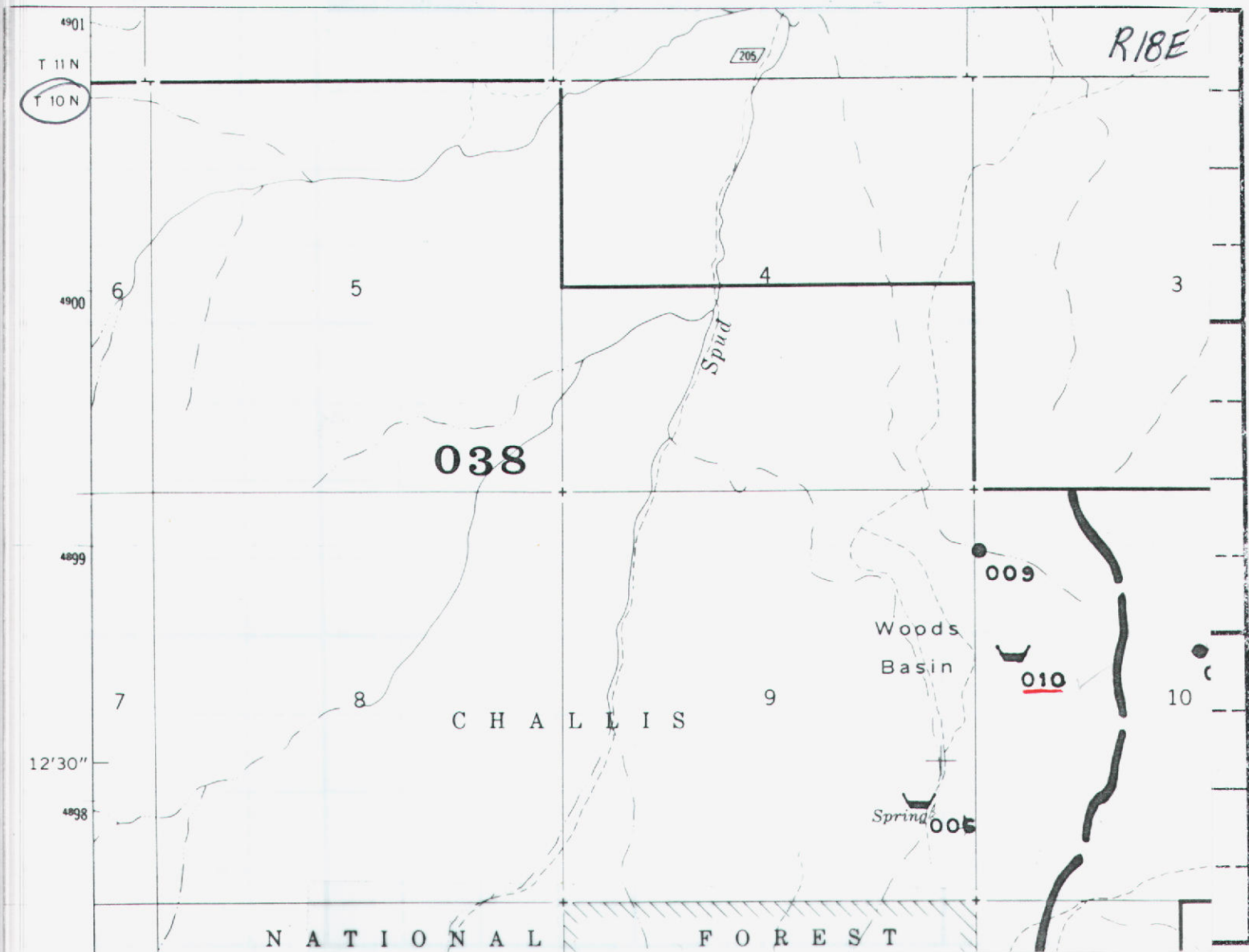


(8) Remarks _____



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 ~~KKK~~ 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 J. Sanders

(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 maria Date 10/5/82 Exception filed by: _____ Date _____
Prelim. check by 190 Date 10-6-82 Forwarded to claimant by: _____
\$30.00 fee received by maria Date 11-8-82 23833
Published in custler bookkeeping Co
Dates 10/21 & 10/28/82 10/28 & 11/4/82

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

Life

72-4124
U.S. DEPT. OF AGRIC.
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: SWNW
Sec 10 T 10N R 18E, CUSTER
Co.
Use: STOCKWATER (0.02
CFS) from 05/01 to 10/30
Place of Use: SWNW Sec
10 T 10N R 18E
Diversion Means: HEAD-
BOX, TROUGH, PIPE

RECEIVED

NOV 17 1982

Department of Water Resources
Southern District Office

ok
mays

RECEIVED

NOV 15 1982

Department of Water Resources
Eastern District Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



RECEIVED
OCT 5 1982
Department of Water Resources
Boise 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 U. S. Forest Service
324 - 25th Street Ogden, Utah 84401 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 801/625-5360

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 (038-010) 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 <u>.02 cfs</u>	Use <u>stockwatering</u>	Period of Use From <u>May 1</u>	To <u>Oct 30</u>
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.
(cfs, af)

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

SW 1/4 NW 1/4, Sec. 10 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.	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	
10N	18E	10							X										

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

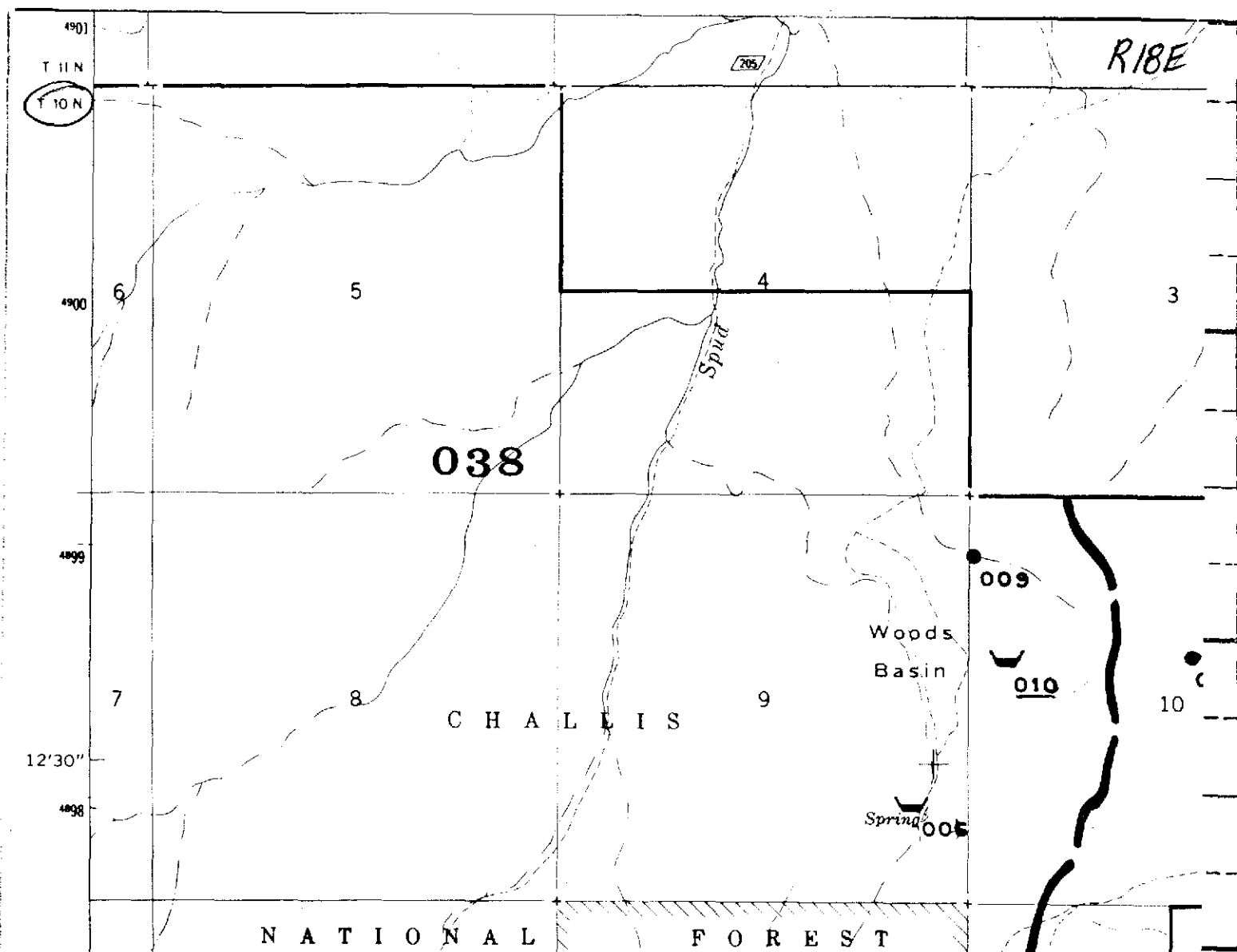
Trough location: SW 1/4 NW 1/4 Sec 10 T10N R18E

NOTE: Include here the type and number of stock watered: cattle: 52

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

U.S. of America - Forest Service

(8) 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.

State of ~~KKK~~ Utah)
County of Weber) 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. United States of America - Forest Service

Richard F. Sanders

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

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

Andrea J. Carlson

Notary Public
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

Received by <u>maria</u>	Date <u>10/5/82</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JP</u>	Date <u>10-6-82</u>		claimant by:	
\$30.00 fee received by <u>maria</u>	Date <u>11-8-82</u>	<u>23833</u>		
Published in <u>Custer Publishing Co</u>				
Dates <u>10/21 & 11/30/82</u>	<u>10/28 & 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*... 19*82*

Margaret Parks.....

Subscribed and sworn to before
this *9th* day of *November*.....
19*82*

Ethel M. Rich.....

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

Life.....

72-4124
U.S. DEPT. OF AGRICULTURE
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: SWNW
Sec 10 T 10N R 18E, CUSTER
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Use: STOCKWATER (0.02
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Place of Use: SWNW Sec
10 T 10N R 18E
Diversion Means: HEAD-
BOX, TROUGH, PIPE

RECEIVED

NOV 17 1982

Department of Water Resources
Southern District Office

*AP
maga*

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. 72-4124

Dear Claimant:

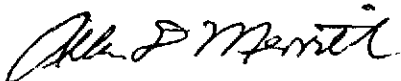
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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:

Z2-4124-

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: SWNW Sec 10 T 10N R 18E, CUSTER Co.

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

Place of Use: SWNW Sec 10 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

1841 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 12, 1982

Duster 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 8, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. F. Stanton

Right Number 72-4126 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 ADM Date 11/18/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 11/22/82