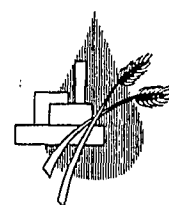


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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

(Name of Claimant)

Box 217 Montpelier, Idaho 83254

(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) July 1, 1930

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)

springs and seeps tributary to Maple Canyon 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02</u>		Use <u>Stock water</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) 0.02 TOTAL QUANTITY USED.

(cfs, af)

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

SE 1/4 NW 1/4, Sec. 34 Twp. 11S 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 water used along stream channel from spring source to entry into Maple Canyon Creek approximately one-fourth mile in length

(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	
11S	44E	34								X									3.02

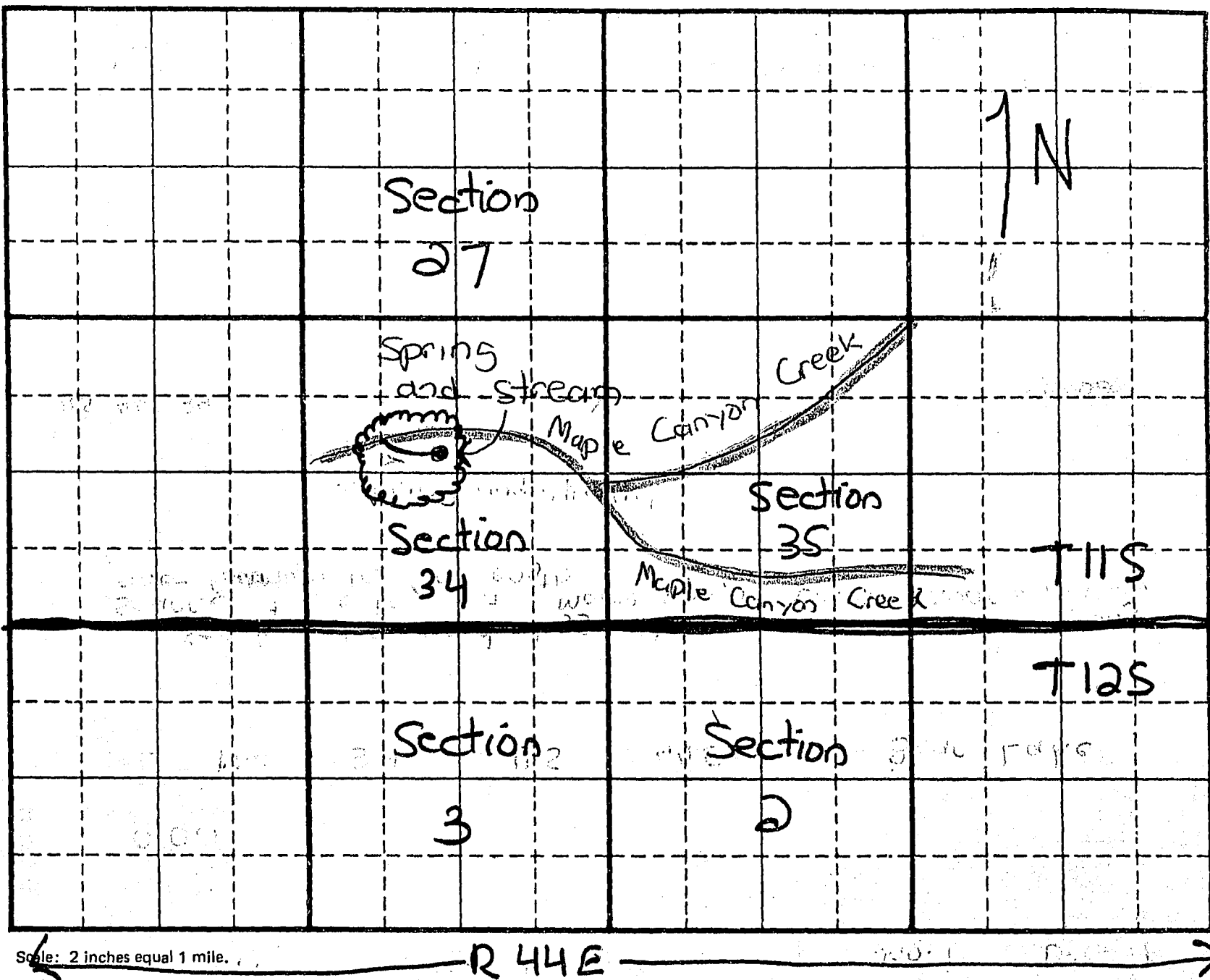
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Large spring and seeps flows from hillside. Stream bed is approximately one-fourth mile long before joining with Maple Canyon Creek. Livestock water is accessible and used along length of stream bed

NOTE: Include here the type and number of stock watered: 1200 sheep 200 cows 25 horses

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

(8) Remarks Hillside spring flow approximately 1/4 mile
to Maple Canyon Creek. Used along entire length for
stock water. Flows in area marked 
SE NW T11S R44E Section 34



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, 1983.

Spencer H. Hearn
(Claimant)
Spencer H. Hearn
Notary Public
Residing at Quail, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by OW Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by S.M. Date 9-8-1983 claimant by: _____
\$30.00 fee received by OW Date 6-29-83
Published in News Examiner #23690
Dates 9/22 - 9/29/83

SEP 30 1983
2403

AFFIDAVIT OF PUBLICATION

OCT 13 1983

OF IDAHO,
of Bear Lake

ss.

Department of Water Resources
Eastern District Office

Marie B. Nye
being duly sworn,

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 the period and time of publication, and was published as 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

issue of September 29, 1983.

Marie B. Nye
\$ 105.00

scribed and sworn to before me this 29th day

September, 1983.

Marie B. Nye

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 FANCH, 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.
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

11-4273

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 11 4279 Applicant Spencer Hesi

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 PC 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 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

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. 11-4279

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