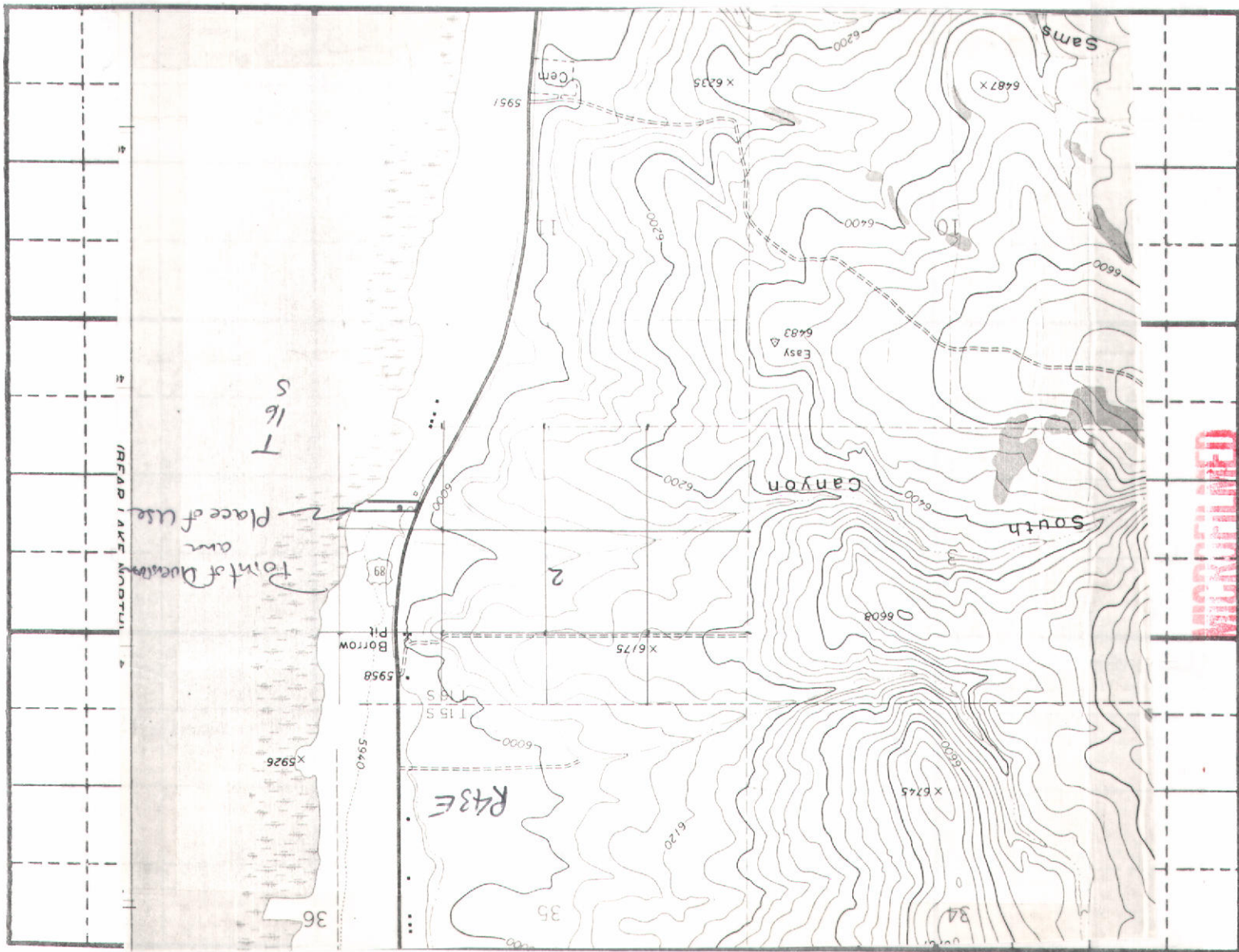


(8) Remarks Irrigation of 2.31 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 2, T.16S, R.43E



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of )  
Utah ) ss. )  
Utah )

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 16 day of August, 1983

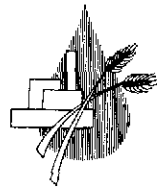
Notary Public  
Caryn J. Jones  
Residing at  
Blaine, Utah

My commission expires 8-13-86

FOR DEPARTMENT USE ONLY

Received by CM Date 6-20-83 Exception filed by: Forwarded to Date  
Prelim. check by JM Date 6-21-83 claimant by:  
\$30.00 fee received by CM Date 6-20-83 #30974  
Published in Nuts & Examined 9/8; 9/15/83  
Dates

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Phillip R. or Joyce S. Kunz  
(Name of Claimant)

3040 Navajo, Provo UT 84604 Telephone No. 375-0132  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1, 1940

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
Spring tributary to Bear Lake

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| Quantity             | (cfs, af) | Use                   | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                 |
|----------------------|-----------|-----------------------|-------------------------------------|-------------------------------|-----------------|
|                      |           |                       |                                     | (Mo., Day)                    | (Mo., Day)      |
| Quantity <u>0.30</u> |           | Use <u>Irrigation</u> |                                     | Period of Use From <u>4-1</u> | To <u>10-31</u> |
| Quantity <u>0.02</u> |           | Use <u>Stockwater</u> |                                     | Period of Use From <u>1-1</u> | To <u>12-31</u> |
| Quantity _____       |           | Use _____             |                                     | Period of Use From _____      | To _____        |
| Quantity _____       |           | Use _____             |                                     | Period of Use From _____      | To _____        |
| Quantity _____       |           | Use _____             |                                     | Period of Use From _____      | To _____        |

(4) 0.32 cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SE 1/4, Sec. 2 Twp. 16S Rge. 43E B.M., County of Bear Lake  
Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Spring and ditch beginning on irrigated property.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T   | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |      | TOTAL |
|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-------|
|     |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼  |       |
| 16S | 43E | 2    |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 2.31 | 2.31  |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |       |

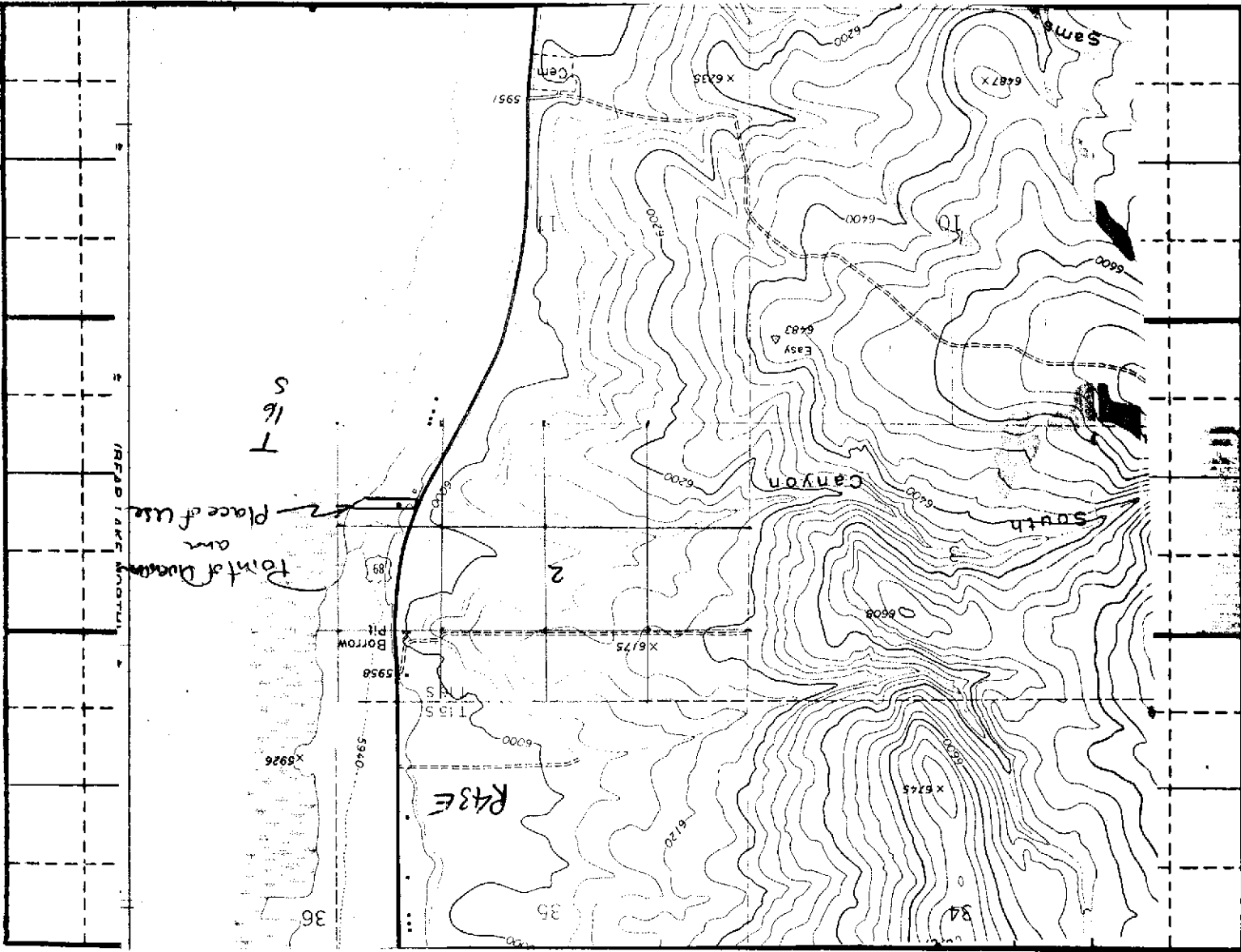
No. of acres 2.31

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
water range cattle and sheep. fifteen range cattle and five  
dry cattle.

NOTE: Include here the type and number of stock watered: 30 sheep and 20 cows

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks — Irrigation of 2.31 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 2, T. 16S, R. 43E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho  
County of Utah

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 16 day of August, 1983.

(Claimant)

Notary Public  
Residing at

Carleton  
Blanco

My commission expires 8-13-86

FOR DEPARTMENT USE ONLY

Date 6-20-83 Exception filed by: 8-29-83

Forwarded to  
claimant by:

Date

Date 6-20-83 #30974

Received by CM

Prelim. check by JM

Published in 9/8; 9/15/83

Dates

NE Corner  
SW 4 SE 4  
Section 2  
T16S, R43E  
B.M.

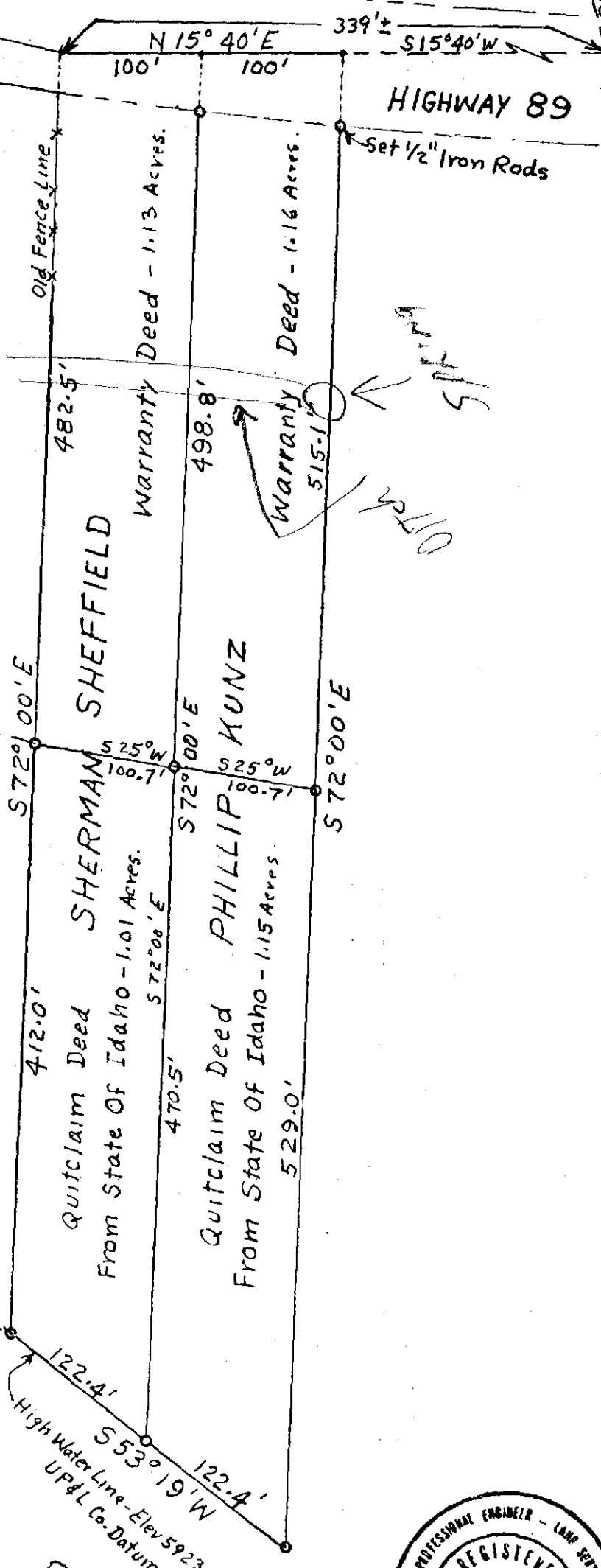
Forward Tangent  
N 28° 58' E - 314.0' from P.C.  
R/W Brass Cap Monuments.

RECEIVED

JUN 20 1983

Department of Water Resources  
Eastern District Office

Margorie Thatcher Property



Plat of  
SHERMAN SHEFFIELD  
And PHILLIP KUNZ  
Property

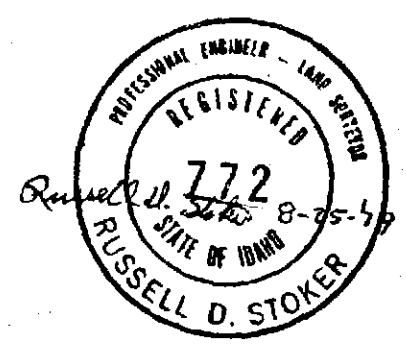
North of Fish Haven, Idaho

Scale: 1" = 100'

8-25-'79

R.D. Stoker  
Engineer  
Soda Springs, Idaho

BEAR LAKE



## CLAIM TO A WATER RIGHT

Eastern District Office

Under the provisions of Section 42-243, **Idaho Code**, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), **Idaho Code**. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

**The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.**

Notice is hereby given that Phillip R KUNZ or Joyce S KUNZ  
(Name of Claimant)

3040 NAVAJO PROVO UT 84604 Telephone No. 3750132

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: water used for the same purpose

(1) Date of priority: (When was the water first applied to a beneficial use) App. 20x 1900, but firm from 1940

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Bear Lake

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| (cfs, af) |            | (Domestic, Irrigation, Stock, Etc.) |                       | (Both dates inclusive) |                               |
|-----------|------------|-------------------------------------|-----------------------|------------------------|-------------------------------|
|           |            |                                     |                       | (Mo., Day)             | (Mo., Day)                    |
| Quantity  | <u>.30</u> | Use                                 | <u>Irrigation</u>     | Period of Use From     | <u>Apr 1</u> To <u>Oct 31</u> |
| Quantity  | <u>.02</u> | Use                                 | <u>Stock Watering</u> | Period of Use From     | <u>Jan 1</u> To <u>Dec 31</u> |
| Quantity  | _____      | Use                                 | _____                 | Period of Use From     | _____ To _____                |
| Quantity  | _____      | Use                                 | _____                 | Period of Use From     | _____ To _____                |
| Quantity  | _____      | Use                                 | _____                 | Period of Use From     | _____ To _____                |

(4) 32 TOTAL QUANTITY USED.  
(cfs. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ SE ¼, Sec. 2 Twp. 16 S Rge. 43 E B.M., County of Bear Lake  
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Spring and ditch beginning on irrigated property

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 2.31

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

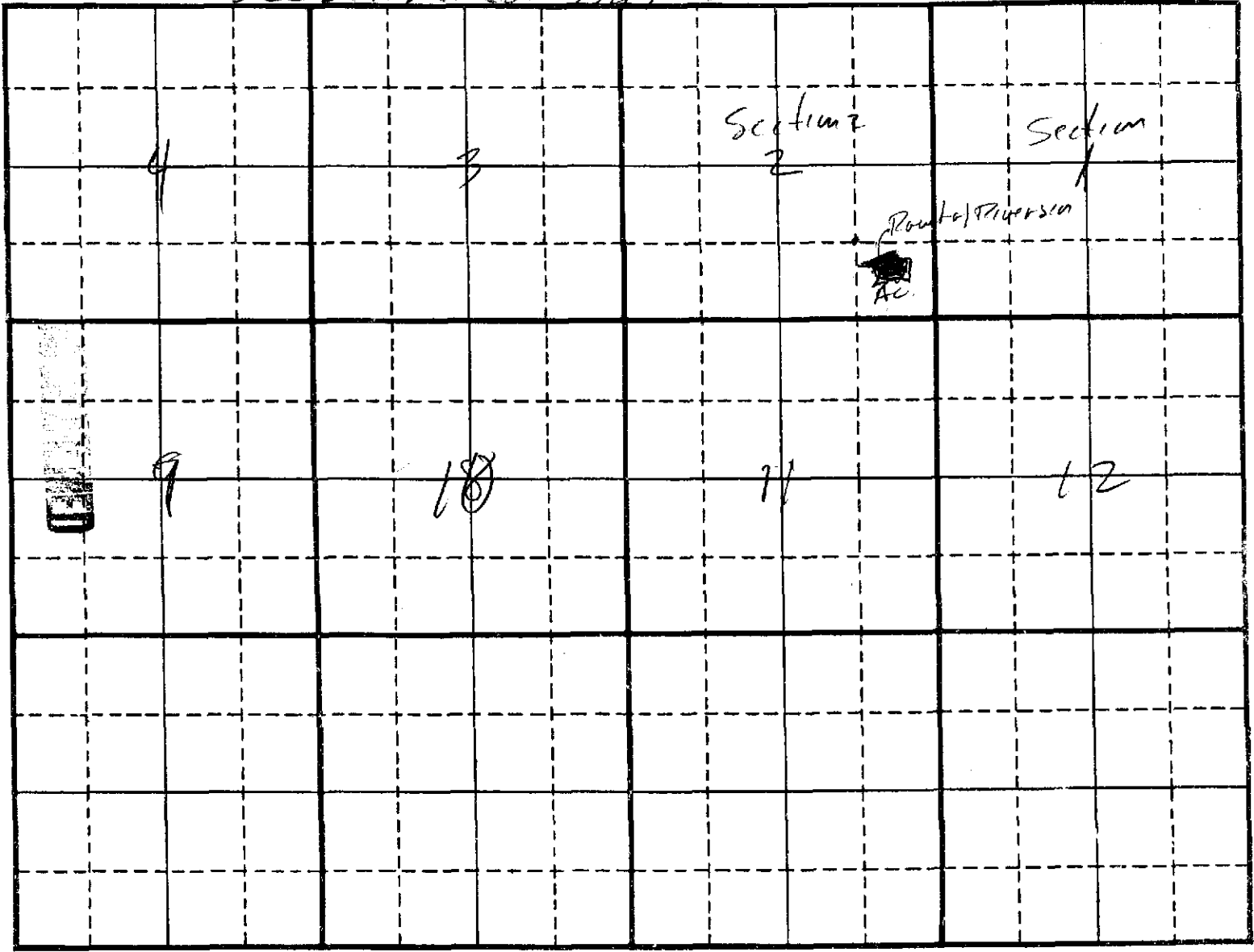
STOCK WATER

NOTE: Include here the type and number of stock watered: 30 sheep - 10 cows

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks 2.31 Acres Irrigation of 2.31 Acres in the  
SE 1/4 SE 1/4 Section 2, T16S, R43E B.M.

see attached plat



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Utah )  
County of Utah ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17 day of June, 1983

[Signature]  
(Claimant)  
Beverly Davis  
Notary Public  
Residing at Provo, Utah

My commission expires Aug 1986

|                                   |                     |                     |              |
|-----------------------------------|---------------------|---------------------|--------------|
| FOR DEPARTMENT USE ONLY           |                     |                     |              |
| Received by <u>CW</u>             | Date <u>6-20-83</u> | Exception filed by: | Forwarded to |
| Prelim. check by <u>14M</u>       | Date <u>6-21-83</u> |                     | claimant by: |
| \$30.00 fee received by <u>CW</u> | Date <u>6-20-83</u> |                     |              |
| Published in                      | <u>#30974</u>       |                     |              |
| Dates                             |                     |                     |              |

SEP 22 1983 # 815  
Nº 2389

RECEIVED

OCT 13 19

# AFFIDAVIT OF PUBLICATION

Department of Water,  
Eastern District of

STATE OF IDAHO,

County of Bear Lake

ss.

*Marie B. Nye*

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 *2* 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

*September 8*, 19*83*, and ending

with the issue of *September 15*, 19*83*

*Marie B. Nye*

Fees, *\$ 38.13*

Subscribed and sworn to before me this *22<sup>nd</sup>* day of *September*, 19*83*

*Alvin L. Green*  
Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

LEGAL NO. 2389

## NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

11-4267

DERRICOTT, PHIL &/or JUANITA  
STAR RT. 2, BOX 2040, MONTPELIER, ID  
83254

Source: SPRINGS trib. to BEAR RIVER

Priority Date: 05/01/1952

Diversion Pt: SENW Sec 28 T 12S R 44E

Use: IRRIGATION (0.40 CFS)

STOCKWATER (0.04 CFS)

In: SENW NESW Sec 28 T 12S R 44E FOR 60  
ACRES

11-4268

DINGLE IRRIGATION CO.

DINGLE, ID 83233

Source: BEAR RIVER trib. to GREAT SALT  
LAKE

Priority Date: 06/01/1969

Diversion Pt: SWNE Sec 17 T 14S R 45E

Use: IRRIGATION (7.33 CFS)

In: SWNE SENE NESW SESE NESE NWSE

SWSE SESE Sec 13 T 14S R 44E SENE

NESW NESE NWSE Sec 18 T 14S R 44E

SWNW Sec 17 T 14S R 45E FOR 440  
ACRES

11-4269

KUNZ, PHILLIP R. &/or JOYCE S.

3040 NAVAJO, PROVO, UT 84604

Source: SPRING trib. to BEAR LAKE

Priority Date: 05/01/1940

Diversion Pt: SESE Sec 02 T 16S R 43E

Use: IRRIGATION (0.30 CFS)

STOCKWATER (0.02 CFS)

In: SESE Sec 02 T 16S R 43E FOR 2 ACRES

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 150  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402

KEN DUNN, Dir.

9-8, 9-15  
45 LINES

PAGE 1  
18-MAR-1986 23:47:01

ORIG. OWNER

05001 - C  
05002 - C

10 STATE - UT 11 ZIP - 84604

TRIBUTARY OF  
15001 - BEAR LAKE

17 COUNTY - 07 BEAR LAKE

20 TOTAL DIVERSION VOLUME - .00

TRACT SEC TWN RNG DIVERSION POINTS LOT EFLG STR EAM INDEX FIELD S

```

22001 - SESE 23001 - QZ 24001 - 16S 25001 - 43F 26001 - 27001 -
28001 - 0 0.0 0.0 0.0 0.0 0.0 0 0 0 0.0

```

| USE CODE / USE | TWN | RNG | PLACE OF USE | SEC | TRACT | ACRES | LOT |
|----------------|-----|-----|--------------|-----|-------|-------|-----|
|                |     |     |              |     |       |       |     |

**TOTAL ACRES: 2**

[illegible]

43 DEFENDANT NAME -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

|    | D A T E S        |            | D A T E S | F L A G S           |
|----|------------------|------------|-----------|---------------------|
| 47 | PRIORITY         |            |           |                     |
| 48 | PROCF DUE        | 1-MAY-1940 |           |                     |
| 49 | PROCF MADE       |            |           |                     |
| 50 | APPROVE/DENIED   |            |           |                     |
| 51 | PROCTESTED       |            |           |                     |
| 52 | HEARING          |            |           |                     |
| 55 | LICENSE          |            |           | 63 TRANSFER/AMENDED |
| 56 | APPL RECEIVED    |            |           | 64 DLE/CAREY ACT    |
| 57 | FIELD EXAM MADE  |            |           | 65 FLAG-1           |
| 58 | DECREE           |            |           | 66 FLAG-2           |
| 59 | START WORK       |            |           | 67 FLAG-3           |
| 60 | ORDER SHOW CAUSE |            |           |                     |

WRR100  
11-4269

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS PROOF READING REPORT

PAGE 2  
18-MAR-1986 23:47:01

53 VERIFIED  
54 LAST UPDATE - 18-MAR-1986

61 DATE-1  
62 DATE-2

D A T E S

D A T E S

F L A G S

38/02/8  
VERIFIED KN

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

SEPTEMBER 26, 1983

MICROFILMED

PHILIP R. KUNZ  
JOYCE S. KUNZ  
3040 NAVAJO  
PROVO

UT 84604

RE: Claim No. 11-4269

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON  
Eastern Region Supervisor

Enclosure



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

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

September 27, 1983

RE: Claim to a Water Right No. 11-4267 DERRICOTT  
11-4268 DINGLE IRRIGATION CO.  
11-4269 KUNZ

Application for Permit No. 11-7325 ETCHEVERRY  
11-7326 McFARLAND  
11-7327 SULEX CO. TRUST

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 September 8 and 15, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

*Called  
10-7-83  
cw*



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

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

September 1, 1983

RE: Claim to a Water Right No. 11-4267 DERRICOTT  
11-4268 DINGLE IRRIGATION  
11-4269 KUNZ

Russell Stoker, Watermaster  
Water District No. 11  
279 East Third North  
Soda Springs, ID 83277

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

11 4264

Applicant

Phillip R. or Joyce S. Remy

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By

Ernest Carlson

Date

Oct 17, 1983.

*Sept 26, 1983*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

PC

Date

10-25-83

RECEIVED  
OCT 20 1983

Department of Water Resources

*W*





# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup - Suite 15  
Idaho Falls, Idaho 83401  
(208) 525-7161

August 12, 1983

Phillip R. or Joyce S. Kunz  
3040 Navajo  
Provo, UT 84604

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided: ON TYPED CLAIM FORM

- ☐ Complete name.
- ☐ Complete mailing address.
- ☒ Date of priority (month, day, and year). *Chose only one date*
- ☐ Source of water.
- ☒ Quantity claimed to have been used. *Item 3 and item 4 give units*
- ☐ Nature of use and period of use.
- ☐ Location of point(s) of diversion.
- ☐ Location of place of use (acres irrigated if water is claimed for irrigation).
- ☐ Filing Fee (Amount \$ \_\_\_\_\_).
- ☒ Signature.
- ☒ Notarization of signature.
- ☒ Other: Item 6 B under "Note" indicate type of use:  
(dairy or range cattle)

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

*Keith C. Wilson*

11-4269-

KUNZ, PHILLIP R. &/or JOYCE S.

3040 NAVAJO, PROVO, UT 84604

Source: SPRING trib. to BEAR LAKE

Priority Date: 05/01/1940

Diversion Pt: SESE Sec 02 T 16S R 43E

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.30 CFS) |
| STOCKWATER      | (0.02 CFS) |

In: SESE Sec 02 T 16S R 43E FOR 2 ACRES

11-4269-10