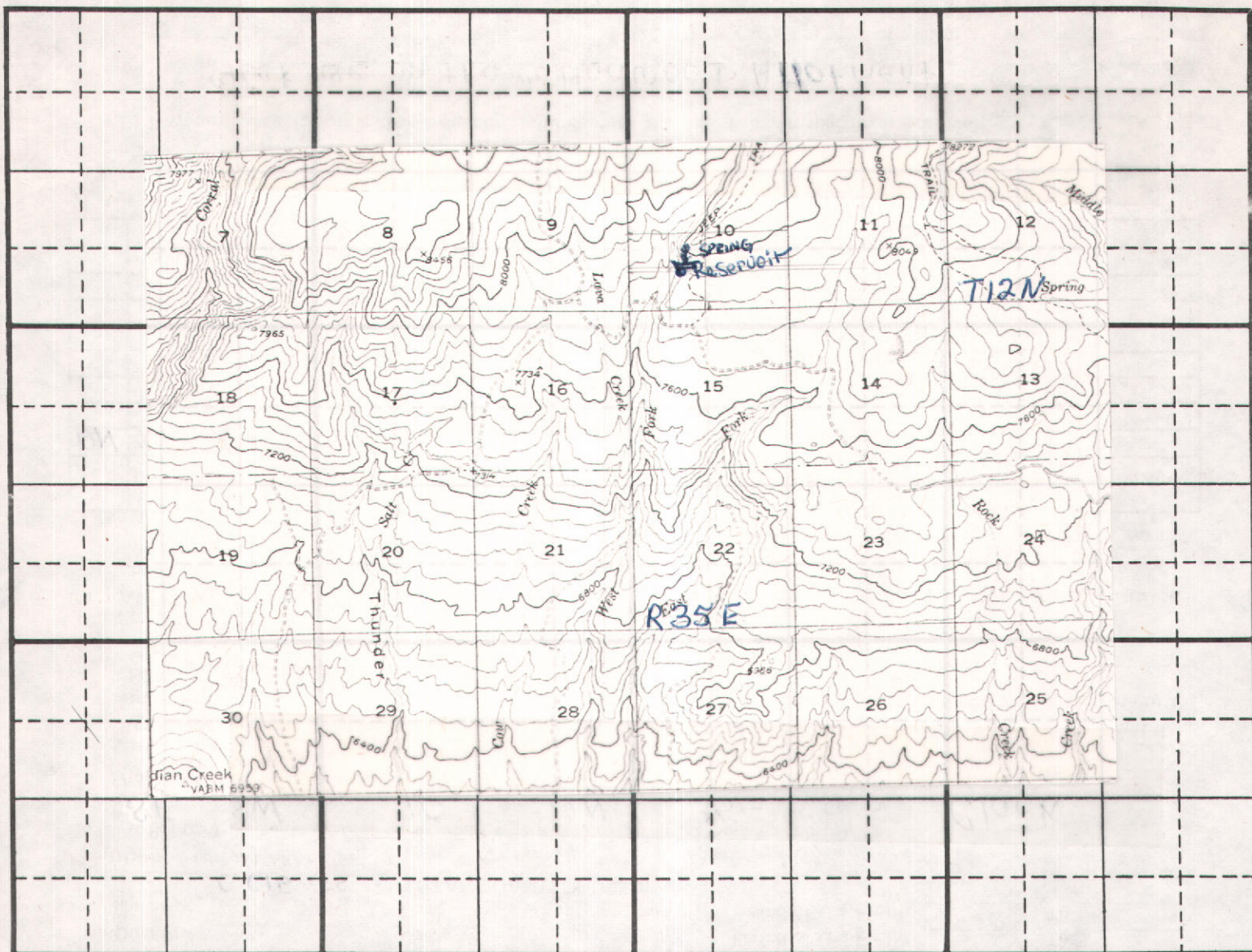


(8) Remarks _____



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)
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.

Sworn to before me this 9th day of December, 1980.
for Edman Dalton
L. KENT MAYS, JR. (Claimant) Deputy Regional Forester, Resources

Collen Saxton
Notary Public
Residing at Ogden, Utah

My commission expires 6/19/83

FOR DEPARTMENT USE ONLY

Received by kw Date 12/11/80 Exception filed by: _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by 0750.kw Date 1/30/81 #17007
Published in Ripley Star _____
Dates 01/14/81 _____

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 United States of America - Forest Service

324 25th Street Ogden, Utah

(Name of Claimant)

84401

Telephone No. _____

(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) MAY 1967

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)

Pole Pond Spring tributary to West Fork Cottonwood 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>0.015 CFS</u>	Use	<u>Stock</u>	Period of Use From	<u>1-1</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 _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____

(4) 0.015 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 10 Twp. 12N Rge. 35E B.M., County of Clark
Additional points of diversion: PW 28 MAP 9

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. Reservoir

(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	
<u>12N</u>	<u>35E</u>	<u>10</u>									X								

No. of acres _____

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

Stock use on the Cottonwood Allotment

NOTE: Include here the type and number of stock watered: 1017 Cattle

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

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Received by KW Date 12/11/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$30.00 fee received by W750-KW Date 1/30/81 # 17007
Published in Register Star _____
Dates 01/14/81 _____

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:

31-4039

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Salt Creek Spring tributary to Sinks

Priority Date: 06/01/1941
Amount: 0.02 CFS

Diversion Point: NENE Sec 17 T 12N R 35E, Clark Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 17 T 12N R 35E

Diversion Means: Headbox, pipeline & trough.

31-4040

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Pass Creek Spring tributary to Pass Creek

Priority Date: 06/01/1941

Amount: 0.02 CFS

Diversion Point: SENW Sec 04 T 13N R 37E, Clark Co.

Use: Stockwater (0.02 CFS) from 06/01 to 10/31

Place of Use: SENW Sec 04 T 13N R 37E

Diversion Means: Headbox, pipeline & trough.

31-4041

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Pole Pond Spring tributary to Cottonwood Creek, West Fork

Priority Date: 05/01/1967

Amount: 0.02 CFS

Diversion Point: NESW Sec 10 T 12N R 35E, Clark Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 10 T 12N R 35E

Diversion Means: Reservoir.

31-4042

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Palmer Spring tributary to Miners Creek

Priority Date: 06/01/1938

Amount: 0.02 CFS

Diversion Point: NWSE Sec 18 T 13N R 37E, Clark Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSE Sec 18 T 13N R 37E

Diversion Means: Headbox, pipeline & trough.

31-4043

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: South Pass Spring tributary to Sinks

Priority Date: 06/01/1940

Amount: 0.02 CFS

Diversion Point: NWSW Sec 09 T 13N R 37E, Clark Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 09 T 13N R 37E

Diversion Means: Headbox, pipeline & trough.

31-4044

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Aspen Park Spring tributary to Miners Creek

Priority Date: 06/01/1940

Amount: 0.02 CFS

Diversion Point: SESW Sec 32 T 14N R 37E, Clark Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 32 T 14N R 37E

Diversion Means: Headbox, pipeline & trough.

31-4045

U.S. Dept. of Agri., Forest Service, Federal Bldg., 324 25th St., Ogden, UT 84401

Source: Beaver Creek Spring tributary to Beaver

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Eighth day of January, 19 81

and the last publication on the

Fifteenth day of January, 19 81

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Marie B. Nye
Publisher

Subscribed in my presence and sworn to before me this Fifteenth day of January, 19 81.

[SEAL]

Carolyn M. Taylor
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 162.77

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 31 4041 Applicant USFS.

NOTE: 31-4041 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. Basin 31
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Feb 6, 1981.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 2/26/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 28, 1981

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

UT 84401

RE: Claim No. 31-4041

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 D. CARLSON
Eastern Region Supervisor

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31-4041-

U.S. DEPT. OF AGRI.

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

Source: POLE POND SPRING tributary to COTTONWOOD CREEK, WEST FORK

Priority Date: 05/01/1967

Amount: 0.02 CFS

Diversion Point: NESW Sec 10 T 12N R 35E, CLARK Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 10 T 12N R 35E

Diversion Means: RESERVOIR.

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