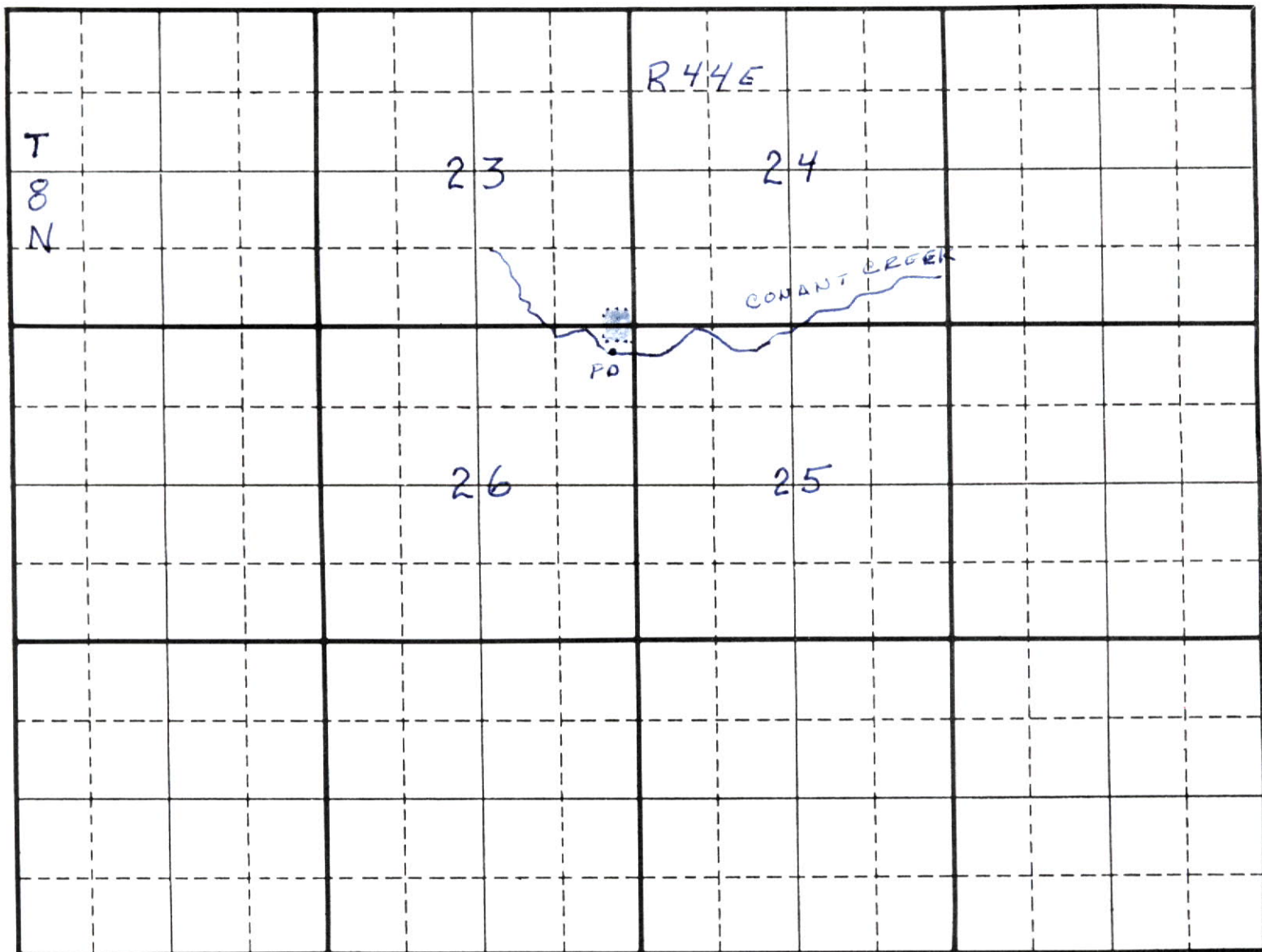


(8) Remarks _____



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 Bingham) 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 9th day of May, 19 79.

Spencer Albertson
(Claimant)

Ronald D. Carper
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by 87 Date 5/9/79 Exception filed by: _____ Date _____
Prelim. check by RDC Date 5/9/79 Forwarded to claimant by: _____
\$20.00 fee received by 87 Date 5/9/79 # 11863
Published in Ashton Herald
Dates May 17 & 24, 1979

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 J. Spencer Albertson or Carol Albertson
(Name of Claimant)
Rt. #2, Box 36, Ashton, Idaho Telephone No. 652-3553
(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 11, 1911

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)
Conant Creek tributary to Fall River

(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	0.08	Use Irrigation	Period of Use From June 1	To Oct. 15
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) 0.08 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 26 Twp. 8N 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.
2 Hp. electric pump installed in 1960, prior to that time an open ditch was used

(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	
8N	44E	23																.5	0.5
		26	1.5																1.5

No. of acres 2.0

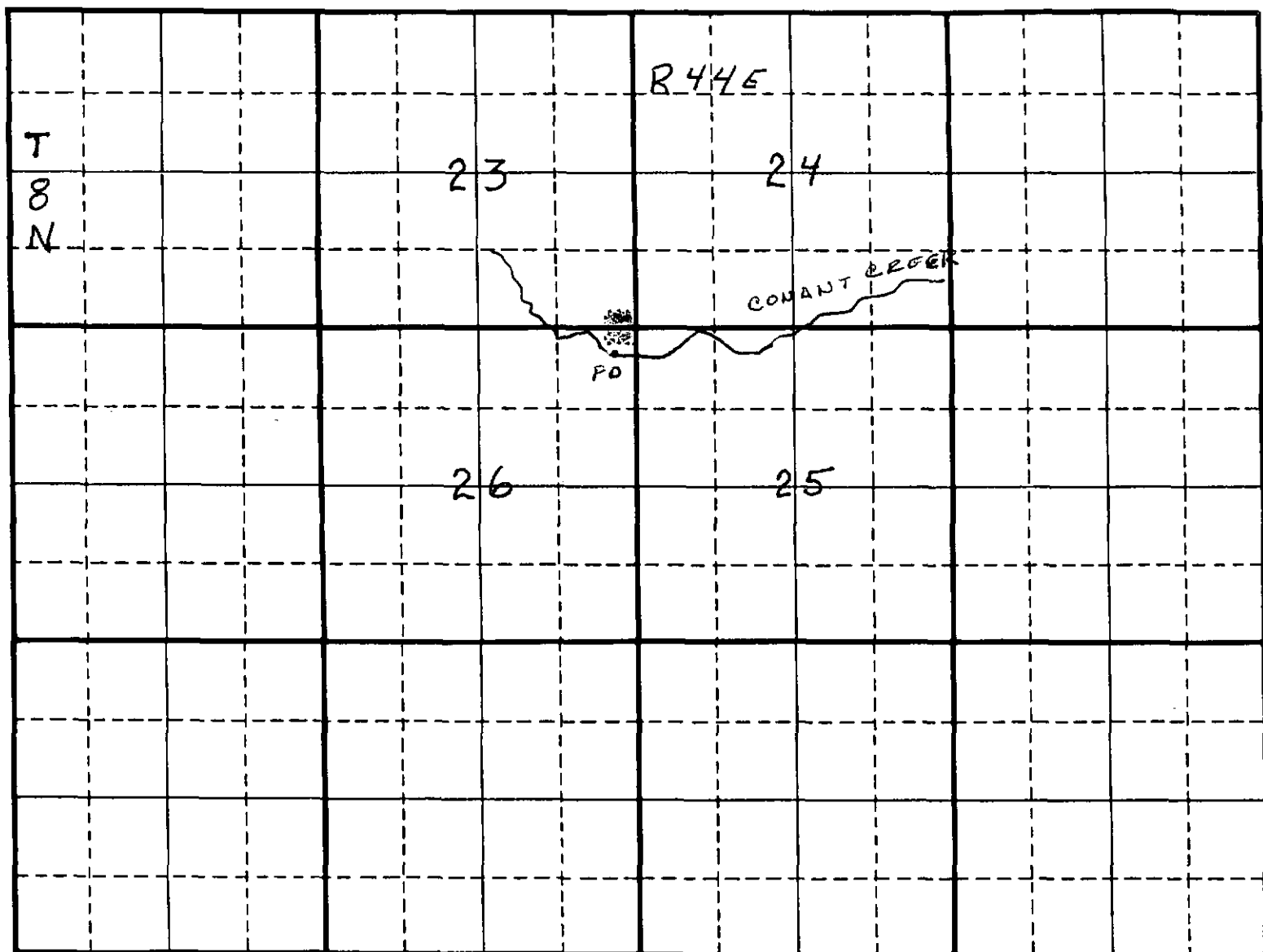
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
only for livestock which drink from the creek

NOTE: Include here the type and number of stock watered: 45 head of beef cattle

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

RECORDED

(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 Bingham) 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 9th day of May, 19 79.

J. Spencer Alberton
(Claimant)

Ronald D. Carlson
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>87</u>	Date <u>5/1/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RAC</u>	Date <u>5/9/79</u>		claimant by:	
\$20.00 fee received by <u>87</u>	Date <u>5/9/79</u>	<u>#11863</u>		
Published in <u>Ashton Herald</u>				
Dates <u>May 17 & 24, 1979</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

#21-4045 (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 2 consecutive
issues thereof; first publication

having been made on the 17

day of May, 1979,

and the last publication on the

24 day of May
1979

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 29th

day of May
1979

M. Brent Tigh

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

RECEIVED

MAY 29 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

J. SPENCER ALBERTSON
CAROL ALBERTSON
ROUTE 2, BOX 36
ASHTON ID 83420

RE: Claim No. 21-4045

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.

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.

MICROFILMED

NOTICES
PEOPLE MUST KNOW

**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 28 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

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:

74-1045

ALBERTSON, J. SPENCER & J. L. LAM

ROUTE 2, BOX 36, PESHAW, ID 83420

Source: CONANT CREEK tributary to FALL RIVER

Priority Date: 05/15/79

Amount: 0.08 CFS

Diversion Point: NE 1/4 Sec 24 T 08N R 44E, FREMONT Co.

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

Place of Use: SE 1/4 Sec 23 T 08N R 44E NENE Sec 25 T 08N R 44E
FOR 2 ACRES

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

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.

RECEIVED
MAY 24 1979
IDAHO DEPT. OF WATER RESOURCES

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: John C

Right Number _____ Applicant Albertson

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 6/6/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 6/13/79

RECEIVED
JUN 14 1979
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES