

Identification No. \_\_\_\_\_  
Claim No. 17-4013  
Map No. \_\_\_\_\_

Lower Salyer Spring

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

**CLAIM TO A WATER RIGHT**  
**Established by Diversion and Application to Beneficial Use**

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant United States of America Forest Service  
post office address 324-25th St. Ogden, Utah 84401
2. The point of diversion is in NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Section 1 Township 14S  
Range 31E B.M. located on Curlew National Grassland UNNAMED SPRING  
(name of source)  
tributary to Deep Creek in Oneida County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
  - a. Date of priority claimed:

|                                                |                    |           |       |           |
|------------------------------------------------|--------------------|-----------|-------|-----------|
| <u>1938</u>                                    | amount: <u>.02</u> | c.f.s. or | _____ | acre feet |
| _____                                          | amount: _____      | c.f.s. or | _____ | acre feet |
| _____                                          | amount: _____      | c.f.s. or | _____ | acre feet |
| Total claimed _____ c.f.s. or _____ acre feet. |                    |           |       |           |
  - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

|                      |                                |                 |                        |
|----------------------|--------------------------------|-----------------|------------------------|
| use <u>livestock</u> | period of use from <u>4/15</u> | to <u>12/31</u> | (both dates inclusive) |
| use _____            | period of use from _____       | to _____        | (both dates inclusive) |
| use _____            | period of use from _____       | to _____        | (both dates inclusive) |
| use _____            | period of use from _____       | to _____        | (both dates inclusive) |
4. Description of diverting works:
  - a. Surface water diversion dam and/or headgate: material is composed of a concrete head house  
\_\_\_\_\_ ; length is 3 feet; height is 2 feet;  
width at bottom is 3 feet; with at top is 3 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Underground water diverting works: is well flowing or pumped \_\_\_\_\_ ; depth of well is \_\_\_\_\_ feet; diameter of well is \_\_\_\_\_ inches; type of pump is \_\_\_\_\_  
capacity of pump is \_\_\_\_\_ g.p.m.; name and address of well driller is \_\_\_\_\_  
\_\_\_\_\_ ;

17 4013



Received by ej Date 4-21-71 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
 Forwarded to claimant by: \_\_\_\_\_  
 Prelim. check by D Date 4-21-71 \_\_\_\_\_  
 Fee received by ej Date 5/10/71 Fee \$ 10<sup>00</sup> \_\_\_\_\_  
 Approved for publication by D \_\_\_\_\_  
 Published in Shako Dates 5-20 + 27-71 \_\_\_\_\_  
Enterprise 12 1213

IN THE MATTER OF:

Lower  
Salter Spring  
State of Idaho  
County of Oneida

AFFIDAVIT

RECEIVED

APR 21 1971

Department of Water Administration

being first duly sworn,

Paul L Clark  
deposes and says: My name is Paul L Clark  
I am the Range Technician on the Malad  
Ranger District Caribou National Forest  
on March 7<sup>th</sup> 1969 I personally talked  
to Mr. Earl Hickman who stated to me that  
he had personal knowledge concerning the  
above referred spring located in NW 1/4 of SW 1/4  
Section 1, T14S, R31E B.M.

Mr. Hickman further stated that  
said spring was developed, water piped  
from said spring to a water trough and  
commenced providing water for livestock  
during the year 1938

Paul L Clark  
(signature)

Subscribed and sworn to before me this 16<sup>th</sup> day of March 19 71.

Samuel D. Roberts  
(Notary Public)

Residing at Orantula, Idaho  
My commission expires 4-1-74

17 4013

## Affidavit of Publication

State of Idaho  
County of Oneida, ss.

*Norma Champney* being first duly sworn on  
her oath, states: That she is *clerk*

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for ... successive weekly issues thereof the date of the first publication being the *26* day of *May* ..... 19*71* the date of the last publication being the *27* day of *May* ..... 19*71*

*Norma Champney*....

Subscribed and sworn to before me this *28th* day of

*May* ....., 19*71*...

*H. D. Taylor*....

Notary Public, residing at Malad, Idaho

My Commission expires the *10* day of *Oct.*..., 19*75*

Costs: *29* lines at *23c* per line first insertion \$ *6.67*

..... lines tabulated at *34 1/2* per line \$.....

*15* per line each subsequent insertion \$ *4.35*

TOTAL ..... \$ *11.02*

(Rates for legal notices are fixed by Idaho law)

### NOTICE OF CLAIM TO A WATER RIGHT

No. 17-4013

Notice is hereby given that the U. S. Forest Service, 324 - 25th St., Ogden, Utah, has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring with point of diversion in the NW 1/4 SW 1/4 Sec. 1, T. 14S, R. 31E, B.M., Oneida County.

The water is claimed to be used from April 15 to Dec. 31 for stockwater purposes with a priority of 1938; the place of use is within the above description.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enterprise, Malad City, Idaho on May 20 and May 27, 1971.

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17 4013

JUN 1 1971

Department of Water Administration

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O.K.  
5-17-71  
B.B.  
17 4013

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17 4013

4013

May 12, 1971

Re: Claim No. 17-4009    17-4013    17-4017  
                  17-4010    17-4014    17-4018 - U. S. Forest Service  
                  17-4011    17-4015    17-4019  
                  17-4012    17-4016

Idaho Enterprise  
P.O. Box 205  
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

Bill submitted 6-3-71 by de

DWM:DR  
Enc: Legal notices (11)

17 4013

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse -- Annex 2  
Boise, Idaho 83707  
(208) 384-2215

June 3, 1971

Re: Claim to a Water Right Nos. (17-4009) (17-4010)  
(17-4011) (17-4012)  
(17-4013) (17-4014)  
(17-4015) (17-4016)  
(17-4017) (17-4018)  
(17-4019)

U. S. of America Forest Service  
324 - 25th Street  
Ogden, Utah 84401

Gentlemen:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/bb

Enclosure: Copy of Claims



R. Keith Higginson  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

17 4013

