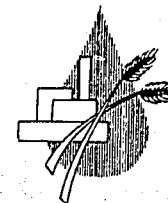


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Douglas B. or Denice O. Argyle

015 Willoway Lane, Bern, ID (Mailing Address) 83220 (Zip Code) Telephone No. 847-3669
(Name of Claimant)

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) April 1, 1901

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)

North Spring tributary to sinks

(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>domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>0.02</u>		Use <u>stock</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 <u>0.04 cfs</u>		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)

NW SE ¼ NE ¼, Sec. 35 Twp. 12S 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. Spring water piped 1600' with 2" diam pipe to place of use

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	43E	36							d/s										

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for one home & 3 head of horses

NOTE: Include here the type and number of stock watered: 3 horses

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

(8) Remarks



State of Idaho

County of *Bear Lake*

Sworn to before me this

3/ day of

october

.19 7/

Donato B. Lopez, Jennie C. Lopez
(Claimant)

(Claimant

Harold I. Levine

Notary Public

Residing at

^c Montp 11-4

My commission expires

10-24-97

Received by

aw

Date _____

11-4-91

Exception filed by:

Forwarded to

Date _____

Prelim. check by

HWT

Date

11-4-91

#E 016693

claimant by:

\$30.00 fee r

Received by OW Date

Date: _____

11-4-8

Publis

News - Exa

tbrb

No 4284

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake } ss.

Rosa S. Moorman
being duly sworn,

deposes and says:

That he is the Editor 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 21, 1991, and ending
with the issue of November 28, 1991.

Rosa S. Moorman
Fees, \$36.59

Subscribed and sworn to before me this 29th day
of November, 1991.

Sherry Brown
Notary Public, Residing at Montpelier, Idaho

My Commission Expires August 15, 1997.

RECEIVED

DEC - 6 1991

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHT

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

11-04340
ARGYLE, DOUGLAS B.
ARGYLE, DENICE O.
15 WILLOWAY LN
BERN, ID 83220
Source: NORTH SPRING
Tributary: SINKS
Diversion Pt.: NWSENE Sec 35 T
12S R 43E in BEAR LAKE County.
Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.040 CFS)
Date Filed: 4/1/1901
IN: T12S R43E S36 SWNW
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402.
R. KEITH HIGGINSON, Director
Legal No. 4284 — Published Nov. 21, 28, 1991.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

13-Nov-1991

DOUGLAS OR DENICE ARGYLE
15 WILLOWAY LN
BERN ID 83220

RE: Application No. 11-04340

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the News-Examiner on 11-21 & 28-91. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON, Director

Published: 11/21/1991 & 11/28/1991

11-04340

ARGYLE, DOUGLAS B
ARGYLE, DENICE O
15 WILLOWAY LN
BERN, ID 83220

Source: NORTH SPRING

Tributary: SINKS

Diversion Pt: NWSENE Sec 35 T 12S R 43E in BEAR LAKE County.

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

Date Filed: 4/ 1/1901

IN: T12S R43E S36

SWNW

NOTICE OF CLAIMS TO WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 13, 1991

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 DECEMBER 9, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 20, 1991

Mr. William A. Parsons
Attorney at Law
PO Box 910
Burley, ID 83318

Dear Mr. Parsons:

Pursuant to Section 42-244, Idaho Code, a person may at any time submit to the Department of Water Resources an affidavit describing why a particular claim to a water right is not correct. This exception becomes part of the permanent claim file and is considered the same as other evidence in the file if the claimant pursues civil action to have the claim adjudicated by a court. Administrative action to substantiate the claim cannot be taken by this Department.

Your letter concerning claim to a water right No. 11-04340 in the name of Douglas B. or Denice Argyle could not be processed as an exception because it was not notarized. To assist you in submitting an exception, we are returning your letter along with a blank affidavit form. Whether you rewrite your letter or complete the affidavit, make sure the document is notarized before sending it to the Department.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 20, 1991

Jody L. Williams
Attorney at Law
One Utah Center, Suite 2200
201 South Main Street
Salt Lake City, UT 84140

Dear Ms. Williams:

Pursuant to Section 42-244, Idaho Code, a person may at any time submit to the Department of Water Resources an affidavit describing why a particular claim to a water right is not correct. This exception becomes part of the permanent claim file and is considered the same as other evidence in the file if the claimant pursues civil action to have the claim adjudicated by a court. Administrative action to substantiate the claim cannot be taken by this Department.

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Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

MEMORANDUM

TO: Claim No: 11-04340

FROM: Brenda L. Miller *BLM*

DATE: January 14, 1992

RE: Claim Filing

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When reviewing this claim I discovered that the region had sent a letter to the applicant [November 13, 1991] inadvertently indicating that this was an application and a permit would be issued upon its approval.

This memo is placed in the file in case there is any question from the claimants.