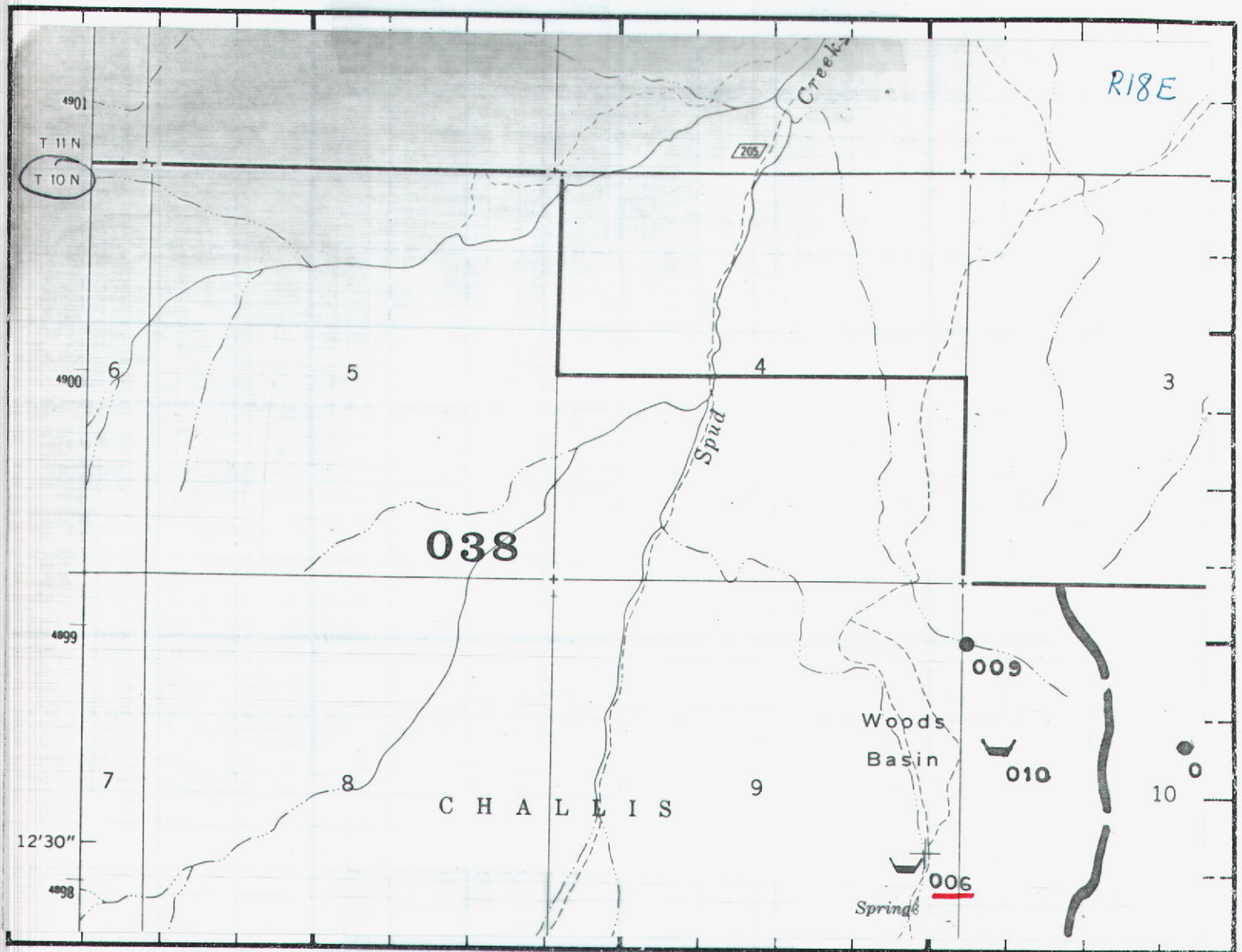


(8) Remarks _____



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 ~~XXXX~~ Utah)
) ss.
County of Weber)

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. United States of America - Forest Service

Richard F. Sanders

(for) GEORGE A. ROETHER (Claimant) Acting DRF, Resources

Sworn to before me this 21st day of September, 19 82.

Sandra J. Carlson

Notary Public
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

Received by manga Date 10-6-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by gi Date 10-6-82 claimant by: _____
\$30.00 fee received by manga Date 11-8-82 23833
Published in Custer Publishing Co
Dates 10/21 + 10/21/82 10/28 & 11/4/82

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, 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 October 28
1982 and ending with the issue
dated November 4, 1982

Margaret Parks
Subscribed and sworn to before
this 9th day of November
1982

Ethel M. Park
Notary Public, residing at Challis,
Idaho. My commission expires on
Life

MICROFILMED

72-4125
U.S. DEPT. OF AGR.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: SPRING tributary
to SPUD CREEK
Priority Date: 09/30/1960
Amount: 0.02 CFS
Diversion Point: NESE
Sec 09 T 10N R 18E, CUSTER
Co.

Use: STOCKWATER (0.02
CFS) from 05/01 to 10/30
Place of Use: NESE Sec 09
T 10N R 18E
Diversion Means: HEAD-
BOX, TROUGH, PIPE

RECEIVED

NOV 17 1982

Department of Water Resources
Southern District Office

*ab
meyer*

RECEIVED

NOV 15 1982

Department of Water Resources
Eastern District Office

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 U.S. Forest Service
324 - 25th Street Ogden, Utah 84401 Telephone No. 801/625-5360
(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) 9/30/60

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)
Unnamed Spring (030-006) tributary to Spud 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	.02 cfs	Use	stockwatering	Period of Use From May 1	To Oct 30
Quantity		Use		Period of Use From	To
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.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 09 Twp. 10N 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.

Headbox collection system connected to a water trough by 1 1/4" PVC pipe

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	18E	09													X				

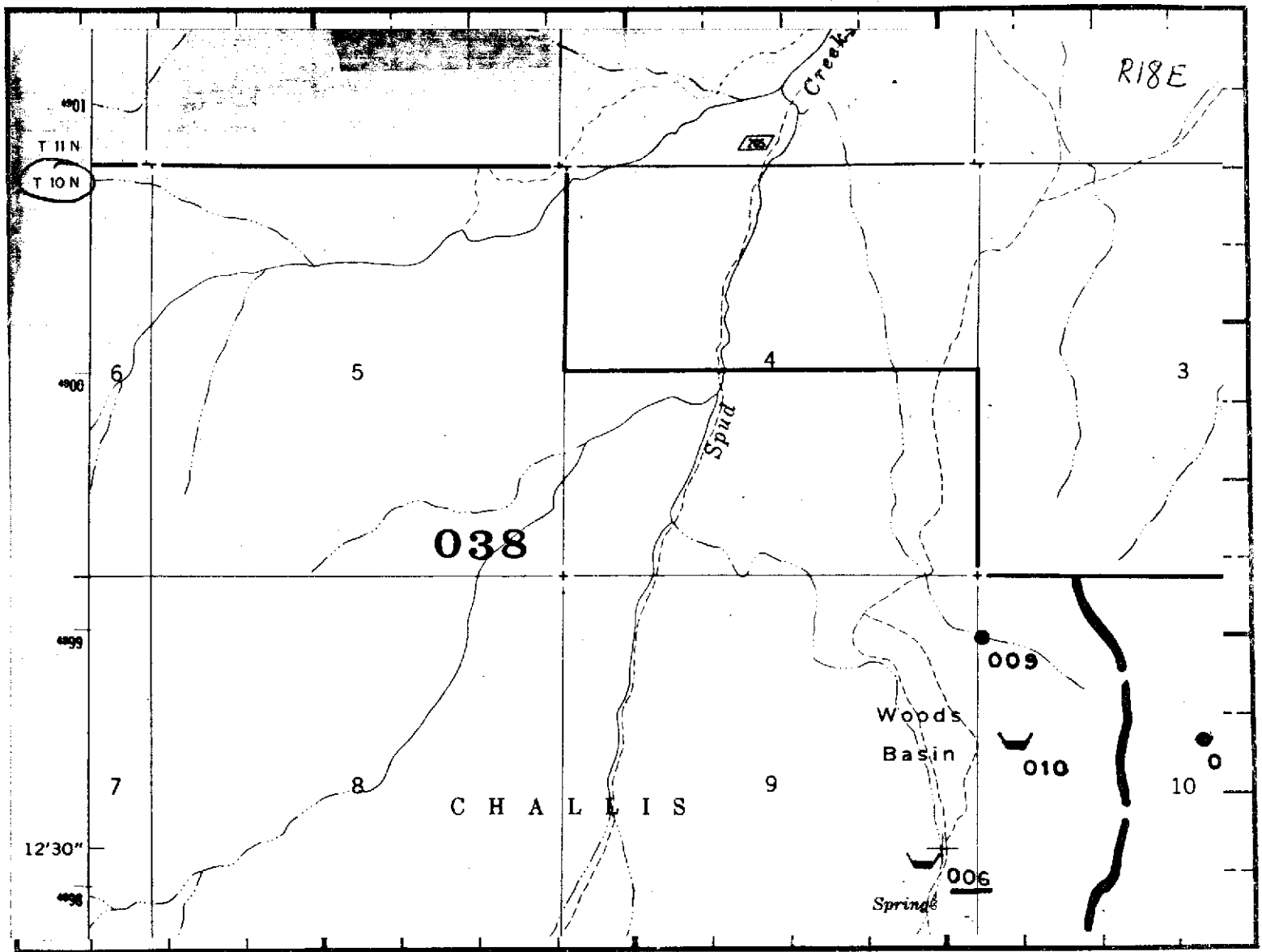
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Trough location: NE 1/4 SE 1/4 Sec 09 T10N R18E

NOTE: Include here the type and number of stock watered: Cattle: 150

(7) If you are claiming water as a member of an organization, list name of organization:
U.S. of America-Forest Service

(8) Remarks _____



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~~ Utah)
) ss.
County of Weber)

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. United States of America - Forest Service

Richard T. Sander

(for) GEORGE A. ROETHER (Claimant) Acting DRF, Resource

Sworn to before me this 21st day of September, 19 82.

Sandra J. Carlson

Notary Public
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

Received by <u>Marya</u>	Date <u>10-6-82</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>go</u>	Date <u>10-6-82</u>		claimant by:	
\$30.00 fee received by <u>Marya</u>	Date <u>11-8-82 23833</u>			
Published in <u>Santa Publishing Co</u>				
Dates <u>10/27 - 10/28/82</u>	<u>10/28</u> & <u>11/4/82</u>			

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. 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 October 28
1982 and ending with the issue
dated November 4, 1982

Margaret Parks

Subscribed and sworn to before
this 9th day of November
1982

Ethel M. Park

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

Feb

72-4125
U.S. DEPT. OF AGRI.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., COVINGTON, LA 70401
G tributary

T M N R 13E
Diversion Means: HEAD-
BOX, TROUGH, PIPE

RECEIVED

NOV 17 1982

Department of Water Resources
Columbia District Office

ap
meyer

RECEIVED

NOV 15 1982

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 10, 1982

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN

UT 84401

RE: Claim No. 72-4125

Dear Claimant:

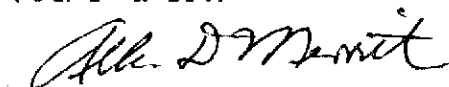
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

RECEIVED
NOV 22 1982

Department of Water Resources

NOTICE OF CLAIMS TO WATER RIGHTS

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

Z2-4125-

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: SPRING tributary to SPUD CREEK

Priority Date: 09/30/1960

Amount: 0.02 CFS

Diversion Point: NESE Sec 09 T 10N R 18E, CUSTER Co.

Use: STOCKWATER (0.02 CFS) from 05/01 to 10/30

Place of Use: NESE Sec 09 T 10N R 18E

Diversion Means: HEADBOX, TROUGH, PIPE

Exceptions to a claim may be filed with the Director, Dept of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

KEN DUNN, Dir.

Published ~~10/21~~ 10/28/82. \$ 11/4/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 12, 1982

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 billing to this office before NOVEMBER 8, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 72-4125 Applicant U.S. FOREST SERVICE

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. - None

By ADL Date 11/18/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 11/22/82