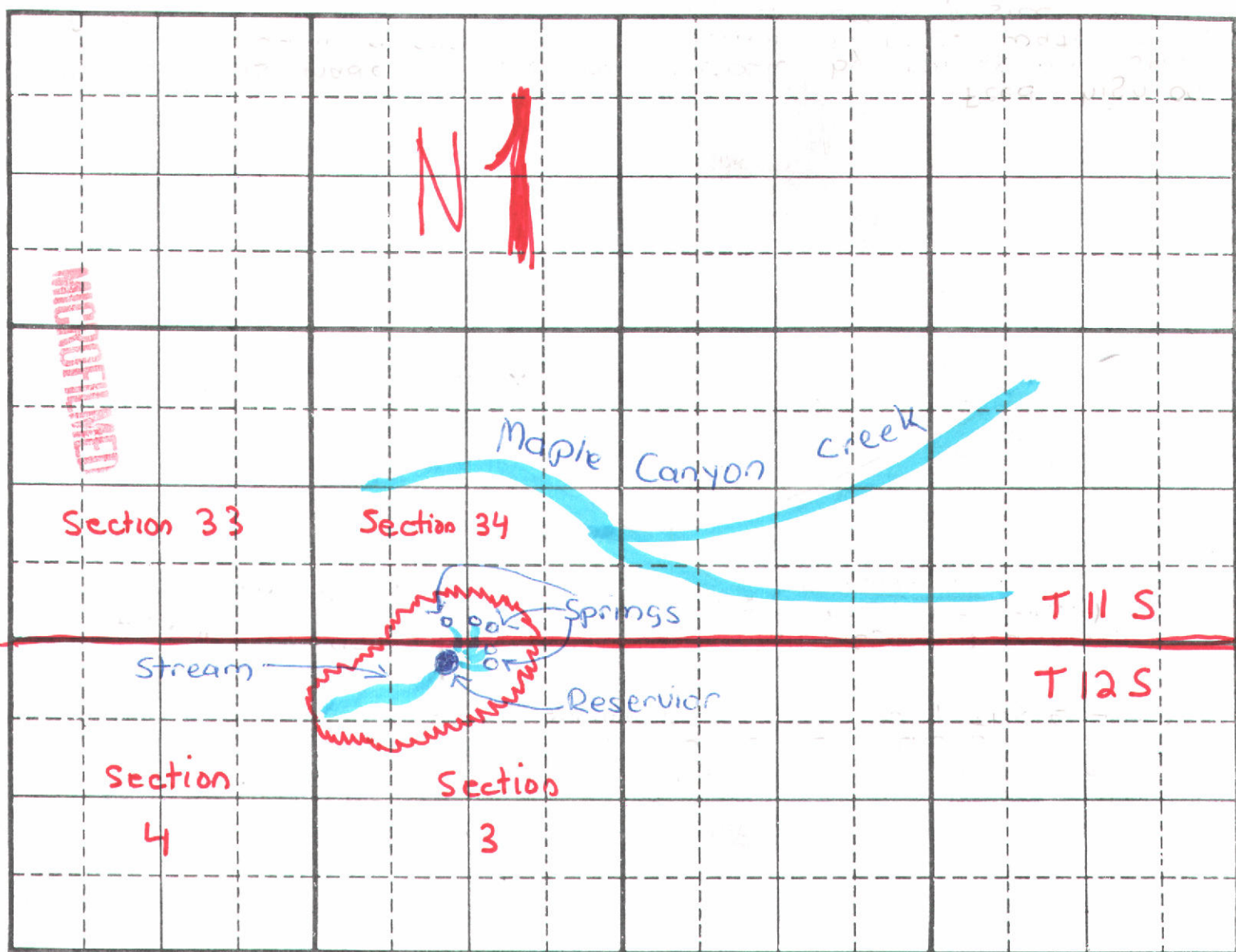


(8) Remarks area bounded by [red squiggly line] indicates claim Springs
reservoir and small stream indicated. water is used
by livestock in NE NW NW NE T12S R44E Section 3
SE SW SW SE T11S R44E Section 34



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 29th day of June, 1983

Spencer H. Hess
(Claimant)

Donna Demmitt
Notary Public
Residing at Arvid, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by CW Date 6-29-83 Exception filed by: _____ Date _____
Prelim. check by S.M. Date 9-8-1983
\$30.00 fee received by CW 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 83254 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) 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)
springs and seeps 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>Stock water</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) 0.04 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 3 Twp. 12 S Rge. 44 E B.M., County of Bear Lake
Additional points of diversion: SW 1/4 SE 1/4 T11S R44E Section 34
NW 1/4 NE 1/4 T12S R44E Section 3 SE 1/4 SW 1/4 T11S R44E Section 34

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 flow from hillsides and a small meadow into a small reservoir (approximately 1 acre-foot) and then down the hillside. Reservoir built in 1940

(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	44E	34												X			X		
12S	44E	3		X			X	X											

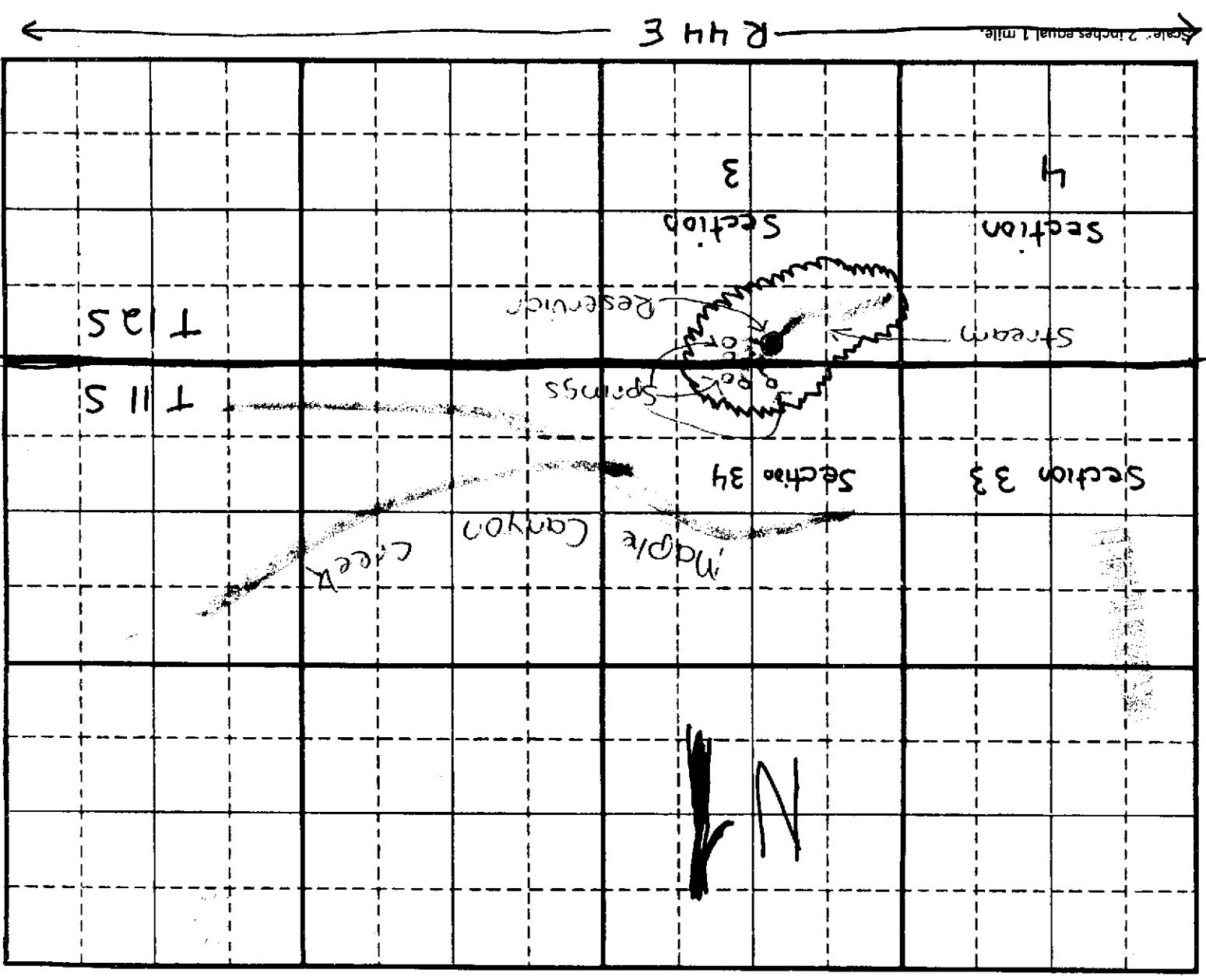
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Feed high on a hillside is made useable to livestock by springs and seeps located around a small meadow-filled hollow. water runs from meadow to small reservoir allowing better livestock access, although livestock use water above and below reservoir. Approximately 1/4 mile below reservoir, water sinks into ground

NOTE: Include here the type and number of stock watered: 100 sheep 200 cows 25 horses

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

(8) Remarks area bounded by indicates claim Springs Reservoir and small stream indicated. water is used by livestock in NE NW NW NE T11S R44E section 34 SE SW SW SE T11S R44E section 34



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

(Claimant) *James M. Hoot*
Notary Public *James M. Hoot*
Residing at *Clark, Idaho*

My commission expires *September 1983*

FOR DEPARTMENT USE ONLY

Received by *QW* Date *6-29-83* Prelim. check by *SM* Date *9-8-1983* \$30.00 fee received by *QW* Date *6-29-83* Published in *News Examiner* #25690 Date *9/22 : 9/29/83*

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,

and says:

he is the Publisher of THE
EXAMINER, a weekly newspaper published at Mont-
pelier 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 pub-
lished in said newspaper once a week for 2 con-
secutive weeks in the regular and entire issue of said paper
during the period and time of publication, and was published
in said 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.

notice was published in the issue beginning with

September 22, 1983, and endingin issue of September 29, 1983.\$105.00scribed and sworn to before me this 29th daySeptember, 1983.

Notary Public, Residing at Montpelier, Idaho

Commission Expires Lifetime, 1983.

LEGAL NO. 2403

NOTICE OF CLAIMS TO
WATER RIGHTSThe following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

11-4284

J.R. REAM RANCH, INC.

DINGLES 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 SESW Sec 34 T 11S R 44E

Use: STOCKWATER (0.04 CFS)

In: SESW 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
11-4281

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 10:39:24

01 WATER RIGHT NUMBER - 11-4281 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 - MONTPELIER

10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SPRINGS SOURCE

15001 - SINKS TRIBUTARY OF

16 DIVERSION MEANS - RESERVOIR

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD
22001 -	NENW	23001 - 03	24001 - 12S	25001 - 44E	26001 -	27001 -	0.0	0.0	0.0
22002 -	SWSE	23002 - 34	24002 - 11S	25002 - 44E	26002 -	27002 -	0.0	0.0	0.0
22003 -	NWNE	23003 - 03	24003 - 12S	25003 - 44E	26003 -	27003 -	0.0	0.0	0.0
22004 -	SESW	23004 - 34	24004 - 11S	25004 - 44E	26004 -	27004 -	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 - 44E	33001 - 34	34001 - SESW	35001 -	36001 -
30002 - 04 STOCKWATER	31002 - 11S	32002 - 44E	33002 - 34	34002 - SWSE	35002 -	36002 -
30003 - 04 STOCKWATER	31003 - 12S	32003 - 44E	33003 - 03	34003 - NWNE	35003 -	36003 -
30004 - 04 STOCKWATER	31004 - 12S	32004 - 44E	33004 - 03	34004 - NENW	35004 -	36004 -
30005 - 04 STOCKWATER	31005 - 12S	32005 - 44E	33005 - 03	34005 - NWNE	35005 -	36005 -

TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 04 STOCKWATER	40001 -	0.040	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	PROOF MADE		57	FIELD EXAM MADE	65 FLAG_1
50	APPROVE/DENIED		58	DECREE	66 FLAG_2
51	PROTESTED		59	START WORK	67 FLAG_3
52	HEARING		60	ORDER SHDW CAUSE	
53	VERIFIED		61	DATE_1	
54	LAST UPDATE	26-SEP-1983	62	DATE_2	

3/17/86
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. 11-4281

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 SHURTLIFF & 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 11 4281 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.

N/A By Ernest Calan Date Oct 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10/25/83

Oct 10, 1983

RECEIVED
OCT 25 1983
DEPARTMENT OF WATER RESOURCES

3/83

IDENT. NO. 11-4281

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

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 SESW Sec 34 T 11S R 44E

Use: STOCKWATER (0.04 CFS)

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

RECEIVED
JUL 11 1930