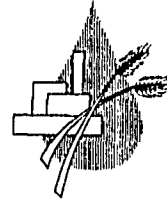


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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 Lorenzo Hemmert  
(Name of Claimant)

Box 75, St. Charles, Idaho  
(Mailing Address)

83272  
(Zip Code)

Telephone No. 945-2488

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, 1918

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)

Spring tributary to Peterson Hollow

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

| Quantity       | (cfs, af) | Use               | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)                        |            |
|----------------|-----------|-------------------|-------------------------------------|-----------------------------------------------|------------|
|                |           |                   |                                     | (Mo., Day)                                    | (Mo., Day) |
| <u>0.02cfs</u> |           | <u>Stockwater</u> |                                     | Period of Use From <u>1/1</u> To <u>12/31</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) 0.02cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NE 1/4, Sec. 13 Twp. 16S Rge. 44E B.M., County of Bear Lake  
Additional points of diversion:

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. Stock pond in stream spring

(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 |       |
| 16S | 44E | 13   |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

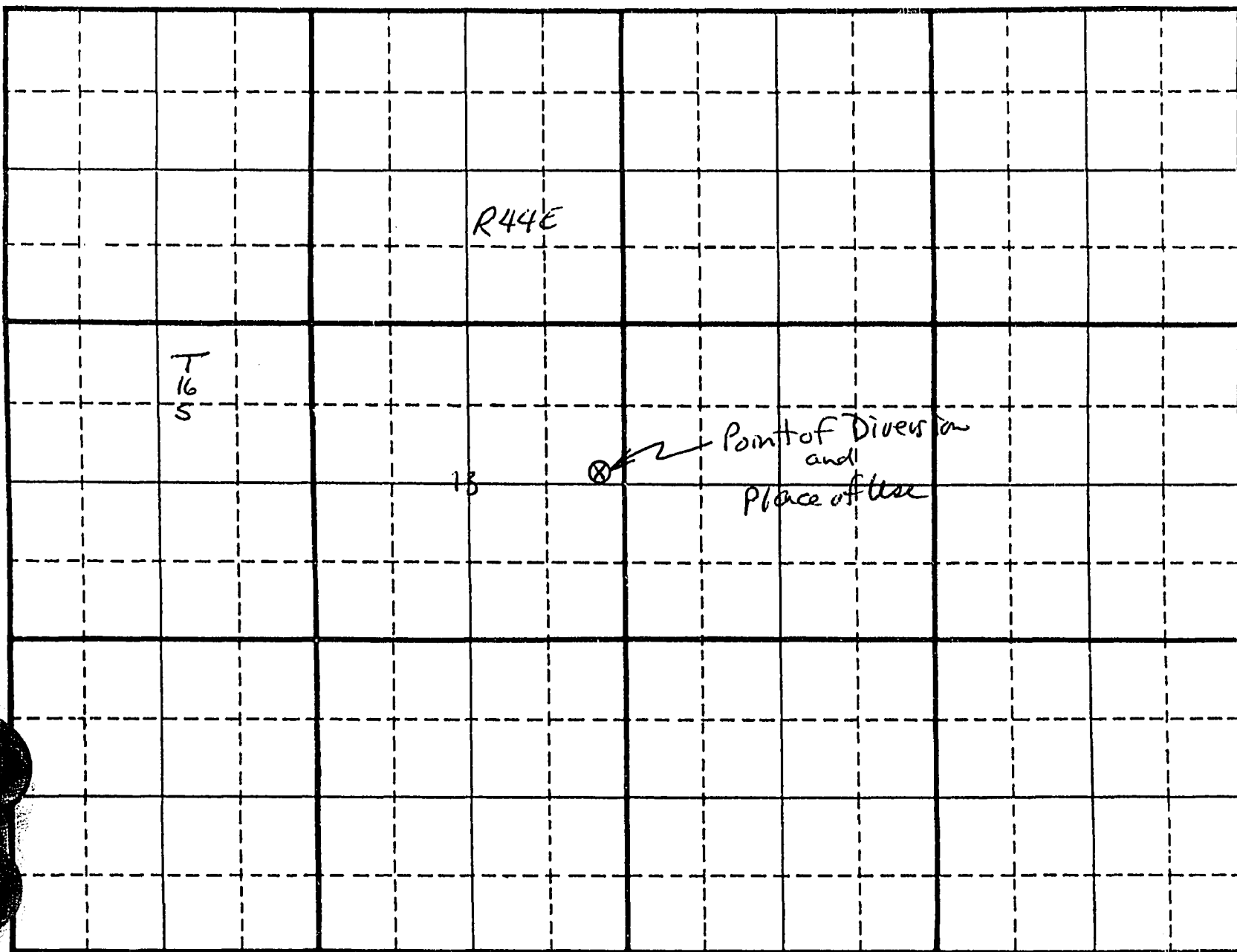
No. of acres \_\_\_\_\_

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: 50 head range cattle

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 3rd day of May, 1983.

\*Lorenzo H. Hemmert  
(Claimant)

Denise Green  
Notary Public  
Residing at Montpelier, Idaho

My commission expires Lifetime

Assisted by Kaw 5-3-83

FOR DEPARTMENT USE ONLY

|                                   |                    |                     |              |      |
|-----------------------------------|--------------------|---------------------|--------------|------|
| Received by <u>BP</u>             | Date <u>5/5/83</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>SM</u>        | Date <u>5/9/83</u> |                     | claimant by: |      |
| \$30.00 fee received by <u>BP</u> | Date <u>5/9/83</u> |                     |              |      |
| Published in <u>News Examiner</u> |                    |                     |              |      |
| Dates <u>5/19 &amp; 5/26/83</u>   |                    |                     |              |      |

Nº 2290

MAY 26 1983

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

*Marie B. Hye*

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 *2* 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

*May 19*, 19*83*, and ending with the issue of *May 26*, 19*83*.

Fees, *40.00*

Subscribed and sworn to before me this *26* day of *May*, 19*83*.

*Robert J. Jensen*  
Notary Public, Residing at Montpelier, Idaho

My Commission Expires *November*, 19*85*.

### LEGAL NOTICE NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

11-4242

JOHNSON, RAY D. &/ or SHIRLEY P.

BOX 5, OVID, ID 83260

Source: SPRINGS trib. to SINKS

Priority Date: 07/03/1924

Diversion Pt: NWSE Sec 03 T 12S R 43E

Use: IRRIGATION (0.16 CFS)

STOCKWATER (0.02 CFS)

In: NWSE Sec 03 T 12S R 43E FOR 8 ACRES

11-4241

JOHNSON, RAY D. &/ or SHIRLEY P.

OVID, ID 83260

Source: OVID CREEK trib. to BEAR RIVER

Priority Date: 03/21/1889

Diversion Pt: NENW Sec 23 T 13S R 43E

Use: IRRIGATION (0.50 CFS)

In: NESE Sec 14 T 13S R 43E FOR 25 ACRES

11-4240

HEMMERT, LORENZO H.

BOX 75, ST. CHARLES, ID 83272

Source: SPRING trib. to ETERSON HOLLOW

Priority Date: 07/01/1918

Diversion Pt: SENE Sec 13 T 16S R 44E

Use: STOCKWATER (0.02 CFS)

In: SENE Sec 13 T 16S R 44E

11-4239

HEMMERT, LORENZO H.

BOX 75, ST. CHARLES, ID 83272

Source: SPRINGS trib. to BEAR LAKE

Priority Date: 10/20/1898

Diversion Pt: NESW SESW Sec 13 T 15S R

44E SWNE Sec 24 T 15S R 44E

Use: STOCKWATER (0.03 CFS)

DOMESTIC (0.06 CFS)

RECREATION (0.18 CFS)

In: NESW SESW Sec 13 T 15S R 44E SWNE

NENW NWNW SENW NESW SESW Sec 24

T 15S R 44E

11-4238

KUNZ, CHARLES

BERN, ID 83220

Source: SPRING trib. to SINKS

Priority Date: 03/04/1911

Diversion Pt: NWSE:SWSE Sec 03 T 12S R

43E

Use: STOCKWATER (0.05 CFS)

In: NESE Sec 03 T 12S R 43E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

5-19, 5-26  
64 LINES

RECEIVED

JUN 3 1983

Department of Water Res  
Eastern District Office

11-4240

HEMMERT, LORENZO H.

BOX 75, ST. CHARLES

Source: SPRING

Priority Date: 07/01/1918

Diversion Pt: SENE Sec 13 T 16S R 44E

Use: STOCKWATER (0.02 CFS)

In: SENE Sec 13 T 16S R 44E

I. D8 32

P trib. to ETERSON HOLLOW

*Corrected  
on computer  
6/8/83 BP*

11-4240  
HEMMERT, LORENZO H.  
BOX 75, ST. CHARLES, ID 83272  
Source: SPRING trib. to PETERSON  
HOLLOW  
Priority Date: 07/01/1918  
Diversion Pt: SENE Sec 13 T 16S R 44E  
Use: STOCKWATER (0.02 CFS)  
In: SENE Sec 13 T 16S R 44E

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 11 4240 Applicant Lorenzo Hemmest.

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.  
WD#11

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 15, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 6/16/83

RECEIVED  
JUN 16 1983

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

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

May 16, 1983

RE: Claim to a Water Right No. 11-4239 HEMMERT  
11-4240 "  
11-4241 JOHNSON

Mr. 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 (3)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JUNE 6, 1983

LORENZO H. HEMMERT  
BOX 75  
ST. CHARLES ID 83272

RE: Claim No. 11-4240

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