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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-01365A
Date Received: 1/10/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID A. HOWE 208-365-4750
Address: 1568 N. PLAZA
EMMETT ID 83617

Name: KRISTINE L. HOWE 208-365-4750
Address: 1568 N. PLAZA
EMMETT ID 83617

2. Date of Priority: FEB 24, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	3		NW	NW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.030		5.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

6.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	3	NW NW		DOMEST	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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EMMETT, ID 83617

Name: KRISTINE L. HOWE 208-365-4750
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EMMETT, ID 83617

2. Date of Priority: FEB 24, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	3		NW	NW		GEM

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COMMERCIAL	01/01	12/31	0.030		5.40

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0.040 C.F.S. (and/or) 6.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	3	NW	NW		DOMEST	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. No. AG-01365A

JAN 10 1990

ATTACHMENT TO
Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) DAVID A. HOWE OR KRISTINE L. HOWE

Mailing Address
(include Zip Code)

1568 N. PLAZA.

EMMETT, ID. 83617

Phone Number (208) 365-4750

MICROFILMED

OCT 18 1996

MICROFILMED

SEP 18 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-01365

Date Received:

Receipt No:

Received By:



Department of Water Resources **NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ~~HERBERT G. HETHERINGTON~~
Address: ~~P.O. BOX 740~~
~~EMMETT, ID~~

83617

2. Date of Priority: FEB 24, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	3	NW	NW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.030		5.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

6.60 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	3	NW	NW		DOMEST	

11. Place of use in counties: GEM

A65-01365

Page

1

Date: 01/10/90

MICROFILMED MICROFILMED
OCT 18 1996 SEP 18 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-01365
DATE RECEIVED: 12-5-89
RECEIPT NO: X199999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: HERBERT G. HETHERINGTON
ADDRESS: P.O. BOX 740
EMMETT, ID

83617

RECEIVED
DEC 5 1989

2. DATE OF PRIORITY: FEB 24, 1951

3. SOURCE: GROUNDWATER TRIB. TO:

Department of Water Resources

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	3		NW	NW		GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.030		5.40

7. TOTAL QUANTITY APPROPRIATED IS:

0.040 C.F.S. (AND/OR) 6.60 A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	01W	3	NW	NW		DOMEST	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT / WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Herbert R. Hetherington DATE: 12-4-89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Jersey) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 4 DAY
OF December 19 89

NOTARY PUBLIC

SEAL

RESIDING AT Consett, Idaho

MY COMMISSION EXPIRES 4-12-95
DATE: 10/28/89 2882

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Jetherrington

CLAIM IDENT. NO.

AL5-01365

DATE RECEIVED

12-5-89

CK #

AMOUNT \$

exempt

YES

NO

Required Info?

1. Is the name and address complete with zip code?

YES

NO

*

2. Is a priority date entered?

YES

NO

*

Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.

YES

NO

*

3. (a) Is a source entered?

YES

NO

*

(b) Is a tributary to entered? (if required)

N/A

YES

NO

*

4. Is the legal description of the p.d. sufficient?

YES

NO

*

5. Is there a description of the diverting works?

YES

NO

*

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

YES

NO

*

Is the period of use included?

YES

NO

*

Is a quantity claimed for each use?

YES

NO

*

7. Is a total quantity claimed entered?

YES

NO

*

8. If required is a consumptive use entered?

N/A

YES

NO

*

Is the consumptive use correct?

N/A

YES

NO

*

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

YES

NO

*

10. Is (are) the place(s) of use and purpose(s) indicated?

YES

NO

*

11. Is (are) the county(ies) entered?

YES

NO

*

12. Is the ownership of p.u. checked?

YES

NO

*

13. Are other water rights listed or "none" indicated?

YES

NO

*

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

YES

NO

*

15. Is the basis of the claim indicated?

YES

NO

*

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

YES

NO

*

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

YES

NO

*

18. Has the claim been signed, sealed, and dated by a notary?

YES

NO

*

19. Was this claim filed on time, or was an extension granted?

YES

NO

*

20. Is the fee enclosed correct?

Exempt

YES

NO

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

YES

NO

*

22. Should this claim be data entered?

YES

NO

*

Claim checked by:

Lat

Date:

3/8/90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

xgg

JH

Date:

Date:

Date:

3/11/90

3/24/90

Checked by:

Date:

Comments:

MICROFILMED MICROFILMED

OCT 18 1996

SEP 18 1992

01/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-1365A

NAME AND ADDRESS: DAVID A HOWE
KRISTINE L HOWE
1568 N PLAZA
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
6.6 AFY

PRIORITY DATE: 02/24/1951

POINT OF DIVERSION: T06N R01W S3 NWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
COMMERCIAL	1-01 12-31	0.03 CFS
		5.40 AFY
DOMESTIC	1-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

COMMERCIAL Use same as DOMESTIC
DOMESTIC Within GEM CountyT06N NWNW
R01W S3

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-01365A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 33

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID A HOWE	02/24/1951	COMMERCIAL	01-01 12-31	0.030 CFS	5.40 AFA
C	KRISTINE L HOWE		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	1568 N PLAZA					
	EMMETT ID 83617					
	(208) 365-4750			TOTAL DIVERSION:	0.040 CFS	6.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S03 NWNW

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
06N	01W	3	:																	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

POU County: GEM

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

NH
C/O

WR5809NP
No. 65-01365

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/29/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERBERT G. HETHERINGTON P.O. BOX 740 EMMETT ID 83617	02/24/1951	COMMERCIAL DOMESTIC	01/01 12/31 01/01 12/31	0.030 CFS 0.040 CFS	5.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	6.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S03 NWN

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	01W	3	:																	:
			:																	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: GEM

Dates:	App. Received:	Priority Date:	02/24/1951
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

FILE

CLAIM/WR NO: 65-01365 (A) and (B)
AGENT: Sue Bock
DATE: December 29, 1997
REF: Split Claims

On 12/26/1997 I called Kristine Howe (claimant on A claim) and asked about a round log cabin, as per Ken Dunn's report. She has no knowledge of any such structure. She has a mobile home which has been on the property at least 30 years.

On 12/29/1997 I spoke with Charlene Stafford (claimant on B claim), turns out the legal description ~~and~~ and date of priority on the water right claim was wrong. The legal description should have read, 6N, 2W, S13 and a priority date of 7/6/1968, as appears in the Payette Decree.

I sent a copy of the claim back to Ms. Stafford to make the changes and initial them. I also asked her to send a copy of her deed.

4/2/98 The Staffords all ready had a claim for domestic 65-05253. They do not own property in legal for this claim & are not sure how mix-up began. Need a withdrawal claim from Staffords on B portion. Need to verify commercial use on Howe claim. for A portion.

Sue Bock



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 17, 1995

David or Kristine Howe
1568 N Plaza
Emmett ID 83617

RE: Snake River Basin Adjudication (SRBA)

Dear Claimant:

The Identification Number of your Notice of Claim to a Water Right has been changed from A65-01365 to A65-01365A. The suffix "A" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Respectfully,

A handwritten signature in cursive script that reads 'Helen L. Thornton'.

Helen L. Thornton
Adjudication Staff

HHT:h
Enclosures

MICROFILMED
OCT 18 1996