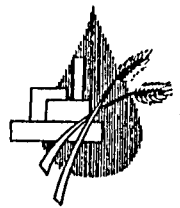


Form
7/78**RECEIVED**

APR 06 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Claim No. **13 4290**

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 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)

Unnamed Creek tributary to Burton 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.07 cfs</u>	Use <u>livestock</u>	Period of Use From <u>5/15</u>	To <u>10/15</u>
Quantity	<u>0.02 cfs</u>	Use <u>wildlife</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
*Quantity	<u>0.01 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
Quantity		Use	Period of Use From	To

- (4) 0.10 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.

SE 1/4 SE 1/4, Sec. 6 Twp. 12 S Rge. 40 E B.M., County of Franklin

- ** 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.

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	
12S	40E	6															X	X	

No. of acres _____

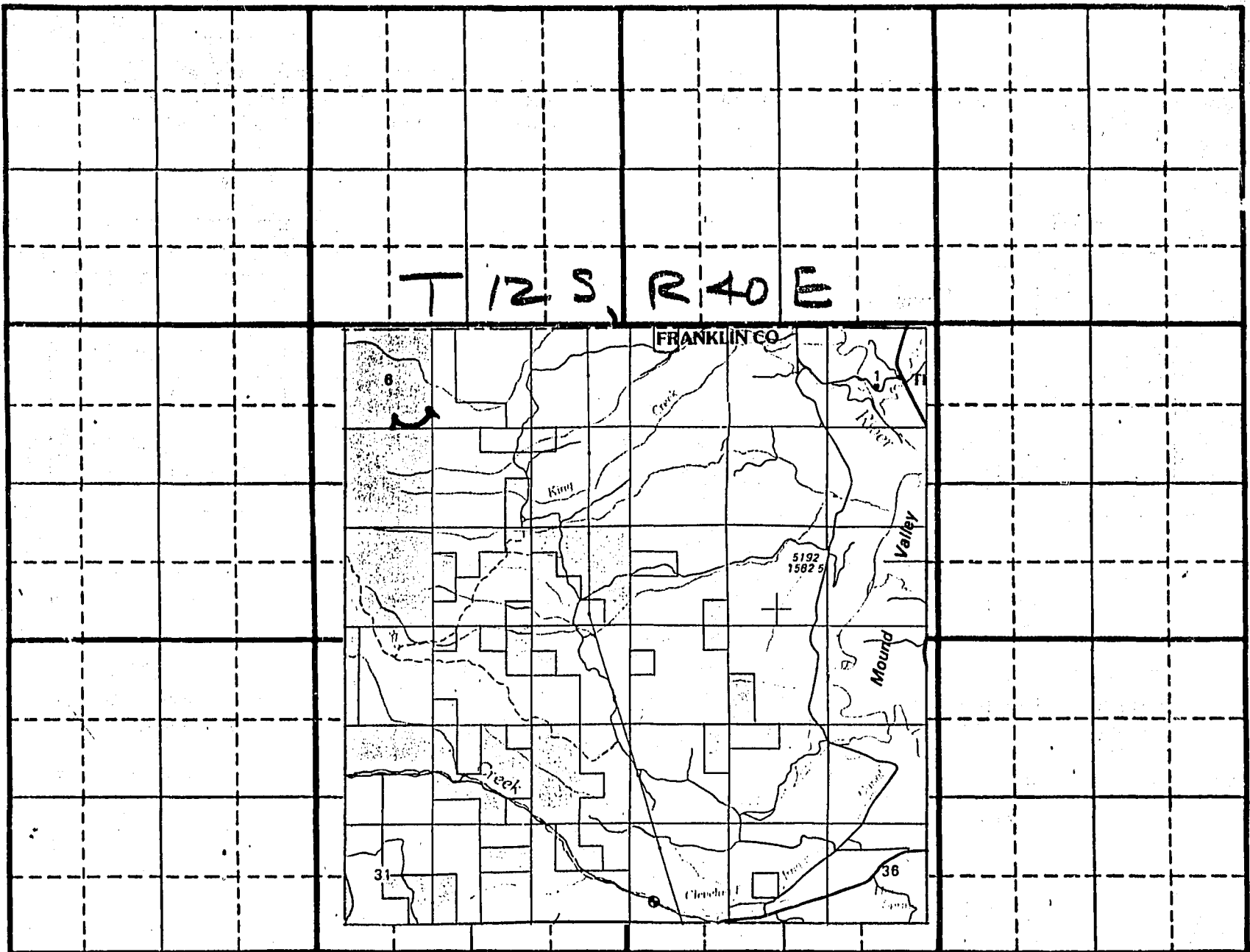
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Historical use by authorized range livestock (by permit). Present use includes the following: 300 cattle from 5/15 to 10/15, wildlife use includes 50 deer and 5 elk.

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

(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 Bonneville) 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 18th day of MARCH

L.H. Ferguson
(Claimant)
19 87
Mark E. Postman
Notary Public
Residing at IDAHO FALLS, IDAHO

My commission expires JAN. 17, 1988

ID-910-BPT-0015
4-27-87 FOR DEPARTMENT USE ONLY
Received by HLJ Date 4-6-87 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HLJ Date 5-11-87
\$20.00 fee received by HLJ Date 7-8-87 # 42747
Published in Shoshone Valley
Dates 5/21 + 5/28/87

73.4300

#875

MAY 21 1987

NO 2977

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

RECEIVED

JUN 3 1987

Department of Water Resources
Eastern District Office

J. Warren 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

May 21, 1987, and ending with the issue of May 28, 1987

Fee \$ 70.88

Subscribed and sworn to before me this 29th day

of May, 1987

Kinda All

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1987

NOTICE OF CLAIMS TO WATER RIGHTS

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

13-4290
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED STREAM trib. to BURTON CREEK
Diversion Pt: SWSE SESE Sec. 06 T 12S R 40E
Use: STOCKWATER (0.070 CFS)
WILDLIFE (0.020 CFS)
Priority Date: 06/28/1934
In: SWSE SESE Sec 06 T 12S R 40E

13-4291
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: DRY CREEK trib. to MINK CREEK
Diversion Pt: NESW NWSW Sec 34 T 13S R 41E
Use: STOCKWATER (0.020 CFS)
WILDLIFE (0.020 CFS)
Priority Date: 06/28/1934
In: NESW NWSW Sec 34 T 13S R 41E

13-4294
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: BEAR CREEK trib. to MINK CREEK
Diversion Pt: NESW NWSW SESW NESE NWSE Sec 19 T 14S R 41E
Use: STOCKWATER (0.020 CFS)
WILDLIFE (0.020 CFS)
Priority Date: 06/28/1934
In: NESW NWSW SESW NESE NWSE Sec 19 T 14S R 41E

13-4295
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED STREAM trib. to BEAR RIVER

Diversion Pt: NENE NWNE NENW Sec 18 T 12S R 40E
Use: STOCKWATER (0.050 CFS)
WILDLIFE (0.020 CFS)
Priority Date: 06/28/1934
In: NENE NWNE NENW Sec 18 T 12S R 40E

13-4296
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: MAPLE CREEK trib. to CUB RIVER
Diversion Pt: NWNE Sec 12 T 16S R 40E
Use: STOCKWATER (0.050 CFS)
WILDLIFE (0.020 CFS)
Priority Date: 06/28/1934
In: NWNE Sec 12 T 16S R 40E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402.
KEN DUNN, DIR.
Legal No. 2977 -81L- Publish May 21, 28, 1987.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 8, 1987

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

RE: Claim No. 13-4290

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 Manager

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 13, 1987

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 JUNE 8, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

13-4290

U.S. DEPT. OF INTERIOR

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

Source: UNNAMED STREAM trib. to BURTON CREEK

Diversion Pt: SWSE SESE Sec 06 T 12S R 40E

Use: STOCKWATER	(0.070 CFS)
WILDLIFE	(0.020 CFS)

Priority Date: 06/28/1934

In: SWSE SESE Sec 06 T 12S R 40E

Probed

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: S.M.

Right Number 13 4290 Applicant B.L.M.

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. Should be Boise Address on Americana Way.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period. Channel losses?
- ☒ Point(s) of diversion. Should include SW 4 Sec 4 Sec 6
- ☒ Location of use. Should include Bird Mesa
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date 10 June 87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/5/87

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JUN 19 1987

Department of Water Resources