

7/78

RECEIVED
FEB 1 1985

(209)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES1233
13-1287
RECEIVED
FEB 17 1985
FEB 19 1985

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)

Cottonwood 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:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>.02</u> cfs Use <u>livestock</u>	Period of Use From <u>5/1</u> To <u>5/16</u>			
Quantity <u>.05</u> cfs Use <u>livestock</u>	Period of Use From <u>5/16</u> To <u>9/30</u>			
Quantity <u>.02</u> cfs Use <u>wildlife</u>	Period of Use From <u>1/1</u> To <u>12/31</u>			
* Quantity <u>1.20</u> cfs Use <u>channel losses</u>	Period of Use From <u>1/1</u> To <u>12/31</u>			
Quantity <u>1.29</u> cfs Use <u>TOTAL QUANTITY USED.</u>	Period of Use From <u> </u> To <u> </u>			

- (4) 1.29 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 Sec. 28 Twp. 40N Rge. 6E B.M., County of FranklinAdditional 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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
12S	40E	28											X						
		29							X		X	X				X			
		30			X	X			X	X									
		33					X			X									

No. of acres

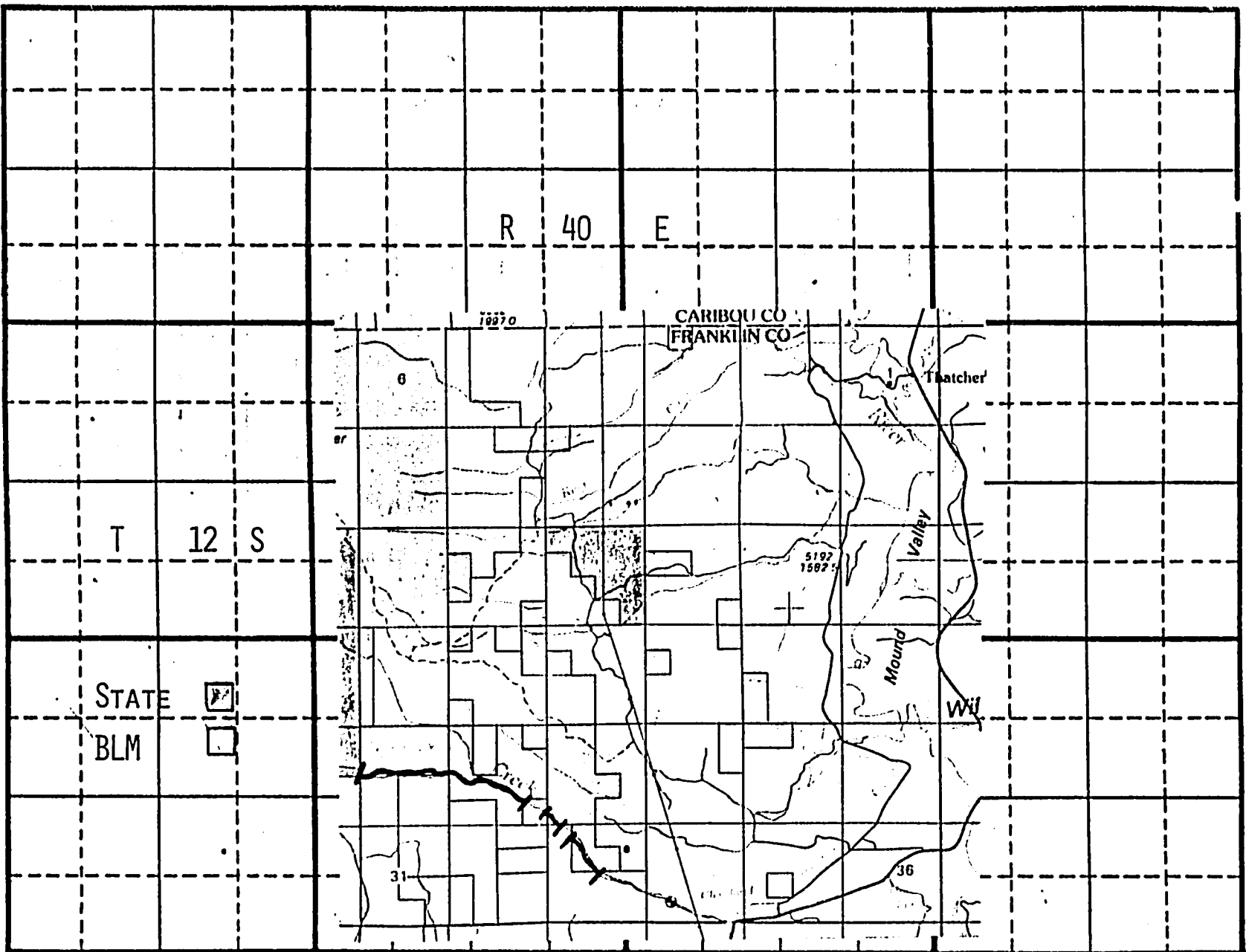
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Historical use by authorized range livestock (by permit). Present use includes the following: 25 range cattle from 5/1 to 5/16, 125 range cattle from 5/16 to 9/30, wildlife use includes 150 deer.

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.

(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 BONNIVILLE) 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 19 day of JAN

Carl A. French
(Claimant)
19 85
Mark E. Portman
Notary Public
Residing at IDAHO FALLS, IDAHO

My commission expires JAN. 17, 1988

ID-910-BP5-0013
SW 2-11-85 FOR DEPARTMENT USE ONLY
Received by SW 3-54 Date 2-1-85 Exception filed by: _____ Date _____
Prelim. check by SW Date 2-13-85
\$20.00 fee received by 19 Date 3-20-85 #36327
Published in Division of Water
Dates 3-7 & 3-14-85

#875

MAR 14 1985

No 2269

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

March 7, 1985, and ending

with the issue of March 14, 1985.

Fee \$ 33.25

Subscribed and sworn to before me this 31st day of March, 1985.

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986.

RECEIVED

APR 3 1985

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

13-4287

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

Source: COTTONWOOD CREEK trib.
to BEAR RIVER

Priority Date: 06/23/1934

Diversion Pt: SWSW Sec 28 T 12S
R 40E SWNW NESW NWSW NWSE
Sec 29 T 12S R 40E SWNE SENE
SWNW SENW Sec 30 T 12S R 40E
NENW SENW Sec 33 T 12S R 40E

Use: STOCKWATER (0.02 CFS) 5/1 to
5/16

STOCKWATER (0.05 CFS) 5/16 to
9/30

WILDLIFE (0.02 CFS) 1/1 to 12/31
CHANNEL LOSSES (1.20 CFS) 1/1
to 12/31

IN: SWSW Sec 28 T 12S R 40E SWNW
NESW NWSW NWSE Sec 29 T 12S R
40E SWNE SENE SWNW SENW Sec 30
T 12S R 40E NENW SENW Sec 33 T 12S
R 40E

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

KEN DUNN, Dir.

Legal No. 2269 -38L - Publish
March 7, 14, 1985.

13-428Z

U.S. DEPT. OF INTERIOR

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

Source: COTTONWOOD CREEK trib. to BEAR RIVER

Priority Date: 06/28/1934

Diversion Pt: SWSW Sec 28 T 12S R 40E SWNW NESW NWSW NWSE Sec 29 T 12S R 40E
SWNE SENE SWNW SENW Sec 30 T 12S R 40E NENW SENW
Sec 33 T 12S R 40E

Use: STOCKWATER	(0.02 CFS)	5/1	to	5/16
STOCKWATER	(0.05 CFS)	5/16	to	9/30
WILDLIFE	(0.02 CFS)	1/1	to	12/31
CHANNEL LOSSES	(1.20 CFS)	1/1	to	12/31

In: SWSW Sec 28 T 12S R 40E SWNW NESW NWSW NWSE Sec 29 T 12S R 40E SWNE SENE
SWNW SENW Sec 30 T 12S R 40E NENW SENW Sec 33 T 12S R 40E

*proposed by phone
3-5-85
ay*

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 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 billings 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. F. RAMSEY

INITIAL REVIEW BY: FEB 13 1985

Right Number 13 4287 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 Ernest Gibson 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. 11-7317 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

Preston Citizen
P.O. Box 472
Preston, ID 83263

RE: Claim to a Water Right No. 13-4287

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. 13-4287

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