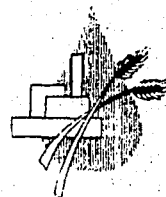


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



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 USDA FOREST SERVICE
(Name of Claimant)

SUITE 282 FEDERAL BUILDING 350 S. 4TH AVENUE Telephone No. 236-7530
(Mailing Address) POCATELLO, IDAHO 83201 (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) 1907 Dec 31

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) RU
WRIGHTS CREEK SPRING tributary to WRIGHTS CREEK Little Molad Run
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		(Both dates inclusive)	
				(Mo., Day)	To	(Mo., Day)	To
<u>150 cfs/day</u>		<u>Livestock</u>		From <u>7/16</u>	To <u>10/15</u>		
<u>0.02 cfs</u>				From	To		
				From	To		
				From	To		
				From	To		

- (4) TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Beginning reach: NE 1/4 NE 1/4, Sec. 25 Twp. 11S. Rge. 35E B.M., County of ONEIDA
Additional points of diversion: all points on line 6 below
ending reach: SWSW 1/4, S26, T11S, R35E

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. NO MANMADE STRUCTURES AT PRESENT. WATER DIVERSION IS BY DIRECT CONSUMPTION BY LIVESTOCK. A NEW WATER TROUGH AWAY FROM THE RIPARIAN ZONE IS BEING CONSIDERED.

- (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	
<u>11S</u>	<u>35E</u>	<u>25</u>	<u>S</u>		<u>S</u>			<u>R/S</u>	<u>S</u>	<u>S</u>	<u>S</u>								
		<u>26</u>								<u>S</u>		<u>S</u>		<u>S</u>	<u>S</u>				

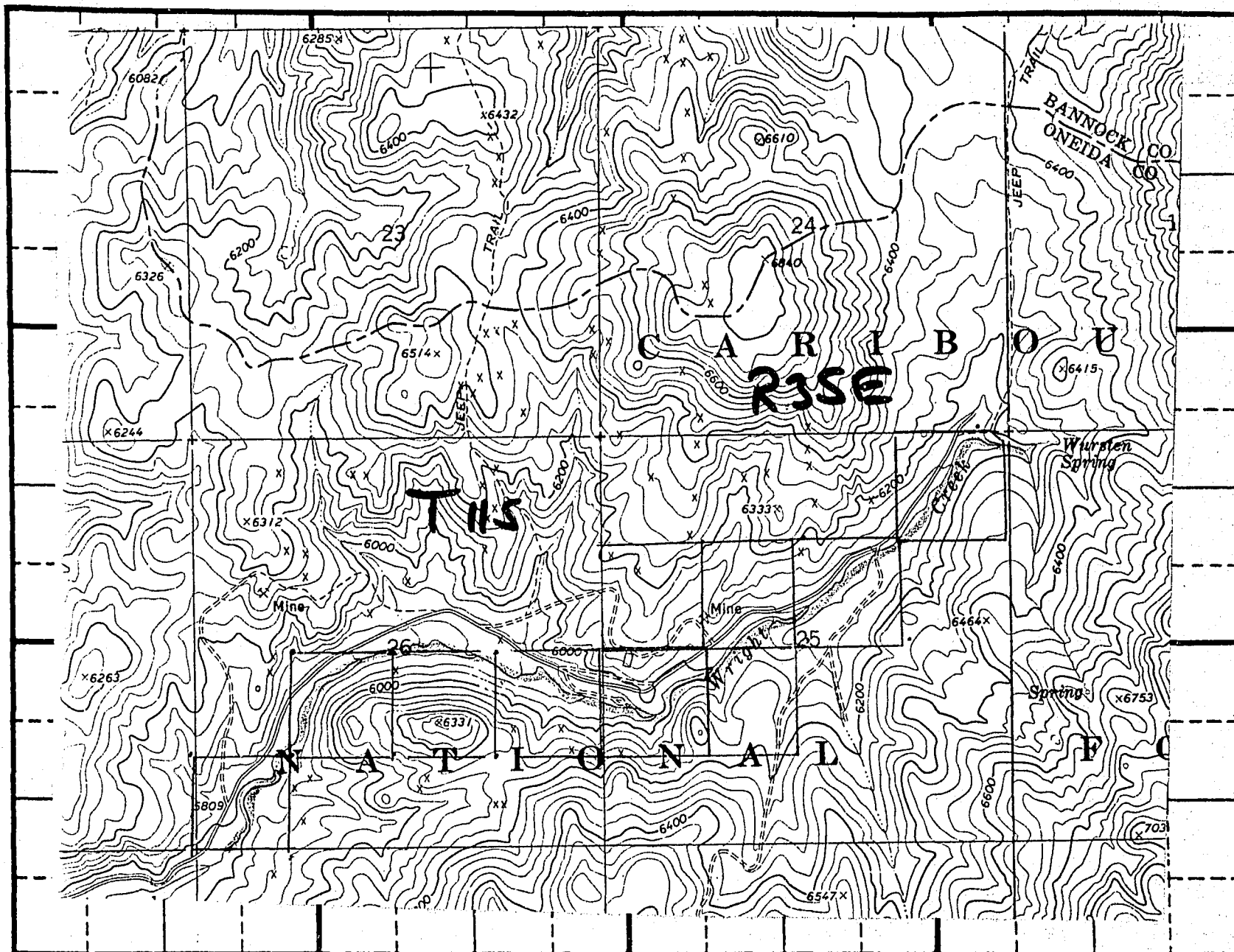
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: WATER IS FOR 400 HEAD OF LIVESTOCK (INCLUDING BULLS AND CALVES). THERE IS NO INCREASE IN WATER CONSUMPTION OVER HISTORIC USE LEVELS.

NOTE: Include here the type and number of stock watered: 400 BEEF COWS

- (7) If you are claiming water as a member of an organization, list name of organization: USDA FOREST SERVICE

(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)
) ss.
 County of Bannock)

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 23rd day of Sept

Richard Van Pelt
 (Claimant) Range Conservationist
IFS

Betty J. Thompson
 Notary Public
 Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

My commission expires _____

FOR DEPARTMENT USE ONLY			
Received by <u>HWJ</u>	Date <u>9-25-93</u>	Exception filed by:	Forwarded to
Prelim. check by _____	Date <u>9</u> # <u>E019172</u>		claimant by:
\$30.00 fee received by <u>HWJ</u>	Date <u>9-25-93</u>		
Published in <u>Idaho Enterprise</u>			
Dates <u>10-21-28-93</u>			

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before NOVEMBER 8, 1993.

R. KEITH HIGGINSON, Director

Published: 10/21/1993 & 10/28/1993

15-04199

USDA FOREST SERVICE
FEDERAL BLDG
250 S 4TH AVE STE 282
POCATELLO, ID 83201

Source: WRIGHTS CREEK

Tributary: LITTLE MALAD RIVER

Diversion Pt:

NENE	Sec 25 T 11S R 35E in ONEIDA County.
SWNE	Sec 25 T 11S R 35E in ONEIDA County.
SENW	Sec 25 T 11S R 35E in ONEIDA County.
NWSW	Sec 25 T 11S R 35E in ONEIDA County.
NESW	Sec 26 T 11S R 35E in ONEIDA County.
SWSW	Sec 26 T 11S R 35E in ONEIDA County.
NESE	Sec 26 T 11S R 35E in ONEIDA County.
NWSE	Sec 26 T 11S R 35E in ONEIDA County.

Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 12/31/1907

In: ONEIDA County
T11S R35E S25
S26

NENE
NESW

SWNE
SWSW

SENW
NESE

NWSW
NWSE

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 6, 1993

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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. 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 NOVEMBER 8, 1993.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 15-04199

USDA FOREST SERVICE
FEDERAL BLDG
250 S 4TH AVE STE 282
POCATELLO, ID 83201

Source: WRIGHTS CREEK Tributary: LITTLE MALAD RIVER
Diversion Pt: NENE Sec 25 T 11 S R 35 E in ONEIDA County.

SWNE Sec 25 T 11 S R 35 E in ONEIDA County.
SENE Sec 25 T 11 S R 35 E in ONEIDA County.
NWSW Sec 25 T 11 S R 35 E in ONEIDA County.
NESW Sec 26 T 11 S R 35 E in ONEIDA County.
SWSW Sec 26 T 11 S R 35 E in ONEIDA County.
NESE Sec 26 T 11 S R 35 E in ONEIDA County.
NWSE Sec 26 T 11 S R 35 E in ONEIDA County.

Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 12/31/1907

In: ONEIDA County

T11S R35E S25 NENE SWNE SENW NWSW
S26 NESW SWSW NESE NWSE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before NOVEMBER 8, 1993.

R. KEITH HIGGINSON, Director

Published: 10/21/1993 & 10/28/1993

No. 1597 1Z 15

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

October 21, 19 93, and ending

with the issue of October 28, 19 93

Kathy A Ray

Subscribed and sworn to before me this 28th day

of Oct, 19 93

Susan J Wittman
Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9, 19 94

#8266

RECEIVED

NOV 04 1993

Department of Water Resources
Eastern District Office

state have begun showing up in some
all grain in the Rockland Valley,
and some has been turning up
northern Utah as well, according
top insurance agents
Jay Hansen, who operates a dry
farm south of Rockland, says evi-
dence of the disease is showing up
this mite reproduces itself rapidly
According to information
research and extension agency
transmitter of the disease
menbers that expect
enough it at the time the
mite (Acacia tippa) with
transmitter of the disease
According to information
research and extension agency
this mite reproduces itself rapidly

census won't count farm
America's farm population will
longer contribute some of the
s in the colorful demographic
shot taken every ten years by
U.S. Census Bureau.
he Census Bureau has an-
ced that in future national head
on farms falling to 4.6 million, or
just below 2 percent of the total
U.S. population.

in confab to explore marketing alternatives
comprehensive two-day "Farm Market

Nº 1587

AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 04 1993

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Oneida } ss.

Kathy S Ray

being duly sworn,

deposes and says: That she is the Secretary of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two 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

October 21, 19 93, and ending

with the issue of October 28, 19 93

Kathy S Ray

Subscribed and sworn to before me this 28th day

of Oct, 19 93

Susan J Wittman
Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9, 19 94

8266

November 5, 1993

Randall Kline
P.O. Box 397
Pocatello, ID 83204

Mr. Kline:

I have received your protest of Claim 15-04199 filed by the United States Forest Service on Wrights Creek for stockwater. I wanted to take this opportunity to explain how this came about and the intent of Claim 15-04199.

During our recent round of hearings about Application for Permit 15-07139 filed by the USFS on Wrights Creek, I asked the Forest Service to provide a historical reference to their use of Wrights Creek water. This was done to clarify the USFS position that no new impacts would be made on Wrights Creek by Permit 15-07139. Rather a historical use had been in place for stockwater which was being changed in manner of delivery. The USFS responded by filing claim 15-04199.

Permit 15-07139 was required of the USFS because they were applying to divert to a water trough. Had I known the full history, I probably would have advised the USFS to file the claim only. Then they could have filed a transfer of point of diversion and place of use.

As it now stands, Permit 15-07139 and Claim 15-04199 reflect the same water, not an additive amount. If you wish to formally file an exception to claim 15-04199 then a notarized document must be filed with the signature(s) of the protestant.

Should you have additional questions, please let me know.

Sincerely,

Harold W. Jones
Water Resource Supervisor