

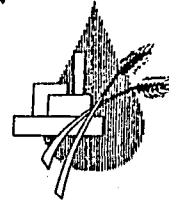
7178

RECEIVED

FEB 11 1985
AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT AMENDED



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)

(Zip Code)

Telephone No. 529-1020

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: (48 Stat 1269, 43 US

(1) Date of priority: (When was the water first applied to a beneficial use) June 28, 1934 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)

West Fork of Sheep Creek tributary to Bear 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:

				(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity .09 cfs	Use <u>livestock</u>	Period of Use From 5/15	To	12/15	
Quantity .05 cfs	Use <u>livestock</u>	Period of Use From 5/15	To	10/15	
Quantity .02 cfs	Use <u>livestock</u>	Period of Use From 10/16	To	12/15	
Quantity .02 cfs	Use <u>wildlife</u>	Period of Use From 1/1	To	12/31	
Quantity .02 cfs	Use <u>channel losses</u>	Period of Use From 1/1	To	12/31	

(4) _____ .20 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.	Twp.	Rge.	B.M., County of	Bear Lake
-----	-----------	------	------	-----------------	-----------

Additional 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.

[illegible]

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:
2000 sheep from 5/15 to 12/15, 150 range cattle from 5/15 to 10/15,
20 horses from 10/16 to 12/15, wildlife use includes 100 deer and
10 elk.

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.

Chell A. Francis
(Claimant)

Sworn to before me this 21 day of JANUARY, 1985

Notary Public
Residing at IDAHO FALLS, IDAHO

My commission expires Jan. 18, 1988

ID-910-BP5-0013

FOR DEPARTMENT USE ONLY

Received by LS 2-15-85 Date 2-11-85 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by LS 2-11-85 Date 2-19-85 claimant by: _____

30⁰⁰ \$20.00 fee received by _____ Date _____

Published in News Examiner _____

Dates 3-7 & 3-14-85 _____

Am. 7-25 & 8-1-85

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, *\$8.25*

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

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

45E NWNW 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

NWNW 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

RECEIVED

APR 8 1985

Department of Water
Eastern District

LEGAL NO. 2882
NOTICE OF AMENDED CLAIM
TO A WATER RIGHT

Notice is hereby given that Claim to a Water Right No. 11-4318 in the name of Bureau of Land Management, Boise, was filed with a priority date of June 28, 1934 for the diversion and application to beneficial use of 0.20 cfs of water from West Fork of Sheep Creek tributary to Bear River with the point of diversion within the SENE, Sec. 23, T. 13S, R. 54E; the water is claimed to be used from 5/15 to 12/15 for stockwater (0.09 cfs), 5/15 to 10/15 for stockwater (0.05 cfs), 10/16 to 12/31 for wildlife (0.02 cfs), 1/1 to 12/31 for channel losses (0.02 cfs) within the SENE, Sec. 23, T. 13S, R. 45E.

The claimant now proposes to amend Claim No. 11-4318 changing the point of diversion and place of use to within the SENE, Sec. 23, T. 13S, R. 45E, B.M. Any exception to a claim of a water right may be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402.

A. KENNETH DUNN
Director

7-25, 8-1
29 LINES

*We made this
correction
should read
45E*

Proof-

*Deadline
Tuesday
Afternoon*

EDITORIAL

Dear Editor:

I am an inmate at the Avon Park Correctional Facility in Avon Park, Florida. My purpose for writing is to enlist your aide in contacting persons who would be willing to correspond with me. It is a very lonely way of life here, and any assistance you may offer would be deeply appreciated.

Please write. Thank you for your time and consideration.

Respectfully,
Phillip Moss, 081131
P.O. Box 1100-465
Avon Park, Florida 33825

EDITORIAL

Dear Editor:

How would it feel to know no one outside your family? Ask any one of 123 residents of Idaho State School and Hospital. They have no one who cares about them outside the institution. Show them you care. Sponsor a resident by agreeing to send him/her cards, notes, and occasional gifts.

Idaho State School and Hospital is Idaho's only institution serving the mentally retarded. It houses 320 developmentally disabled men, women, and children from virtually every county in this state. Many of the residents are profoundly retarded, relying on their staff to take complete care of them. Others work in community sheltered workshops. If you have information, call the information at 334-2141 or 466-3100 11th 33651.

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

11-4318
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

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)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

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

April 24, 1984

Dennis H. Hunzeker
Star Route 1
Box 1110
Montpelier, ID 83254

RE: Claim to a Water Right # 11-4318.

Dear Mr. Hunzeker:

Your letter of March 27, 1985 is being returned because it was not in a proper form to make an exception against Claim 11-4318. Also enclosed is a copy of the BLM's Claim and a blank affidavit form.

The procedure for registering your objections to a claim ^{is} different than for an Application for Permit. Rather than sending a letter of protest it is necessary to submit what is termed an exception. The exception is simply a notarized document that explains why a claim is not considered correct. Your letter could not be recognized as an exception since it was not notarized. The blank affidavit form has been provided for your convenience in resubmitting a proper exception. Also there is no time limit on when the exception must be filed so you can take the time necessary for thoroughly researching the basis of the BLM's claim.

A check of the Department's records for Claims and Licenses reveals there are 3 filings for Fred Hunzeker & Sons for watering stock from a surface water source. These filings are in Sec. 20 and 29 of T. 13S, R. 45E and Sec. 10 and 15, T. 13S, R. 44E. I did not locate any record of a filing in Sec. 14 and 24 of T. 13S, R. 45E as stated in your letter.

If you have any questions concerning the above feel free to contact our office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EMC/cz

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

Notice is hereby given that Claim to a Water Right No. 11-4318 in the name of Bureau of Land Management, Boise, was filed with a priority date of June 28, 1934 for the diversion and application to beneficial use of 0.20 cfs of water from West Fork of Sheep Creek tributary to Bear River with the point of diversion within the SENE, Sec. 23, T. 13S. R. 45E; the water is claimed to be used from 5/15 to 12/15 for stockwater (0.09 cfs), 5/15 to 10/15 for stockwater (0.05 cfs), 10/16 to 12/15 for stockwater (0.02 cfs), 1/1 to 12/31 for wildlife (0.02 cfs), 1/1 to 12/31 for channel losses (0.02 cfs) within the SENE, Sec. 23, T. 13S, R. 45E.

The claimant now proposes to amend Claim No. 11-4318 changing the point of diversion ^{and place of use} to within the NESE, Sec. 23, T. 13S, R. 45E, B.M.

Any exception to a claim of a water right may be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402.

A. KENNETH DUNN

Director

Published in the News Examiner, 7/25 & 8/1/85.

LEGAL NO. 2882
NOTICE OF AMENDED CLAIM
TO A WATER RIGHT

Notice is hereby given that Claim to a Water Right No. 11-4318 in the name of Bureau of Land Management, Boise, was filed with a priority date of June 28, 1934 for the diversion and application to beneficial use of 0.20 cfs of water from West Fork of Sheep Creek tributary to Bear River with the point of diversion within the SENE, Sec. 23, T. 13S, R. 45E; the water is claimed to be used from 5/15 to 12/15 for stockwater (0.09 cfs), 5/15 to 10/15 for stockwater (0.05 cfs), 10/16 to 12/15 for stockwater (0.02 cfs), 1/1 to 12/31 for wildlife (0.02 cfs), 1/1 to 12/31 for channel losses (0.02 cfs) within the SENE, Sec. 23, T. 13S, R. 45E.

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Any exception to a claim of a water right may be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402.

A. KENNETH DUNN
Director

7-25, 8-1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 17, 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 AUGUST 12, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

July 26, 1985

RE: Amended Claim to a Water Right No. 11-4318 BLM

Mr. 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

Enclosure

August 21, 1985

RE: Amended Claim to a Water Right No. 11-4318

Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Gentlemen:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your amended claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: FEB 19 1985

Right Number 11 4318 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 E. C. Carlson Date Aug 20, 1985

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/27/85

3-25-85
Amended

RECEIVED
AUG 27 1985

Department of Water Resources

AUG 15 1985
N^o - 2882

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

July 25, 1985, and ending
with the issue of August 1, 1985.

Theresa Stamm
Fees, 25.37

Subscribed and sworn to before me this 9 day
of September, 1985.

Cheryl Smart

Notary Public, Residing at Montpelier, Idaho

My Commission Expires Sept. 17, 1991

RECEIVED

SEP 11 1985

Department of Water Resources
Eastern District Office

LEGAL NO. 2882 NOTICE OF AMENDED CLAIM TO A WATER RIGHT

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A. KENNETH DUNN
Director

7-25, 8-1
29 LINES

RECEIVED

SEP 20 1985

Department of Water Resources