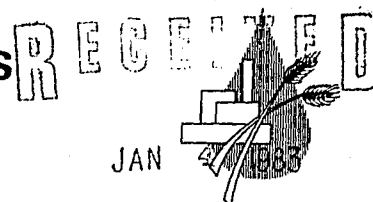


Claim No. 17 4004  
564

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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)  
Route 3, Box 1, Burley, ID 83318 Telephone No. 208-678-5514  
(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:

(1) Date of priority: (When was the water first applied to a beneficial use) Sept. 1950

**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)  
Stream (unnamed channel) Runoff tributary to Gold Mine Reservoir

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|          |                         |     |                                     | (Both dates inclusive)         |                 |
|----------|-------------------------|-----|-------------------------------------|--------------------------------|-----------------|
|          | (cfs, gpd, <u>AFA</u> ) |     | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day)                     | (Mo., Day)      |
| Quantity | <u>1.0</u>              | Use | <u>livestock</u>                    | Period of Use From <u>6/20</u> | To <u>9/30</u>  |
| Quantity | <u>1.0</u>              | Use | <u>wildlife</u>                     | Period of Use From <u>1/1</u>  | To <u>12/30</u> |
| Quantity |                         | Use |                                     | Period of Use From             | To              |
| Quantity |                         | Use |                                     | Period of Use From             | To              |
| Quantity |                         | Use |                                     | Period of Use From             | To              |

(4) 2.0 TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE ¼ SW ¼, Sec. 36 Twp. 15 S. Rge. 29 E. B.M., County of Cassia  
 Additional points of diversion: none

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. A 250'x20' earthen check dam retains the run-off from a channel draining the east slope of Black Pine Mt. Reservoir capacity is 2.0 ac/ft.

(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.

[illegible]

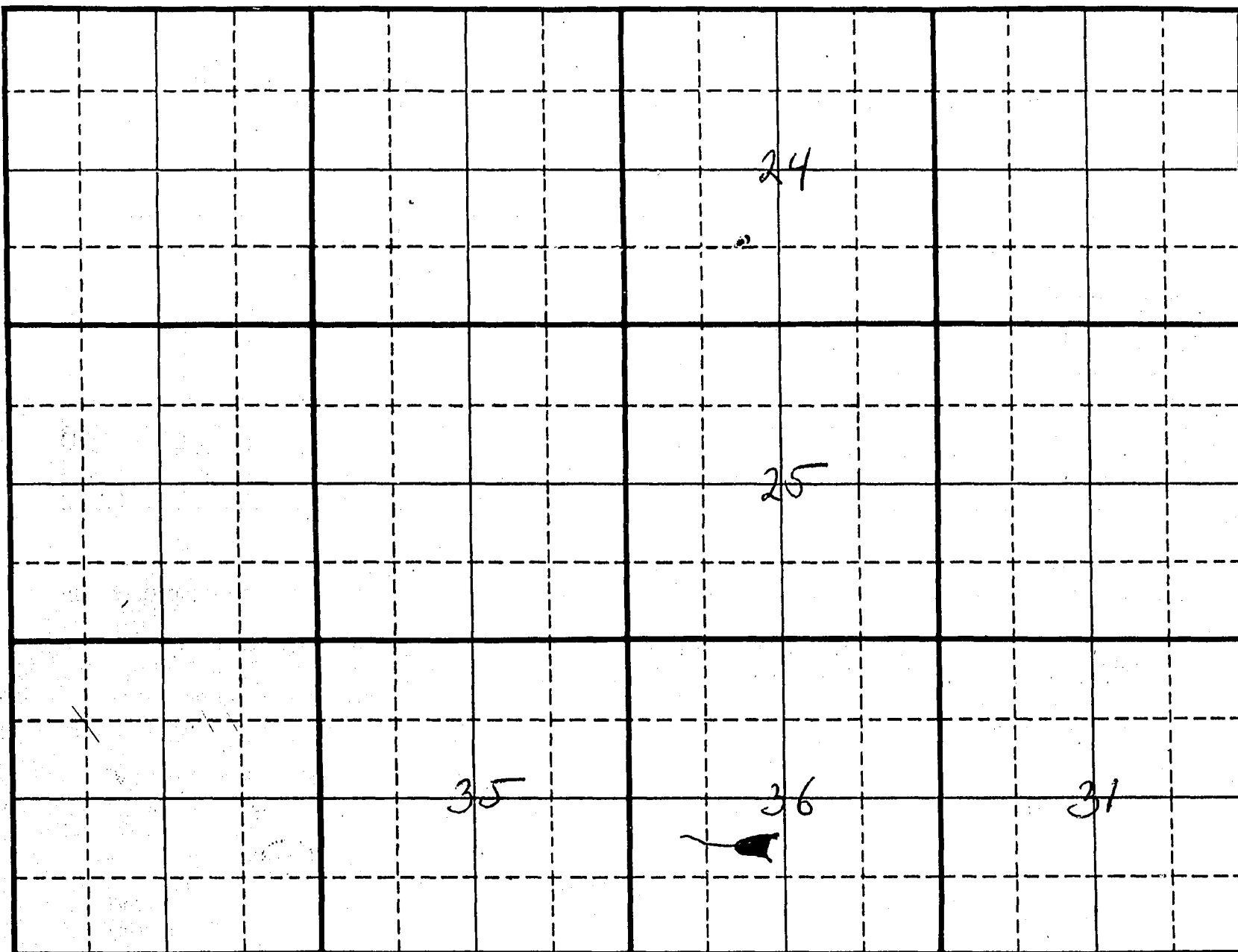
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water is used by the livestock listed below and the resident and migrating wildlife of the area.

NOTE: Include here the type and number of stock watered: 600 cattle

(7) If you are claiming water as a member of an organization, list name of organization: Bureau of Land Management

(8) Remarks This dam was constructed primarily for flood control by the Duval Mining Co. Their operation and the reservoir were abandoned in the 50's.



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 Cassia ) 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.

David Vail, Bannock-Oneida Area Manager

David B Vail  
(Claimant)

Sworn to before me this 20 day of September, 1982.

Jamnie Bull  
Notary Public  
Residing at \_\_\_\_\_

Notary Public residing at  
Burley, Idaho

My Commission expires  
March 1, 1983

My commission expires \_\_\_\_\_

ID-910-BP3-0003

FOR DEPARTMENT USE ONLY

Received by CW Date 1-11-83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by HLW Date 1-18-83 claimant by: \_\_\_\_\_  
\$30.00 fee received by HL Date 4-5-83 #26453  
Published in South Idaho Press  
Dates 1/27 & 2/3/83

**SOUTH IDAHO PRESS**

**BURLEY, IDAHO**

**AFFIDAVIT OF PUBLICATION**

County of Cassia, )  
STATE OF IDAHO ) ss.

Mary Summers, being first  
duly sworn, deposes and says that she is the

Clerk of the South Idaho  
Press, a daily newspaper published at Bur-  
ley, Idaho, in the county aforesaid and that  
the paper is of general circulation therein.  
Deponent further states that the printed no-  
tice attached hereto was duly published  
according to law in the regular editions of

The South Idaho Press for Two  
consecutive weeks, commencing with the issue  
dated January 27th 1983, and ending  
with the issue dated February 3, 1983

*Mary Summers*

Subscribed and sworn to before me  
this 17<sup>th</sup> day of February  
1983.

*Janice M. Mott* Notary Public

Cost of Publication \$14.95  
Notary Fee  
Total Cost \$14.95

83-24

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

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

17-4044

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

Source: UNNAMED STREAM trib. to GOLD MINE  
RESERVOIR.

Priority Date: 09/01/1950

Diversion Pt.: NESW Sec 36 T 15S R 29E

Use: STOCKWATER (1.0 AF)

WILDLIFE (1.0 AF)

In: NESW Sec 36 T 15S R 29E

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

/s/ KEN DUNN

Director

Published in the South Idaho Press January 27  
and February 3, 1983.

**RECEIVED**  
FEB 18 1983

Department of Water Resources  
Eastern District Office

17-4044

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,  
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|                 |          |
|-----------------|----------|
| Use: STOCKWATER | (1.0 AF) |
| WILDLIFE        | (1.0 AF) |

In: NESW Sec 36 T 15S R 29E

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 1/27 & 2/3/83.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JANUARY 19, 1983

South Idaho Press  
Box 190  
Burley, Idaho 83318

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 FEBRUARY 14, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 17 4044 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:

- Should be Stream*
- ☒ 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.
- Feb 14, 1983*

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Feb 23, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 5-2-83

February 14, 1983

RE: Claim to a Water Right No. 17-4044 BLM

South Idaho Press  
Box 190  
Burley, ID 83218

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on January 27 and February 3, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

FEBRUARY 14, 1983

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

RE: Claim No. 17-4044

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

RECEIVED  
MAR 02 1983

Department of Water Resources