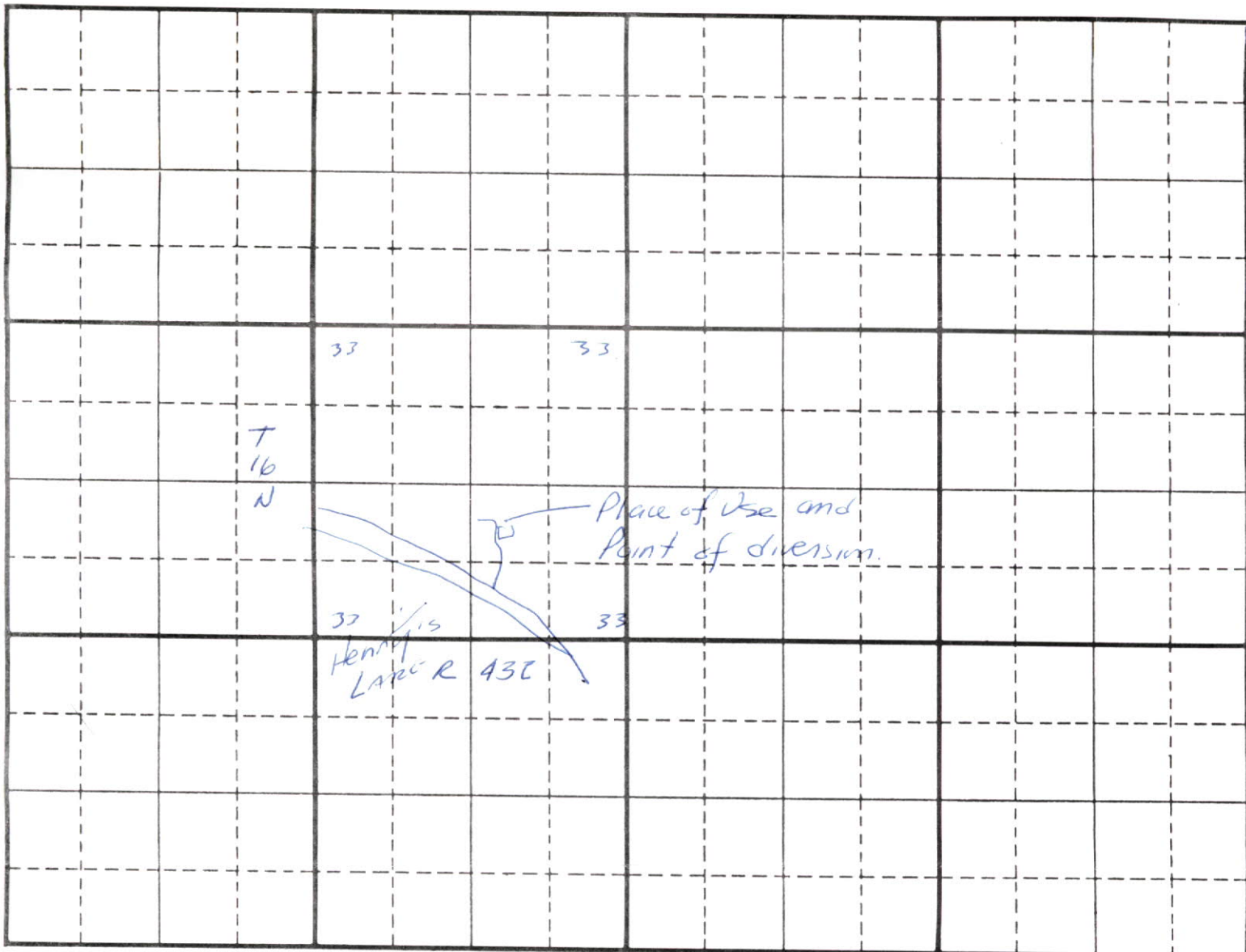


(8) Remarks _____



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 Montana)
County of Gallatin) 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.

Sworn to before me this 30 day of June, 1980.

Joe Sherwood
(Claimant)
Reg. T. Huber
Notary Public
Residing at 242 Yellowstone Ave 59738
1982

My commission expires January 9, 1982

FOR DEPARTMENT USE ONLY

Received by <u>S.M.</u>	Date <u>6-25-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>A.W.J.</u>	Date		claimant by:	
\$20.00 fee received by <u>KW</u>	Date <u>6-25-80</u>			
Published in <u>Ashton Herald</u>	<u>#14901</u>			
Dates <u>July 10 and 17, 1980</u>				

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey
being first duly sworn, upon ^{her} oath, deposes and says:

That she is the editor of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont 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, advertisement or publication of notice of

Claims to Water
Rights #21-4061
(Sherwood)

And affiant further says that said notice, advertisement of 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 10

day of July, 1980

and the last publication on the

17 day of July

1980.

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 deep.

Carol Bessey
Subscribed in my presence and sworn to before me this 22nd

day of July

1980

Linda Sheldon

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

JUL 22

Department of Water Resources
Eastern District Office

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:

Application No.: 21-4061

Applicant: SHERWOOD, JOE; WEST YELLOWSTONE, MT. 59758

Source: UNNAMED SPRINGS tributary to HATCHERY CREEK, HENRY'S LAKE

Priority Date: 03/01/1904

Amount: 0.04 CFS

Diversion Point: NWSE Sec 33 T 16N R 43E, FREMONT Co.

Use: DOMESTIC (0.04 CFS from 01/01 to 12/31)

Place of Use: NWSE Sec 33 T 16N R 43E
Diversion Means: PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

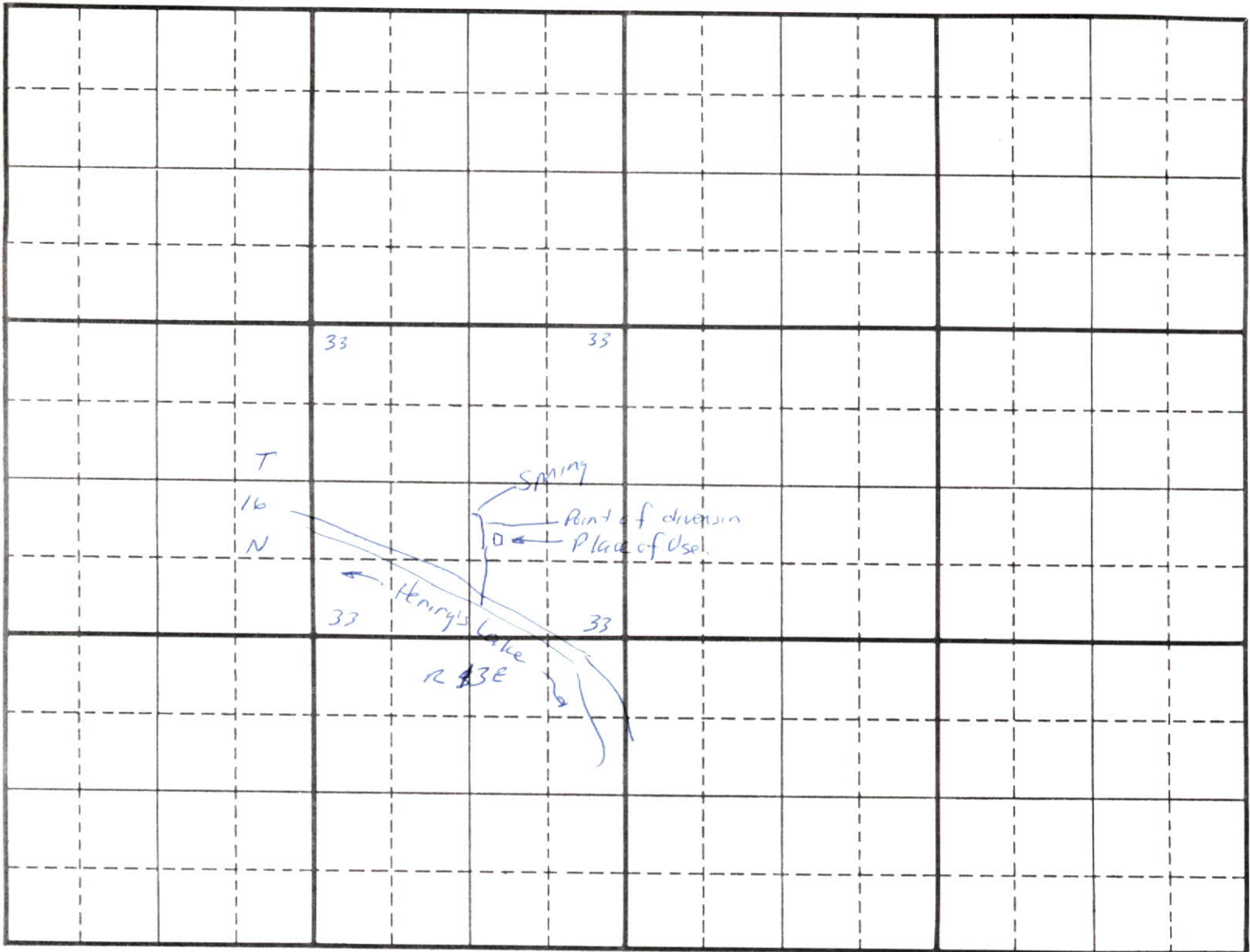
C. STEPHEN ALLRED
Director

Publ. July 10 and 17, 1980AH

ok kw
7/30/80

RECEIVED

(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)
County of Bonneville) 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.

Sworn to before me this 25 day of June, 19 80.

Joe Shumway
(Claimant)
Kathryn Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/83

FOR DEPARTMENT USE ONLY

Received by SM Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date _____
\$20.00 fee received by EW Date 6/25/80 #14901
Published in _____
Dates _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

AMENDED

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 Joe Sherwood

(Name of Claimant)

West Yellowstone, Montana

59758

Telephone No. 646-9315

(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) March 1, 1904

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 Springs tributary to Hatchery Creek trib. to Henry's Lake

- (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	0.04cfs	Use Domestic	Period of Use From Jan. 1	To Dec. 31
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) 0.04cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 33 Twp. 16N Rge. 43E B.M., County of Fremont

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. 2 - 1" pipes from springs to house.

- (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	
16N	43E	33														X			

No. of acres

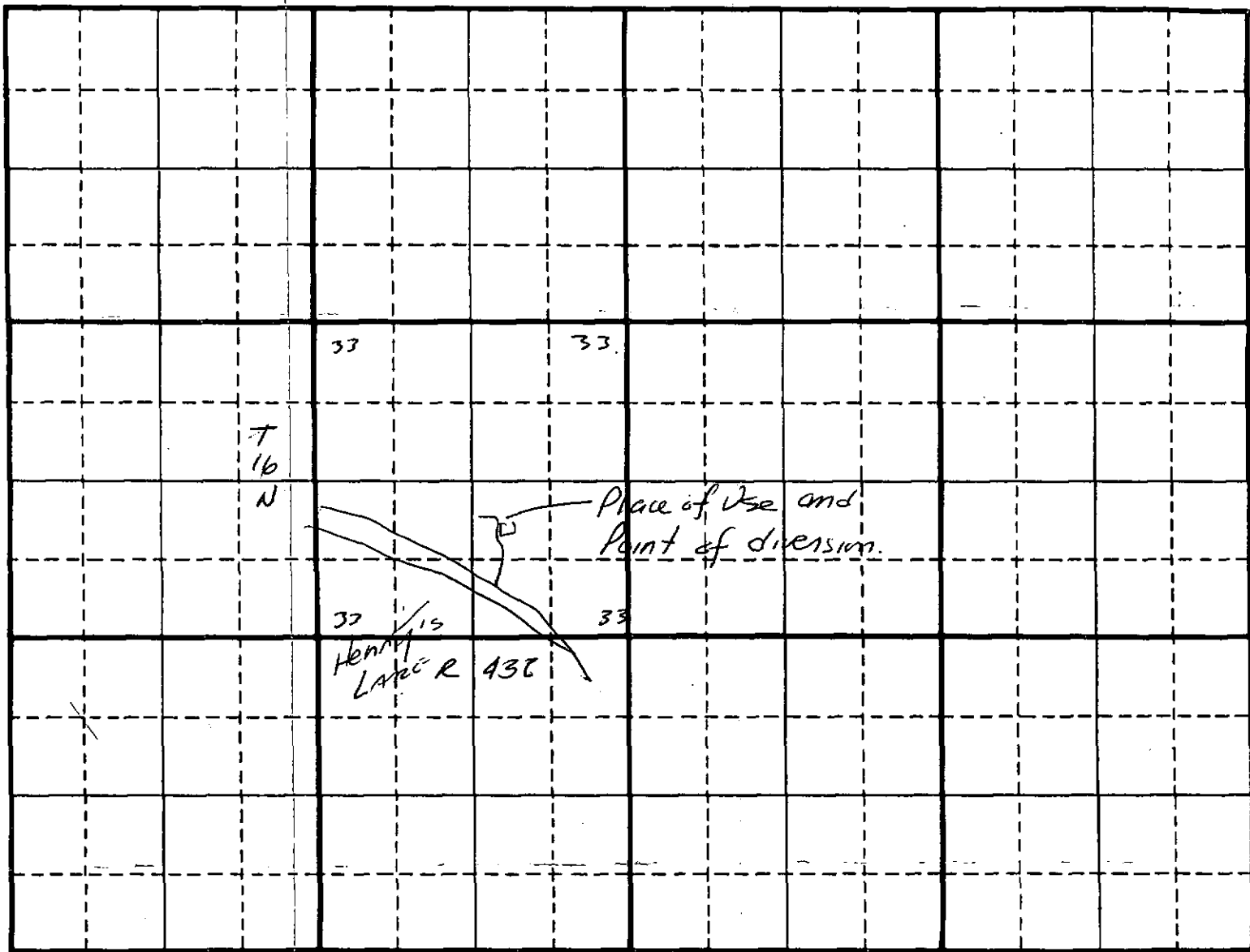
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic purposes only.

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

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

NOT CLAIMED

(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 Montana)
County of Yellowstone) 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.

Sworn to before me this 30 day of June

Joe Sherwood
(Claimant)
19 80

Reg. T. Huber
Notary Public
Residing at 2401 Yellowstone Ave. P.O. Box 59758
1982

My commission expires January 9, 1982

FOR DEPARTMENT USE ONLY

Received by <u>S.M.</u>	Date <u>6-25-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>H.W.J.</u>	Date		claimant by:	
\$20.00 fee received by <u>R.W.</u>	Date <u>6-25-80</u>			
Published in <u>Ashton Herald</u>	<u>#14901</u>			
Dates <u>July 10 and 17, 1980</u>				

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey

being first duly sworn, upon his
oath, deposes and says:

That she is the *editor*.....
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont 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, advertisement or publica-
tion of *Notice of*.....

Claims to Water
Rights #21-4061
(Sherwood)

And affiant further says that said
notice, advertisement of publica-
tion, 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 *10*.....

day of *July*....., 19*80*

and the last publication on the

17.....day of *July*.....

19*80*.

And affiant further says that at the
times herein mentioned said news-
paper 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 deep.

Carol Bessey
Subscribed in my presence and
sworn to before me this *22nd*.....

day of *July*.....

19*80*.

Jinda Sheldon

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

JUL 22

Department of Water Resources
Eastern District Office

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:

Application No. *21-4061*
Applicant: SHERWOOD, JOE; WEST
YELLOWSTONE, MT. 59758

Source: UNNAMED SPRINGS tributary to
HATCHERY CREEK, HENRY'S LAKE

Priority Date: 03/01/1904

Amount: 0.04 CFS

Diversion Point: NWSE Sec 33 T 16N R
43E, FREMONT Co.

Use: DOMESTIC (0.04 CFS from 01/01 to
12/31

Place of Use: NWSE Sec 33 T 16N R 43E

Diversion Means: PIPELINE

Any exception to any claim of water right
may be filed with the Director of the Idaho
Department of Water Resources, 1515
Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Publ. July 10 and 17, 1980AH

ok tw
7/30/80

RECORDED

CLAIM TO A WATER RIGHT

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 Joe Sherwood

West Yellowstone, Montana

(Name of Claimant)

59758

Telephone No. 646-9315

(Mailing Address)

(Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) March 1, 1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed springs tributary to Hatchery Creek trib. to Henry's Lake

				(Both dates inclusive)	
(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity	0.04 cfs	Use	domestic	Period of Use From April 1	To Nov. 1
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) 0.04 cfs TOTAL QUANTITY USED.
(cfs. gpd. AFA)

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

NW ¼ SE ¼, Sec. 33 Twp. 16N Rge. 43E B.M., County of Fremont

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. 2 - 1" pipes from springs to house.

(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.

[illegible]

No. of acres _____

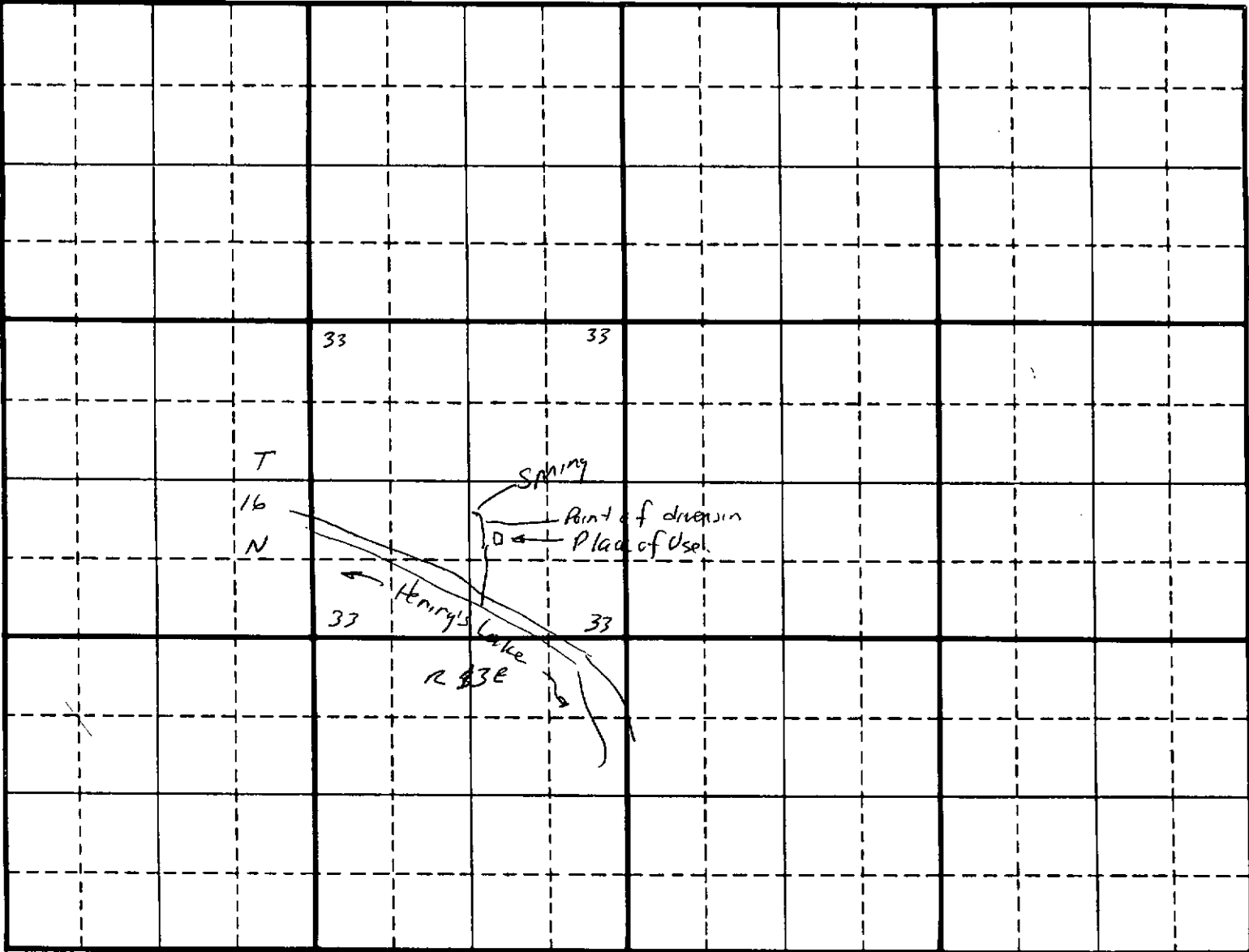
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Domestic purposes only.

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

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

PAUCH

(8) Remarks _____

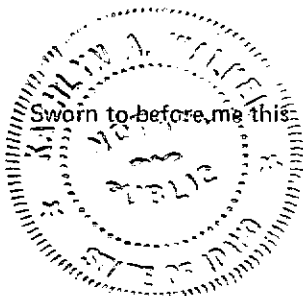


Scale: 2 inches equal 1 mile.

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)
County of Bonneville) 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.



Sworn to before me this 25 day of June

Joe Shumwood (Claimant)
19 80
Kathryn Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/83

FOR DEPARTMENT USE ONLY

Received by SM Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HLD Date _____ claimant by: _____
\$20.00 fee received by EW Date 6/25/80 # 14901
Published in _____
Dates _____



(4-405 a.)

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 3811

Application 5030

OF THE LAND OFFICE at Blackfoot Idaho

Whereas There has been deposited in the GENERAL LAND OFFICE of the United States a CERTIFICATE OF THE REGISTER

to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

Joseph Sherwood has been established and duly consummated, in conformity to law, for the

Lot numbered one of Section thirty-two and the Lots numbered two and three, the North East quarter of the South West quarter, and the North West quarter of the South East quarter of Section thirty-three in Township fifteen North of Range forty-three East of Boise Meridian in Idaho, containing one hundred and fifty-three acres and ninety hundredths of an acre

according to the OFFICIAL PLAT of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL:

Now know ye, That there is, therefore, granted by the United States unto the said Joseph Sherwood

the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said Joseph Sherwood and to his

heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof I, Theodore Roosevelt, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the first day of March, in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty-eighth.

BY THE PRESIDENT:

T. Roosevelt

By

E. M. McKean

Secretary,

Recorded

Idaho

Vol.

50

Page

388

W. B. Bush, Recorder of the General Land Office.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: S.M.

Right Number _____ Applicant Joe Sherwood

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. 7/28
- ☒ 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 8-5-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 8/7/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JULY 28, 1980

JOE SHERWOOD
WEST YELLOWSTONE MT 59758

RE: Claim No. 21-4061

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
RONALD D. CARLSON *by kw*
Eastern Region Supervisor

Enclosure

MICROFILMED

MEMO TO FILE

To: File 21-4061

From: Ernie Carlsen *EC*

Date: 7/7/1980

In reviewing the file it was apparent Mr. Sherwood's original claim had not been advertised or entered on the computer. Therefore, he should not have been requested to submit an amended claim form and for this reason the amended claim form that we received was treated as a normal claim.

UNRECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 2, 1980

RE: Claim to a Water Right No. 21-4061 SHERWOOD

Ashton Herald
Box 258
Ashton, Idaho 83420

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 July 28, 1980.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 7/10/78 7/17/80

MICROFILMED

21-4061-

SHERWOOD, JOE

WEST YELLOWSTONE, MT 59758

Source: UNNAMED SPRINGS tributary to HATCHERY CREEK, HENRY'S LAKE

Priority Date: 03/01/1904

Amount: 0.04 CFS

Diversion Point: NWSE Sec 33 T 16N R 43E, FREMONT Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NWSE Sec 33 T 16N R 43E

Diversion Means: PIPELINE

UNRECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER DISTRICT NO. 1

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 522-5404

June 26, 1980

Joe Sherwood
West Yellowstone, Montana 59758

Dear Mr. Sherwood:

Enclosed is an ammended claim to a Water Right, with the changes in the period of use from "April 1, to Nov. 1" to "Jan. 1 to Dec. 31"

Please sign the document in the presence of a notary and return it to this office as soon as possible. Thank you for your patience in this matter.

If you have any questions please feel free to contact me.

Sincerely:

STEVE MCCORMICK
Water Resource Analyst

SM:tj

Enclosure

RECORDED