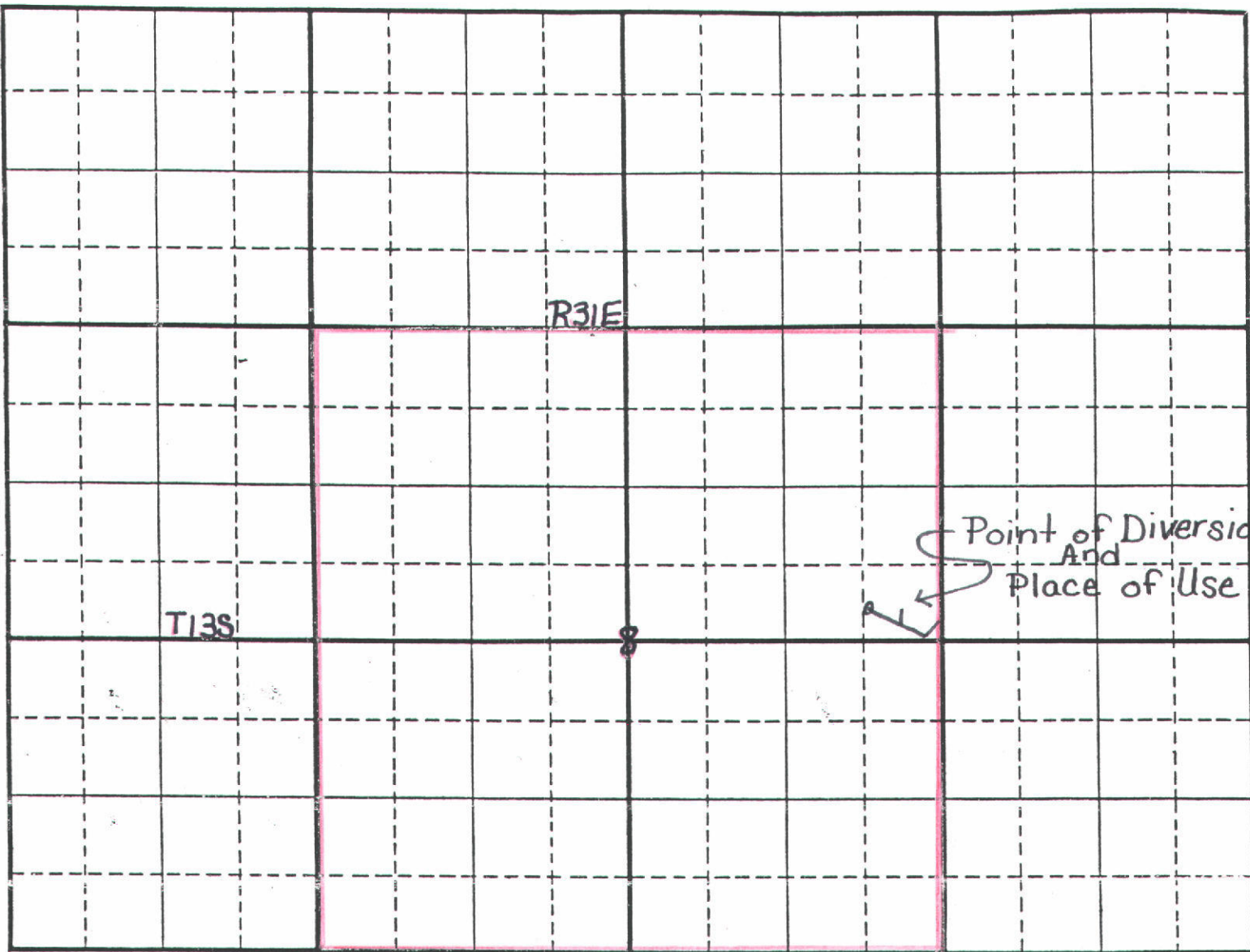


(8) Remarks



Scale: $\frac{1}{2}$ 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

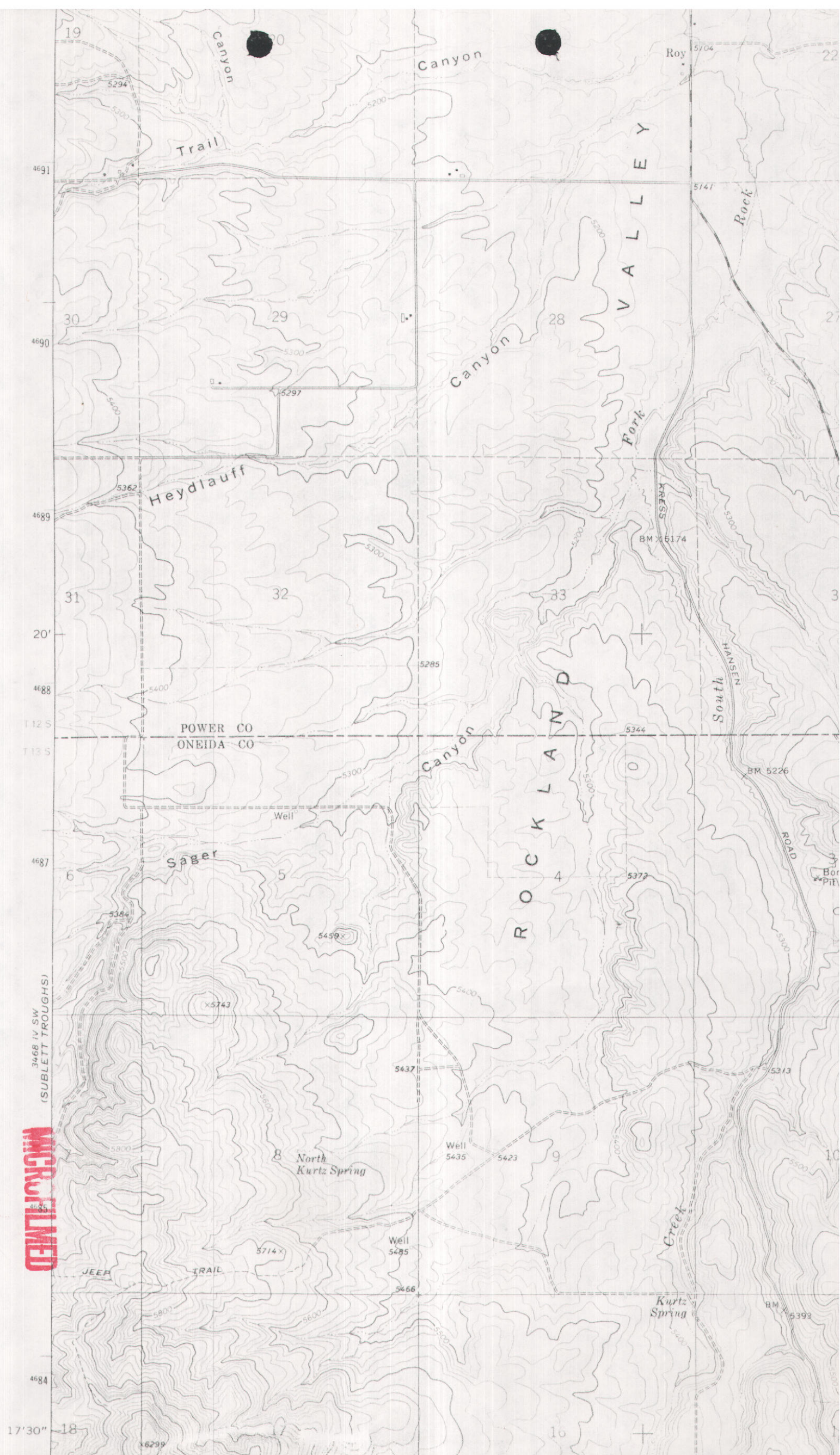
Sworn to before me this 7th day of February, 19 84.
(for) J. S. TIXIER (Claimant) Regional Forester

Andrea S. Carlson
Notary Public
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

Received by OW Date 2-29-84 Exception filed by: _____ Date _____
Prelim. check by OW Date 2-13-84 Forwarded to claimant by: _____ Date _____
\$20.00 fee received by OW Date 3-22-84 # 330324
Published in Payson, Co. News Date 1/25/84 # 29789
Dates 3/27 + 7/4/84



RECEIVED
MAR 22 1984
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 13 1984

Department of Water Resources
Southern District Office

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 United States of America 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) 1960

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)

* North West-Kurtz Spring tributary to Snake River * Sager Canyon

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: * Per conversation w/Frank Beitia 2-13-83

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.02 Cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</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 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 8 Twp. 13S. Rge. 31E. B.M., County of Oneida
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. Spring headbox with 1 1/2 inch galvanized pipe leading 200 feet to a 21 foot circular watering 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.	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	
13S	31E	8				X													

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
This water development is located on the Curlew Allotment, Curlew National Grassland.
The water development is used to water approximately 465 head of cattle, big game, upland game, and non-game wildlife.

NOTE: Include here the type and number of stock watered: 465 Stock Cows
If you are claiming water as a member of an organization, list name of organization:

A hand-drawn map on a grid. The grid has solid lines every 2 units and dashed lines every 1 unit. A route is marked with a solid line from the intersection of T13S and R31E to the intersection of T13S and R32E, and then a dashed line from that intersection to the intersection of T14S and R32E. A point on the dashed line is labeled "Point of Diversion And Place of Use" with an arrow pointing to it.

T13S

R31E

Point of Diversion
And
Place of Use

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

Sworn to before me this 7th day of February, 19 84,
(for) J. S. TIXIER (Claimant) Regional Forester

Notary Public
Residing at Willard (Box Elder County) Utah

My commission expires 2-20-85

FOR DEPARTMENT USE ONLY

Received by aw Date 2-09-84 Exception filed by:

Prelim. check by JS Date 2-13-84

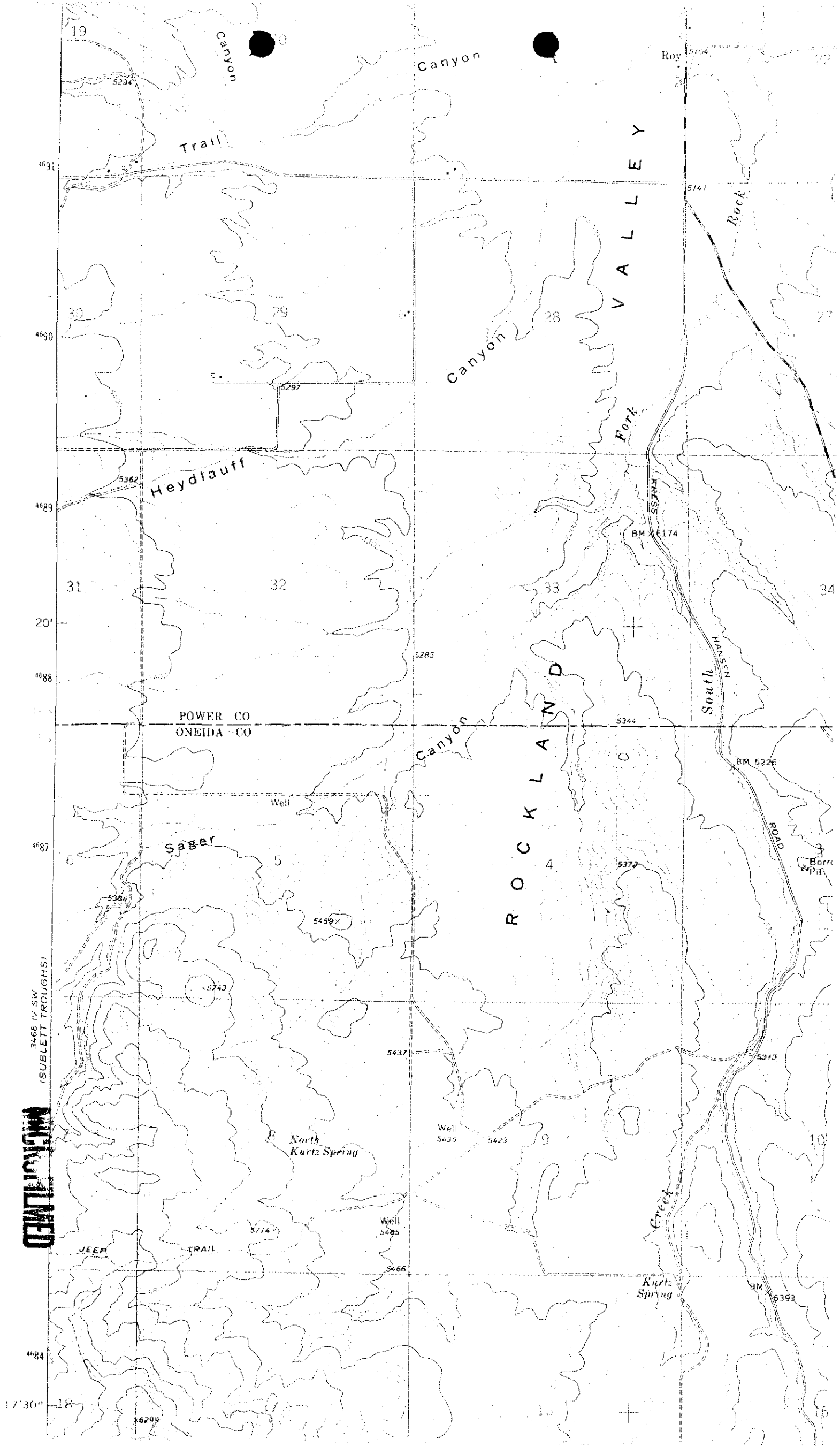
\$20.00 fee received by Shirley Date 3-22-84 # 33032

Published in Power & Peace 1/25/84 # 29789

Dates 3/28 + 4/4/84

Forwarded to
claimant by:

Date _____





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3528

February 13, 1984

U. S. Department of Agriculture
Forest Service
324 25th Street
Ogden, Utah 84401

Re: Claim to a Water Right

Gentlemen:

We have received your Claim to a Water right on the North Kurtz Spring development on the Curlew National Grassland. This was to replace the Application for Permit originally submitted on this development.

The application fee, for which we received a voucher, is \$30.00. The claim fee, however, is \$100.00. We therefore need an additional \$70.00.

Please remit this additional amount to our Twin Falls Regional Office, so that processing of your claim can continue.

If you have question regarding this matter, please feel free to contact this office.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

LOH:JES:marya

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

324 25th Street
Ogden, UT 84401

2540

FEB 8 1984



Mr. Ronald D. Carlson
Eastern Region Supervisor
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Dear Mr. Carlson:

Recently, we submitted an Application for Permit for a stockwater development on Kurtz Spring. It is tributary to South Fork of Rock Creek located in the SENE Sec. 8, T13S, R31E. The application was filed in error. It is a historic use that was put to beneficial use in 1960. We are, therefore, submitting the enclosed Claim to a Water Right to be used in place of the application.

Please accept this claim with our apologies for any inconvenience this may have caused. Also, please apply the the filing fee submitted with the application to the fee charged for the claim.

Thank you for your assistance.

Sincerely,

J. S. Tixier
J. S. TIXIER
Regional Forester

Enclosure

RECEIVED

FEB 13 1984

Department of Water Resources
Southern District Office

RECEIVED

FEB 9 1984

Department of Water Resources
Eastern District Office

ENCLOSURE

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
324 25th Street
Ogden, UT 84401

2540

January 23, 1984



Mr. Loren O. Holmes
Southern Region Supervisor
Idaho Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301

L

Dear Mr. Holmes:

Enclosed is a replacement Application for Permit for the water development Kurtz Spring on the Caribou National Forest. Mary, of your office, has requested this replacement application for the one that your office misplaced. You still have the filing fee in your office.

Thank you for your assistance.

Sincerely,

Ted R. Tixier

J. S. TIXIER
for Regional Forester

Enclosure

RECEIVED
JAN 24 1984
FBI

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JAN 25 1984

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant United States of America - Forest Service Phone (801) 625-5360

Post office address 324 25th Street, Ogden, UT 84401

2. Source of water supply Kurtz Spring which is a tributary of South Fork Rock Cr.

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 13S

Range 31E B.M. Oneida County, additional points of diversion if any: _____

023-011

4. Water will be used for the following purposes:

Amount .02 cfs for Stockwater purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring headbox with 1½ inch galvanized
pipe leading 200 feet to a 21' circular watering trough

b. Height of storage dam NA feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 13S
Range 31E B.M.

(2) Amount of power to be generated: NA horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 465 cows

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: NA

RECEIVED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion
United States of America - Forest Service

b. Who owns the land to be irrigated or place of use? United States of America - Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks	This water development is located on the Curlew Cattle Allotment,
-------------	---

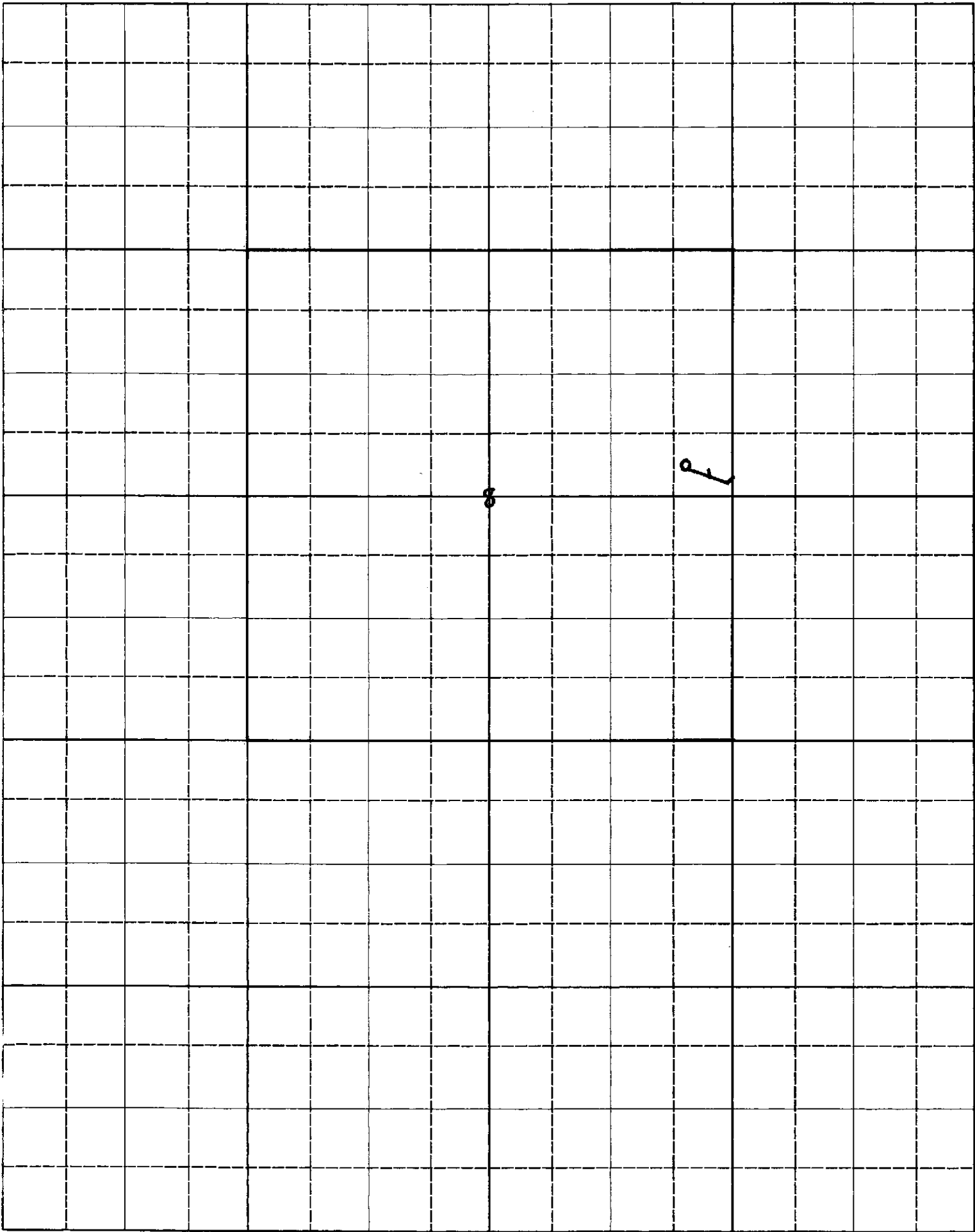
Curler National Grassland.

The water development is used to water livestock, big game,

upland game, and non-game wildlife.

UNPROFITED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

Ted Russell
(for) J. S. TIXIER (Applicant) Regional Forester

MICROFILMED

MICROFILMED

Received by *mary* Date *1/25/84* Time *12:00 p*
Preliminary check by _____ Fee \$ *30.00* *new*
Received by *carlton* Date *1/24/84* # *29789*
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: _____

Oath

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER } s.s.

.....Brett Crompton.....

being first duly sworn

on oath, states:

That ..he..... is the ..editor.....
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterrupted and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement;

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said
newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-
tion being the 28..... day of March..... 84
the date of last publication being the

.....4..... day of April....., 19..... 84

Subscribed and sworn to before me this

.....4..... day of April....., 19..... 84

Randa Deeb
Notary Public, residing at American Falls,
Idaho,

My Commission expires the

(SEAL) 4..... day of September, 1984.....

RECEIVED

APR 16 1984

Department of Water Resources
Sawtooth Regional Office

Water rights established

Published in the Power County
Press, March 28 & April 4, 1984.

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:

41-4043

U.S. Dept. of Agriculture
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN,
UT 84401

Source: NORTH KURTZ SPRING
trib. to SAGER CANYON
Priority Date: 01/01/1960
Diversion Pt: SENE Sec 08 T 13S R
31E
Use: STOCKWATER (0.02 CFS)
In SENE Sec 08 T 13S R 31E

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

Ed Mark

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 16, 1984

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

UT 84401

RE: Claim No. 41-4043

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

MICROFILMED

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:

41-4043-

U.S. DEPT. OF AGRI.

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

Source: NORTH KURTZ SPRING trib. to SAGER CANYON

Priority Date: 01/01/1960

Diversion Pt: SENE Sec 08 T 13S R 31E

Use: STOCKWATER (0.02 CFS)

In: SENE Sec 08 T 13S R 31E

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 3/28 & 4/4/84.

MICROFILMED

Water rights established

Published in the Power County
Press, March 28 & April 4, 1984.

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:

41-4043

U.S. Dept. of Agriculture
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN,
UT 84401

Source: NORTH KURTZ SPRING
trib. to SAGER CANYON

Priority Date: 01/01/1960

Diversion Pt: SENE Sec 08 T 13S R
31E

Use: STOCKWATER (0.02 CFS)

In SENE Sec 08 T 13S R 31E

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

*ok
may
3/5/84*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MARCH 23, 1984

Power County Press
174 Idaho Street
American Falls, ID 83211

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 APRIL 16, 1984.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J.F. Stanton

Right Number 41-4043

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.

By ADM

Date 4/25/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC

Date 4/26/84

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APR 26 1984

Department of Water Resources