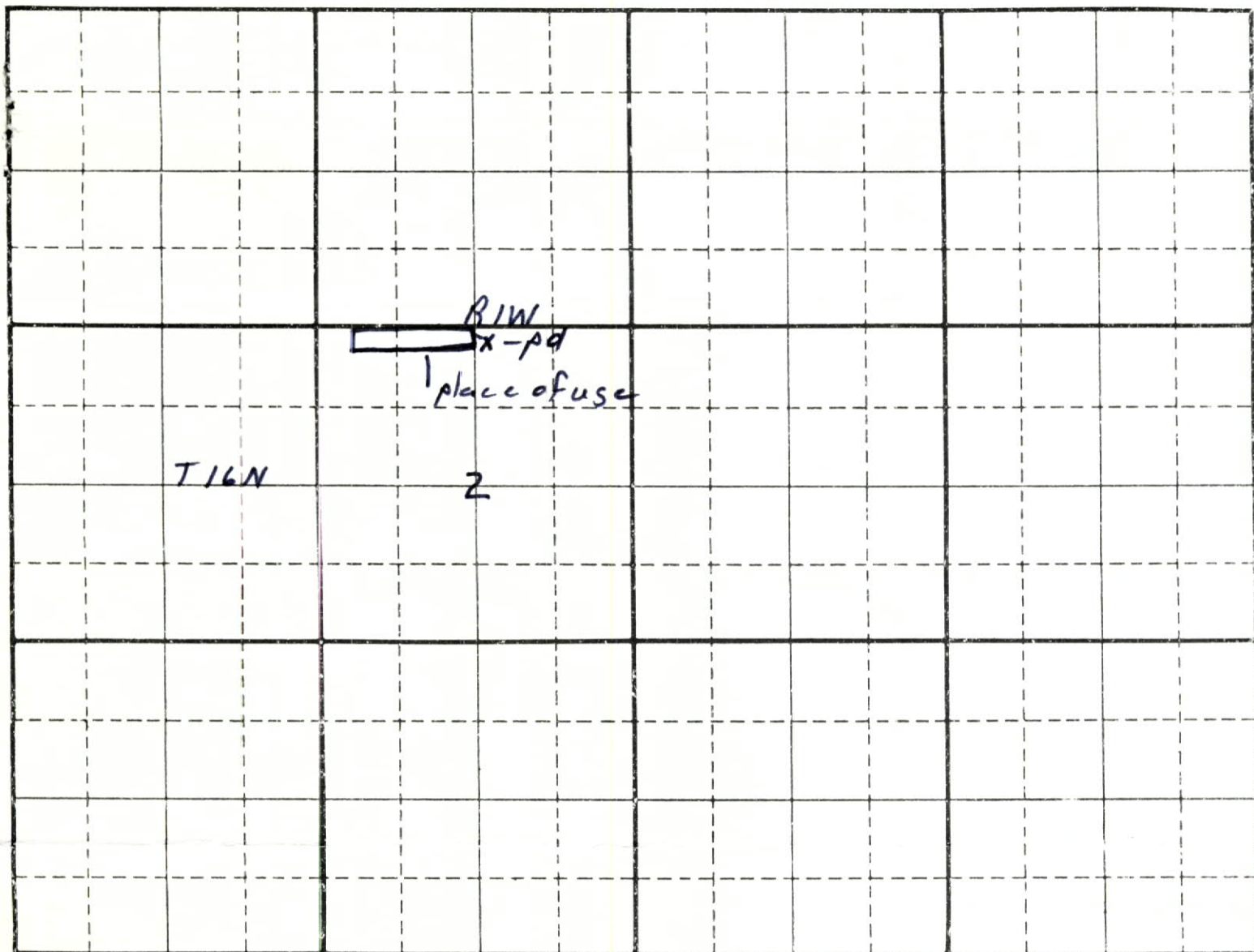


- (8) Remarks The owner of the 15 acres also owns the property from which the irrigation water drains. He has been using the water in this manner since he bought the ranch in 1960. Previous owner, John Williams (see affidavit) used same water to irrigate same 15 acres since 1950, hence continuous use to present date.



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)
County of Adams) ss.

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 affiant's knowledge.

Sworn to before me this 5th day of August

Fred D. Storer
(Claimant)
1982
Donald D. Dean
Notary Public
Residing at Council, Idaho

My commission expires 11/1984

FOR DEPARTMENT USE ONLY

Received by AK Date 8-10-82 Exception filed by: _____ Date _____
Prelim. check by AK Date 8/11/82 Forwarded to claimant by: _____
\$30.00 fee received by AK Date 8/10/82 24091
Published in Adams County Leader
Dates 8/19 & 8/26/82

Exhibit A

Filing is to be on this 15 A. Note source of H₂O is from the 30A which we asked about the

MICROFILMED

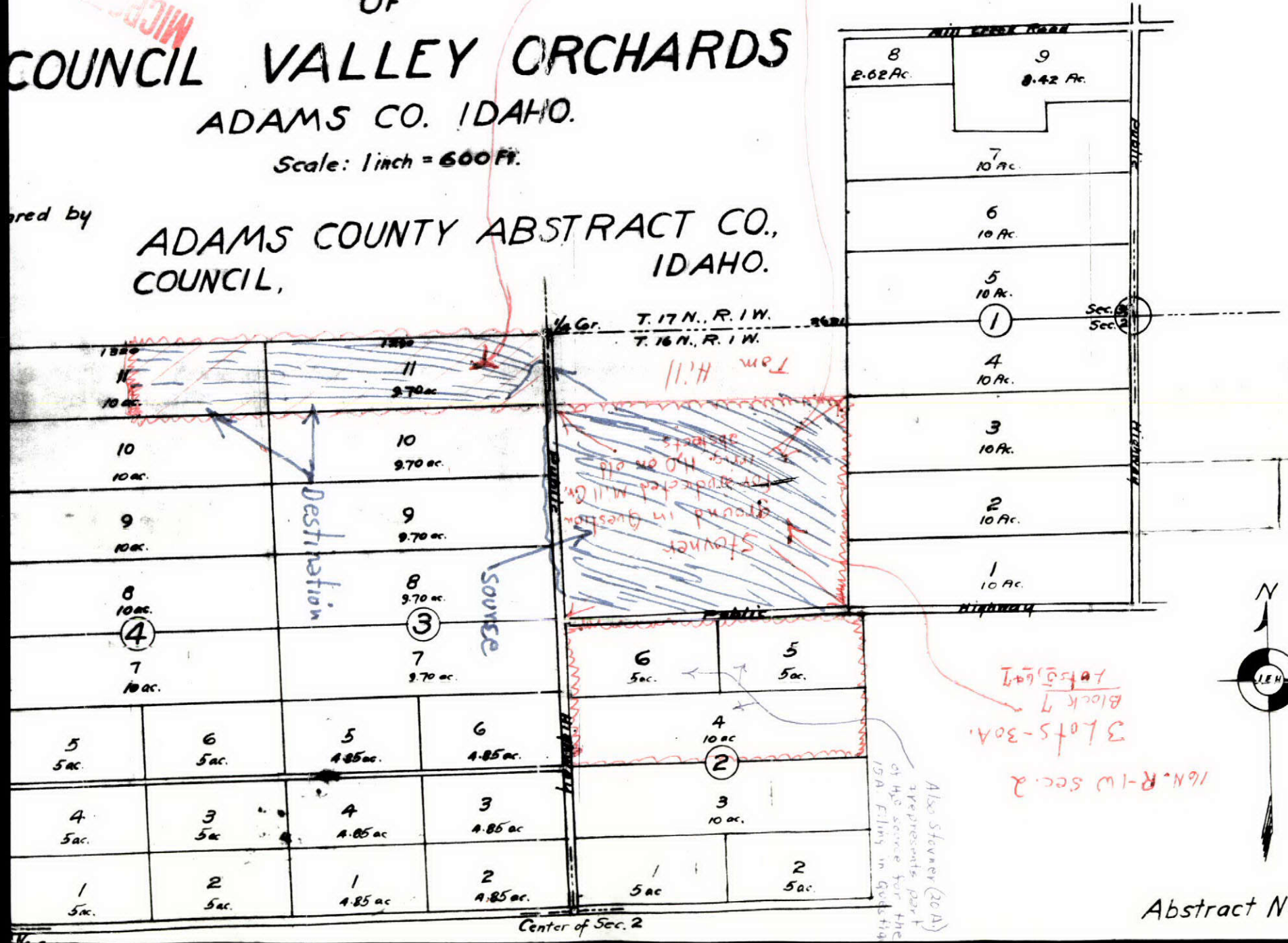
PLAT OF COUNCIL VALLEY ORCHARDS

ADAMS CO. IDAHO.

Scale: 1 inch = 600 Ft.

red by

ADAMS COUNTY ABSTRACT CO.,
COUNCIL, IDAHO.



Abstract No. [redacted]

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claims +

Stovner, Fred as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated August 19, 1982

and the last in the issue dated August 26, 1982 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 26th

day of August, 1982

Reuel Cooney

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

67-4435 ✓ 18

STOVNER, FRED
STAR RT., COUNCIL, ID 83612
Source: WASTE WATER tributary to UNNAMED DRAIN
Priority Date: 06/01/1950
Amount: 0.35 CFS
Diversion Point: NWNW Sec 02 T 16N R 01W, ADAMS Co.
Use: IRRIGATION (0.30 CFS) from 04/15 to 10/31
STOCKWATER (0.05 CFS) from 01/01 to 12/31
Place of Use: NENW NWNW Sec 02 T 16N R 01W FOR 15 ACRES
Diversion Means: DITCH & COL-VERT 35

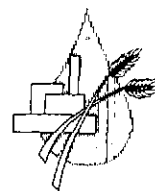
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

A. KENNETH DUNN
Director
Published 08/19 & 08/26/82.

RECORDED
AUG 31 1982

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Fred Stovner
(Name of Claimant)
Star Route, Council, Idaho 83512 Telephone No. 253-4791
(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) 1950

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Wastewater tributary to Unnamed drain

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.30</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/31</u>
Quantity	<u>.05</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .35 TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NE ¼, Sec. 2 Twp. 16N Rge. 1W B.M., County of Adams

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. Describe any changes in the system and give the date of the change. Water is picked up by a drainage ditch and crosses the county road in a culvert. The drainage ditch follows the road for approx. 600ft. After the water crosses the County road and immediately flows onto the property. See Exhibit A

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	2					10	5											15

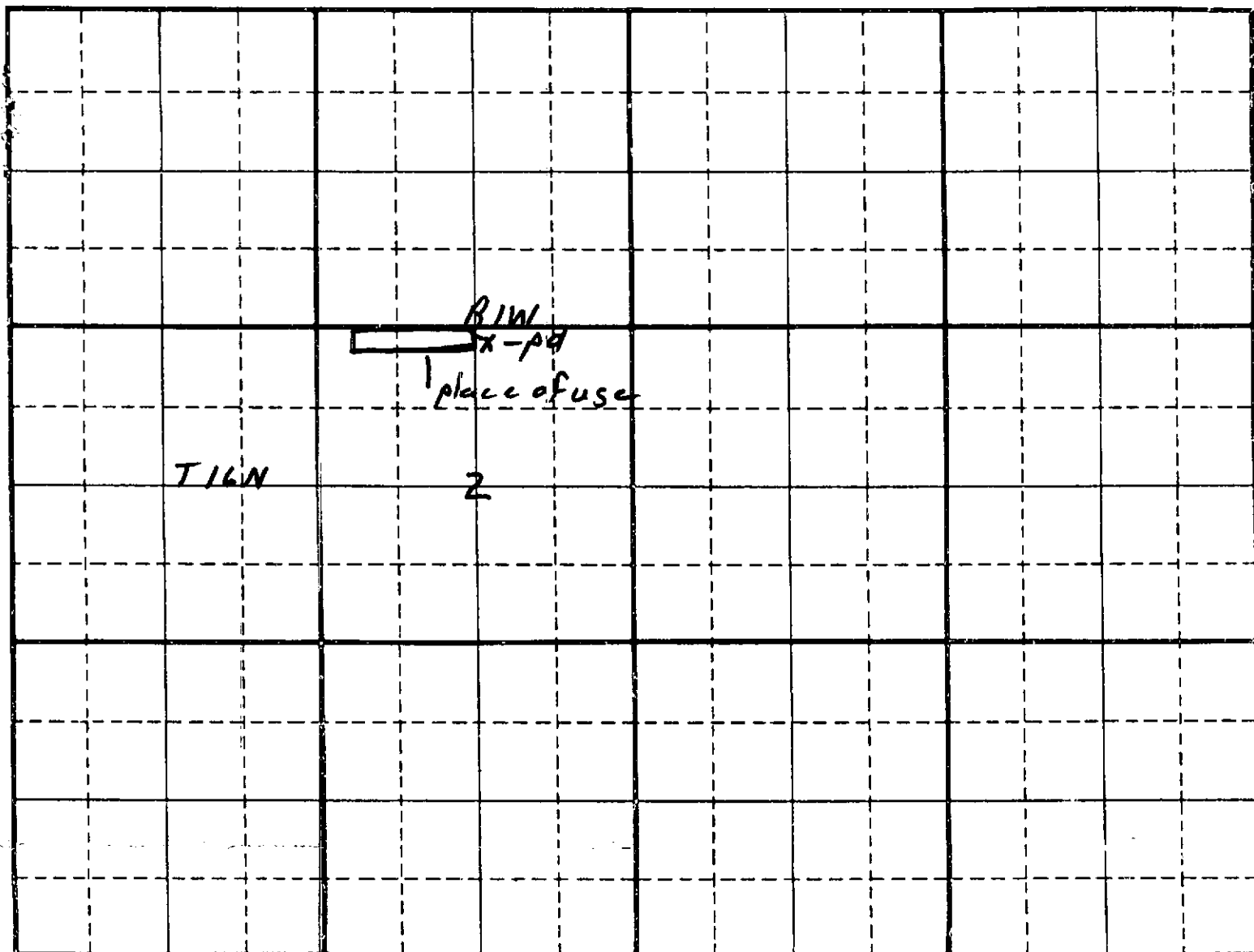
No. of acres 15

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Will be used to water some stock.

NOTE: Include here the type and number of stock watered: Varies with the growth of grass, etc.

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

(8) Remarks The owner of the 15 acres also owns the property from which the irrigation water drains. He has been using the water in this manner since he bought the ranch in 1960. Previous owner, John Williams (see affidavit) used same water to irrigate same 15 acres since 1950, hence continuous use to present date.



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)
County of Adams) ss.

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 affiant's knowledge.

Sworn to before me this 5th day of August, 1982

Fred D. Storer
Fred D. Storer
Notary Public
Residing at Council, Idaho

My commission expires 11/1984

FOR DEPARTMENT USE ONLY

Received by AN Date 8-10-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CB Date 8/11/82 _____
\$30.00 fee received by 18 Date 8/10/82 24091
Published in Adams County Leader
Dates 8/19 & 8/26/82

Exhibit A

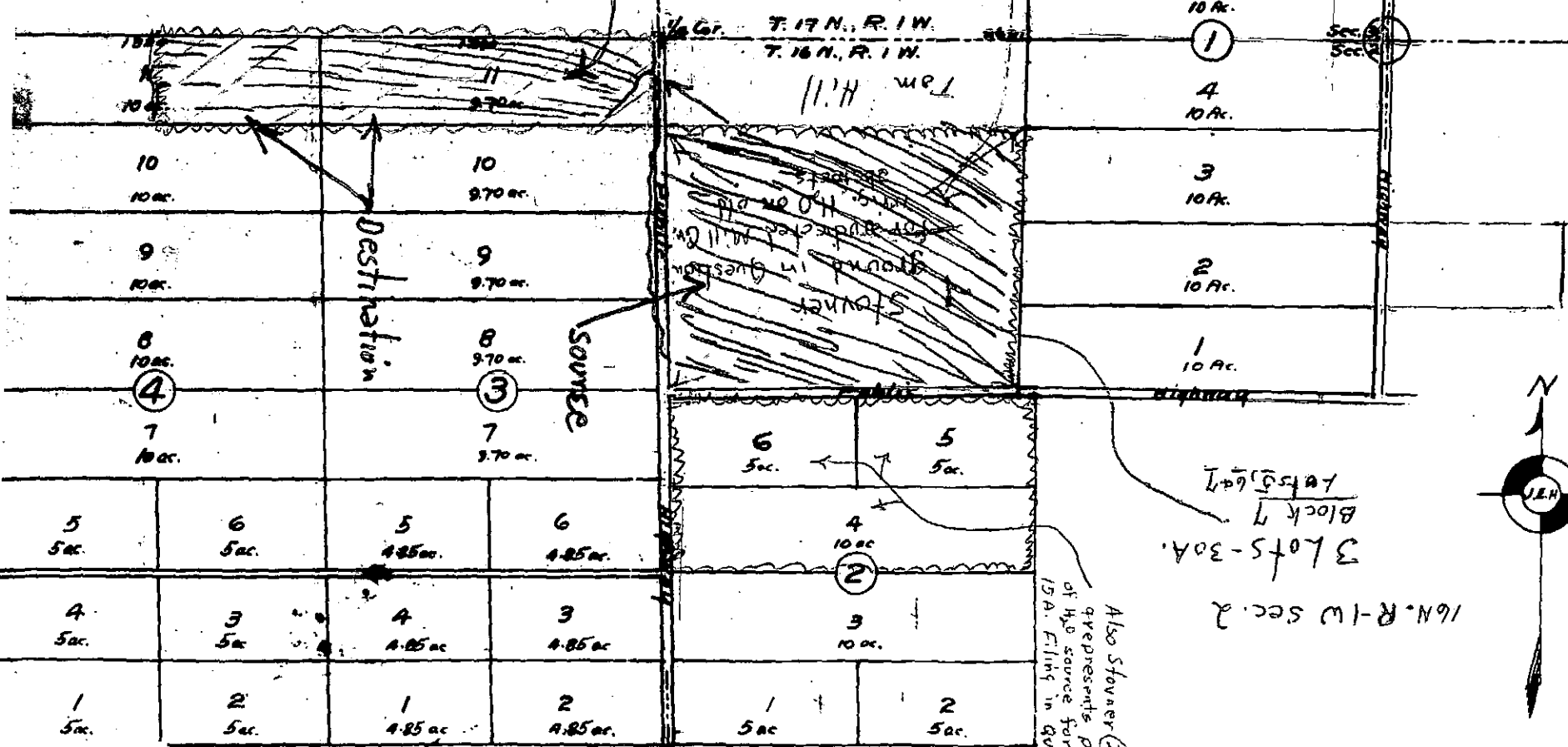
PLAT OF COUNCIL VALLEY ORCHARDS

ADAMS CO. IDAHO.

Scale: 1 inch = 660 ft.

red by

ADAMS COUNTY ABSTRACT CO.,
COUNCIL, IDAHO.



3 Lots - 30 A.
Block 7
16 N. R - 1 W Sec. 2

Abstract No

Filing is to be on this 15 A. Note source of H₂O is from the 30A which we asked about the adjudicated Miller H₂O - All owned by Stover

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claims +

Stovner, Fred as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated August 19, 1982

and the last in the issue dated August 26, 1982 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 26th

day of August, 1982

Paul J. Jolley

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

67-4435 ✓ 18

STOVNER, FRED
STAR RT., COUNCIL, ID 83612
Source: WASTE WATER tributary to UNNAMED DRAIN
Priority Date: 06/01/1950
Amount: 0.35 CFS

Diversion Point: NWNE Sec 02 T 16N R 01W, ADAMS Co.
Use: IRRIGATION (0.30 CFS)
from 04/15 to 10/31

STOCKWATER (0.05 CFS)
from 01/01 to 12/31
Place of Use: NENW NWNW Sec 02 T 16N R 01W FOR 15 ACRES
Diversion Means: DITCH & COL-35 VERT

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

A. KENNETH DUNN

Director
Published 08/19 & 08/26/82.

REC-11

AUG 31 1982

Department of Water Resources
Western Regional Office

WRR100
67-4435

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 11:50:12

01 WATER RIGHT NUMBER - 67-4435

02 OLD (D) NUMBER -

03001 - STOVNER LAST NAME

04001 - FRED FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - STAR RT. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - COUNCIL ✓

10 STATE - ID ✓ 11 ZIP - 83512 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - WASTE WATER ✓

TRIBUTARY OF
15001 - UNNAMED DRAIN ✓

16 DIVERSION MEANS - DITCH & COLVERT ✓

17 COUNTY - 03 ADAMS

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .350 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	S	T	R	E	A	M	I	N	D	E	X	F	I	E	L	D	S
22001 -	NWNE	23001 - 02	24001 - 16N	25001 - 01W	26001 -	27001 -																
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0	0.0	

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 16N	32001 - 01W	33001 - 02	34001 - NENW	35001 - 10	36001 -
30002 - 01 IRRIGATION ✓	31002 - 16N	32002 - 01W	33002 - 02	34002 - NWNW	35002 - 05	36002 -

TOTAL ACRES: 15 ✓

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415	38001 - 1031 ✓	39001 - 01 IRRIGATION ✓	40001 -	0.300	41001 - 0.00
37002 - 0101	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 -	0.050	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S	D A T E S	F L A G S
47 PRIORITY - 1-JUN-1950 ✓	55 LICENSE -	63 TRANSFER/AMENDED -
48 PROOF DUE -	56 APPL RECEIVED -	64 DLE/CAREY ACT -
49 PROOF MADE -	57 FIELD EXAM MADE -	65 FLAG_1 -
50 APPROVE/DENIED -	58 DECREE -	66 FLAG_2 -
51 PROTESTED -	59 START WORK -	67 FLAG_3 -
52 HEARING -	60 ORDER SHOW CAUSE -	

WRR100
67-4435

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 11:50:12

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE - 16-AUG-1982

61 DATE_1 -
62 DATE_2 -

12/9/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 67-4435

Applicant Fred Stovner

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 8/31/82
- ☒ Claim published correctly. 8/19 & 8/26/82 Adams County leader
- ☐ Exceptions processed. 30/24091

By GLS Date 9/27/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 9/29/82

RECEIVED
SEP 29 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

SEPTEMBER 7, 1982

FRED STOWNER
STAR RT.
COUNCIL

ID 83512

RE: Claim No. 67-4435

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

AUGUST 12, 1982

Adams County Leader
Box 23
Council, ID 83612

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 7, 1982.

Yours truly,

JUDY PENSE
Secretary

Encl.

100-111000-100

NOTICE OF CLAIMS TO WATER RIGHTS

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A. KENNETH DUNN

Director

Published 08/19 & 08/26/82.

MICROFILMED
1982

62-4435

STOVNER, FRED

STAR RT., COUNCIL, ID 83512

Source: WASTE WATER tributary to UNNAMED DRAIN

Priority Date: 106/01/1950

Amount: 0.35 CFS

Diversion Point: NWNE Sec 02 T 16N R 01W, ADAMS Co.

Use: IRRIGATION	(0.30 CFS)	from 04/15 to 10/31
STOCKWATER	(0.05 CFS)	from 01/01 to 12/31

Place of Use: NENW NWNW Sec 02 T 16N R 01W FOR 15 ACRES

Diversion Means: DITCH & COLVERT

WATER RIGHTS

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]