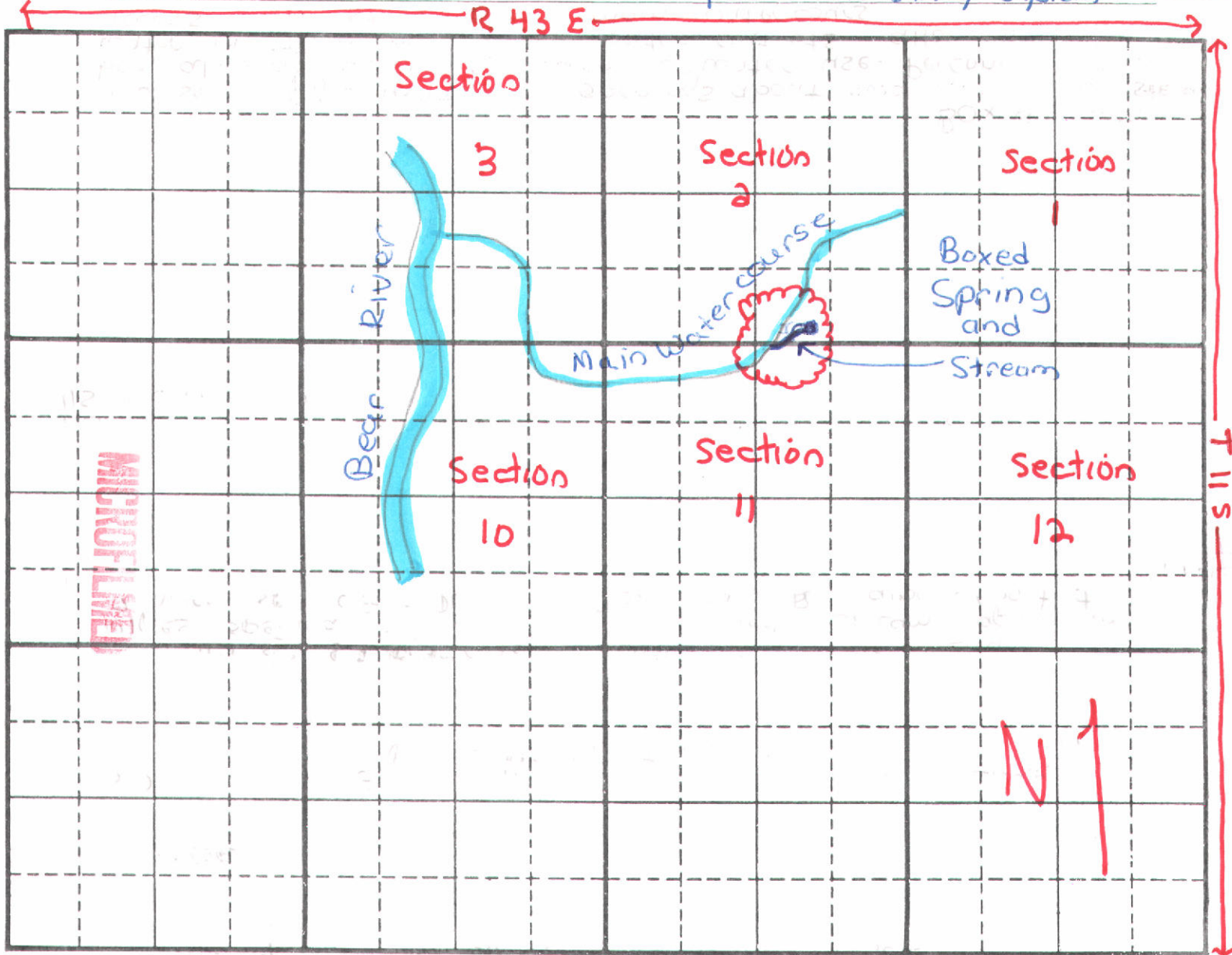


(8) Remarks Boxed spring used for domestic purposes and stream below used for livestock water are shown inside area traversed by water lies in SWSE T11S R43E Section 2 and NWNE T11S R43E Section 11 of public land survey system



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 Bear Lake) 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 27th day of June, 1983

Spencer H. Hess
(Claimant)

Spencer H. Hess
Notary Public
Residing at Oriskany, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by OW Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by S.M. Date 9-8-1983 claimant by: _____
\$30.00 fee received by OW Date 6-29-83 _____
Published in News Examiner #25690 _____
Dates 9/22 - 9/29/83 _____

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 Spencer W Hess
(Name of Claimant)
Box 217 Montpelier, Idaho Telephone No. 847-1546
(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 1, 1900

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)
Springs and stream tributary to Bear River

(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 <u>0.02</u>		Use <u>Stock water</u>		Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>0.04</u>		Use <u>Domestic</u>		Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) 0.06 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 2 Twp. 11S Rge. 43E B.M., County of Bear Lake
Additional points of diversion: NW 1/4 NE 1/4 T11S R 43 E Section 11

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. Hillside spring and seeps boxed and channeled into pipes opening onto small stream bed. Stream joins main watercourse after 75 yards. Box retains 50 galbns. Constructed in 1935

(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	
11S	43E	2															X		
11S	43E	11		X															

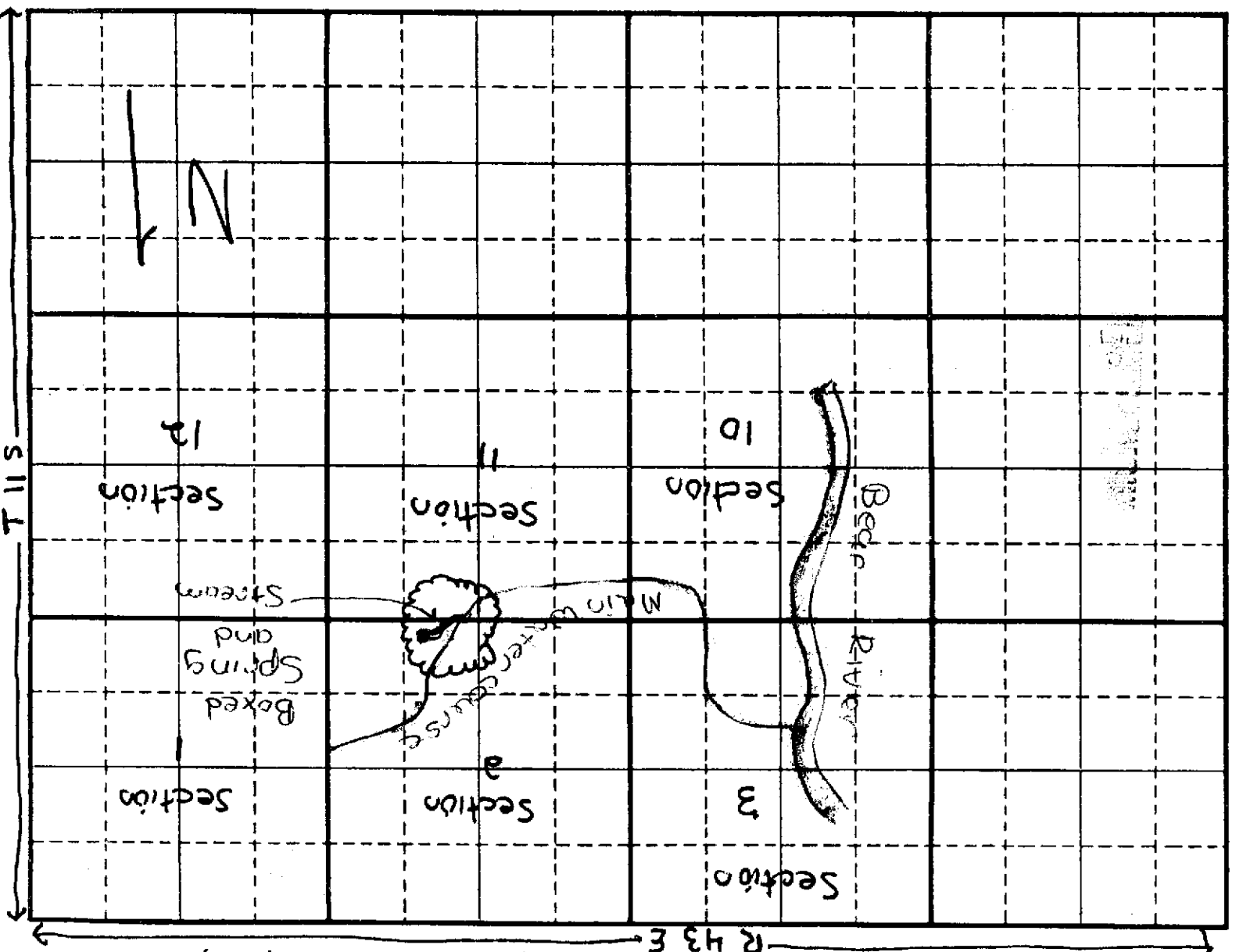
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Boxed spring and seeps pipe water to openings about two feet above stream bed allowing access for domestic water use. Perennial spring water in stream bed below water outlets allows livestock access until stream joins main watercourse

NOTE: Include here the type and number of stock watered: 1200 sheep 200 cows 25 horses

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

(8) Remarks Boxed Spring used for domestic purposes and stream below used for livestock water are shown inside area traversed by water lies in SWSE T11S R43E section 11 and NWNE T11S R43E section 11 of public land survey system



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 Bear Lake) 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 29th day of June 1983
 My commission expires _____
 Notary Public Residing at _____
 (Claimant) _____
 Forwarded to _____
 Date _____
 Exception filed by: _____
 Date 6-29-83
 Date 7-8-1983
 Date 6-29-83
 Received by S.M. _____
 Prelim. check by _____
 \$30.00 fee received by _____
 Published in News Examiner _____
 Dates 9/22 - 9/29/83

FOR DEPARTMENT USE ONLY

SEP 8 0 R

2403

AFFIDAVIT OF PUBLICATION

OCT 13 1983

OF IDAHO,
of Bear Lake

ss.

Department of Water Resources
Eastern District Office

Marie B. Nye
being duly sworn,

s and says:

he is the Publisher of THE EXAMINER, a weekly newspaper published at Montpelier in the County of Bear Lake and State of Idaho; and the newspaper has been and is in general circulation in the aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published as a newspaper proper and not a supplement; that said advertisement has been established and regularly published for more than twenty-eight consecutive weeks prior to the date of publication of said advertisement.

The notice was published in the issue beginning with

September 22, 1983, and ending

the issue of September 29, 1983.

4105.00

scribed and sworn to before me this 29th day

September, 1983.

Notary Public, Residing at Montpelier, Idaho

Commission Expires Lifetime, 1983.

LEGAL NO. 2

NOTICE OF CLAIMS TO
WATER RIGHTS

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

11-4284

J.R. REAM RANCH, INC.
DINGLE

Priority Date: 04/06/1900

Diversion Pt: NESE Sec 24 T 14S R 44E

Use: STOCKWATER (0.0150 CFS)

DOMESTIC (0.0070 CFS)

In: NESE Sec 24 T 14S R 44E

11-4283

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: SPRINGS trib. to BEAR RIVER

UNNAMED STREAM trib. to BEAR RIVER

Priority Date: 01/01/1900

Diversion Pt: SWSE Sec 02 T 11S R 43E

NWNE Sec 11 T 11S R 43E

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSE Sec 02 T 11S R 43E NWNE Sec 11 T 11S R 43E

11-4282

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: CART HOLLOW SPRINGS trib. to SINKS

Priority Date: 07/01/1930

Diversion Pt: SWNW NWNW NENW Sec 02 T 12S R 44E

Use: STOCKWATER (0.04 CFS)

In: NENW NWNW SWNW Sec 02 T 12S R 44E

11-4281

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: SPRINGS trib. to SINKS

Priority Date: 07/01/1930

Diversion Pt: NENW Sec 03 T 12S R 44E

SWSE Sec 34 T 11S R 44E NWNE Sec 03 T 12S R 44E

Use: STOCKWATER (0.04 CFS)

In: SESE SWSE Sec 34 T 11S R 44E NWNE NENW NWNW Sec 03 T 12S R 44E

11-4280

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: MAPLE CANYON CREEK trib. to SINKS

Priority Date: 07/01/1930

Diversion Pt: SENW SWNE NESE SENE Sec 34 T 11S R 44E

Use: STOCKWATER (0.02 CFS)

In: SWNE SENE SENW NESE Sec 34 T 11S R 44E

11-4279

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: SPRINGS trib. to MAPLE CANYON CREEK

Priority Date: 07/01/1930

Diversion Pt: SENW Sec 34 T 11S R 44E

Use: STOCKWATER (0.02 CFS)

In: SENW Sec 34 T 11S R 44E

11-4278

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: UNNAMED STREAM trib. to BEAR RIVER

Priority Date: 01/01/1900

Diversion Pt: SWSE Sec 02 T 11S R 43E

NWNE Sec 11 T 11S R 43E

Use: STOCKWATER (0.02 CFS)

In: SWSE Sec 02 T 11S R 43E NWNE Sec 11 T 11S R 43E

11-4277

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: BEAR RIVER trib. to GREAT SALT LAKE

Priority Date: 01/01/1900

Diversion Pt: SESE NESE Sec 34 T 10S R 43E

Use: STOCKWATER (0.03 CFS)

In: NESE SESE Sec 34 T 10S R 43E

11-4276

KEETCH, PAUL

STAR RT. 1, BOX 1240, MONTPELIER, ID 83254

Source: GROUNDWATER

Priority Date: 07/01/1948

Diversion Pt: SWSE Sec 26 T 13S R 44E

Use: STOCKWATER (0.03 CFS)

DOMESTIC (0.04 CFS)

In: SWSE Sec 26 T 13S R 44E

11-4275

KEETCH, GOLDEN

STAR RT. 1, BOX 1260, MONTPELIER, ID 83254

Source: GROUNDWATER

Priority Date: 06/01/1900

Diversion Pt: NWNW Sec 35 T 13S R 44E

Use: STOCKWATER (0.05 CFS)

In: NWNW Sec 35 T 13S R 44E

11-4274

KEETCH, GOLDEN

STAR RT. 1, BOX 1260, MONTPELIER, ID 83254

WRR100
11-4283

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 11-4283 02 OLD (O) NUMBER -

03001 - HESS LAST NAME

04001 - SPENCER W. FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - BOX 217

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MONTPELIER

10 STATE - ID

11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - SPRINGS
14002 - UNNAMED STREAM
15001 - BEAR RIVER
15002 - BEAR RIVER
TRIBUTARY OF

16 DIVERSION MEANS - BOX & PIPE

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .060

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD S
22001 -	SWSE	23001 - 02	24001 - 11S	25001 - 43E	26001 - 27001 -	0	0.0	0.0	0.0
22002 -	NWNE	23002 - 11	24002 - 11S	25002 - 43E	26002 - 27002 -	0	0.0	0.0	0.0
				28001 -	28001 -	0	0.0	0.0	0.0
				28002 -	28002 -	0	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/1200 SHEEP, 200 COWS, 25 HORSES

USE CODE / USE	TWN	RNG	PLACE OF USE	TRACT	ACRES	LOT
30001 - 04 STOCKWATER	31001 - 11S	32001 - 43E	33001 - 02	34001 - SWSE	35001 -	36001 -
30002 - 04 STOCKWATER	31002 - 11S	32002 - 43E	33002 - 11	34002 - NWNE	35002 -	36002 -
TOTAL ACRES: 0						

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 04 STOCKWATER	40001 -	0.020	41001 -
37002 - 0101	38002 - 1231	39002 - 43 DOMESTIC	40002 -	0.040	41002 -

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 1-JAN-1900
48 PROOF DUE -
49 PROOF MADE -
55 LICENSE
56 APPL RECEIVED
57 FIELD EXAM MADE
63 TRANSFER/AMENDED
64 OLE/CAREY ACT
65 FLAG_1

RR 100
11-4283

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
15-DEC-1985 10:39:24

[illegible]

3/8/86
VERIFIED JKN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 10, 1983

RECEIVED
SPENCER W. HESS
BOX 217
MONTPELIER

ID 83254

RE: Claim No. 11-4283

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 12, 1983

RE: Claim to a Water Right No. 11-4270 FISH HAVEN
11-4271 SKINNER
11-4272 SHURLIFF & WARD
11-4273 KEETCH
11-4274 "
11-4275 "
11-4276 "
11-7277 HESS
11-4278 "
11-4279 "
11-4280 "
11-4281 "
11-4282 "
11-4283 "
11-4284 REAM RANCH INC.

News Examiner
P.O. Box 278
Montpelier, ID 83254

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 22 and 29, 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

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 19, 1983

RE: Claim to a Water Right No. 11-4272 SHURLIFF
11-4277 HESS
11-4278 "
11-7483 "
13-4258 WILKER
13-4259 HARRIS

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (6)

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick.

Right Number 11 4283 Applicant Spencer Hess.

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.

NA

By Ernest Carlson Date Oct 17, 1983.

Oct 10, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10-25-83

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

11-4283

HESS, SPENCER W.

BOX 217, MONTPELIER, ID 83254

Source: SPRINGS trib. to BEAR RIVER
UNNAMED STREAM trib. to BEAR RIVER

Priority Date: 01/01/1900

Diversion Pt: SWSE Sec 02 T 11S R 43E NWNE Sec 11 T 11S R 43E

Use: STOCKWATER	(0.02 CFS)
DOMESTIC	(0.04 CFS)

In. SWSE Sec 02 T 11S R 43E NWNE Sec 11 T 11S R 43E