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Documents
In File

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 Erd Hunzeker & Sons
(Name of Claimant)
Rural Route 1 Montpelier, Idaho Telephone No. 847-1303
(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) X Dec 31 - 1875

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 SINKS.

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>	Use <u>Stockwater.</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 _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.02 cfs. TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 29 Twp. 13S Rge. 45E 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. Excavated pond.

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	45E	29				X													

No. of acres _____

If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 2500 sheep 500 cattle

If you are claiming water as a member of an organization, list name of organization: _____

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FOR DEPARTMENT USE ONLY
Date 12-22-81
Exception filed by: *SM*
Date 12-22-81
Filed by *SMC 5/13/81*
Date 12-23-81
Notarized by *SMC*
Date 12-23-81
Published in *Montpelier*
#00023
Dates 1-7 & 1-14-81

Forwarded to
claimant by:
Date

My commission expires

Life time

Notary Public
Residing at

Montpelier, Vt

South Whalla

Sworn to before me this *21st* day of *December*, 19 *81*

X Ned M. Huntington, Jr. D.M.
(Claimant)
Montpelier, Vt

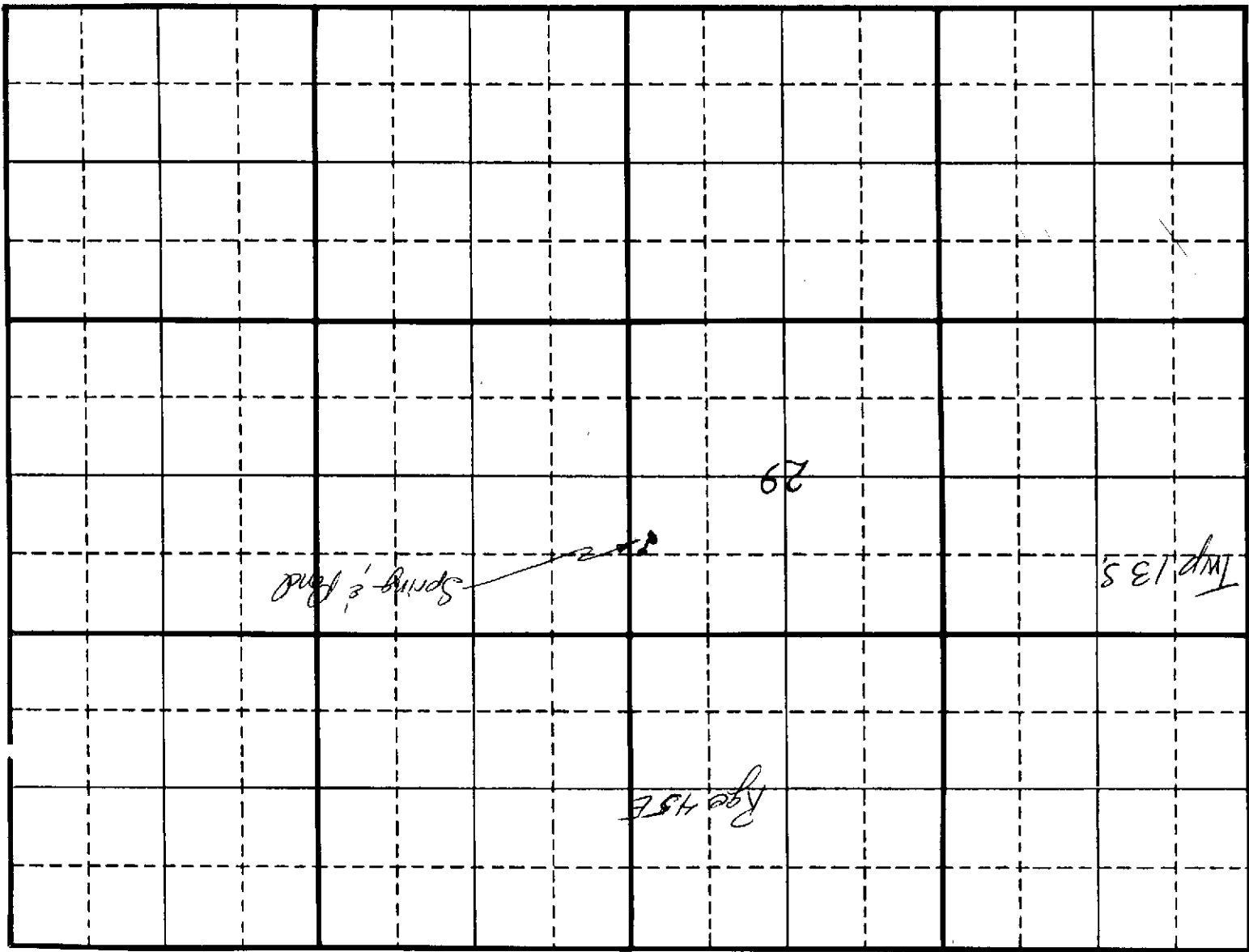
affiant's knowledge.

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

State of Idaho
County of *Blaine Lake*
ss.

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.

Scale: 2 inches equal 1 mile.



(8) Remarks *Spring was originally developed by Col. Banks one of the first settlers in this area.*

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

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 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

1-7, 1982 and ending with the issue of 1-14, 1982

Fees, 0.00

Subscribed and sworn to before me this 20th day of January, 1982

Karla Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March, 1985

LEGAL NO. 1888 NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use

11-4210

HUNZEKER, FRED & SONS
RT. 1, MONTPELIER, ID 83254
Source: SPRING tributary to SINKS
Priority Date: 12-31-1875
Amount: 0.02 CFS
Diversion Point: SENE Sec 29 T 13S R 45E, BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS) from 01-01 to 12-31
Place of Use: SENE Sec 29 T 13S R 45E

Diversion Means: EXCAVATED POND

11-4211

HUNZEKER, FRED & SONS
RT. 1, MONTPELIER, ID 83254
Source: SPRINGS tributary to SINKS
Priority Date: 04-02-1891
Amount: 1.11 CFS
Diversion Point: NENW SENW NESW Sec 15 T 13S R 44E, BEAR LAKE Co.
Use: IRRIGATION (1.00 CFS) from 04-15 to 10-15

STOCKWATER (0.11 CFS) from 01-01 to 12-31

Place of Use: SWSW SESW SWSE Sec 10 T 13S R 44E NWNE SWNE NENW NWNW SWNW SENW NESW NWSE Sec 15 T 13S R 44E FOR 147 ACRES
Diversion Means: LEVEES TO DITCHES TO FLOOD IRRIGATION

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

RECEIVED

JAN 25 1982

Department of Water Resources
Eastern District Office

01 WATER RIGHT NUMBER - 11-4210 02 BLD (CD) NUMBER -

03001 - HUNZEKER LAST NAME 04001 - FRED & SONS FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 - RT. 1

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MONTPELIER

10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SOURCE SPRING

15001 - SINKS TRIBUTARY OF

16 DIVERSION MEANS - EXCAVATED POND

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .020

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG DIVERSION POINTS LOT RFLG STREAM INDEX FIELDS

22001 - SENE 23001 - 29 24001 - 13S 25001 - 45E 26001 - 27001 - 28001 - 0 100.0 178.6 0.0 0.0 0.0 0 0 0 3.2

29 NON-IRRIGATION USE - S/500 RANGE; 2500 SHEEP

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

30001 - 04 STOCKWATER 31001 - 13S 32001 - 45E 33001 - 29 34001 - SENE 35001 - 36001 - TOTAL ACRES: 0

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0101 38001 - 1231 39001 - 04 STOCKWATER 40001 - 0.020 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 31-DEC-1875 55 LICENSE - D A T E S - 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 OLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 12-JAN-1982 62 DATE_2 -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 23, 1982

FRED & SONS HUNZEKER
RT. 1
MONTPELIER

ID 83254

RE: Claim No. 11-4210

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

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FEB 18 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan McCormickRight Number 11 4210 Applicant HUNTERNOTE: 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 Feb 4, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 2/18/82

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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
SENE	29	13S	45E	--	--	003.2

IDAHO STREAM CODE INDEX

1000-178.6

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 29, 1981

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JANUARY 25, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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A. KENNETH DUNN

Director

Published 1/7/ & 1/14/82.

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11-4210

HUNZEKER, FRED & SONS

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Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

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Diversion Means: EXCAVATED POND

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