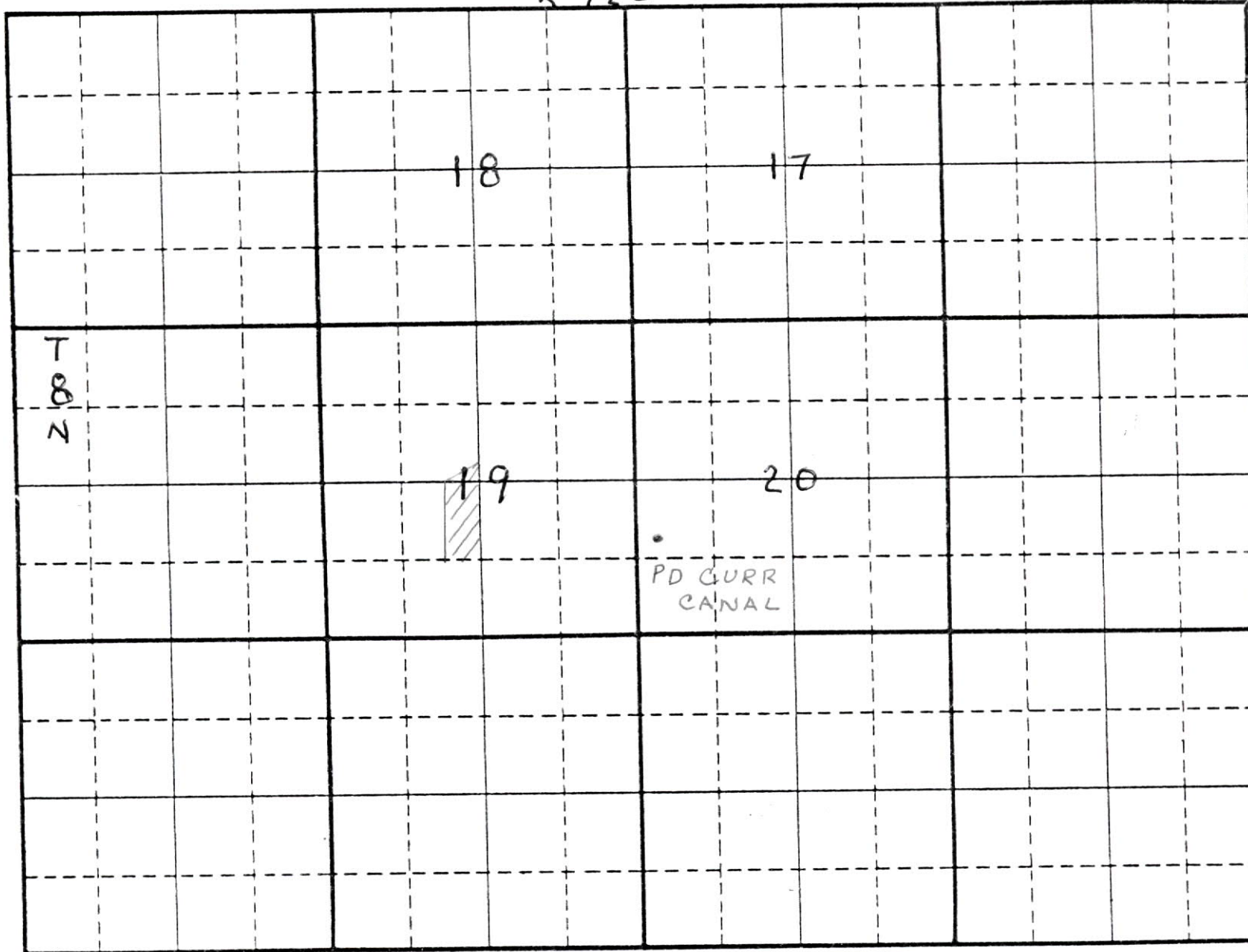


MICROFILMED

18) Remarks This right was decreed to John Hathaway with a priority of June 10, 1887. I am filing this claim because the entitlement to divert water for stock after the end of the irrigation season is not specified in the decree.

R 42 E



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 Bingham) 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.

Earl J. Batten
(Claimant)

Sworn to before me this 24th day of March, 1981.

Ronald D. Carlson
Notary Public
Residing at Firth, Idaho

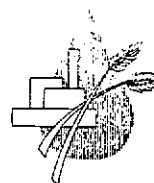
My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>RDC</u>	Date <u>3/25/81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Kel Wilson</u>	Date <u>3/25/81</u>	# <u>17124</u>	claimant by:	
\$ <u>30.00</u> fee received by <u>KW</u>	Date <u>3/25/81</u>			
Published in <u>Ashton Herald</u>				
Dates <u>4/02 + 4/09/81</u>				

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 Earl J. Potter

(Name of Claimant)

Chester, ID 84321

(Mailing Address)

(Zip Code)

Telephone No. 624-7188

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) June 10, 1887

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)

Falls River tributary to Henry's Fork Snake 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	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.00 cfs</u>		Use <u>stockwater</u>		Period of Use From <u>Nov. 1</u>	To <u>April 1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) 1.00 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW 1/4 SW 1/4, Sec. 20 Twp. 8N Rge. 42E B.M., County of Fremont

Additional points of diversion: Diverted from the Curr ditch in the SE 1/4 NE 1/4, Sec. 19, Twp. 8N, Rge. 42E

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. Headworks for Curr Canal.

(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	
8N	42E	19								3	17								20

No. of acres 20

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Used for watering of livestock; various numbers of beef and sheep.

NOTE: Include here the type and number of stock watered: 60 sheep, 50 cattle

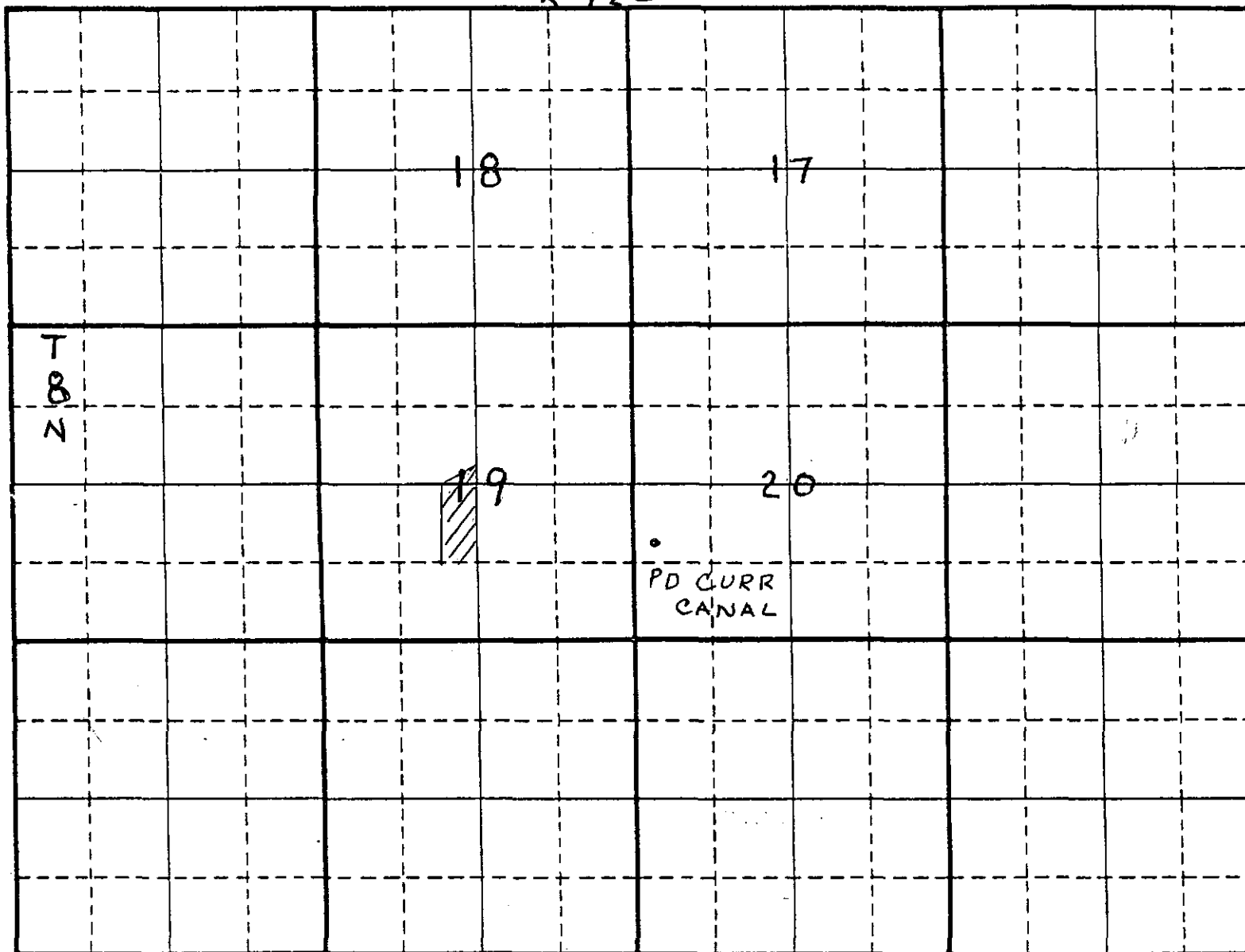
(7) If you are claiming water as a member of an organization, list name of organization: _____

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(8) Remarks This right was decreed to John Hathaway with a priority of June 10, 1887. I am filing this claim because the entitlement to divert water for stock after the end of the irrigation season is not specified in the decree.

R 426



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)
) ss.
County of Bingham)

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 24th day of March, 1981.

Earl J. Patter
(Claimant)

Ronald D. Carlson
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by RDC Date 3/25/81 Exception filed by: _____ Date _____
Prelim. check by Kel Wilson Date _____
\$30.00 fee received by KW Date 3/25/81 # 17124
Published in Ashton Herald
Dates 4/02 x 4/09/81

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

Carol Bessy

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

That she 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*.....

Claims to Water
Rights # 21-4075
(Miller) # 21-4076
(Potter)

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 *2*.....

day of *April*....., 19*81*,

and the last publication on the

9..... day of *April*.....

19*81*.

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 Bessy
Subscribed in my presence and

sworn to before me this *14th*.....

day of *April*.....,

19*81*.

Linda Sheldon

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

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:

Application No.: 21-4075

Applicant: MILLER, RALPH DANIEL &/or
DARLENE; P.O. BOX 92, CHESTER, ID
83421

Source: FALL RIVER tributary to HENRYS
FORK SNAKE RIVER

Priority Date: 06/10/1887

Amount: 1.00 CFS

Diversion Point: NWSW Sec. 20 T 08N R
42E SENW Sec 19 T 08N R 42E,
FREMONT Co.

Use: STOCKWATER (1.00 CFS) from
11/01 to 04/01

Place of Use: NESW NWSW SWSW SESW
Sec. 19 T 08N R 42E

Diversion Means: HEADWORKS FOR
CURR CANAL

Application No.: 21-4076

Applicant: POTTER, EARL J.; CHESTER,
ID 83421

Source: FALL RIVER tributary to HENRYS
FORK SNAKE RIVER

Priority Date: 06/10/1887

Amount: 1.00 CFS

Diversion Point: NWSW Sec. 20 T 08N R
42E SENE Sec. 19 T 08N R 42E,
FREMONT Co.

Use: STOCKWATER (1.00 CFS) from
11/01 to 04/01

Place of Use: SENW NESW Sec. 19 T 08N
R 42E

Diversion Means: HEADWORKS FOR
CURR CANAL

Any exception to any claim of water right
may be filed with the Director of the Idaho
Department of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Publ. April 2 and 9, 1981AH

RECEIVED

APR 15 1981

Department of Water Resources
Eastern District Office

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: K. C. Wilson

Right Number 21 4076

Applicant Carl J. Potter

NOTE: 21-4076 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.

4/20

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date April 23, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. A. Wilson Date 4/29/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

APRIL 23, 1981

EARL J. POTTER
CHESTER

ID 83421

RE: Claim No. 21-4076

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED
Director

Published 4/02 & 4/09/81.

MICROFILMED

21-4026-

POTTER, EARL J.

CHESTER, ID 83421

Source: FALLS RIVER tributary to HENRY'S FORK SNAKE RIVER

Priority Date: 06/10/1887

Amount: 1.00 CFS

Diversion Point: NWSW Sec 20 T 08N R 42E SENE Sec 19 T 08N R 42E.
FREMONT Co.

Use: STOCKWATER (1.00 CFS) from 11/01 to 04/01

Place of Use: SENW NESW Sec 19 T 08N R 42E

Diversion Means: HEADWORKS FOR CURR CANAL.

MICROFILMED