

No Color  
Documents  
In File

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-7257 IN THE  
NAME OF ROGER AND/OR DENNIS HUNZEKER

)  
) ORDER OF REINSTATEMENT  
)  
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1986; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

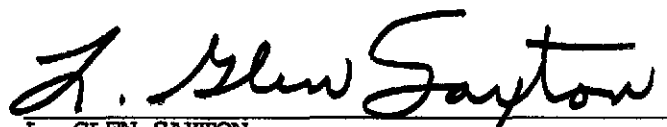
WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 14, 1986;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-7257 be REINSTATED and the priority advanced to June 25, 1981.

Dated this 30<sup>th</sup> day of October, 1986.

  
L. GLEN SAXTON  
Chief, Operations Bureau

RECEIVED  
OCT 21 1986

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Roger Hunzeker & for Dennis Hunzeker. Phone 847-2867.  
Post office address Star Route #1 Montpelier, Idaho 83254.
2. Source of water supply Spring which is a tributary of sinks.
3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 20 Township 13S  
Range 45E B.M. Bear Lake. County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

- Amount 2.78 for Irrigation. purposes from April 15 to Oct. 15. (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount 0.11 for Stockwater. purposes from Jan 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 2.89 cfs. cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 4 ft. by 4 ft. concrete  
diversion box collects water for gravity flow pipeline.

- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is **not** for irrigation: See item 8.b.

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered 300 range cattle, 2500 sheep.

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP        | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|            |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| Stockwater |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13S        | 45E   | 20   |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |        |
| 13S        | 45E   | 29   |     |     |     |     | X   |     | X   |     |     | X   | X   |     |     |     |     |     |        |
| Irrigation |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 13S        | 45E   | 20   |     |     |     |     |     |     |     |     | 5   |     | 20  | 20  |     |     |     |     | 45     |
| 13S        | 45E   | 29   |     |     |     |     | 24  | 36  | 20  | 20  | 20  | 20  | 20  | 20  |     |     |     |     | 180    |
|            |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|            |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|            |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|            |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 225

c. Describe any other water rights used for the same purposes as described above. None

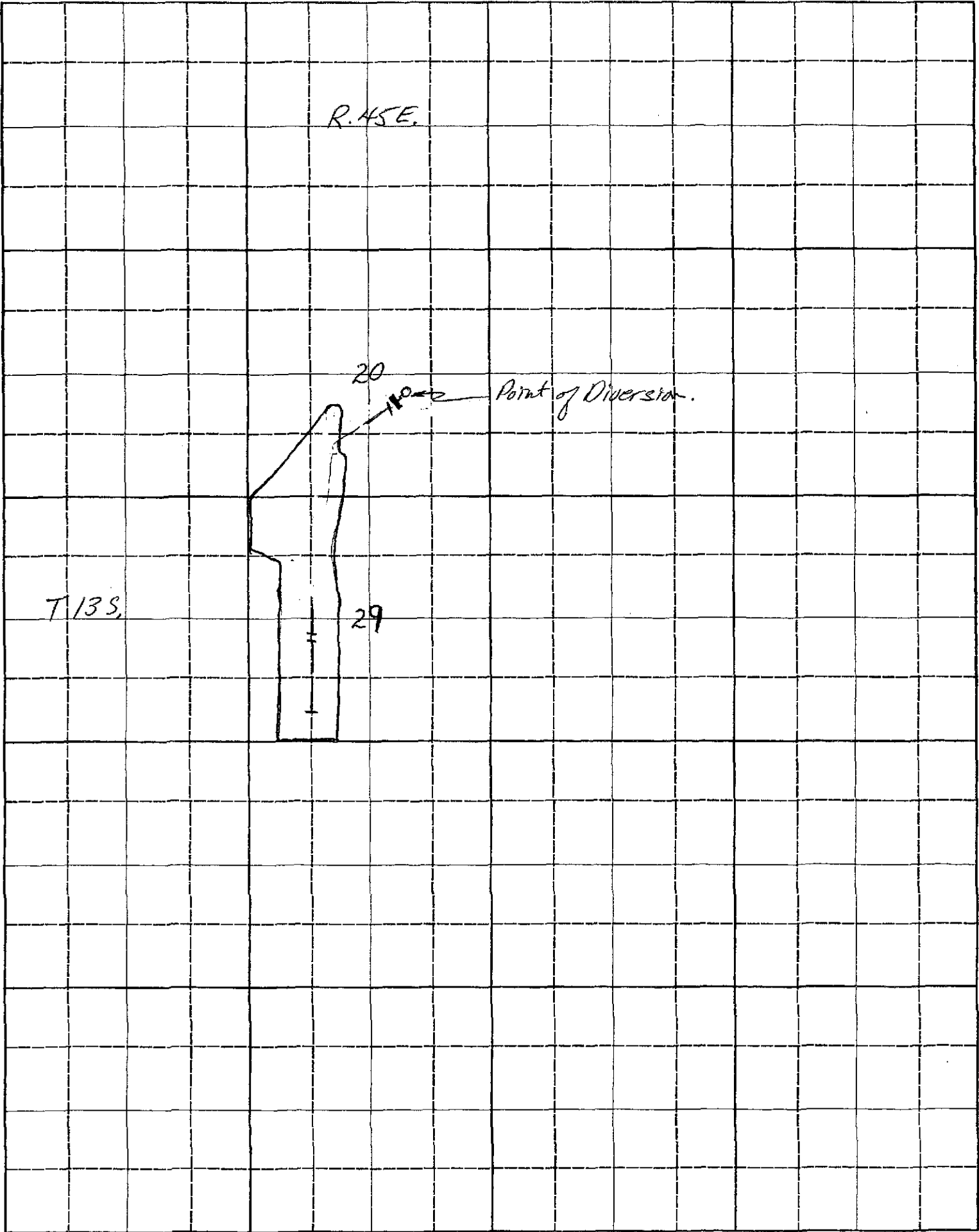
9. a. Who owns the property at the point of diversion Roger Hunzeker

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \_\_\_\_\_

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x *Roger H. Hays*  
(Applicant)

MICROFILMED

Priority 5/13/1981

*Drafted EMC 5/13/81.*

Received by EMC Date 5/13/81 Time 5/13/81

Preliminary check by Kcw Fee \$ 85.00

Receipted by CW Date 5-14-81 # 17650

Publication prepared by KW Date 5/21/81

Published in News Examiner

Publication dates 5/28 & 6/04/81

Publication approved CW Date 8/31/81

Protests filed by: None

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by MC RC

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7257, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 21<sup>th</sup> day of September, 1981.

L. Glen Sayton  
Chief, Operations Bureau

RECORDED

NOTICE OF APPLICATION  
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

11-7254

BLACK, BERDEAN K. & or MARY LOU

STAR RT. 1, MONTPELIER, ID 83254

Source: GROUNDWATER

Date Filed: 05-12-1981

Amount: 4.00 CFS

Diversion Point: SENW Sec 13 T 15S R 45E, BEAR LAKE Co.

Use: IRRIGATION (4.00 CFS)  
from 04-15 to 10-15

Place of Use: SWNE NENW SENW NESW NWSE Sec 13 T 15S R 45E FOR 200 ACRES

Diversion Means: WELL, PUMP & PIPELINES.

11-7255

JOHNSON, RAY D.

P.O. BOX 5, OVID, ID 83260

Source: SPRINGS tributary to SINKS

Date Filed: 05-12-1981

Amount: 0.16 CFS

Diversion Point: NWSE Sec 03 T 11S R 43E, BEAR LAKE Co.

Use: IRRIGATION (0.16 CFS)  
from 04-15 to 10-15

Place of Use: NWSE Sec 03 T 11S R 43E FOR 8 ACRES

Diversion Means: POND & PUMP.

11-7256

HUMPHERY, JERRY

RT. 1, MONTPELIER, ID 83254

Source: POND tributary to BEAR LAKE

Date Filed: 05-13-1981

Amount: 1.00 CFS

Diversion Point: NESW Sec 02 T 14S R 44E, BEAR LAKE Co.

Use: IRRIGATION (1.00 CFS)  
from 04-15 to 10-15

Place of Use: NESW NWSE Sec 02 T 14S R 44E FOR 50 ACRES

Diversion Means: EXCAVATED POND & PUMP.

11-7257

HUNZEKER, ROGER & or DENNIS

STAR RT. 1, MONTPELIER, ID 83254

Source: SPRING tributary to SINKS

Date Filed: 05-13-1981

Amount: 2.89 CFS

Diversion Point: NWSE Sec 20 T 13S R 45E, BEAR LAKE Co.

Use: IRRIGATION (2.78 CFS)  
from 04-15 to 10-15

STOCKWATER (0.11 CFS)

Place of Use: NESW SWSW SESW Sec 20 T 13S R 45E NENW NWNW SWNW SENW NESW NWSW SWSW Sec 29 T 13S R 45E SESW Sec 29 T 13S R 45E FOR 225 ACRES

Diversion Means: DIVERSION BOX & PIPELINE.

11-7258

JONES, KENNETH L.

1165 EAST 3475 SOUTH SALT LAKE

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,

County of Bear Lake

ss.

AUG 27 1981

Department of Water Resources  
Eastern District Office

*R. J. Spencer*

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 3 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

6-4, 1981, and ending with the issue of 6-11, 1981

Fees, 74.91

Subscribed and sworn to before me this 4<sup>th</sup> day

of August, 1981

*Santa Taylor*  
Notary Public, Residing at Montpelier, Idaho

My Commission Expires Lifetime, 1984

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JANUARY 12, 1987

DENNIS HUNZEKER  
STAR ROUTE 1, BOX 1110  
MONTPELIER

ID 83254

RE: Permit No. 11-7257

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
S/HAROLD W. JONES  
Sr. Resource Agent

Enclosure

HUNZEKER  
1041 Bench Rd  
Montpelier  
83254



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

DEC 10 1986

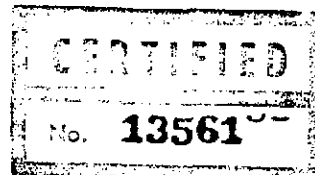
150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

Department of Water Resources

11-7257  
HUNZEKER, ROGER  
HUNZEKER, DENNIS  
STAR RT. BOX 1110  
MONTPELIER, ID 83254

December 8, 1986

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

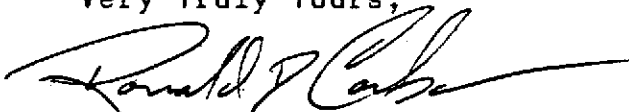
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region  
Idaho Dept. of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83401  
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson  
Eastern Regional Manager

Enclosures

^ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 11-7257

DATE: 10-22-1986

Date proof received

287

Oct. 14, 1986

Proof due

-244

Sept. 1

Number of day proof late

43

Priority date

+133

May 13, 1981

New priority date

176

June 25, 1981

Remarks:

RECEIVED

RECEIVED  
OCT 14 1986

For Office Use Only  
Fee Received \$150.00  
Date 10/15/86  
Receipt # 39312  
Receipt by COW  
Reviewed by  
Sent to region

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 11-7257

Name(s) of Permit Holder: Hunzeter, Dennis & Roger

Post Office Address: Star Route #1 Box 1110 Montpelier, Idaho  
83254 Telephone No. 847-1253

Source of Water: Spring

Extent of Use: 5 sheep camps + camps  
Domestic (number of households) Stockwater 250 pair cattle + bulls yearlings  
2210 head sheep + horses (number and type of stock)

Irrigation 225 (acres) Other/Remark

Total rate and/or volume for which proof is submitted cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: May 1951 but has been used since 1875

Measuring Device: Required? Yes No  
Installed? Yes No

Fee enclosed \$ 150.00  
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No  
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

Dennis H. Hunzeter 847-1253  
(Name) (Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Oct 5, 1986  
Date

Dennis H. Hunzeter  
Signature of Permit Holder (and title, if appropriate)

Dear Mr. Jones,

Pursuant to our  
telephone conversation of  
Oct 7, 1986 I have  
enclosed a \$150.00 check &  
the Proof form. If there  
are any questions please  
let me know or if not  
I will see one of your  
people in the spring for  
the evaluator.

Thank you,  
Dennis P. Penzance

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
SEPTEMBER 13, 1986

HUNZEKER, ROGER & DENNIS  
STAR RT. 1  
MONTPELIER, ID 83254

LAPSE NOTICE

RE: PERMIT NO. 11-7257

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED JUNE 30, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 9-29-1986  
a copy of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

MAILED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL  
JUNE 30, 1986

138828

HUNZEKER, ROGER & DENNIS  
STAR RT. 1  
MONTPELIER, ID 83254

PROOF DUE NOTICE

RE: PERMIT NO. 11-7257

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK  
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED  
JUN 30 1986

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

HUNZEKER, ROGER & DENNIS  
STAR RT. 1  
MONTPELIER, ID 83254

SEPTEMBER 29, 1981

RE: PERMIT NO. 11-7257

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup  
Idaho Falls, Idaho 83401  
(208) 525-7161

August 24, 1981

News Examiner  
P.O. Box 278  
Montpelier, Idaho 83254

RE: Attached Listing of Required Affidavits

Gentlemen:

I am in the process of getting the newspaper files in order and in so doing I find there are eleven outstanding affidavits from your company. It is important in our processing procedure that these affidavits be sent immediately after the notices have been advertised. I would appreciate it if you would see that these affidavits are sent to this office as soon as possible.

Thank you for your cooperation in this matter.

Sincerely,

BOBBIE R. STEPHENS  
Principal Clerk

BRS

attachement:

RECEIVED

WATER RIGHT NUMBERDATE PUBLISHED

|         |                |
|---------|----------------|
| 11-4117 | 7/2 & 7/9/81   |
| 11-4118 | 7/2 & 7/9/81   |
| 11-4119 | 7/9 & 7/16/81  |
| 11-4120 | 7/9 & 7/16/81  |
| 11-4121 | 7/16 & 7/23/81 |
| 11-7222 | 3/26 & 4/2/81  |
| 11-7254 | 5/28 & 6/4/81  |
| 11-7255 | 5/28/ & 6/4/81 |
| 11-7257 | 5/28/ & 6/4/81 |
| 11-7263 | 7/2/ & 7/9/81  |
| 24-4041 | 7/2/ & 7/9/81  |

It is important that we verify that these notices have indeed been published. If you find that is not the case, please let me know immediately.

**MICROFILMED**

WATER RIGHT NUMBER 11-7257

OWNER LAST NAME - HUNZEKER

FIRST NAME - ROGER

ORIG OWNER -

OWNER LAST NAME - HUNZEKER

FIRST NAME - DENNIS

ORIG OWNER -

ADDRESS LINE 1 - STAR RT. 1

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MONTPELIER

STATE - ID ZIP CODE - 83254

SOURCE - SPRING

TRIBUTARY OF - SINKS

STAGE - APPLICATION

STATUS -

PRIORITY - 05-13-1981

COUNTY - BEAR LAKE

TOTAL DIV. RATE -

2.8900 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWSE 20 13S 45E LOT REDIV -

FROM - 04-15 TO - 10-15 USE - IRRIGATION

USE DIV. RATE -

2.7800

CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE -

.1100

CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 13S RNG 45E SEC 20

TRACT NESW LOT

AC 05 TRACT

SWSW LOT

AC 20

USE - IRRIGATION

PLACE OF USE - TWN 13S RNG 45E SEC 29

TRACT SESW LOT

AC 20

TRACT NENW LOT

AC 24 TRACT

NWNW LOT

AC 36

TRACT SNNW LOT

AC 20 TRACT

SESW LOT

AC 20

TRACT NESW LOT

AC 20 TRACT

NWSW LOT

AC 20

TRACT SWSW LOT

AC 20

USE - STOCKWATER

PLACE OF USE - TWN 13S RNG 45E SEC 29

TRACT SESW LOT

AC 20

DECREE NAME -

DATE -

TOTAL ACRES

225

REMARKS -

NON IRRIG USE - S7300 RANGE, 2500 SHEEP.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - DIVERSION BOX &amp; PIPELINE.



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup  
Idaho Falls, Idaho 83401  
(208) 525-7161

August 4, 1981

RE: Attached Listing of Needed Affidavits of Publication

News-Examiner  
P.O. Box 278  
Montpelier, ID 83254

Gentlemen:

Attached is a listing of all of the publications of legal notices that we have not received as of this date. Would you please submit an affidavit of publication and certified bill in connection with these legals? Our office cannot proceed with the processing of these water right filings until we receive the above items. Your cooperation in this matter would be greatly appreciated.

Sincerely,

KAY WALKER  
Secretary

KW:k  
Attachment

UNRECORDED

| <u>Water Right Number</u> | <u>Date Published</u> |
|---------------------------|-----------------------|
| 11-4105                   | 5/28 & 6/04/81        |
| 11-4106                   | 5/28 & 6/04/81        |
| 11-4107                   | 5/28 & 6/04/81        |
| 11-4108                   | 5/28 & 6/04/81        |
| 11-4109                   | 5/28 & 6/04/81        |
| 11-4110                   | 5/28 & 6/04/81        |
| 11-4111                   | 5/28 & 6/04/81        |
| 11-4112                   | 5/28 & 6/04/81        |
| 11-4113                   | 5/28 & 6/04/81        |
| 11-4114                   | 5/28 & 6/04/81        |
| 11-4115                   | 5/28 & 6/04/81        |
| 11-4116                   | 6/04 & 6/11/81        |
| 11-4117                   | 7/02 & 7/09/81        |
| 11-4118                   | 7/02 & 7/09/81        |
| 11-4119                   | 7/09 & 7/16/81        |
| 11-4120                   | 7/09 & 7/16/81        |
| 11-4121                   | 7/16 & 7/23/81        |
| 11-7194 Amendment         | 4/30 & 5/07/81        |
| 11-7222                   | 3/26 & 4/02/81        |
| 11-7254                   | 5/28 & 6/04/81        |
| 11-7255                   | 5/28 & 6/04/81        |
| 11-7257                   | 5/28 & 6/04/81        |
| 11-7258                   | 5/28 & 6/04/81        |
| 11-7259                   | 5/28 & 6/04/81        |
| 11-7260                   | 6/04 & 6/11/81        |
| 11-7261                   | 6/11 & 6/18/81        |
| 11-7262                   | 6/18 & 6/25/81        |
| 11-7263                   | 7/02 & 7/09/81        |
| 24-4041                   | 7/02 & 7/09/81        |

**MICROFILMED**

July 9, 1981

RE: Application for Permit No. 11-7257 HUNZEKER  
11-7254 BLACK

The 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 May 28 and June 4, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER  
Secretary

CW:kw

**MICROFILMED**

150 Shoup

XXXXXXXXXXXXXXXXX

June 25, 1981

RE: Application for Permit No. 11-7246 JERRY HUMPHERYS  
No. 11-7257 HUNZEKER  
No. 11-7254 BLACK

Thomas W. Forsgren  
Attorney  
Utah Power & Light Company  
1407 West North Temple  
Salt Lake City, Utah 84116

Dear Mr. Forsgren:

Enclosed please find the protests your firm submitted regarding applications for permit No. 11-7246, Jerry Humpherys; 11-7257, Roger &/or Dennis Hunzeker; 11-7254, Berdean K. &/or Mary Lou Black. These protests are being returned because they were received by the Department after the period of protest for these applications had expired.

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

Respectfully submitted,

ERNEST CARLSEN  
Sr. Resource Analyst

EC:cw

Enclosures (3)

RECEIVED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JUNE 15, 1981.

A. KENNETH DUNN

Director

Published 5/28 & 6/04/81.

**MICROFILMED**

11-2252\_

HUNZEKER, ROGER &/or DENNIS

STAR RT. 1. MONTPELIER, ID 83254

Source: SPRING tributary to SINKS

Date Filed: 05/13/1981

Amount: 2.89 CFS

Diversion Point: NWSE Sec 20 T 13S R 45E, BEAR LAKE Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (2.78 CFS) | from 04/15 to 10/15 |
| STOCKWATER      | (0.11 CFS) | from 01/01 to 12/31 |

Place of Use: NESW SWSW SESW Sec 20 T 13S R 45E NENW NWNW SWNW SENW NESW NWSW  
SWSW Sec 29 T 13S R 45E SESW Sec 29 T 13S R 45E  
FOR 225 ACRES

Diversion Means: DIVERSION BOX & PIPELINE.

**MICROFILMED**