

RECEIVED

APR 11 1977

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake } ss.

Loren W. Thompson
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 two 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 March 24, 1977, and ending with the issue of March 31, 1977

Loren W. Thompson
Fees, 13.39

Subscribed and sworn to before me this 31 day of March, 1977
Nanda L. Thompson

Notary Public, Residing at Montpelier, Idaho
My Commission Expires March 13, 1979

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred Hunzeker, Montpelier, Idaho has on 3-16-77 submitted Application No. 11-7105 for a permit to appropriate 0.10 cubic feet per second of water from a ground-water source by means of well and pump within the NE¼SE¼, Sec. 33, T. 13S, R. 45 E, B.M., Bear Lake County; to be used from June 1 to Nov. 1 for stockwatering purposes for 1000 head of sheep and 50 head of cattle within the NE¼SE¼, Sec. 33, T. 13S, R. 45 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 11, 1977.

R: KEITH HIGGINSON
Director

Published in the News-Examiner, Montpelier, Idaho on March 24 and March 31, 1977.

M24-31

P.O. 11-7105

04	SENE	04	11-4172	06-01-1961 HELL HOLE SPRING	U.S. DEPT. OF AGRI.
07	SHNE	04	11-4041	09-24-1889 BEAR HOLLOW SPRINGS	KEETCH
	NHSE	04	11-4081	05-01-1964 SPRING	JENKINSON
	SHSE	04	11-4041	09-24-1889 BEAR HOLLOW SPRINGS	KEETCH
10	SENE	05,06,04	11-7248	04-16-1981 UNNAMED STREAM	U.S. DEPT. OF AGRI.
13	NESE	04,16	11-7308	01-05-1933 UNNAMED SPRING	U.S. DEPT. OF INTERIOR

C18

WRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 3755
01/02/1987

THN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
135	45E	14	SENE	04		11-4113	S	05-15-1932	SPRINGS	HUNZEKER & SONS	C
		15	NHNE	04		11-4112	S	05-15-1944	SPRINGS	HUNZEKER & SONS	C
			SHNE	04		11-4112	S	05-15-1944	SPRINGS	HUNZEKER & SONS	C
			NENW	04		11-4112	S	05-15-1944	SPRINGS	HUNZEKER & SONS	C
		20	NHSE	01,04		11-7257	P	06-25-1981	SPRING	HUNZEKER	C
		22	NESE	04		11-2172	L	10-02-1953	SPRING	U.S. DEPT. OF INTERIOR	C
		23	SENE	04,16		11-4318	S	06-28-1934	SHEEP CREEK, WEST FORK	U.S. DEPT. OF INTERIOR	C
			SESE	04		11-4113	S	05-15-1932	SPRINGS	HUNZEKER & SONS	C
		24	NHNE	04		11-4113	S	05-15-1932	SPRINGS	HUNZEKER & SONS	C
		25	SHNE	01,43		11-2023	L	05-25-1908	SPRING	HIRSCHI	C
			SHNE	04		11-4111	S	05-01-1931	SPRING	HUNZEKER & SONS	C
		26	SENE	04		11-4113	S	05-15-1932	SPRINGS	HUNZEKER & SONS	C
		29	SENE	04		11-4210	S	12-31-1875	SPRING	HUNZEKER	C
		31	SHSW	01		11-7278	P	01-13-1982	GROUNDWATER	DAINES	C
		33	NESE	04		11-7105	P	03-16-1977	GROUNDWATER	HUNZEKER	C
		36	SESW	01		11-0173	D	04-29-1887	SHEEP CREEK	CLARK	C
			SESW	02,03		11-2154	L	05-24-1969	SHEEP CREEK	CRANEY	C
			SESW	02,03,04		11-4224	S	05-21-1948	SHEEP CREEK	SHEEP CREEK IRRIGATION CO., INC.	C
135	46E	02	NHNE	01,01		11-7014	L	04-10-1970	GROUNDWATER	WIDMER	C
		03	NESE	01		11-7042	L	09-25-1973	GROUNDWATER	WIDMER	C
		04	SESE	01		11-0111	D	04-01-1886	THOMAS FORK	HUMFORD BROTHERS	C
			SESE	01		11-0112	D	04-01-1884	THOMAS FORK	HUMFORD BROTHERS	C
			SESE	01		11-0113	D	04-01-1884	THOMAS FORK	TEUSCHER	C

MICROFILMED

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WRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

THN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
135	46E	04	SESE	01		11-0131	D	07-01-1886	THOMAS FORK	HART	C
			SESE	01		11-0154	D	04-01-1895	THOMAS FORK	DRYSON	C
		07	NESE	01,02,03,04		11-4105	S	06-01-1930	HOOD CANY.	RECA	C
			NHSE	01,02,03,04		11-4105	S	06-01-1930	HOOD CANY.	RECA	C
		09	NESE	01		11-2147	L	08-23-1966	GROUNDWATER	ESCHLE	C

No overlap

04	04	05.06	11-7248	U.S. DEPT. OF AGRICULTURE	03-24-1981	BEAR HOLLOW SPRINGS
04	04	05.16	11-7300	U.S. DEPT. OF AGRICULTURE	04-16-1981	UNIMPROVED STREAM
04	04		11-7313	HUNZEKER R & SONS	01-04-1983	UNIMPROVED SPRING
04	04		11-7346	HUNZEKER R & SONS	05-15-1932	SPRINGS
04	04		11-7347	HUNZEKER R & SONS	04-15-1874	BEAR RIVER
04	04		11-7347	HUNZEKER R & SONS	04-15-1885	BEAR RIVER
04	04		11-7347	HUNZEKER R & SONS	04-15-1944	SPRINGS
04	04		11-7347	HUNZEKER R & SONS	04-15-1944	SPRINGS
04	04		11-7347	HUNZEKER R & SONS	04-15-1944	SPRINGS
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04	04		11-7347	HUNZEKER R & SONS	04-15-1944	SPRINGS
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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

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01/02/1987

01/02/1987

TOWNSHIP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER STAGE CODE	PRIORITY DATE	SOURCE OF WATER	
13S	45E	29	NMSH	20	01		11-7257	HUNZEKER	C	P	06-25-1981	SPRING
			SHSW	20	01		11-7257	HUNZEKER	C	P	06-25-1981	SPRING
			SESW	20	04		11-7257	HUNZEKER	C	P	06-25-1981	SPRING
		31	NMNH	40	01		11-7278	DAINES	C	P	01-13-1982	GROUNDWATER
			SNHW	40	01		11-7278	DAINES	C	P	01-13-1982	GROUNDWATER
			NMSH	35	01		11-7278	DAINES	C	P	01-13-1982	GROUNDWATER
			SSWS	19	01		11-4287	PRESTON-MONTPELIER	C	P	06-01-1960	BEAR RIVER
			SSWS	06	01		11-7278	DAINES	C	P	01-13-1982	GROUNDWATER
			SESH	07	01		11-4287	PRESTON-MONTPELIER	C	S	06-01-1960	BEAR RIVER
		32	SNHW	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
			SENW	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
			NFSH	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
			NMSH	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
			SSWS	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
			SESW	40	01		11-2111	KUNZ	L	F	11-01-1954	GROUNDWATER
		33	NESE		04		11-7105	HUNZEKER	C	P	03-16-1977	GROUNDWATER
13S	46E	02	NMNH	01	01		11-0092	MC CLENNAN	D	D	05-15-1980	RAYMOND CREEK
			NMNH	01	36		11-7014	WIDMER	L	F	04-10-1970	GROUNDWATER
			SMNW	02	01		11-0092	MC CLENNAN	D	D	05-15-1980	RAYMOND CREEK
			SNHW	02	41	01	11-7014	WIDMER	L	F	04-10-1970	GROUNDWATER
			NMSH	03	41	01	11-7042	WIDMER	L	F	09-25-1973	GROUNDWATER
			SSWS	04	42	01	11-7042	WIDMER	L	F	09-25-1973	GROUNDWATER
		03	NMNE	02	01		11-0125	PADZWET	D	D	07-05-1986	THOMAS FORK
			SNHE	01	01		11-0126	BLECHERT	D	D	07-15-1986	THOMAS FORK
			NENH	03	01		11-0125	PADZWET	D	D	07-05-1986	THOMAS FORK
			NMNH	04	01		11-0118	TEUSCHER	D	D	06-15-1985	THOMAS FORK
			SMNW	01	01		11-0118	TEUSCHER	D	D	06-15-1985	THOMAS FORK
			SENH	01	01		11-0126	BLECHERT	D	D	07-15-1986	THOMAS FORK
			NFSH	01	01		11-0126	BLECHERT	D	D	07-15-1986	THOMAS FORK
			NMSH	01	01		11-0118	TEUSCHER	D	D	06-15-1985	THOMAS FORK
			SSWS	01	01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			SESW	01	01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			NESE	39	01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			NESE	01	01		11-0126	BLECHERT	D	D	07-15-1986	THOMAS FORK
			SSWS	01	01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			SESW	01	01		11-0097	EVANS	D	D	05-15-1980	RAYMOND CREEK
			SSWS	38	01		11-7042	WIDMER	L	F	09-25-1973	GROUNDWATER
		04	NESE	01	01		11-0118	TEUSCHER	D	D	06-15-1985	THOMAS FORK
			SSWS	01	01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
		08	NESE	05	01		11-7080	HATCH	L	F	03-17-1975	GROUNDWATER
			SESE	05	01		11-7080	BAR G LAND & CATTY	C	L	03-17-1975	GROUNDWATER
								HATCH	C			
								BAR G LAND & CATTY	C			
		09	NENE		01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			SENH		01		11-0114	HALL BROTHERS	D	D	06-15-1985	THOMAS FORK
			NMSH	01	01		11-7080	HATCH	L	F	03-17-1975	GROUNDWATER

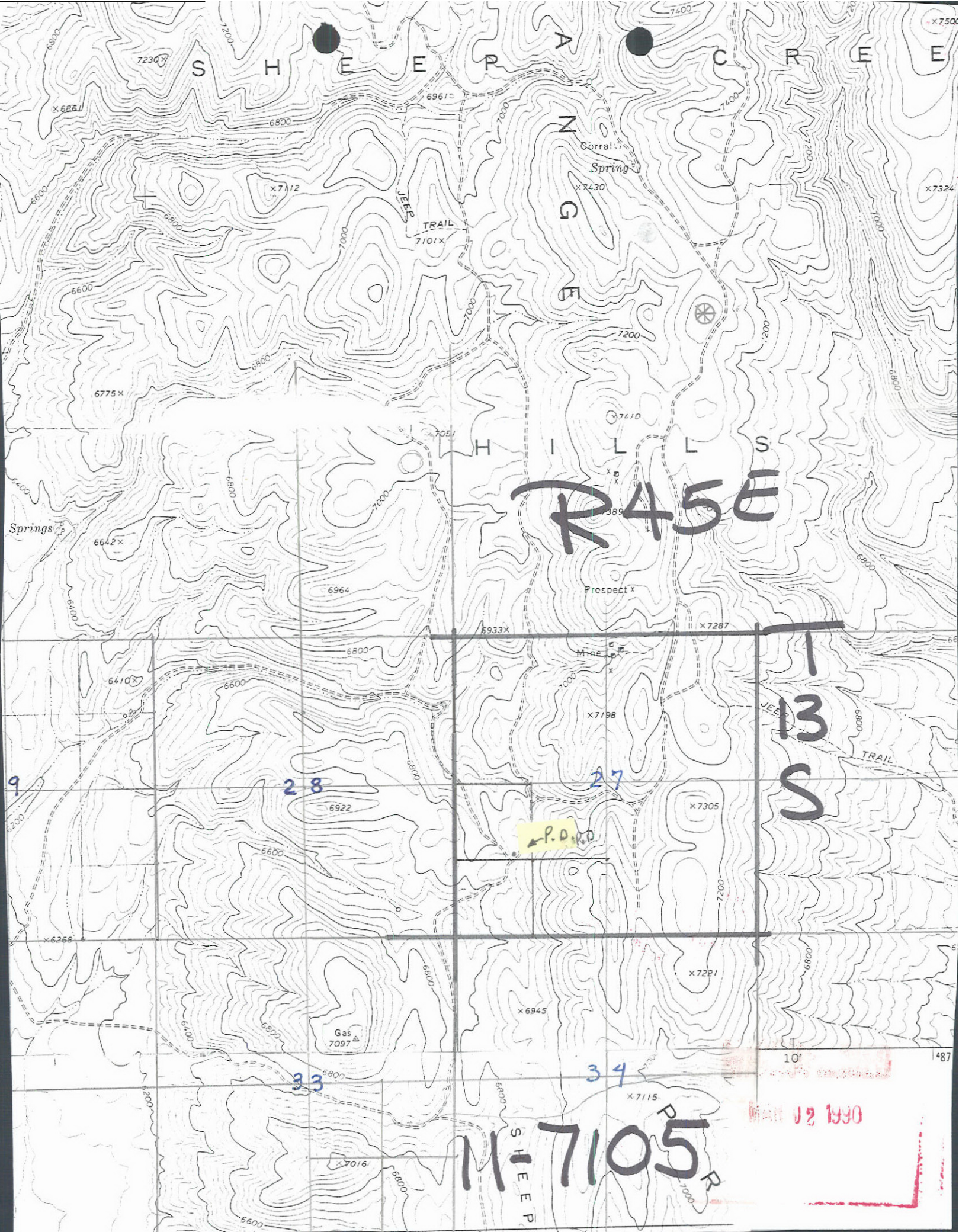
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MAR 02 1990

11-7105



MAR 02 1990

MICROFILMED



State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 11-07105

Priority: March 16, 1977

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

2.9 AF

This is to certify, that FRED HUNZEKER

1017 BENCH RD.

MONTPELIER ID 83254

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 16, 1977; and has submitted Proof of Beneficial Use on June 15, 1981. An examination indicates that the works have a diversion capacity of .100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.10 CFS	2.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 27, Township 13S, Range 45E
BEAR LAKE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

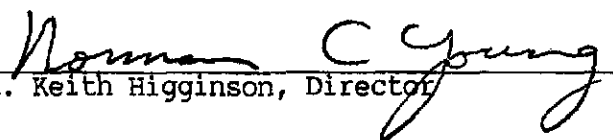
13S 45E 27

NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of DECEMBER, 19 92.

Acting for  R. Keith Higginson, Director

MISSOURI

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07105

Priority: March 16, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.10 CFS
2.9 AF

This is to certify, that FRED HUNZEKER
1017 BENCH RD.

MONTPELIER, ID 83254

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 16, 1977; and has submitted Proof of Beneficial Use on January 1, 1990. An examination indicates that the works have a diversion capacity of .100 cfs of water from a GROUNDWATER source, and a water right has been established as follows: (6-15-81)

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.10 CFS	2.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW, Sec. 27, Township 13S, Range 45E
BEAR LAKE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13S 45E 27 NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of JANUARY, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

MAR 02 1990

State of Idaho
Department of Water Resources

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NOV 03 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-07105

Department of Water Resources

Date of Priority: March 16, 1977

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume:¹ 2.9 AF

Comes now FRED HUNZEKER
1017 BENCH RD.
MONTPELIER, ID 83254

and represents to the Director of the

APPROVED

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 11-07105, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.10 CFS	2.9 AF

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 27, Township 13S, Range 45E
BEAR LAKE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13S 45E 27 NWSW

MICROFILMED

MAR 02 1990

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Montpelier, this 25 day of October, 1989.

Fred W Hunzeker
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-07105

FOR DEPARTMENT USE ONLY

CO12693

Preliminary check by kw Fee = \$20.00 ✓ Received by D.K. Date 11-7-89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 11-07105 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 15TH day of JANUARY, 1990.

R. Keith Higginson
Acting for R. Keith Higginson, Director

MICROFILMED

MAR 02 1990

21427

Dept of Water Resources
1515 Lincoln Rd
IDAHO FALLS, IDAHO
83401

6,000

11 7105

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Fred Hunzeker Phone: 847-1303
post office address Montpelier

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 13S
Range 45E B.M. BEAR LAKE County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.10 for Livestock purpose from June 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.10 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump & Stock
tanks

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 2000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 13S
Range 45E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered 1000 Head Sheep,
50 head Cattle

(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: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion Applicant

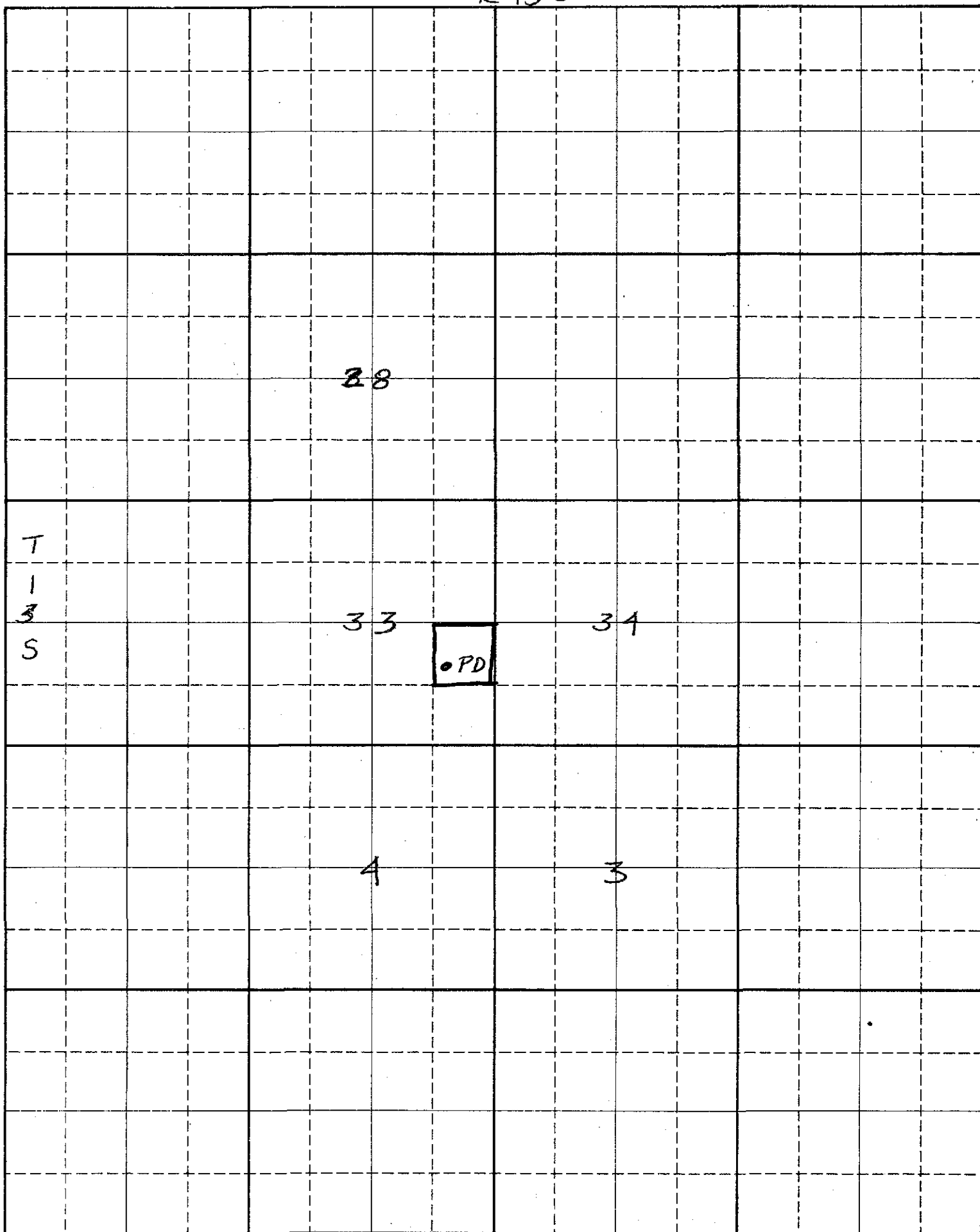
b. Who owns the land to be irrigated or place of use Applicant

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.

R 45 E



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.

Jack W. Hanger
(Applicant)

Proposed Priority 3/16/77

Received by CW Date 3-16-77 Time 10:30 A.

Preliminary check by JW Fee \$ 10.00

Receipted by CW Date 3-16-77 # 6451

Publication prepared by CW Date 3-18-77

Published in News Examiner

Publication dates Mar. 24 & 31, 1977

Publication approved me Date 4-11-77

Priority reduced to _____ Reason _____

Protests filed by: State Power Right Withdrawn

Copies of protests forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial by EMC jf

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. 11-7105, 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 82.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 7th day of September 19 77.


Director

RECEIVED

APR 11 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Loren M. Thompson
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 *two* 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 *March 24*, 19*77*, and ending with the issue of *March 31*, 19*77*

Loren M. Thompson
Fees, *13.39*

Subscribed and sworn to before me this *31* day of *March*, 19*77*
Manda L. Thompson

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *March 13*, 19*79*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred Hunzeker, Montpelier, Idaho has on 3-16-77 submitted Application No. 11-7105 for a permit to appropriate 0.10 cubic feet per second of water from a ground-water source by means of well and pump within the NE 1/4 Sec. 33, T. 13S, R. 45 E, B.M., Bear Lake County; to be used from June 1 to Nov. 1 for stockwatering purposes for 100 head of sheep and 50 head of cattle within the NE 1/4 Sec. 33, T. 13S, R. 45 E, B.M.

If issued, this permit will be subject to all water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 11, 1977.

R. KEITH HIGGINSON
Director

Published in the News-Examiner, Montpelier, Idaho on March 24 and March 31, 1977.

M24-31



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

December 28, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FRED HUNZEKER
1017 BENCH RD
MONTPELIER ID 83254

RE: Water Right No. 11-07105

Dear Water Right Holder(s):

During an unrelated review of water rights, a computer generated error was identified on your license. The date you submitted proof of beneficial use was listed incorrectly. We have corrected the error and have issued you an amended license. This correction in no way effects or changes the water right as originally licensed.

I have enclosed a copy of the amended license for your records.

If you have any questions, please feel free to contact me at (208) 327-7943.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

JAN 21 1993

January 16, 1990

FRED HUNZEKER
1017 BENCH RD.
MONTPELIER, ID 83254

RE: PERMIT NO. 11-07105

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

MAR 02 1990

September 27, 1989

FRED HUNZEKER
1017 BENCH RD.
MONTPELIER, ID 83254

RE: PERMIT NO. 11-07105

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

NOT RECORDED

MAR 02 1990

MEMORANDUM

TO: File

FROM: KAY WALKER *kw*

DATE: *6/23/89*

RE: Beneficial Use Field Report Review

Right No. *11-7105*

Comments

Part A - General Info.

Part B - Overlap Review

Part C - System Description

Part D - Flow Measurements

Part E - Flow Calculations

Part F - Volume Calculations

Part G - Remarks

Part H - Recommendations

*per permit:
1000 hd. sheep
50 hd. cattle
allow the volume
req'd. for this amount
of stock instead
of the amt. found
by examiner*

$$\text{sheep} = 1000 \text{ hd.} \times \frac{2 \text{ gal/day}}{\text{hd.}} \times \frac{365 \text{ days}}{\text{yr.}}$$

325,850 gal

= 2.2 AFA

$$\text{range} = 50 \text{ hd.} \times 0.0134 = 0.67\%$$

MINIMUM REQUIRED AFA

allow 2.9 AFA

02 1990

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT			LT	#SOURCE	#NAME
				1\4	1\4	1\4			
1107105	13S	45E	33	NE	SE			GROUNDWATER	HUNZEKER, FRED

INDEXED

MAR 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

11-7105
Permit No.
2211/17/86

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index HWS 3-23-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index HWS 3-23-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? 7-Oct-1987 (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 5-August-1988 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent KCW 8/26/88 (Initial and date)

Exam Reviewed by Manager of Regional Office 3 Jan 1988 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

P.D. 11-7105

04	SENE	04	11-4172	06-01-1961 HELL HOLE SPRING	U.S. DEPT. OF AGRI.
07	SENE	04	11-4041	09-24-1889 BEAR HOLLOW SPRINGS	KEETCH
	NESE	04	11-4081	05-01-1964 SPRING	JENKINSON
	SENE	04	11-4041	09-24-1889 BEAR HOLLOW SPRINGS	KEETCH
10	SENE	05,06,14	11-7248	04-16-1981 UNNAMED STREAM	U.S. DEPT. OF AGRI.
13	NESE	04,16	11-7308	01-05-1983 UNNAMED SPRING	U.S. DEPT. OF INTERIOR

CIA

MAR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 3755
01/02/1987

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE	PRIORITY	RELG	SOURCE OF WATER	LAST NAME	OWNER CODE
135	45E	14	SENE	04		11-4113				05-15-1932 SPRINGS	HUNZEKER & SONS	
		15	NESE	04		11-4112				05-15-1944 SPRINGS	HUNZEKER & SONS	
			SENE	04		11-4112				05-15-1944 SPRINGS	HUNZEKER & SONS	
			SENE	04		11-4112				05-15-1944 SPRINGS	HUNZEKER & SONS	
		20	NESE	01,04		11-7257				06-25-1981 SPRING	HUNZEKER HUNZEKER	
		22	NESE	04		11-2172				10-02-1953 SPRING	U.S. DEPT. OF INTERIOR	
		23	SENE	04,16		11-4318				06-28-1934 SHEEP CREEK, WEST FORK	U.S. DEPT. OF INTERIOR	
			SESE	04		11-4113				05-15-1932 SPRINGS	HUNZEKER & SONS	
		24	SENE	04		11-4113				05-15-1932 SPRINGS	HUNZEKER & SONS	
		25	SENE	01,43		11-2023				05-25-1908 SPRING	HIRSCHI	
			SENE	04		11-4111				05-01-1931 SPRING	HUNZEKER & SONS	
		26	SENE	04		11-4113				05-15-1932 SPRINGS	HUNZEKER & SONS	
		29	SENE	04		11-4210				12-31-1875 SPRING	HUNZEKER	
		31	SENE	01		11-7278				01-13-1982 GROUNDWATER	DATNES	
		33	NESE	04		11-7105				03-16-1977 GROUNDWATER	HUNZEKER	
		36	SENE	01		11-0173				04-29-1887 SHEEP CREEK	CLARK CRANEY	
			SENE	02,03		11-2154				05-24-1969 SHEEP CREEK	SHEEP CREEK IRRIGATION CO., INC.	
			SENE	02,03,04		11-4224				05-21-1948 SHEEP CREEK	SHEEP CREEK IRRIGATION CO.	
135	46E	02	SENE	01,01		11-7014				04-10-1970 GROUNDWATER	WIDMER WIDMER	
		03	NESE	01		11-7042				09-25-1973 GROUNDWATER	WIDMER	
		04	SESE	01		11-0111				04-01-1886 THOMAS FORK	HUMFORD BROTHERS	
			SESE	01		11-0112				04-01-1884 THOMAS FORK		
			SESE	01		11-0113				04-01-1884 THOMAS FORK		

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MAR 02 1990

CIA

MAR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE	PRIORITY	RELG	SOURCE OF WATER	LAST NAME
135	46E	04	SESE	01		11-0131				07-01-1886 THOMAS FORK	HART HART
			SESE	01		11-0154				04-01-1895 THOMAS FORK	BRAYSON
		07	NESE	01,02,03,04		11-4105				06-01-1930 WOOD CANY	RECA
			NESE	01,02,03,04		11-4105				06-01-1930 WOOD CANY	RECA
		09	NESE	01		11-2147					

No overlap

9

PAGE 9163
01/02/1987

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 MAR 02 1990

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JAN 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

Permit No. 11-7105
1. Owner: Fred Hunzeker Phone No. 847-1303
Current Address: 1017 Bench Rd., Montpelier, Idaho
2. Accompanied by: owner EXAM. DATE: 6-28-88
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

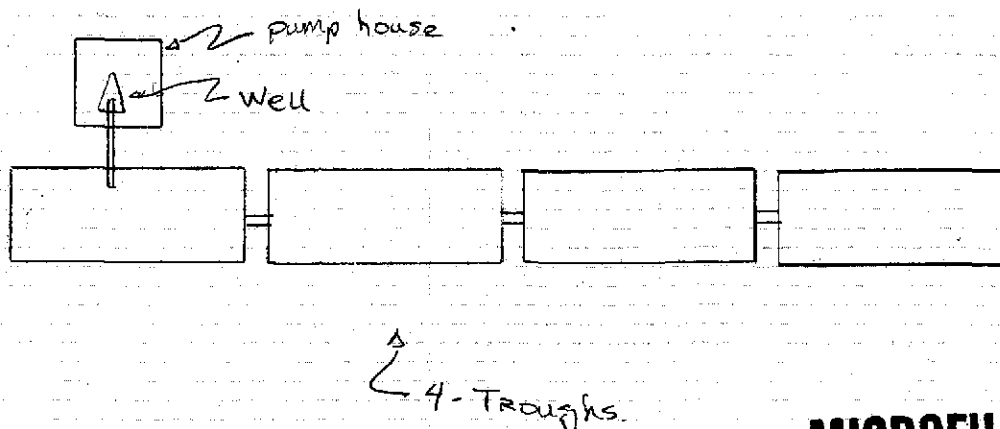
1. Other water rights with same place of use: NO

☐ Copies Attached
2. Other water rights with same point of diversion: NO

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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MAR 02 1990

Scale: ~~1" =~~ No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
- Portable motor and generator supplies power to submersible pump/motor when needed to fill 4-Troughs; 2300 sheep, 500-cattle, and 80-horses.
- Well depth =
- Stock Trough size = 46" X 15' X 20" deep
- at time of exam motor/generator was not hooked up to well, and is only hooked up in spring / Fall, but if stock -
- ☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible					
Hom Lite GENERATOR	Briggs Hom Lite	8	—		

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	27	13S	45E	Bear Lake	map; onsite inspection; Help from ASCS in mount police.

6. **Place(s) of Use:**

Indicate Method of Determination

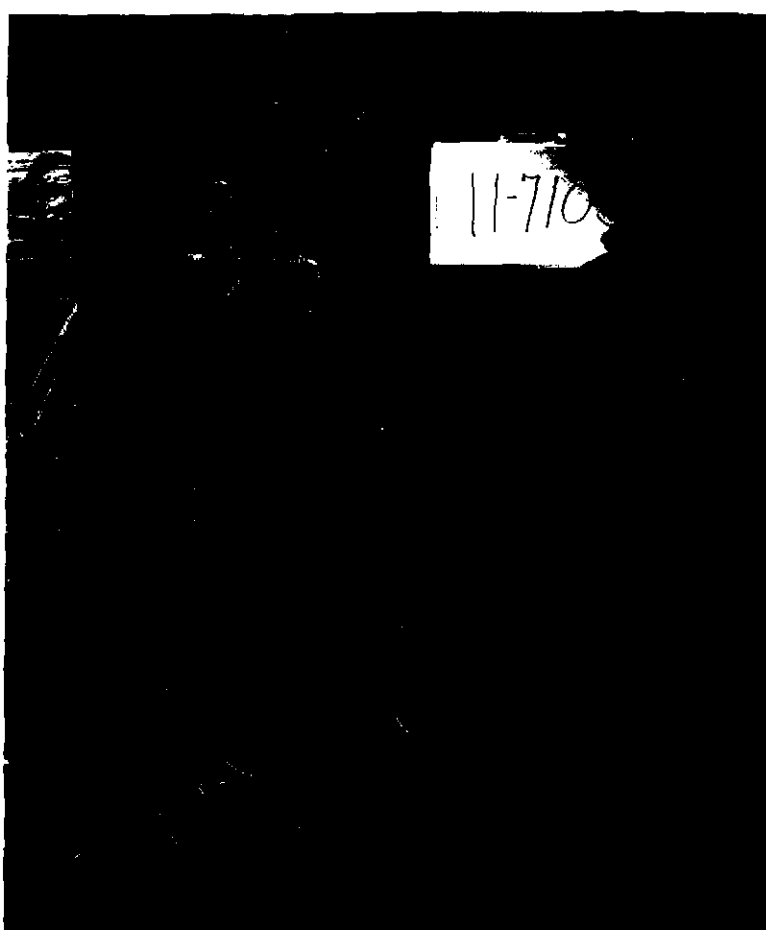
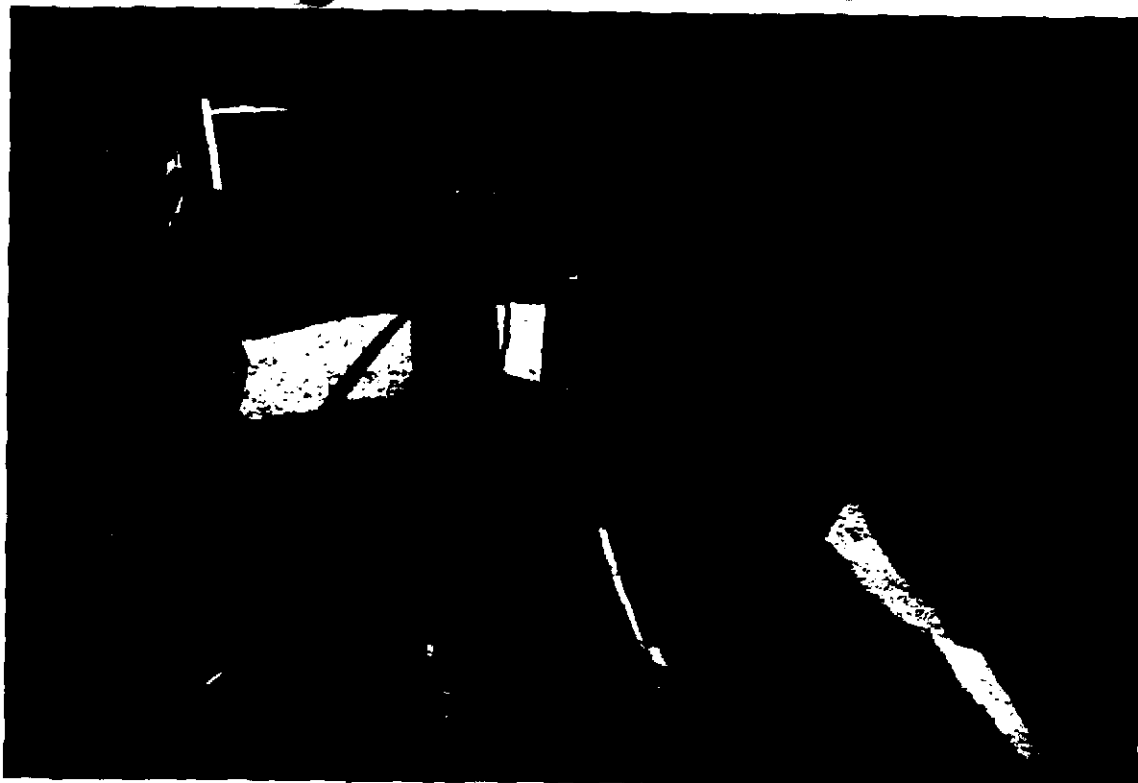
Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13s	45E	27										S							

MICROFILMED

MAR 02 1990

Do not use this space

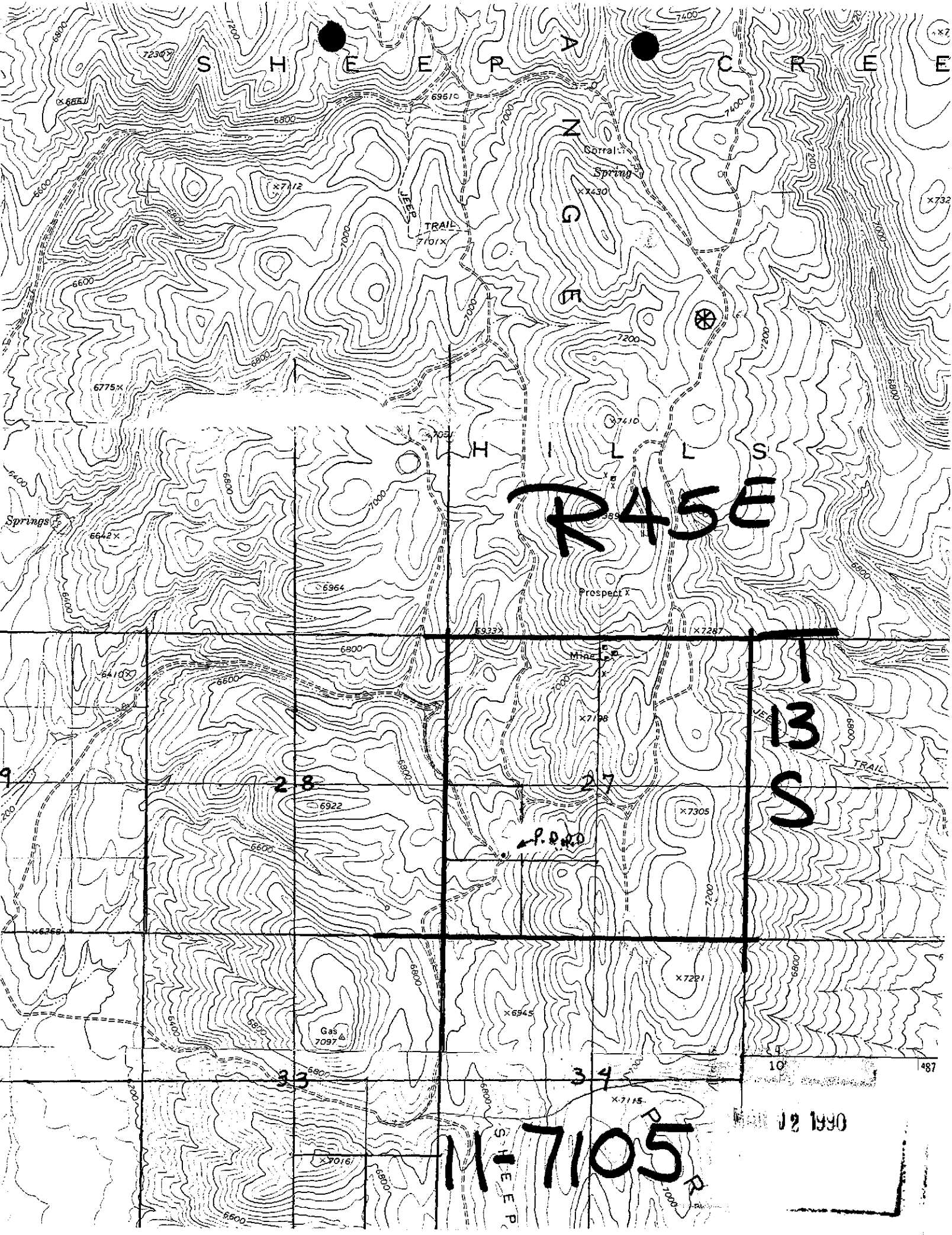
11-7105



11-7105

MAR 02 1990

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D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
U/A						

2. Measurements:

N/A

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$$V_S = 2300 \text{ gal.} \left(\frac{29 \text{ gal./day}}{\text{gal.}} \right) \left(\frac{325 \text{ day/yr}}{\text{yr}} \right) \left(\frac{\text{Ac. Ft.}}{325,850 \text{ gal.}} \right) = 4.59 \text{ AFA}$$

$$V_{C-H} = 580 \text{ gal.} \left(\frac{12 \text{ gal./day}}{\text{gal.}} \right) \left(\frac{325 \text{ day/yr}}{\text{yr}} \right) \left(\frac{\text{Ac. Ft.}}{325,850 \text{ gal.}} \right) = 6.94 \text{ AFA}$$

$$V_T = \sum V = (4.59 + 6.94) \text{ AFA} = 11.53 \text{ AFA.}$$

RECORDED

MAR 02 1990

S = Sheep

C = Cows

H = Horses

H. REMARKS AND OVERLAP REVIEW ANALYSIS

moves back (south) towards troughs then they hook up power and fill troughs in summer.

Notes: There were no identification photos made. Well and Fred did not know what size/make was in well. Also Fred had a hard time locating P.O. on U.S.G.S map and Aerial photo. So, I went to A.S.C.S. in Montpelier and a gentleman at the office helped identify Fred's P.O. The A.S.C.S. helped Fred drill well and they could verify my interpretation of the P.O. location.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1-1	12-31	0.1	11.53
Totals:			0.1	11.53

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Richard Leno
Signature Richard Leno
Certification Date 8-5-88
Field Report Preparation Date _____

Steve McCormick
3 Jan 1988
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

ADM 2/13/89

MICROFILMED

MAR 02 1990

FROM RL

DATE 8-5-88

TO Keith

SUBJECT

I could not do a theoretical calculation because Fred could not remember size of pump/motor or make, he also didn't have any documentation size/make or even an idea how deep well was. I couldn't find a well log and A.S.C.S. in Montpelier didn't have a well report either. This exam was difficult due to lack of information by the water user.

RL
SIGNATURE

THANKS.

FROM *KEITH C. WILSON*

DATE

*8-26-1988*TO FILE *11-7105*SUBJECT *FIELD EXAM*

Daily requirement of 500 range cattle, 80 horses and 2300 sheep will not exceed 13000 g/d; therefore, recommend Licensing @ 0.1 cfs

MICROFILMED

MAR 02 1990

Keith C. Wilson
SIGNATURE

MAR 02 1990

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7105

Name(s) of Permit Holder: Fred Hunzeker
 Post Office Address: Rural Route 1
Montpelier, Idaho
 Tel. No. 847-1803

Source of Water: ☐ Domestic ☒ Stockwater ☐ Irrigation ☐ Other
 Extent of Use: ground water
2300 sheep
500 cattle
50
 (number of households)
 (number and type of stock)
 (acres)

Measuring Device: ☐ Yes ☒ No
 Access Port: ☐ Yes ☒ No
 Installed? ☐ Yes ☒ No
 Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.
5/13/81
 Date
Fred Hunzeker
 Signature of Permit Holder

RECEIVED

JUN 15 1981

Department of Water Resources
 Eastern District Office

RECEIVED

MAY 02 1990

Yellowhouse

WHITEHOUSE

89 Hiway ~~30~~

~~WY~~



00000000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 25, 1981

RE: Permit No. 11-7105

Fred Hunzeker
Rt. #1
Montpelier, ID 83254

Dear Mr. Hunzeker:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

HAROLD JONES
Sr. Resource Agent

HJ:CM

cc: IDWR - State Office

MICROFILMED

MAR 02 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 25, 1981

RE: Permit No. 11-7105

Fred Hunzeker
Rt. #1
Montpelier, ID 83254

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If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

HAROLD JONES
Sr. Resource Agent

HJ:CW

cc: IDWR - State Office

05 JUN 26 1981

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7105

Name(s) of Permit Holder: Fred Hunzeker

Post Office Address: Rural Route 1

Montpelier, Idaho Tel. No. 847-1303

Source of Water: groundwater

Extent of Use: ☐ Domestic ☒ Stockwater ☐ Irrigation ☐ Other

☐ Municipal (number of households)
☒ Stockwater { 2300 sheep (number and type of stock)
☒ Irrigation { 500 cattle (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

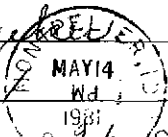
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5/13/81
Date

Fred Hunzeker
Signature of Permit Holder

Frank Hunsicker
Star Rt 7
Montpelier Id 83254



MICROFILMED



RECEIVED
MAY 18 1981

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

September 8, 1977

Re: Permit No. 11-7105

Fred Hunzeker
Montpelier, ID 83254

Dear Mr. Hunzeker:

Enclosed is a copy of your approved Application for Permit No. 11-7105. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

MICROFILMED

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

July 7, 1977

RECEIVED

JUL 8 1977

Department of Water Resources
Eastern District Office

ROBERT GORDON
350-3214

THOMAS W. FORSGREN
350-3213

VERL R. TOPHAM
350-3650

SAM F. CHAMBERLAIN
350-3825

ROSEMARY RICHARDSON
350-3796

MARY STIRK
LEGAL ASSISTANT
350-3217

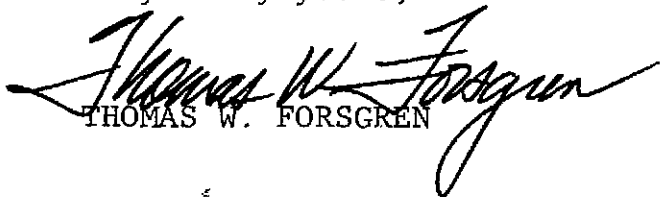
Mr. Ronald D. Carlson
Supervisor
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Enclosed please find Withdrawals of Protest concerning ground water applications previously filed with your Department. With regard to applications for other than ground water, I agree with your language in your June 16, 1977 letter in which you state, "If water is available, the statutes require the Department to issue a permit. If it is not available, then the permit must be denied or approved with conditions to protect prior existing water rights." I don't think there is any question but that the Bear River is fully appropriated and that there is no water which could be the subject of a new permit. As support for this conclusion, I would refer you to the Watermaster's Report on Flow and Diversion for Idaho District II. If you wish us to supply you with this report, we will be pleased to do so. In light of the above, we would respectfully submit that applications for surface water in the subject area be denied.

Thank you for your cooperation in this matter.

Very truly yours,


THOMAS W. FORSGREN

TWF:mb

RECEIVED

JUL 8 1977

Department of Water Resources
Eastern District Office

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATION }
OF FRED HUNZEKER TO DIVERT 0.10 }
C.F.S. OF WATER FROM A GROUND- }
WATER SOURCE BY MEANS OF WELL }
AND PUMP IN BEAR LAKE COUNTY, }
IDAHO. }

APPLICATION NO. 11-7105

WITHDRAWAL OF PROTEST
OF
UTAH POWER & LIGHT COMPANY

COMES NOW the Protestant, Utah Power & Light Company,
and hereby withdraws its protest filed in the above matter with
the understanding that the permit issued by the Department of
Water Resources will be issued subject to prior rights.

DATED this 7th day of July, 1977.

SIDNEY G. BAUCOM
THOMAS W. FORSGREN

By

Thomas W. Forsgren

Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

RECEIVED

COMBINED

11-7100 Thomas T. Piggott; 11-7101 Dale V. Kirby; 11-7105 Fred Hunzeker

Courtroom, Bear Lake County Courthouse, Paris, Idaho

May 3, 1977 - 1:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Hunzeker, Dennis	H. Montpelier, Idaho	Fred W. Hunzeker & Sons
WELM, ARDOR	Montpelier, Id.	" "
LG Wallentine	Paris, Ida.	" "
Rick D. Kirby	Soda Springs Ida.	" "
~~Bliss~~	Fish Haven, Idaho	" "
Dale V Kirby	~~Idaho~~ Soda Springs Idaho	" "
Thomas T. Piggott	Bloomington, Idaho	" "
Don B. Ward	Paris, Idaho	" "

11-7100

April 20, 1977

C
O
Bear Lake County Clerk
Bear Lake County Courthouse
Paris, Idaho 83261

Gentlemen:

P
This letter is to confirm the use of the Courtroom in the Bear Lake County Courthouse on Tuesday, May 3, 1977 beginning at 1:00 p.m., for conferences and/or hearings.

Very truly yours,

Y
RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

RECEIVED
MAY 23 1977
CLERK OF DISTRICT COURT
PARIS, IDAHO

Name and
Address
of Sender

Indicate type of mail:

☐ REGISTERED ☐ REGISTERED
☐ C.O.D. ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional
copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	POST. DEL. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS*
1 279	Mr. Stanley J. Davis, 311 W. 45, Soda Springs 83276	13	60					11-0561 etc
2 280	John & Ida P. Anderson, Box 130, Grace 83241	13	60					"
3 281	Freeman Rasmussen, Box 155, Grace 83241	13	60					"
4 282	Geo B. Roper, Rt #1, Box 126, Grace	13	60					"
5 283	Leonard Kingsford, Attorney, Box 915, Soda Spring	13	60					"
6 284	Merri Thayer for Gerald & Viv Charles Thayer, 526 NW 21st	13	60					11-7097
7 285	Ernest Helm, Attorney, 484 Washington, Portland, Ore 97209	18	60					"
8 286	Thomas Jorgensen, U.S. 1, Box 899, SLC, UT 84110	13	60					11-7100
9 287	Thomas J. Pigott, Beaumont, 83233	13	60					"
10 288	Mr. Fred. Hengeler, Trout Creek 83254	13	60					11-7105
11 289	Dee Leray, Box 835, Soda Springs 83276	13	60					11-7101
12 290	Mr. M. L. Wright, Rt #3, Box 66, Blackfoot	13	60					11-7080
13 291	Neil Biddell, Rt #1, Box 279, Blackfoot	13	60					"
14 292	Wm Haze, 766 Meridian, Blackfoot	13	60					"
15 293	Lucas Bros, Box 362, Soda Springs	13	60					"
16 294	Maurice L. Beck, Arvid 83260	13	60					11-7109
17 295	Mr. W. LeMarl Hearn, Paris 83261	13	60					"
18 296	Mr. Clem. Humphries, Paris 83261	13	60					"
19 297	Scott J. Attag, Paris	13	60					"
20 298	Wm. J. Hanstrom, St. Charles, ID 83277	13	60					"
TOTAL NO. OF PIECES LISTED BY SENDER 20		TOTAL NO. OF PIECES REC'D AT P.O. 20		POSTMASTER (Name of receiving employee)		*Show under "Remarks" does postage paid if other than first or if international		

PS Form 3877, Dec. 1973

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

(Declaration of value is required on international registered mail)
* U. S. GOVERNMENT PRINTING OFFICE: 1974-0-229-726

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval of)
Application for Permit No. 11-7100 THOMAS T.)
PIGGOTT; No. 11-7101 DALE V. KIRBY; and)
No. 11-7105 FRED HUNZEKER)

NOTICE OF COMBINED CONFERENCE
AND/OR HEARING

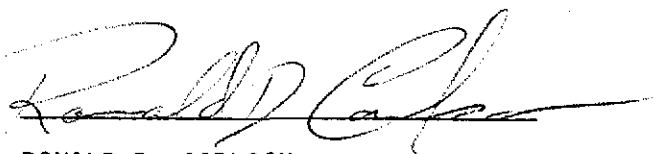
On January 10, 1977, Thomas T. Piggott, filed with the Idaho Department of Water Resources an application to appropriate the public waters of the State of Idaho. On February 10, 1977, Dale V. Kirby and on March 16, 1977, Fred Hunzeker also filed applications with the Department. These applications were subsequently protested by Utah Power and Light Company.

The Department has set the matter of protest for conference and/or hearing for Tuesday, May 3, 1977, at 1:30 p.m. in the Courtroom of the Bear Lake County Courthouse, Paris, Idaho. Because of the similarity of the issues involved, the Department has combined these hearings. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the applications. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 18th day of April, 1977.



RONALD D. CARLSON

Supervisor, Eastern Region

RECEIVED
MAY 10 1977



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT

Cecil D. Andrus
Governor

April 6, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

Mr. Fred Hunzeker
Montpelier, Idaho 83254

Dear Mr. Hunzeker:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 11-7105. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Sincerely truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

April 6, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

RE: Applications for Permit No. 13-7160 PANTER, 11-7105 HUNZEKER, 13-7155 RASMUSSEN
and 21-7105 REYNOLDS

Mr. Thomas W. Forsgren
Attorney
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Forsgren:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

~~Attorneys for Protestant~~
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

April 1, 1977,

RECEIVED

APR 4 1977

Department of Water Resources
Eastern District Office

ROBERT GORDON
350-3214
THOMAS W. FORSGREN
350-3213
VERL R. TOPHAM
350-3650
SAM F. CHAMBERLAIN
350-3825
ROSEMARY RICHARDSON
350-3796
MARY STIRK
LEGAL ASSISTANT
350-3217

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Re: Protests of Utah Power &
Light Company

Enclosed please find, in duplicate, Protests of Utah Power &
Light Company to the following listed Applications:

No. 13-7160	Lorin Spencer Panter
No. 11-7105	Fred Hunzeker
No. 13-7155	Carl J. Rasmussen
No. 21-7105	Dan Reynolds
No. 21-4021	George Nedrow, Jr.

Yours truly,


THOMAS W. FORSGREN

TWF:LK
ENC. - 10



March 18, 1977

RE: Application for Permit No. 11-7105

Mr. Fred Hunzeker
Montpelier,
Idaho 83254

Dear Mr. Hunzeker:

Attached herewith is departmental receipt No. 6451 in the amount of \$10.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

March 18, 1977

RE: Application for Permit No. 11-7105 HUNZEKER

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted _____ by _____

BDC:CM

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred Hunzeker,
Montpelier, Idaho

has on 3-16-77 submitted Application No. 11-7105
for a permit to appropriate 0.10 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 13S, R. 45E, B.M., Bear Lake County;

to be used from June 1 to Nov. 1
for stockwatering purposes for 1000 head of sheep and 50 head of cattle

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 13S, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
April 11, 1977

R. KEITH HIGGINSON

Director

Published in the News-Examiner, Montpelier, Idaho
March 24 and March 31, 1977

MICROFILMED

the
L. H. H.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Hunziker

Application No. _____

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) *mf* *3/16/77*

In form to receipt *yes*

(2) *"* *"*

Send Copies to:

- ☒ Idaho State Health Department
- NA* ☒ Idaho Fish and Game Department
- ☒ Bureau of Land Management

(3) *"* *"*

- ☒ Request Special Use Permit from U.S.F.S.
- NA* ☒ Request Easement from B.L.M.
- ☒ Request Information from Applicant
- ☒ Request Dam Safety Information

(4) *"* *"*

In form for advertising *YPS*

(5) *"* *"*

Platted on Map No. *135-45E. - D D-49*

(6) *"* *"*

Located within Water District No. *Basin 11*

(7) *"* *"*

Critical groundwater area: yes ☐ no ☒

(8) *"* *"*

Groundwater levels: *No near obs wells*

☐ Declining, ☒ Stable, ☐ Increasing

(comment) *No known lowering of water table.*

(9) *"* *"*

Other rights on the same place of use *none*

(10) *"* *"*

Comments: *No known conflicting water rights*

(11) *aw* *4-11-77*

Affidavit of Publication received(date) *April 11-77*

(12) *aw* *4-04-77*

Final date for protests *April 11-1977*
Protests received: yes ☒ no ☐ *withdrawn*

(13) *EMC* *7-20-77*

NA All requested information received from agencies or applicant: yes ☐ no ☐

(14) *EMC* *7-20-77*

Action recommended:

☒ Approve ☐ Deny

3-16-77 Proposed Priority

☐ Reason for Reduction _____

☐ Measuring device required

☐ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District *Eastern* By *Ernest Carlson* Date *7-20-77.*

MICROFILMED

Copy Sent