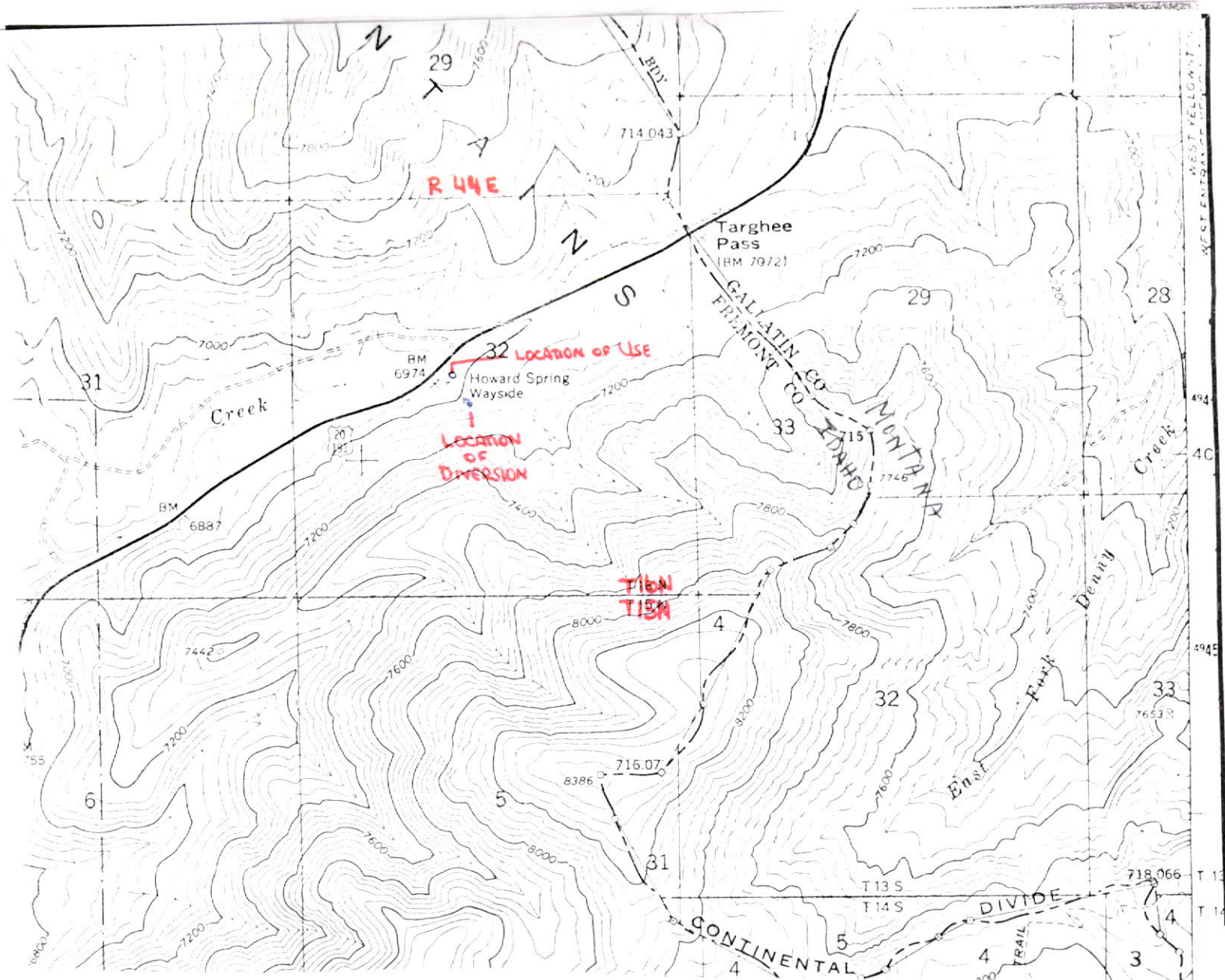


(8) Remarks _____



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.

Sworn to before me this 4th day of May, 1979.
For JEFF M. SIRMON (Claimant) Deputy Regional Forester, Resources

Colleen Saxton
Notary Public
Residing at Ogden, Utah

My commission expires 6/19/79

FOR DEPARTMENT USE ONLY

Received by _____ dh	Date <u>5-10-79</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$20.00 fee received by _____ dh	Date <u>4-23-79</u> (voucher)			
Published in <u>Ashton Herald</u>	# <u>11897</u>			
Dates <u>May 17 & 24, 1979</u>				

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
(Name of Claimant)

324 25th St. Ogden UT 84401 Telephone No. (801) 626-4561
(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 1939

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)
Howard Springs tributary to

(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	0.033 cfs	Use	DOMESTIC	Period of Use From May 1	To Oct. 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) 0.033 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 32 Twp. 16N Rge. 44E 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.
spring headbox and pipeline to campground

(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	44E	32								X									

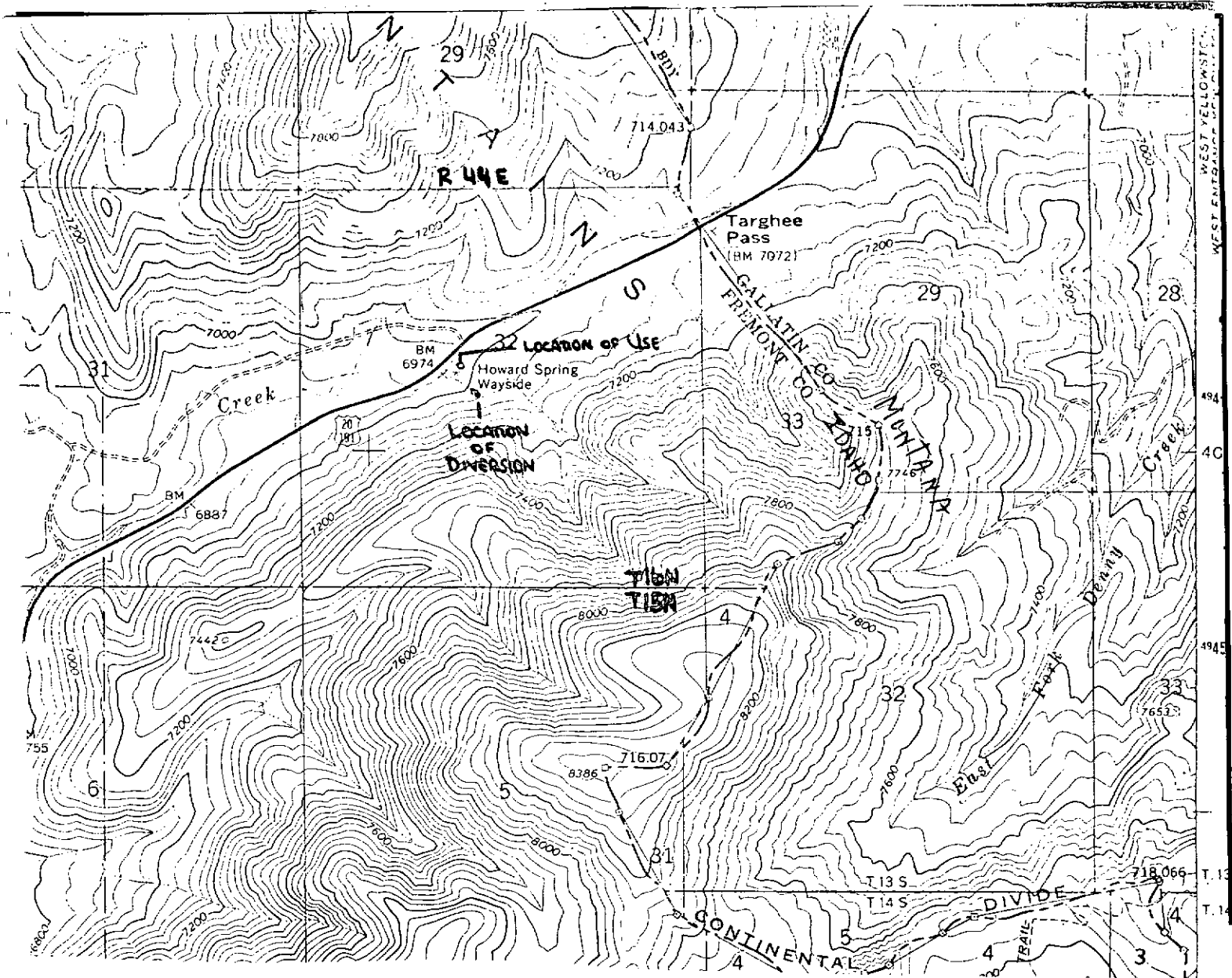
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use at Howard Springs picnic site

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:

(8) Remarks _____



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)
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.

Sworn to before me this 4th day of May, 1979.
for JEFF M. SIRMON (Claimant) Deputy Regional Forester, Resources

Colleen Saxton
Notary Public
Residing at Ogden, Utah

My commission expires 6/19/79

FOR DEPARTMENT USE ONLY

Received by _____	dh	Date	<u>5-10-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____		Date	<u>4-23-79</u>	(voucher)	claimant by:	
\$20.00 fee received by _____	dh	Date	<u>#11897</u>			
Published in <u>Ashton Herald</u>						
Dates <u>May 17 & 24, 1979</u>						

State of Idaho

County of Fremont

I, Robert L. Birch, residing at Island Park,
Idaho (Name)
do certify that I have personal knowledge of the use of
the waters of Howard Springs b6 the U. S. Forest
(Creek, Spring, etc.)
Service for a period of 24 years.

Said water is diverted in the SE $\frac{1}{4}$ of Section 32,
Township 16N, Range 44E, and is carried by pipeline
(Ditch, pipeline, etc.)
from said point of diversion to the NW $\frac{1}{4}$ of Section 32 Township
16N, Range 44E, for the following purposes:

One spring with fountain and hydrant

Serves thousands of people each season.

(15 GALLONS/MIN.)

3/11/65

on what is known as Howard Springs Picnic Site
(Ranger Station, Public Service Site, etc.)

I further certify that the first diversion of said water was
made by U. S. Forest Service in 1939
(Name, address, official designation) (Date)
and that the use of said water at Howard Springs has been
(Place of use)
continuous for every year thereafter for the purposes set out, except as
follows:

David J. Campeau
(Witness to Signature)

Robert L. Birch
(Name)

Subscribed and sworn to before me a notary public this 26th day of

June, 1964.

Notarized copy at
Fremont Co. Courthouse

Elizabeth S Pond
Notary Public
My commission expires May 6, 1968

MICROFILMED

302643

Filed for record at the request of

U.S. Forest Service

of _____

at _____ minutes past _____

of _____ M. th. _____

of _____ June 1969

and recorded in Book _____

of _____ page 1953

Records of Fremont County,

State of Idaho, Fee \$ _____

for _____

Recorder _____

By _____ Deputy _____

Deputy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

CLAIM TO A WATER RIGHT

APR 2 1979

Department of Water Resources

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 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) 1939, JUNE

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)

HOWARD SPRINGS

tributary to _____

- (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>0.033 CFS</u>	Use <u>DOMESTIC</u>	Period of Use From <u>MAY 1</u>	To <u>OCT 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) 0.033 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. 32 Twp. 16N Rge. 42E B.M., County of FREMONT

Additional points of diversion: 44E

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 AND PIPELINE TO CAMPGROUND

- (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	42E	32								X									
	44E																		

No. of acres _____

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

DOMESTIC USE AT HOWARD SPRINGS PICNIC SITE

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: _____

- VOID -

[illegible]

Received by ADH Date 4-2-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by RD Date _____
\$20.00 fee received by dh Date 4-23-79 (voucher)
Published in Ashton Herald
Dates May 3 & 10, 1979

State of Idaho

County of Fremont

I, Robert L. Birch, residing at Island Park,
Idaho (Name)
do certify that I have personal knowledge of the use of
the waters of Howard Springs b6 the U. S. Forest
(Creek, Spring, etc.)
Service for a period of 24 years.

Said water is diverted in the SE $\frac{1}{4}$ of Section 32,
Township 16N, Range 44E, and is carried by pipeline
(Ditch, pipeline, etc.)
from said point of diversion to the NW $\frac{1}{4}$ of Section 32 Township
16N, Range 44E, for the following purposes:

One spring with fountain and hydrant

Serves thousands of people each season. (15 GALLONS/MIN.)

on what is known as Howard Springs Picnic Site
(Ranger Station, Public Service Site, etc.)

I further certify that the first diversion of said water was
made by U. S. Forest Service in 1939
(Name, address, official designation) (Date)
and that the use of said water at Howard Springs has been
(Place of use)
continuous for every year thereafter for the purposes set out, except as
follows:

David J. Campana
(Witness to Signature)

Robert L. Birch
(Name)

Subscribed and sworn to before me a notary public this 26th day of
June, 1964.

Notarized copy at
Fremont Co. Courthouse

W. Elizabeth S. Pond
Notary Public
My commission expires May 6, 1968

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

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...*

#21-4045 (Spencer)

#21-4046 (Forest Service)

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 consecutive
issues thereof; first publication

having been made on the *17*....

day of *May*..., 19*79*,

and the last publication on the

24 day of *May*.....

19*79*

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 *21st*...

day of *May*.....

19*79*

M. Brent Tipton

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

RECORDED

MAY 22 1979

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:

Applicant No.: 21-4045

Applicant: ALBERTSON, J. SPENCER
&/or CAROL; ROUTE 2, BOX 36, ASHTON,
ID 83420

Source: CONANT CREEK tributary to
FALL RIVER

Priority Date: 06/11/1911

Amount: 0.08 CFS

Diversion Point: NENE Sec 26 T 08N R
44E, FREMONT Co.

Use: IRRIGATION (0.08 CFS) from 06/01
to 10/15

Place of Use: SESE Sec 23 T 08N 44E
NENE Sec 26 T 08N R 44E FOR 2 ACRES

Diversion Means: HISTORICAL USE OF
DITCH; SINCE 1960, 2 HP. PUMP USED

Applicant No.: 21-4046

Applicant: UNITED STATES OF
AMERICA, FOREST SERVICE; 324 25TH
STREET, OGDEN, UT 84401

Source: HOWARD SPRINGS tributary to
HOWARD CREEK

Priority Date: 06/01/1939

Amount: 0.0330 CFS

Diversion Point: NESW Sec 32 T 16N R
44E, FREMONT Co.

Use: DOMESTIC (0.0330 CFS) from 05/01
to 10/31

Place of Use: SENW Sec 32 T 16N R 44E

Diversion Means: HEADBOX & 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. May 17, 24, 1979AH

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 4, 1979

FOREST SERVICE UNITED STATES OF AMERICA
324 25TH STREET
OGDEN UT 84401

RE: Claim No. 21-4046

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

Enclosure

MICROFILMED



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) 523-7166

May 22, 1979

Adrian E. Dalton, Director
Soil and Water Management
United State Forest Service
324 25th Street
Ogden, Utah 84401

Dear Sir:

Re: Water Right Filings - Challis & Targhee Nat'l Forests

Attached herewith is Departmental receipt No. 11897 in the amount of \$275.00 to cover the filing fees for 10 claims to water rights and 3 applications for permit.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

RECEIVED
MAY 23 1979
IDaho FALLS

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 11, 1979

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 sales 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 billings to this office before JUNE 4, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

RECEIVED
MAY 11 1979

Applicant No. 21-4046
Applicant: UNITED STATES OF
AMERICA, FOREST SERVICE, 324 25TH
STREET, OGDEN, UT 84401
Source: HOWARD SPRINGS tributary to
HOWARD CREEK

Priority Date: 06/01/1939

Amount: 0.0330 CFS

Diversion Point: NESW Sec 32 T 16N R
44E, FREMONT Co.

Use: DOMESTIC (0.0330 CFS) from 05/01
to 10/31

Place of Use: SENW Sec 32 T 16N R 44E

Diversion Means: HEADBOX & 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.

RECEIVED
C. STEPHEN ALFRED
Director

Publ. May 17, 1979AH

MAY 22 1979

87

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:

21-11112.

UNITED STATES OF AMERICA, FOREST SERVICE

324 25TH STREET, OGDEN, UT 84401

Source: HOWARD SPRINGS tributary to HOWARD CREEK

Priority Date: 06/01/1939

Amount: 0.0330 CFS

Diversion Point: NEEN Sec 32 T 15N R 44E, FREMONT Co.

Use: DOMESTIC (0.0330 CFS) from 05/01 to 10/31

Place of Use: SEEN Sec 32 T 15N R 44E

Diversion Means: HEADBOX & 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

Published 5/17 & 5/24/79.

EMC
MICROFILMED



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

April 27, 1979

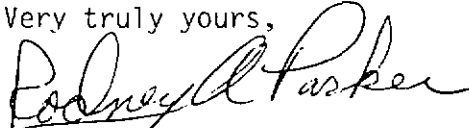
U.S. Forest Service
324 25th Street
Ogden, UT 84401

Dear Sirs:

Enclosed you will find your claim to a water right which is being returned for correction of the legal description. The claim shows the point of diversion and place of use to be within Range 42E, while the map indicates the location as being 44E.

We have taken the liberty of enclosing a typed copy of the claim with the necessary corrections made. If this meets with your approval, please sign the form in the presence of a notary public and return to this office.

Very truly yours,


RODNEY A. PARKER
Senior Resource Agent

RAP:jf

Enclosures

MAILED
JUN 1 1979
IDAHO FALLS, IDAHO

Standard Form 1034 7 GAO 3000 1034-113		PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSON			VOUCHER NO.	
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION U.S. Department of Agriculture Forest Service 324 25th Street Ogden, Utah 84401			DATE VOUCHER PREPARED April 10, 1979		SCHEDULE NO.	
			CONTRACT NUMBER AND DATE		PAID BY	
			REQUISITION NUMBER AND DATE			
PAYEE'S NAME AND ADDRESS Mr. C. Stephen Allred State Engineer Idaho Department of Water Resources Statehouse Boise, Idaho 83720 RECEIVED APR 23 1979 Department of Water Resources Eastern District Office			DATE INVOICE RECEIVED			
			DISCOUNT TERMS			
			PAYEE'S ACCOUNT NUMBER			
			SHIPPED FROM			TO
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE		AMOUNT (¹)
				COST	PER	
	4/10/79	Filing fees for ten (10) claims to a water right and three (3) applications for permit on the Challis and Targhee National Forests.	12	20		240.00
			1	35		35.00
I certify that the above bill is correct and just and that payment therefor has not been received.						
DATE 4/24/79		PAYEE For C. Stephen Allred, State Engr.				
(Use continuation sheet(s) if necessary)			(Payee must NOT use the space below)		TOTAL	275.00
PAYMENT: ☐ COMPLETE ☐ PARTIAL ☐ FINAL ☐ PROGRESS ☐ ADVANCE	APPROVED FOR		EXCHANGE RATE		DIFFERENCES	
	= \$		= \$1.00			
	BY					
	TITLE				Amount verified; correct for	
					(Signature or initials)	
Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.						
(Date)		(Authorized Certifying Officer) ¹			(Title)	
ACCOUNTING CLASSIFICATION						
PAID BY	CHECK NUMBER		ON TREASURER OF THE UNITED STATES		CHECK NUMBER	
	CASH		DATE		ON (Name of bank)	
	\$				PAYEE ²	
¹ When stated in foreign currency, insert name of currency. ² If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title. ³ When a voucher is received in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.					PER	
					TITLE	

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE
324 25th Street
Ogden, Utah 84401

2540

May 1, 1979



Mr. Rodney A. Parker
Senior Resource Agent
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Parker:

In response to your April 27 letter, we are returning a corrected Claim to a Water Right together with the original showing information For Department Use Only.

Thank you for your assistance.

Sincerely,

Jeff M. Sirmo
JEFF M. SIRMON
Deputy Regional Forester
Resources

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RP

Right Number _____ Applicant USFS

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 4/4/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 6/13/79

RECEIVED
JUL 11 1979