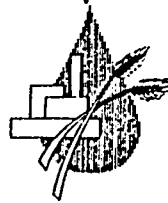


RECEIVED

FEB 11 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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 Bureau of Land Management

(Name of Claimant)

940 Lincoln Road Idaho Falls, ID 83401

(Mailing Address)

Telephone No. 529-1020

(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 28, 1934
- (48 Stat 1269, 43 USC 315, Taylor Grazing Act)

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)

Indian Creek tributary to Bear 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.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity	<u>.02 cfs</u>	Use <u>livestock</u>	Period of Use From	<u>5/16</u>	To <u>6/1</u>
Quantity	<u>.05 cfs</u>	Use <u>livestock</u>	Period of Use From	<u>6/1</u>	To <u>9/30</u>
Quantity	<u>.03 cfs</u>	Use <u>wildlife</u>	Period of Use From	<u>1/1</u>	To <u>12/31</u>
* Quantity	<u>.03 cfs</u>	Use <u>channel losses</u>	Period of Use From	<u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From		To

- (4)
- .13 cfs
- TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source) See item 6A.

1/4 1/4, Sec. 20 Twp. 30 Rge. 1 B.M., County of Bear LakeAdditional points of diversion: Point of diversion is the same as the place of use.

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. Livestock and wildlife use from open channel; reach is shown on the map on the reverse of this application.

- (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	
15S	45E	20							X				X						
		30		X			X												

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Historical use by authorized range livestock (by permit). Present use includes the following: 50 range cattle from 5/16 to 6/1, 112 range cattle from 6/1 to 9/30, wildlife use includes 300 deer.

NOTE: Include here the type and number of stock watered: See #6B above.

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

* computed using the Moritz Formula as recommended by Mr. Ernest Carlson.



State of Idaho)
County of BONNEVILLE) ss.

Chad A. Frank
(Claimant)

Notary Public
Residing at Donna Falls, Texas

Fowarded to _____ **Date** _____
claimant by: _____

30th \$20.00 fee received by 14 Date 3-20-85 #36327
Published in News Examiner
Dates 3-7 & 3-14-85

No MAR 20 1985
2785

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Theresa Stamm

being duly sworn,

deposes and says:

That he is the *Editor* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 7, 19*85*, and ending

with the issue of *March 14*, 19*85*.

Theresa Stamm

Fees, *\$8.21*

Subscribed and sworn to before me this *4th* day of *April*, 19*85*.

Alexis Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19*85*.

LEGAL NO. 2785 NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

11-4317

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: INDIAN CREEK trib. to BEAR LAKE

Priority Date: 06/28/1934
Diversion Pt: SWNW SWSW Sec 20 T 15S R 45E
NWNE NENW Sec 30 T 15S R 45E
Use: STOCKWATER (0.02 CFS) 5/16 to 6/1
STOCKWATER (0.05 CFS) 6/1 to 9/30
WILDLIFE (0.03 CFS) 1/1 to 12/31
CHANNEL LOSSES (0.03 CFS) 1/1 to 12/31

IN: SWNW SWSW Sec 20 T 15S R 45E
NWNE NENW Sec 30 T 15S R 45E

11-4318

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: SHEEP CREEK, WEST FORK trib. to BEAR RIVER

Priority Date: 06/28/1934
Diversion Pt: SENE Sec 23 T 13S R 45E
Use: STOCKWATER (0.09 CFS) 5/15 to 12/15
STOCKWATER (0.05 CFS) 5/15 to 10/15
STOCKWATER (0.02 CFS) 10/16 to 12/15

WILDLIFE (0.02 CFS) 1/1 to 12/31
CHANNEL LOSSES (0.02 CFS) 1/1 to 12/31

In: SENE Sec 23 T 13S R 45E

11-4319

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICAN
TERRACE, BOISE, ID 83706
Source: SHEEP CREEK trib. to BEAR RIVER

Priority Date: 06/28/1934
Diversion Pt: NWNW SENW Sec 19 T 13S R 46E
Use: STOCKWATER (0.09 CFS) 6/1 to 7/1
STOCKWATER (0.03 CFS) 7/1 to 11/1
STOCKWATER (0.09 CFS) 11/1 to 11/12
WILDLIFE (0.02 CFS) 1/1 to 12/31
CHANNEL LOSSES (0.01 CFS) 1/1 to 12/31

In: NWNW SENW Sec 19 T 13S R 46E

11-4320

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED CREEK trib. to MILL CREEK

Priority Date: 06/28/1934
Diversion Pt: NENE SENE NESE SESE Sec 12 T 13S R 42E
Use: STOCKWATER (0.05 CFS) 6/1 to 6/30
STOCKWATER (0.02 CFS) 7/1 to 9/24
STOCKWATER (0.09 CFS) 9/25 to 10/20
WILDLIFE (0.02 CFS) 1/1 to 12/31
CHANNEL LOSSES (0.09 CFS) 1/1 to 12/31

In: NENE SENE NESE SESE Sec 12 T 13S R 42E

11-4321

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: FISH HAVEN CREEK trib. to BEAR LAKE

Priority Date: 06/28/1934
Diversion Pt: NWNE SWNE SENE NENW Sec 16 T 16S R 43E
Use: STOCKWATER (0.03 CFS)
WILDLIFE (0.03 CFS)
CHANNEL LOSSES (0.24 CFS)
In: NWNE SWNE SENE NENW Sec 16 T 16S R 43E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.
3-7, 3-14
97 LINES

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APR 8 1985

Department of Water Resources
Eastern District Office

11-4317

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,
BOISE, ID 83706

Source: INDIAN CREEK trib. to BEAR LAKE

Priority Date: 06/28/1934

Diversion Pt: SWNW SWSW Sec 20 T 15S R 45E NWNE NENW Sec 30 T 15S R 45E

Use: STOCKWATER	(0.02 CFS)	5/16	to	6/1
STOCKWATER	(0.05 CFS)	6/1	to	9/30
WILDLIFE	(0.03 CFS)	1/1	to	12/31
CHANNEL LOSSES	(0.03 CFS)	1/1	to	12/31

In: SWNW SWSW Sec 20 T 15S R 45E NWNE NENW Sec 30 T 15S R 45E

LEGAL NO. 2783
NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

11-4317

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706

Source: INDIAN CREEK trib. to BEAR LAKE

Priority Date: 06/28/1934

Diversion Pt: SWNW SWSW Sec 20 T 15S R 45E NWNE NENW Sec 30 T 15S R 45E

Use: STOCKWATER (0.02 CFS) 5/16 to 6/1
STOCKWATER (0.05 CFS) 6/1 to 9/30
WILDLIFE (0.03 CFS) 1/1 to 12/31
CHANNEL LOSSES (0.03 CFS) 1/1 to 12/31

IN: SWNW SWSW Sec 20 T 15S R 45E NWNE NENW Sec 30 T 15S R 45E

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by
diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 3/7 & 3/14/85.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 27, 1985

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 MARCH 25, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. E. RAMSEY

INITIAL REVIEW BY: FEB 19 1985

Right Number 11 4317 Applicant BLM

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 Emmet C. Cullen Date April 9, 1985

3-25-85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 4/16/85

RECEIVED
APR 16 1985

Department of Water Resources

March 7, 1985

RE: Claim to a Water Right No. 11-4317 BLM
11-4318 "
11-4319 "
11-4321 "
13-4287 "

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above
referenced claim to a water right filed within your district.
If you have any questions concerning this matter, please
feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures (5)

March 25, 1985

News Examiner
P.O. Box 278
Montpelier, ID 83254

RE: Claim to a Water Right Nos. 11-4317, 4318, 4319, 4320, 4321.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on March 7, and 14, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL ZEMP
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 25, 1985

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: Claim No. 11-4317

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