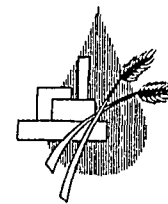


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Fish Haven Pipeline Co. Inc. C/o Clarence Nelson Sec.

(Name of Claimant)

Fish Haven Id. Box # 68

83261

Telephone No. 945-2498

(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) Septmeber 1, 1939

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)

Fish Haven Spring tributary to Fish Haven Creek

- (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>4.0</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>4.0</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 4.0cfs TOTAL QUANTITY USED.
(cfs, af)

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

SW 1/4 NE 1/4, Sec. 16 Twp. 16S Rge. 43E 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 Pipeline from springs to 116 residences with domestic and garden and fire protection.

- (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	43E	14			2				1	2	2	1	1	2					11
		15													1				1
		22				1									2			2	5
		23						2											2
		27	2			2									1			2	7

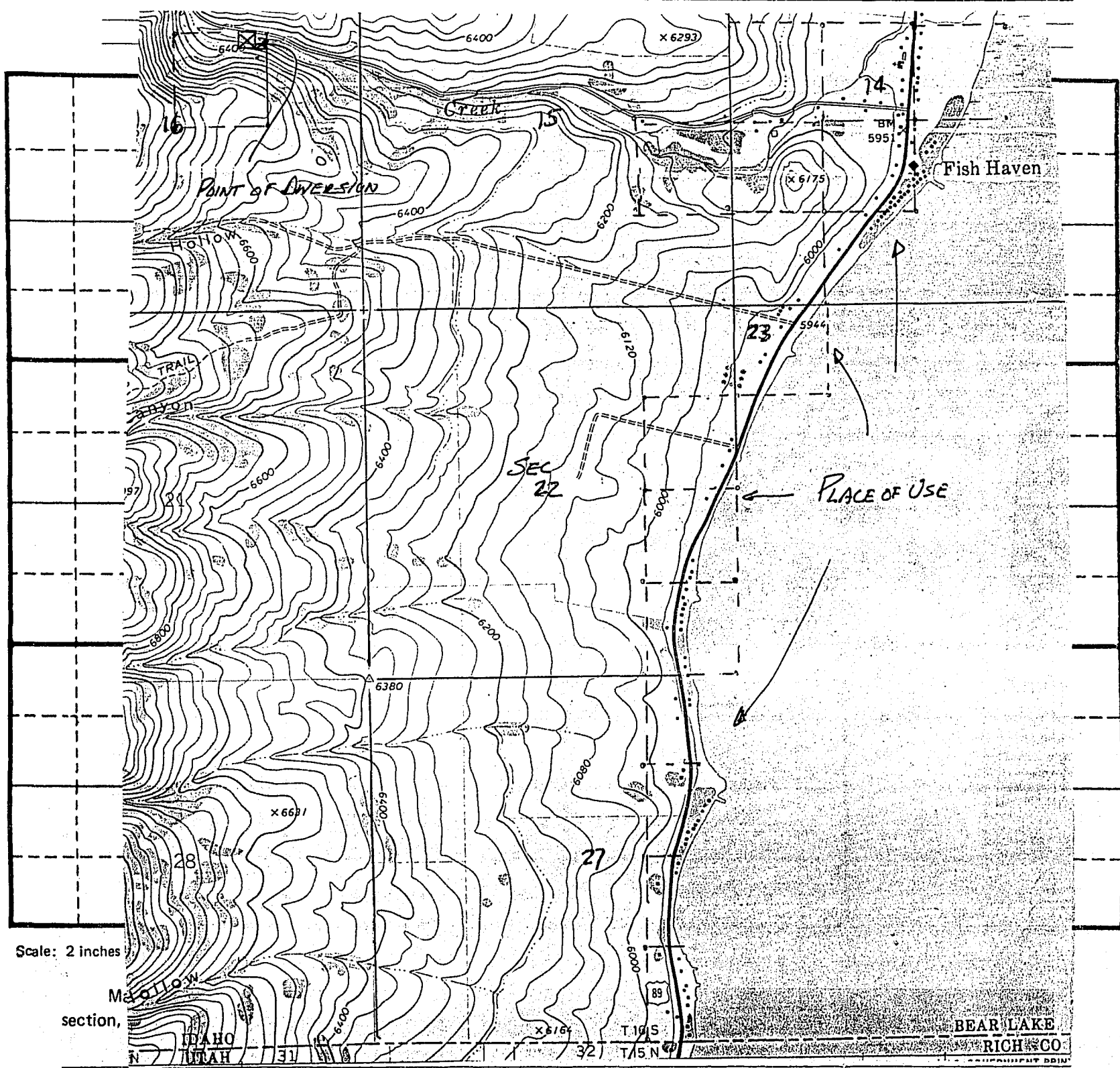
No. of acres 26

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 Irrigation use is based on 1/4 acre per residence.



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 13th day of August, 1983.

Clarence Nelson
(Claimant)
Julia P. Howell
Notary Public
Residing at Fish Haven, Id

My commission expires Lifetime

Received by CW Date 8-22-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 8-3-83 claimant by: _____
\$30.00 fee received by CW Date 6-22-83 #30660
Published in News Examiner
Dates 9/23 - 9/29/83

IT 0550

SEP 30 1983
2403

AFFIDAVIT OF PUBLICATION

OCT 13 1983

IDAHO, }
Bear Lake } ss.

Department of Water Resources
Eastern District Office

Marie B. Nye
being duly sworn,

and says:

is the Publisher of THE MINER, a weekly newspaper published at Montpelier, a weekly newspaper published at Montpelier, Idaho; and has been and is in general circulation in the said, and in the vicinity of Montpelier; that the said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper period and time of publication, and was published as a newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than eight consecutive weeks prior to the date of publication of said advertisement.

The said advertisement was published in the issue beginning with

September 22, 1983, and ending

with the issue of September 29, 1983.

Marie B. Nye

05.00

and sworn to before me this 29th day

September, 1983.

Marie B. Nye

Notary Public, Residing at Montpelier, Idaho

My Commission Expires Lifetime, 1983.

LEGAL NO. 2403

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4284
J.R. REAM RANCH, INC.
DINGLE, ID 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.
11-4274
KEETCH, GOLDEN
STAR RT. 1, BOX 1260, MONTPELIER, ID 83254
Source: GROUNDWATER
Priority Date: 07/01/1900
Diversion Pt: NESE Sec 27 T 13S R 44E
Use: STOCKWATER (0.03 CFS)
DOMESTIC (0.04 CFS)
In: NESE Sec 27 T 13S R 44E

11-4273
KEETCH, GOLDEN
STAR RT. 1, BOX 1260, MONTPELIER, ID 83254
Source: GROUNDWATER
Priority Date: 06/01/1920
Diversion Pt: SWSE Sec 26 T 13S R 44E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWSE Sec 26 T 13S R 44E

11-4272
WARD, DEAN &/or EDYTH
BOOTH, DARLENE
SHURLIFF, JOY
BLOOMINGTON, ID 83223
Source: OVID CREEK trib. to BEAR RIVER
Priority Date: 04/01/1890
Diversion Pt: NENW Sec 23 T 13S R 43E
Use: IRRIGATION (2.40 CFS)
In: SWNE SENE NENW SENW NESW NWSE Sec 23 T 13S R 43E FOR 120 ACRES

11-4271
SKINNER, HALVER M.
1680 E. 2ND N., LOGAN, UT 84321
Source: SPRING trib. to SKINNER CREEK
Priority Date: 05/01/1884
Diversion Pt: SWNE Sec 05 T 11S R 43E
Use: IRRIGATION (0.20 CFS)
In: SWNE Sec 05 T 11S R 43E FOR 10 ACRES

11-4270
FISH HAVEN PIPELINE CO., INC.
BOX 68, FISH HAVEN, ID 83261
Source: FISH HAVEN SPRING trib. to FISH HAVEN CREEK
Priority Date: 09/01/1939
Diversion Pt: SWNE Sec 16 T 16S R 43E
Use: IRRIGATION (4.00 CFS)
DOMESTIC (4.00 CFS)
In: SWNE SWNW SENW NESW NWSW SWSW SESW Sec 14 T 16S R 43E NESE Sec 15 T 16S R 43E SENE NESE SESE Sec 22 T 16S R 43E NWNW Sec 23 T 16S R 43E NENE SENE NESE SESE Sec 27 T 16S R 43E FOR 26 ACRES.

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.

9-22, 9-29
169 LINES

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Fish-Haven, Idaho PO Box 115 83261 Telephone No. 945-2498
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) Sept. 1, 1939

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Fish Haven Pipe Line Spring tributary to Fish Haven Creek

		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>4 second feet</u>	Use _____	Period of Use From <u>Jan. 1</u>	To <u>Jan. 1</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 _____

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW _____ ¼ NE _____ ¼, Sec. 16 Twp. 16 S Rge. 43 E B.M., County of Bear Lake County, Idaho
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. Pipe Line from Springs. Pipe Line serves 116 Residences with domestic & garden --also serves fire protection water for community (14 fire hydrants) There is about 5 miles of main line, consisting of 8-6 4-2-1 inch gravity fed.

(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.

To be used in the town of Fish Haven, Idaho.

[illegible]

Residences served in the above listed sections.

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:

(7) If you are claiming water as a member of an organization, list name of organization: FISH HAVEN PIPE LINE COMPANY, FISH HAVEN, IDAHO 83261

[illegible]

Received by CW Date 6-22-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JGK Date 6-23-83 claimant by: _____
\$30.00 fee received by CW Date 6-22-83
Published in #30660
Dates _____

11-4270

FISH HAVEN PIPELINE CO., INC.

BOX 68, FISH HAVEN, ID 83261

Source: FISH HAVEN SPRING trib. to FISH HAVEN CREEK

Priority Date: 09/01/1939

Diversion Pt: SWNE Sec 16 T 16S R 43E

Use: IRRIGATION (4.00 CFS)
DOMESTIC (4.00 CFS)

In. SWNE SWNW SENW NESW NNSW SWSW SESW Sec 14 T 16S R 43E NESE
Sec 15 T 16S R 43E SENE NESE SESE Sec 22 T 16S R 43E NNW
Sec 23 T 16S R 43E NENE SENE NESE SESE Sec 27 T 16S R 43E
FOR 26 ACRES

NOTICE OF CLAIMS TO WATER RIGHTS

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

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.

Published 9/22 & 9/29/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 14, 1983

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 OCTOBER 10, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup - Suite 1
Idaho Falls, Idaho 83401
(208) 525-7161

CLARENCE NELSON
Rt 115
FISH HAVEN, ID
83261

AUG 2, 83

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
- _____ Complete mailing address.
- _____ Date of priority (month, day, and year).
- _____ Source of water.
- _____ Quantity claimed to have been used.
- _____ Nature of use and period of use.
- _____ Location of point(s) of diversion.
- _____ Location of place of use (acres irrigated if water is claimed for irrigation).
- _____ Filing Fee (Amount \$_____).
- ☒ Signature.
- ☒ Notarization of signature.
- ☒ Other: THE IRRIGATION USE WAS BASED UPON 1/4 ACRE
of lawn/garden per residence.

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely, *Steve McCormick*

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McIlormide

Right Number 11 4270 Applicant Fish Haven Pipeline Co.

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.

By Ernest Carlson Date Oct 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC Date 10-25-83

RECEIVED
OCT 20 1983

Department of Water Resources



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 SHURLIFF & 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

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

OCTOBER 10, 1983

FISH HAVEN PIPELINE CO., INC.
BOX 68
FISH HAVEN ID 83261

RE: Claim No. 11-4270

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