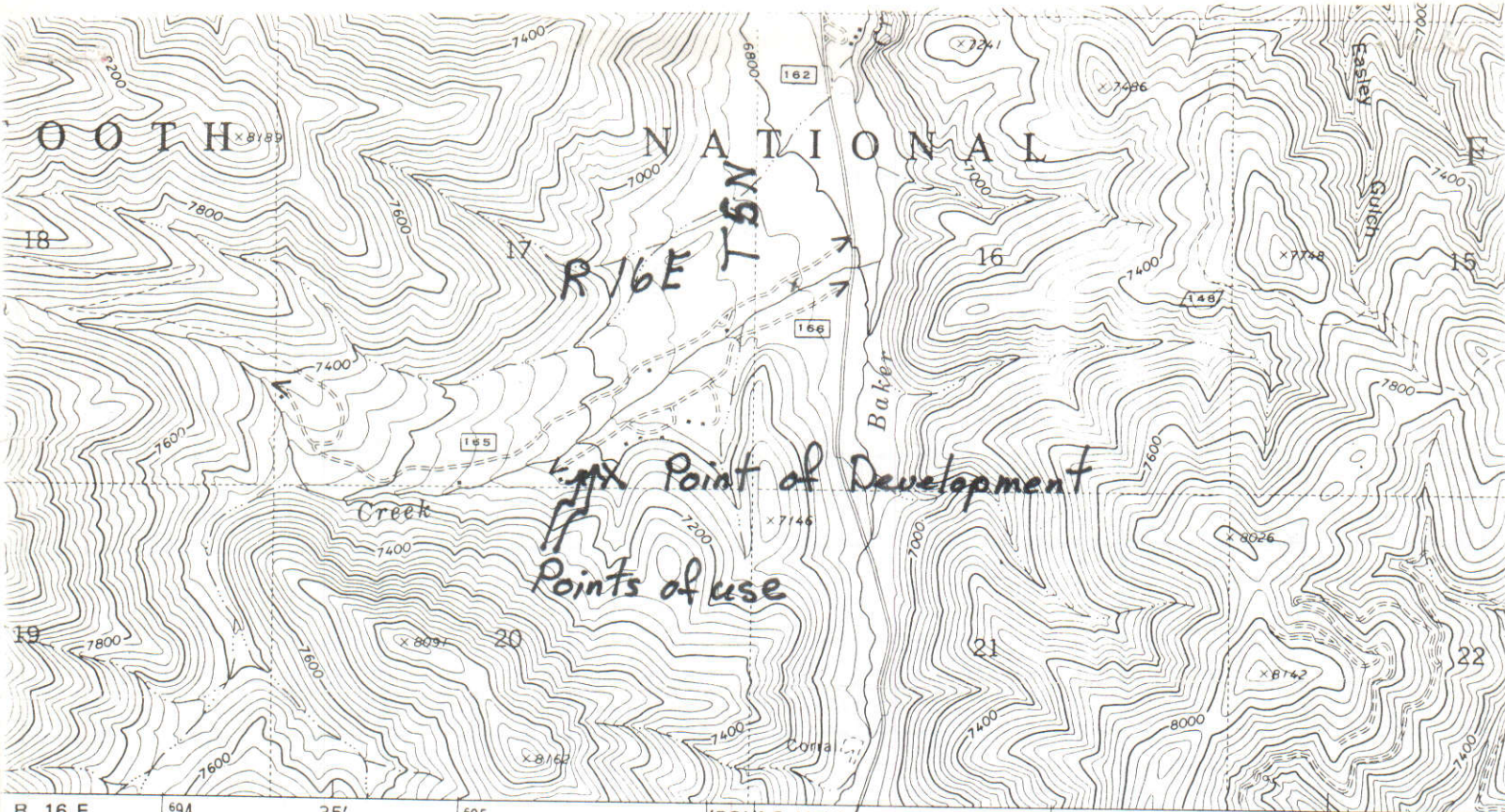


Scale: 2 inches equal 1 mile.

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.

L. Kent Mays, Jr. (Claimant) DRF- Resources
Sworn to before me this 30th day of December, 1980.

Colleen Saxton
Notary Public
Residing at Ogden, Utah

My commission expires 6/19/83

ROAD CLASSIFICATION
Heavy Duty. _____ Medium Duty.
Light Duty.. _____ Unimproved Dirt -----
Trail -----

TOWNSHIP AND SECTION LINE CLASSIFICATION
_____ Surveyed, location reliable
----- Surveyed, location approximate
..... Unsurveyed, Bureau of Land Management protraction

FOR DEPARTMENT USE ONLY

Received by <u>Mays</u>	Date <u>1/5/81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADN</u>	Date <u>1/12/81</u>		claimant by:	
\$20.00 fee received by <u>Mays</u>	Date <u>2/12/81</u> #16825			
Published in <u>Utah State Journal</u>				
Dates <u>1/29 + 2/5/81</u>				

RECEIVED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 29 day of January,

19 81, and the date of the last publication was on the 5

day of February, 1981.

Subscribed and sworn to before me this 6 5

day of February, 1981.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 32
Number of Insertions 2

Lines tabular at _____ 4¢ / Pica
32 Lines straight at 12.48 3¢ / Pica
32 Subsequent lines at 8.32 2¢ / Pica

TOTAL COST 20.80

COPY OF NOTICE

(Paste Here)

Permit 37-4158
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
T.F.

NOTICE OF CLAIMS TO WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following claim to water right has been established by diversion and application to beneficial use:

37-4158

U.S. DEPT. OF AGRICULTURE

FOREST SERVICE

Federal Bldg., 324 - 25th Street

Ogden, Utah 84401

Source: SPRING tributary to NEWMAN CREEK

Priority Date: 06/01/1948

Amount: 0.02 CFS

Diversion Point: SWSE Sec 17 T 05N R 16E, BLAINE Co.

Use: DOMESTIC (0.02 CFS) from 06/01 to 11/30

Place of Use: SWSE Sec 17 T 05N R 16E

Diversion Means: STORAGE TANK AND FEEDER LINES

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.

C. STEPHEN ALLRED

Director

Publish: Wood River Journal--January 29 and February 5, 1981.

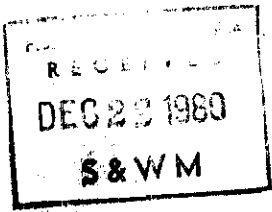
7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

RECEIVED

NEFB 9 350

Department of Water Resources
Southern District Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

FWI 026, Map # 005, 006

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)

Federal Bldg, 324-25 St., Ogden, Utah

84401

Telephone No. 801-626-3561

(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) June 1, 1948

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 tributary to Newman 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>0.02 cfs</u>	Use <u>domestic</u>	Period of Use From <u>June 1</u>	To <u>Nov 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) 0.02 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SW ¼ SE ¼, Sec. 17 Twp. 5N Rge. 16E B.M., County of Blaine

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. 1300 gal storage tank with two feeder lines of 2" and 1" diameters

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	16E	17															X		

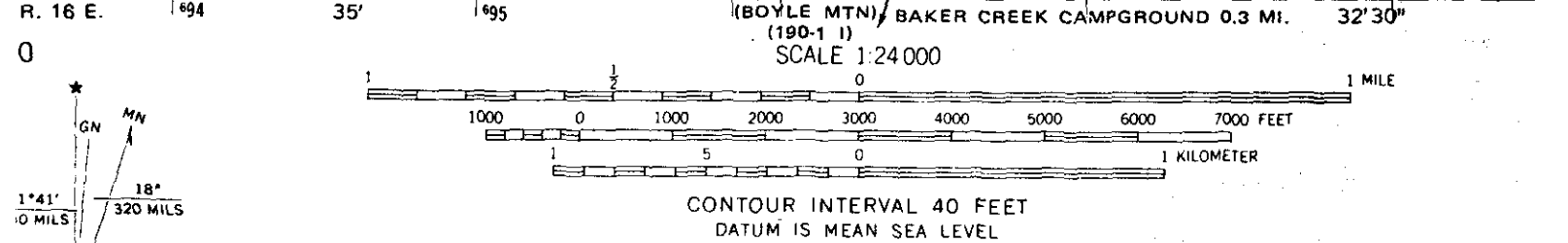
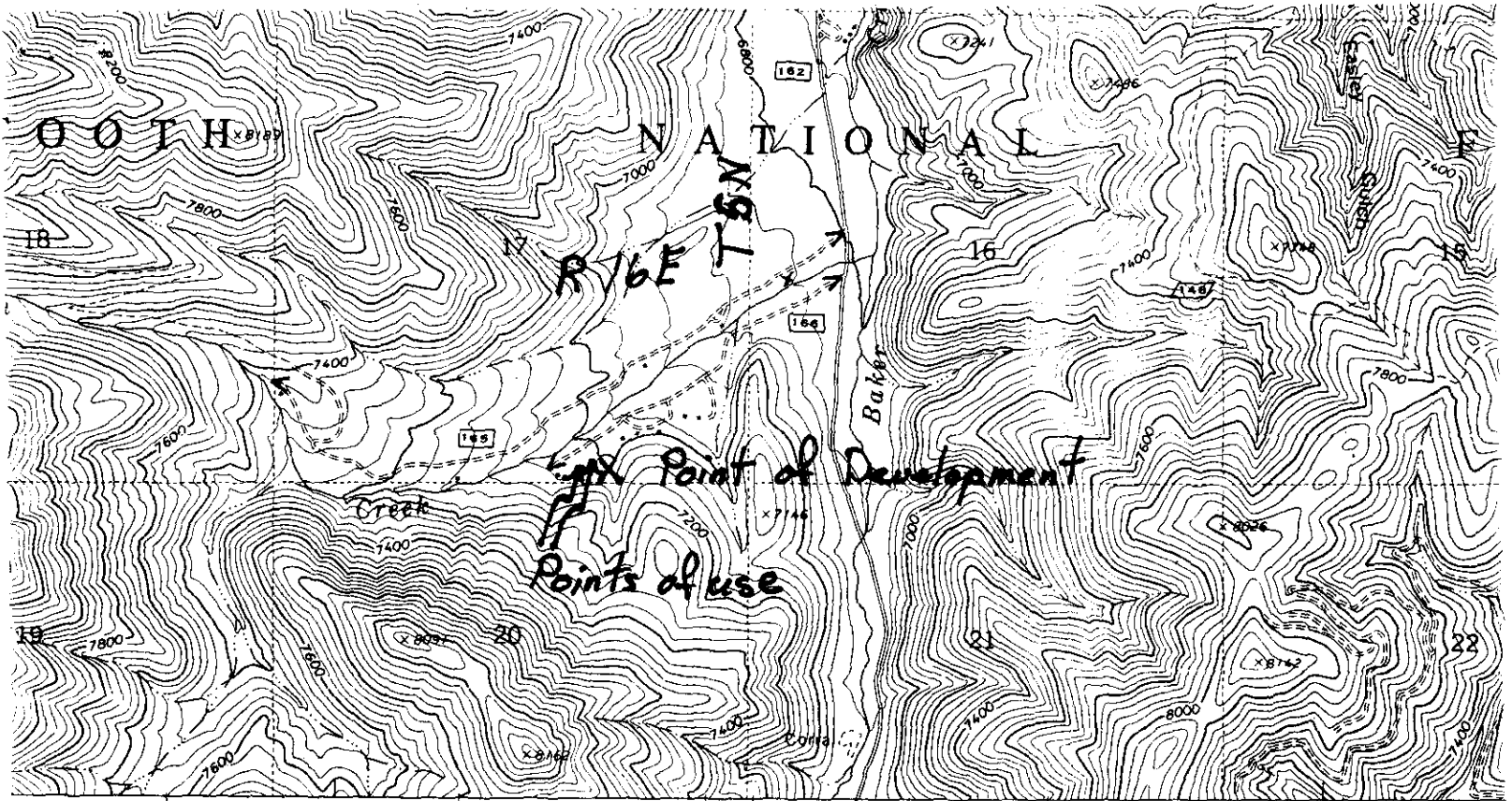
No. of acres

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

Water is used for domestic purposes by the Kelly and Mason households in the Newman Creek Summer Home area Lots #5 and #6, respectively.

E: Include here the type and number of stock watered:

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



ROAD CLASSIFICATION

Heavy Duty.....	Medium Duty.....
Light Duty.....	Unimproved Dirt.....
Trail.....	

TOWNSHIP AND SECTION LINE CLASSIFICATION

.....	Surveyed, location reliable
.....	Surveyed, location approximate
.....	Unsurveyed, Bureau of Land Management protraction

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 30th day of December, 1980.
L. KENT MAYS, JR. (Claimant) DRF- Resources

L. Kent Mays, Jr.

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

Colleen Saxton

Notary Public
Residing at Ogden, Utah

My commission expires 6/19/83

FOR DEPARTMENT USE ONLY

Received by <u>marry</u>	Date <u>1/5/81</u>	Exception filed by:	Forwarded to	Date
Prepared by <u>Adm</u>	Date <u>1/12/81</u>		claimant by:	
Fee received by <u>marry</u>	Date <u>1/12/81</u>			
Published in <u>Utah River Journal</u>				
<u>1/24 & 2/5/81</u>				

RECEIVED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMAN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 29 day of January, 1981, and the date of the last publication was on the 5 day of February, 1981.

Gordon O. Glasman

Subscribed and sworn to before me this 6 5

day of February, 1981.
(SEAL)

Robert McKee
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

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TOTAL COST 20.80

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PY OF NOTICE

(Paste Here)

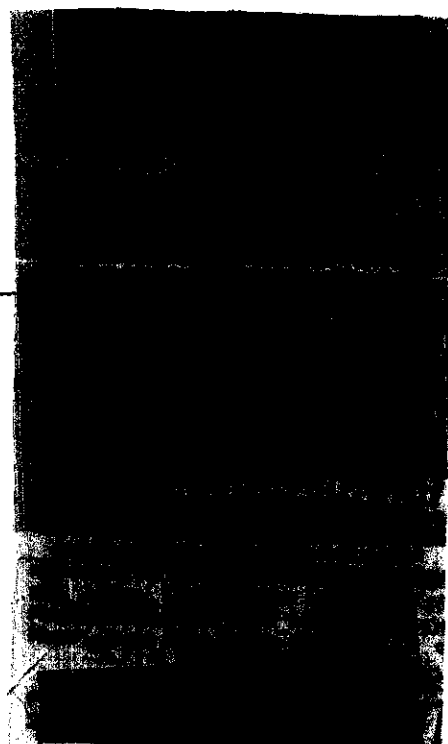
Permit 37-4158
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Blk N
T.F.



7-8 pt. per line, straight	3¢ / Pica
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7-8 pt. per line successive insertions	2¢ / Pica

RECEIVED

FEB 6 3:50

Dept. of Water Resources
Southern District Office

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 17, 1981

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.
324 25TH ST.
OGDEN UT 84401

RE: Claim No. 37-4158

Dear Claimant:

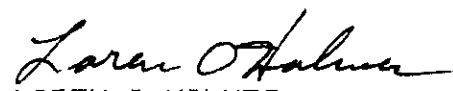
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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,


LOREN D. HOLMES
Southern Region Supervisor

Enclosure

MICROFILM

WATER RIGHT NUMBER 37-4158

OWNER LAST NAME - U.S.DEPT. OF AGRI. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - FOREST SERVICE, FEDERAL BLDG. ADDRESS LINE 2 - 324 25TH ST.
ADDRESS LINE 3 - CITY - OGDEN STATE - UT ZIP CODE - 84401
SOURCE - SPRING TRIBUTARY OF - NEWMAN CREEK
STAGE - STATRY CLM STATUS - PRIORITY - 06-01-1948 COUNTY - BLAINE TOTAL DIV. RATE - .0200 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWSE 17 05N 16E LOT REDIV -
FROM - 06-01 TO - 11-30 USE - DOMESTIC USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .00 AFA
USE - DOMESTIC PLACE OF USE - TWN 05N RNG 16E SEC 17 TRACT SWSE LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE - D/2 HOMES
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - STORAGE TANK AND FEEDER LINES

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 37- 4158 Applicant USA - 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 Loren O'Hara Date 2-18-81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 2/25/81

MICROFILMED

IDENT. NO. 37-4158

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

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:

32-4158

U.S. DEPT. OF AGRI.

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

Source: SPRING tributary to NEWMAN CREEK

Priority Date: 06/01/1948

Amount: 0.02 CFS

Diversion Point: SWSE Sec 17 T 05N R 16E, BLAINE Co.

Use: DOMESTIC (0.02 CFS) from 06/01 to 11/30

Place of Use: SWSE Sec 17 T 05N R 16E

Diversion Means: STORAGE TANK AND FEEDER LINES

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.

C. STEPHEN ALLRED

Director

Published 1/29 & 2/5/1981.

MICROFILMED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 16, 1981

Wood River Journal
P.O.Box 988
Hailley ID 83333

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 FEBRUARY 16, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED