

MICROFILMED
AUG 12 1997

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

JUL 10 1997

Department of Water Resources

Section 42-243, Idaho Code, authorizes the filing of a claim to a water right established by diversion and application of water to beneficial use for domestic uses as defined in Section 42-111, Idaho Code. **The filing of this claim does not confirm the water right claimed.**

Notice is hereby given that United States of America, Forest Service, Caribou National Forest

250 South 4th Ave., Fed. Bldg, Pocatello, ID 83201 Telephone No: (208) 236-7500

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 the water was first applied to beneficial use) 1907 - June 1
A claim is not acceptable on a surface water source with a priority later than May 20, 1971.

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

Lower Rattlesnake Spring tributary to Rattlesnake 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, af)	(Domestic, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)

Quantity	0.02 cfs	Use	Stock	Period of Use From	6/1	to	9/30
Quantity		Use		Period of Use From		to	
Quantity		Use		Period of Use From		to	

4. _____ TOTAL QUANTITY USED.
(cfs, af)

5. A) Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 13S Range 37E B.M. Oneida County; additional points of diversion
If any:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. No man-made structure on this spring. Water for livestock consumption is diverted through direct consumption by livestock

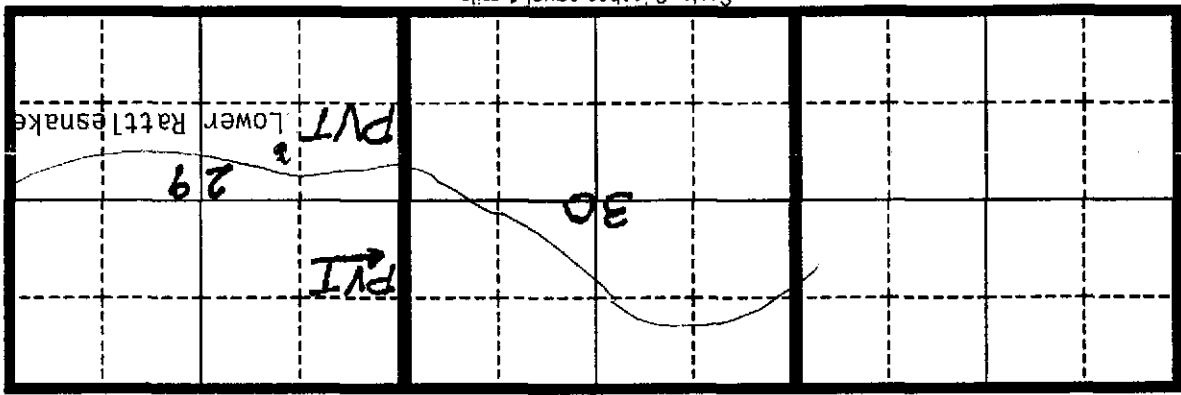
6. **A) Describe place of use within each 40-acre tract in the appropriate box using the following symbols in the appropriate tract. D - domestic, S - stockwater, X - other**

T	R	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
13S	37E	29									S								

B) Fully describe the use, being as specific as possible: Use is for watering 87 head of cows plus their calves. Cattle drink freely from this undeveloped spring.

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

7. Remarks:



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. Attach an aerial photograph of the place of use if available.

State of Idaho
County of Bannock
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 19th day of May, 1997
Claimant's Signature (and the claim is for an original claim)

Notary Public
Residing at: Boise, Idaho
My commission expires: 9/3/98

FOR DEPARTMENT USE ONLY

Received by HWS
Prelim. check by HWS
\$100.00 receipted by HWS
Receipt # E023254
Date 5-23-97
Date 5-23-97

Published in Idaho Enterprise

Dates June 19th 26, 1997

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Huf

Right Number IS-04202 Applicant USFS Carlton

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.
- ☐ W.D. N.A.

FINAL REGIONAL PROCESSING REVIEW:

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

By Huf Date 7-3-97

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By C3 Date 7/21/97



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 9, 1997

FOREST SERVICE US DEPT OF AGRICULTURE
CARIBOU NATIONAL FOREST
250 S 4TH AVE
FEDERAL BUILDING
POCATELLO, ID 83201

Re: Claim No. 15-04202

Dear Claimants(s):

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 the information or evidence added at any time. Please refer to the claim identification number when corresponding with the 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.

Sincerely,

RONALD CARLSON
Eastern Regional Manager

rb
Enc

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AUG 12 1997

#

2336

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

COUNTY OF ONEIDA)

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**PUBLIC
NOTICES****NOTICE OF CLAIMS TO
WATER RIGHT**

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

15-04202

US DEPT OF AGRICULTURE,
FOREST SERVICE
CARIBOU NATIONAL FOREST
250 S 4TH AVE
FEDERAL BUILDING
POCATELLO, ID 83201

Source: LOWER RATTLE-
SNAKE SPRING
Tributary: RATTLESNAKE CREEK
Diversion Pt: SWNESW
Sec 29 T 13S R 37 E in ONEIDA
County.

Use: STOCKWATER (0.020 CFS)

Total Diversion (0.020 CFS)

Date Filed: 6/1/1997

In: ONEIDA County

T13S R37E S29 NESW

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Eastern Region,
900 N Skyline, Idaho Falls, Idaho
83402

KARL J. DREHER, Director
Published: 6/19/1997 & 6/26/1997
L#2336 6/19/26/97 T2

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly
newspaper published at Malad, in the County of Oneida and State
of Idaho; that said newspaper has been and is in general circula-
tion in the county aforesaid, and in the vicinity of Malad; 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 newspaper during the pe-
riod of time of publication, and was published in the newspaper
proper and not a supplement; that said newspaper has been es-
tablished and regularly published for more than seventy-eight con-
secutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
June 19, 19 97, and ending with
the issue of June 26, 19 97.

Kristine D. Smith

STATE OF IDAHO)

COUNTY OF ONEIDA)

On this 30 day of June in the year of 1997,
before me, Theresa Nieffenegger, a Notary Public,
personally appeared Kristine D. Smith, known or
identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that
the statements therein are true, and acknowledged to me that she
executed the same.

Theresa Nieffenegger
Notary public for Idaho
Residing at Malad City, Idaho
My commission expires: Jan 13, 2001

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AUG 12 1997

Exceptions to a c[REDACTED] may be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402.

KARL J. DREHER, Director

Published: 6/19/1997 & 6/26/1997

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AUG 12 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 11, 1997

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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. 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 7, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

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15-04202

US DEPT OF AGRICULTURE, FOREST SERVICE
CARIBOU NATIONAL FOREST
250 S 4TH AVE
FEDERAL BUILDING
POCATELLO, ID 83201

Source: LOWER RATTLESNAKE SPRING Tributary: RATTLESNAKE CREEK

Diversion Pt: SWNESW Sec 29 T 13S R 37E in ONEIDA County.

Use: STOCKWATER	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 6/ 1/1907

In: ONEIDA County
T13S R37E S29 NESW

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AUG 10 1987