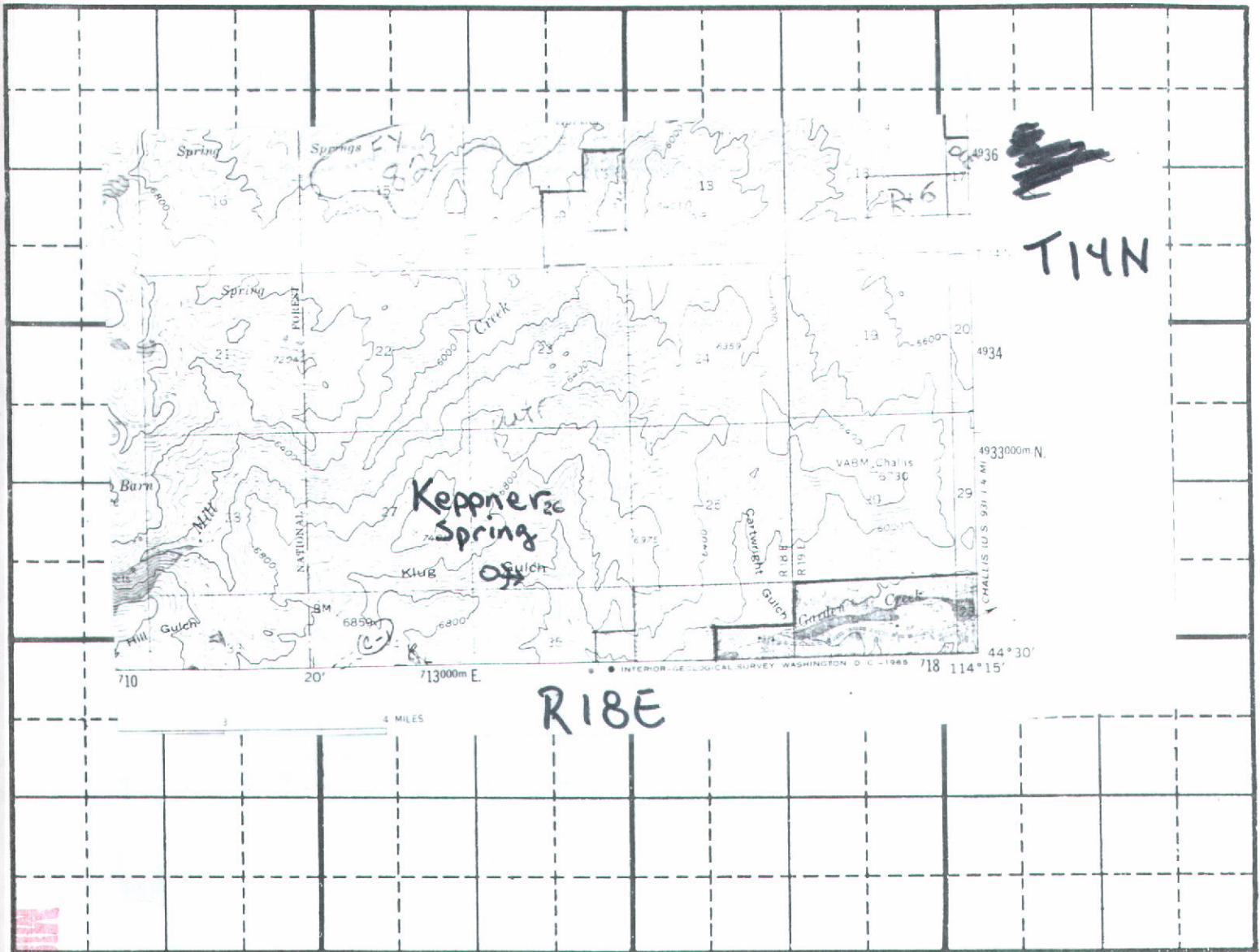


(8) Remarks Water is used for watering purposes in the Garden Creek Allotment by permittees Joe Peck, Ray Keppner, and Tim Ingram.
JDR File Number: 3508
Project Name: Keppner Spring



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. See attached map.

State of Idaho)
County of Lemhi) 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.

Kenneth S. Walker

(Claimant) DISTRICT MANAGER

Sworn to before me this 25 day of May, 19 83.

Donald Simpson

Notary Public

Residing at Salmon, Idaho

My commission expires 9/17/83

ID-910- BP3-0003

FOR DEPARTMENT USE ONLY

Received by SW Date 6/7/83 Exception filed by: _____ Date _____
Prelim. check by KCW Date 7-13-83 claimant by: _____
\$30.00 fee received by 14 Date 9-2-83 # 32644
Published in Custer Publishing Co
Dates 10/20 & 10/27/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

JUN 13 1983

Department of Water Resources
Eastern District Office

JUL 22 1983

Department of Water Resources
Southern District Office

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 USDI, Bureau of Land Management

(Name of Claimant)

Box 430; Salmon, Idaho

(Mailing Address)

83467

(Zip Code)

Telephone No. (208) 756-2201

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) June 18, 1969

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)

Keppner Spring

tributary to

Garden 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, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.01 cfs</u>	Use <u>Livestock</u>	Period of Use From <u>05/15</u>	To <u>09/15</u>
Quantity	<u>.01 cfs</u>	Use <u>Wildlife</u>	Period of Use From <u>01/01</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) .02 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SW ¼ SW ¼, Sec. 26 Twp. 14N. Rge. 18E. B.M., County of Custer

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. Small waterhole piped to water trough.

(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	
<u>14N.</u>	<u>18E.</u>	<u>26</u>											X						

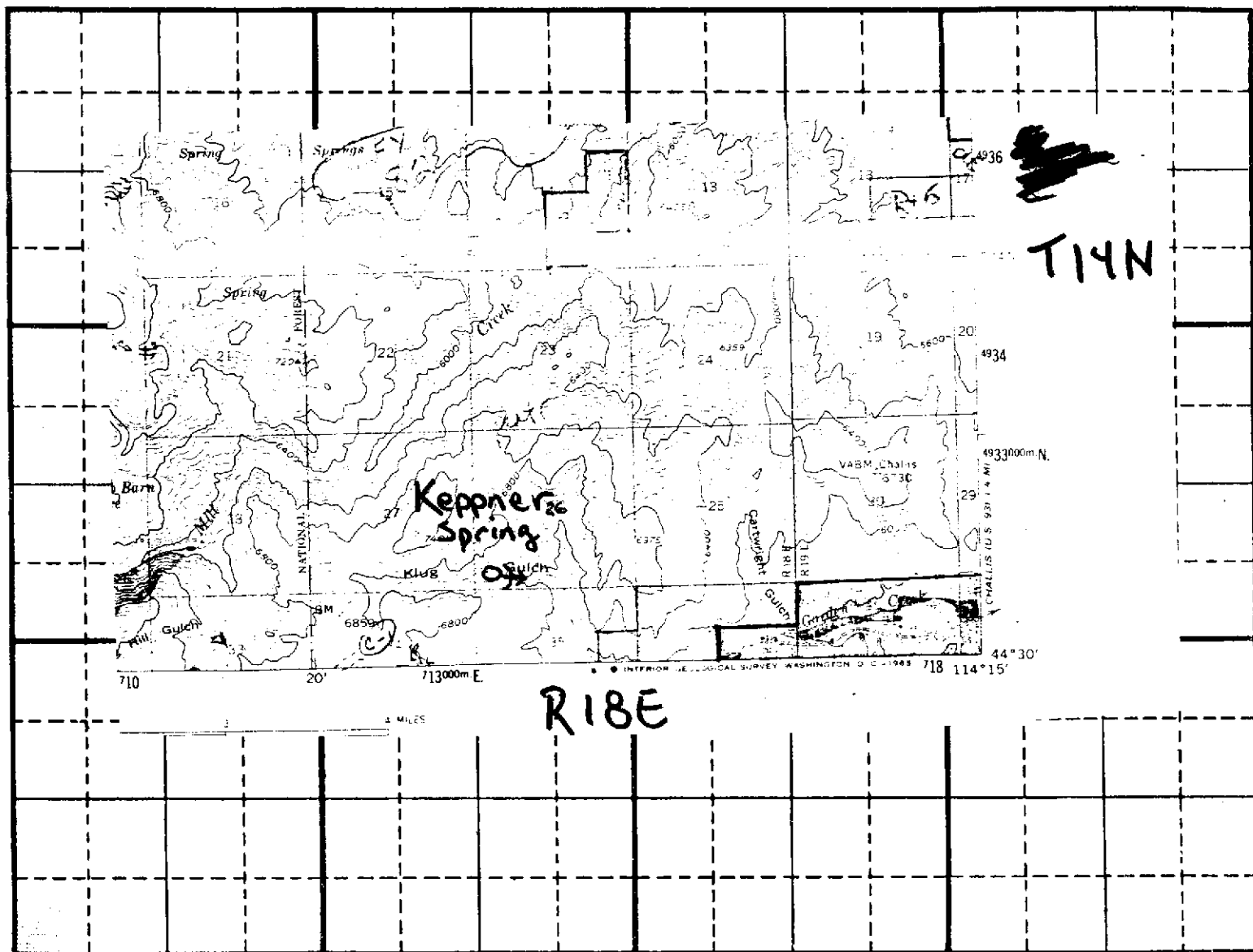
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: To water domestic horses and cattle and the following wildlife species - mule deer, elk, bighorn sheep, black bear, cougar, antelope.

NOTE: Include here the type and number of stock watered: 800 cattle, 40 horses

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

(8) Remarks Water is used for watering purposes in the Garden Creek Allotment by permittees Joe Peck, Ray Keppner, and Tim Ingram.
JDR File Number: 3508
Project Name: Keppner Spring



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. See attached map.

State of Idaho)
County of Lemhi) 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 25 day of May, 19 83.

Kenneth S. Wells
(Claimant) DISTRICT MANAGER

Donald Simpson
Notary Public
Residing at Salmon, Idaho

My commission expires 9/17/83

ID-910- BP3-8003 7/26/83 FOR DEPARTMENT USE ONLY
6-8-83

Received by <u>SLL</u>	Date <u>6/7/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KCW</u>	Date <u>7-13-83</u>		claimant by:	
\$30.00 fee received by <u>14</u>	Date <u>9-2-83</u> #32644			
Published in <u>Custer Publishing Co</u>				
Dates <u>10/20 & 10/27/83</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for ... 2 ... consecutive weeks, commencing with the issue dated ... *Oct. 20* ...

19*83* and ending with the issue dated ... *Oct. 27* ... 19*83*

Margaret Parks

Subscribed and sworn to before this *27* day of *October*

19*83*

Edith M. Park

Notary Public, residing at Challis, Idaho. My commission expires on

Life

RECEIVED

OCT 28 1983

Department of Water Resources
Southern District Office

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:

71-4052

ELLIS, ALLEN BOYD
IDAHO FIRST PLAZA,
SUITE 1500, BOISE, ID 83702
Source: FOURTH OF JULY CREEK trib. to SALMON RIVER

Priority Date: 05/01/1931
Diversion Pt: NWSW Sec 09 T 08N R 14E
Use: IRRIGATION (0.30 CFS)

In: NWSW Sec 09 T 08N R 14E FOR 15 ACRES

71-4053

KOFOED, DEVON M. &/or
ILA H.
RT. 3 BOX 483, BLACK-
FOOT, ID 83221

Source: GOAT CREEK trib. to VALLEY CREEK

Priority Date: 01/01/1938
Diversion Pt: NENW Sec 17 T 10N R 13E

Use: IRRIGATION (0.10 CFS) STOCKWATER (0.02 CFS) DOMESTIC (0.04 CFS)

In: NENW Sec 17 T 10N R 13E FOR 5 ACRES

72-4183

N L INDUSTRIES, INC.
P.O. BOX 60087, HOUSTON,
TX 77208

Source: BRADBURY SPRING trib. to SINKS

Priority Date: 04/01/1905
Diversion Pt: NWNE SENE Sec 27 T 13N R 19E

Use: IRRIGATION (1.50 CFS)

In: NWNE Sec 27 T 13N R 19E NWSE SWSE Sec 22 T 13N R 19E FOR 65 ACRES

72-4194

FINLAYSON, ANN
374 FAIRWAY DR., POCA-
TELLO, ID 83201

Source: ANNIE ROONIE CREEK trib. to MORGAN CREEK

Priority Date: 06/01/1960
Diversion Pt: SWSE Sec 18 T 17N R 19E

Use: IRRIGATION (1.00 CFS) STOCKWATER (0.02 CFS)

In: SWSE SESE Sec 18 T 17N R 19E NENE Sec 18 T 17N R 19E FOR 30 ACRES

72-4195

FINLAYSON, ANN
374 FAIRWAY DR., POCA-
TELLO, ID 83201

Source: ALDER CREEK trib. to MORGAN CREEK

Priority Date: 05/05/1935
Diversion Pt: NENW Sec 18 T 17N R 19E

Use: IRRIGATION (2.00 CFS) STOCKWATER (0.02 CFS)

In: SWNE SENW NWSE Sec 18 T 17N R 19E FOR 50 ACRES

72-4196

NELSON, LARRY E.
HC 61 BOX 3047, CHALLIS,
ID 83226

Source: MORGAN CREEK trib. to SALMON RIVER

Priority Date: 05/02/1878
Diversion Pt: NWSE Sec 23 T 15N R 19E

Use: IRRIGATION (1.80 CFS)

In: SWSE SESE Sec 23 T 15N R 19E NENE NWNE SWNE SENW Sec 26 T 15N R 19E FOR 122 ACRES

72-4199
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MAN-
AGEMENT, IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83708
Source: GROUNDWATER
Priority Date: 03/22/1961
Diversion Pt: SWNE Sec 07 T 12N R 19E
Use: DOMESTIC (0.01 CFS)
In: SWNE Sec 07 T 12N R 19E

72-4200

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to JEFF'S CREEK

Priority Date: 08/30/1961
Diversion Pt: SWNW Sec 16 T 14N R 18E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SWNW Sec 16 T 14N R 18E

72-4201

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to BEAR CREEK

Priority Date: 08/30/1960
Diversion Pt: SENE Sec 13 T 16N R 18E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SENE Sec 13 T 16N R 18E

72-4202

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to BLOCK CREEK

Priority Date: 07/30/1962
Diversion Pt: SENW Sec 17 T 16N R 19E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SENW Sec 17 T 16N R 19E

72-4203

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to BLOCK CREEK

Priority Date: 07/30/1962
Diversion Pt: SENW Sec 17 T 16N R 19E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SENW Sec 17 T 16N R 19E

72-4204

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to BLOCK CREEK

Priority Date: 07/30/1962
Diversion Pt: SWSE Sec 18 T 16N R 19E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SWSE Sec 18 T 16N R 19E

72-4205

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to GOOSEBERRY CREEK

Priority Date: 09/30/1960
Diversion Pt: NENW Sec 27 T 16N R 19E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: NENW Sec 27 T 16N R 19E

72-4209
U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401
Source: SPRING trib. to DARLING CREEK
Priority Date: 08/30/1960
Diversion Pt: SWSE Sec 14 T 15N R 18E
Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)
In: SWSE Sec 14 T 15N R 18E

72-4209

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to BEAR CREEK

Priority Date: 08/30/1960
Diversion Pt: SENW Sec 13 T 16N R 18E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: SENW Sec 13 T 16N R 18E

72-4210

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to JEFF'S CREEK

Priority Date: 08/30/1961
Diversion Pt: NWNE Sec 16 T 14N R 18E

Use: STOCKWATER (0.02 CFS) STOCKWATER STOR-
AGE (0.05 AF)

In: NWNE Sec 16 T 14N R 18E

72-4213

CHALLIS JOINT SCHOOL
DISTRICT NO. 181
P.O. BOX 304, CHALLIS, ID
83226

Source: GROUNDWATER

Priority Date: 09/01/1927
Diversion Pt: SWSE Sec 24 T 11N R 17E

Use: IRRIGATION (0.04 CFS) DOMESTIC (0.01 CFS)

In: SWSE Sec 24 T 11N R 17E FOR 1 ACRES

72-4214

BOREN, ROBERT R. &/or
MARJORIE D.
1002 E. BANNOCK, BOISE,
ID 83702

Source: GARDNER CRE-
EK trib. to SALMON RIVER

Priority Date: 05/01/1939
Diversion Pt: SWNE Sec 30 T 11N R 16E

Use: IRRIGATION (0.15 CFS)

In: NESE NWSE Sec 30 T 11N R 16E FOR 3 ACRES

72-4215

SLEEPING DEER RANCH,
INC.
BOX 99, CHALLIS, ID 83226

Source: BEAR CREEK trib. to CHALLIS CREEK

Priority Date: 05/01/1960
Diversion Pt: NWNE Sec 06 T 14N R 18E NWNE Sec T R

Use: IRRIGATION (6.00 CFS) STOCKWATER (0.50 CFS)

In: NENW NWNW SWNW SENW NESW Sec 05 T 14N R 18E SENE Sec 06 T 14N R 18E FOR 88 ACRES

72-4197

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MAN-
AGEMENT, IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706

Source: SPRING trib. to
SALMON RIVER

Priority Date: 06/01/1968

Diversion Pt: NENE Sec 19
T 11N R 19E

Use: STOCKWATER (0.01
CFS) WILDLIFE (0.01 CFS)
In: NENE Sec 19 T 11N R 19E

72-4198

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MAN-
AGEMENT, IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706

Source: KEPPNER SPRI-
NG trib. to GARDEN CREEK

Priority Date: 08/18/1969

Diversion Pt: SWSW Sec 26 T
14N R 18E

Use: STOCKWATER (0.01
CFS) WILDLIFE (0.01 CFS)
In: SWSW Sec 26 T 14N R 18E

72-4206

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to
GOOSEBERRY CREEK

Priority Date: 09/30/1960

Diversion Pt: NENW Sec 27
T 16N R 19E

Use: STOCKWATER (0.02
CFS) STOCKWATER STOR-
AGE (0.05 AF)
In: NENW Sec 27 T 16N R
19E

72-4207

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH ST.,
OGDEN, UT 84401

Source: SPRING trib. to
MORGAN CREEK, WEST
FORK

Priority Date: 07/30/1964

Diversion Pt: SESE Sec 28 T
16N R 18E

Use: STOCKWATER (0.02
CFS) STOCKWATER STOR-
AGE (0.05 AF)
In: SESE Sec 23 T 16N R 18E

72-4216

CARROLL, FRANK M. &/or
ELDORA L.

ROAD CREEK, SALMON
RIVER, EAST FORK,

1051 W. 77TH AVE.,
ANCHORAGE, AK 99502

Source: SALMON RIVER,
EAST FORK trib. to SALMON
RIVER ROAD CREEK trib. to
SALMON RIVER, EAST
FORK

Priority Date: 05/01/1980

Diversion Pt: NESW NENW
Sec 24 T 10N R 18E

Use: IRRIGATION (0.02
CFS) STOCKWATER (0.06
CFS)
In: SWSW Sec 13 T 10N R 18E
FOR 5 ACRES

72-4217

BRIGHAM YOUNG UNI-
VERSITY

FIRST EAGLE CORP.,
AGENT, 205 N. 10TH ST.,
SUITE 416, BOISE, ID 83702

Source: RANKIN CREEK
trib. to YANKEE FORK

Priority Date: 01/01/1940

Diversion Pt: NENE Sec 05
T 11N R 15E

Use: MINING (0.50 CFS)
DOMESTIC (0.50 CFS)

In: NENE NWNE SWNE
SENE NENW NWNW SWNW
SENE Sec 05 T 11N R 15E
NESE NWSE SWSE SESE Sec
31 T 12N R 15E SWNW NWSW
SWSW Sec 32 T 12N R 15E

72-4218

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MAN-
AGEMENT, IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706

Source: GROUNDWATER

Priority date: 08/30/1962

Diversion Pt: SESW Sec 06 T
12N R 19E

Use: DOMESTIC (0.01 CFS)

In: SESW Sec 06 T 12N R 19E

72-4219

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MAN-
AGEMENT, IDAHO STATE
OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706

Source: SPRING trib. to
SALMON RIVER, EAST
FORK

Priority Date: 01/24/1942

Diversion Pt: SENE Sec 34 T
11N R 19E

Use: STOCKWATER (0.02
CFS) WILDLIFE (0.01 CFS)

In: SENE Sec 34 T 11N R 19E

Any exception to any claim
of water right may be filed
with the Director of the Idaho
Department of Water Resour-
ces, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 10/20 & 10/27/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

NOVEMBER 10, 1983

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: Claim No. 72-4198

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,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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:

72-4198

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3388 AMERICANA TERRACE,
BOISE, ID 83706

Source: KEPPNER SPRING Trib. to GARDEN CREEK

Priority Date: 06/18/1969

Diversion Pt: SMSW Sec 26 T 14N R 18E

Use: STOCKWATER	(0.01 CFS)
WILDLIFE	(0.01 CFS)

In: SMSW Sec 26 T 14N R 18E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 10/20 & 10/27/83.

RECORDED
INDEXED
10/27/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 7, 1983

Custer Publishing Company
P. O. Box 405
Challis, Idaho 83226

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 billings to this office before NOVEMBER 7, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson

Right Number

72-4198

Acquired at

BLM

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. NONE GIVEN
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By

ADM

Date

11/28/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

AC

Date

12/16/83

RECORDED