

AFFIDAVIT.

STATE OF IDAHO)
COUNTY OF BEAR LAKE,) ss.

J. Vivian Nye and F. L. Ringel, being first duly sworn deposes and says: That they are citizens of the United States of America, and that they each are over the age of fifty years, that they are both well acquainted with the following described land in Bear Lake County, Idaho, to-wit:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13,
Township 14 South, Range 43 East of the
Boise Meridian.

That the Southwest portion of said land, comprising approximately 30 acres, has always and seasonably been flooded with uncontrolled flood waters each year.

J. Vivian Nye
F. L. Ringel

Subscribed and sworn to before me this 23 day of December,

1948.

John B. Loge
Notary Public for Idaho
Residing at Paris, Idaho.

My Commission Expires:
25 June 1950

124116

INDEXED

BEAR LAKE COUNTY RECORDER
JOAN P. ESORN

'81 MAR 6 PM 2 31

John B. Loge
DEPUTY
FEE

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 Elaine S. McLean &/or Clyde T. Sleight &/or G. William Sleight
(Name of Claimant)
4884 Cottonwood Lane Salt Lake City UT 84117 Telephone No. _____
(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) December 23, 1948

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) UNCONTROLLED SURFACE FLOOD WATER, WASTE IRRIGATION & SLOUGH WATER, Paris Creek tributary to Bear River

(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>1.0cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity	<u>.02</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) 1.0 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 13 Twp. 14S 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. 6" pump used to divert to raised levee with ditch approximately 2648' long to irrigated land.

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
14S	43E	13				35									15				50

No. of acres 50

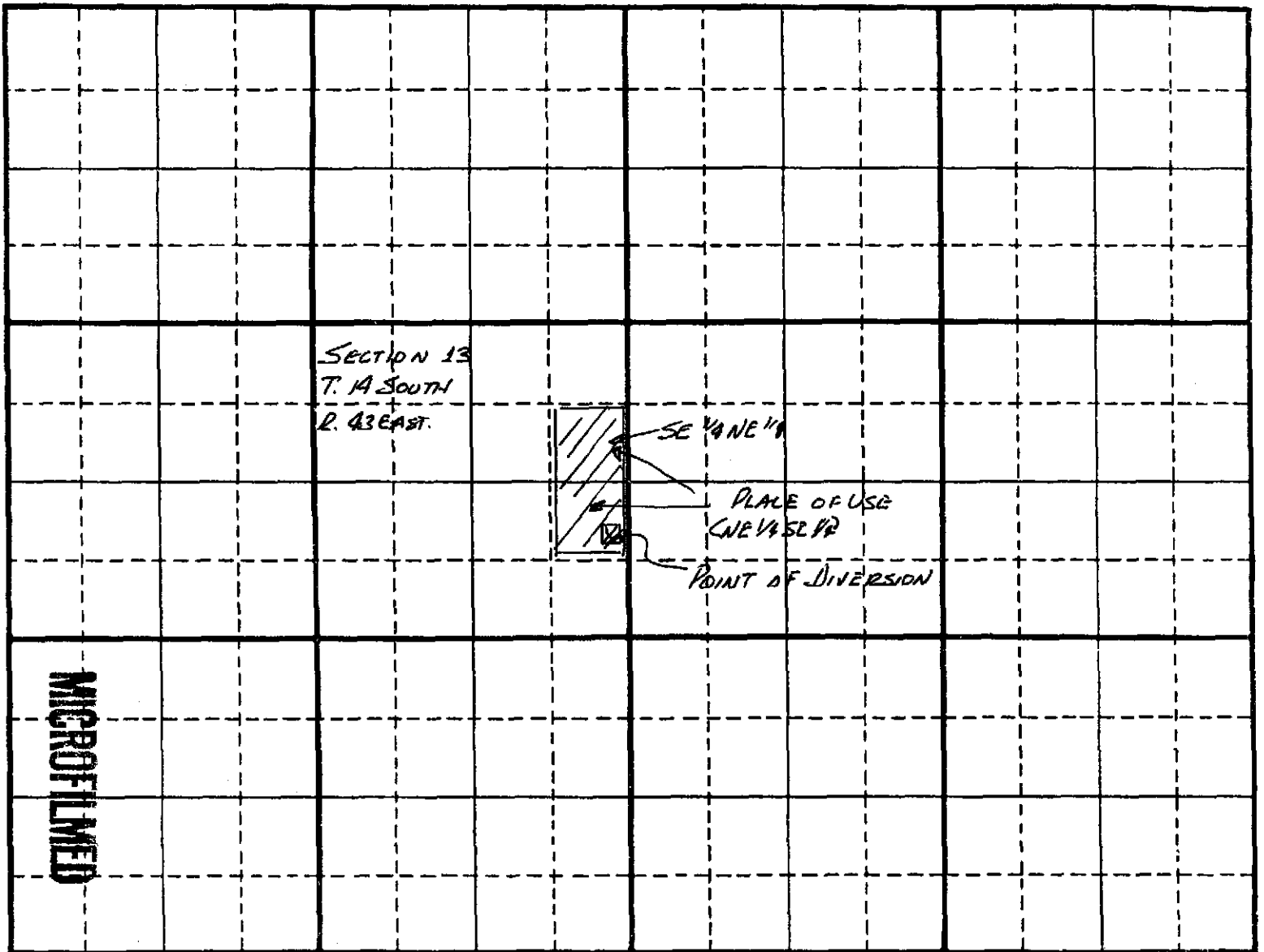
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

MICROFILMED

(8) Remarks A copy of the agreement between adjacent property owners,
Russell S. Payne, R. Grandy, and Karl Sleight is attached.



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 UTAH)
County of SALT 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 SEPTEMBER

19 83.

Elaine S. McLean
Charles T. Sleight
St. William Sleight
George J. Jents
Notary Public
Residing at SALT LAKE CITY, UTAH

My commission expires FEB. 1, 1986

FOR DEPARTMENT USE ONLY

Received by CW Date 9-28-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KCW Date 11-7-83 claimant by: _____
\$30.00 fee received by CW Date 9-29-83 #29691
Published in News Examiner
Dates 11/17 & 11/24/83

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

VOID

Notice is hereby given that Elaine S. McLean, Clyde T. Sleight, and G. William Sleight
(name of claimant)

The extent and nature of said claim is as follows:

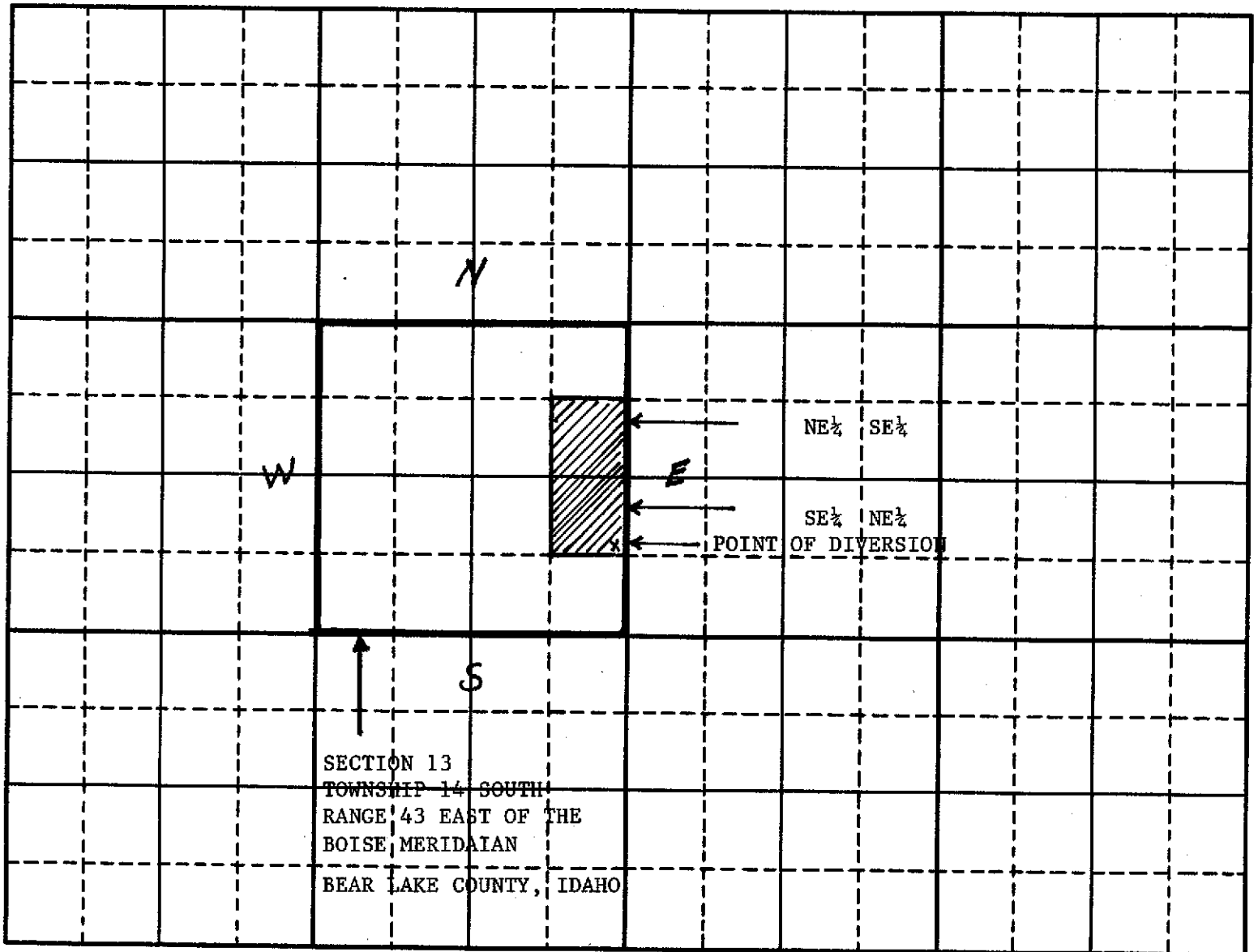
- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|-------------------|----|------------------------|
| Amount | <u>1.0 CFS</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>May 1</u> | To | <u>Sept. 30</u> |
| Amount | <u>.01 CFS</u> | Use | <u>Stock</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |

[illegible]

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

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

(8) Remarks Copy of agreement between adjacent property owners, Russell S. Payne, Drue R. Grandy, and Karl Sleight, is hereby attached.



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~~ Utah)
) ss.
County of Salt Lake)

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 affiants knowledge.

Elaine S. McLean & William Sleight
Clyde T. Sleight
(Claimant)

Sworn to before me this 22nd day of JUNE, 1983.

[Signature]
Notary Public

Residing at SALT LAKE CITY, UTAH

My commission expires FEB. 1, 1984

For Department Use Only

Received by CW Date 6-30-83 Exception filed by: Forwarded to Date
Prelim. check by Date
\$10.00 fee received by CW Date
Approved for publication by
Published in
Dates

CO. recorder.

AGREEMENT.

THIS AGREEMENT, Made and entered into this 23 day of December, in the year 1948, by and between Karl Sleight, of Paris, Bear Lake County, Idaho, hereinafter called the party of the first part, and Russell Payne and Drue Grandy, of the county of Bear Lake, state of Idaho, the parties of the second part;

WITNESSETH: That Whereas Karl Sleight, the party of the first part hereto has constructed a dyke on the following described land owned by him in Bear Lake County, Idaho, to-wit:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 14 South, Range 43 East of the Boise Meridian.

Said dyke having been constructed by said Karl Sleight for the purpose of impounding the flood-waters which naturally and seasonably accumulate on said land in the Spring of the year and which said waters said Karl Sleight intends to pump and divert to and upon the higher ground of said land for the purpose of irrigating same.

Now, therefore, we, the undersigned, the adjoining owners and only adjoining owners to the land above described hereby consent to the construction of said dyke and the use of said flood waters by said Karl Sleight, as aforesaid; And in consideration thereof said Karl Sleight, the party of the first part hereto hereby agrees to use said dyke and the control box set therein in such a manner so as not to injure any of the adjoining land owned by said parties of the second part, as aforesaid,

It is further agreed and understood by and between the parties hereto that said parties of the second part shall and hereby do consent to the impounding of said water by said Karl Sleight to the extent that said flood water has in the past and does now naturally and seasonally accumulate on said land by uncontrolled flooding, to the end that said waters may be usefully utilized by him. by the construction of the dyke aforesaid.

WITNESS, the signatures of the parties hereto set this 23 day of December, 1948.

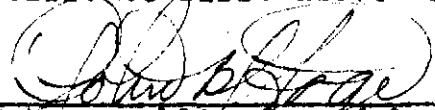
Karl Sleight
Party of the first part

Russell S. Payne
Drue R. Grandy
Parties of the second part.

STATE OF IDAHO)
COUNTY OF BEAR LAKE,) ss.

On this 23 day of December, in the year 1948, before me
John B. Hoge, a Notary Public within and for said county and
state personally appeared Karl Sleight and Russell Payne and Brue
Grandy, personally known to me to be the persons whose names are sub-
scribed to the within instrument and acknowledged to me that they
executed the same.

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


Notary Public for Idaho
residing at Paris, Idaho.

My Commission Expires:
25 June 1950

124116
911421

INDEXED

BEAR LAKE COUNTY RECORDER
BEAR LAKE COUNTY RECORDER
JOHN R. GORDON

MAR 5 PM 2 30


DEPUTY
FEE

MICROFILMED

AFFIDAVIT.

STATE OF IDAHO)
) ss.
COUNTY OF BEAR LAKE,)

J. Vivian Nye and F. L. Ringel, being first duly sworn deposes and says: That they are citizens of the United States of America, and that they each are over the age of fifty years, that they are both well acquainted with the following described land in Bear Lake County, Idaho, to-wit:

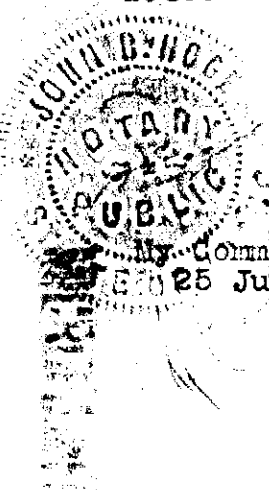
NE¹/₄SE¹/₄, and the SE¹/₄NE¹/₄ of Section 13,
Township 14 South, Range 43 East of the
Boise Meridian.

That the Southwest portion of said land, comprising approximately 30 acres, has always and seasonably been flooded with uncontrolled flood waters each year.

J. Vivian Nye
F. L. Ringel

Subscribed and sworn to before me this 25 day of December,
1948.

John B. Hoge
Notary Public for Idaho
Residing at Paris, Idaho.



124116

INDEXED

BEAR LAKE COUNTY RECORDER
JOAN P. EBORN

'81 MAR 6 PM 2 31

John B. Hoge
DEPUTY
FEE

NOV 9 1983
Nº 2452

819

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

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

November 17, 19*83*, and ending
with the issue of *November 23*, 19*83*.

Fees, \$ *21.25*

Subscribed and sworn to before me this *28th* day
of *November*, 19*83*.

Denise Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

NOV 9 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2452

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4297

MCLEAN, ELAINE S.
SLEIGHT, CLYDE T. &/or G. WILLIAM
4884 COTTONWOOD LANE, SALT LAKE
CITY, UT 84117

Source: PARIS CREEK trib. to BEAR
RIVER

Priority Date: 12/23/1948

Diversion Pt: NESE Sec 13 T 14S R 43E

Use: IRRIGATION (1.00 CFS)

STOCKWATER (0.02 CFS)

In: SENE NESE Sec 13 T 14S R 43E FOR 50
ACRES

11-4296

KUNZ, MONTAIN D.
BERN, ID 83220

Source: SPRING trib. to SINKS

Priority Date: 07/01/1914

Diversion Pt: SENE Sec 35 T 12S R 43E

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWNW Sec 36 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.

11-17, 11-23
34 LINES

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 11-4297

03001 - MCLEAN ✓ LAST NAME
03002 - SLEIGHT ✓
03003 - SLEIGHT ✓

04001 - ELAINE S. FIRST NAME
04002 - CLYDE T. ✓
04003 - G. WILLIAM ✓

	ORIG.	OWNER
05001	-	C
05002	-	D
05003	-	D

06 ADD LINE 1 - 4884 COTTONWOOD LANE

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - SALT LAKE CITY

10 STATE - UT

11 ZIP - 84117

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - PARIS CREEK

15001 - BEAR RIVER ~~TRIBUTARY OF~~

16 DIVERSION MEANS - PUMP & DITCH

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

DIVERSION POINTS						STREAM INDEX FIELDS									
TRACT	SEC	TWN	RNG	LOT	RFLG										
22001 - NESE	23001 - 13	24001 - 14S	25001 - 43E	26001 -	27001 -										
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE OF USE SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 14S	32001 - 43E	33001 - 13	34001 - SENE	35001 - 35	36001 -
30002 - 01 IRRIGATION	31002 - 14S	32002 - 43E	33002 - 13	34002 - NESE	35002 - 15	36002 -
						TOTAL ACRES: 50

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION	40001 - 1.000	41001 - 0.00	
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER	40002 - 0.020	41002 - 0.00	

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 -	REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 23-DEC-1948 ✓	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -

WRR100
11-4297

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
16-DEC-1985 10:39:24

----- D A T E S ----- D A T E S ----- F L A G S -----

51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 21-NOV-1983

59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

67 FLAG_3 -

78/8/1/C
VERIFIED JKN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 5, 1983

ELAINE S. MCLEARN
CLYDE T. SLEIGHT
G. WILLIAM SLEIGHT
4884 COTTONWOOD LANE
SALT LAKE CITY UT 84117

RE. Claim No. 11-4297

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

MICROFILMED



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

December 7, 1983

RE: Amended Claim to a Water Right No. 11-4269 HALL

Claim to a Water Right No. 11-4296 KUNZ
11-4297 McLEAN/SLEIGHT

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 November 17 and 24, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

November 10, 1983

RE: Claim to a Water Right No. 11-4297 McLEAN & SLEIGHT

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson

Right Number 11 4297 Applicant SLight

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 Calver Date Dec 13, 1983

December 5, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 12/15/83

MICROFILMED

RECEIVED
DEC 15 1983

Department of Water Resources

WATER RIGHT
DATA ENTRY LOG

[illegible]

August 2, 1983

Elaine J. McLean
Clyde T. Sleight
G. William Sleight
4884 Cottonwood Ln.
Salt Lake City, UT 84117

Dear Claimants:

Enclosed is your claim to water right along with check #31-2 for \$10.

Unfortunately, there are a few corrections which needed to be made, thus I have enclosed a claim form with these corrections.

Please read the claim over carefully and if you feel it is in proper form, sign and return it to this office within 60 days.

Also, the fee for filing a claim is \$30.

If you have any questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK
SR. Resource Analyst

SM:jk

Enclosures

11-4297

MCLEAN, ELAINE S.
SLEIGHT, CLYDE T. &/or G. WILLIAM

4884 COTTONWOOD LANE. SALT LAKE CITY, UT 84117

Source. PARIS CREEK trib. to BEAR RIVER

Priority Date. 12/23/1948

Diversion Pt. NESE Sec 13 T 14S R 4SE

Use. IRRIGATION	(1.00 CFS)
STOCKWATER	(0.02 CFS)

In. SENE NESE Sec 13 T 14S R 4SE FOR 50 ACRES

MICROFILMED