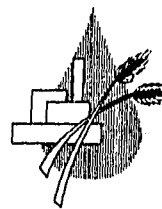


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Irel D. &/or Denise J. Lowe

(Name of Claimant)

12003 Brook Glen Dr., Saratoga, CA 95070

(Mailing Address)

(Zip Code)

Telephone No. 408-257-5051

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) July 1, 1939

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)

Spring tributary to Bear 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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.75cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity <u>0.02 cfs</u>		Use <u>Stock</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 <u>0.75cfs</u>		TOTAL QUANTITY USED.			

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

NE 1/4 SE 1/4, Sec. 2 Twp. 9S Rge. 41E B.M., County of Caribou

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. Ditch and pipeline

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
9S	41E	2													25				25

No. of acres 25

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water has and is being used for flood irrigation and for watering approximately 20 head of cattle and horses.

NOTE: Include here the type and number of stock watered: 15 cattle, 5 horses

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

-
- Topographic map of Soda Springs, Idaho, showing the location of the case. The map includes the Snake River, Point Reservoir, and Soda Springs. A red box highlights the 'Place of Case' near the intersection of the Snake River and the road to Chester. Handwritten numbers 1 through 30 are scattered across the map, and a red line connects the 'Place of Case' to the 'Point Reservoir'.

Received by CW Date 12-03-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 12-06-82 claimant by: _____
\$30.00 fee received by CW Date 12-6-82 #23216
Published in Caribou County Sun _____
Dates 12/16 & 12/23/82 _____

RECEIVED

JAN 12 1983

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

**NOTICE OF CLAIMS TO
WATER RIGHTS**

The following claim(s) have
been filed on water right(s) creat-
ed by diversion and beneficial use:
11-4221

LOWE, IREL D. &/or
DENISE J.

12003 BROOK GLEN DR.,
SARATOGA, CA 95070

Source: SPRING tributary to
BEAR RIVER

Priority Date: 07-01-1939

Amount: 0.75 CFS

Diversion Point: NESE Sec 02

T.09S R.41E, CARIBOU Co.

Use: IRRIGATION (0.75
CFS) from 04-01 to 11-01,
STOCKWATER (0.02 CFS)
from 01-01 to 12-31

Place of Use: NESE Sec.02 T-
09S R.41E FOR 25 ACRES

Diversion Means: DITCH &
PIPELINE

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN,

Director

Published Dec. 16 and 23,
1982 in the Caribou County Sun.

**Affidavit of
Publication**

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

16th day of
December, 1982

The date of the last publication
being the 23rd day of

December, 1982

Subscribed and sworn to be-

fore me this 30th day
of December, 1982

William H. Steele
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984

September 7, 1982

Irel D. Lowe
12003 Brook Glen Dr.
Saratoga, CA 95070

Dear Mr. Lowe:

Due to the nature of a claim, the claim must be returned to the claimant if there are any problems; therefore, enclosed is the claim that was submitted to this department along with check #11-35 for \$20.00. The date of priority, item #1, must include the month, day and year. Item #5, the point of diversion, must agree with the map in all areas. The map has R. 4W, (Range 4W) and item #5 has Range 41 without any direction (east or west). The direction (east or west) on the range should also be in the table under item #6a.

Upon receipt of the corrected claim form and current \$30.00 filing fee, processing of the claim will begin.

Please feel free to contact this department for any additional assistance that may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:blp

Enclosures

November 8, 1982

Irel Lowe
12003 Brook Glen Dr.
Saratoga, CA 95070

Dear Mr. Lowe:

Enclosed you will find your claim to a water right and check #11-35 for \$30.00.

Line 6A did not agree with your map on the back as having the NESE, Sec. 2 as your place of use. You had put the 25 acres under the SENE.

I have re-typed your claim with the locations as I interpret your intentions. Please review this new claim and if all is correct, sign and have it notarized.

You may send the completed claim and a fee of \$30.00 back to this office for processing.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

11-4221

LOWE, IREL D. &/or DENISE J.

12003 BROOK GLEN DR., SARATOGA, CA 95070

Source: SPRING tributary to BEAR RIVER

Priority Date: 07/01/1939

Amount: 0.75 CFS

Diversion Point: NESE Sec 02 T 09S R 41E, CARIBOU Co.

Use: IRRIGATION (0.75 CFS) from 04/01 to 11/01
STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 02 T 09S R 41E FOR 25 ACRES

Diversion Means: DITCH & PIPELINE

PUBLIC NOTICE

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Diversion Means: DITCH &
PIPELINE

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN,

Director

Published Dec. 16 and 23,
1982 in the Caribou County Sun.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by
diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 12/16 & 12/23/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 8, 1982

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

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 JANUARY 3, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 11 4221 Applicant Lowc

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.
- ☒ 11-6011

Jan. 3, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 1-12-83.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Jan 14, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 1/26/83

-Suite 15

December 10, 1982

RE: Claim to a Water Right No. 11-4221 LOWE

Russell Stoker, Watermaster
Water District No. 11
379 East 3rd North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Enclosure

January 3, 1983

RE: Claim to a Water Right No. 11-4221 LOWE

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on December 16 and 23, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 3, 1983

IREL D. LOWE
DENISE J. LOWE
12003 BROOK GLEN DR.
SARATOGA CA 95070

RE: Claim No. 11-4221

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

RECEIVED
JAN 25 1983

Department of Water Resources