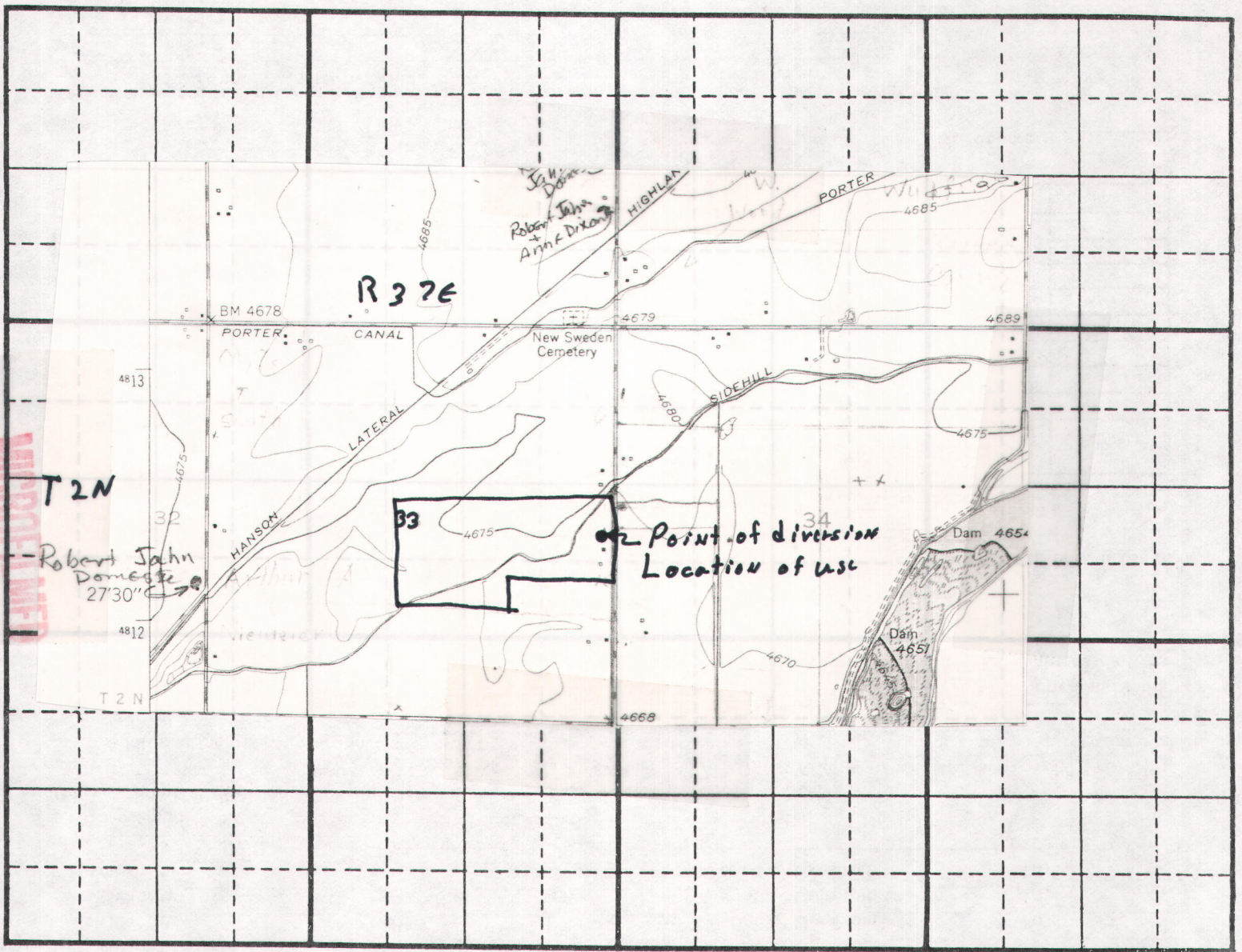


(8) Remarks _____



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 30th day of June, 1983.
Elizabeth M. Spencer (Claimant)
William Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>JCM</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>S.M.</u>	Date <u>9-8-83</u>		claimant by:	
\$30.00 fee received by <u>OW</u>	Date <u>6-30-83</u>			
Published in <u>Post Register</u>	# <u>25745</u>			
Dates <u>9/29 - 10/6/83</u>				

Proof of Publication
The Post-Register

RECEIVED

OCT 18 1983

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 29th day of September, 19 83, last publication
having been made on the 6th day of October, 19 83, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of October, 19 83

[Signature]
Notary Public

My commission expires September 30, 19 84

B10, 1M,

NOTICE OF CLAIMS TO WATER RIGHTS

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

35-4233

SPENCER, CLIFFORD &/or ELIZABETH
RT. 4, BOX 449, IDAHO FALLS, ID 83402

Source: GROUNDWATER

Priority Date: 01/01/1925

Diversion Pt. NESE Sec 33 T 02N R 37E

Use: STOCKWATER (0.02 CFS); DOMESTIC
(0.12 CFS)

In: NESE Sec 33 T 02N R 37E
35-4230

BINGHAM, VERN R.
RT. 4, BOX 250, IDAHO FALLS, ID 83402

Source: GROUNDWATER

Priority Date: 05/01/1930

Diversion Pt: SESE Sec 25 T 02N R 36E

Use: STOCKWATER (0.02 CFS); DOMESTIC
(0.06 CFS)

In: SESE Sec 25 T 02N R 36E

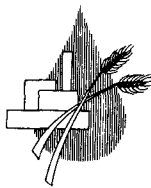
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN
Director

Published: September 29, October 6, 1983

STATE OF IDAHO
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 Clifford and/or Elizabeth Spencer
Rt. #4, Box 449, Idaho Falls, ID 83402 (Name of Claimant) Telephone No. 522-5539
(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) January, 1925

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)
groundwater tributary to _____

(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.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.12 cfs	Use	domestic	Period of Use From 1/1	To 12/31
Quantity	0.02 cfs	Use	stockwater	Period of Use From 12/1	To 5/31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.14 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 33 Twp. 2N Rge. 37E B.M., County of Bonneville
Additional points of diversion: _____

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. well with mainline to 3 houses

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	37E	33													X				

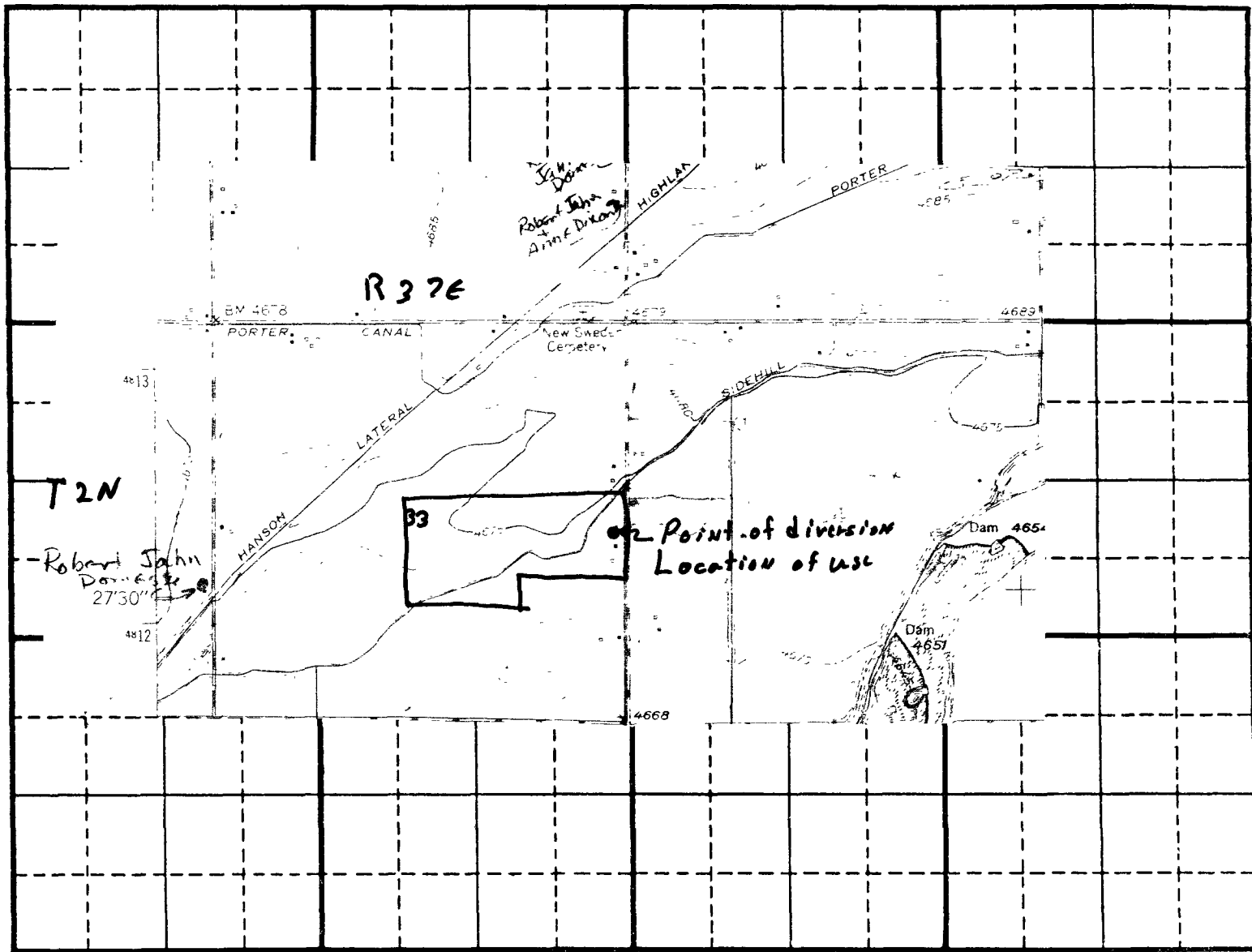
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic wells used for 3 homes

NOTE: Include here the type and number of stock watered: 150 head of sheep in winter when canal is dry.

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

(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 Donnerville) 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 30th day of June, 1983.
Elizabeth M. Spencer
(Claimant)

William Wray
Notary Public
Residing at Stake Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>JCM</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>S.M.</u>	Date <u>9-8-83</u>		claimant by:	
\$30.00 fee received by <u>JW</u>	Date <u>6-30-83</u>			
Published in <u>Post Register</u>	# <u>25745</u>			
Dates <u>9/29 - 10/6/83</u>				

Proof of Publication
The Post-Register

RECEIVED

OCT 18 1983

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 29th day of September, 1983, last publication having been made on the 6th day of October, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of October, 1983.

Don K. Napier
Notary Public

My commission expires September 30, 1984.

B10, 1M,

NOTICE OF CLAIMS TO WATER RIGHTS

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

35-4230
SPENCER, CLIFFORD & ELIZABETH
RT. 4, BOX 449, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 01/01/1925
Diversion Pt. NESE Sec 33 T 02N R 37E
Use: STOCKWATER (0.02 CFS); DOMESTIC (0.12 CFS)
In: NESE Sec. 33 T 02N R 37E
35-4230

BINGHAM, VERN R.
RT. 4, BOX 250, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 05/01/1930
Diversion Pt: SESE Sec 25 T 02N R 36E
Use: STOCKWATER (0.02 CFS); DOMESTIC (0.06 CFS)
In: SESE Sec 25 T 02N R 36E

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
Director

Published: September 29, October 6, 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 17, 1983

CLIFFORD SPENCER
ELIZABETH SPENCER
RT. 4, BOX 449
IDAHO FALLS

ID 83402

RE: Claim No. 35-4233

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 17, 1983

RE: Claim to a Water Right No. 35-4230 BINGHAM
35-4233 SPENCER

Post Register
P.O. Box 1800
Idaho Falls, ID 83401

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 September 29 and October 6, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 35 4233 Applicant Clifford Spencer

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 Oct 19, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 10-26-83

35-4233

SPENCER, CLIFFORD &/or ELIZABETH

RT. 4, BOX 449, IDAHO FALLS, ID 83402

Source: GROUNDWATER

Priority Date: 01/01/1925

Diversion Pt: NESE Sec 33 T 02N R 37E

Use: STOCKWATER	(0.02 CFS)
DOMESTIC	(0.12 CFS)

In: NESE Sec 33 T 02N R 37E

Proofed
By Phone
BP 9/28/83

UNRECORDED