

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 16 2017

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
11-4343 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>11-4343</i> <i>11-7830</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Edyth or Roger Kunz
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brett &/or Camilla Argyle
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 720 Main st Bern ID 83220
Mailing address City State ZIP
- 801-696-2922 argybret@gmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 12/20/2016
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Brett Argyle 1/31/2017
Signature of new owner/claimant Title, if applicable Date

Signature: Camilla Argyle 1/31/2017
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by: [Signature] Date: 4/10/2017 Receipt No. E042894 Receipt Amt. \$100.-

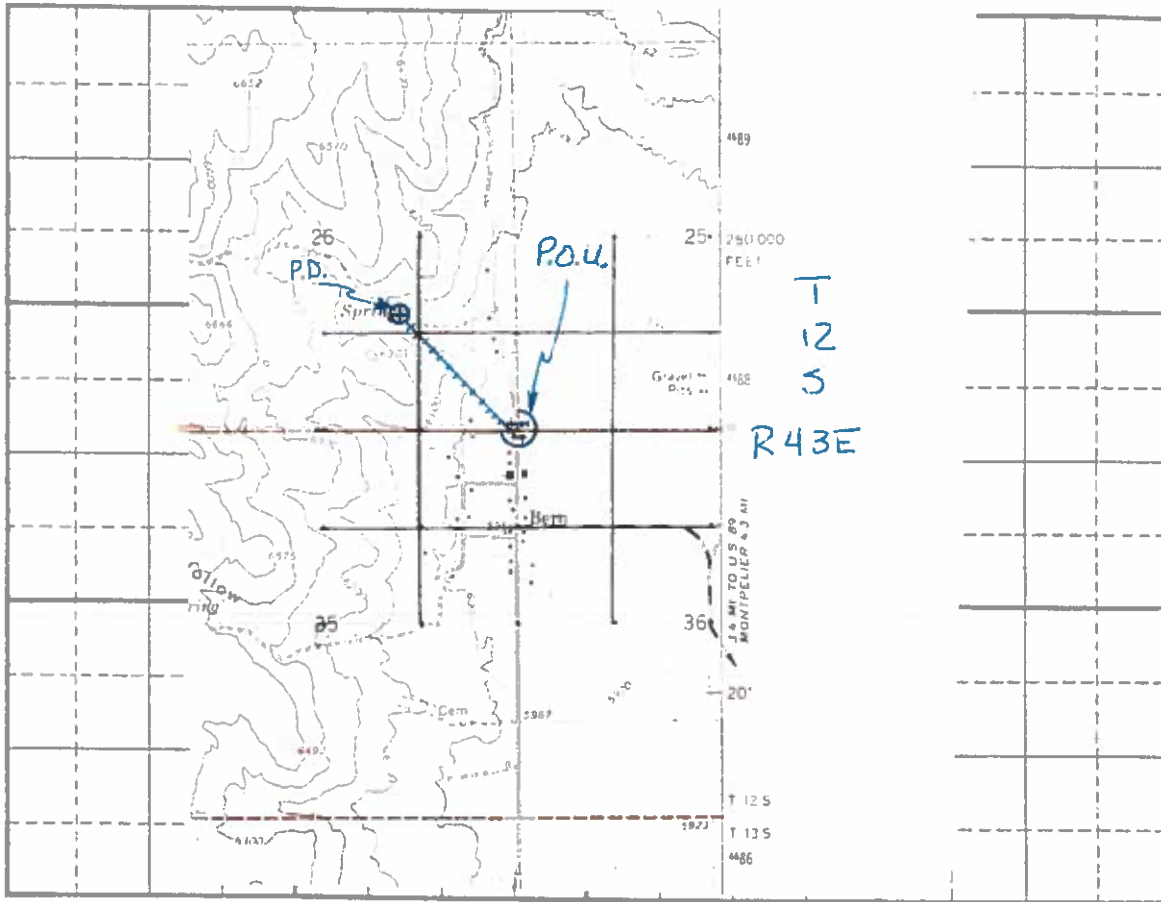
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by: [Signature] Processed by: [Signature] Date: 7/6/2017

SUPPORT DATA

IN FILE # 11-4343

(8) Remarks _____

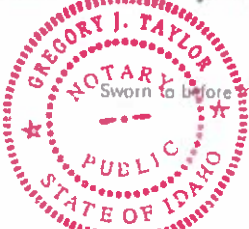


Scale: 2 inches equal 1 mile.

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 Booneville) 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 30th day of September, 19 93.

Edyth Kung
(Claimant)

Gregory J. Taylor
Notary Public
Residing at Idaho Falls

My commission expires 3/3/98

FOR DEPARTMENT USE ONLY

Received by 4/1 Date 9-30-93 Exception filed by: _____
Prelim. check by HWT Date 9-30-93
\$30.00 fee received by 4/2 Date 9-30-93 EC19203
Published in News Examiner
Dates 10-21-93-93

Forwarded to _____ Date _____
claimant by: _____

MICROFILMED

DEC 01 1993

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.

Notice is hereby given that EDYTH OR ROGER L. KUNZ

234 Park Ave. Pocatello ID 83201 Telephone No. (208) 233-3356
(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) July 1, 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)

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.02 cfs</u>	Use <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

- (4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE NW SE 1/4, Sec. 26 Twp. 12S Rge. 43E B.M., County of Bear Lake

- 8) 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. Spring box, 1" pipe to home, ~~the~~ corral and stock tank

- (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.

[illegible]

No. of acres

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

Domestic & Home

NOTE: Include here the type and number of stock watered: 5 range cattle & horses

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

ENCLOSURE



State of Idaho)
County of Bonneville) ss.

GREGORY J. TAYLOR
NOTARY
Sworn to before
— —
PUBLIC
STATE OF IDAHO

x Edyth Kunz
(Claimant)
19 93.

Notary Public
Residing at Idaho Falls

My commission expires 3/3/98

Received by HL Date 9-30-93 Exception filed by:
Prelim. check by HLJ Date 9-30-93
\$30.00 fee received by HLJ Date 9-30-93 EW9203
Published in News Examiner
Dates 10-21-93 - 93

Forwarded to _____ **Date** _____
claimant by: _____

MICROFILMED

DEC 01 1993

	INITIAL	DATE
Distributed for Staffing		<u>9-30-93</u>
Submitted for Advertising	<u>HJS</u>	<u>9-30-93</u>

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HJS

Right Number 11-4343 Applicant Edith or Roger Kunz

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 HJS Date 11-10-93

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By CJ Date 11/19/93

RECEIVED
NOV 17 1993
Department of Water Resources

No 4670

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Rosa S. Moosma

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpeller, 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 Montpeller; 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

October 21, 1993, and ending
with the issue of October 28, 1993.

Rosa S. Moosma
Fees, #3659

Subscribed and sworn to before me this 30th day
of October, 1993.

Sherry Brown
Notary Public, Residing at 0410 Montpeller, Idaho

My Commission Expires August 15, 1997

NOTICE OF CLAIMS TO WATER RIGHT

The following claim(s) have been
filed on water rights created by diver-
sion and beneficial use:

11-04343

KUNZ, EDYTH
KUNZ, ROGER
234 PARK AVE.
POCATELLO, ID 83201

Source: SPRING

Tributary: SINKS

Diversion PT: SENWSE Sec 26 T
12S R 43E in BEAR LAKE County.

Use: DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS) Total Di-
version: (.040 CFS)

Date Filed: 7/1/1921

In: BEAR LAKE County T12SR43E
S25 SWSW S35 NENE S36 NWNW

Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, Eastern Region, 900 N. Sky-
line, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON, Director
Legal No. 4670 — Publish Oct. 21,
28, 1993.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 6, 1993

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 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. 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 NOVEMBER 8, 1993.

Yours truly,

Rita Bodell
Secretary

Encl.

10/11/93

NOTICE OF CLAIMS TO WATER RIGHT

**The Following claim(s) have been filed on water rights created
by diversion and beneficial use:**

11-04343

KUNZ, EDYTH
KUNZ, ROGER
234 PARK AVE
POCATELLO, ID 83201

Source: SPRING

Tributary: SINKS

Diversion Pt: SENWSE Sec 26 T 12S R 43E in BEAR LAKE County.

Use: DOMESTIC (.040 CFS)
 STOCKWATER (.020 CFS)
 Total Diversion: (.040 CFS)

Date Filed: 7/ 1/1921

In: BEAR LAKE County	
T12S R43E S25	SWSW
S35	NENE
S36	NWNW

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON, Director

Published: 10/21/1993 & 10/28/1993

File #20160194-A
Tax I.D. #2978.03

Instrument # 223587
BEAR LAKE COUNTY
12-21-2016 03:01:14 No. of Pages: 1
Recorded for: FIRST IDAHO TITLE COMPANY
Cindy Garner Fee: \$10.00
Ex-Officio Recorder Deputy: JH
Index to: WARRANTY DEED

WARRANTY DEED

For Value Received,

MICHAEL JOHNSTON and TAWNIA JOHNSTON, husband and wife,
of 1111 2ND AVE #3, OLYMPIA, County of THURSTON, State of WA. 98512,

THE GRANTORS,

does hereby, grant, bargain, sell, and convey unto

BRETT A. ARGYLE and CAMILLA J. ARGYLE,
of 1307 W 400 N, WEST BOUNTIFUL, County of DAVIS, State of UT. 84087,

THE GRANTEES,

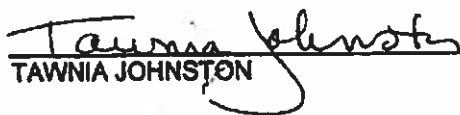
For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

Lot 5, Block 2 of the BERN TOWNSITE SURVEY, according to the official plat thereof,
records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS DECEMBER 13, 2016


MICHAEL JOHNSTON


TAWNIA JOHNSTON

STATE OF WASHINGTON, COUNTY OF THURSTON

On this 15th day of December, 2016, before me a
Notary Public in and for the State, personally appeared

MICHAEL JOHNSTON and TAWNIA JOHNSTON

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and seal
the day and year in the certificate first above written.


Notary Public
Residing at: Thurston County
My Commission Expires: May 21, 2019

Notary Public
State of Washington
Ramoncito Q Metra
Commission Expires 05-21-19

MAIL TAX NOTICE TO: **BRETT A. ARGYLE and CAMILLA J. ARGYLE**
1307 W 400 N, WEST BOUNTIFUL, UT. 84087

For Value Received,

KEVIN M. TURNER and GWEN J. TURNER, husband and wife,
of 592 MAIN STREET, BERN, County of BEAR LAKE, State of IDAHO 83220,

THE GRANTOR(S),

do(es) hereby, grant, bargain, sell, and convey unto

MICHAEL JOHNSTON and TAWNIA JOHNSTON, husband and wife, as Community Property, with Rights of Survivorship

of 720 MAIN STREET, BERN, County of Bear Lake, State of IDAHO 83220,

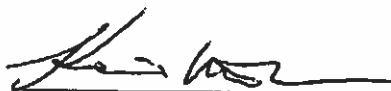
THE GRANTEE(S),

For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

Lot 5, Block 2 of the BERN TOWNSITE SURVEY, according to the official plat thereof, records of Bear Lake County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS July 22, 2009.



KEVIN M. TURNER



GWEN J. TURNER

STATE OF IDAHO, COUNTY OF BEAR LAKE

On this 23 day of July, 2009, before me a Notary Public in and for the State, personally appeared

KEVIN M. TURNER and GWEN J. TURNER,
husband and wife

Instrument # 205160

BEAR LAKE COUNTY

7-24-2009 01:10:51 No. of Pages: 1

Recorded for : FIRST IDAHO TITLE COMPANY

KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 3.00



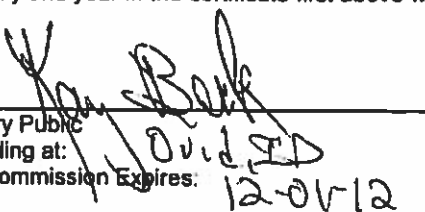
known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

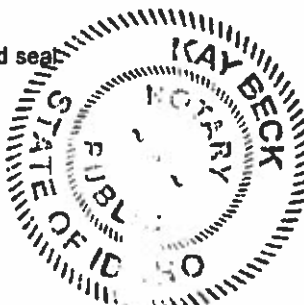
IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.

Notary Public

Residing at:

My Commission Expires:


12-01-12



MAIL TAX NOTICE TO: **MICHAEL JOHNSTON and TAWNIA JOHNSTON**
720 MAIN STREET, BERN, ID. 83220

File #20050564-A
Tax I.D. #2866.03 & 2978.01.

WARRANTY DEED

For Value Received,

BARBARA J. KUNZ and R. KENT KUNZ, wife and husband; and ROGER LEE KUNZ and JUDY W. KUNZ, husband and wife,
of 875 LUCILLE, POCATELLO, County of BANNOCK, State of ID. 83201,

do(es) hereby, grant, bargain, sell, and convey unto

THE GRANTOR(S),

KEVIN M. TURNER and GWEN J. TURNER, husband and wife,
of 592 MAIN STREET, BERN, County of Bear Lake, State of ID. 83220,

THE GRANTEE(S),

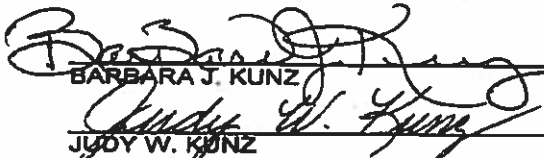
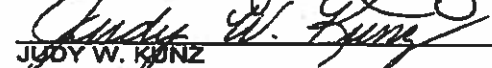
For the sum of ten dollars and other good and valuable consideration, the following described tract of land in the County of Bear Lake, State of Idaho:

Lot 5, Block 2 of the BERN TOWNSITE SURVEY, according to the official plat thereof, records of Bear Lake County, Idaho.

ALSO: A fraction of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 12 South, Range 43 East of the Boise Meridian, and further described as follows:
Commencing 2 rods, more or less, East and 1 $\frac{1}{2}$ rods, more or less, North from the Southeast Corner of Section 26, Township 12 South, Range 43 East of the Boise Meridian; and running thence North 8 rods; thence East 20 rods; thence South 8 rods; thence West 20 rods to the Place of Beginning. (This description is intended to convey 1 acre of land lying directly North across the Street from Lot 5, Block 2, BERN TOWNSITE.)

To have and to hold the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever. And the said Grantor(s) hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED THIS September 13, 2005.


BARBARA J. KUNZ

JUDY W. KUNZ


R. KENT KUNZ

ROGER LEE KUNZ

STATE OF IDAHO, COUNTY OF BANNOCK

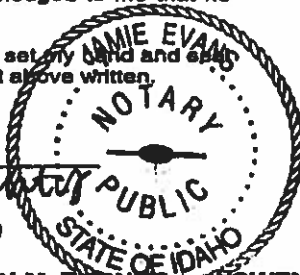
On this 13th day of September, 2005, before me a Notary Public in and for the State, personally appeared

ROGER LEE KUNZ

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.


Notary Public
Residing at: Bannock County
My Commission Expires: 12/2006



MAIL TAX NOTICE TO: KEVIN M. TURNER and GWEN J. TURNER
592 MAIN STREET, BERN, ID. 83220

192528

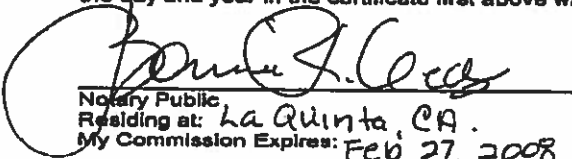
STATE OF IDAHO	
County of Bear Lake	
Date	<u>9-19-2005</u>
Time	<u>1:46 P.M.</u>
Deputy	<u>Cindy P. Jones</u>
Clerk	<u>Kerry Haddock</u>
Fee	<u>\$56.00</u>

STATE OF CALIFORNIA, COUNTY OF RiversideOn this 14 day of September, 2005, before me a Notary Public in and for the State, personally appeared

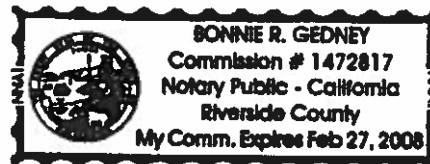
JUDY W. KUNZ

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.

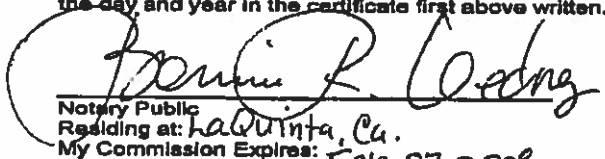
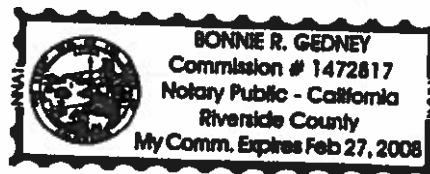

Notary Public
Residing at: La Quinta, CA.
My Commission Expires: Feb 27, 2008

192528

STATE OF CALIFORNIA, COUNTY OF RiversideOn this 14 day of September, 2005, before me a Notary Public in and for the State, personally appearedBARBARA J. KUNZ and R. KENT KUNZ,
husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.


Notary Public
Residing at: La Quinta, Ca.
My Commission Expires: Feb 27, 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 7, 2017

Brett Argyle
Camilla Argyle
720 Main St
Bern ID 83220

RE: Change of Ownership for Water Rights 11-4343 (Split into 11-4343 and 11-7830)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Water District 13M

MEMORANDUM

DATE: June 30, 2017

RE: Change of Ownership 11-4343

On February 16, 2017 the department received an ownership change for water right number 11-4343 from Edyth and Roger Kunz to Brett and Camilla Argyl. There were questions regarding the ownership change, split, etc.

On March 2, 2017 the department talked to Brett Argyl. According to Argyle, he purchased the original older home once owned by Kunz. Kunz does still own property in the same area, but the original home was sold. The domestic portion (1 home) of this water right was located in the NWNW Section 36 Township 12 South Range 45 East according to the claim to a water right submitted to the department on November 17, 1993, which is where the Argyle home is located. Brett Argyl verified that Kunz would still have an interest in the stockwater. The water right was split giving Kunz 0.02 cfs of stockwater and Argyle 0.04 cfs of domestic and 0.02 cfs of stockwater with an X35 condition limiting both water rights to 0.02 cfs of stockwater.