

Identification No. _____

Claim No. 11-4022

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Fish Haven Water User's Co.
post office address Fish Haven, Idaho
2. The point of diversion is in N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Section 14 Township 16 S.
Range 43 E. B.M. located on Fish Haven Creek
See enclosed other points of diversion, Ditch # 2 (name of ditch) Upper South & Upper North
tributary to Fish Haven Creek in Bear Lake County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 18th, 1871

It is impossible to determine the

amount: _____ c.f.s. or _____ acre feet

C.F.S. flow due to the fluctuation in flow each

amount: _____ c.f.s. or _____ acre feet

Year and Our right includes the entire ditch

amount: _____ c.f.s. or _____ acre feet

flow each year

Total claimed 29.6 c.f.s. or _____ acre feet
per letter of Feb 10, 1961 DWR

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation Farm period of use from 4-15 to Nov. 2nd (both dates inclusive)

use land period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of Wood

_____ ; length is 6 feet; height is 3 feet;

width at bottom is 4 feet; width at top is 4 feet; explain any increase in diversion capac-

ity since structure was first built, giving dates and estimated capacities if known Never changed. Has remained the very same from engenderment.

b. Underground water diverting works: is well flowing or pumped No ; depth of well is

None feet; diameter of well is None inches; type of pump is None

capacity of pump is None g.p.m.; name and address of well driller is None

11-4022

if feeder canal is used give maximum carrying capacity **No Feeder** f.s. : if reservoir is off stream, describe

RANGE	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL
1	1													
2	2													
3	3													
4	4													
5	5													
6	6													
7	7													
8	8													
9	9													
10	10													
11	11													
12	12													
13	13													
14	14													
15	15													
16	16													
17	17													
18	18													
19	19													
20	20													
21	21													
22	22													
23	23													
24	24													
25	25													
26	26													
27	27													
28	28													
29	29													
30	30													
31	31													
32	32													
33	33													
34	34													
35	35													
36	36													
37	37													
38	38													
39	39													
40	40													
41	41													
42	42													
43	43													
44	44													
45	45													
46	46													
47	47													
48	48													
49	49													
50	50		</											

1920 Total
per Telp
2-28-07

b. Do you get water through a ditch owned by several users? yes If yes, give the name of the ditch #1; #2; #3; Upper South; Upper North; Town Ditch; The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

7. Where water is used for domestic or municipal purposes give number of families served 107
name of town supplied Fish Haven, Idaho

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities All used Irrigation -

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

W. Alfred Howell Born Jan 8, 1892 in Fish Haven, Idaho. I know the water in Fish Haven Creek has been used as irrigation water and watering farm crops for 76 years.

Giffon Christie Pugmire Born at Laketown Utah May 27 1886 I know the water from Fish Haven creek has been applied as irrigation water for the period of 77 years.

Rod E Stock Born Aug 28, 1900 in Fish Haven Idaho. The water from Fish Haven Creek was used for irrigation long as I can remember.

Goff O Stalder Born Nov 28 1901 have lived here all my life and know that the water in all these ditches has been used for irrigation purposes as long as I can remember.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with

all attached information and certifies that all statements are true and accurate to the best of his knowledge.

Jan. 3, 1969
(Date)

State of Idaho

County of Blaine ss.

On this 3rd day of Jan 1969, personally appeared before me the signer(s) of the

above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Goff O. Stalder
(Signature of Claimant)

Fish Haven Water user Co.
Fish Haven Idaho

R. J. Loren

Notary Public residing at Montpelier, Idaho

My commission expires Aug. 27, 1970

1-27-69

For Department Use Only

Received by ef Date 8-2-68

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by AMW Date 2-11-69

Fee received by ef Date 2-13-69 Fee \$ 10.00

Approved for publication by MS Date 2-21-69

Published in New Pioneer Dates 3-13/20-69

JAN 27 1932

Department of Reclamation

I Vera Shirley Seal, born April 7, 1901 at Fish Haven, Idaho. I have lived here in Fish Haven nearly all my life and as long as I can remember the water in Fish Haven Creek has been used for irrigation of all the farms and gardens.

I Charles H Shirley born Dec 9-1894 at Fish Haven Idaho. I have farmed and used water from the Fish Haven Creek for irrigation all my life for Farm & garden.

I Henry Shirley, Born Nov. 29 1893 at Fish Haven Idaho, and have used water from all of these ditches all of my life and can prove they were in use as long as I can remember.
Henry Shirley

I Joel Melvin Schenck, born Nov. 5, 1879 at Fish Haven Idaho farmed, and irrigated from these ditches from the time I was 12 and 13 years old. I owned the land which was irrigated with this same water. Joel Melvin Schenck

POINTS OF DIVERSION OF DITCHES

Town ditch: N. W. $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 14, Township 16 South of
Range 43 East of Boise Meridian.

Ditch Number 1: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, Township 16 South of
Range 43 East of Boise Meridian.

Ditch Number 2: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 16 South of
Range 43 East of Boise Meridian.

Ditch Number 3: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 16 South of
Range 43 East of Boise Meridian.

Upper South: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16, Township 16 South of Range
43 East of Boise Meridian.

Upper North: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16, Township 16 South of Range
43 East of Boise Meridian.

Total number of acres irrigated 1465.00

RECEIVED

JAN 27 1969

Department of Reclamation

RECEIVED

JAN 27 1953

Department of Reclamation

"The purpose for which this corporation is formed
// (Fish Haven Water Users Company) are to take over all
the waters of Fish Haven Creek, now owned and heretofore
appropriated, diverted and used by the owners of land
adjacent to Fish Haven Creek, and deliver the same to
them for beneficial purposes."

This is the record of our incorporation filed with
the State of Idaho at Boise, Idaho.

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

APR 1 1969

AFFIDAVIT OF PUBLICATION

Department of Reclamation

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is Publisher and Foreman of the News-Examiner; that the said News-Examiner is a weekly newspaper published at Montpelier, County of Bear Lake, State of Idaho, of general circulation in said County and State.

That the notice attached was published in the said News-Examiner, and not in a supplement, for two

successive weeks, commencing with the issue dated March 13, 1969

and ending with the issue

dated March 20, 1969

W. Jerome Taylor
Publisher and Foreman.

NOTICE OF CLAIM TO WATER RIGHT No. 11-4022

Notice is hereby given that Fish Haven Water User's Company, Fish Haven, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 29.6 cubic feet per second of waters from Fish Haven Creek, tributary to Bear Lake with a point of diversion located in the NW 1/4 SW 1/4, sec. 14, T. 16 S, R. 43 E, B. M. and points of re-diversion located in the NW 1/4 SW 1/4, sec. 14, T. 16 S, R. 43 E; NW 1/4 SE 1/4, NE 1/4 SE 1/4, sec. 15, T. 16 S, R. 43 E, B. M.; and the SE 1/4 NE 1/4, sec. 16, T. 16 S, R. 43 E, B. M., Bear Lake County; the water is claimed to be used from April 15 to November 2 for irrigation with a priority of May 18, 1871, the place of use is located in all of section 14, all of section 15, and all of section 16, T. 16 S, R. 43 E, B. M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in The News-Examiner, Montpelier, Idaho on March 13 and March 20, 1969.

(m-13/20)

Subscribed and sworn to before me this 28th day of March, 1969

Notary Public.

THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

1 1969

Statement Account of Department of Reclamation
Department of Reclamation

Date April 1, 1969

March 13

34 Line Notice of
Claim to Water Right
Fish Haven Water Users
published 2 issues

I hereby certify that the foregoing
account is just and correct, that the
amount claimed is legally due, after
allowing all just credits, and that
no part of same has been paid.

\$7. 82

Ruth Zaffer
Signature of claimant

THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

RECEIVED

APR 1 1969

Statement: Account of Department of Reclamation

Date April 1, 1969

March 13 34 Line Notice of
Claim to Water Right
Fish Haven Water Users
published 2 issues

\$7. 82

I hereby certify that the foregoing
account is just and correct, that the
amount claimed is legally due, after
allowing all just credits, and that
no part of same has been paid.

Beth Zager
Signature of claimant

April 8, 1969

Re: Claim No. 11-4022

Fish Haven Water User's Co.
Fish Haven,
Idaho

Gentlemen:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 11-4022. Please refer to this number when adding or changing the information in your claim.

Enclosed is Receipt No. 2668 in the amount of \$10.00 which covers the filing fee.

You should be advised that the filing of this claim completes the processing procedure by the Department of Reclamation. No further action is authorized under Section 42-225a and the of the Idaho Code. Your claim will be filed and will remain of public record until such time as you or the court need the information.

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

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:ks

enclosure: Receipt No. 2668 in the amount of \$10.00

11-4022

NOTICE OF CLAIM TO
WATER RIGHT

No. 11-4022

RECEIVED

Mar 25 1969

Department of Reclamation

Notice is hereby given that Fish Haven Water User's Company, Fish Haven, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 29.6 cubic feet per second of waters from Fish Haven Creek, tributary to Bear Lake with a point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14, T. 16 S, R. 43 E, B. M. and points of re-diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14, T. 16 S, R. 43 E; NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec 15, T. 16 S, R. 43 E, B. M.; and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 16, T. 16 S, R. 43 E, B. M., Bear Lake County; the water is claimed to be used from April 15 to November 2 for irrigation with a priority of May 18, 1871; the place of use is located in all of section 14, all of section 15, and all of section 16, T. 16 S, R. 43 E, B. M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in The News-Examiner,
Montpelier, Idaho on March 13 and
March 20, 1969.

(m-13/20)

11-4022

February 21, 1969

Re: Claim No. 11-4022
Fish Haven Water User's Co.

News Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 ample 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 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 of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notice (1)

11-4022

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4022-

C
O
P
Y

Notice is hereby given that Fish Haven Water User's Co., Fish Haven, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 29.6 cubic feet per second of waters from Fish Haven Creek, tributary to Bear Lake with a point of diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14, T. 16 S, R. 43 E, B.M. and points of re-diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 14, T. 16 S, R. 43 E; NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 15, T. 16 S, R. 43 E, B.M.; and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 16, T. 16 S, R. 43 E, B.M., Bear Lake County; the water is claimed to be used from April 15 to November 2 for irrigation with a priority of May 18, 1871; the place of use is located in ~~the~~ all of section 14, all of section 15, and all of section 16, T. 16 S, R. 43 E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the News Examiner, Montpelier, Idaho on March 13 and March 20, 1969.

11-4022

Fish Haven, Idaho
Feb. 10 - 1969.

Dept. of Reclamation.
State House - Annex 2 -
Boise, Idaho.

RECEIVED

FEB 12 1969

Department of Reclamation

Dear Sir:

This letter was sent to the secretary and he sent it to me.

So if we supply with the information that you want.

We could convey 29.6 cubic feet Per second, which is the maximum allowance for diversion under state law.

This will serve as a guide for our system, it could carry this amount 29.6 cubic feet per second.

This is your request for our claim ~~on~~ of our water right.

You may proceed to record it.

Yours truly,

Goff Stalder Pres.

Fish Haven,

Idaho 83261

11-4022

DEW



THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

RECEIVED
APR 1 1969
Department of Reclamation

Statement: Account of Department of Reclamation

Date April 1, 1969

March 13

34 Line Notice of
Claim to Water Right
Fish Haven Water Users
published 2 issues

\$7. 82

I hereby certify that the foregoing
account is just and correct, that the
amount claimed is legally due, after
allowing all just credits, and that
no part of same has been paid.

Ruth Taylor
Signature of claimant



THE NEWS+EXAMINER



MONTPELIER, IDAHO

Advertising & Commercial Printers

APR 1 1969

Statement: Account of Department of Reclamation

Date April 1, 1969

March 13

34 Line Notice of
Claim to Water Right
Fish Haven Water Users
published 2 issues

\$7. 82

I hereby certify that the foregoing
account is just and correct, that the
amount claimed is legally due, after
allowing all just credits, and that
no part of same has been paid.

Reith J. G. ...

Signature of claimant

DON SAMUELSON
GOVERNOR



RECEIVED

R. KEITH HIGGINSON
State Reclamation Engineer

FEB 1 1969

STATE OF IDAHO

Department of Reclamation

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 29, 1969

Re: Claim to a Water Right

Fish Haven Water User's Company
Fish Haven,
Idaho

Gentlemen:

We are in receipt of your claim to a water right and your check in the amount of \$10.00. Please be advised that before the department begins processing, we would like some additional information.

Your claim would be much more useful if you would supply us with a rate of diversion under Item 3a. Information under Item 4c indicates that you could convey approximately 29.6 cubic feet per second which is the maximum allowable for diversion under state law. If this can serve as a guide and your system has carried at least this much water, then this or a like quantity could be claimed. This 29.6 cubic feet per second was computed on the same basis as was the recent St. Charles adjudication proceedings.

Your prompt reply to our inquiries is appreciated.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

11-4022

January 29, 1969

Re: Claim to a Water Right

Fish Haven Water User's Company
Fish Haven,
Idaho

Gentlemen:

We are in receipt of your claim to a water right and your check in the amount of \$10.00. Please be advised that before the department begins processing, we would like some additional information.

Your claim would be much more useful if you would supply us with a rate of diversion under Item 3a. Information under Item 4c indicates that you could convey approximately 29.6 cubic feet per second which is the maximum allowable for diversion under state law. If this can serve as a guide and your system has carried at least this much water, then this or a like quantity could be claimed. This 29.6 cubic feet per second was computed on the same basis as was the recent St. Charles adjudication proceedings.

Your prompt reply to our inquiries is appreciated.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWM:ks

enclosure: none

11-4022

Dept. of Reclamation
Boise Idaho.

Enclose find ten (\$10.00) dollar
check, fee, filing and recording
claim of Water rights.

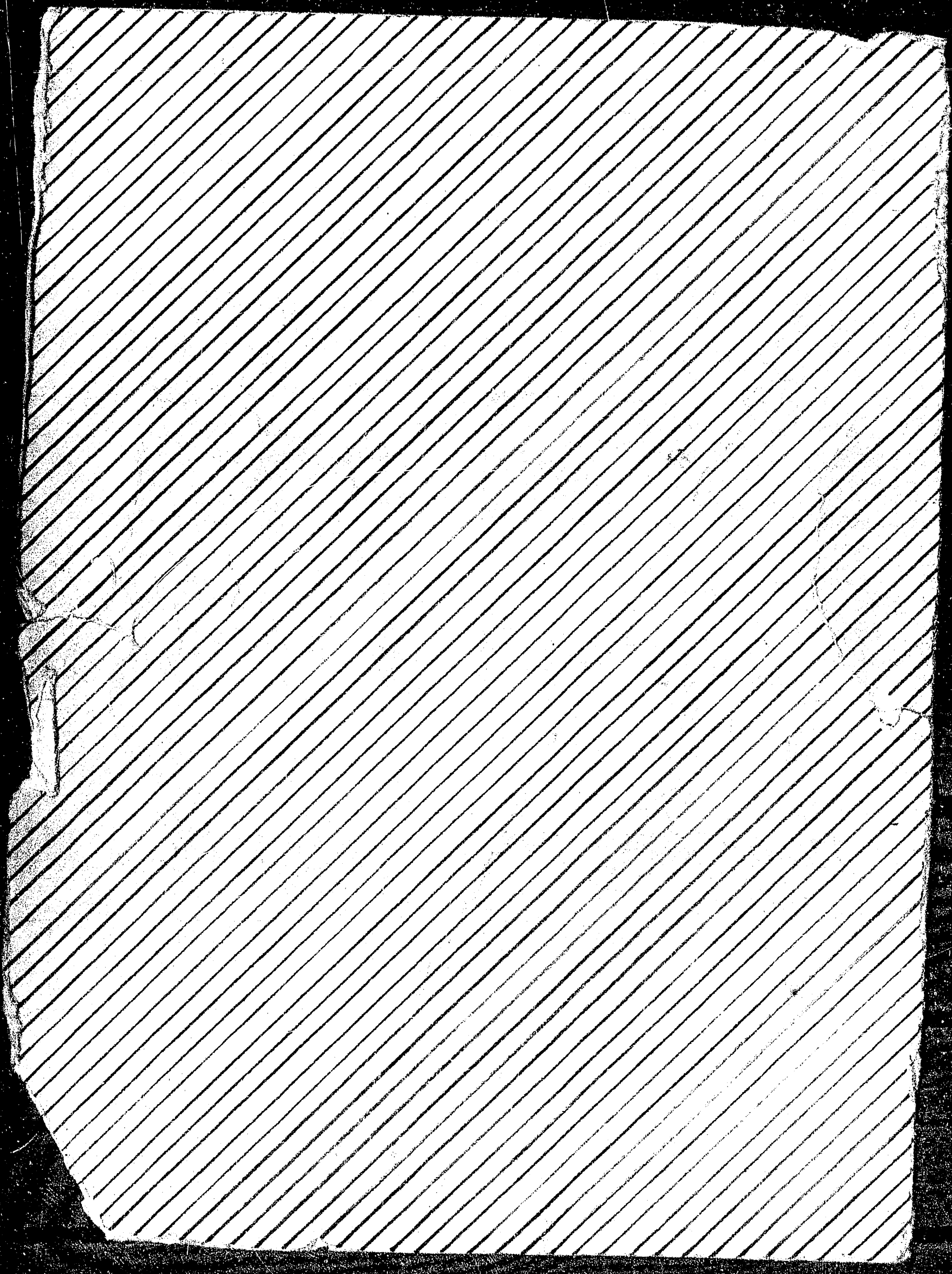
	CHIEF ENGR.
	ASSISTANT
	WATER RIGHTS
✓	CLERK
	DISP.
	AND
	WATER RIGHTS
	FILE
	WATER RIGHTS
	FILE
	WATER RIGHTS
	FILE

G. H. Stalder

RECEIVED

JAN 27 1912

Department of Reclamation



XXXXXXXXXXXXXXXXXXXXX
450 W. State Street

XXXXXXX
334-4440

January 14, 1980

Fish Haven Pipeline Co.
P.O. Box 115
Fish Haven, ID 83261

Dear Sir:

Re: Claim No. 11-4022

As requested in your letter of January 3, enclosed is a copy of Claim No. 11-4022
in the name of Fish Haven Water User's Co.

If you have any questions or need further assistance, please do not hesitate
to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ab

Enclosures

DEPT 271: 113 1690

125E8 63501 DT 00768 0211

5.0: 20x 112

DO NOT WRITE IN THESE SPACES

0321 41 774000

939132 93532 . 000

DEPARTMENT OF LANDS TRANSMITTAL SLIP		DATE 1/8/80
<u>Dept. of Water Resources</u> 10M <u>Chief, Div. of Lands - Dept of Lands.</u>		
ACTION		
☐ NOTE AND FILE ☐ NOTE AND RETURN TO ME ☐ RETURN CORRESPONDENCE ☐ NOTE AND SEE ME ABOUT THIS ☐ PLEASE ANSWER ☐ PREPARE REPLY FOR MY SIGNATURE ☒ TAKE APPROPRIATE ACTION	☐ PER OUR CONVERSATION ☐ PER YOUR REQUEST ☐ FOR YOUR APPROVAL ☐ FOR YOUR INFORMATION ☐ FOR YOUR COMMENTS ☐ SIGNATURE ☐ INVESTIGATE AND REPORT	
COMMENTS		
The attached letter was forwarded to us from Secretary of State. It appears it should have been directed to Dept. of Water Resources. Jim Mitchell		

DEPT OF LANDS

'80 JAN 8 AM 11:09

BOISE, IDAHO

Fish Haven, Idaho

Jan. 3, 1980

State of Idaho

Pete P. Cenarrusa, Sect. of State

Boise, Idaho 83720

11-4022

Dear Mr. Cenarrusa,

Because we have some of the Fish Haven pipeline crossing
on B.L.M. land we need to have right-of-way granted.

In order to obtain the application we must have a copy of
the water permit (or other document) for the water being
conducted through this pipeline.

Will you please send a copy of the water permit for the
Fish Haven Water Users Company.

Fish Haven Pipeline Company

Clarence Nelson Sect.

Clarence Nelson

RECEIVED

JAN 9 1980

Department of Water Resources

Fish Haven Pipeline Co.
P.O. Box 115
Fish Haven, Id. 83261

Dept. of Lands

State of Idaho

Pete T. Cenarrusa, Secy. of State.
Boise, Idaho 83720



Form 243
12/99

OCT 16 2001

Department of Water Resources
AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Claim No. 11-04022

RECEIVED

JUL 03 2001

AMENDED
Department of Water Resources
Eastern Region

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that FISH HAVEN WATER USERS COMPANY, C/O LEON HOWELL, SECRETARY

(Name of Claimant)

POST OFFICE BOX 117, FISH HAVEN IDAHO 83287

(Mailing Address)

Telephone No: (208)945-2352

(Zip Code)

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

1. Date of Priority: (When the water was first applied to beneficial use) MAY 18, 1871
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

FISH HAVEN CREEK

tributary to

BEAR LAKE

~~UNNAMED~~ SPRING

FISH HAVEN CREEK

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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD)	(MM/DD)
Quantity <u>29.6 CFS</u>	Use <u>IRRIGATION</u>	Period of Use From <u>04/15</u>	to <u>11/02</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. 29.6 CFS TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____
Sec. _____ Township _____ Range _____ B.M., _____ County; additional
points of diversion, if any: *** PLEASE SEE ATTACHED LIST OF POINTS OF DIVERSION**

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.).
Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
**DITCH SYSTEM AND PIPELINES FROM HEADWORKS TO PLACE OF USE FOR IRRIGATION WITHIN THE
BOUNDARY OF FISH HAVEN WATER USERS COMPANY. SYSTEM ALSO INCLUDES COLLECTION BOX AND
PIPELINE FROM UNNAMED SPRING TO DELIVERY SYSTEM.**

RECEIVED

JUL 20 2001

Department of Water Resources
Eastern Region

11-04022 AMENDED

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	

PLEASE SEE ATTACHED PLACE OF USE LANDLIST

TOTAL ACRES 1212

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

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

7. Remarks: _____

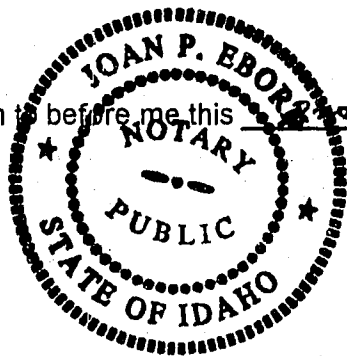
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of IDAHO)
) ss.
County of BEAR LAKE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

Leon V. Howell
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this July day of 2001.



Joan P. Ebor
Notary Public

Residing at: PARIS

My commission expires: 3-17-05

FOR DEPARTMENT USE ONLY

Received by HWT Date 7-20-01 Published in _____
Prelim. check by _____ Date _____ Publication dates _____
Fee 50.00 Receipt # EQ26934 Publication checked by _____ Date _____
Receipt prepared by HWT Date 7-20-01 Exceptions filed by _____

Ident. Number: 11-04022

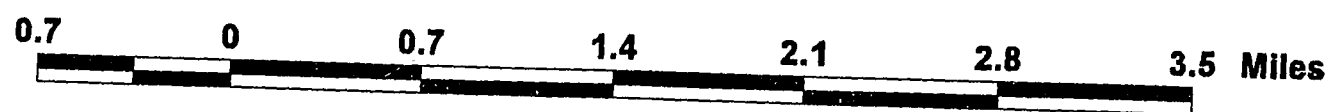
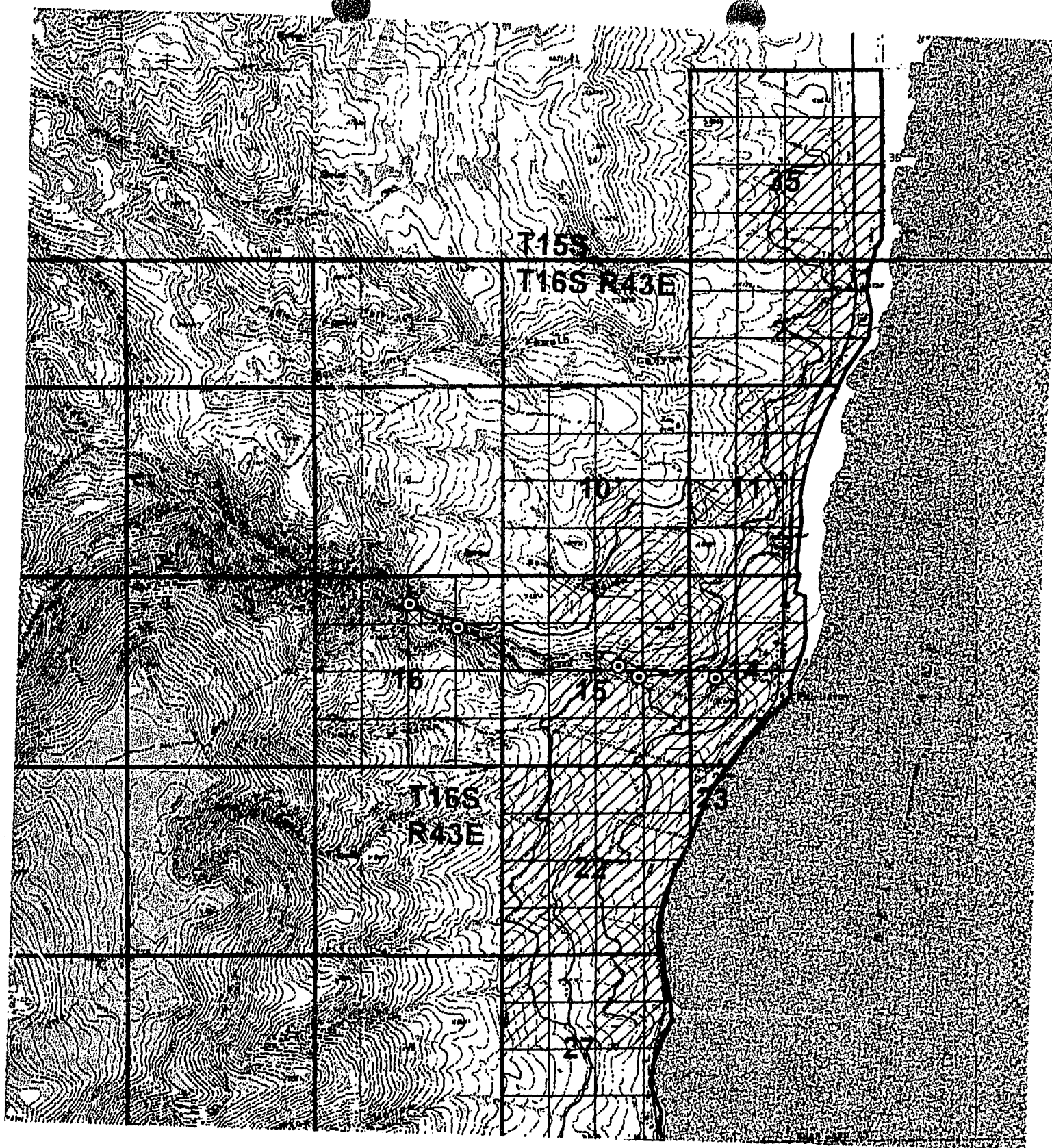
POINT OF DIVERSION ATTACHMENT

Tw	Rge	Sec	1/4	1/4	1/4	Lot	County	Remarks
16S	43E	14		NW	SW		Bear Lake	Fish Haven Creek
16S	43E	15		SW	NE		Bear Lake	Fish Haven Creek
16S	43E	15	NE	NW	SE		Bear Lake	Fish Haven Creek 541675
16S	43E	16	NW	SE	NE		Bear Lake	Fish Haven Creek
16S	43E	16	SW	NW	NE		Bear Lake	Fish Haven Creek
16S	43E	16	SW	NW	NE		Bear Lake	Unnamed Spring

PLACE OF USE LANDLIST ATTACHMENT

Tw	Rge	Sec	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	43E	35			15	5					3			8	23	33	20	20	127
																		L-1	
16S	43E	2	7	5	20	7									27			28	94
			L-3	L-4		L-2												L-1	
16S	43E	10														37	40	18	95
16S	43E	11		16	9		10			9	6	40		35		5	4		134
				L-1	L-2					L-2	L-3			L-4		L-3	L-4		
16S	43E	14		10	15		40	30	36	31	40	40	18	13		3			276
				L-1	L-2		L-1			L-2	L-3		L-4	L-4		L-3			
16S	43E	22	40	40	40	30	40	13	17	22	10	20	24	15	18	26	38	5	398
						L-1									L-2			L-3	
16S	43E	23						20											20
								L-1											
16S	43E	27	13	15	7	10		17	6										68
			L-1	L-1	L-2	L-2													

Total Acres = 1212



- ⊙ PODs from Fish Haven Creek
- ⊠ POD from Spring
- ▨ Amended Place of Use
- ▽ Ditch System



11-04022 -- Amendment

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16S	43	14	0	10	15	10	40	30	36	21	40	40	18	6	0	10	0	0	266
		15	40	40	40	40	16	0	0	0	31	0	0	40	40	36	30	18	371
		10	0	0	0	0	0	0	0	0	0	0	0	0	0	37	40	18	95
		11	0	16	9	0	10	0	0	9	6	40	0	35	0	5	4	0	134
		2	7	5	20	37	0	0	0	0	0	0	0	0	27	0	0	28	94
		23	0	0	0	0	0	20	0	0	0	0	0	0	0	0	0	0	20
		22	40	40	40	30	40	13	17	22	10	20	24	15	18	26	38	5	398
		35	0	0	15	5	0	0	0	0	3	0	0	8	23	33	20	20	127
		29	13	15	7	10	0	17	6	0	0	0	0	0	0	0	0	0	68
																			Fish/Hanen, ID
																			9-5-01
Dear Harold Jones,																			
Here is a copy of the schedule I sent to Paul.																			
Note - line two has the information on section # 15 that was left out.																			
																			Thanks,
																			Leon V. Howell
																			Secretary Fish/Hanen Water Resources
																			copy
																			5-2-01
																			TO Paul Meyers
																			RECEIVED
																			SEP 06 2001
																			Department of Water Resources

Department of Water Resources
Eastern Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 8, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Fish Haven Water Users Company
C/O Leion Howell
PO Box 117
Fish Haven ID 83287

RE: Applications for Amendment of Claim to a Water Right #11-04022

Dear Applicant:

This office is currently in the process of advertising the application in the News Examiner on August 15 and 22, 2001. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

**NOTICE OF APPLICATION
FOR AMENDMENT OF CLAIM TO A WATER RIGHT**

Notice is given that the Fish Haven Water Users Company, C/O Leion Howell, PO Box 117, Fish Haven ID 83287, has applied to the Department of Water Resources to change the point of diversion and the place of use of the following claim in Bear Lake County pursuant to Idaho Code 42-211:

RECORDED RIGHT

Permit No.: 11-04022 Source: Fish Have Creek
Amount: 29.6 cfs Priority: 05/18/1871
Point(s) of Diversion: NWSW SEC 14 T16S R43E, BEAR LAKE COUNTY
The water is used for irrigation for 1465 acres.

PROPOSED AMENDMENT

The claimants are amending claim 11-04022 to reflect actual points of diversion and places of use. There are five (5) points of diversion in SEC 14, 15, and 16 off Fish Haven Creek and one (1) point of diversion on a spring in SEC 16 T16S R43E.

The places of use are in SEC 2, 10, 11, 14, 22, 23 and 27 T16S R43E and SEC 35 T15S R43E for 1212 acres.

The claim will be subject to all prior water rights. Any exception against approval must be notarized and filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a exception fee of \$25.00 for each application on or before September 4, 2001. The protestant must also send a copy of the exception to the applicant.

Karl J. Dreher
Director

Published in the News Examiner on August 15 and 22, 2001.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
August 8, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

News Examiner
PO Box 278
Montpelier ID 83254

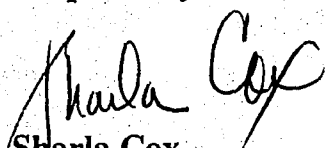
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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 September 4, 2001.

Respectfully submitted,


Sharla Cox
Administrative Assistant

Enc.

No 6213

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 07 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO,

County of Bear Lake

ss.

Rosa J. Moss

being duly s

deposes and says:

That he is the *Editor*
NEWS-EXAMINER, a weekly newspaper published in the County of Bear Lake and State of Idaho. The said paper has been and is in general circulation in the County of Bear Lake and in the vicinity of Montpelier, Idaho, and in the vicinity of Montpelier, Idaho, advertisement, a copy of which is attached hereto and published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said newspaper during the period and time of publication, and was in the newspaper proper and not a supplement. A newspaper has been established and regularly published in the County of Bear Lake for more than seventy-eight consecutive weeks prior to the first publication of said advertisement.

Such notice was published in the issue beginning

August 15, 2001
with the issue of *Aug 15*

Rosa J. Moss

Fees, *95.48*

Subscribed and sworn to before me this *15* day of *August*, 19*2001*

Henry J. [Signature]
Notary Public, Residing at Montpelier, Idaho

My Commission Expires *August 20, 2003*

NOTICE OF APPLICATION FOR AMENDMENT
OF CLAIM TO A WATER RIGHT

Notice is given that the Fish Haven Water Users Company, C/O Leion Howell, PO Box 117, Fish Haven ID 83287, has applied to the Department of Water Resources to change the point of diversion and the place of use of the following claim in Bear Lake County pursuant to Idaho Code 42-211:

RECORDED RIGHT

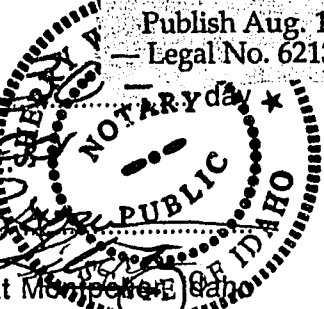
Permit No: 11-04022 Source: Fish Haven Creek
Amount: 29.6 cfs Priority: 05/18/1871
Point(s) of Diversion: NWSW SEC 14
T16S R43E, BEAR LAKE COUNTY
The water is used for irrigation for 1465 acres.

PROPOSED AMENDMENT

The claimants are amending claim 11-04022 to reflect actual points of diversion and places of use. There are five (5) points of diversion in SEC 14, 15, and 16 off Fish Haven Creek and one (1) point of diversion on a spring in SEC 16 T16S R43E.
The places of use are in SEC 2, 10, 11, 14, 22, 23 and 27 T16S R43E and SEC 35 T15S R43E for 1212 acres.
The claim will be subject to all prior water rights. Any exception against approval must be notarized and filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a exception fee of \$25.00 for each application on or before September 4, 2001. The protestant must also send a copy of the exception to the applicant.

/s/ Karl J. Dreher
Director

Publish Aug. 15 & 22, 2001
— Legal No. 6213



No 6213

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Rosa J. Moosman

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

August 15 2001, 192001, and ending with the issue of Aug 15 2001, 192001

Rosa J. Moosman

Fees, 95.48

Subscribed and sworn to before me this 15 day of August, 192001

Henry R. Brown

Notary Public, Residing at Montpelier, Idaho

My Commission Expires August 28 2003

RECEIVED

SEP 07 2001

Department of Water Resources
Irrigation Region

The

FOR AMENDMENT
WATER RIGHT

Fresh

Gifts

Roses

Water Users Company, C/O
ID 83287, has applied to the
the point of diversion and
Bear Lake County pursuant

909 Washing

Source: Fish Haven Creek
only 05/18/1871

NU
AU

SEC 14
COUNTY
1465 acres

to reflect actual points
* Collision (5) points of diversion
are (1) point of diver-

1110 Washing
Montpelier,

Any exception
the Department of
Dr. Ste A, Idaho
25.00 for each appli-
cant must also send

/s/ Karl J. Dreher
Director

Medicaid
carriers