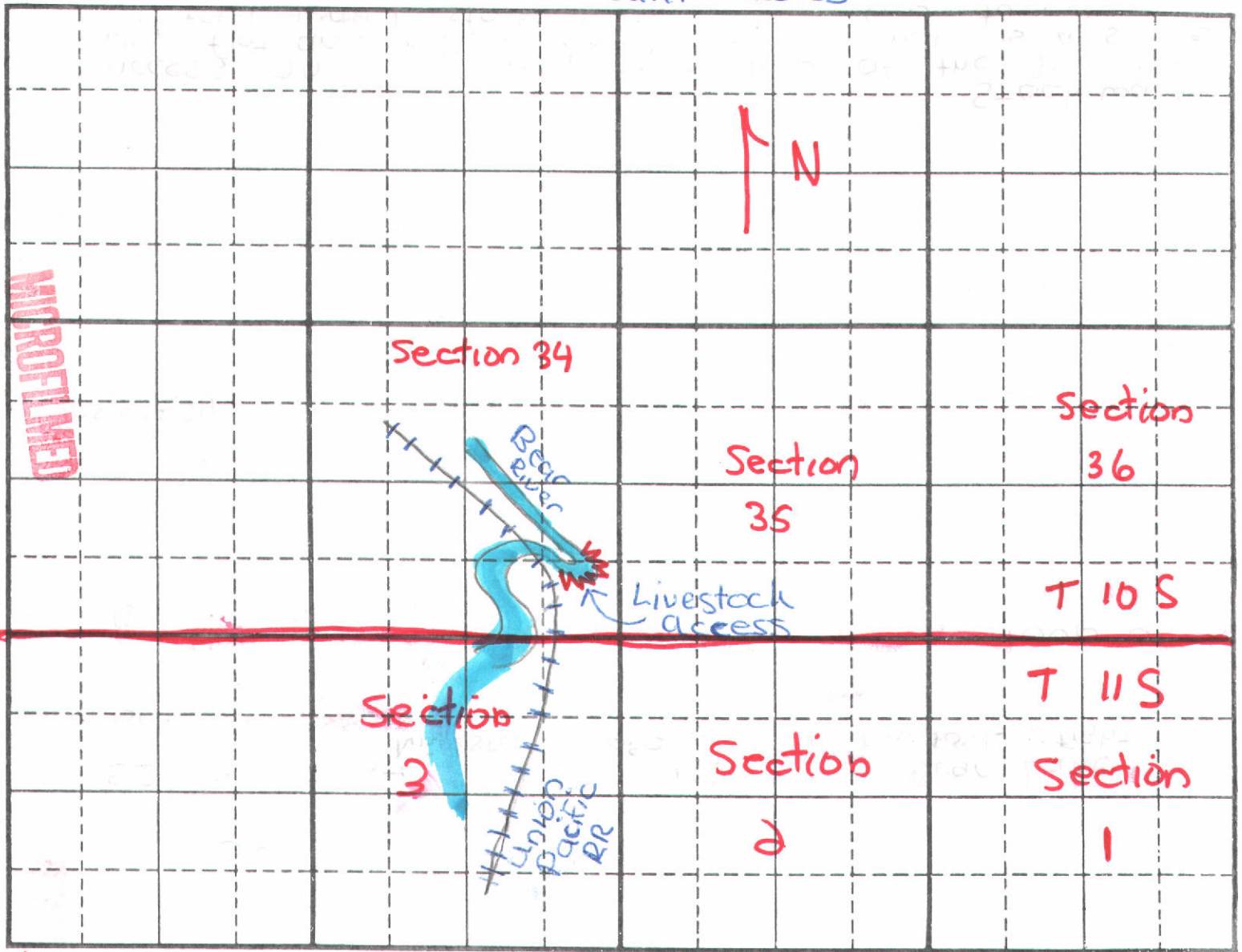


(8) Remarks Stockwater access from the east is limited by the Union Pacific RR tracks the loop marked ww in SESE NGESE T10S R43 E Section 34 is used for eastern and southern livestock water access



Scale: 2 inches equal 1 mile.

R 43 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 29<sup>th</sup> day of June, 19 83

Spencer W. Hess  
(Claimant)

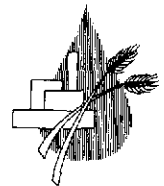
Gronne Demmitt  
Notary Public  
Residing at Orid, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by CW Date 6-29-83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by SM Date 9-8-1983 claimant by: \_\_\_\_\_  
\$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

Box 217 Montpelier Idaho 83254 (Name of Claimant)  
(Mailing Address) (Zip Code) Telephone No. 847-1546

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) Bear River tributary to Great Salt Lake

(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>0.03</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) 0.03 TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SE 1/4, Sec. 34 Twp. 10S Rge. 43E B.M., County of Bear Lake  
Additional points of diversion: NE 1/4 SE 1/4 Section 34 T10S R43E

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. Livestock watering access on a loop of Bear River

(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 |       |
| 10S | 43E | 34   |        |        |        |        |        |        |        |        |        |        |        |        | X      |        |        | X      |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

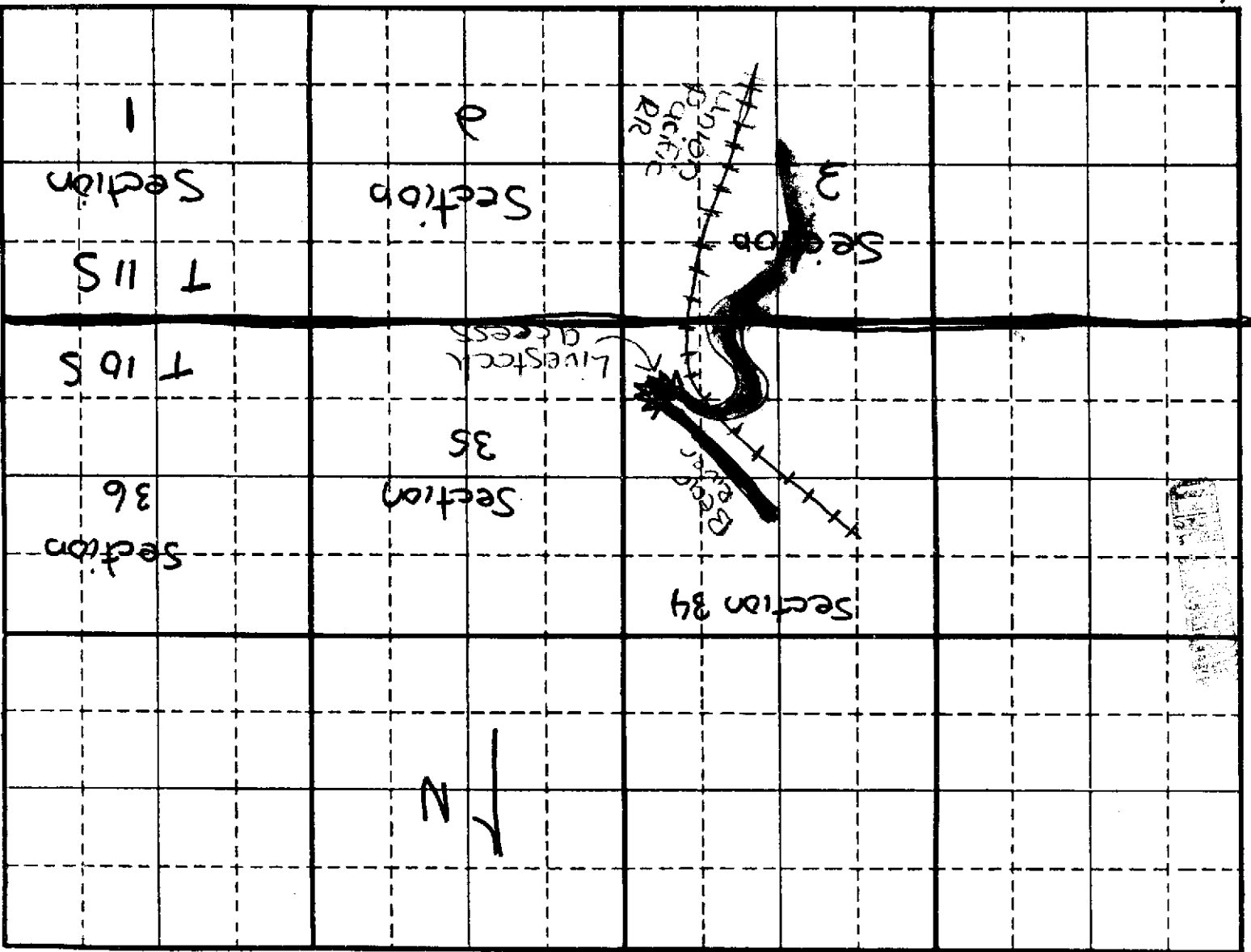
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water access on a small, tight loop of the Bear River Dry flat and hillside, are vastly improved as a source of feed for livestock with this access to river water

NOTE: Include here the type and number of stock watered: 1000 sheep 200 cow 25 horses

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

(8) Remarks Stockwater access from the east is limited by the Union Pacific RR tracks. Section 34 is used for eastern and southern livestock water access



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

My commission expires *John*

*John H. Allen*  
(Claimant)  
*James L. Smith*  
Notary Public  
Residing at *Clark, Idaho*

FOR DEPARTMENT USE ONLY

Received by *SM* Date *6-29-83* Exception filed by: Forwarded to Date  
Prelim. check by *SM* Date *8-8-1983* claimant by:  
Published in *Nuts Examiner* Date *6-29-83*  
Dates *9/22 - 9/29/83* #*25690*

2403

## AFFIDAVIT OF PUBLICATION

OCT 13 1983

OF IDAHO,  
of Bear Lake

ss.

Department of Water Resources  
Eastern District Office

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 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 ending  
the issue of September 29, 1983.

\$1105.00described 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 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

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

01 WATER RIGHT NUMBER - 11-4277 02 OLD (CD) 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 - BEAR RIVER SOURCE 15001 - GREAT SALT LAKE TRIBUTARY OF

16 DIVERSION MEANS - LIVESTOCK DRINK DIRECTLY FROM BEAR RIVER 17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .030 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

| TRACT | SEC | TWN | RNG | LOT | DIVERSION POINTS | RFLG | STREAM | INDEX | FIELD |
|-------|-----|-----|-----|-----|------------------|------|--------|-------|-------|
|-------|-----|-----|-----|-----|------------------|------|--------|-------|-------|

|              |            |             |             |                 |     |     |     |     |     |
|--------------|------------|-------------|-------------|-----------------|-----|-----|-----|-----|-----|
| 22001 - SESE | 23001 - 34 | 24001 - 10S | 25001 - 43E | 26001 - 27001 - | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|--------------|------------|-------------|-------------|-----------------|-----|-----|-----|-----|-----|

|              |            |             |             |                 |     |     |     |     |     |
|--------------|------------|-------------|-------------|-----------------|-----|-----|-----|-----|-----|
| 22002 - NESE | 23002 - 34 | 24002 - 10S | 25002 - 43E | 26002 - 27002 - | 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 |
|----------------|-----|-----|--------------|-------|-------|-----|
|----------------|-----|-----|--------------|-------|-------|-----|

|                       |             |             |            |              |         |         |
|-----------------------|-------------|-------------|------------|--------------|---------|---------|
| 30001 - 04 STOCKWATER | 31001 - 10S | 32001 - 43E | 33001 - 34 | 34001 - NESE | 35001 - | 36001 - |
|-----------------------|-------------|-------------|------------|--------------|---------|---------|

TOTAL ACRES: 0

| PERIOD FROM | PERIOD TO | USE CODE / USE | WATER USE | DIVERSION RATE | DIVERSION VOLUME |
|-------------|-----------|----------------|-----------|----------------|------------------|
|-------------|-----------|----------------|-----------|----------------|------------------|

|              |              |                       |         |       |              |
|--------------|--------------|-----------------------|---------|-------|--------------|
| 37001 - 0101 | 38001 - 1231 | 39001 - 04 STOCKWATER | 40001 - | 0.030 | 41001 - 0.00 |
|--------------|--------------|-----------------------|---------|-------|--------------|

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

| DATE              | DATE       | DATE       | DATE                | DATE         | DATE             | DATE             | DATE      | DATE          | DATE               |
|-------------------|------------|------------|---------------------|--------------|------------------|------------------|-----------|---------------|--------------------|
| 47 PRIORITY       | 1-JAN-1900 | 55 LICENSE | 63 TRANSFER/AMENDED | 48 PROOF DUE | 56 APPL RECEIVED | 64 DLE/CAREY ACT | 65 FLAG_1 | 49 PROOF MADE | 57 FIELD EXAM MADE |
| 50 APPROVE/DENIED |            | 58 DECREE  | 66 FLAG_2           | 51 PROTESTED | 59 START WORK    | 67 FLAG_3        |           |               |                    |

WRR100  
11-4277

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS PROOF READING REPORT

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

|    | D A T E S   |   | D A T E S |                  | F L A G S |  |
|----|-------------|---|-----------|------------------|-----------|--|
| 52 | HEARING     | - | 60        | ORDER SHOW CAUSE | -         |  |
| 53 | VERIFIED    | - | 61        | DATE_1           | -         |  |
| 54 | LAST UPDATE | - | 62        | DATE_2           | -         |  |

26-SEP-1983

78/2/8  
VERIFIED KN

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

MICROFILMED

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

OCTOBER 10, 1983

SPENCER W. HESS  
BOX 217  
MONTPELIER

ID 83254

RE: Claim No. 11-4277

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  
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 4277 Applicant Spencer Hcs.

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 Calson Date Oct 17, 1983

Oct 10, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DC Date 10/25/83





11-42ZZ

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 105 R 43E

Use: STOCKWATER (0.03 CFS)

In: NESE SESE Sec 34 T 105 R 43E

RECEIVED  
FEB 1 1971  
FBI