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DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 24 2005

Department of Water Resources
Eastern Region

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that H.D. Williams (Name of Claimant)
19 East 200 South, Suite 1080, Salt Lake City, UT 84111 (Mailing Address) Telephone No: (801) 322-3401 (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 1/1/1955
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring 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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive)	
		(MM/DD)	(MM/DD)
Quantity <u>0.02</u>	Use <u>Domestic</u>	Period of Use From <u>01/01</u>	to <u>12/31</u>
Quantity <u>0.02</u>	Use <u>Livestock</u>	Period of Use From <u>01/01</u>	to <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. 0.02 CFS TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 16 S Range 43 E B.M., Bear Lake County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
A culvert is set over the spring, 10 foot deep. A pipeline (2" pipe) carries water to an 800 gallon reservoir. Water goes from the reservoir to the house and a water trough for watering stock. This comes from the overflow.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	43E	15			D+S	S													

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. This water is used for domestic purpose and has been since approx. 1955. The water has been used to water garden. The water has been used to water up to 10 head of stock.

NOTE: Include here the type and number of stock watered: _____

7. Remarks: This water is used for domestic purpose.

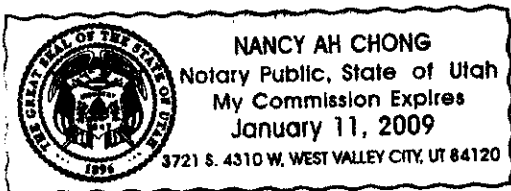
8. **Map** – Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Utah)
) ss.
 County of Salt Lake)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

H Deworth Williams
 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 8th day of September, 2005.



Nancy Ah Chong
 Notary Public

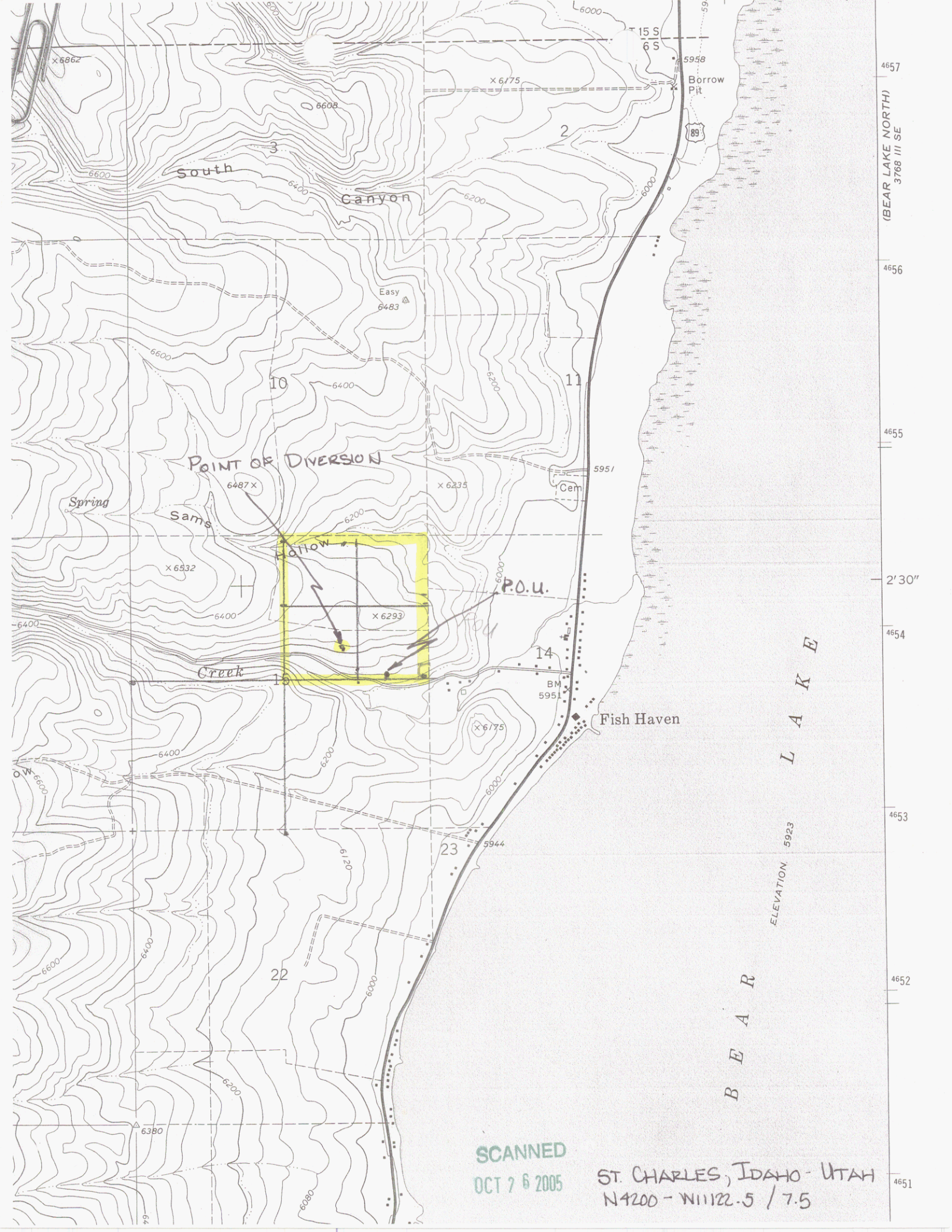
Residing at: 3721 S 4310 W, WVC, UT 84120

My commission expires: January 11, 2009

FOR DEPARTMENT USE ONLY

Received by SC Date 10/24/05
 Prelim. check by _____ Date _____
 Fee 100 - Receipt # E031379
 Receipt prepared by SC Date 10/25/05

Published in _____
 Publication dates _____
 Publication checked by _____ Date _____
 Exceptions filed by _____



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OCT 26 2005

ST. CHARLES, IDAHO - UTAH
N4200 - N11122.5 / 7.5

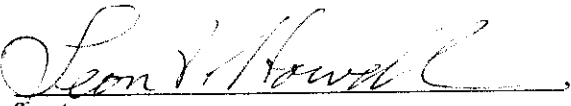
AFFIDAVIT

Regarding the home located oh Fish Haven Canyon Road, Fish Haven, Idaho, approximately one (1) mile west of Highway 89. (Known as, 516 Fish Haven Canyon Rd., Fish Haven, Idaho 83287-5011.

This house was owned by Goff Stalder, a resident and farmer whom lived in Fish Haven Canyon.

I was raised in Fish Haven, Idaho.

You have asked me for the date that the house that was built by Goff Stalder. It was my recollection in 1955.


Signature, Resident of Fish Haven, Idaho

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Meryl Smith, Resident of Fish Haven, Idaho
Signature

AFFIDAVIT

September 29, 2005

I, Gary Williams, having been duly sworn, hereby state that I purchased 120 acres from Goff Stalder in 1971. At that time Goff Stalder was using water from a spring located up the hill, North and West of a small home or cabin. The water was being used for culinary use and for gardening purposes at the residence. This property is located about 1 mile west of Fish Haven on the North side of Fish Haven road.

Goff Stalder told me at the time I purchased the property, that the previous owner, a man named Bailey, had also used the spring water for gardening and culinary uses prior to the time Goff purchased the property.

I have personal knowledge that the spring water has been used for culinary and gardening purposes since 1971 until now, September 18, 2005.

Having been duly sworn this 29th day of September, 2005.


Gary Williams

SCANNED

State of Utah)
)
County of Salt Lake)

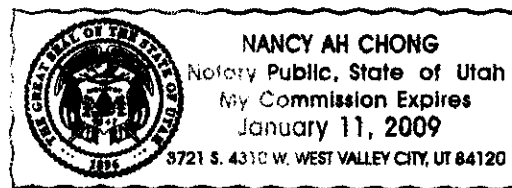
On this 3rd day of October, in the year 2005, I certify that the preceding or
attached document, is a true, exact, complete and unaltered photocopy made by me of

Affidavit
DESCRIPTION OF DOCUMENT

presented to me by the document's custodian, Gary Williams
NAME OF CUSTODIAN

and that, to the best of my knowledge, the photocopied document is neither a public record nor a
publicly recorded document, certified copies of which are available from an official source other than a
notary.

Nancy Ah Chong
NOTARY PUBLIC



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