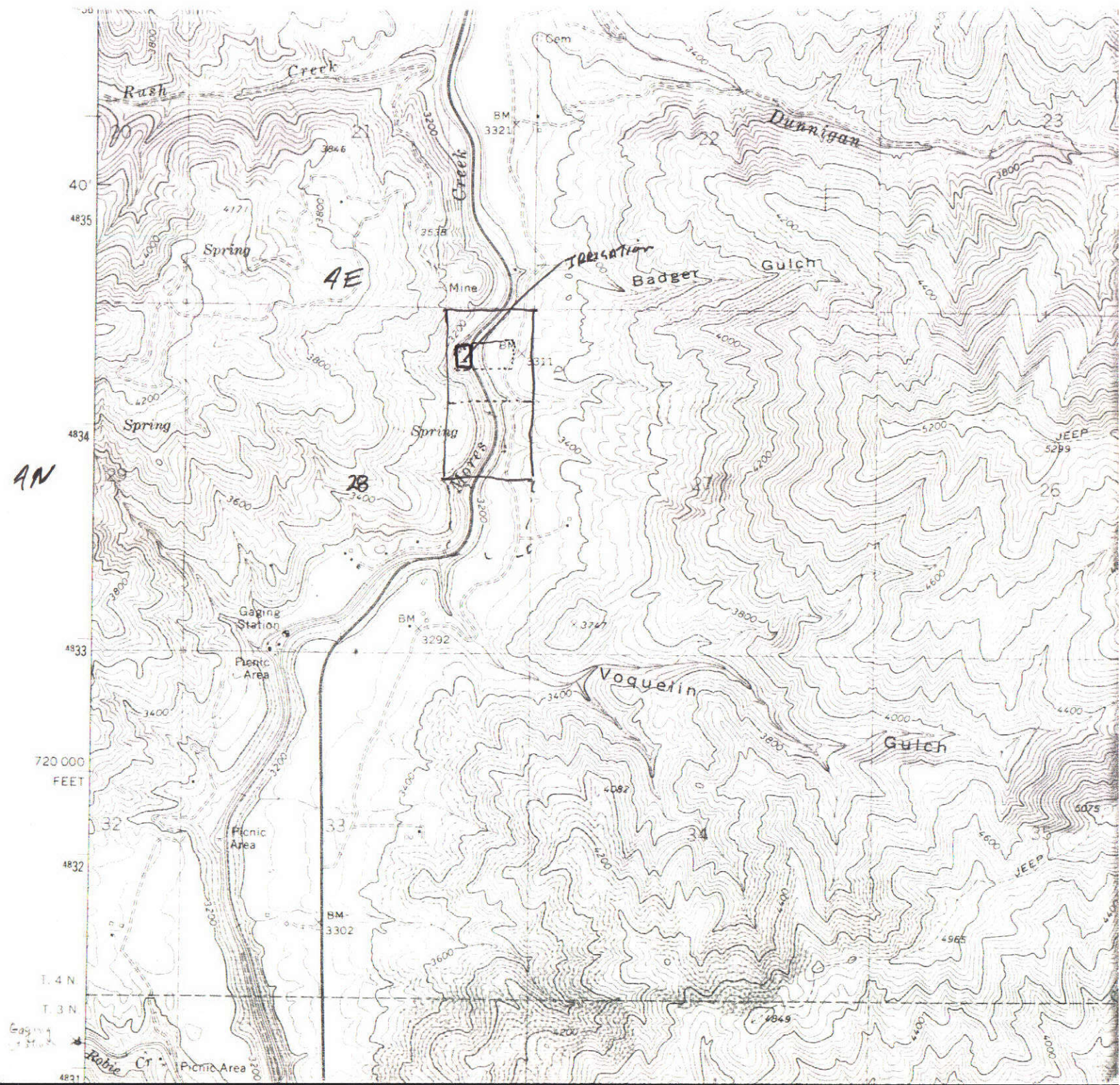


63-4797

AN



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 Mr. and Mrs. Carroll F. Howerton  
(Name of Claimant)

Idaho City Stage, Boise, ID 83707 Telephone No. 342-4908  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1932

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)  
More s Creek tributary to Boise 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:

| (cfs, gpd, AFA) |                | (Domestic, Irrigation, Stock, Etc.) |                   | (Both dates inclusive)         |                 |
|-----------------|----------------|-------------------------------------|-------------------|--------------------------------|-----------------|
|                 |                |                                     |                   | (Mo., Day)                     | (Mo., Day)      |
| Quantity        | <u>.06 cfs</u> | Use                                 | <u>Irrigation</u> | Period of Use From <u>3/15</u> | To <u>11/15</u> |
| Quantity        | <u>.02</u>     | Use                                 | <u>Mining</u>     | Period of Use From <u>1/1</u>  | To <u>12/31</u> |
| Quantity        |                | Use                                 |                   | Period of Use From             | To              |
| Quantity        |                | Use                                 |                   | Period of Use From             | To              |
| Quantity        |                | Use                                 |                   | Period of Use From             | To              |

(4) .08 TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE ¼ NE ¼, Sec. 28 Twp. 4N Rge. 4E B.M., County of Boise  
Additional points of diversion: SENE, S. 28, 4N, 4E.

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.  
½ HP pump and pipe from More's Creek for mining and irrigation.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R  | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
|    |    |      | X   |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |       |
| 4N | 4E | 28   | 3   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 3     |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres 3

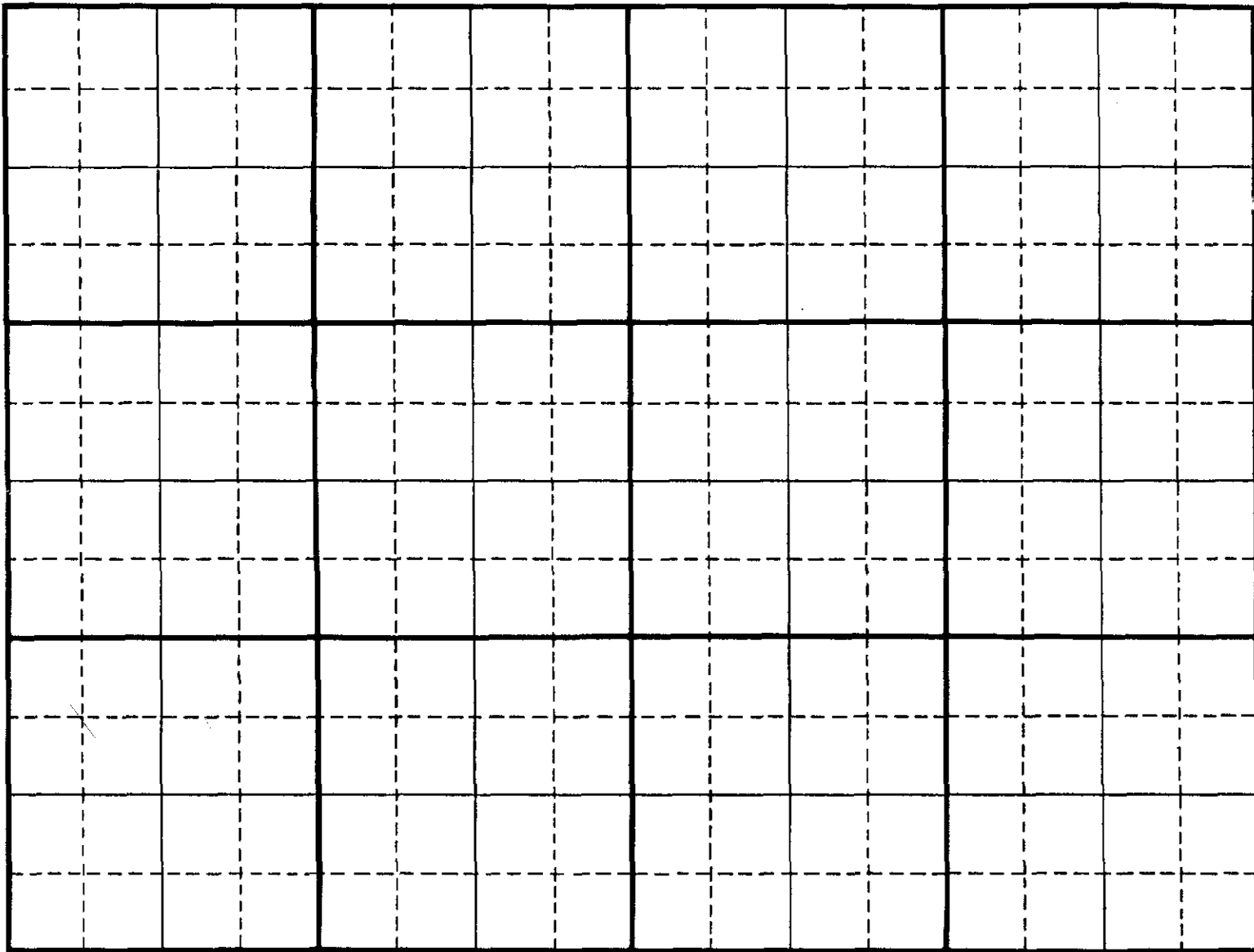
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
Mining operation washing gravel in sluice box.

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:

MICROFILMED

(8) Remarks PATENTED MINING CLAIM #2232360 AND MINING CLAIM



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 ADA ) 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.

Carroll H. Howerton  
(Claimant)

Sworn to before me this 10 day of JUNE, 1981.

[Signature]  
Notary Public  
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by Cam Date 10 June 81 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by 623 Date 11 June 81 claimant by: \_\_\_\_\_  
\$30.00 fee received by Cam Date 10 June 81 # 19419  
Published in Idaho City World  
Dates 6/17, 6/24/81

STATE OF IDAHO,  
County of Boise }

PATTI BOWYER, being  
duly sworn, deposes and says:  
that he is the manager and prin-  
cipal clerk of THE IDAHO  
WORLD, a weekly newspaper  
published at Idaho City, in the  
County of Boise and State of Ida-  
ho; that said paper has been and  
is in general circulation in the  
county aforesaid, and in the vi-  
cinity of Idaho City; that the  
advertisement, a copy of which is  
hereto attached, was published in  
said newspaper once a week for

2 consecutive weeks in  
the entire and regular issue of  
every number of said paper dur-  
ing the period and time of publi-  
cation and was published in the  
newspaper and not a supplement;  
that said paper has been estab-  
lished and regularly and continu-  
ously published for more than  
seventy-eight weeks past previ-  
ous to the first publication of  
this notice. Such notice was pub-  
lished in the issue beginning with

6-17, 1973 and end-  
ing with the issue of 6-24

1973

Patti Bowyer  
Subscribed and sworn to before  
me this 26th day of June, 1981

Wm. Kolar

#### 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:

63-4797

HOWERTON, CARROL F. &/or MRS.  
CARROL F.

IDAHO CITY STAGE, BOISE, ID 83707

Source: MORES CREEK tributary to BOISE  
RIVER

Priority Date: 01/01/1932

Amount: 0.08 CFS

Diversion Point: NENE, SENE Sec 28 T 04N  
R 04E, BOISE Co.

Use: IRRIGATION (0.06 CFS) from 03/15  
to 11/15

MINING (0.02 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 28 T 04N R 04E SENE

NENE Sec 28 T 04N R 04E FOR 3 ACRES

Diversion Means: PUMP & PIPELINE

Any exception to any claim of water right may  
be filed with the Director of the Idaho Depart-  
ment of Water Resources, 92 S. Cole Road,  
Boise, Idaho 83709.

A KENNETH DUNN  
Director

Published in The Idaho World, Idaho City, Idaho  
on June 17 and 24, 1981.

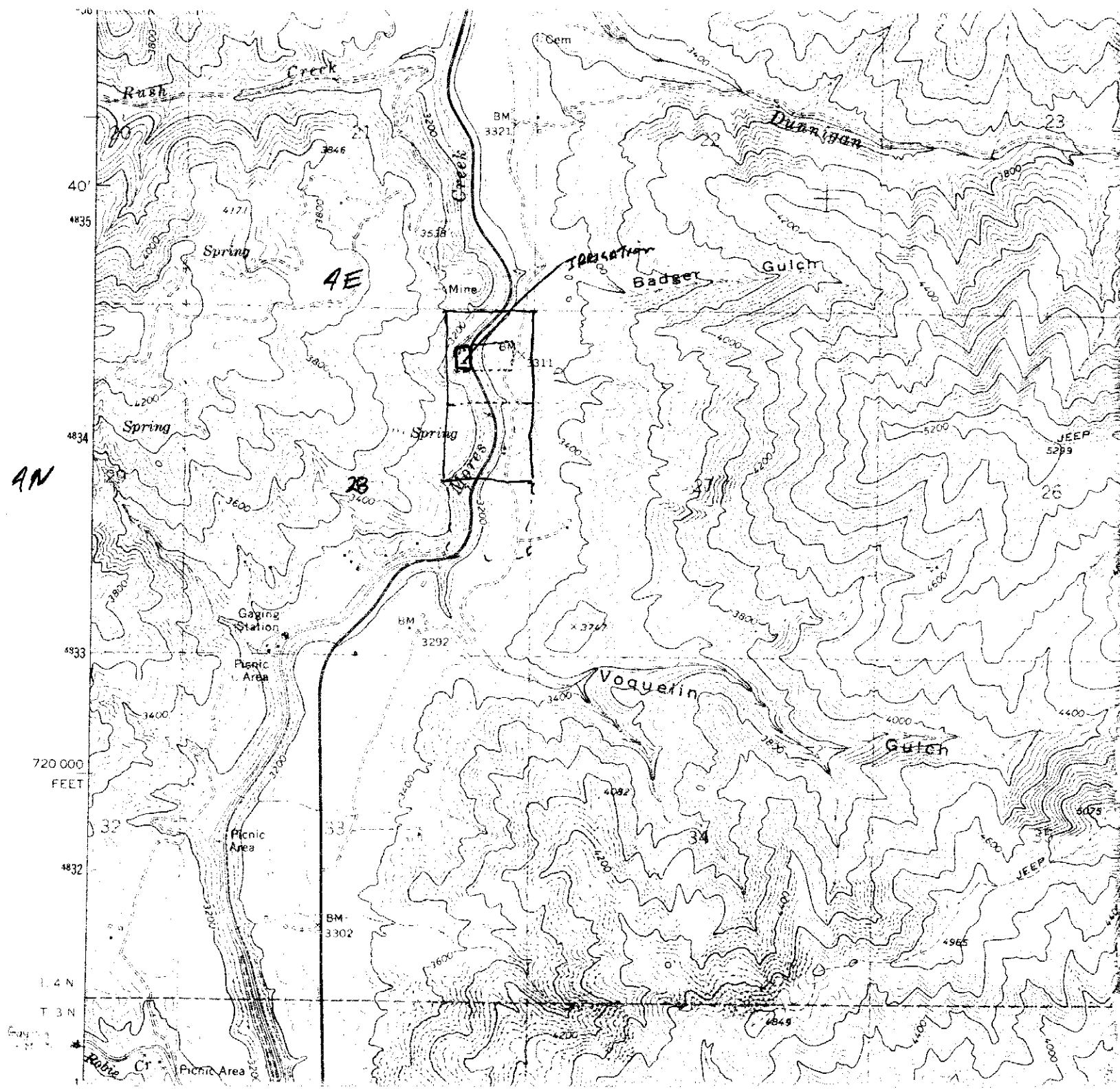
okjc  
RECEIVED

JUN 29 1981

Department of Water Resources  
Western Regional Office

63-4797

4N



State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 63-4797 Applicant Howerton

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

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

By Jan Grover DBS Date 7/8/81 7/8/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 7/13/81

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Western Region

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92 South Cole Road  
Boise, Idaho 83709  
(208) 334-2190

JUNE 11, 1981

The Idaho World  
Box 220  
Idaho City, ID 83631

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 billing to this office before JULY 6, 1981.

Yours truly,

HELEN L. HARRINGTON  
Secretary

Encl.

RECEIVED  
JUN 15 1981  
MURDER DIV

## NOTICE OF CLAIMS TO WATER RIGHTS

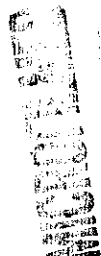
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 6/18 & 6/25/81.



HOWERTON, CARROLL F. &/or MRS CARROLL F.

IDAHO CITY STAGE, BOISE, ID 83707

Source: MORES CREEK tributary to BOISE RIVER

Priority Date: 01/01/1932

Amount: 0.08 CFS

Diversion Point: NENE SENE Sec 28 T 04N R 04E, BOISE Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.06 CFS) | from 03/15 to 11/15 |
| MINING          | (0.02 CFS) | from 01/01 to 12/31 |

Place of Use: NENE Sec 28 T 04N R 04E SENE NENE Sec 28 T 04N R 04E  
FOR 3 ACRES

Diversion Means: PUMP & PIPELINE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region

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92 South Cole Road  
Boise, Idaho 83709  
(208) 334-2190

JULY 8, 1981

CARROLL F. HOWERTON  
MRS CARROLL F. HOWERTON  
IDAHO CITY STAGE  
BOISE ID 83707

RE: Claim No. 63-4797

Dear Claimant:

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

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

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

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

Yours truly,

DAVID B. SHAW  
Western Region Supervisor

Enclosure

MICROFILMED