

07/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13740

NAME AND ADDRESS: MERLE G KUNZ
C/O LARRY KUNZ
721 S 450 W
VICTOR ID 83455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.900 CFS
47.80 AFY

Right Nos. 22-13740 and 22-13742 are limited to a total combined diversion rate of 0.90 cfs and to a total combined annual diversion volume of 326.5 AF.

PRIORITY DATE: 09/18/1974

POINT OF
DIVERSION:

T04N R45E S34 NENENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.900 CFS 47.80 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S34	NENE	4.00	T04N R45E S34	NWNW	5.00
T04N R45E S35	NENW	40.00	T04N R45E S35	NWNW	38.00
T04N R45E S35	SWNW	39.00	T04N R45E S35	SENW	39.00

165 ACRES TOTAL

This right is limited to the irrigation of 72 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 165 acres in a single irrigation season. Combined Right Nos.: 22-13735, 22-13740, 27-13742.

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

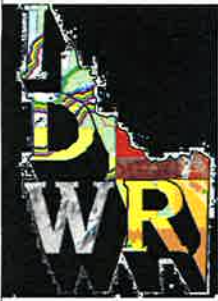
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

This right is a split from former right 22-7104 .

Use of this right is combined with water from Fox Creek Canal Co.



Idaho Department of Water Resources

SCANNED
SEP 11 2007

SRBA Recommendation:

22-13740

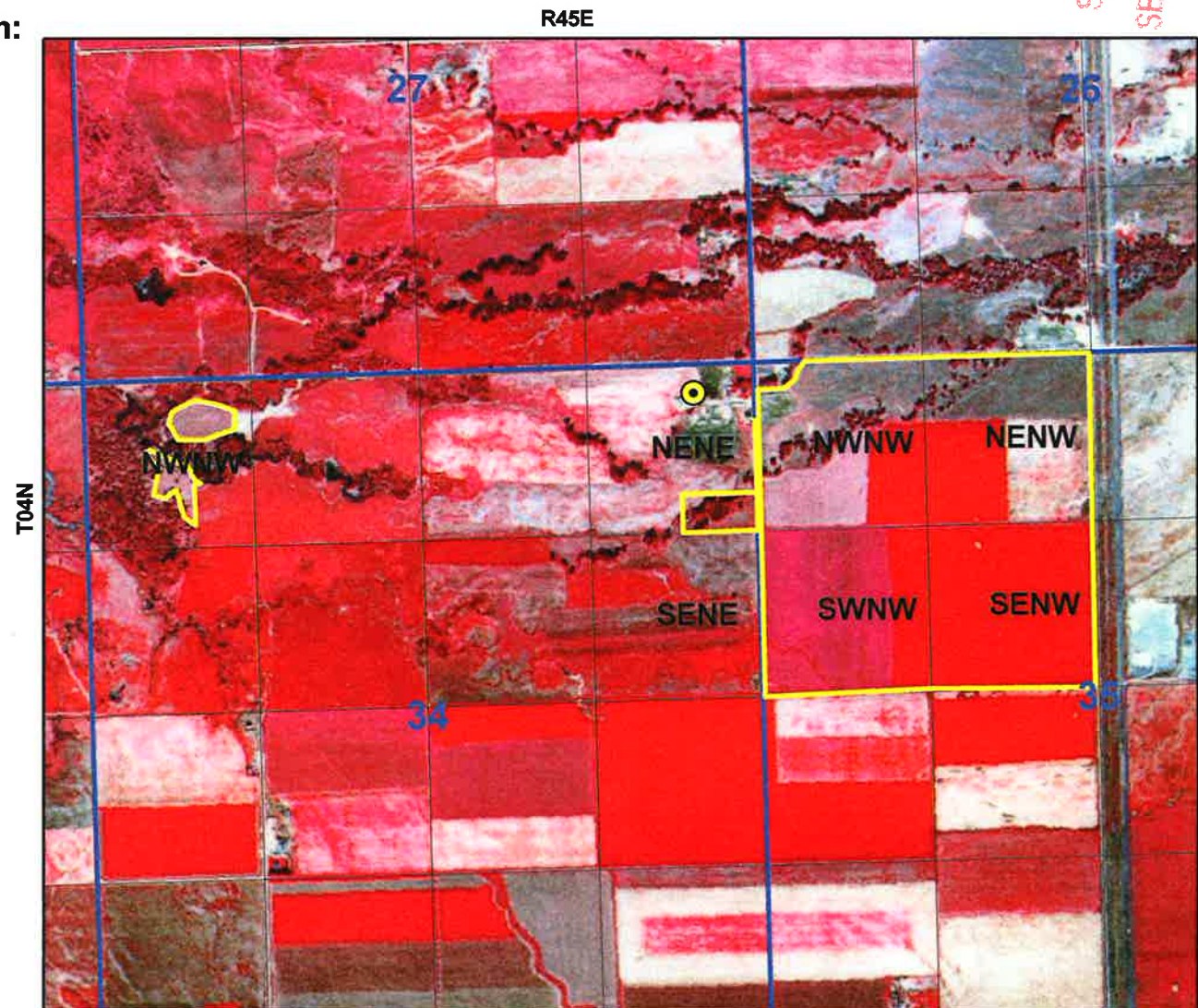
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



0 0.6 1.2 Miles

Prepared by J. Crabtre
On Friday, July 6, 2007
1987/88 Aerial Photography

Combined Annual Diversion Volume Analysis

Water Right Numbers: 22-7104 & 22-7297

Total Diversion Rate: 1.51

Total Acres 277.0

Total Acre Feet 548.1

					Merle Kunz	Ryan Kunz	
					Parents	Children	
					22-7104 & 22-7297	22-13740, 22-13742	22-13741, 22-13743
Acres					277.0	165.0	112.0
					277.0	165.0	112.0
							Total Children Acreage
							277.0

Water Right To Be Split	CFS	Acres	CFS per ACRE	Total Combined Annual Diversion Volume	Acre Feet per Acre
22-7104 & 22-7297	1.51	277.0	0.0055	548.1	1.978700361
Children					1.978700361
22-13740, 22-13742	0.90	165.0	0.0055	326.4855596	1.978700361
22-13741, 22-13743	0.61	112.0	0.0055	221.6144404	1.978700361
	1.51	277.0		548.1	

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SEP 11 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 26, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MERLE KUNZ
C/O LARRY KUNZ
721 S 450 W
VICTOR ID 83455

RE: Notice of Change of Water Right Ownership (NCO) for
22-149, 22-7104, 22-7297 and Notice of Completed Administrative
Proceeding (NCAP)

Dear Mr. Kunz:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED

SEP 11 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

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Water Rights:

22-149 split into 22-13735 & 22-13736

22-7104 split into 22-13740 & 22-13741

22-7297 split into 22-13742 & 22-13743

Case No. 39576

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)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

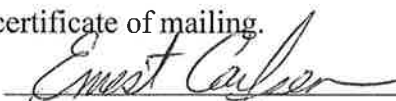
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) Merle Kunz – Merle Kunz and Ryan Kunz
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Sept 6, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Sept 7, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
MERLE G KUNZ
C/O LARRY KUNZ
721 S 450 W
VICTOR ID 83455

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MERLE G KUNZ RYAN M KUNZ
C/O LARRY KUNZ 616 S 100 W
721 S 450 W VICTOR ID 83455
VICTOR ID 83455

4. One copy to:

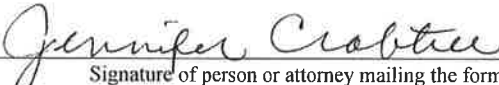
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form