

11/09/2005

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

RIGHT NUMBER: 2-2149

NAME AND ADDRESS: CHARLES H HOWARTH
4120 N LINDER RD
MERIDIAN ID 83642

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 02/05/1959

POINT OF DIVERSION:

T06S R07E S2 SENW Lot 3 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.400 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T06S R07E S02 Lot 2 SWNW 35.0 T06S R07E S02 Lot 3 SENW 35.0

70 ACRES TOTAL

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 - License

Use of this right is combined with water from Indian Cove Irrigation District.

Idaho Department of Water Resources



Claim Number: 02-02149
Legal: T06S, R07E, S2
Reviewed By: CLC 6/14/05



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02149

Date: 9-4-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	7E	2			-4 35					-3 35									70
GIS										35	35									70
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 70

Overlapping FOU Claim #'s:

Total GIS Acres: 70

02-02391A 02-02391B

COMMENTS:

POU - See memorandum in file about legal change that has not been reflected on claim. digitized per map from original WR file.

POD per claim map.

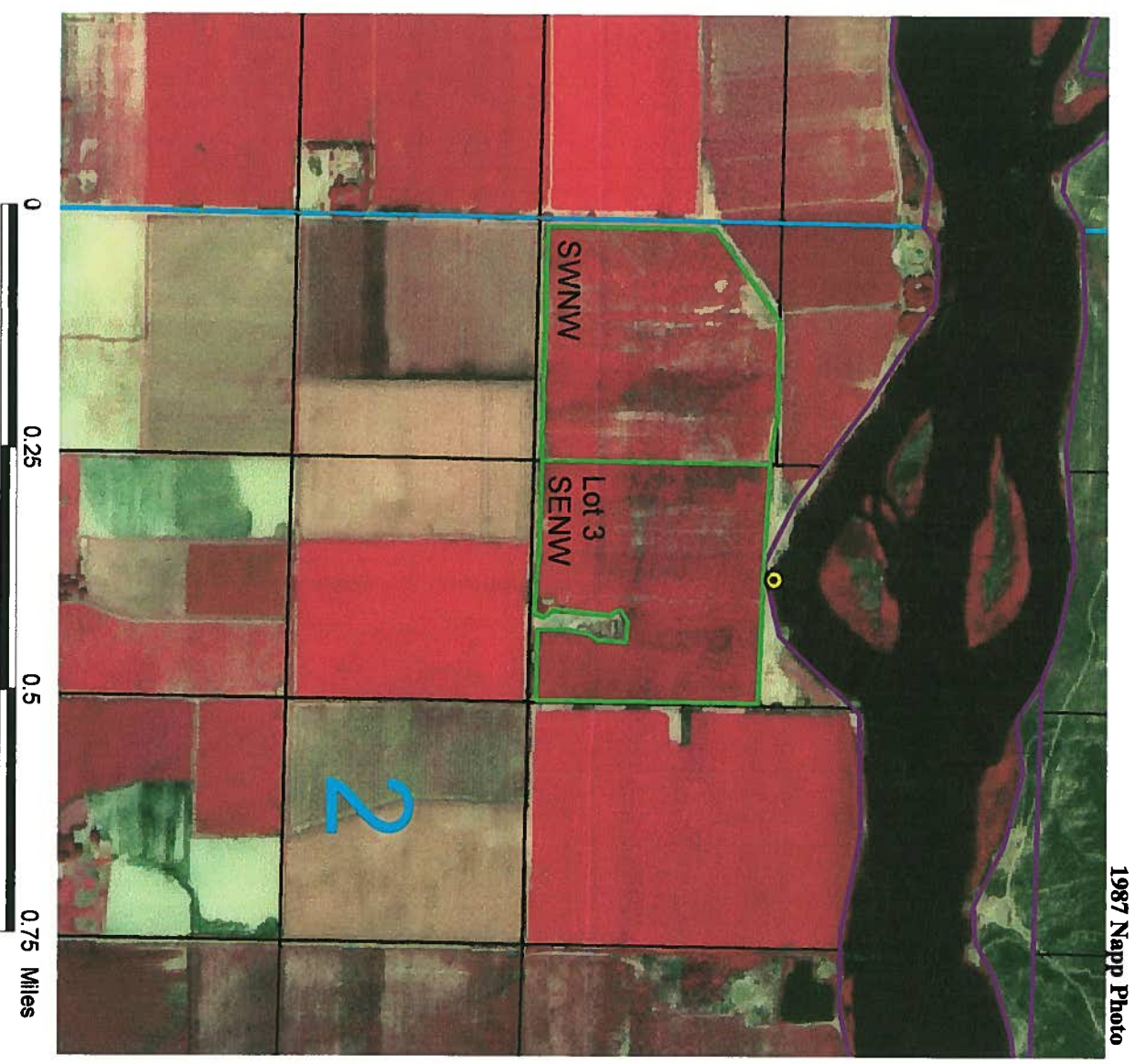
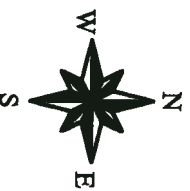
Idaho Department of Water Resources

Claim Number: 02-02149

Legal: T06S, R07E, S02

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

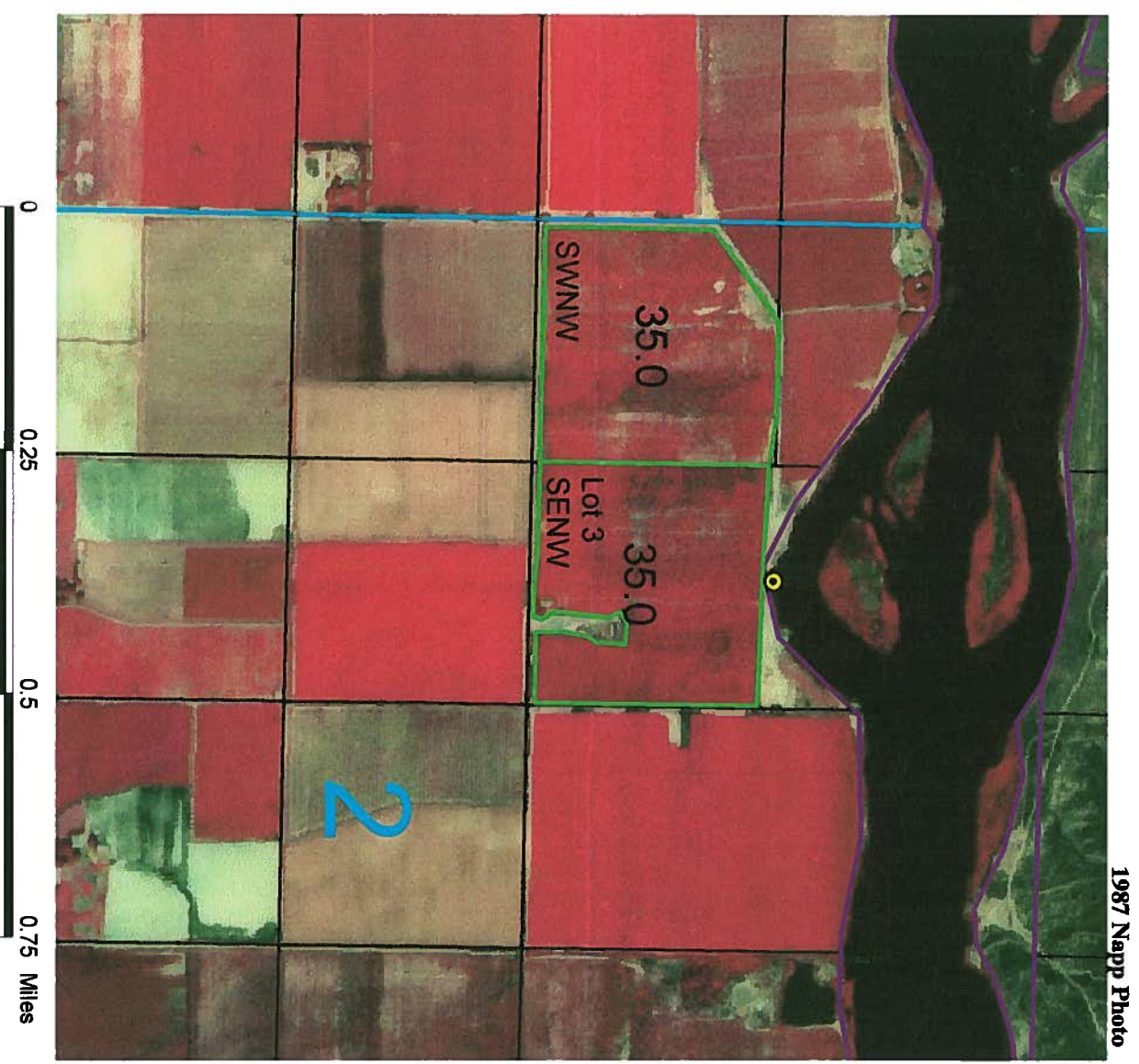
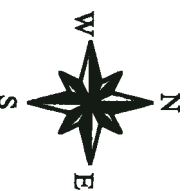


1987 Napp Photo

Idaho Department of Water Resources

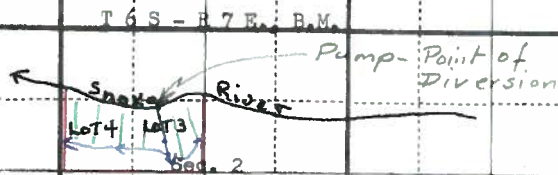
Claim Number: 02-02149
Legal: T06S, R07E, S02
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines
- Township/Range Lines



NAME OF APPLICANT..... J. Hampton & Sons by Cecil Hampt.....

Form No. 0



Permit Map No. 27756

As App. oved

C. O. N. CARTER

State Reclamation Engineer

FEB 17 1959

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

27756

SEE FILES 51-07154 AND 51-12809 FOR PERMISSIBLE PLACE OF USE

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: A02-02149
Date Received: 1/18/1989
Receipt No: C005177
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES H HOWARTH 208-888-4956
Address: 4120 N LINDER RD
MERIDIAN ID 83642

2. Date of Priority: FEB 5, 1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	07E	2	SE	NW		3	OWYHEE

5. Description of diverting works:
2-40 HP PUMPS, 10" MAINLINE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is 245.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	07E	2	SW	NE	4	IRR	35.0
			SE	NW	3	IRR	35.0

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AUG 10 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
					Total Acres	70.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

02-02391A, INDIAN COVE IRR. DISTRICT (142)

14. Remarks:

OWNERSHIP CHANGED BY KW 4/7/1993.

15. Basis of Claim: LICENSE

Water Right Number: 27756

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: _____

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AUG 10 1994

Date: 04/07/93

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 4 1993

Department of Water Resources

DATE OF CLOSING: 1-7-93LEGAL DESCRIPTION OF PROPERTY: Township 6 SOUTH Range 7 EAST
 PART Section 2, 1/4 of 1/4 of 1/4 Govt. Lot 1
 Lot 1, Block 1, Subdivision/Townsite 1

If you have additional legal descriptions, please attach separate sheet.

PLEASE SEE ATTACHED LEGAL DESCRIPTION

RECEIVED

MAR 4 1993

Department of Water Resources
Western Regional Office

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: 02-23914A, 02-2391A & 02-2149
- [] Name and Address of Former Owner/Claimant(s)(Seller): WEST ONE BANK, IDAHO, TRUSTEE OF THE HOWARTH PENSION TRUST, P.A.
P.O. BOX 7928, BOISE, IDAHO 83702
- [] New Owner/Claimant (Purchaser): CHARLES H HOWARTH
- [] New Mailing Address: 4120 NORTH LINDER ROAD, MERIDIAN, IDAHO 83642
- [] New Telephone Number: (208) 888 - 4956
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe TRUSTEE'S DEED #209476 & DATED 12-9-94 (40%)
proof attached: TRUSTEE'S DEED #209372 & DATED 12-9-92 (60%)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Charles H. Howarth M.D. & Trina J. Howarth Date 2/28/93
- [] Signature of Former Owner/Claimant(s): Dennis C Wagner Date 2/28/93
BY: DENNIS C WAGNER, PROPERTY OFFICER, TRUST Date 2/28/93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 4-7-93 By: kw

Claim Numbers of Split, if any:

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AUG 10 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

see original
in 402-02391A

EXHIBIT "A"

IN TOWNSHIP 6 SOUTH, RANGE 7 EAST, B.M., OWYHEE COUNTY, IDAHO, Section 2: SW 1/4 NE 1/4, NE 1/4 SW 1/4, W 1/2 SW 1/4, Lot 3 and the SW 1/4 NW 1/4, LESS the following two parcels:

Beginning at the NE corner of the SW 1/4 NW 1/4 of Section 2, Township 6 South, Range 7 East, B.M., thence North 333 feet; thence Easterly along the meander line of the Snake River 280 feet; thence South 132 feet; thence West 209 feet to the point of beginning, all in Lot 3, Section 2, Township 6 South, Range 7 East, B.M.

Beginning at the NW corner of the SW 1/4 NW 1/4 of said Section 2; thence East a distance of 493 feet; thence in a Southwesterly direction to a point, the same being a distance of 392 feet South of the point of beginning; thence North a distance of 392 feet to the point of beginning.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to the waters of Snake River, especially under State of Idaho License and Certificate of Water Right No. 27756, executed by the Idaho State Reclamation Engineer on March 23, 1965, for 1.4 c.f.s., having a priority of February 5, 1959; also water and ditch rights under the Indian Cove Irrigation District.

Grantors (Sellers) shall not permit, allow or suffer anything which adversely affects such water rights, and all water and ditch rights.

TRUSTEE'S DEED

This deed made this 9th day of December, 1992 between West One Bank, Idaho N.A., F/k/A Idaho First National Bank, N.A., now known as West One Bank, Idaho, Trustee of the Howarth Pension Trust, P.A., party of the first part, and Charles H. Howarth, whose address is, 4120 North Linder Road, Meridian, Idaho 83642, party of the second part.

WITNESSETH, That the said party of the first part, for good and other valuable consideration, to them in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey without warranty unto the said party of the second part the following described real property situated in OHYHEE County, State of IDAHO, to-wit:

An undivided SIXTY (60) PERCENT OF:
See attached schedule "A"

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or otherwise appertaining, and all estate, right, title, and interest in and to the said property.

TO HAVE AND TO HOLD all and singular the above-mentioned and described premises, together with appurtenances, unto the party of the second part and their heirs and assigns forever.

WEST ONE BANK, IDAHO N.A.
F/K/A IDAHO FIRST NATIONAL
BANK, N.A. NOW KNOWN AS WEST
ONE BANK, IDAHO, TRUSTEE FOR
THE HOWARTH PENSION
TRUST, P.A.

By *Dennis W. [Signature]*
Property Officer-Trust

MICROFILMED

INDEXED

FILED RECORDED

DEC 24 11 59 AM '92

BY *C. Sherburn*
REQUEST OF *West One Bank*
FEE *9.00*

MICROFILMED

AUG 10 1994

209372

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 21st day of December, in the year of
1992, before me, the undersigned, a notary public,
personally appeared Dennis C. Wagner, known
or identified to me to be the Property Officer-Trust
of the corporation/fiduciary that executed the instrument or
the person who executed the instrument on behalf of said
corporation/fiduciary and acknowledged to me that such
corporation/fiduciary executed the same.



Notary Public for Idaho
Residing at Boise
Commission Expires 2-11-93

MICROFILMED

AUG 10 1994

SCHEDULE " A "

IN TOWNSHIP 6 SOUTH, RANGE 7 EAST, B.M., OWYHEE COUNTY, IDAHO, Section 2: SW 1/4 NE 1/4, NE 1/4 SW 1/4, W 1/2 SW 1/4, Lot 3 and the SW 1/4 NW 1/4, LESS the following two parcels:

Beginning at the NE corner of the SW 1/4 NW 1/4 of Section 2, Township 6 South, Range 7 East, B.M., thence North 333 feet; thence Easterly along the meander line of the Snake River 280 feet; thence South 132 feet; thence West 209 feet to the point of beginning, all in Lot 3, Section 2, Township 6 South, Range 7 East, B.M.

Beginning at the NW corner of the SW 1/4 NW 1/4 of said Section 2; thence East a distance of 493 feet; thence in a Southwesterly direction to a point, the same being a distance of 392 feet South of the point of beginning; thence North a distance of 392 feet to the point of beginning.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to the waters of Snake River, especially under State of Idaho License and Certificate of Water Right No. 27756, executed by the Idaho State Reclamation Engineer on March 23, 1965, for 1.4 c.f.s., having a priority of February 5, 1959; also water and ditch rights under the Indian Cove Irrigation District.

Grantors (Sellers) shall not permit, allow or suffer anything which adversely affects such water rights, and all water and ditch rights.

TRUSTEE'S DEED

This deed made this 9th day of December, 1992 between West One Bank, Idaho N.A., F/k/A Idaho First National Bank, N.A., now known as West One Bank, Idaho, Trustee of the Howarth Pension Trust, P.A., grantor and party of the first part, and Charles H. Howarth, whose address is, 4120 North Linder Road, Meridian, Idaho 83642, grantee and party of the second part;

WITNESSETH, That the said party of the first part, for good and other valuable consideration, to them in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey without warranty unto the said party of the second part the following described real property situated in Owyhee County, State of Idaho, to-wit:

An undivided FORTY (40) PERCENT OF;
See attached Schedule "A"

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or otherwise appertaining, and all estate, right, title, and interest in and to the said property.

TO HAVE AND TO HOLD all and singular the above-mentioned and described premises, together with appurtenances, unto the party of the second part and their heirs and assigns forever.

WEST ONE BANK, IDAHO N.A.
F/K/A IDAHO FIRST NATIONAL
BANK, N.A. NOW KNOWN AS WEST
ONE BANK, IDAHO, TRUSTEE FOR
THE Howarth Pension Trust
P.A.

By *Dennis C. Wagner*
Dennis C. Wagner
Property Officer - Trust

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INDEXED

RECEIVED
JAN 9 1993

REQUEST OF
West One Bank

BY
E. Shubert

JAN 7 1 36 PM '93

FILED-RECORDED

209476

MICROFILMED

AUG 10 1994

STATE OF IDAHO)
COUNTY OF ADA) ss.

On this 4th day of January, in the year of 1993, before me, the undersigned, a notary public, personally appeared Dennis C. Wagner, known or identified to me to be the Property Officer - Trust of the corporation/fiduciary that executed the instrument or the person who executed the instrument on behalf of said corporation/fiduciary and acknowledged to me that such corporation/fiduciary executed the same.

 Marie Roth
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires 2-11-93

MICROFILMED

AUG 10 1994

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: A02-02149
Date Received: 1/17/1989
Receipt No: C005177
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO FIRST NATIONAL BANK
Address: TRUSTEE FOR DR. C. HOWARTH
P.O. BOX 7928
BOISE, ID 83707
208-383-7172

2. Date of Priority: FEB 05, 1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	07E	2	SE	NW		3	OWYHEE

5. Description of diverting works:
2-40 HP PUMPS, 10" MAINLINE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is 245.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	07E	2	SW	NE	4	IRR	35.0
			SE	NW	3	IRR	35.0
Section Acres							70.0

A02-02149

Page 1

Date: 01/26/89

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AUG 07 1992

10. Place of Use: Continued

Total Acres 70.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

02-02391A, INDIAN COVE IRR. DISTRICT (142)

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 27756

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____ Organization
document in the space below as _____ of
_____ Title
_____ Organization and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

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

A02-02149

Date Received

1-17-89

Receipt Number

0005177

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JAN 17 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Idaho First National Bank, Trustee
for Dr. Charles Howarth Phone (208) 383-7172

Mailing Address P. O. Box 7928, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) February 5, 1959

3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 6S Range 7E Section 2,
SE 1/4 of NW 1/4 of 1/4, Govt. Lot, 3 B.M., County of Owyhee

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of
 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Two 40 hp pumps and 10" mainline for
delivery to irrigation sprinkler system.

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AUG 07 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 1.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.4 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	7E	2			35					35									70

Total number of acres Irrigated 70

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
02-2391A and Indian Cove Irrigation Dist. - 142 Acres or None ()

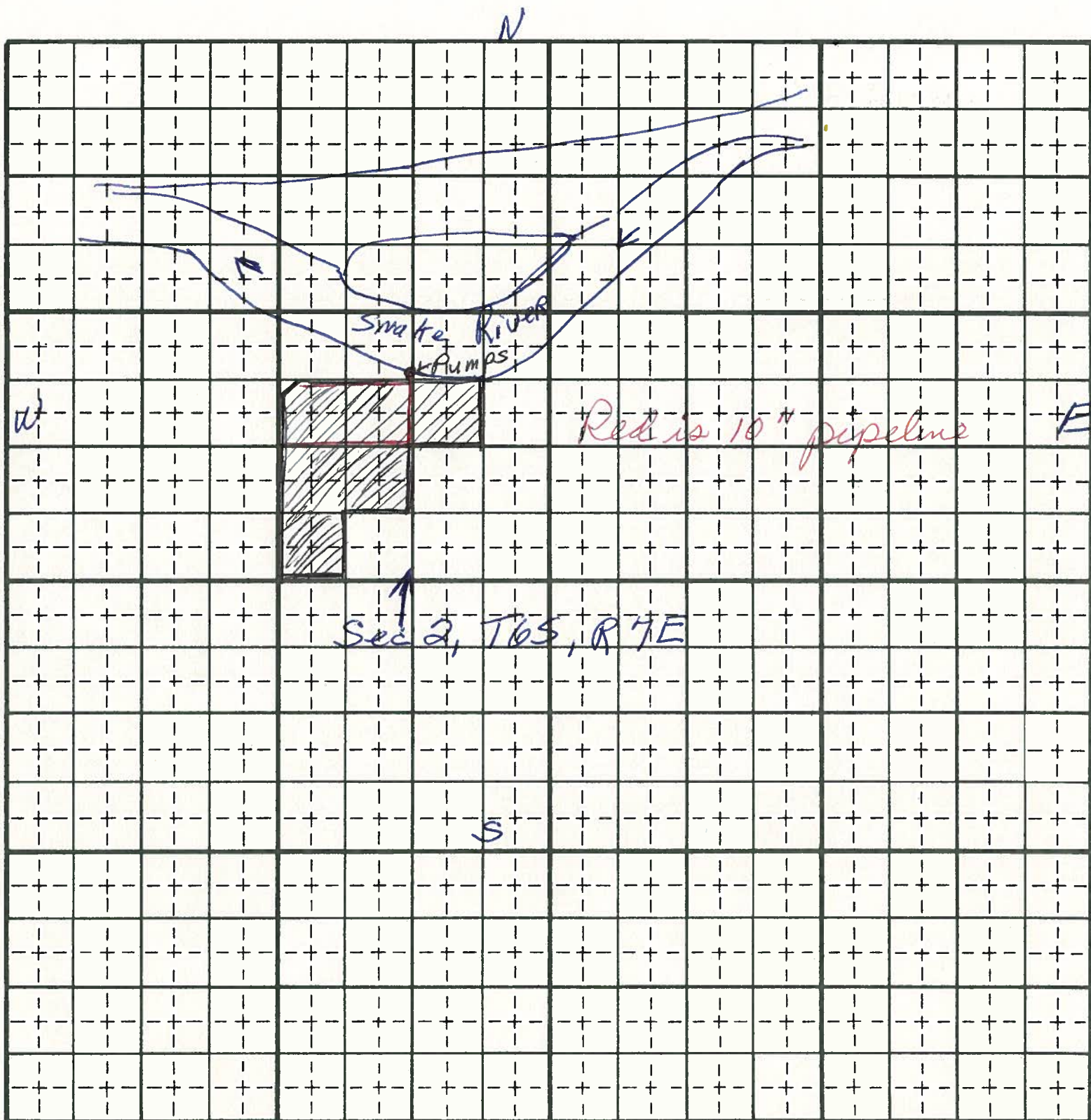
14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 07 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27756
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

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

For Organizations: I do solemnly swear or affirm that I am Manager-Trust Real Estate
of Idaho Trust National Bank , that I have signed the foregoing
document in the space below as Manager-Trust Real Estate of Idaho Trust National Bank
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent by Melvin J. Schulte, Manager-Trust Real Estate
Title and Organization Idaho Trust National Bank Date 1-12-89
Trust for B. Charles H. Smith

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12th day of January 19 89

SEAL

Notary Public Karen Thomas

Residing at Boise

My Commission Expires 7-29-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED

Copies White-Start Yellow-Claimant
AUG 6 7 1992

DATE RECEIVED 1-17-89CK # COO5177AMOUNT \$ \$120

	YES	NO
. Is the name and address complete with zip code?	☒	☐
. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
. (a) Is a source entered?	☒	☐
. (b) Is a tributary to entered? (if required)	☒	☐
. Is the legal description of the p.d. sufficient?	☒	☐
. Is there a description of the diverting works?	☒	☐
. 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.	☒	☐
. Is the period of use included?	☒	☐
. Is a quantity claimed for each use?	☒	☐
. Is a total quantity claimed entered?	☒	☐
. If required is a consumptive use entered?	☒	☐
. Is the consumptive use correct?	☒	☒
. 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.	☒	☐
. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐
1. Is (are) the county(ies) entered?	☒	☐
2. Is the ownership of p.u. checked?	☒	☐
3. Are other water rights listed or "none" indicated?	☒	☐
4. 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.)	☒	☐
5. Is the basis of the claim indicated?	☒	☐
6. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
7. Is the claim been signed, sealed, and dated by a notary?	☒	☐
8. Is this claim filed on time, or was an extension granted?	☒	☐
9. Is the fee enclosed correct?	☒	☐
10. Is this claim based on an existing water right, has the identification number been entered?	☒	☐
11. Would this claim be receipted and data entered?	☒	☐



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 7, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claims to Water Right Nos. A02-02149 & A02-02391A

Charles H. Howarth
4120 N. Linder Rd.
Meridian, ID 83642

Dear Mr. Howarth:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

Please note that there is no water right filing under No. A02-023194A as shown on the Change in Ownership form. This claim was filed in the "small 02 Adjudication" which was never completed. I found in reviewing our records that the number had been mistyped on a copy of the claim that was submitted on Rt. 02-02391A. The Snake River Basin Adjudication will determine the water rights from the Snake River.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED
AUG 10 1994

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON WYANAGO BASIN
BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2149 I.D. No.	Map No.
\$	Receipt No.
Fee Paid	

Notice is hereby given that Idaho First National Bank, Trustee for Dr. Charles Howarth

P.O. Box 7928, Boise, Idaho 83707

(Name of Claimant)

Telephone No. 383-7175

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) February 5, 1959

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.4 CFS Use Irrigation Period of Use From 3/15 To 11/15
14 (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.4 CFS TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 3 (SENW) 1/4
Sec. 2, Twp. 6S, Rge. 7E, B.M., Owyhee 13 County
Additional Points: SCI: 2720(1) 520.8

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pump, pipeline & sprinkler system.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
6S	7E	2			14					35									70
					35				35	35									57
									35	35									70

Total no. of acres 70 57

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2149

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

18 May 1981
(Date)

State of Idaho

County of Ada

Organization

Seal

THE IDAHO FIRST NATIONAL BANK, TRUSTEE FOR
DR. CHARLES HOWARTH

BY: [Signature] (Signature of Claimant)

Property Office [Signature] (Signature of Spouse)

(Signature of Authorized Agent)

On this 18th day of May, in the year 1981, before me
a notary public, personally appeared Calvin E. Kidney

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he) she, they, corporation, partnership or _____ executed the same.

My commission expires 2-9-85

Notary Public residing at Boise, Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 4/12/83

Right No. 02-2149

Claimant HOWARTH

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☒ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 8/04/64

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File
COPY IN THIS FILE

Measurement _____ cfs. Amount recommended _____ cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 DQ 1977 U-2 MIC 1980 U-2
INDIAN COVE, 2496-77-134, 3453-80-152
Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

MEMORANDUM

TO: File 02-2149

FROM: Don Shaff 

DATE: 4-12-83

SUBJECT: Review Analysis

This claim, based on a license, is for a water right used on land in the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 2. The engineer's report shows the water used in this manner on his map and in Item 7 of the report. However, he mistakenly showed the place of use as Lot 4 in the S $\frac{1}{2}$ NW $\frac{1}{4}$. This inadvertent mistake caused the license to be issued for the SW $\frac{1}{4}$ NE $\frac{1}{4}$, which was Lot 4 until a later land survey. This water right has therefore been recommended for Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2. The irrigated acreage is still the same. 

MICROFILMED
AUG 10 1994

POOR ORIGINAL

State of Idaho License and Certificate of Water Right

Water License No. 27756

Amount 1.4 c.f.s.

Water District No.

Priority February 5, 1959

THIS IS TO CERTIFY that J. B. HAMPTON & SONS - Assignee - CECIL L. HAMPTON of Hammett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 5, 1957, that Permit No. 27756 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 1.4 second feet, was issued thereunder on March 23, 1964, showing that said work were completed on the 22nd day of May, 1964; and that on the 22nd day of May, 1964,

CECIL L. HAMPTON of Hammett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation, under Use Permit No. 27756 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8113, on the 23 day of March, 1964. The right hereby confirmed dates from February 5, 1959;

The Point of Diversion is located (Lot 3) in the SE 1/4 NW 1/4, Sec. 2, Tp. 6 S, R. 7 E, B. M. Owyhee 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 1.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	7 E	2	SE 1/4 (Lot 3)	30	35
			NW 1/4 (Lot 47)	30	25
			NE 1/4		
			Total number of acres to be irrigated:		70

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 State Reclamation Engineer, affixed at Boise, Idaho, this 23rd day of March, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer

(SEAL)

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 27756

REPORT ON PROOF OF Completion of Works & Beneficial Use

Cecil L. Hampton, Hammett, Idaho

APR 10 1988
MICROFILMED

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 27756

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Cecil L. Hampton
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the Lot 3 of Section 2
T. 6 S. R. 7 E., B.M. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: 25 H.P. H. E. Motor # TX-2614268 Rain Flow Pump # 8423 8' x 40' of suction pipe to 4" gate valve to 8' x 1320' sprinkler mainline (siphon)
5. Water is used for: irrigation
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 other than irrigation):

Lots 3 and 4 (S. 1/4) Sec. 2, Twp. 6 S., R. 7 E., B.M. 60 acres.

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

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Cecil L. Hampton (owner) participated in the examination

measurement was made by taking pressure readings along each lateral 3 lines 11.5 nozzle size 1 1/4"

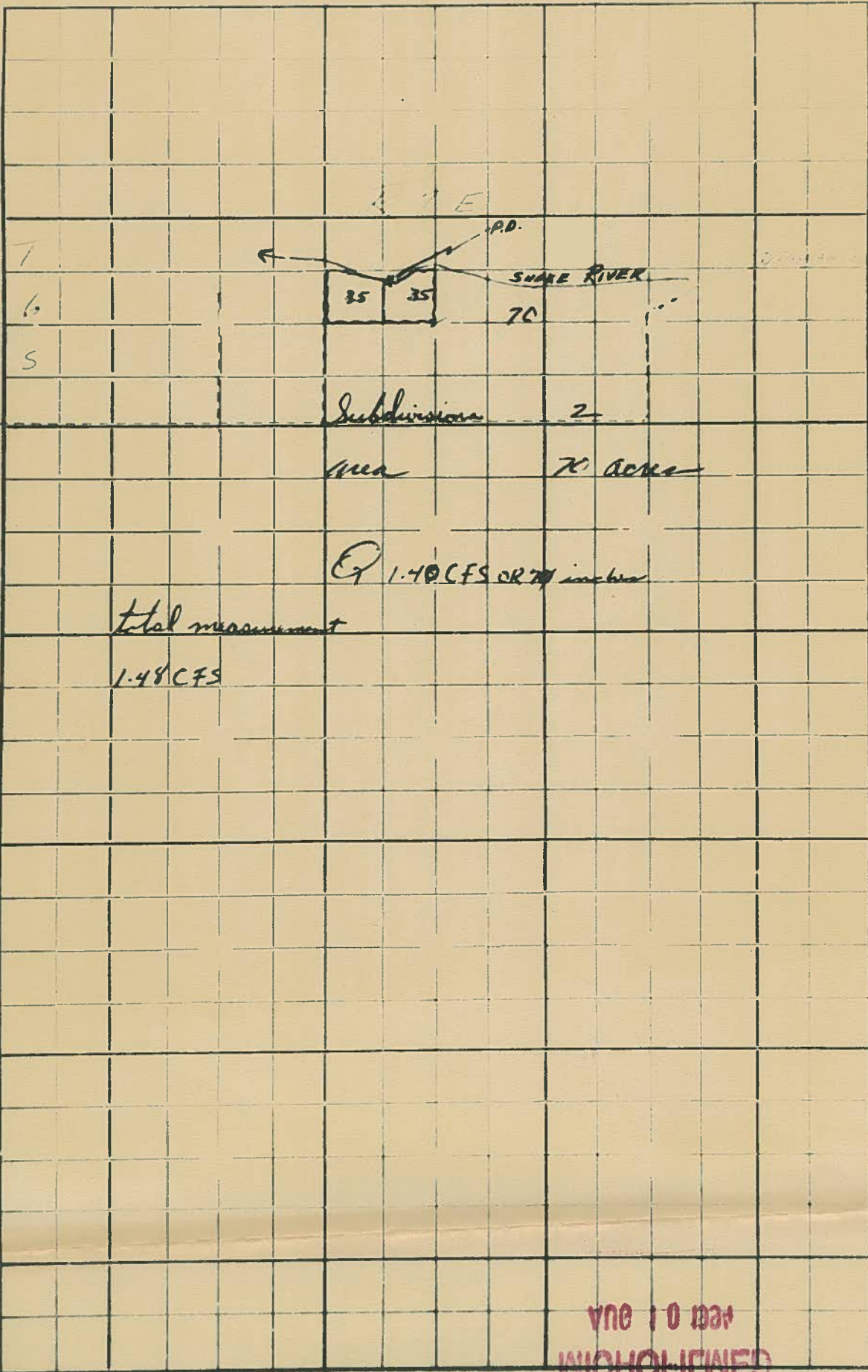
This examination was made on the

(Signed)

day of

August

1924
AUG 10 1924
10 42
UNRECORDED



Scale: 2 inches equals 1 mile. Draw Map to ink.

NOT FOR
REPRODUCTION

27756

POOR ORIGINAL

Form 16
1.5 M - 7-21-62

MAY 25 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

BOISE, IDAHO

Permit No. 27756

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

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

Cecil L. Hampton; Hammett, Ida.; occupation, rancher; postoffice address,
Hammett, Ida.

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:

None.

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; Permit 27756; date of permit, 2/17/59; date of priority, 2/5/59.

Ques. 4. State source of water supply: Snake River
Give location of point of diversion, showing subdivision, section, township and range:

Lot 3, Sec. 2, T6S-R7E.

Ques. 5. Describe your works of diversion: Pump, pipe and sprinkler system.

; state amount of water they are capable of conveying from point of diversion to place of use 65'; Give name of canal or ditch or other works by which water is conducted to such place of use: sprinkler system

; if a well, state depth of well - ; depth and size of casing: - ; depth to water - ; if pump is used,

25 hp pump
state discharge of pump: 500' ; tell how it was measured or determined: by pump Co

; if sprinkler irrigation, give number and size of nozzles and operating pressure: 116 nozzles, 11/64" orifice, 75 lb. operating pressure.

Ques. 6. State for what purpose water is used: Irrigation.
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water :

Water is used to irrigate the following: T6S-R7E, Sec. 2, Lot 3 (SW1/4),
40 acres; SW1/4, 3d acres.

State nature of all improvements which have been made as a direct result of said use

All improvements were made as a direct result of said use.

NOTIFIED

27756

Ques. 6-a: If this is a ground water permit, give name and address of person who drilled the well: _____

Ques. 7. If for other than irrigation purposes, state purpose and how used:

None

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

All water being used is necessary for purpose specified.

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:

Assigned to me by J. B. Hampton & Sons.

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: September 1963. Time used since first use:

This spring

Ques. 11. Describe all other water rights appurtenant to same place of use:

None

(sign) Cecil L. Hampton

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

Boise, County of Ada

State of Idaho, on this 12nd day of May, A.D. 1964.

Joan H. Bain

My Commission expires: 6/19/65

APR 10 1964
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1. 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.

POOR ORIGINAL

11. The financial resources of the applicant are:
(a) Cash on hand
(b) Treasury stock
(c) Bond to be issued
(d) Other resources:
2. Quantity of water claimed: **100 Miner's Inches** cubic feet per second.
3. Source of water supply: **Snake River** which is a tributary of
4. Location of point of diversion: feet distant from the corner of Section , T. , R. , B.M., and in the of section **2** , T. **6 S.** R. **7 E.** B.M., County of **Owyhee**
5. Water is to be used for: **Irrigation**
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 of , 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: **\$ 2,000**
8. Kind of works: **Ditch, pump and pipe**
9. Height of dam: 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: feet; width at water line: feet; depth of water: feet; dimensions of flume:
Diameter of pipe: **6"** inches; length of conduit: **300'**
Average grade per mile: feet
12. The time required for the completion of such work is **5** years.
13. The time required for the complete application of the water to the proposed use is **5** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **Some water from Indian Cove Irrigation District which will water South 10 Acres of Lot 3, and south 10 acres of Lot 4, Sec. 2, T. 6 S., R. 7 E., B.M.**

see 10 100
MICROFILMED