

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 11-7557

Date Received: 8/22/23

Receipt No: P000385

Claim Fee: 25 By: mb

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AUG 22 2023

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Scot D or Lore A Hennings Phone (208) 540-1512
Mailing address 1501 Hays Lane Montpelier Id Zip 83254
Street or Box City State
Email address (optional) Lorienennings@yahoo.com

2. Date of priority: (Only one per claim) 5/31/1890 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓)(a) Stock water
which is tributary to (b) NA

4. Location of point of diversion is: Township 11S, Range 43E, Section 35,
SW 1/4 of SE 1/4, or Govt. Lot _____ BM, County of Bear Lake;
Parcel no. 11S 43E 35 4200

Additional points of diversion, if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Self flowing into a 250 gallon stock tank

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For Stock water purposes from 5/1 to 10/31 amount 0.02 cfs (✓) or AFY ()
Month/Day Month/Day

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 cfs (✓) or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

Stockwater 50 range cows

9. Location of place of use is: Township 11 S, Range 43 E, Section 35,
SW 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. 11S 43E 35 4200
If different than shown in Item 4
for (check one) Domestic () Stock (✓) Domestic and Stock ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

13. Remarks (include an explanation of the priority date selected):
Stock water use Date found in records at
County Court House

14. Basis of claim (check one) Beneficial Use (✓) Posted Notice () License () Permit () Decree ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number 11-9557

15. **Signature(s)**
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."
(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) [Signature] Date: 8-22-23

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Agent's title (Please print) _____ of _____ Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**
Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

Ident No. 11-7557

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COPY

NOTICE OF DIVERSION FOR INSTREAM STOCKWATER USE

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks for the watering of livestock)

1. Name of Right Holder Scot Hennings ^{and/or Lorie} Phone 208 540-1512
Mailing address 1501 Hayes LN Montpelier, ID. 83254
2. Source of water supply Spring tributary to N/A
3. Point of diversion is in Gov't. Lot 1/4 SW 1/4 SE, Section 35,
Township 11S Range 43E, B.M., Bear Lake County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion: NONE
 - b) Describe the delivery system: Self flowing N/A
 - c) Describe the number, type and total capacity of troughs or tanks NONE
250 gallon
 - d) Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: NONE
 - e) Describe how the system is designed to allow measurement of the rate of
diversion:
5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
<u>11</u>	<u>43</u>	<u>35</u>															<u>S</u>	

6. Priority date claimed or established: May 31, 1890
7. Rate of diversion: 0.02 cfs

POU - SW SE

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OCT 20 2006

Department of Water Resources
Eastern Region

8. Season of use: From 5/1 to 7/31
9. a) Who owns the property at the point of diversion? Scot + Lorie
b) Who owns the property at the place of use? Scot + Lorie
10. When will construction occur? _____
11. Comments: SD range cows

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I hereby assert the following:

- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the stream as described in this notice is for watering livestock and will not injure other water rights.
- c) I will not alter the bed and banks of the source as the term is defined in section 42-3802, Idaho Code. I understand that I may place an inlet conduit into the source in a manner that does not require excavation or obstruction of the stream channel, unless the director of the department of water resources approves a stream channel alteration permit for additional work.
- d) I understand that upon determination of interference with other water rights, the Director may order curtailment of diversion or use of water under this notice or may require the diversion and delivery system to be modified to prevent injury.
- e) I will not divert more than 13,000 gallons per day for livestock watering from this diversion, and I will not use more than one point of diversion under this notice.
- f) I am authorized to make the changes described in this notice and that if the notice involves a federal grazing allotment, the permittee consents to the changes described in this notice.
- g) I understand that any willful misrepresentation on this notice will void any right to divert water for livestock under this notice.

Dated this 19 day of Oct, 2006

Scot + Lorie
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date 10/20/06 Preliminary check by _____
Fee: \$ 25 Received by SC Receipt No. E032351 Date 10/27/06
Water District No. _____ Entered into data base _____ By _____

stockwater trough

ID Exhibit 2

(Par. 112)

COPY

EMERGENCY CONSERVATION PROGRAM

ON-SITE INSPECTION FORM

Farm No. 1308	Name and Address Scott Kennings 1501 Hayes Ln Montpelier, Id 83254-5071	Fiscal Year 2002 Phone 208-847-8195
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1. Type of Natural Disaster (Flood, Drought, etc.):

Drought

2. Date(s) of Disaster 2002

3. Damage to:

- A. Farmland on which debris has been deposited by natural disaster.

No. Acres: _____ Type of debris: _____

Severity (Heavy, medium, light): _____

- B. Farmland which requires grading, shaping, releveling or similar measures to correct damage.

No. Acres: _____

Severity (Heavy, medium, light): _____

- C. Permanent fences where restoring or replacing is not simple reconstruction of fence with minor damage when materials from previous fence can be utilized.

No. of Fences Damaged: _____ Rods: _____

Condition of fence(s) before disaster: Good (used five to ten years), Fair (used ten to twenty years), Poor:

continued on next page...

COPY

4225

GIT construction
Grant Lortzchen

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OCT 29 2002
BEAR LAKE CO. FSA
LDP#

CUSTOMER'S ORDER NO. DEPT.

CUSTOMER'S ORDER NO.		DEPT.		DATE	
NAME		ADDRESS:		CITY, STATE, ZIP	
55011		1501 HAYES LN - NOUNAN		MONTPELIER, ID. 83254	
SOLD BY:		CASH	C.O.D.	CHARGE	ON ACCT.

QUANTITY	DESCRIPTION	PRICE	AMOUNT
5 HR	MOVE BUSH & TREES	55	275 00
4 HR	HEAD OF SPRING	55	220 00
6 HR	HEAD OF SPRING	55	330 00
7 HR	TRENCH & SLUFFIN	55	375 00
5 HR	LABOR PIPE	15	75 00
	PARTS & PIPE & VALUE		210 28
1 HR	LOAD ROCK		55 00
2 HR	MOVE TREES NEW ROAD		110 00
3 HR	ROCK TO SPRING		165 00
	12 YOS ROCK		48 00
25 BR	BACK FILL & BED		440 00
	DRAIN PIPE	15	15 00
	TROUGH	250	250 00
	PLASTIC BARRIER	25	25 76
4 HR	LABOR	15	60
RECEIVED BY:		TOTAL	2,653.00

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COPY

NHEL

36

NHEL

5

646

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24

NHEL

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SEC 34

NWNW

SWNW

NWSW

SWSW

House

NENW

SENW

NESW

SESW

1558

House
Spring

T11S R43E S35

NWNE

SWNE

NWSE

SWSE



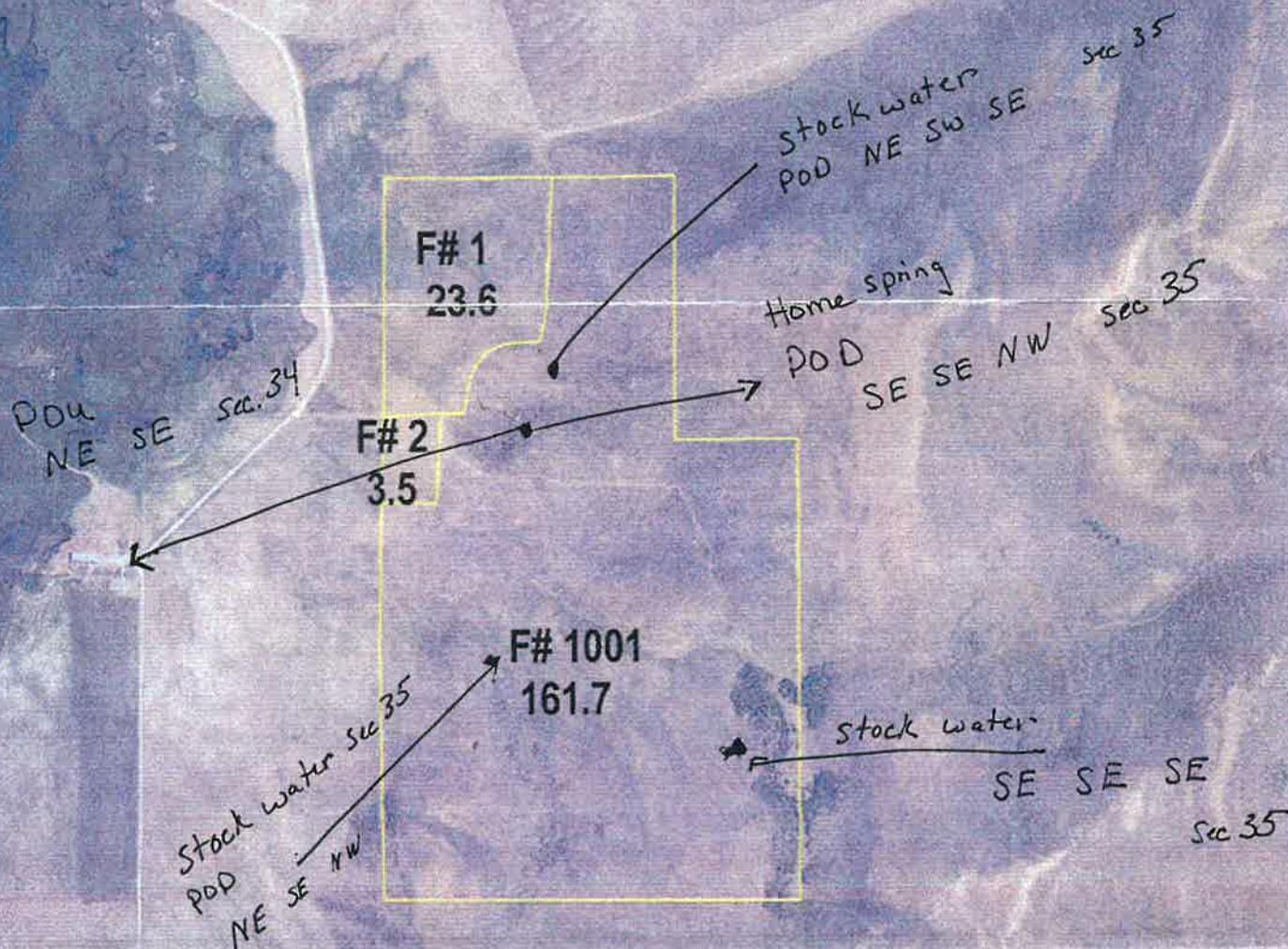
NENE

SENE

NESE

SESE

COPY



Tract 188
Farm 1308

Clu16007.shp

0.1 0 0.1 0.2 0.3 0.4 Miles

