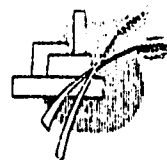


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 LEE A. ALLEMAN &/or RUTH M. ALLEMAN
(Name of Claimant)

STAR ROUTE #2, Montpelier, Idaho 83254 Telephone No. 847-0260
(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) April 15, 1921

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)
Skinner Creek 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:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1.70 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 15</u>	To <u>Oct. 15</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) 1.70 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 8 Twp. 11S Rge. 43E B.M., County of Bear Lake
Additional points of diversion: SESW, SWSE Sec. 8 T. 11S, R. 43E

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. Canvas dams and cut outs divert water into ditches for flood irrigation

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	43E	8												20			30		50
		16					35												35

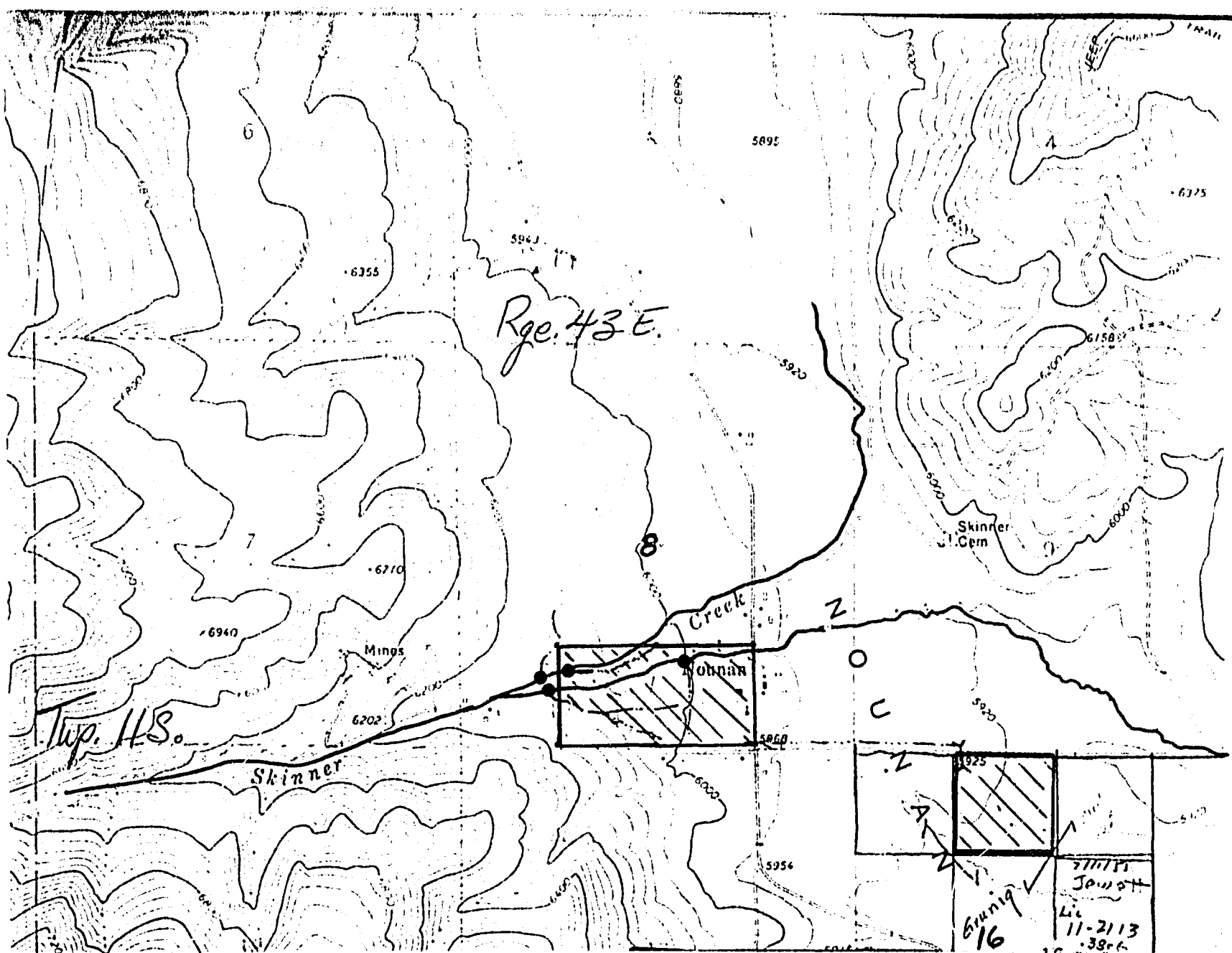
No. of acres 85

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

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

(8) Remarks Claimant owns shares in Skinner Irrigation Company which provide
adequate water for decreed lands and lands under this claim.



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 Bonneville) 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 16 day of January, 1981.
Lee Allerman (Claimant)

Kathleen Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by <u>EMC</u>	Date <u>1/16/81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AWJ</u>	Date <u>1-19-81</u>		claimant by:	
\$20.00 fee received by <u>EMC</u>	Date <u>1/16/81</u>	<u>#16171</u>		
Published in <u>Revue Examiner</u>				
Dates <u>1/29 & 2/05/81</u>				

IN THE MATTER OF:)
Claim to a Water Right No.)
11-4104 in the name of)
Lee A. &/or Ruth M. Alleman)

AFFIDAVIT

State of Idaho)
County of Bonneville)

Lee A. &/or Ruth M. Alleman being first duly sworn,

deposes and says: It is our understanding that a water right is made up of
a number of parts which include point of diversion, place of use, quantity,
et. al. Because we have been irrigating 80 acres of ground in Sections 8
and 16, Twp. 11S, Rge. 43E, with the water of Skinner Creek, that apparently
are not included in the original decree, we believe it is appropriate to record
this use as required by the Mandatory Claim Law which was passed by the Idaho
Legislature in 1978. It is not our intention to claim or divert additional
water from Skinner Creek but we do wish to continue irrigating all of the lands
that have previously received the benefits of the water shares we own in
Skinner Irrigation Company.

Lee Alleman
(Signature)

Subscribed and sworn to before me this 13th day of February, 1981

Ronald D. Carbo
(Notary Public)

Residing at Firth, Idaho:
My Commission Expires 2/14/82:

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tpeller, Idaho

....., 19⁸⁴.....

NO. 1610

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use.

11-4104

ALLEMAN, LEE A. & or RUTH M.
STAR RT. 2, MONTPELIER, ID 83254

Source: SKINNER CREEK tributary to
BEAR RIVER

Priority Date: 04-15-1921

Amount: 1.70 CFS

Diversion Point: SWSW SESW SWSE
Sec 08 T 11S R 43E BEAR LAKE Co.

Use: IRRIGATION (1.70 CFS) from
04-15 to 10-15

Place of Use: SESW SWSE Sec 08 T 11S
R 43E NENW Sec 16 T 11S R 43E FOR

FOR 85 ACRES
Diversion Means: CANVAS DAMS &
DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave. Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

1-29-81, 2-5-81
31 LINES

RECEIVED

FEB 24 1981

Department of Water Resources
Eastern District Office

Nº 1610

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Michael A. Hagen

being duly sworn,

deposes and says:

That he is the Publisher of THE NEWS-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 county 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 14 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

January 29, 1981, and ending
with the issue of February 5, 1981.

Fees, 1832

Subscribed and sworn to before me this 13th day
of February, 1981.

Santa League

Notary Public, Residing at Montpelier, Idaho

My Commission Expires July, 1984.

NO. 1610

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4104

ALLEMAN, LEE A. & or RUTH M.
STAR RT. 2, MONTPELIER, ID 83254
Source: SKINNER CREEK tributary to
BEAR RIVER

Priority Date: 04-15-1921

Amount: 1.70 CFS

Diversion Point: SWSW SESW SWSE
Sec 08 T 11S R 43E, BEAR LAKE Co.

Use: IRRIGATION (1.70 CFS) from
04-15 to 10-15

Place of Use: SESW SWSE Sec 08 T 11S
R 43E NENW Sec 16 T 11S R 43E FOR

FOR 85 ACRES

Diversion Means: CANVAS DAMS &
DITCHES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho Falls,
Idaho 83401.

C. STEPHEN ALLRED
Director

1-29-81, 2-5-81

31 LINES

MICROFILMED

RECEIVED

FEB 24 1981

Department of Water Resources
Eastern District Office

IN THE MATTER OF:)

Claim to Water Right)
#11-4104 in the name of)
Lee Alleman or Ruth)
Alleman)

State of Idaho)
County of BEAR)

AFFIDAVIT

RECEIVED

FEB 9 1981

Department of Water Resources
Eastern District Office

I, Gerald L. Skinner, Pres., Skinner Irrigation Company, being first duly sworn,

deposes and says: that in reviewing the claim-to-a-water-right 4104 of Lee
A. Alleman take exception to his claim.

In reviewing past minutes of Skinner Irrigation Comapny, all water in this
area and springs from Skinner Creek are waters of Skinner Irrigation Company and
controlled thereof by said company.

Therefore, any water said claimant has used since 1921 would be Skinner
Irrigation water which he could use by his shares in this company.

Court case in the past has set precedent that all springs are controlled by
Skinner Irrigation Company and can only be used by an individual by turning into
Skinner Irrigation shares of water to satisfy the board of directors of value of said
springs.

Gerald L. Skinner
(Signature)

Subscribed and sworn to before me this 9th day of February, 1981.

Calvin Wray
(Notary Public)

Residing at Idaho Falls Id.
My Commission Expires 6/15/81

11-4104

ALLEMAN, LEE A. &/or RUTH M.

STAR RT. 2, MONTPELIER, ID 83254

Source: SKINNER CREEK tributary to BEAR RIVER

Priority Date: 04/15/1921

Amount: 1.70 CFS

Diversion Point: SWSW SESW SWSE Sec 08 T 115 R 43E, BEAR LAKE Co.

Use: IRRIGATION (1.70 CFS) from 04/15 to 10/15

Place of Use: SESW SWSE Sec 08 T 115 R 43E NENW Sec 16 T 115 R 43E
FOR 85 ACRES

Diversion Means: CANVAS DAMS & DITCHES.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED
Director

Published 1/29 & 2/05/81.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 23, 1981

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 16, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

February 10, 1981

RE: Claim to a Water Right No. 11-4104 ALLEMAN

Garold L. Skinner
Nounan Route
Montpelier, Idaho 83254

Dear Mr. Skinner:

We have received the exception dated February 9, 1981, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

February 10, 1981

RE: Claim to a Water Right No. 11-4104

Lee A. &/or Ruth M. Alleman
Star Route #2
Montpelier, Idaho 83254

Dear Mr. & Mrs. Alleman:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

February 19, 1981

RE: Claim to a Water Right No. 11-4104 ALLEMAN

The News-Examiner
P.O. Box 278
Montpelier, Idaho 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 January 29 and February 5, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

51/28/81

U.S. DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

PAGE 1

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACPAGE	RASIS FOR RIGHT
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01-4036	MONROE P.O. BOX 1221 IDAHO FALLS	05-01-1958	INDUSTRIAL	03-01 11-01	SWSE S24 SES*	S24 1020 R3/E	STAIRY CLM
	IDAHO FALLS		TRIBUTARY: COLUMBIA RIVER				<i>W.M. control</i>
	OTHER USES: 1/CONCRETE MANUFACTURING PLANT.						

01-4037	MONROE P.O. BOX 1221 IDAHO FALLS	05-01-1952	INDUSTRIAL	05-01 11-01	SES* S31 SESW	S33 1025 R3SE	STAIRY CLM
	IDAHO FALLS		TRIBUTARY: COLUMBIA RIVER				"
	OTHER USES: 1/CONCRETE MANUFACTURING PLANT.						

03-7029	CUNNINGTON, BILLY D. KI. 1 BOX 121A WEISER	01-16-1961	IRRIGATION	03-15 11-15	REWE S42 LT01 (REWE) (01)	S37 111M R06*	APPLICATION
	SOURCE: SNAKE RIVER		TRIBUTARY: COLUMBIA RIVER				
	REMARKS: RIVER BEND ESTATES.						

11-4104	ALLEMAN, LEE A. ALLEMAN, RUTH M. STAR HI. 2 MONTPELIER	04-15-1921	IRRIGATION	04-15 10-15	S4S* S08 SES*(20) S4SE(30)	S4SE(30) STAIRY CLM	
					1.70 CFS	111S R43E S08 111S R43E	
						SES* S08 111M R06*	
						111S R43E S16 111S R43E	
						111S R43E	
							<i>W.M. control</i>

11-7219	GEORGETOWN IRRIGATION COMPANY C/O SHELDON CLARK, SEC.-TREAS. GEORGETOWN	01-12-1981	POWER	01-01 12-31	S4SE S04	111S R44E	APPLICATION
					70.00 CFS	SWSE S32	
						110S R44E	

	SOURCE: GEORGETOWN CREEK		TRIBUTARY: BEAR RIVER				
	OTHER RIGHTS: INTENT IS TO AMEND DECREE NO. 11-0290.						
	P/U: 111S R44E S05 S4SE						
	P/U: 111S R43E S12 SWSE						
	S11 SESE						
	S14 S4SE						

11-7220	PAYNE, WILFORD W. GEORGETOWN	01-13-1981	POWER	01-01 12-31	S4SE S12 SWSE	111S R43E S12 111S R43E	APPLICATION
	GEORGETOWN CREEK		TRIBUTARY: BEAR RIVER				
					29.00 CFS		

RECEIVED

FEB 17 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 18, 1981

LEE A. ALLEMAN
RUTH M. ALLEMAN
STAR RT. 2
MONTPELIER

ID 83254

RE: Claim No. 11-4104

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

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 11 4104 Applicant Alleman

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.

2/10

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest C. Linder Date March 9, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 3/11/81