

No Color
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 Fred Hunzeker & Son S.
(Name of Claimant)

Rural Route #1 Montpelier Idaho. 83254 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) May 15, 1932

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)

tributary to West Fork of Sheep Creek

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

		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>202 cfs.</u>	Use <u>Stockwater.</u>	Period of Use From <u>May 15</u>	To <u>Dec. 1</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. and AFA)

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

SE ¼ NW ¼, Sec. 14 Twp. 13 S Rge. 45 E B.M., County of Bear Lake.

Additional points of diversion: SESE Sec 23, NWNW Sec 24, NWSE Sec 25

SENE Sec 26 T. 13S R. 45E.

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 spring*

(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]

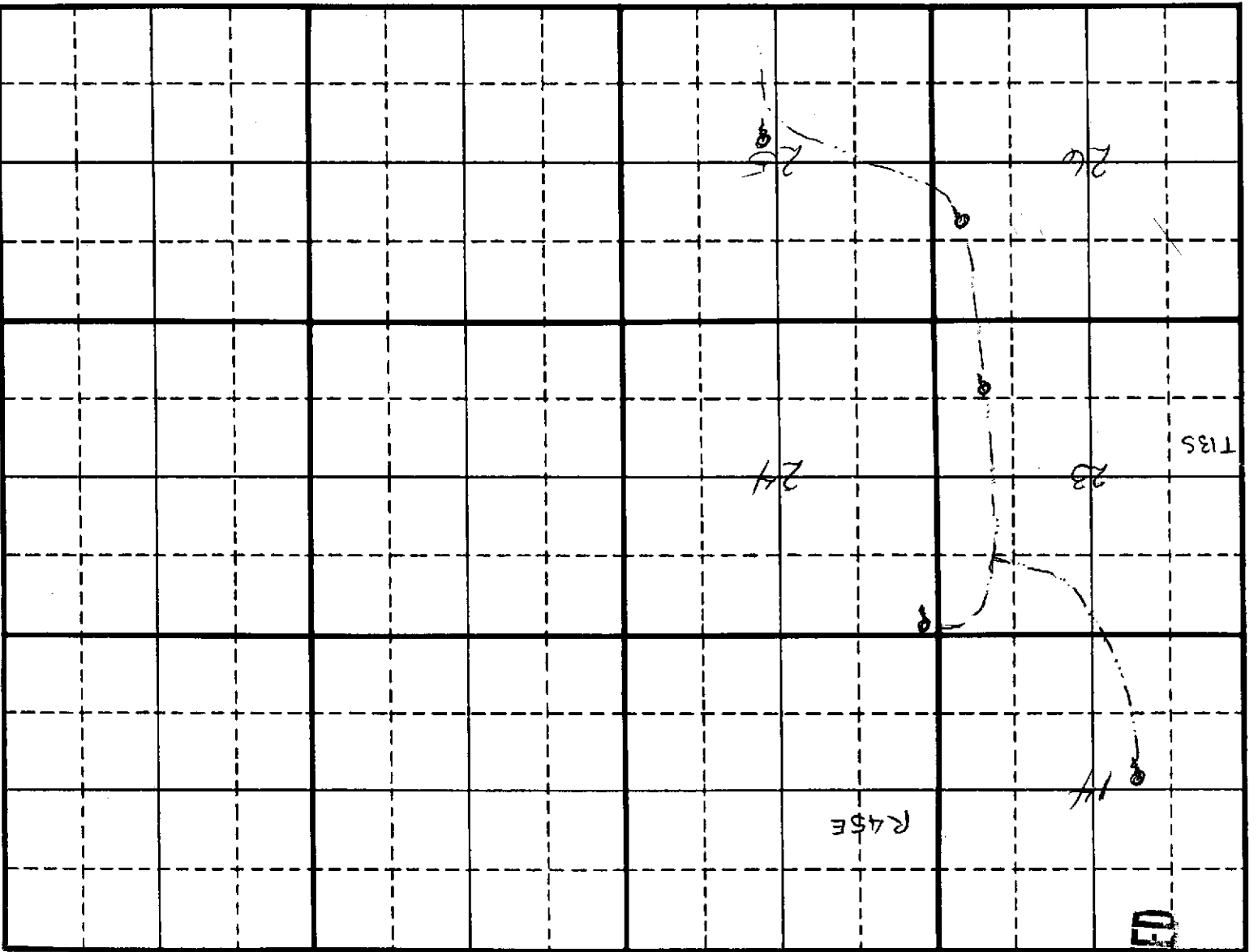
No. of acres _____

B) 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:

RECEIVED



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 BEAR LAKE 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 13 day of MAY 1984.

(Claimant)
William Rhoads
Notary Public
Residing at Idaho Falls

My commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by Kew Date 5-14-81
Prelim. check by Kew Date 5-14-81
\$20.00 fee received by Kew Date 5-14-81
Published in Idaho Examiner #17652 Date 5-14-81
Dates 9/28 4/24/81

Forwarded to
claimant by:

Date

AFFIDAVIT OF PUBLICATION

AHO, }
r Lake } ss.

being duly sworn,
says:

ne Public Examiner of
NER, a weekly newspaper published at N
County of Bear Lake and State of Idaho;
as been and is in general circulation in
aid, and in the vicinity of Montpelier; tha
a copy of which is attached hereto, was
newspaper once a week for
s in the regular and entire issue of said p
iod and time of publication, and was publi
per proper and not a supplement; that
n established and regularly published for
eight consecutive weeks prior to the da
on of said advertisement.

was published in the issue beginning wi

6-4, 1981, and er
of 6-11, 1981

and sworn to before me this 4-4

Request, 1981

Santa Taylor

Notary Public, Residing at Montpelier,

on Expires Lifetime 1

Public Notices

Place of Use: SESW SWSE Sec 15 T
13S R 43E NWNW Sec 22 T 13S R
43E FOR 92 ACRES
Diversión Means: DITCH, PUMP &
SPRINKLER.

11-4111
HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254
Source: SPRING tributary to SHEEP
CREEK

Priority Date: 05-01-1931
Amount: 0.02 CFS
Diversión Point: SWNE Sec 25 T 13S R
45E, BEAR LAKE Co.
Use: STOCKWATER (0.02 CFS)
from 05-01 to 12-15

Place of Use: SWNE Sec 25 T 13S R
45E
Diversión Means: EXCAVATED
SPRING AREA.

11-4112
HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254

Source: SPRINGS tributary to SINKS
Priority Date: 05-15-1944
Amount: 0.02 CFS
Diversión Point: NWNE SWNE
NENW Sec 15 T 13S R 45E, BEAR LAKE
Co.

Use: STOCKWATER (0.02 CFS)
from 05-15 to 12-01
Place of Use: NWNE SWNE NENW
Sec 15 T 13S R 45E
Diversión Means: EXCAVATED

to be advised that in the public
the Bear River Mosquito Abatement
will be spraying cythion - malathion
- throughout the cythion - malathion
- July and August, 1981. The cythion -
on chemical could possibly do
to General Motors automobile paint.
e listen to KASI Radio Station,
er, Idaho for the exact dates of

PONDS.

11-4113
HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254

Source: SPRINGS tributary to SHEEP
CREEK, WEST FORK
Priority Date: 05-15-1932
Amount: 0.02 CFS
Diversión Point: SENW Sec 14 T 13S R
45E SESE Sec 23 T 13S R 45E NWNW Sec
24 T 13S R 45E NWSE Sec 25 T 13S R 45E
SENE Sec 26 T 13S R 45E, BEAR LAKE
Co.

Use: STOCKWATER (0.02 CFS)
from 05-15 to 12-01
Place of Use: SENW Sec 14 T 13S R
45E SESE Sec 23 T 13S R 45E NWNW Sec
24 T 13S R 45E NWSE Sec 25 T 13S R 45E
SENE Sec 26 T 13S R 45E
Diversión Means: EXCAVATED
SPRING.

11-4114
NIELSON, ADRAIN
P.O. BOX 26, OVID, ID 83260
Source: OVID CREEK tributary to
BEAR RIVER

Priority Date: 04-10-1890
Amount: 6.00 CFS
Diversión Point: NENW Sec 23 T 13S R
43E, BEAR LAKE Co.
Use: IRRIGATION (6.00 CFS)
from 05-15 to 10-15
STOCKWATER (0.02 CFS)
from 01-01 to 12-31

Place of Use: SWNW Sec 24 T 13S R
43E FOR 30 ACRES
Diversión Means: BOARD DAM.

11-4115
NIELSON, ADRAIN
P.O. BOX 26, OVID, ID 83260
Source: OVID CREEK tributary to
BEAR RIVER

Priority Date: 03-21-1889
Amount: 52.00 CFS
Diversión Point: NENW Sec 23 T 13S R
43E SENW Sec 19 T 13S R 44E, BEAR
LAKE Co.
Use: IRRIGATION (52.00 CFS)
from 05-15 to 10-15

Place of Use: NENE SENE Sec 23 T
13S R 43E SWNE SENE NWNW SWNW
SENE NESE SESE Sec 24 T 13S R 43E
NENE Sec 25 T 13S R 43E NWSW SWSW
Sec 19 T 13S R 44E FOR 263 ACRES
Diversión Means: HEADGATES.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho Falls,
Idaho 83401.

A. KENNETH DUNN
Director

Published 5-28 & 6-04-81.

6-4, 6-11
201 LINES

MICROFILMED

WRR100
11-4113

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 10:39:24

01 WATER RIGHT NUMBER - 11-4113 02 OLD (D) NUMBER -

LAST NAME
03001 - HUNZEKER & SONS

FIRST NAME
04001 - FRED

ORIG. OWNER
05001 - C

06 ADD LINE 1 - RURAL 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 -

SOURCE
14001 - SPRINGS

TRIBUTARY OF
15001 - SHEEP CREEK, WEST FORK

16 DIVERSION MEANS - EXCAVATED SPRING.

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	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD S
22001 -	SENW	23001 - 14	24001 - 13S	25001 - 45E	26001 -	27001 -	0.0	0.0	0.0
22002 -	SESE	23002 - 23	24002 - 13S	25002 - 45E	26002 -	27002 -	0.0	0.0	0.0
22003 -	NMNW	23003 - 24	24003 - 13S	25003 - 45E	26003 -	27003 -	0.0	0.0	0.0
22004 -	SENE	23004 - 25	24004 - 13S	25004 - 45E	26004 -	27004 -	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/2500 SHEEP, 500 RANGE.

USE CODE / USE	TWN	RNG	PLACE OF USE	TRACT	ACRES	LOT
30001 - 04 STOCKWATER	31001 - 13S	32001 - 45E	33001 - 14	34001 - SENW	35001 -	36001 -
30002 - 04 STOCKWATER	31002 - 13S	32002 - 45E	33002 - 23	34002 - SESE	35002 -	36002 -
30003 - 04 STOCKWATER	31003 - 13S	32003 - 45E	33003 - 26	34003 - SENE	35003 -	36003 -
30004 - 04 STOCKWATER	31004 - 13S	32004 - 45E	33004 - 25	34004 - NWSE	35004 -	36004 -
30005 - 04 STOCKWATER	31005 - 13S	32005 - 45E	33005 - 24	34005 - NMNW	35005 -	36005 -

TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0515	38001 - 1201	39001 - 04 STOCKWATER	40001 -	0.020	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

WRR100
11-4113

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
16-DEC-1985 10:39:24

	PRIORITY	D A T E S		D A T E S	F L A G S
47	PROOF DUE	15-MAY-1982	55	LICENSE	63 TRANSFER/AMENDED
48	PROOF MADE		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	3-JUN-1981	62	DATE_2	

78/4/82
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KCW

Right Number 11 4113 Applicant Fred Hunzeker & Son

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.

6/15

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 8-14-81
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 8-19-1981



STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jhni Date 8/24/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 17, 1981

FRED HUNZEKER & SONS
RURAL RT. 1
MONTPELIER

ID 83254

RE: Claim No. 11-4113

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

MICROFILMED

3/79

IDENT. NO. 11 4113

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

kw

5/21/81

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 4, 1981

RE: Attached Listing of Needed Affidavits of Publication

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

Gentlemen:

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

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

SECRET

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

July 1, 1981

RE: Claim to a Water Right No. 11-4105, 11-4106, 11-4107, 11-4108,
11-4109, 11-4110, 11-4111, 11-4112,
11-4113, 11-4114, 11-4115,

Application for Permit No. 11-7255, 11-7258, 11-7259

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on May 28 and June 4, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

MICROFILMED

11-4113.

HUNZEKER & SONS. FRED

RURAL RT. 1. MONTPELIER, ID 83254

Source: SPRINGS tributary to SHEEP CREEK, WEST FORK

Priority Date: 05/15/1932

Amount: 0.02 CFS

Diversion Point: SENW Sec 14 T 13S R 45E SESE Sec 23 T 13S R 45E NWNW
Sec 24 T 13S R 45E NWSE Sec 25 T 13S R 45E
SENE Sec 26 T 13S R 45E, BEAR LAKE Co.

Use: STOCKWATER (0.02 CFS) from 05/15 to 12/01

Place of Use: SENW Sec 14 T 13S R 45E SESE Sec 23 T 13S R 45E NWNW
Sec 24 T 13S R 45E NWSE Sec 25 T 13S R 45E SENE
Sec 26 T 13S R 45E

Diversion Means: EXCAVATED SPRING.

MICROFILMED