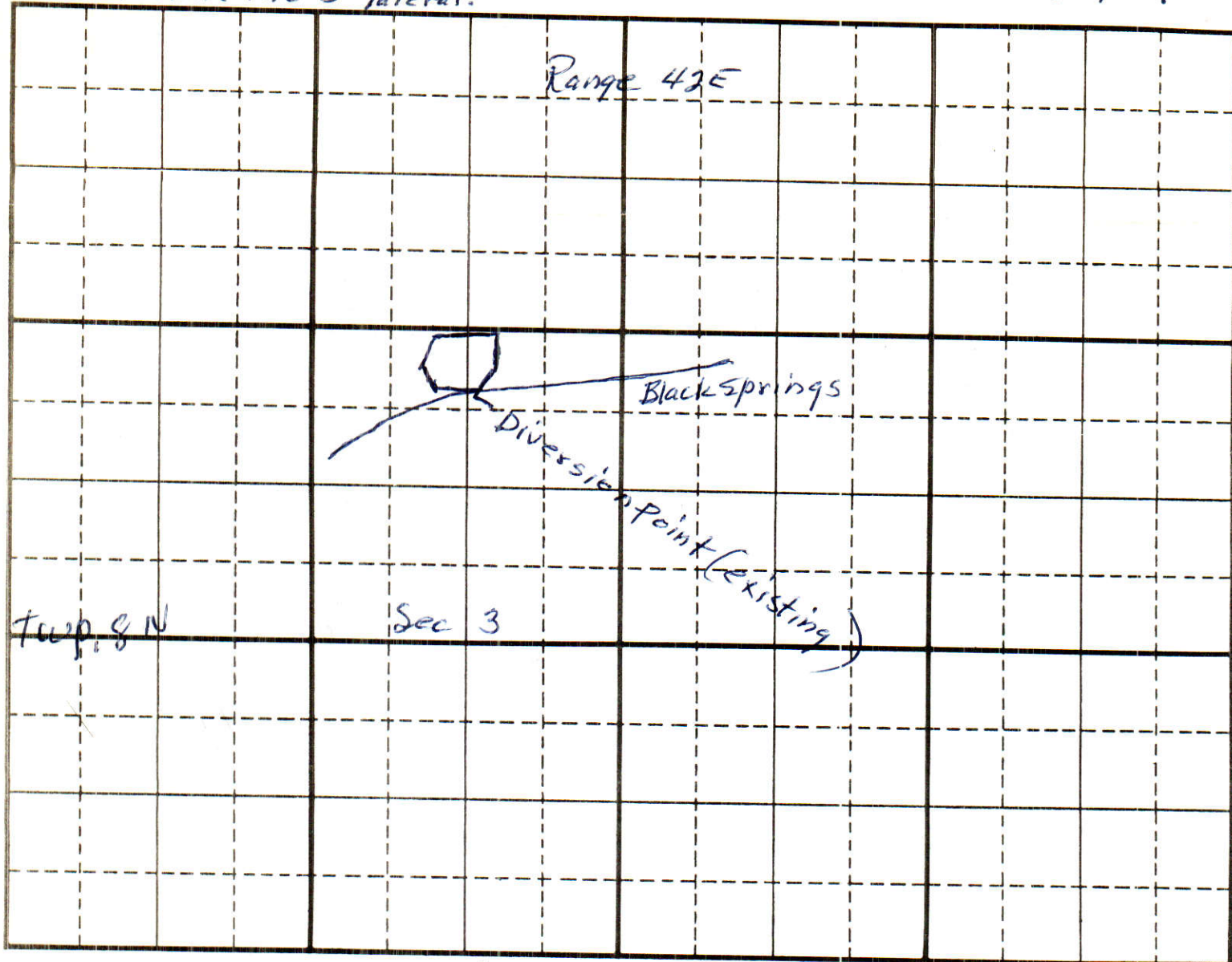


(8) Remarks Water was applied for by E. Mitchell Aug 1895, then in 1908 J. Honess completed work (Ditches, Dam etc.) This land (Lot 3-4 Sec 3 Twp 8 Rng. 42E) has been irrigated since then. The diversion point and means were changed in 1964 to elect. pump + sprinklers. SHPEct. with 1 1/2" pump 4" mainline and 3" lateral.



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 Trimont) 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 7th day of April, 19 80.

Lloyd Bratt
(Claimant)

Linda Sheldon
Notary Public
Residing at Ashton

My commission expires life

FOR DEPARTMENT USE ONLY

Received by KW Date 4/8/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 4/8/80 \$20.00 fee received by KW Date 4/10/80 #13929
Published in Ashton Herald
Dates 4/17 & 4/24/80

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey

being first duly sworn, upon ^{her} oath, deposes and says:

That she is the *editor* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont 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 publication of

*notice of claims
to water rights
#21-4059 (Bratt)*

And affiant further says that said notice, advertisement of publication, 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 *17*

day of *April*, 19*80*,

and the last publication on the

24 day of *April*

19*80*

And affiant further says that at the times herein mentioned said newspaper 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 *29*

day of *April*

19*80*

James E. Holcomb

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

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:

Applicant No: 21-4059

Applicant: BRATT, LLOYD; RR 1,
ASHTON, ID 83420

Source: BLACK SPRINGS tributary to
SNAKE RIVER

Priority Date: 08/01/1910

Amount: 0.24 CFS

Diversion Point: NWNE Sec 03 T 08N R
42E, FREMONT Co.

Use: IRRIGATION (0.24 CFS) from 04/01
to 11/01

Place of Use: NWNE NENW Sec 03 T 08N
R 42E FOR 12 ACRES

Diversion Means: PUMP & PIPELINE

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

C. STEPHEN ALLRED
Director

Publ. April 17 and 24, 1980AH

RECEIVED

APR 30 1980

Department of Water Resources
Eastern District Office

MICROFILMED

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 LLOYD BRATT
(Name of Claimant)

RR 1 ASHTON IDAHO 83420 Telephone No. 652-3630

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) *August 1910*

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)
Black Springs tributary to 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:

		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>.24 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 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) 124 TOTAL QUANTITY USED.
(cfs. and AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW NE 1/4, Sec. 3 Twp. 8N Rge. 42E B.M., County of Fremont
 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. *Pump & pipeline*

Was - Dam & ditch app. 1300 ft. in length
1964 changed to 5 HP. elect. motor 1 1/2" pump - 4" main 3" laterals

[illegible]

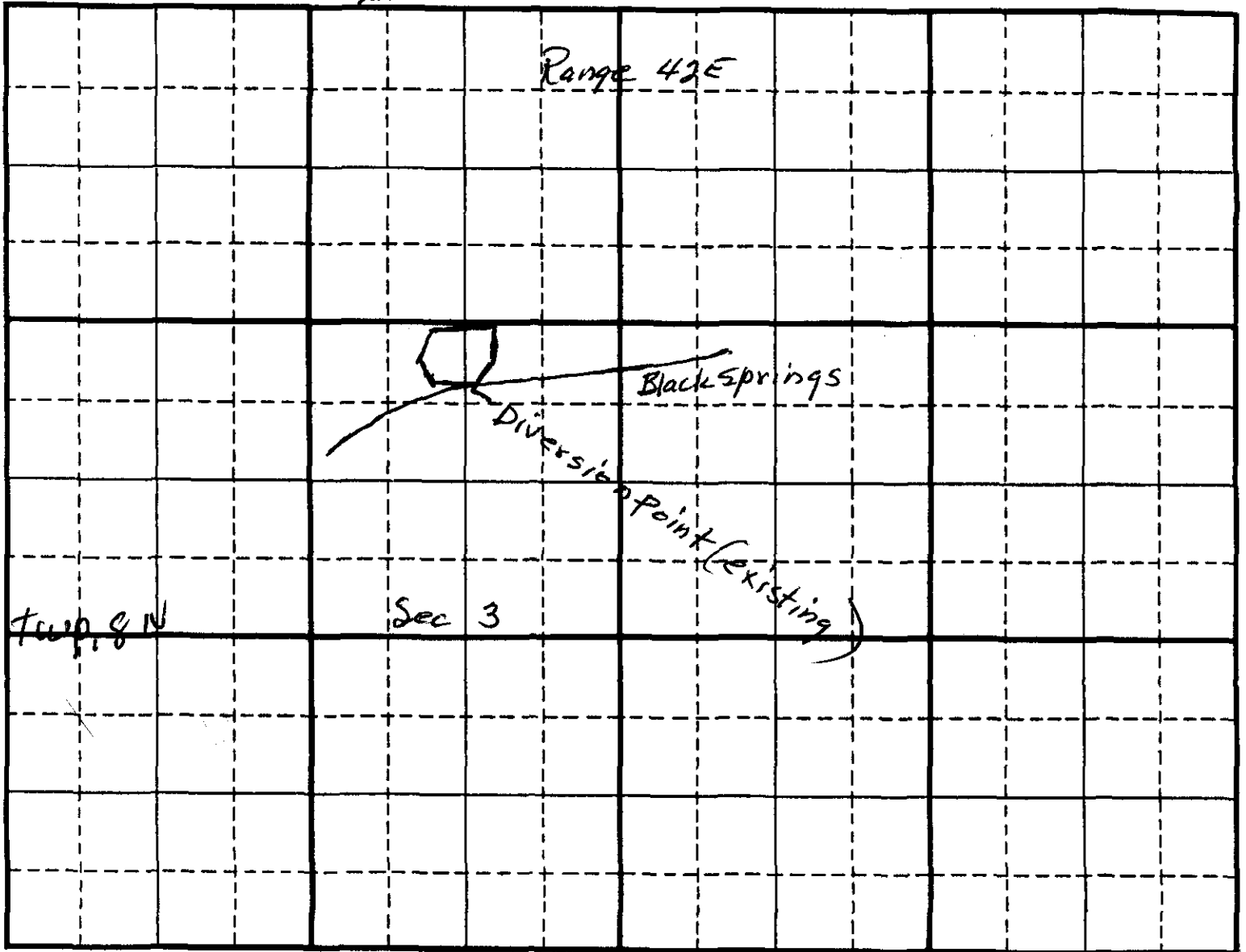
No. of acres 12

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

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks Water was applied for by E. Mitchell Aug 1895, then in 1908 J. Honess
Completed work (Ditches, Dam etc.) This land (Lot 3-4 Sec 3 Twp 8 Rng. 42E) ha
been irrigated since then. The diversion point and means were
changed in 1964 to elect. pump + sprinklers. 5Hp Ekt. with 1 1/2" pump
4" mainline and 3" lateral.



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 Tremont) 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 7th day of April, 1980.

Lloyd Pratt
(Claimant)

Judith Sheldon

Notary Public
Residing at Ashton

My commission expires life

FOR DEPARTMENT USE ONLY

Received by KW Date 4/8/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 4/8/80 \$20.00 fee received by KW Date 4/10/80 #13929 claimant by: _____
Published in Ashton Herald
Dates 4/17 & 4/24/80

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey

being first duly sworn, upon ~~his~~^{her} oath, deposes and says:

That she is the *editor* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont 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 publication of

notice of claims
to water rights
#21-4059 (Bratt)

And affiant further says that said notice, advertisement of publication, 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 *17*

day of *April*, 19*80*,

and the last publication on the

24 day of *April*

19*80*

And affiant further says that at the times herein mentioned said newspaper 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

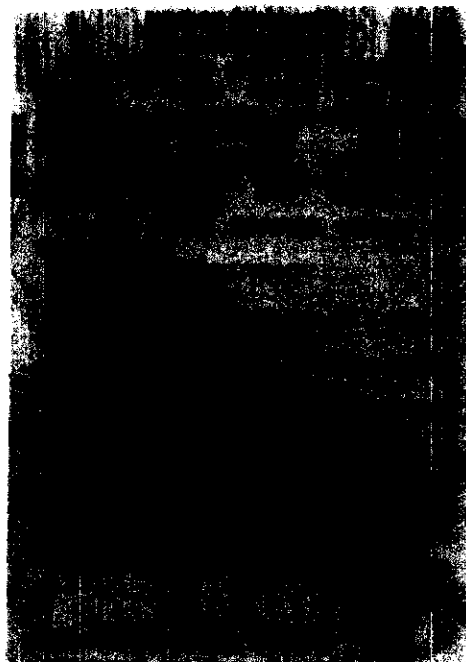
sworn to before me this *29*

day of *April*,

19*80*.

James E. Holcomb

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



RECEIVED

APR 30 1980

Department of Water Resources
Eastern District Office

MICROFILMED

Fremont County
5 sec.ft
Black Springs
Irrigation & Domesite
Priority, August 22, 1908

S T A T E O F I D A H O
WATER LICENSE No. 3931

(WHEREAS, On the 22nd day of August, A. D. 1908, J. F. HONESS, of Ashton, County of Fremont, State of Idaho, duly made application (No. 5585) to me for a permit to use one cubic foot per second of the waters of BLACK SPRINGS, County of Fremont, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 22nd day of August, A.D. 1908 Permit No. 3931 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 22nd day of August, A. D. 1909 and for the application to beneficial use of said water on or before the 22nd day of August, A.D. 1910 and,

(WHEREAS, On the 23rd day of August A.D. 1910, J. F. HONESS, the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 3931 dated November 16, 1909 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said waters, with date of priority of August 22, 1908 and,

WHEREAS, On the 23rd day of August A. D. 1910 J. F. HONESS, the holder of said permit, duly made

per second of said waters, with date of priority of August 22, 1908 and.

WHEREAS, On the 23rd day of August A. D. 1910 J. F. HONESS, the holder of said permit, duly made proof of the application to beneficial use of .5 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to J. F. HONESS, of Ashton, County of Fremont, State of Idaho the holder and owner of said Permit No. 3931 a perpetual right, dating from August 22, 1908 to the use of one-half ($\frac{1}{2}$) of one cubic foot per second of the waters of BLACK SPRINGS in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in Southeast quarter Southwest quarter (SE4 SW4) Section 34, Township 9 North, Range 42 East of Boise Meridian, and conducted to and upon the Southhalf of Southwest quarter (S2 SW4) of Section 1 Township 9 North, Range 44 East of Boise Meridian for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this fifth day of October, A.D. Nineteen hundred and ten.

D. G. Martin

State Engineer.

(SEAL)

Recorded Oct. 5, 1910.

Dear Sir

Enclosed is some information -
it may help.

Sincerely
Hays Britt

NOTICE OF WATER RIGHT.

RECEIVED

AUG 3 1978

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Fremont } ss.

TO ALL CONCERNED, NOTICE IS HEREBY GIVEN:

1st. That

Edward L. Mitchell

of Termon C. C. Fremont Co. Idaho

hereby claim the use of the waters of

Black Springs

to the extent of _____ cubic feet per second.

2d. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows:

near the south West corner of the
NE 1/4 of the NE 1/4 Sec. 3, Twp 9 N. R. 42 E.

(In above description give legal subdivision of land or describe the place with reference to some prominent landmark.)

3d. The purpose for which said water is intended to be used is agricultural and
domestic purposes

The place of intended use is on said lands described below and
at my residence thereon

4th. It is intended to divert said water by means of dams, canals, ditches and
headgate

The general course of the proposed canal is Southwest

The length of the proposed canal is three-fourths of a mile

It is intended to use said water for irrigating the following described land: NE 1/4 Sec. 34,
Twp 9 N. R. 42 E. and Lots 3 and 4, Sec. 3, Twp 8 N,
R. 42 East

5th. It is intended to have the works for diversion and use of said water as aforesaid completed within
5 years. (This must in no case exceed five years.)

WITNESS my hand at St Anthony Idaho,

this 26 day of August 1895

Edward L. Mitchell

Claimants.

STATE OF IDAHO,

County of Fremont } ss.

Edward L. Mitchell

being first duly sworn, depose and say that he _____ of lawful age and _____
claimant of the Water Right mentioned in the foregoing notice and whose name he subscribed thereto. That
the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted
in a conspicuous place at or near the place of intended diversion (as provided by law) on the 26
day of August 1895, at 30 minutes past 6 o'clock P.M.

Edward L. Mitchell

Subscribed and sworn to before me this 26 day of August 1895

Frank Cox

Notary Public

my com. expires Apr 10-1898

NOTE.—The above Certificate may, where there are several claimants, be made and sworn to by one of them.

Filed for record this 27 day of August 1895 at 11-20 o'clock A.M.

By _____ Deputy.

J. A. Brammer
Recorder.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 21 4059 Applicant Bratt

NOTE: 21-4059
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.
- 5/5

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date May 9, 1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 5/14/80

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 8, 1980

LLOYD BRATT
RR 1
ASHTON

ID 83420

RE: Claim No. 21-4059

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

April 16, 1980

RE: Claim to a Water Right No. 21-4059

Lloyd Bratt
RR 1
Ashton, ID 83420

Dear Mr. Bratt:

Attached herewith is Departmental Receipt No. 13929 in the amount of \$20.00 for the above referenced claim.

Sincerely,

KAY WALKER
Secretary

Attachment

RECEIVED
APR 17 1980
BUREAU OF LAND MANAGEMENT
SALT LAKE CITY, UTAH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 10, 1980

The Ashton Herald
P. O. Box 258
Ashton, Idaho 83420

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before MAY 5, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 4/17 & 4/24/80.

MICROFILMED

21-4059_

BRATT, LLOYD

RR 1, ASHTON, ID 83420

Source: BLACK SPRINGS tributary to SNAKE RIVER

Priority Date: 08/01/1910

Amount: 0.24 CFS

Diversion Point: NWNE Sec 03 T 08N R 42E, FREMONT Co.

Use: IRRIGATION (0.24 CFS) from 04/01 to 11/01

Place of Use: NWNE NENW Sec 03 T 08N R 42E FOR 12 ACRES

Diversion Means: PUMP & PIPELINE.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, ~~BOISE, IDAHO~~, Boise, Idaho
450 West State Street

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) ~~334-2215~~
334-4440

December 26, 1979

Mr. Lloyd Bratt
Route 1
Ashton, ID 83420

Dear Mr. Bratt:

In searching our records, I did not locate a recorded right with this department for lands described as Lots 3 and 4 in Section 3, Twp. 8 N., Rge. 42 E.

The copy of the "Notice of Water Right" you sent does show the intended use of water for irrigation of the above lands. You may wish to file a claim with this department to show the amount of water and the time the water was first placed to beneficial use on the above lands. I have enclosed our brochure entitled "Idaho Water Rights Claims Program" and a claim form with instructions for filing. You may wish to include the copy of "Notice of Water Right" along with your claim to place in file as evidence. The completed form with fee should be submitted to

Eastern Region
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, ID 83401
phone: 523-7186

Enclosed is a copy of License No. 21-2033 which shows water appurtenant to the S₂SW₄, Sec. 34, T. 9 N., R. 42 E. as identified in the "Notice of Water Right". I am also returning the copy of the notice you sent.

If you have any questions or need additional assistance, please feel free to contact us here at State Office or our regional office in Idaho Falls.

Sincerely,

Roberta Garrett

Roberta Garrett
Records Supervisor

RG:ab

Enclosures

