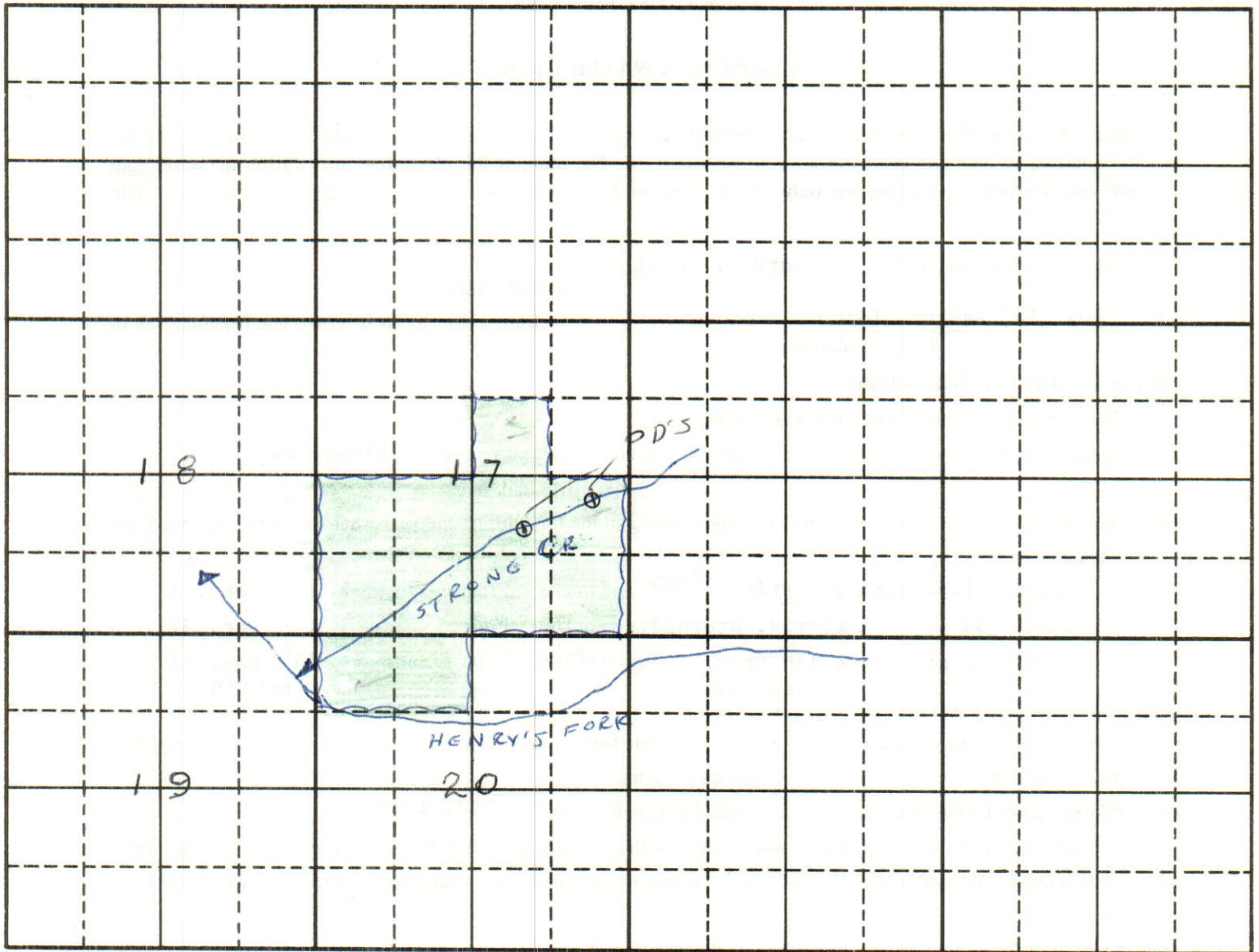


(8) Remarks _____



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 BONNEVILLE) 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 affiants knowledge.

Edward L. Howell
(Claimant)

Sworn to before me this 19th day of AUGUST, 1974.

Ronald D. Carlson
Notary Public
Residing at FIRTH, IDAHO

My commission expires 2/19/78

For Department Use Only

Received by <u>MB</u>	Date <u>8-19-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RDC</u>	Date <u>8/19/74</u>		claimant by:	
\$10.00 fee received by <u>MB</u>	Date <u>8-19-74</u>			
Approved for publication by <u>CB 9/1/74 #13024</u>				
Published in <u>Ashton Herald</u>				
Dates <u>Aug. 29 + Sept 5, 1974</u>				

MICROFILMED

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 news-
paper as defined by Idaho Codes
Annotated, section 58-106, as
amended, and that said newspaper
is a weekly newspaper published
at Ashton, Idaho, in Fremont
County, Idaho, having a general
circulation in said county, and that
said newspaper has been printed
and published as a weekly news-
paper in said county for more than
78 consecutive weeks prior to the
first publication of the attached
notice, advertisement or publi-
cation of *notice*...

*Claim to a Water
Right #21-4011*

And affiant further says that said
notice, advertisement or publi-
cation, 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 *29*..... day of

August..., 19*74*.,

and the last publication on the

5..... day of *Sept*...

19*74*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least
eight pages of at least four col-
umns each, printed from type
matter, of at least fifteen inches
deep.

Carol Bessey
Subscribed in my presence and

sworn to before me this *10*.....

day of *Sept*.....

19*74*.

James E. Hancock

Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

RECEIVED

SEP 11 1974

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 21-4011

MB

Notice is hereby given that Edward G.
Howell, Box 216, Ashton, Idaho has filed
a claim to a water right established by
diversion and application to beneficial
use of 1.25 cubic feet per second of water
from Strong Creek with point of diversion
in the NW1/4SE1/4, NE1/4SE1/4, Sec. 17,
T. 9N, R. 43E, B.M., Fremont County.

The water is claimed to be used from
Jan. 1 to Dec. 31 for irrigation storage and
fish propagation and from June 1 to Sept.
1 for irrigation from storage to irrigate
130 acres with a priority of May, 1957;
the place of use is within the SW1/4-
NE1/4, S1/2, Sec. 17, N1/2NW1/4, Sec.
20, T. 9N, R. 43E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Ashton Herald, Ashton,
Idaho on August 29 and September 5, 1974.

cb

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

Notice is hereby given that Edward G. Howell
(name of claimant)
of Box 216, Ashton, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Strong Creek
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|---------------------|-----|-------------------------------|----------------|------|---------------|----|------------------------|
| Amount | <u>1.25 cfs</u> | Use | <u>Irrig. from storage</u> | Period of Use: | From | <u>June 1</u> | To | <u>Sept. 1</u> |
| Amount | <u>30 af</u> | Use | <u>Irrig. storage</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>30 af</u> | Use | <u>Fish Prop.</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| | (cfs, gpm
or af) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 1.25 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May, 1957

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17 Twp. 9N Rge. 43E B. M. County of Fremont
 Additional points of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9N, R. 43E, B.M.

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. 15' dam with 93 h.p. and 70 h.p. diesel pump for diverting water from reservoir

- (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.

[illegible]

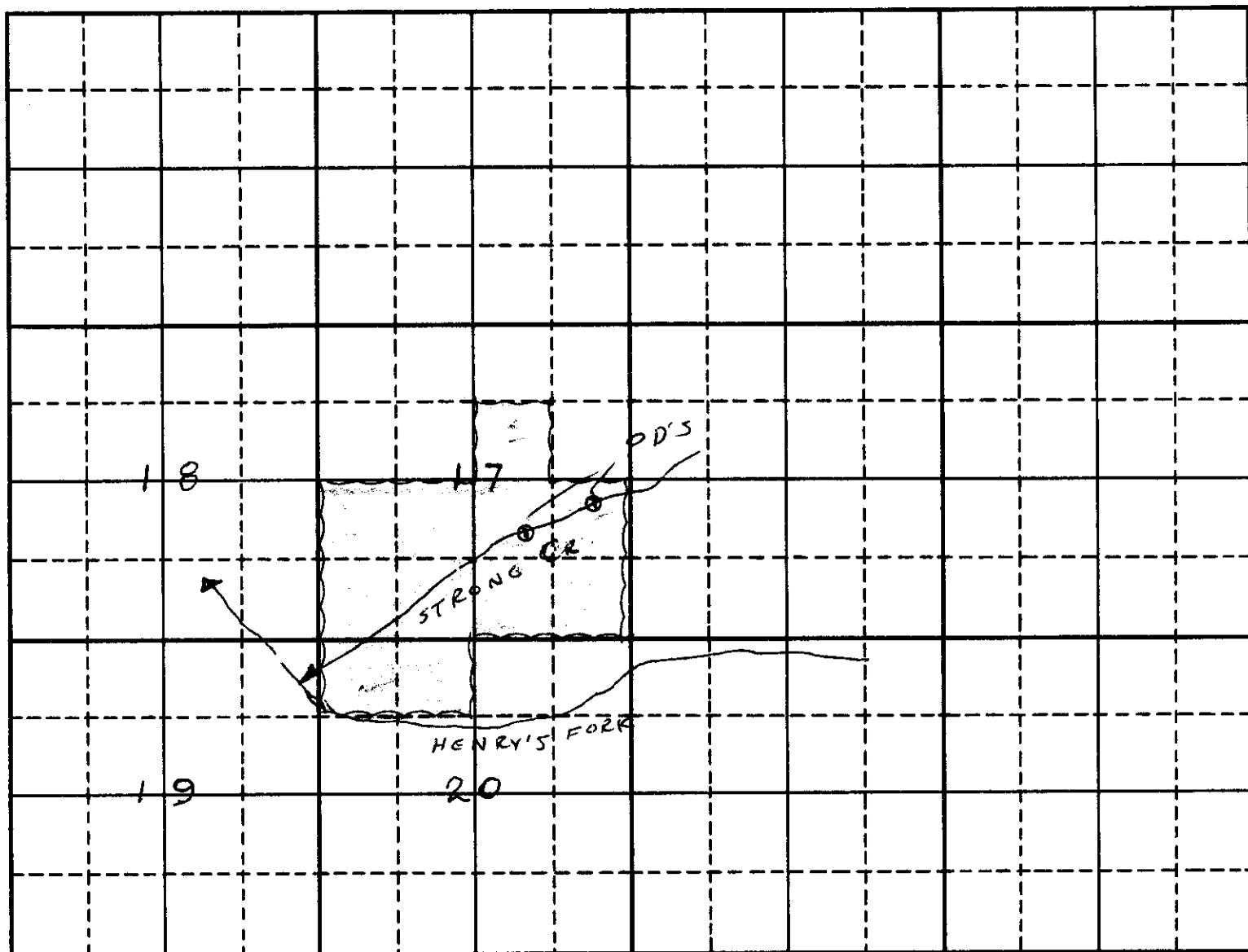
Total No. of acres 130

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

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

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(8) Remarks _____



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 BONNEVILLE) 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 affiants knowledge.

Edward L. Howell
(Claimant)

Sworn to before me this 19th day of AUGUST, 1974.

Ronald D. Carlson
Notary Public
Residing at FIRTH, IDAHO

My commission expires 2/19/78

For Department Use Only

Received by <u>MB</u>	Date <u>8-19-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RDC</u>	Date <u>8/19/74</u>		claimant by:	
\$10.00 fee received by <u>MB</u>	Date <u>8-19-74</u>			
Approved for publication by <u>OB 9/1/74 #13024</u>				
Published in <u>Ashton Herald</u>				
Dates <u>Aug. 29 + Sept 5, 1974</u>				

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Beasey
being first duly sworn, upon her
oath, deposes and says:

That she is the *editor*...
of The Ashton Herald, a news-
paper as defined by Idaho Codes
Annotated, section 58-106, as
amended, and that said newspaper
is a weekly newspaper published
at Ashton, Idaho, in Fremont
County, Idaho, having a general
circulation in said county, and that
said newspaper has been printed
and published as a weekly news-
paper in said county for more than
78 consecutive weeks prior to the
first publication of the attached
notice, advertisement or publi-
cation of *Notice of...*

*Claim to a Water
Right # 21-4011*

And affiant further says that said
notice, advertisement or publi-
cation, 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 *29*..... day of

August., 19*74*..

and the last publication on the

5... day of *Sept*..

19*74*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least
eight pages of at least four col-
umns each, printed from type
matter, of at least fifteen inches
deep.

Carol Beasey
Subscribed in my presence and

sworn to before me this.....

day of.....

19....

.....

Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

RECEIVED

SEP 11 1974

Department of Water Resources
Farmingdale Office

NOTICE OF CLAIM
TO WATER RIGHT

MB

Notice is hereby given that Edward G.
Hewitt, Box 224, Ashton, Idaho, has filed
a claim to certain right water right
diversion and distribution in bounded
area of 1.25 acres that are situated at water
from Spring Creek with point of diversion
in the NE1/4, Sec. 11, T. 3N, R. 4E, S. 4E,
Fremont County.

The water is claimed to be used from
Jan. 1 to Dec. 31 for irrigation storage and
fish propagation and from June 1 to Sept.
1 for irrigation from storage to irrigate
120 acres with a priority of May, 1974.
The place of use is within the SW1/4,
NE1/4, SE1/4, Sec. 11, T. 3N, R. 4E, S. 4E,
Fremont County.

Any objection to this claim of water
right may be filed with the Idaho Depart-
ment of Water Resources, 1215 Lincoln
Bldg., Idaho Falls, Idaho, 83401.

R. KEITH JOHNSON
Director

Published in the Ashton Herald, Ashton,
Idaho, on August 29 and September 5, 1974.

MICROFILMED



ate 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

November 21, 1979

Edward G. Howell
Box 216
Ashton, ID 83420

Dear Mr. Howell:

Re: Permit No. 21-7133

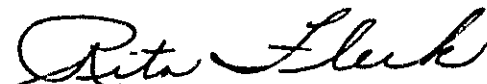
Recently you submitted a proof of beneficial use postcard for the above-referenced permit. After some review, I find that the right you describe on the postcard does not match the right described on the permit.

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

21-7133
{ 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

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XXXXXXXXXXXXXXXXXXXXX RESOURCES

September 16, 1974

RE: Claim to a Water Right No. 21-4011

Mr. Edward G. Howell
Box 216
Ashton, Idaho 83420

Dear Mr. Howell:

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

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

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

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

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:CB

Enclosure: Copy of Claim

MICROFILMED

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 23, 1974

Re: Claim to a Water Right No. 21-4011 Howell
Application for Permit No. 21-7053 "

Ashton Herald
Box 258
Ashton, ID 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
Asst. to District Engineer

Bill submitted 9-11-74 by MB

RDC:MB

Enc: Legal Notices (2)

MICROFILMED

LEGAL - - - - -

MB

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 21-4011

Notice is hereby given that Edward G. Howell, Box 216, Ashton, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.25 cubic feet per second of water from Strong Creek with point of diversion in the NW1/4SE1/4, NE1/4SE1/4, Sec. 17, T. 9N, R. 43E, B.M., Fremont County.

The water is claimed to be used from Jan. 1 to Dec. 31 for irrigation storage and fish propagation and from June 1 to Sept. 1 for irrigation from storage to irrigate 130 acres with a priority of May, 1957; the place of use is within the SW1/4-NE1/4, S1/2, Sec. 17, N1/2NW1/4, Sec. 20, T. 9N, R. 43E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Ashton Herald, Ashton, Idaho on August 29 and September 5, 1974.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 21-4011

Notice is hereby given that Edward G. Howell

Box 216, Ashton, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.25 cubic feet per second ~~acre feet per annum~~

of water from Strong Creek

with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9N, R. 43E,
B.M., Fremont County.

The water is claimed to be used from Jan. 1 to Dec. 31 for irrigation
storage and fish propagation and from June 1 to Sept. 1 for irrigation from
storage to irrigate 130 acres with a priority of May, 1957 ;
the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, T. 9N,
R. 43E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Ashton Herald, Ashton, Idaho

on August 29 and September 5, 1974

H. R.