

01/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-11524

NAME AND ADDRESS: PHYLLIS KUNZ
PO BOX 630
VICTOR ID 83455

ROSS W KUNZ
PO BOX 630
VICTOR ID 83455-9730

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON RIVER

QUANTITY: 1.320 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T03N R45E S5 NESWNE Within TETON County

T03N R45E S5 SWSENE Within TETON County

T03N R45E S5 NENESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.320 CFS

PLACE OF USE: IRRIGATION Within TETON County

T03N R45E S05 SWNE 33.00

33 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-88.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Source is also known as Blodgett Creek.

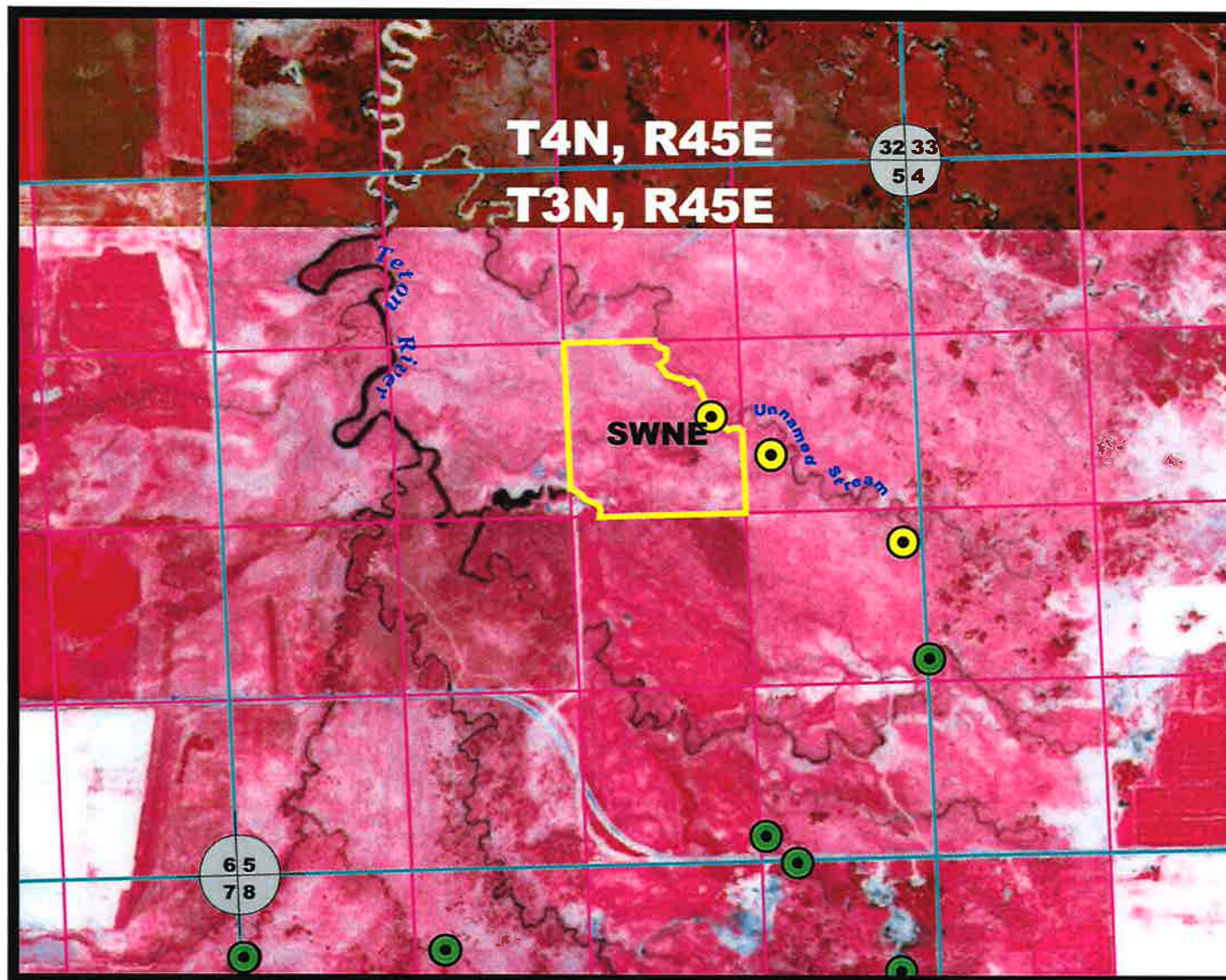
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-11524

Point(s) of Diversion:

T3N, R45E Sec. 5

NENESE, SWSENE, NESWNE

Place of Use: (part of)

T3N, R45E

Sec. 5 SWNE

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

December 15, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

ROBERT J DAVIS
4058 SPLENDOR WAY
SALT LAKE CITY UT 84124

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-11524

Dear Mr. Davis:

It has come to our attention that you may have recently purchased a tract of land in Teton County, Idaho. The property to which I am referring was most recently owned by Ross and Phyllis Kunz. The legal description is as follows:

T03N, R45E, S5, SWNE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

December 15, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

DAVIS FAMILY TRUST
C/O PHYLLIS KUNZ
747 S 350 W
VICTOR ID 83455

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-11524

Dear Ms. Kunz:

It has come to our attention that you may have recently purchased a tract of land in Teton County, Idaho. The property to which I am referring was most recently owned by Ross and Phyllis Kunz. The legal description is as follows:

T03N, R45E, S5, SWNE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

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If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED



★ ★ ★ ★ ★
★ ★ ★ ★ ★
U.S. POSTAGE
1211 PB3
8932 \$00.63 NOV 2
5919 MAILED FROM ZIP CODE

RECEIVED
DEC 01 2006
Department of Water Resources
Eastern Region

Robert Jay Davis
4058 Splendor way
Salt Lake City UT
84124

Davis Family Trust

C/O Phyllis Kunz

747 S. 350 W

Victor ID 83455

change of
Ownership

PHYLLIS KUNZ
ROSS W KUNZ
PO BOX 630
VICTOR ID 83455

not at
this
address

22-115-24

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner ROSS KUNR

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

~~X~~ ADDRESS CORRECTION/OWNERSHIP:

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

CLAIMS AS A PORTION OF 22-BB. DECEDED UNDER CIRIGUS
VS CRANDALL, 1/24/1938, 8 cts ON 200 AC $\Rightarrow$ 0.04 cts/AC (2")

THIS CLAIM IS PART OF ORIGINAL DECEDED PT 22-BB.

Q3: 1. WHAT WAS CTS OF ORIGINAL DECEDED PT.
1916 FLOOD WATER RT.

2. HOW IS 22-BB SPLIT AND TO WHOM? Q TO EACH?

3. DECEDED TO BLODGETT CK AND UNNAMED CK - CLAIMS
UNNAMED CREEK - IS IT THE SAME? - WHO IS
BLODGETT CK AND HOW DOES IT RELATE TO THIS DECEDED
NOW?

USGS (X-99) DOES NOT RECOGNIZE BLODGETT CK - RE COGNIZED
AS UNNAMED STREAM.

Reviewer: _____

Date: _____

* ADD REMARK W/REFERENCE AS DECEDED TO "BLODGETT SPRING OR CREEK
AND AN UNNAMED CREEK ..."

Claim Number: _____

Claimed Priority Date: 1/22/1916 Claimed Basis: DISCRED

Recommended Priority Date: 1/22/1916 Recommended Basis DECEASED

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DECREE

Date: _____



Damson
ditch

Blodgett
Creek

7/11/05 POB #1 for RockKings, claim #2211524.
Blodgett Creek can be dived even without
a dam. There is no headgate or
regulating structure in the diversion
ditch.

GPS Tag# A0009544

7/11/05 DO



another photo of POD #1 for RossKunz.

Blodgett Creek



7/11/05 POD #2 - for Ross Kunz Claim A 22 11524
culvert
DO culvert and creek can be dammed off to
divert water into diversion ditch. Fill
around the culvert has washed out.
There is not a headgate or regulating
structure in the diversion ditch.

GPS TAG # A0014251

7/11/05 DO



diversion
cut

P00#3 Ross Runy claim H2211524 | Blodgett Creek
Although this P00 isn't located in claim, Mr.
Runy told me about it and wants to use it.
P00, of GPS'd and tagged the culvert at this

When a dam is placed in culvert the water
rises high enough to go into the diversion
cut. When the dam isn't in place the
cut stays high and dry.

GPS Tag # A0P14252

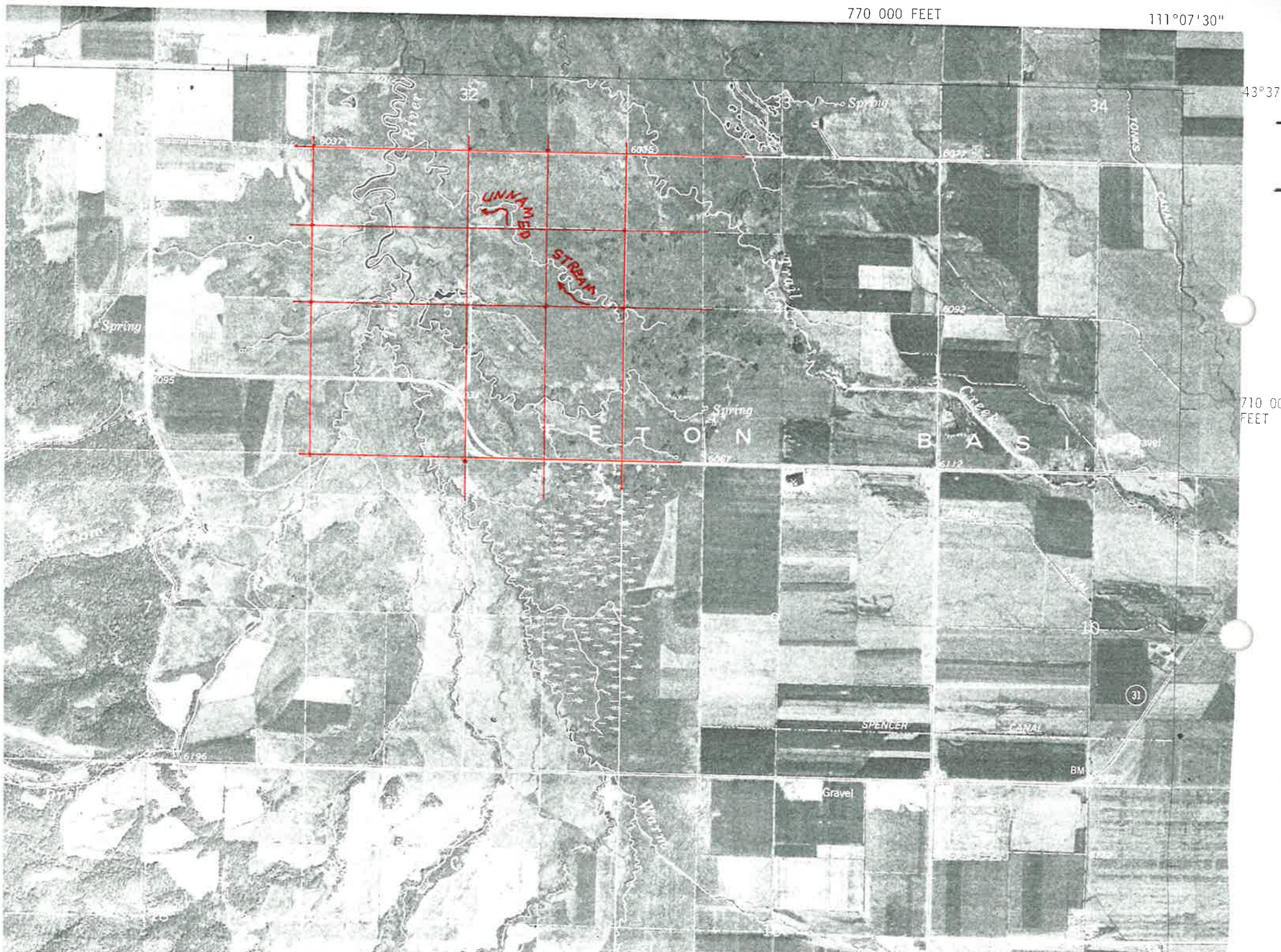
7/11/05 DD



1 2 3 4

770 000 FEET

111°07'30"



43°37'

710 000 FEET

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

7/11/05
DD Source for both diversions is Blodgett Creek.
POD #2 is a culvert that can be dammed to divert water - GPS# A0014251
Tag is on the culvert for both diversions POD south GPS tag for POD #1 A0009544
POD #1 is a culvert that has been placed in Blodgett Creek. Currently
there is no fill around it but Mr. Kunz said he does plan to fill
around it. There isn't a regulating device to close down either
ditch. Neither culvert is currently dammed off but water is

Transfers Changing POD _____

Reviewer: _____

Date: _____

GPS Tag # for north POD #3 A0014252. POD is a culvert that
can be dammed off to divert water from Blodgett Creek.

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

7/11/05
DOField exam showed claim is irrigated with ditches
and plastic dams.

Transfers Changing POU _____

Reviewer: _____

Date: _____

7/11/05
20



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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-11524
Date Received: 9/12/1988
Receipt No: E002194
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSS W. KUNZ 208-787-2782
Address: RT1 BOX 630
VICTOR, ID 83445-9730
OR
Name: PHYLLIS KUNZ 208-787-2782
Address: RT1 BOX 630
VICTOR, ID 83445-9730

2. Date of Priority: JAN 22, 1916

3. Source: UNNAMED CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	45E	5	SW	SE	NE		TETON
			NE	NE	SE		TETON

5. Description of diverting works:
HEADGATES WITH DITCHES TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.320		

7. Total Quantity Appropriated is:
1.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 66.0 Acre Feet Per Annum.

9. Non-irrigation uses:



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	45E	5	SW	NE		IRR	33.0
Section Acres							33.0
Total Acres							33.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT IS BASED ON A PORTION OF 22-00088. 22-00088 ALLOWED
2 INCHES PER ACRE OR 0.04 C.F.S. PER ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ROBERT GRIGGS

Decree Plaintiff

vs

LYNN CRANDEL, W. M.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Phyllis Kunz Date: 9-12-88

Date: _____

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of September 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

