

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of
Riverdale Preston Irrigation Company
of Preston, Idaho
For a Change of Point of Diversion on Bear
River in Water District No. 5, Franklin
County, Idaho.

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

No. 205

WHEREAS, On the 21st day of September, 1949, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of the Riverdale Preston Irrigation Company of Preston, Idaho, for a change of point of diversion on Bear River came on regularly for hearing, pursuant to 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 more economical use of the water will be obtained by such change, and that no other water user 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 Change of Point of Diversion 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 24th day of May, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer.

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

DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHTS.

No. 205.

THIS IS TO CERTIFY THAT THE RIVERDALE PRESTON IRRIGATION COMPANY, of Preston, Idaho, is the owner of and using a certain water right for three (3) cubic feet per second of the waters of Bear River, with priority of June 10, 1883 and also of six and one-half ($6\frac{1}{2}$) cubic feet per second of the waters of Bear River with priority of June 10, 1902, said water being decreed to said Riverdale Preston Irrigation Company by Judge Frank S. Dietrich of the District Court of the United States for the District of Idaho, Eastern Division, in the case of

UTAH POWER AND LIGHT COMPANY,
Plaintiff,

vs.

LAST CHANCE CANAL CO., et al
Defendants.

said decree bearing date of July 14, 1920, and being appurtenant to the following described lands, to-wit:

1415 acres located in Sections
29 and 31, Township 14 South,
Range 40 East, B.M., Sections
34, 35, and 36, Township 14
South, Range 39 East, B.M.,
Sections 1, 2, and 3, Township
15 South, Range 39 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 4 of Decrees, beginning at Page 502.

And that now, upon the application of the Riverdale Preston Irrigation Company, of Preston, Idaho, for a Certificate of Change of Point of Diversion for 9 cubic feet per second of the waters of Bear River, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decreed water right, or place of use. 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 amount, to-wit:

3 cubic feet per second with Priority of June 10, 1883.

6 cubic feet per second with Priority of June 10, 1902.

That said water right is appurtenant to the lands above described.

That the water right above described has heretofore been diverted from Bear River with point of diversion in the NE $\frac{1}{4}$ Section 31, Township 14 South, Range 40 East, B.M. through the Riverdale Preston Ditch.

That the water right above described will hereafter be diverted from Bear River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 14 South, Range 40 East, B.M. through the same ditch.

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 24th day of May, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin



Don E. Smith

, being duly sworn,

deposes and says:

That he is the *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

Sept. 8, 19*49*, and ending

with the issue of *Sept. 15*, 19*49*.

Don E. Smith

Fees, \$*5.55*

Subscribed and sworn to before me this *24th* day

of *January*, 19*50*.

Notary Public, Residing at Preston, Idaho

My Commission Expires *May 13*, 19*50*.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Riverdale Preston Irrigation company, of Preston, Idaho, has

applied to the state reclamation engineer of the state of Idaho for a certificate authorizing them to change the point of diversion of the waters of Bear river, as follows: Amount: 9.0 cubic feet per second, point of diversion: NE 1/4, Section 31, Township 14 S, Range 40 E. Place of Use: Sec. 29 & 31, Twp. 14 SR. 40 E. Sec. 36, T. 14 SR. 9 E. Sec. 1, T. 15 SR. 39 E., Sec. 34-35 & 36 T. 14 SR. 39 E. Sec. 1-2 & 3 T. 15 SR. 39 E.

Transfer to

Point of diversion: SW 1/4 SE 1/4, Section 31, Township 14 S, Range 40 E. place of Use: No change.

And that on the 21 day of September, 1949 at 10 o'clock AM., 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. Kuip
State Reclamation Engineer
36-37c

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Franklin

ss.

Ben A. Meek

being first duly sworn, deposes and says: That his postoffice address is Preston, Idaho; That he is the owner of and using a certain water right, bearing date of priority of June 10 1883, 19 , for 3 c.f.s. cubic feet per second of the waters of Bear River, June 10 1902 6 1/2 c.f.s.

County of Franklin, State of Idaho, decreed to Riverdale Preston Irri. Co. by decree of Judge F.S. Deitrich, of the U.S. District Court Judicial District of the State of Idaho, in and for the County of Franklin, in the case of Utah Power and Light Co. vs. Last Chance Canal Co. et.al. said decree bearing date of

July 14 1920, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 5, in the County of Franklin, and State of Idaho, to-wit: 615 ac. in Sec. 29-31 T. 14 S. R. 40 E., Sec. 36 T. 14 S. R. 39 E. Sec. 1 T. 15 S. R. 39 E., Sec. 34-35-36 T. 14 S. R. 39 E., Sec. 1-2-3 T. 15 S. R. 39 E.
Total Ac. 1415 Ac.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Election as President of the Riverdale Preston Irri. Co.

That said waters are now diverted from said stream in the N.E. 1/4 of Sec. 31, Twp. 14 S., Range 40 E., and conducted to the above described lands through the Riverdale Preston Ditch ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in S.W. 1/4 of S.E. 1/4, Sec. 31, Twp. 14 S., Range 40 E., and thereafter conduct same to the above described land through the Riverdale Preston Ditch, as per map above referred to: For 9 c.f.s. of the above noted right by pumping to their original ditch.

That his reasons for desiring to make such change are as follows: Pump instalation to avoid side hill canal which is troublesome and expensive to maintain

That no one will be injured by such change and that such change will be made at affiant's own risk.

Subscribed and sworn to before me this 2 day of August, 1949

Riverdale Preston Irrigation Co.
Ben A. Meek
Notary Public

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

I, E.J. Baird, have thoroughly inspected the above application and am familiar with their difficulties, and know of no reason for refusing this application.

E.J. Baird
Watermaster Dist. 5 Idaho



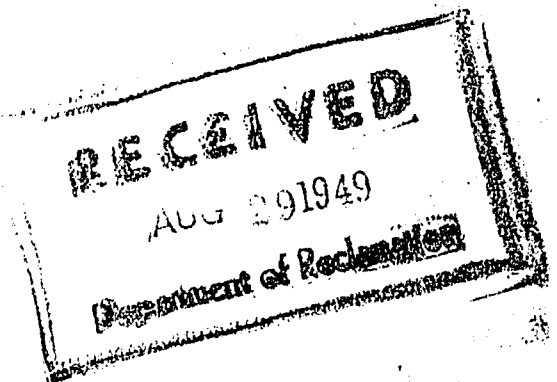
C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 23, 1949



Mr. E. J. Baird, Watermaster
Water District No. 5
Soda Springs, Idaho

Dear Mr. Baird:

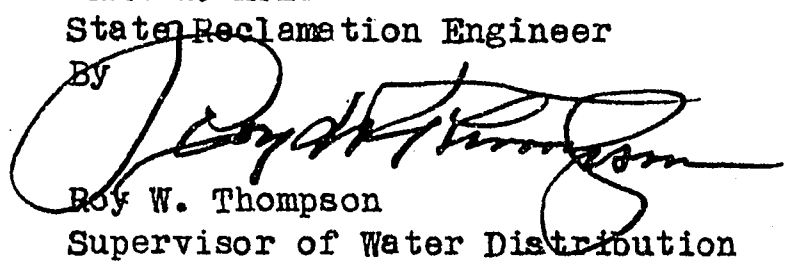
We are in receipt of an Affidavit for Change of Point of Diversion of Decreed Water Right in the name of the Riverdale Preston Irrigation Company, requesting the change of point of diversion of 3 second feet of June 10, 1883, and $6\frac{1}{2}$ second feet, June 10, 1902, making a total of $9\frac{1}{2}$ second feet.

Same Affidavit is requesting the change of point of diversion of only 9 second feet. Kindly let us know if this is correct or if it is a typographical error or does the Company really wish to transfer 9.5 second feet.

Will with-hold publication of notice to the newspaper until we hear from you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

9 c.f.s. transfer Change
0.5 " Retained at original Diversion

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date August 29, 1949

The Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **September 21, 1949** the date set for the hearing, the expense of the publication to be paid by the applicant, **Riverdale Preston Irrig. Co. Ben A. Meek, Pres. Preston, 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.

Notice Of Proposed Transfer Of Water Right

Notice is hereby given that Riverdale Preston Irrigation Company,
of Preston, Idaho. has applied to the State Reclamation Engineer
of the State of Idaho for a certificate authorizing ~~them~~ to change the point of diversion
~~and/or place of use~~ of the waters of Bear River,

as follows: Amount: 9.0 Cubic feet per second,
Point of diversion: 1/4 NE 1/4, Section 31, Township 14.S,
Range 40.E. Place of Use:

~~615 acres~~ in Sec. 29 & 31, Twp. 14.S. R. 40.E. Sec. 36, T. 14.S R. 9.E.
Sec. 1, T. 15.S R. 39.E., Sec. 34- 35 & 36 T. 14 S. R. 39.E. Sec. 1-2-&3
T. 15.S.R.39.E.

Transfer to

Point of diversion: SW 1/4 SE 1/4, Section 31, Township 14.S,
Range 40 E. Place of Use: No. change,

And that on the 21 day of September, 1949
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 rea-
sons why a certificate should not be issued authorizing such transfer.

MARK. R. KULP.

State Reclamation Engineer.

October 26, 1949

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

Dear Mr. Meek:

There have been no protests in connection with your application to change point of diversion of water right from Bear River.

Therefore, upon receipt of the Affidavit of Publication which the Preston Citizen was instructed to send you and the \$1.00 recording fee, a Certificate authorizing such change will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

December 22, 1949

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

Dear Mr. Meek:

On October 26, 1949, we informed you that no protest had been submitted in connection with your application for change of point of diversion of water right from Bear River and that upon receipt of the Affidavit of Publication in the Preston Citizen and the \$1.00 recording fee, a Certificate authorizing the change would be issued.

We have had no reply to this letter and we are again bringing it to your attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

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

RWT:bh

Order Bill Enclosed
109868122E

April 4, 1950

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

Dear Mr. Meek:

We are still holding the application of the Riverdale Preston Irrigation Company for change of point of diversion, dated August 2, 1949.

We have written you twice, advising that no protests were received and that upon receipt of the Affidavit of Publication in the Preston Citizen and a recording fee of \$1.00, a Certificate would be issued authorizing such change of point of diversion.

May we ask that you give this matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

May 25, 1950

Mr. Ben A. Meek, President
Riverdale-Preston Irr. Company
Preston, Idaho

Dear Mr. Meek:

We enclose Certificate authorizing change of point of diversion of nine (9) cubic feet per second of water from Bear River, together with Departmental Receipt No. 22359 for the \$1.00 recording fee.

A copy of this Certificate has been sent to Mr. E. J. Baird, Watermaster, for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh
Enc.

CC: Mr. E. J. Baird.

Application No. 11-0277/11-0278

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of applicant Riverdale - Preston Irrigation Co. Phone 852-1985

Post office address Rt. #2 Preston, Idaho 83263

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Riverdale - Preston Irrigation Co.
(Name)
in case of Utah Power & Light Co. vs Last Chance Canal Co.
dated July 14, 1920 in U.S. Dist. Court Eastern Division
(Name of court) county of Bannock

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Bear River tributary to Great Basin

4. Date of priority. 3cfs June 10, 1883 6.5cfs June 10, 1902

5. Water is used for the following purposes:

11-0277 amount 3.0 c.f.s. for Irrigation purposes from April 1 to Oct. 31

11-0278 amount 6.5 c.f.s. for Irrigation purposes from April 1 to Oct. 31

amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)

6. Total amount of water under right: a. 9.5 cubic feet per second
b. &/or acre feet per annum

7. Location of original point of diversion is NE ⁵⁰⁰/₄ of NE ⁵⁰⁰/₄ of Section 29
Township 14 South Range 40 East, B.M., in Franklin County
Additional points of diversion, if any

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 9.5 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion NE ¼ NE ¼, Section 29 Township 14 S
Range 40 E, B.M., Franklin County
Additional points NW¼ NE¼ Sec. 31 T14S. R40E. and
NW ¼ NW¼ Sec. 31 T14S. R40E
 - c. Description of diverting works Original diversion and 3 additional
points consisting of canal, pumps, and pipeline from Bear River.
 - d. Describe the reasons for applying for a change in the point(s) of diversion _____
To facilitate the installation of a sprinkler system.
2. Change in place of use
 - a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	40 E	31		8				10	40	26	8	40	17						149
14 S	39 E	36	37	20	5	40	22			40	40				40	40	40	40	364
15 S	39 E	1	12	30															42
14 S	40 E	29							30	2		28							60
14 S	40 E	30																	

Total number of acres to be irrigated 615

-
- R39E R40E
- PD
- 29
- 30
- 31
- 32
- 33
- 1
- T14S
- T15S
- PD

SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks The Canal Company is installing a sprinkler system to
irrigate approximately 365 acres. The balance will still be
irrigated by gravity flood irrigation.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

President

Secretary

(Signature of applicant)

Subscribed and sworn to before me this 2 day of April, 1976

(Notary public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-0277/11-0278,
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 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 17 day of May, 19 76

R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by cu Date 4-05-76

Prelim. check by L.S.J. Fee \$30.00

Receipted by cu Date 4-05-76

Published in Preston Citizen #15734

Pub. dates Apr. 15 + 22, 1976

Watermaster recommendation requested on 4-12-76

Lussell Stokes rec'd.

W.D. 11

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by DRT

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

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 of 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

April 15, 19*76* and ending with the issue of *April 22*, 19*76*

Wayne D. Bell

Fee \$ *24.79*

Subscribed and sworn to before me this *3* day

of *May*, 19*76*.

Dennis R. Giddes

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 11-0277/11-0278

Notice is hereby given that Riverdale-Preston Irrigation Co., Preston, Idaho, has applied to the Department of Water Resources for a change in the points of diversion and places of use of the waters of Bear River tributary to Great Basin. The right sought to be changed are evidenced by decree to Riverdale-Preston Irrigation Co., in case of Utah Power and Light Co. vs. Last Chance Canal Co., dated July 14, 1920 in U. S. District Court Eastern Division, County of Bannock and recorded as follows:

No. 11-0277 AMOUNT: 3.00 cfs. PRIORITY: June 10, 1883.

DECREED POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

No. 11-0278 AMOUNT: 6.50 cfs. PRIORITY: June 10, 1902.

DECREED POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

The water is used to irrigate 615 acres in Sec. 29, Sec. 31, T. 14S, R. 40E, Sec. 36, T. 14S, R. 39E; and Sec. 1, T. 15S, R. 39E. B.M.

RECEIVED

MAY 6 1976

Department of Water Resources
Eastern District Office

TO BE CHANGED AS FOLLOWS

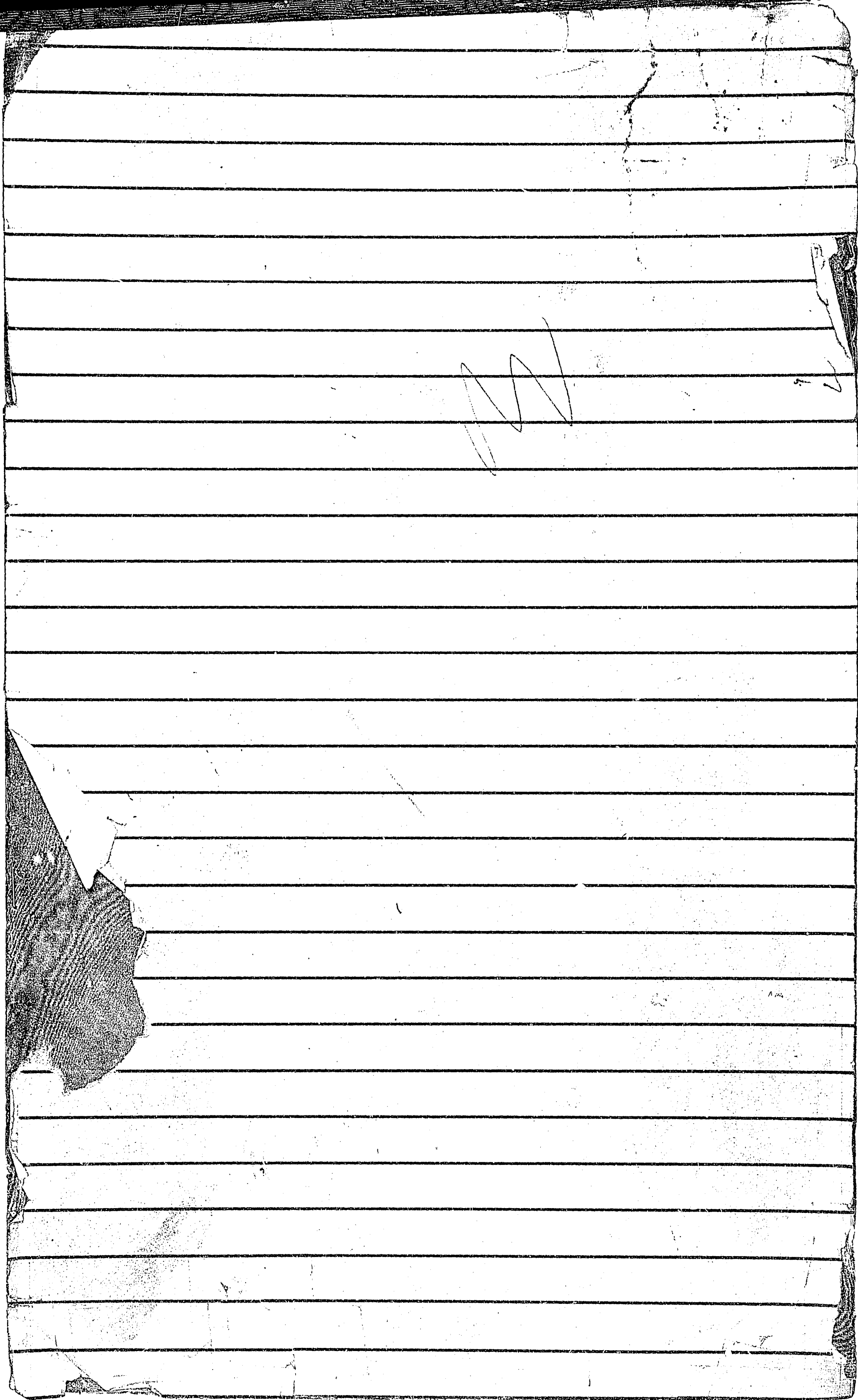
The water will be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 14S, R. 40E, B.M., and used to irrigate 615 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 15S, R. 39E, B.M. Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 3, 1976.

R. KEITH HIGGINSON
Director

Legal No. 128 published April 15 and April 22, 1976

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Riverdale - Preston Irrigation Co.	3.0 cfs		11-0277
205 (pd change)	Riverdale - Preston Irrigation Co.	3.0 cfs	n/a	11-0277
1973 (pd change)	Riverdale - Preston Irrigation Co.	3.0 cfs	n/a	11-0277

TRANS



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-0277/11-0278

Notice is hereby given that Riverdale-Preston Irrigation Co., Preston, Idaho, has applied to the Department of Water Resources for a change in the points of diversion and places of use of the waters of Bear River tributary to Great Basin. The rights sought to be changed are evidenced by decree to Riverdale-Preston Irrigation Co., in case of Utah Power and Light Co. -vs- Last Chance Canal Co., dated July 14, 1920 in U.S. District Court Eastern Division, County of Bannock and recorded as follows:

No. 11-0277	AMOUNT: 3.00 cfs	PRIORITY: June 10, 1883
	DECREED POINT OF DIVERSION:	NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.
No. 11-0278	AMOUNT: 6.50 cfs	PRIORITY: June 10, 1902
	DECREED POINT OF DIVERSION:	NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

The water is used to irrigate 615 acres in Sec. 29, Sec. 31, T. 14S, R. 40E, Sec. 36, T. 14S, R. 39E; and Sec. 1, T. 15S, R. 39E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 14S, R. 40E B.M., and used to irrigate 615 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 15S, R. 39E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 3, 1976.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho, on April 15 and April 22, 1976

*20-mu
4-mu*

April 8, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Preston Citizen
Bo 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 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.

Very truly yours,

RONALD D. CARLSON
Supervisor, Eastern Region

Bill submitted 5-06-76 by CW

RDC:CW

Enc: Legal Notice (1)

April 12, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Mr. Russell D. Stoker, Watermaster
Water District No. 11
Box 726
Soda Springs, Idaho 83276

Dear Mr. Stoker:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before May 3, 1976.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures

APPLICATION FOR TRANSFER OF WATER RIGHT
NO. 11-0277/11-0278

APR 30 1976

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Eastern District Office

I, Russell D. Stoker, watermaster of Bear River,
of Water District No. 11, County of Franklin, State of Idaho,
whose address is Box 726, Soda Springs, Idaho 83276
have read the attached copy of the application for transfer of water right for Riverdale
Preston Irrigation Co., and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons:

Dated at Soda Springs, Idaho, this 29 th day of April 19 76.

Russell D. Stoker
(signature)

Please use reverse side if needed.

May 3, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on April 15 and April 22, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

May 18, 1976

Re: Transfer Nos. 11-0277/11-0278

Riverdale - Preston Irrigation Co.
Rt. #2
Preston, ID 83263

Gentlemen:

Enclosed is a copy of your approved Application for Transfer Nos. 11-0277/11-0278.
We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.