

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 Street, Ogden, Utah 84401 Telephone No. (801) 626-3561  
004-050 (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 1, 1930

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 Spring tributary to Gooseberry Creek

- (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, gpm, AFS)     | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day)                     | (Mo., Day)      |
|---------------------|-------------------------------------|--------------------------------|-----------------|
| Quantity <u>.02</u> | Use <u>Stockwater</u>               | Period of Use From <u>1/12</u> | To <u>12/31</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) .02 TOTAL QUANTITY USED.

(cfs, gpm, AFS)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE ¼ SW ¼, Sec. 25 Twp. 13 S Rge. 37 E B.M., County of Franklin  
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'x2'x2' wood headbox with 25' of 1½" galvanized pipe leading to a metal watering trough 32" wide by 20' long. This water development was reconstructed during the summer of 1980.

- (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 |       |
| 13 | S | 37 E 25 |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |         |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

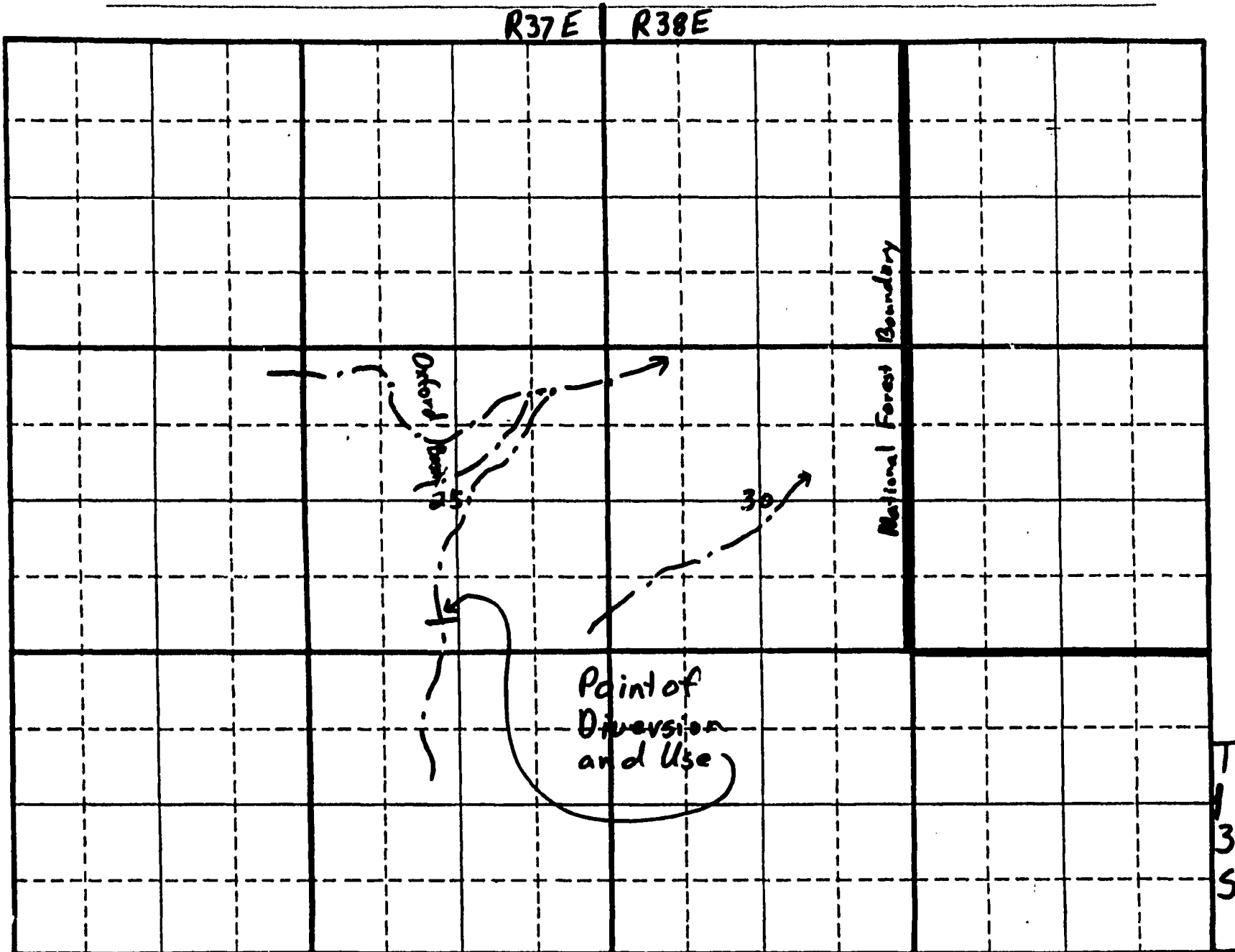
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater on Deep Creek Cattle Allotment which has a total of 15 water developments. This water development will water approximately 300 cattle and big game, upland game and non-game wildlife.

NOTE: Include here the type and number of stock watered: 300 cattle

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

7143

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.

*Adrian Dalton*  
(for) L. KENT MAYS, JR (claimant) DRF-Resources

Sworn to before me this 26<sup>th</sup> day of January, 19 81.

*Susan W. Ryker*  
Notary Public  
Residing at Weber Co. Utah

My commission expires 1-4-1984

FOR DEPARTMENT USE ONLY

|                                       |                     |                     |              |      |
|---------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>kw</u>                 | Date <u>1/29/81</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>SM</u>            | Date <u>3/2/81</u>  | # <u>17064</u>      | claimant by: |      |
| \$20.00 fee received by <u>150.60</u> | Date <u>3/2/81</u>  |                     |              |      |
| Published in <u>Oregon Citizen</u>    |                     |                     |              |      |
| Dates <u>3/24 2/19/81</u>             |                     |                     |              |      |

No 1281

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 of 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

Feb. 12, 1981, and ending

with the issue of Feb. 19, 1981.

Fee \$ 15.32

Subscribed and sworn to before me this 27th day of Feb., 1981.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

MAR 5 1981

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:

U.S. 13-4137  
Dept. of Agriculture  
Forest Service, Federal Building, 324  
25th Street, Ogden, Utah 84401  
Source: SPRING tributary to  
GOOSEBERRY CREEK  
Priority Date: 06/01/1930  
Amount: 0.02 CFS  
Diversion Point: SESW Sec. 25, T 13S  
R 37E, Franklin County  
Use: STOCKWATER (0.02 CFS)  
from 01/01 to 12/31  
Place of Use: SESW Sec. 25, T 13S R  
37E  
Diversion Means: HEADBOX,  
PIPELINE & TROUGH.  
Any exception to any claim of  
water right may be filed with the  
Director of the Idaho Department of  
Water Resources, 150 Shoup Ave.,  
Idaho Falls, Idaho 83401

C. STEPHEN ALLRED  
Director

Legal No. 1281 -30L- Publish  
February 12, and February 19, 1981.

OK KW  
3/10/81

13-413Z

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: SPRING tributary to GOOSEBERRY CREEK

Priority Date: 06/01/1930

Amount: 0.02 CFS

Diversion Point: SESW Sec 25 T 135 R 37E, FRANKLIN Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 25 T 135 R 37E

Diversion Means: HEADBOX, PIPELINE & TROUGH.

*Galley proofed by phone 2-11-1961  
EME.*

---

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, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED  
Director

Published 2/12 & 2/19/81.

---

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave.  
Idaho Falls, Idaho 83401  
(208) 525-7161

FEBRUARY 6, 1981

The Preston Citizen  
P. O. Box 472  
Preston, Idaho 83263

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 2, 1981.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

---

---

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave.  
Idaho Falls, Idaho 83401  
(208) 525-7161

MARCH 2, 1981

U.S. DEPT. OF AGRI.  
FOREST SERVICE  
FEDERAL BLDG.  
324 25TH ST.  
BOGGEN

UT 84401

RE: Claim No. 13-4137

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

---

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 13 4137 Applicant USFS

NOTE: 13-4137 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 March 10, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 3/17/81