

12/10/2005

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

RIGHT NUMBER: 2-10295

NAME AND ADDRESS: LOYAL L HOWER TRUST  
4819 E LEWIS LN  
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 03/15/1947

POINT OF DIVERSION:

T01S R02W S27 SWSW Lot 5 Within OWYHEE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.200 CFS       |

PLACE OF USE: IRRIGATION Within OWYHEE County

|                          |      |                          |     |
|--------------------------|------|--------------------------|-----|
| T01S R02W S27 Lot 5 SWSW | 20.0 | T01S R02W S27 Lot 6 SESW | 5.0 |
| T01S R02W S28 Lot 8 SESE | 12.0 |                          |     |

37 ACRES TOTAL

Right Nos. 2-10295, 2-10281, and 2-10282 are limited to the irrigation of a combined total of 37 acres in a single irrigation season.

This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

This right is renumbered from former right 2-2114 .

The following rights are also diverted through point of diversion described above: 2-10295, 2-10281, and 2-10282

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 2-10295  
Date Received: 12/9/2005  
Receipt No:  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LOYAL L HOWER TRUST Phone: (208)466-4865

4819 E LEWIS LN  
NAMPA ID USA 83686

2. Date of Priority: 03/15/1947

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 | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 02W   | 27      | SW SW 5               | OWYHEE |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 0.6    |            |

7. Total Quantity Appropriated is:  
0.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot  | Use        | Acres |
|---------------|-------|---------|------------|------|------------|-------|
| 01S           | 02W   | 27      | SE         | SW 6 | IRRIGATION | 5     |
|               |       |         | SW         | SW 5 | IRRIGATION | 20    |
| Section Acres |       |         |            |      |            | 25    |

|     |     |    |    |    |   |               |    |
|-----|-----|----|----|----|---|---------------|----|
| 01S | 02W | 28 | SE | SE | 8 | IRRIGATION    | 12 |
|     |     |    |    |    |   | Section Acres | 12 |
|     |     |    |    |    |   | Total Acres   | 37 |

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:

14. Remarks:

Right Nos. 2-10295, 2-10281, and 2-10282 are limited to the irrigation of a combined total of 37 acres in a single irrigation season.

The following rights are also diverted through point of diversion described above: 2-7026, 2-10281, and 2-10282

The rights listed below are limited to a total combined diversion rate of 1.03 cfs.  
Combined Right Nos.: 2-2114, 2-10281, and 2-10282

This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.

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.

This right is renumbered from former right 2-2114 .

15. Basis of Claim: Beneficial Use

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 Executor of  
Title  
LOYAL L HOWER TRUST , that I have signed the foregoing  
Organization  
document in the space below as Executor of  
Title  
LOYAL L HOWER TRUST and that the statements contained in the  
Organization  
foregoing document are true and correct.

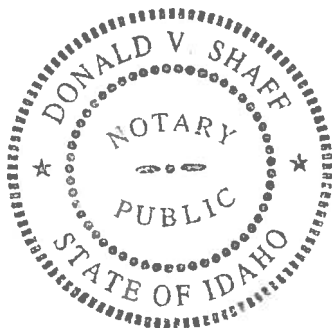
Mitchell B. Hower  
Signature of Authorized Agent

Executor, LOYAL L HOWER TRUST  
Title and Organization

Dec 9, 2005  
Date

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 9<sup>th</sup> of December 2005



[Signature]  
Notary Public

Residing at Boise ID  
My commission Expires June 10, 2006