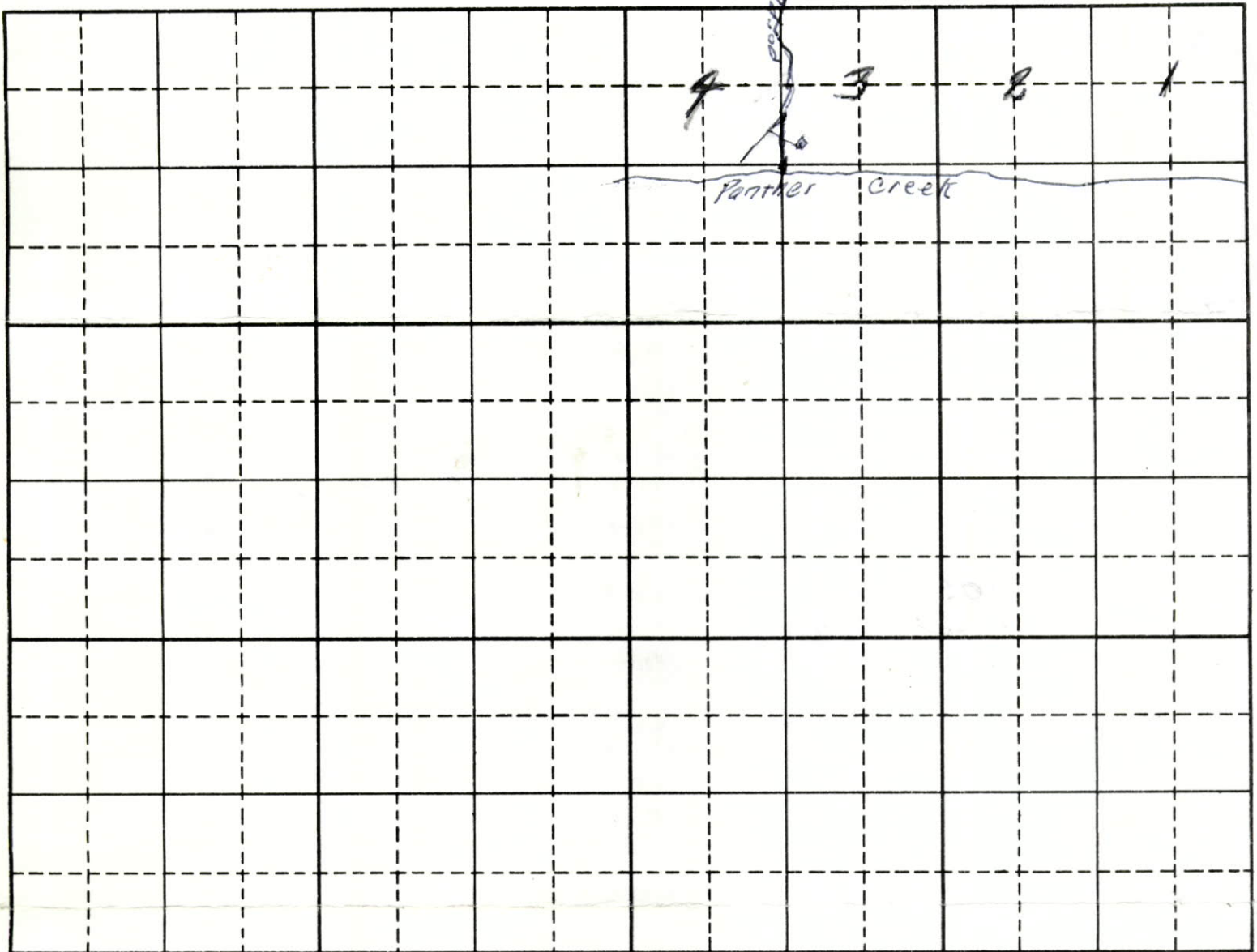


70.2
79.5

(8) Remarks Diversion for domestic To SW⁴ SW⁴ Sec. 3
Twp 19N Rge 18E.
Domestic use in Sec. 3



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho 71A)
) ss.
County of DADE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 4 day of June, 19 76.

Notary Public

Residing at 8880 Bisc Blvd.
Miami 71A 33138

Notary Public, State of Florida at Large
My commission expires Feb. 14, 1979
BONDED BY AMERICAN BANKERS INSURANCE CO.

For Department Use Only

Received by <u>DBB</u>	Date <u>6-17-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DRT</u>	Date <u>6-14-76</u>		claimant by:	
\$10.00 fee received by <u>MLB</u>	Date <u>6-14-76</u>			
Approved for publication by <u>me</u>	<u>7-8-76</u>	<u>#2915</u>		
Published in <u>Recorder's Herald</u>				
Dates <u>June 24 + July 1, 1976</u>				

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-4051**

Notice is hereby given that James E. and Joyce O. Howard, Plantation, Florida has filed a claim to a water right established by diversion and application to beneficial use of 1.05 cubic feet per second of water from Porphyry Creek tributary to Panther Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N, R.

18E, B.M., Lemhi County.

The water is claimed to be used from Apr. 1 to Nov. 1 for domestic purposes and from May 1 to Nov. 1 for irrigation of 12 acres with a priority of Aug. 23, 1928 the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N, R. 18E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on June 24 and July 1, 1976.

6-24-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JUL 8 1976

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Claim to Water Right # 75-4051

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated June 24, 1976 and ending with the issue dated July 1, 1976

Subscribed and sworn to before me, this first day of July, 1976

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 14.40

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that James E. and Joyce O. Howard
(name of claimant)
of 1050 S.W. 52 Avenue Plantation Fl., claims a right to the diversion and beneficial use of
(mailing address) 33317
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Porphyry Cr., tributary to Panther Cr.
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | |
|--------|-------------------|-----|----------------------------|----------------|----------------------------------|-------------------------------|
| Amount | <u>.05</u> | Use | <u>Domestic</u> | Period of Use: | From <u>April 1st</u> | To <u>Nov 1st</u> |
| Amount | <u>1 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From <u>May 1st</u> | To <u>Nov. 1st</u> |
| Amount | <u>1.05</u> | Use | | Period of Use: | From | To |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | (both dates inclusive) | |

- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) August 28, 1928

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 4, Twp. 19N Rge. 18E, B. M. County of Lemhi
Additional points of diversion: _____

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 12" pipeline, wood flume 12" bottom

12" sides, & earth ditch of same capacity as flume. Combined conveyance to field 200' distance of field 900'; 1" pipe from ditch domestic use

- (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	
19N	18E	4											X					12	12 acres
		3											X						
		2																	
		1																	
		36																	
		35																	
		34																	
		33																	
		32																	
		31																	
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		9																	
		8																	
		7																	
		6																	
		5																	
		4																	
		3																	
		2																	
		1																	

Total No. of acres 12

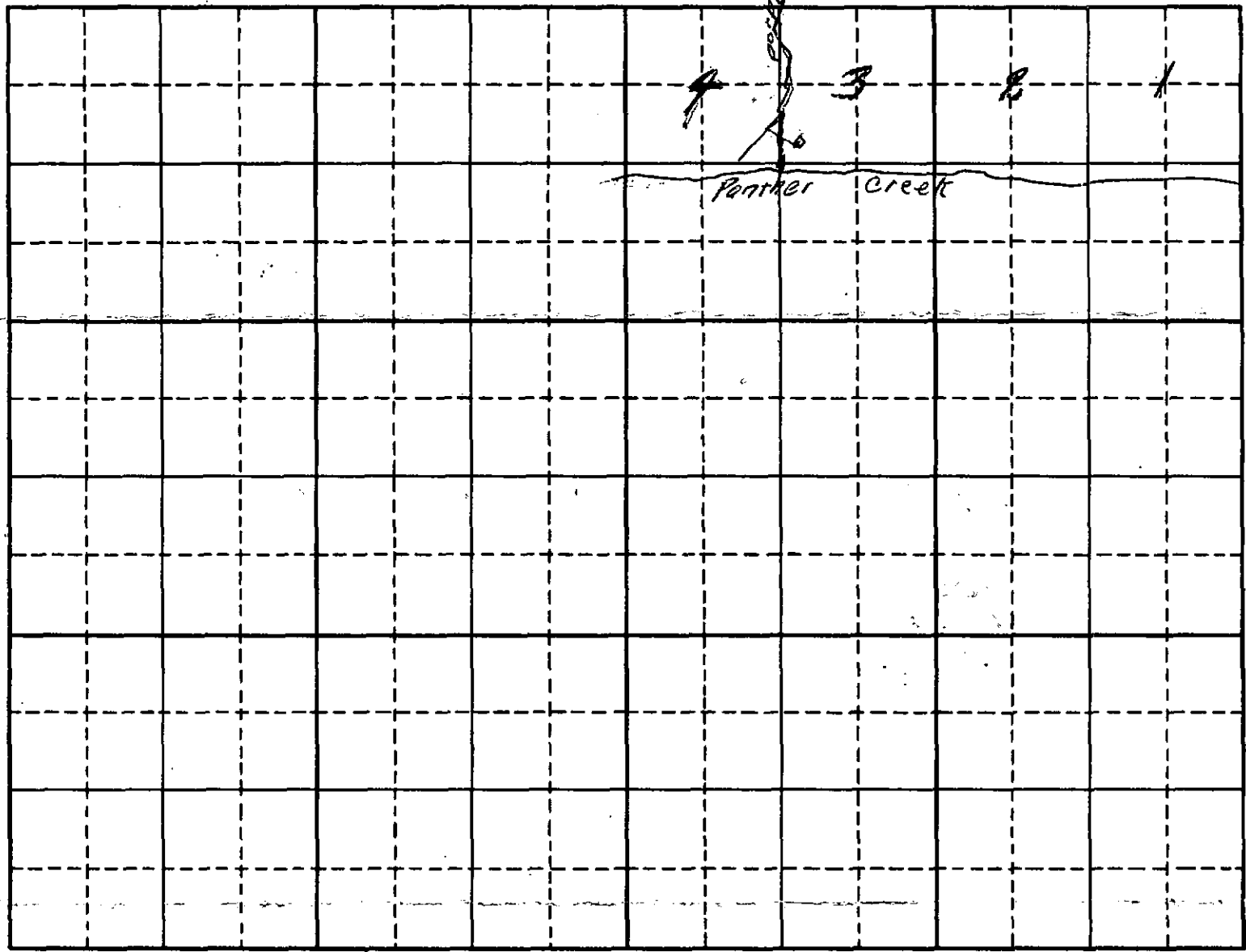
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic use diverted from ditch by 1" pipeline to SW 1/4 SW 1/4 Sec. 3 Twp 19N Rge. 18E.

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

70.2
72.1

(8) Remarks DIVERSION for domestic To SW⁴ SW⁴ Sec. 3
Twp. 19N Rge. 18E.
Domestic use in Sec. 3



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ FLA.)
) ss.
County of DADE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 4 day of June 1976

James E. Howard
(Claimant)
John Howard
Notary Public
Residing at 8880 Bisc. Blvd.
Miami FLA 33133

Notary Public, State of Florida at Large.
My commission expires My Commission Expires Feb. 14, 1979
BONDED BY AMERICAN BANKERS INSURANCE CO.

For Department Use Only

Received by <u>DLB</u>	Date <u>6-17-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DRT</u>	Date <u>6-14-76</u>		claimant by:	
\$10.00 fee received by <u>MLB</u>	Date <u>6-14-76</u>			
Approved for publication by <u>me</u>	Date <u>7-8-76</u>	<u>#2915</u>		
Published in <u>Recorder Herald</u>				
Dates <u>June 24 + July 1, 1976</u>				

Affidavit of Publication

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT NO. 75-4051

Notice is hereby given that James E. and Joyce O. Howard, Plantation, Florida has filed a claim to a water right established by diversion and application to beneficial use of 1.05 cubic feet per second of water from Porphyry Creek tributary to Panther Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N, R.

18E, B.M., Lemhi County.

The water is claimed to be used from Apr. 1 to Nov. 1 for domestic purposes and from May 1 to Nov. 1 for irrigation of 12 acres with a priority of Aug. 28, 1928 the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N, R. 18E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on June 24 and July 1, 1976.

6-24-76

STATE OF IDAHO

County of Lemhi

ss.

JUL 8 1976

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

Notice of Claim to Water Right # 75-4051

That the

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated June 24, 1976 and ending with the issue dated July 1, 1976

Subscribed and sworn to before me, this first

day of July, 1976

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 14.40

ACT
ION

N OWNER LAST NAME - HOWARD
N OWNER LAST NAME - HOWARD
N ADDRESS LINE 1 - 1050 S.W. 52ND AVE.

FIRST NAME - JAMES E.
FIRST NAME - JOYCE O.

CITY - PLANTATION
TRIBUTARY OF - PANTHER CREEK

STATE - FL ZIP CODE - 33317

N SOURCE - PORPHYRY CREEK

N STAGE - STATRY CLM

N DIVERSION POINT - SESE 04 19N 18E

N FROM - 05-01 TO - 11-01 USE - IRRIGATION

N FROM - 04-01 TO - 11-01 USE - DOMESTIC

N USE - IRRIGATION

N USE - DOMESTIC

PRIORITY - 08-28-1928 COUNTY - LEMHI

TOTAL DIV. RATE - 1.0500CFS

USE DIV. RATE - 1.0000CFS

USE DIV. RATE - .0500CFS

PLACE OF USE - TWN 19N RNG 18E SEC 04 TRACT SESE

AC 12

PLACE OF USE - TWN 19N RNG 18E SEC 03 TRACT SWSW

IDENT. NO. 75-4051

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 175-4051
Otd No. New No.

Record

1. Original Owner: James E. + Joyce D. Howard

Present Owner: _____

2. Address: 1050 S.W. 52nd Ave.3. City: Plantation State: FL Zip: 333174. A. Source of Water: Porphyry CreekB. Tributary of: Panther Creek5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 8-28-1928D. County: 59E. Total Diversion Rate: 1.05

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESE</u>	<u>4</u>	<u>19N</u>	<u>18E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 5-1 to 11-1 for A purposes. Amount 1.
(cfs or AC-Ft/yr)from 4-1 to 11-1 for D purposes. Amount .05 cfs

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	18E	4																12	
		3																	

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

July 12, 1976

RE: Claim to a Water Right No. 75-4051

James E. & Joyce O. Howard
1050 Southwest 52 Avenue
Plantation, Florida 33317

Dear Mr. Howard:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

June 18, 1976

RE: Claim to a Water Right No. 75-4051

James E. & Joyce O. Howard
1050 S.W. 52 Avenue
Plantation, Florida 33317

Dear Mr. Howard:

Attached herewith is departmental receipt No. 2915 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

June 18, 1976

RE: Claim to a Water Right No. 75-4051 HOWARD

The Recorder-Herald
P.O. Box 310
Salmon, Idaho 83467

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

RDC:CW

Enc: Legal Notice (1)

Bill submitted 7-08-76 by clw

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WATER RIGHT**

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Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on June 24 and July 1, 1975.

6-24-2tc

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NO. 75-4051

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Plantation, Florida
has filed a claim to a water right established by diversion and application
to beneficial use of 1.05 cubic feet per second ~~XXXXXX Creek XXXXXXXX~~
of water from Porphyry Creek tributary to Panther Creek
with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N, R. 18E, B.M.,
Lemhi County

The water is claimed to be used from Apr. 1 to Nov. 1 for domestic
purposes and from May 1 to Nov. 1 for the irrigation of 12 acres
with a priority of Aug. 28, 1928 ;
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 19N,
R. 18E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on June 24 and July 1, 1976

RECORDED
JUN 24 1976
IDAHO DEPT. OF WATER RESOURCES

me - H.
me - B.
me - Q.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. CLAIM
HOWARD

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) DRT 6-15-76

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) _____

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) _____

(12) _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or
applicant: yes _____ no _____

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of
approval

_____ No special conditions for approval

(15) District _____ By _____ Date _____

RECEIVED
JUN 16 1976
WATER RESOURCES
DIVISION