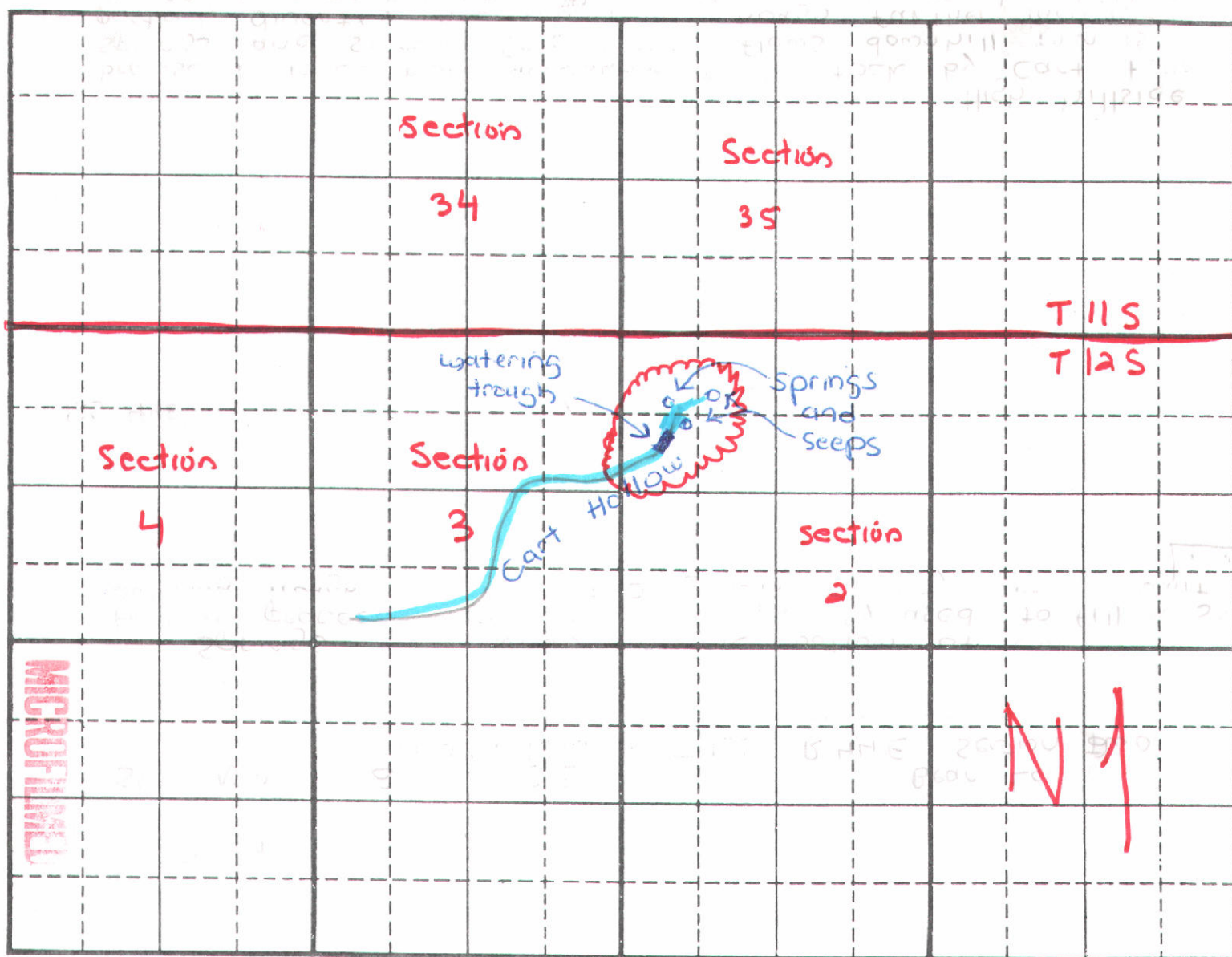


(8) Remarks Area included by  in Cart Hollow contains springs
a small stream and an installed water trough giving livestock
water access in NWNW NENW SWNW T11S R44E
Section 2



Scale: 2 inches equal 1 mile.

R 44 E

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.

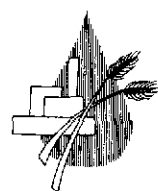
Spencer H. Hess
(Claimant)
Spencer H. Hess
Notary Public
Residing at Quid, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by CW Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by S.M. Date 9-8-1987 claimant by: _____
\$30.00 fee received by CW Date 6-29-83
Published in News Examiner # 25890
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
Box 217 Montpelier, Idaho 83254 Telephone No. 847-1546
(Mailing Address) (Zip Code) (Name of Claimant)

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) July 1, 1930

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)
Cart Hollow springs tributary to sinks

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use <u>Stockwater</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
Quantity		Use	Period of Use From	To
(4)	<u>0.04</u>	TOTAL QUANTITY USED.		
	(cfs, af)			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec. 2 Twp. 12S Rge. 44E B.M., County of Bear Lake
Additional points of diversion: NW 1/4 NW 1/4 T12S R44E Section Two
NE 1/4 NW 1/4 T12S R44E Section Two

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.
Springs and seeps in the bottom of Cart Hollow proceed down then are partially used to fill a stock watering trough of approx. 120 gallons capacity. Trough built in 1979

(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.

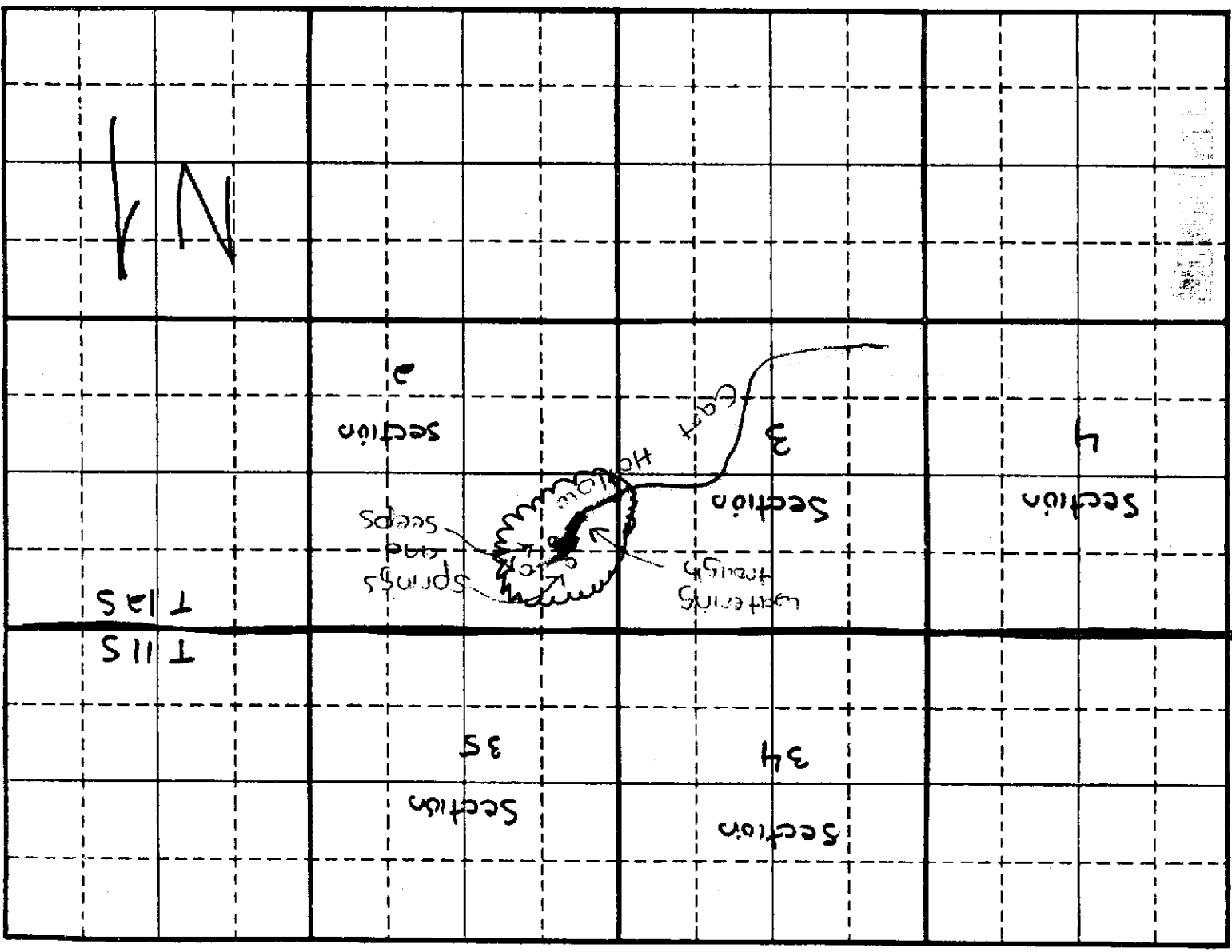
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>12S</u>	<u>44E</u>	<u>2</u>					<u>X</u>	<u>X</u>	<u>X</u>										

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: high hillside browse is made more accessible to livestock by Cart Hollow springs and stream. Said water flows downhill then is partially diverted into a watering trough further increasing livestock accessibility. Water then continues downhill. Livestock use numerous points along springs, stream, and trough for
NOTE: Include here the type and number of stock watered: 1200 sheep 200 cows 25 horses [water]

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

(8) Remarks Area included by in Cart Hollow contains Springs
 a small stream and an installed water trough giving livestock
 water access in NW NW NE NW T14S R44E
 Section 2



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 Bear Lake

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

James H. Hines
 (Claimant)
 1983
James H. Hines
 Notary Public
 Residing at *Cart, Idaho*

My commission expires *September*

FOR DEPARTMENT USE ONLY

Received by *DL* Date *6-29-83* Prelim. check by *SM* Date *9-8-1983* \$30.00 fee received by *DL* Date *6-29-83* Published in *NWIS EXAMINER* 9/22/83
 Dates *9/22/83*
 Forwarded to *claimant by:* Date *6-29-83*
 Exception filed by: *#25890*

SEP 30 1983

2403

AFFIDAVIT OF PUBLICATION

OCT 13 1983

OF IDAHO,
of Bear Lake

ss.

Department of Water Resources
Eastern District OfficeMarie 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 said paper 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 seventy-eight consecutive weeks prior to the date of publication of said advertisement.

notice was published in the issue beginning with

September 22, 1983, and ending

the issue of September 29, 1983.

\$105.00

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) created by diversion and beneficial use:

11-4284

J.R. REAM RANCH, INC.
DINGLE 11-83233

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

01 WATER RIGHT NUMBER - 11-4282 02 OLD (D) 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 - MONTEPELIER 10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM 13 STATUS -

14001 - CART HOLLOW SPRINGS SOURCE 15001 - SINKS TRIBUTARY OF

16 DIVERSION MEANS - TROUGH 17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .040 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

22001 -	SWNW	✓23001 - 02	✓24001 - 12S	✓25001 - 44E	✓26001 - 27001 -	0	0.0	0.0	0.0	0	0	0	0.0
22002 -	NWNW	✓23002 - 02	✓24002 - 12S	✓25002 - 44E	26002 - 27002 -	0	0.0	0.0	0.0	0	0	0	0.0
22003 -	NENW	✓23003 - 02	✓24003 - 12S	✓25003 - 44E	✓26003 - 27003 -	0	0.0	0.0	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	TOTAL ACRES: 0
30001 - 04 STOCKWATER	31001 - 12S	32001 - 44E	33001 - 02	34001 - NENW	35001 -	36001 -	
30002 - 04 STOCKWATER	31002 - 12S	32002 - 44E	33002 - 02	34002 - NWNW	35002 -	36002 -	
30003 - 04 STOCKWATER	31003 - 12S	32003 - 44E	33003 - 02	34003 - SWNW	35003 -	36003 -	

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 04 STOCKWATER	40001 -	0.040	41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

	PRIORITY	D A T E S		D A T E S		F L A G S
47	PROOF DUE	1-JUL-1930	55	LICENSE	63	TRANSFER/AMENDED
48	PROOF MADE		56	APPL RECEIVED	64	DLE/CAREY ACT
49	APPROVE/DENIED		57	FIELD EXAM MADE	65	FLAG_1
50	PROTESTED		58	DECREE	66	FLAG_2
51	HEARING		59	START WORK	67	FLAG_3
52	VERIFIED		60	ORDER SHDW CAUSE		
53	LAST UPDATE	26-SEP-1983	61	DATE_1		
54			62	DATE_2		

28/9/85

NOT REHIREA

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. 11-4282

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

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number _____ 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.

By Ernest Carlson Date Oct 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC Date 10-25-83

Oct 10, 1983

RECEIVED
OCT 23 1983

WATER RIGHT
DATA ENTRY LOG

[illegible]

11-4282-

HESS, SPENCER W.

BOX 217, MONTFELIER, ID 83254

Source: CART HOLLOW SPRINGS trib. to SINKS

Priority Date: 07/01/1930

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

Use: STOCKWATER (0.04 CFS)

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