

NOT TO SCALE

(278.2)

18115
21122

B-278
1-3

103.1

B-371
2-2

62.2

B-14
2-2

70.0

45.4

(28.1)

32.5

45.8

31.9

20.1

15.2 17.18
2012.2

(14.6)

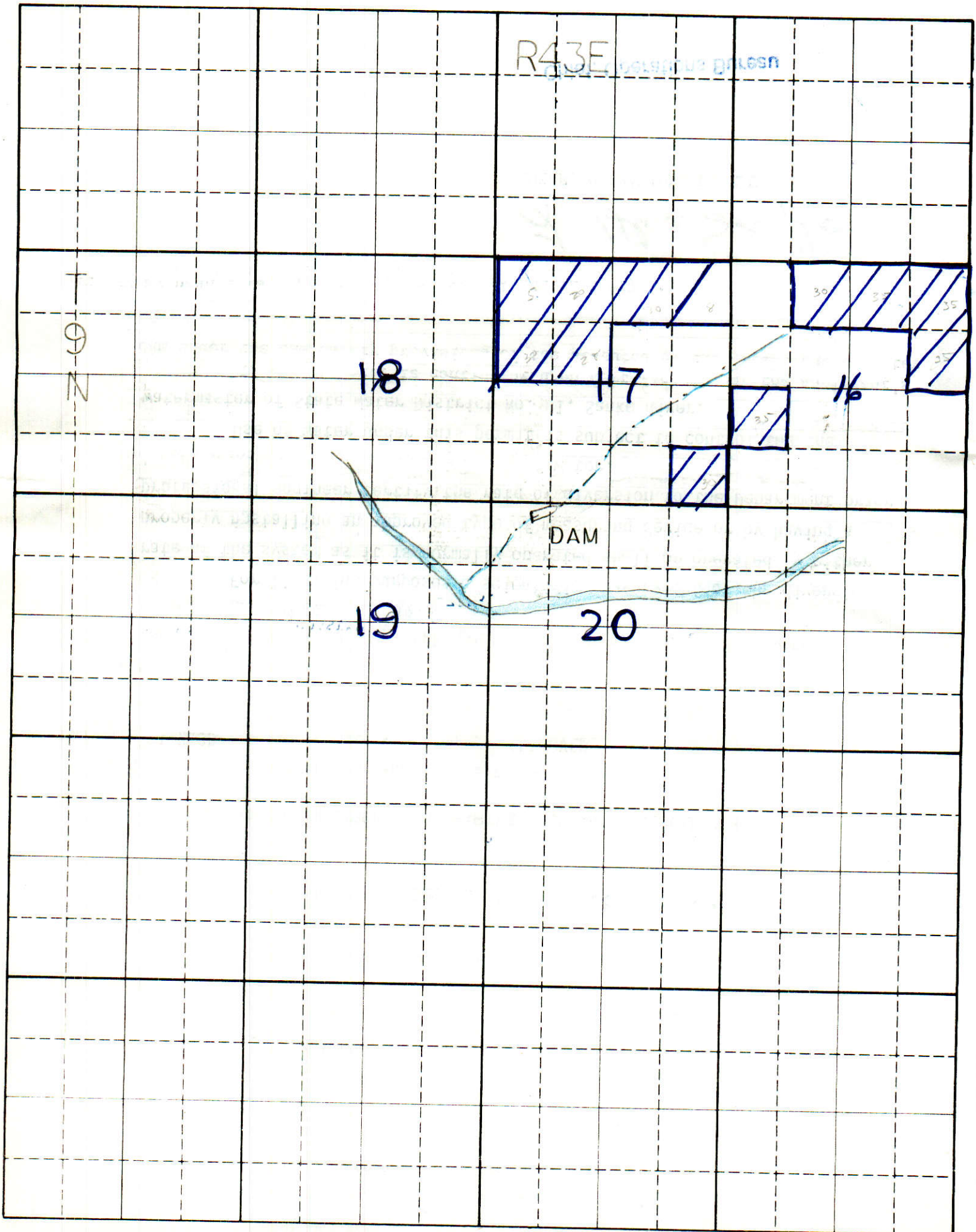
45.3

B-14
1-2

CRUISE
Road

Dem.

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Edward D. Howell
(Applicant)

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey
being first duly sworn, upon his
oath, deposes and says:

That he is the *editor*
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of *notice of*

Application for
Water Permit
#21-7133 (Howell)

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for *2* consecutive
issues thereof; first publication

having been made on the *4*
day of *August*, 19*77*,
and the last publication on the
11 day of *August*
19*77*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Carol Bessey
Subscribed in my presence and
sworn to before me this *16*
day of *August*,
19*77*.

James E. Helcomb

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

AUG 17 1977

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Edward G.
Howell, Ashton, Idaho has on 7-18-77
submitted Application No. 21-7133 for a
permit to appropriate 50 acre feet per
annum of water from Strong Creek
tributary to Henry's Fork by means of a
dam within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T.
9N, R. 43E, B.M., Fremont County; to
be used from Apr. 1 to Nov. 1 for storage
for irrigation within the N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 17, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before August
22, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on August 4 and August
11, 1977.

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Edward G. Howell, Ashton, Idaho has on 7-18-77 submitted Application No. 21-7133 for a permit to appropriate 50 acre feet per annum of water from Strong Creek tributary to Henry's Fork by means of a dam within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for storage for irrigation within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 22, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on August 4 and August
11, 1977.

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
Original Permit	21-7133	Edward G. Howell	50.0 af
Full Assignment	21-7133	John Hoggan	50.0 af
Full Assignment	21-7133	Edward G. Howell	50.0 af
Full Assignment	21-7133	Valley Bank	50.0 af

RECEIVED

AUG 31 1989

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Steven A. Hoskins, hereby assign to Valley Bank
of 501 Broadway, Idaho Falls, Idaho 83402
Address

All my right, title, and interest in and to Permit No. A 21-07133
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. A 21-07133 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 8th day of June, 19 89.

Valley Bank, as Receiver for Ed Hume
Permit Holder
Pauline Howell
of Steven A. Hoskins
General Counsel
Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss

On this 8th day of June, 19 89, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Britann W. Wabbe
Notary Public residing at
Idaho Falls

s e a l

My commission expires:
3/26/91

MICROFILMED

AUG 21 1989

RECEIVED

State of Idaho
Department of Water Resources

APR 06 1987

APR 3 1987

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

327-4765
I, John Haggan, hereby assign to Edward G. Howell
of Box 216 Ashton Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 21-7133
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 3rd day of April, 19 87.

[Signature]
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 3rd day of April, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

[Signature]
Notary Public residing at
Idaho Falls, ID 83402

My commission expires:
5/29/87

MICROFILMED

MAY 07 1987

RECEIVED

State of Idaho
Department of Water Resources

AUG 18 1981

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Edward L. Howell, hereby assign to Johan Haggan
of Ashton Idaho Address _____

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 21-7190 21-7133
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19 _____.

Edward L. Howell
Permit Holder

Rebecca Pauline Howell
Spouse of Permit Holder

State of Idaho)
County of Tremont) ss.

On this 11th day of August, 19 81, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Linda Sheldon
Notary Public residing at
Ashton, Idaho

My commission expires:
Life

RECEIVED

AUG 12 1981

Department of Water Resources
Eastern District Office

NOTE: ORIGINAL Assignment is
in file 21-7190 RC

Identification No. 21 7133

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Edward G. Howell Phone: 652-3415
post office address Box 216, Ashton, ID
2. Source of water supply Strong Creek which is a tributary of Henry's Fork
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 9N
Range 43E B.M. Fremont County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 50 AF for Storage purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 50 AF for Storage for Irrigation purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 50 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 19 foot earth fill dam

b. Height of storage dam 19 feet, active reservoir capacity 40 acre feet; total reservoir
capacity 50 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20 Township 9N
Range 43 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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

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	
9N	43E	16	35	35		35	30				35								170
		17	8	30			20	5	30	28								30	151

Total number of acres to be irrigated 321

c. Describe any other water rights used for the same purposes as described above. Permit 21-7053

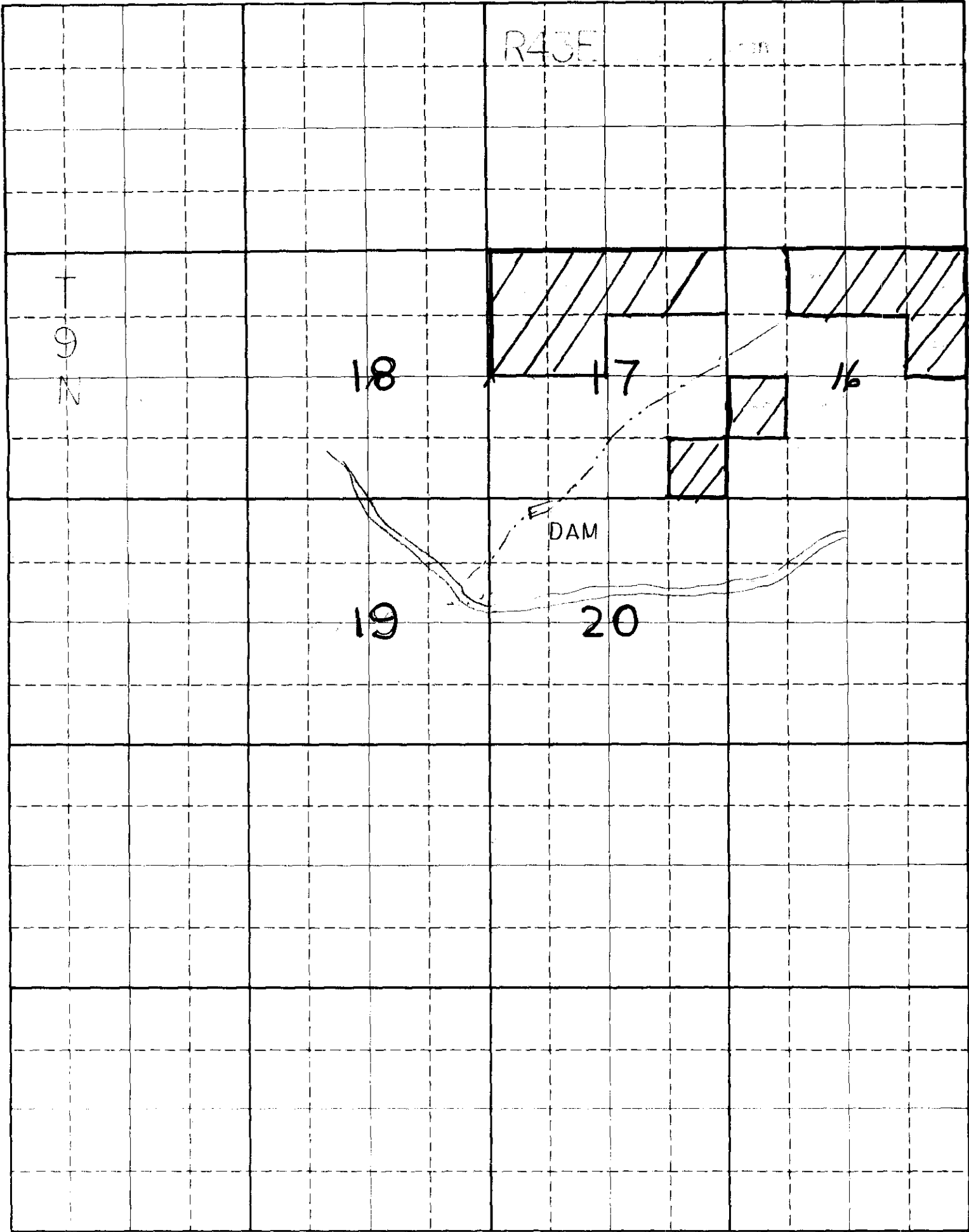
9. a. Who owns the property at the point of diversion applicant
- b. Who owns the land to be irrigated or place of use applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks this dam was constructed in 1976 and will be raised this fall. Water is diverted for irrigation under 21-7053.

NOT TO SCALE



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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Edward D. Howell
(Applicant)

Proposed Priority 7/18/77

Received by CW Date 7-18-77 Time 4:25 p.

Preliminary check by RXC Fee \$ 25.00

Receipted by CW Date 7-18-77 # 8278

Publication prepared by CW Date 7-29-77

Published in Ashton Herald

Publication dates Aug. 4 & 11-1977

Publication approved me Date August 17, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RXC JK J.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7133, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 83.

C. Other: Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

A measuring device of a type approved by this Department shall be permanently installed and maintained to measure the inflow and outflow of the applicants reservoir.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

No more than 5 acre feet per acre may be stored under this right when combined with other storage rights for the same land.

The storage of water is contingent upon certification of the applicant's dam under the dam safety provisions of the statutes by the Department of Water Resources.

Witness my hand this 21st day of December, 19 78.

L. Glen Saxton
CHIEF, OPERATIONS BUREAU

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

being first duly sworn, upon his
oath, deposes and says:

That she is the
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

Application for
Water Right
21-7133 (Herald)

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for consecutive
issues thereof; first publication

having been made on the
day of 1977,
and the last publication on the
..... day of
1977.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Subscribed in my presence and
sworn to before me this
day of
1977.

James E. Helcomb

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

AUG 17 1977

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Edward G.
Howell, Ashton, Idaho has on 7-18-77
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permit to appropriate 50 acre feet per
annum of water from Strong Creek
tributary to Henry's Fork by means of a
dam within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T.
9N, R. 43E, B.M., Fremont County; to
be used from Apr. 1 to Nov. 1 for storage
for irrigation within the N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 17, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before August
22, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on August 4 and August
11, 1977.

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 8/3/89

TO File 21-7133

SUBJECT Assignment

See file 21-7190 for misc. correspondence regarding the assignment of this right to Valley Bank.

MICROFILMED
AUG 21 1989

SIGNATURE

MEMORANDUM

TO: Jim Johnson, File No. 21-7190, 21-7133
FROM: Gary Spackman *Gary*
DATE: July 26, 1989

Valley Bank submitted a large number of documents in an attempt to show ownership of permits nos. 21-7190 and 21-7133. The documents included two assignment of forms, purporting to assign the permits from Steven A. Hoskins to Valley Bank. The assignments list the permits as adjudication claims with a leading "A". In addition Valley Bank submitted an order confirming chapter 11 plan issued by the bankruptcy court, and a certificate of sheriff's sale.

The certificate of sale is the important document in assigning the permits. Beginning on page two of the certificate of sale, in the last paragraph, the sheriff of Fremont County attests that real property owned by Edward G. Howell was purchased by Valley Bank at a sheriff sale. On page three, the property purchased is described. In the lower portion of the description, it states that the land was sold "with all water and water rights used upon or appurtenant set lands, and however evidenced, including but not limited to Permits Nos. 21-7190 and 21-7133" The certificate of sale does not refer to the adjudication claim.

Recognition of the certificate of sale as the document evidencing assignment negates the necessity for the assignment documents purporting to assign the rights from Steven Hoskins to Valley Bank. Furthermore, Mr. Hoskins is not an owner in the chain of title, at least by analysis. The two assignment documents are not important.

Please change the current owner for permits nos. 21-7190 and 21-7133. A carbon copy of this memo will be forwarded to adjudication for their reference.

MICROFILMED

AUG 21 1989



MEMORANDUM

TO: Keith Wilson
FROM: Gary Spackman *Gary*
DATE: June 28, 1989

RE: Permit to Appropriate Water No. 21-7133 in the Name of
Edward G. Howell

In 1987, we sent out a new examination fee notice for the above permit. In response, Mr. Howell submitted an examination fee information sheet, but, you noted on the sheet that a partial examination was conducted.

This memo is a request for information about completion of the field examination. I am concerned about long delays in completing these field examinations. As delays occur, the use may be changed substantially from when it was first inspected. Will you please provide me an update of the field examination for this water right filing.

Partial Exam - Kew

RECEIVED

MAY 20 1987

4/86

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received N/A Kew
Date 5/6/87
Receipt # _____
Receipt by _____
Sent to S.O. 5-15-87

1. Permit No. 21-7133 Partial Exam - Kew

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Edward G. Howell

3. Post Office Address: Box 216 Ashton Id 83440

Telephone No. _____

4. Source of Water: Strong Creek

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 321 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted _____ cfs 50 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

June 1980

8. Person to contact to accompany the department representative during the field examination:

Same

(Name)

Same

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

5-5-87
Date

Edward L. Howell
Signature of Permit Holder (and title, if appropriate)

RECEIVED

AUG 21 1989

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

April 13, 1987

RE: Permit No. 21-7133

Edward G. Howell
Box 216
Ashton, ID 83420

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

As new owners of the permit, you are required to submit either an EXAMINATION FEE or a statement from a certified examiner that he has been retained to do a field examination of your water use.

Enclosed is a copy of the EXAMINATION FEE NOTICE sent to the previous permit owner. Please read and take proper action. You should note that the notice was sent on January 26, 1987 and after 60 days a day of priority of your permit is lost for every day the fee or statement is not received by this office.

In order to keep this permit in good standing, you must respond to the Examination Fee Notice as soon as possible. If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED

MAY 07 1987

Permit No. 21-7133

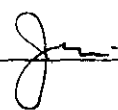
ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? Yes
3. a. Full Assignment? Yes
b. Partial Assignment?
4. "No assignment" condition on permit? NO
5. Commencement of Works received? B/u rec'd
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? N/A
7. Extension granted due to litigation? N/A
(If yes, commencement of works is not required.)

1. Type permit summary sheet. •
2. Coding sheet. ✓
3. Acknowledgement letter type.
4. Copy to region.

Shavla
Shavla
#1 spec
Shavla

Date 4-8-87

Employee 

MICROFILMED

MAY 07 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

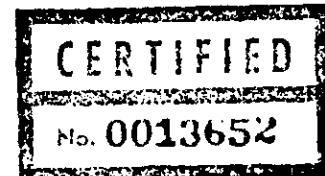
150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

21-7133
HAGGINS, JOHN
ASHTON, ID 83420

January 26, 1987

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this office. **RECORDED** examiners have been certified.

MAY 07 1987

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

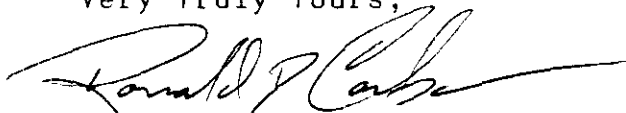
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson
Eastern Regional Manager

Enclosures

RECEIVED

SEP 07 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 29, 1981

John Haggon
XXXXXXXXXX
Ashton, ID

RE. Permit No. 21-7190 & 21-7133

Dear Mr. Haggon,

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:jg

Enclosure

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this only as a statement that the permit holder(s) has completed development to the extent shown below. Permit No. 21-33

Name(s) of Permit Holder: Edward G. Howell

Post Office Address: Box 216, Ashton, Idaho

Tel. No. 652-3515

Source of Water: Strong Creek

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 321 (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

11-23-79
Date

Edward G. Howell
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

NOV 30 1979

Department of Water Resources
Eastern District Office



Department of Water Resources

NOV 28 1979

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 26, 1979

RE: Permit No. 21-7133

Edward G. Howell
Box 216
Ashdon, ID 83420

Dear Mr. Howell:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

MICROFILMED

November 21, 1979

Edward G. Howell
Box 216
Ashton, ID 83420

Dear Mr. Howell:

Re: Permit No. 21-7133

Recently you submitted a proof of beneficial use postcard for the above-referenced permit. After some review, I find that the right you describe on the postcard does not match the right described on the permit.

For your review, I have enclosed the postcard and a copy of the permit. Also I have enclosed another postcard.

I did find a right for Hale Creek in your name and have enclosed a copy. This type of right is called a claim to a water right and never requires the proof statement to be submitted on it.

If you have any questions concerning this matter, please contact me.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. *21-4011* *21-7133*

Name(s) of Permit Holder: *Edward G. Howell*

Post Office Address: *Box 216 Ashton Idaho*

Tel. No. *682 3515*

Source of Water: *Hale Creek (Strong Creek)*

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation *160 (321)* (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/20/79
 Date

Edward G. Howell
 Signature of Permit Holder



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

December 26, 1978

Re: Permit No. 21-7133

Edward G. Howell

Box 216

Ashton, Idaho

Dear Mr. Howell:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON

Chief, Operations Bureau

LGS:kw

Enclosure

21-7193

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. ✓ Source
3. ✓ Point of Diversion
4. 50 AF Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. 321 Place of Use for irrigation (add acres)
9. App Property Owner at Pt. ✓ of Div. & Pl. of Use
10. ✓ Map
11. 25 Fee & Rec't. No. 7/18/77 ok

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>NO</u> Idaho Fish & Game Dept.	<u>NO</u> Dept. of Lands
<u>NO</u> Bureau of Land Management	<u>NO</u> Other

Dam Safety Information Yes (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land 21-7053

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. No

Snake River Condition No

Payette River Letter No

Priority Date 7/18/77

Water Quality #16 No

Water Quality #10 No
intrastate interstate

Meas. Dev. or Sc. Meas. No

Totalizing meter No

Supplemental Yes

Right-of-Way Cond. No

Watermaster Cond. Yes
Wtr. Dist No. 01

Meas. Dev. Cond. for apps within a Water Dist. Yes

See attached sheet for additional conditions

condition: No more than 5 acre-feet per acre may be used on lands described in this permit when combined with other water rights.

Jim Reviewer
12-21-78 Date
LD15- Note condition # 2 you'll have change what has already been typed on app.

M E M O

TO: File
FROM: Ernie Carlsen
RE: Application for Permit No. 21-7133 Pre-Permit Field Exam
DATE: December 18, 1978

On October 2, 1978, in accordance with Departmental practice, Steve McCormick and I conducted a pre-permit field exam and dam inspection concerning this application.

The dam provides for on stream storage of natural flows in Strong Creek tributary to Henry's Fork of the Snake River. Steve examined the dam and has since contacted Mr. Howell of the improvements required for certification of the dam by the Department.

No diversions were located on Strong Creek below Mr. Howell's dam which could have been effected by his storage of water. Since the reservoir was full, there must be adequate flows in the creek for the purposes intended and previous assessments by the Department indicate there is water available for storage during the non-irrigation season in Water District 01.

It should be noted, records of the Department indicate Mr. Howell also has permit No. 21-7053 to appropriate 5.00 cfs from Strong Creek for the irrigation of the same place of use as his storage application.

In conclusion, approval of this application should not adversely affect existing water rights if subject to the conditions relating to regulation by the Watermaster of Water District No. 01.

RECOMMENDED

CONDITIONS OF APPROVAL

O- # 21-7133.

1. For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

2. A measuring device of a type approved by this Department shall be permanently installed and maintained ~~as part of the diverting works.~~ *to measure the*
(TO BE USED WITH THE WATERMASTER CONDITION ONLY) *inflow & outflow of the applicants*
reservoir.

3. Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River River.

7. The maximum rate of diversion shall not exceed _____ cubic feet per second.

8. The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

9. This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

10. Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

11. Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial users.

12. Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

13. The proposed well shall not be drilled within _____ feet of another well.

14. The permit holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.

15. Water shall not be diverted under this permit unless the flow of the Snake River at the U. S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceed 4,750 c.f.s.

16. That should the use of the water on this permit reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, then the diversion under this permit must cease.

17. There is not sufficient water available in the _____ River and tributaries that is not appropriated by prior water rights.

18. OTHER The storage of water is contingent upon certification of the applicant's dam under the dam safety provisions of the statutes by the Dept. of Water Resources.

M E M O R A N D U M

TO: FILE No. 21-7133
FROM: Ron Carlson
RE: Field Exam EDWARD G. HOWELL Strong Creek
DATE: June 22, 1978

I understand that Mr. Howell has constructed his dam on Strong Creek and is presently diverting water under Permit No. 21-7053. We need to inspect this dam in the near future since our last inspection report indicates that the spillway was not satisfactory.

RDC:bp

*Dam was inspected Aug 1978 S.M.
Permit has just expired*

RECEIVED
JUN 27 1978
FBI - MEMPHIS

INTER-DEPARTMENT MEMO — 1

FROM Colleen

TO Area Files

SUBJECT Field Exam

DATE April 6, 1978

APPLICATION NO. 21-7133 IN THE ANME OF EDWARD G. HOWELL NEEDS
A FIELD EXAM FOR THEIR STORAGE REQUEST.

SIGNATURE

July 29, 1977

RE: Application for Permit No. 21-7133 HOWELL

Ashton Herald
Box 258
Ashton, Idaho 83420

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

Bill submitted

8-17-77 by Carl

RDC:CD

Enc: Legal Notice (1)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Edward G. Howell, Ashton, Idaho has on 7-18-77 submitted Application No. 21-7133 for a permit to appropriate 50 acre feet per annum of water from Strong Creek tributary to Henry's Fork by means of a dam within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for storage for irrigation within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 22, 1977.

C. STEPHEN ALLRED
Director

Published in the Ashton Herald,
Ashton, Idaho on August 4 and August
11, 1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward G. Howell,
Ashton, Idaho

has on 7-18-77 submitted Application No. 21-7133
for a permit to appropriate 50 ~~XXXXXXXXXXXXXXXXXXXXXXX~~ cubic feet per second acre feet per annum
of water from Strong Creek tributary to Henry's Fork
by means of a dam
within the NW~~1~~ NW~~4~~, Sec. 20, T. 9N, R. 43E, B.M., Fremont County;

to be used from Apr. 1 to Nov. 1
for storage for irrigation

within the N₂NE₄, SE₄NE₄, NE₄NW₄, NW₄SW₄, Sec. 16, N₂NE₄, NW₄, SE₄SE₄, Sec.
17, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 22, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Ashton Herald, Ashton, Idaho
on August 4 and August 11, 1977

The H. C. W.

July 26, 1977

RE: Application for Permit No. 21-7133

Mr. Arthur Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Art:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 22, 1977, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Snwell

~~Source~~
~~Point of Diversion~~ map & description of conflict
~~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~~ never not mapped
~~Signature~~
~~Fee~~

(1) ARK 7/19/77

In form to receipt yes Assumes above
collections

(2) ARK 7/19/77

Send Copies to:
n/a Idaho State Health Department
n/a Idaho Fish and Game Department
n/a Bureau of Land Management
X Olivermark Hot Larsen
n/a Request Special Use Permit from U.S.F.S.
n/a Request Easement from B.L.M.
n/a Request Information from Applicant
X Request Dam Safety Information

(3) ARK 7/19/77

(4) ARK 7/19/77

In form for advertising yes
Platted on Map No. Topo V-97

(5) ARK 7/19/77

(6) ARK 7/19/77

Located within Water District No. 01

(7) ARK 7/19/77 n/a

Critical groundwater area: yes no

(8) ARK 7/19/77 n/a

Groundwater levels:
Declining, Stable, Increasing
(comment) _____

(9) ARK 7/19/77

Other rights on the same place of use permit
21-1053

(10) ARK 7/19/77

Comments: none

(11) CW 8-12-77

Affidavit of Publication received (date) Aug. 12-77

(12) CW 8-22-77

Final date for protests August 22-1977
Protests received: yes no

(13) RDC 8/22/77

All requested information received from agencies or applicant: yes no

(14) 11 11

Action recommended:
✓ Approve Deny

7/18/77 Proposed Priority

Reason for Reduction _____

✓ Measuring device required

✓ See attached sheet for other conditions of approval

No special conditions for approval

(15) District C

By Ron C. 7/18/78

RECEIVED
DEC 20 1978
Department of Water Resources

MICROFILMED
Copy Sent