

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 12 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)
Rt. 3, Box 1 Burley, ID 83318 Telephone No. 678-5514
(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: (48 Stat 1269, 43 USC)

(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)

DAIRY CREEK SPRINGS tributary to DAIRY 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	.10 cfs	Use livestock	Period of Use From 5/15	To 10/14
Quantity	.04 cfs	Use wildlife	Period of Use From 1/1	To 12/31
Quantity	* .20 cfs	Use channel losses	Period of Use From 1/1	To 12/31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 34 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. 1 Twp. 1 Rge. 1 B.M., County of POWER

Additional points of diversion: Point of diversion is the same as 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.

(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	
10S	34E	27													X	X			
		26									X	X				X	X	X	
		34	x	x			x	x											
		35						x	x										

No. of acres _____

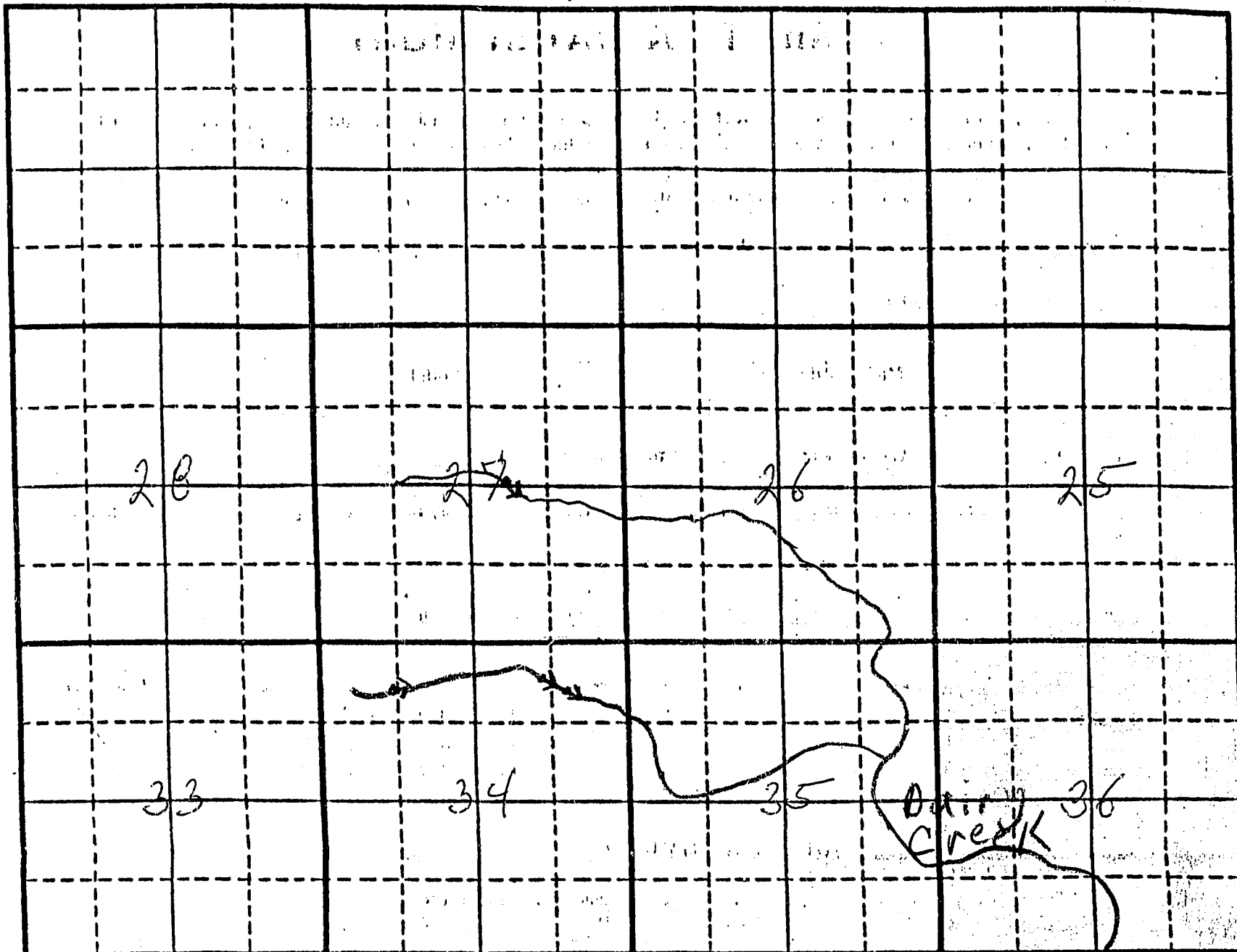
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Historical use by authorized range livestock (by permit). Present use includes the following: 25 range cattle from 5/15 to 10/14, and wildlife use includes 20 deer plus other nongame animals.

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

(8) Remarks Flow characteristics: .75 cfs normal low flow, 10-20 CFS in high flow.
Yellow=BLM land, White= Private land, Blue= State land

T10S., R34E



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 POWER) 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.

Terrance M. Costello
Deep Creek Area Manager

Terrance M. Costello
(Claimant)

Sworn to before me this 22 day of February, 1985

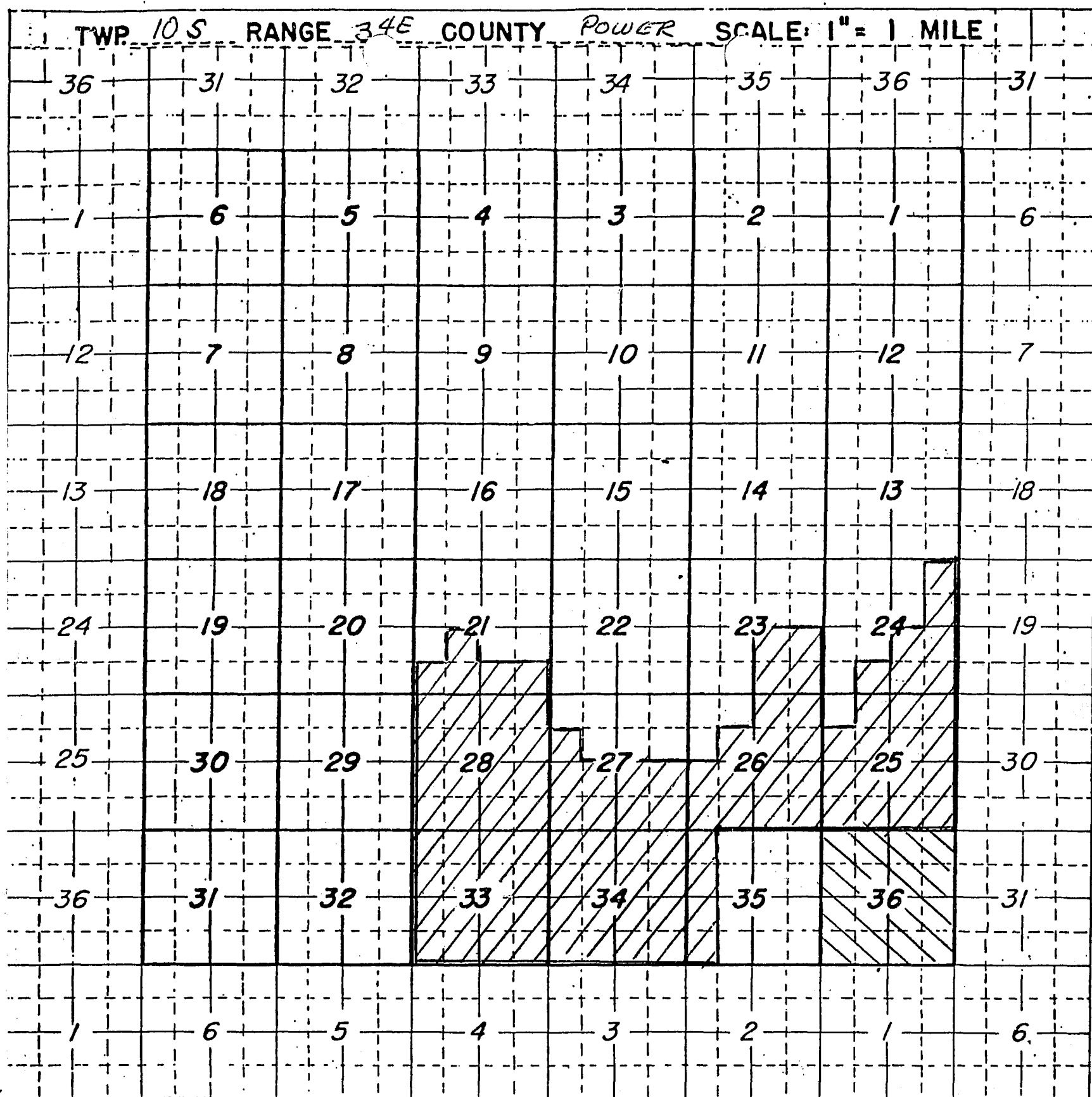
James G. Gable
Notary Public
Residing at Burley, ID

My commission expires 3-1-87

ID-910-805-0013

4-18-85 FOR DEPARTMENT USE ONLY

Received by *JS* 9:00a Date 4/12/85 Exception filed by: Forwarded to Date
Prelim. check by *KCCO* Date 4/29/85 claimant by:
30⁰⁰ \$20.00 fee received by *JS* Date 6-20-85 #36865
Published in *Power County Press*
Dates 5-16 & 5-23-85



LANDS INDICATED AS YELLOW FOR BLM CLAIM 1288



LANDS INDICATED AS BLUE-STATE LANDS

Map completed by Keith C. Wilson
During Staff Review 29 April 1985

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

Brett Crompton..... being first duly
sworn on oath, states:

That ..he... is the ...editor.....
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof

for...2... successive weekly issues thereof,
the date of the first publication being the

15..... day of May.....1985
and the date of last publication being the

22..... day of May.....1985

(Signed) *Brett Crompton*
Subscribed and sworn to before me this

23..... day of May.....1985

Paula J. Jorgensen
Notary Public, residing at
American Falls, Idaho
(SEAL)

My commission expires the

10 day of March 1986

RECEIVED
MAY 23 1985

Department of Water Resources
Eastern District Office

Notice of
claims to
water rights

Published in The Power County
Press May 15 & 22, 1985.

NOTICE OF CLAIMS
TO WATER RIGHTS

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

15-4193
U.S. DEPT. OF INTERIOR

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

Source: DAIRY CREEK SPRINGS
trib. to DAIRY CREEK
Priority Date: 06/28/1934
Division Pt.: NESE NWSE Sec 27 T

10S R 34E NESW NWSE NWSE
SWSE SESE Sec 26 T 10S R 34E
NENE NWNE NENW NWNW Sec

34 T 10S R 34E NWNW SWNW Sec
35 T 10S R 34E
Use: STOCKWATER (0.10 CFS)
WILDLIFE (0.04 CFS)

CHANNEL LOSSES (0.20
CFS)

In: NESE NWSE Sec 27 T 10S R
34E NESW NWSE NWSE SWSE
SESE Sec 26 T 10S R 34E NENE
NWNE NENW NWNW Sec 34 T

10S R 34E NWNW SWNW Sec 35 T
10S R 34E

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

KENN DUNN, Dir.

15-4193

U.S. DEPT. OF INTERIOR

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

Source: DAIRY CREEK SPRINGS trib. to DAIRY CREEK

Priority Date: 06/28/1934

Diversion Pt: NESE NWSE Sec 27 T 10S R 34E NESW NWSW NWSE SWSE SESE
Sec 26 T 10S R 34E NENE NWNE NENW NWNW Sec 34 T 10S R 34E NWNW
SWNW Sec 35 T 10S R 34E

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Notice of claims to water rights

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10S R 34E

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KENN DUNN, Dir.

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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 5/16 & 5/23/85.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 8, 1985

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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 JUNE 3, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON.
15 4193

Right Number _____ Applicant BLM - DAIRY CK. SP. #1288
48 Stat 1269, 43 USC

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 Carlson Date June 6, 1985

6-3-85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 6/25/85

RECEIVED
JUN 18 1985

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 3, 1985

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

RE: Claim No. 15-4193

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