



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 June 3

1982 and ending with the issued  
dated June 10 1982

Margaret Parks

Subscribed and sworn to before  
me this 17th day of June

1982

Ethel M. Peck

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

Life

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:

73-4039

U.S. DEPT. OF AGRI.  
FOREST SERVICE,  
FEDERAL BLDG., 324  
25TH, ST. OGDEN, UT 84401  
Source: SPRING tributary  
to HOLE-IN-THE-ROCK  
CREEK

Priority Date: 09/30/1964

Amount: 0.02 CFS

Diversion Point: NWNE

1F  
Sec 19 T 13N R 21E, CUSTER  
Co.

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

Place of Use: NWNE Sec.  
19 T 13N R 21E

Diversion Means: HEAD-  
BOX & PIPE

MICROFILMED

RECEIVED

JUN 21 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

(Name of Claimant)

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) 1964 9/30

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 (037-05)

tributary to Hole-In-Rock 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, gpd, AFA) | (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, gpd, AFA)

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

NW 1/4 NE 1/4, Sec. 19 Twp. 13 N Rge. 21 E 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 a 1 1/2" 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 |       |
| 13N | 21E |      |        | X      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres

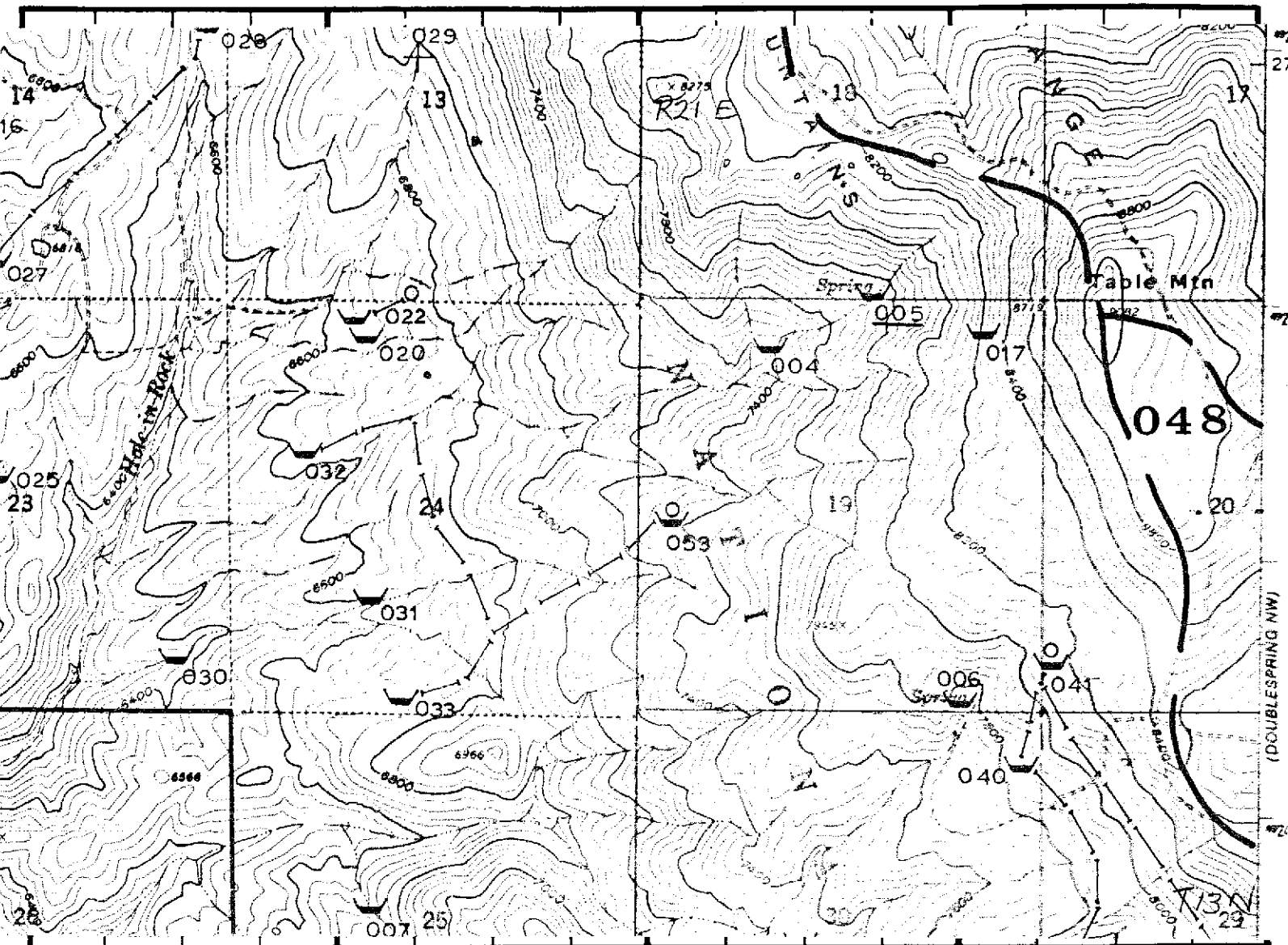
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Trough location:

NE 1/4 SEC 19 T13N R21E

NOTE: Include here the type and number of stock watered: Cattle - 200

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 ~~Utah~~ 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 L. Sanders*

(for) L. KENT MAYS, JR. (Claimant) DRF, Resources

Sworn to before me this 12 day of April, 19 82.

*Sandra J. Carlson*

Notary Public  
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

**RECORDED**

|                                              |                     |                     |              |      |
|----------------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>CW</u>                        | Date <u>5-7-82</u>  | Exception filed by: | Forwarded to | Date |
| Fee check by <u>KCU</u>                      | Date <u>5-11-82</u> |                     | claimant by: |      |
| \$20.00 fee received by <u>CW</u>            | Date <u>6-14-82</u> |                     |              |      |
| Published in <u>Crested Co Publishing Co</u> |                     |                     |              |      |
| Dates <u>5-27-82</u> <u>6-3-1982</u>         | <u>#22308</u>       |                     |              |      |
| <u>6-3</u>                                   | <u>6-10</u>         |                     |              |      |

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BOX & PIPE

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JUN 21 1982

Department of Natural Resources  
Eastern District Office

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: K.C. Wilson

Right Number 73 4039 Applicant U.S.F.S. (037-05)

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.

By Ernest Carlson Date 6-21-82

June <sup>21</sup> 14, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 6/29/82

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JUN 22 1982

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JUNE 14, 1982

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

UT 84401

RE: Claim No. 73-4039

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 CARLSON  
Eastern Region Supervisor

Enclosure

MICROFILMED

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to HOLE-IN-ROCK CREEK

Priority Date: 09/30/1964

Amount: 0.02 CFS

Diversion Point: NWNE Sec 19 T 13N R 21E. CUSTER Co.

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

Place of Use: NWNE Sec 19 T 13N R 21E

Diversion Means: HERDBOX & PIPE

MICROFILMED

5/28/82  
Newspaper called  
Didn't publish  
Moved date ahead!  
6/21/82 P.D.