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4-7-72

APR 11 1972

Idaho Department of Water Administration  
240 South Holmes  
Idaho Falls, Idaho 83401

Department of the State  
Eastern District

Notice is hereby given that I appose the claim to the water rights No. 11-4032. The third hollow spring and property owned by myself; which is located in the SW1/4SW1/4, Sec. 36, T. 13S R. 42E, BM. Bear Lake County. The water is needed by myself for turning the area into a recreational area known as the Hummingbird Lodge. This area was used prior to May 28, 1906 for Mining.

**NOTICE OF CLAIM TO A  
WATER RIGHT  
No. 11-4032**

Notice is hereby given that United States of America, Forest Service, 324-25th Street, Ogden, Utah has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from Third Hollow Spring, tributary to Third Hollow Creek with point of diversion in the SW1/4SW1/4, Sec. 36, T. 13S, R. 42E, B. M., Bear Lake County.

The water is claimed to be used from July 1 to September 15 for stockwatering purposes of 300 head of cattle with a priority of May 28, 1906.

The place of use is within the SW1/4SW1/4, Sec. 36, T. 13S, R. 42E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

**R. KEITH HIGGINSON**  
Director

Published in The News-Examiner, Montpelier, Idaho on March 30 and April 6, 1972.

(m30; a-6)

*M. L. Laren*  
*over*  
*204 361*  
*Sub 4*

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APR 17 1972

Department of Water Administration  
Eastern District

A F F I D A V I T

MARVIN L. LARSEN, having been duly sworn, hereby ~~makes~~ exception to Claim of Water Right No. 11-4032, filed by the United States of America Forest Service, a notice of which is published in the News Examiner, Montpelier, Idaho, on March 30, 1972, and April 6, 1972.

Said Affiant, having been duly sworn hereby further states that he is using the water for culinary, domestic, and irrigation purposes upon real estate owned by the affiant. Said Affiant further states that he has been using the water for these purposes for ten (10) years and his predecessors in title used the water from said stream for many years prior to the use of the Affiant.

As proof of said exception, the Affiant is prepared to testify that he has used the water, and he would call Irwin Parker, Lanark, Idaho, Joe Collins, Paris, Idaho, and Lodd Ringel, Inkom, Idaho, who will testify of their knowledge of the use of the water from the stream in question by the Affiant and by his predecessors in title.

Marvin L. Larsen  
Marvin L. Larsen

SWORN and Subscribed to before me this 14<sup>th</sup> day of April, 1972.

(SEAL)

Nolan F. Jones  
NOTARY PUBLIC for Idaho  
Residing at Montpelier, Idaho  
My Comm. expires: 8-10-75

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