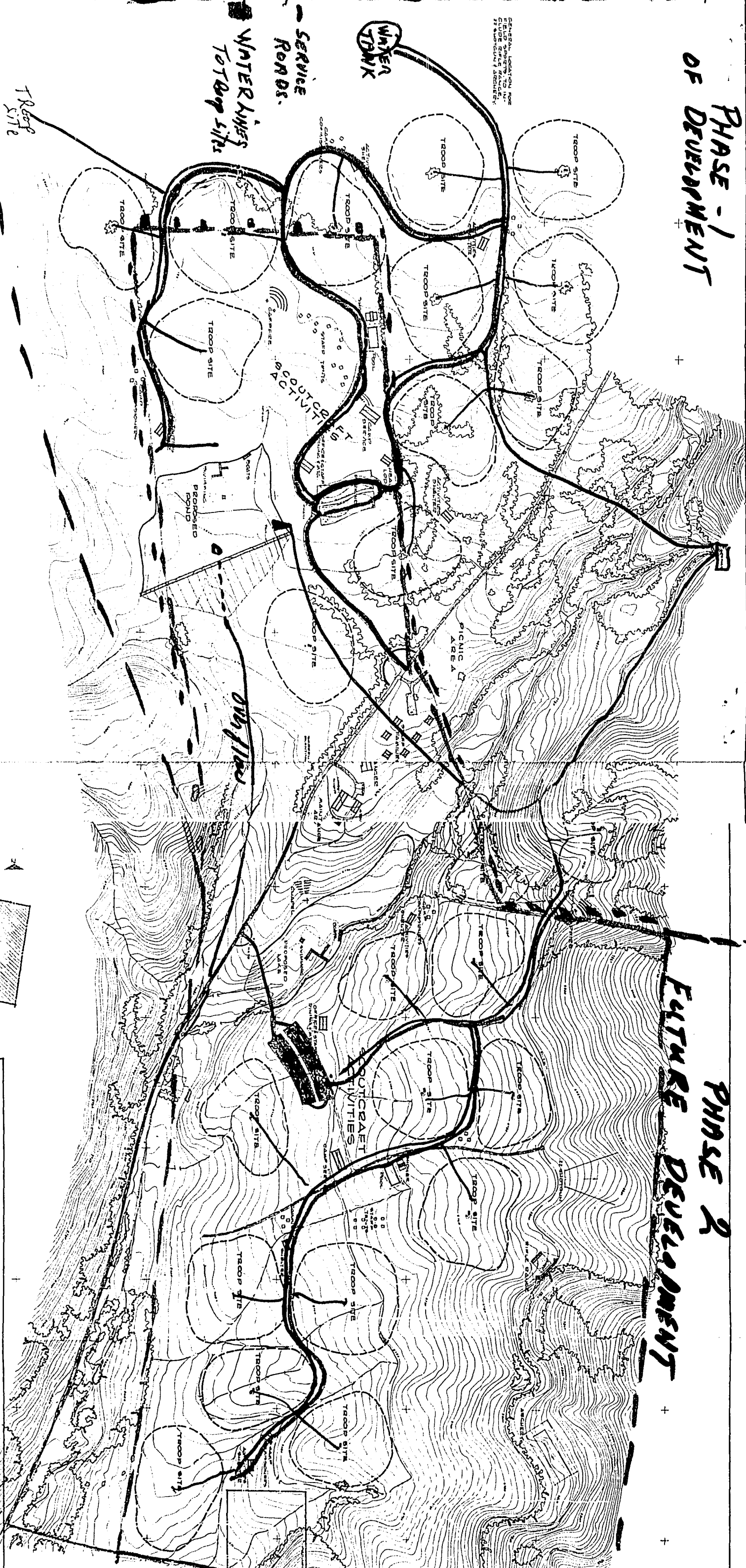
R. KEITH HIGGINSON,
Director

Published in the Preston Citizen at Preston, Idaho, on July 20 and July 27, 1972.

Legal No. 2213—Pub. July 20, 27, 1972

PHASE 1 OF DEVELOPMENT

PHASE 2 FUTURE DEVELOPMENT



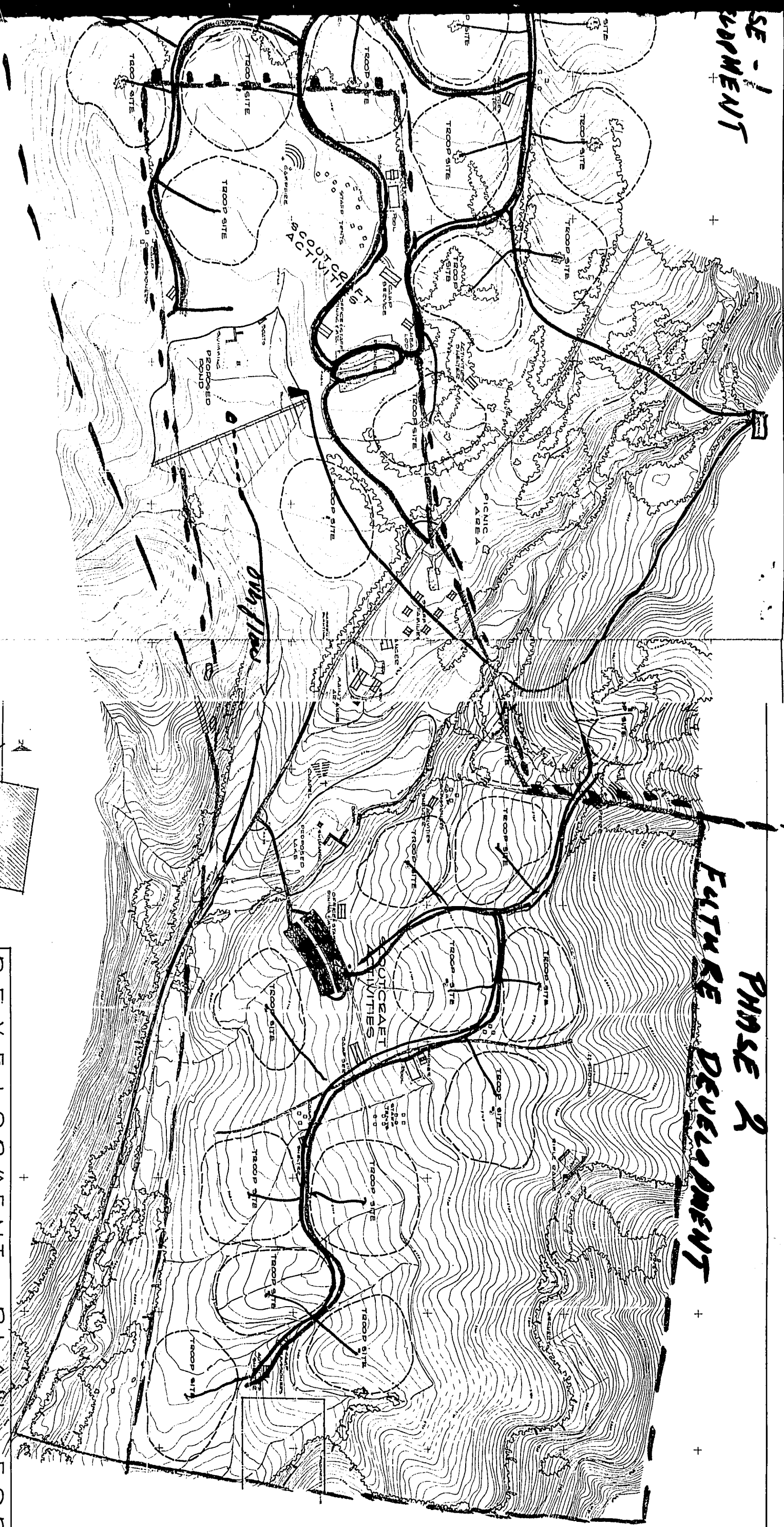
LES #87
LAND PATENT # 11-71-0116

DEVELOPMENT PLAN FOR
Cache Valley M P A
CACHE VALLEY COUNCIL. BOY SCOUTS OF AMERICA
C O C A N T A
FOUNDATIONS, COURTESY AND
FROM 1945 BY SURVIVOR
AERIAL SURVEYS, INC. DATED
COASTLINE SUPPLIED BY
CONCERN
ENGINEERING SERVICE - NATIONAL COUNCIL
NEW JERSEY
FIELD STUDY BY J. B. BROWN
DRAWN BY J. C. BROWN
DATE - MAY 1957

DEVELOPMENT PLAN FOR
Cache Valley M P A
CACHE VALLEY COUNCIL. BOY SCOUTS OF AMERICA
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NEW JERSEY
FIELD STUDY BY J. B. BROWN
DRAWN BY J. C. BROWN
DATE - MAY 1957

SE - 1
DEVELOPMENT

PHASE 2
FUTURE DEVELOPMENT



DEVELOPMENT PLAN FOR
Cache Valley
CACHE VALLEY COUNCIL - BOY SCOUTS OF AMERICA
L O C A T I O N
FOUNDED, COURTESY AND
EXISTENCE FEATURES TAKEN
FROM AERIAL PHOTOGRAPHS
AERIAL SURVEYS, INC. DATED
MAY 1967
ENGINEERING SERVICE -
PREPARED BY NATIONAL COUNCIL
NEW BRUNSWICK, N.J.
DATE: MAY 1967

DEVELOPMENT PLAN FOR
Cache Valley
CACHE VALLEY COUNCIL - BOY SCOUTS OF AMERICA
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AERIAL SURVEYS, INC. DATED
MAY 1967
ENGINEERING SERVICE -
PREPARED BY NATIONAL COUNCIL
NEW BRUNSWICK, N.J.
DATE: MAY 1967



CACHE VALLEY COUNCIL

Boy Scouts of America

199 Pioneer Avenue — Box 600
Logan, Utah 84321

June 27, 1972

MERLIN I. BISHOP
PRESIDENT

SERGE N. BENSON
ACE S. RAYMOND
WILLIAM A. SCHOLTS
VICE PRESIDENTS

FLOYD A. ZOLLINGER
PAST PRESIDENT

O. L. BALLAM, SR.
COMMISSIONER

HARRY I. WILLMORE, JR.
TREASURER

DERRALD L. WATKINS
SCOUT EXECUTIVE

RECEIVED

JUN 28 1972

Mr. Norman C. Young
District Engineer, State of Idaho
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho 83401

Department of Water Administration
Eastern District Office

Dear Mr. Young:

I am enclosing the signed copies of an application of transfer of water right, and an application for a permit for a reservoir along with the necessary fees to cover the cost of processing these applications.

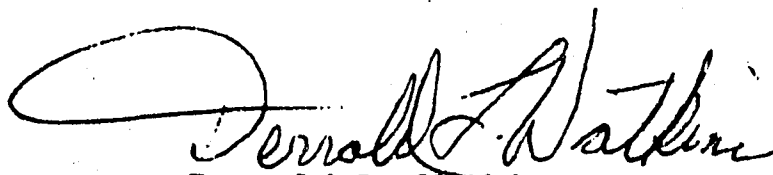
I would appreciate it very much if you would review these applications carefully, and make any adjustments you feel appropriate based upon our recent conservation in your office a few days ago.

On the application for transfer I have included a land description of the original homestead entry survey #87, and a copy of the land patent #11-71-0116 which we received from the United States Forest Service. Also included is a camp development lay-out map showing the approximate location of troop sites, road ways, water lines, and proposed reservoir. Also included are the lower troop sites which will be included as a part of the irrigation program of H.E.S. #87.

I have attached a similar map on the application for permit, to show the camp lay out including the proposed reservoir. The detailed plans for the reservoir will be prepared under the direction of Wendell Smith, Consulting Engineer of Preston, Idaho.

I certainly appreciate the help you have given to us with this application. If additional information is needed, please call me collect.

Sincerely yours,


Derrald L. Watkins
Scout Executive

DLW:jp

Enclosure

America's manpower begins with BOYPOWER



NO. 13-0030

Published in the Preston Citizen at Preston, Idaho, on July 20 and July 27, 1972.

July 10, 1972

Re: Transfer No. 13-0030 - Cache Valley Council, Boy Scouts of America

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid. "

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Bill submitted 8-1-72 by he

BDF:DR
Enc: Legal notice

July 13, 1972

RE: Application for Transfer No. 13-0030

C
Mr. Roland Carter, Watermaster
Water District No. 13-A
Route #2, Box 100
Preston, Idaho 83263

O
Dear Mr. Carter:

Please send us your recommendations on the above referenced application for transfer. The form is enclosed herewith.

P
Very truly yours,

BOBBY D. FLEENOR
Assistant Director
State Office

Y
BDF:ejw

Enclosures

August 17, 1972

Re: Transfer No. 13-0030

C
Cache Valley Council, Boy Scouts of America
199 Pioneer Avenue, Box 600
Logan, Utah

O
Gentlemen:

Enclosed is a copy of the approved Application for Transfer of Water Right No. 13-0030.

P
Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed upon this transfer. We are enclosing a letter describing different types of measuring devices accepted by this Department.

Sincerely,

Y
BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of transfer
Information letter

bc: Eastern District Office

