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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 Fred Hunzeker & Sons.

(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 1, 1931.

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 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs.</u>		Use <u>Stock water</u>		Period of Use From <u>May 1</u>	To <u>Dec 15</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)

SW 1/4 NE 1/4, Sec. 25 Twp. 13 S Rge. 45 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. Excavated spring area.

- (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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>13 S</u>	<u>45 E</u>	<u>25</u>			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, 300 cattle.

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

RECEIVED
MAY 13 1981

FOR DEPARTMENT USE ONLY

Received by: <u>5-13-81</u>	Date: <u>5-14-81</u>	Exception filed by: _____	Forwarded to: _____
Prelim. check by: <u>100</u>	Date: <u>5-14-81</u>	claimant by: _____	Date: _____
Published in <u>Idaho Examiner # 17653</u>			
Dates <u>5/88 to 6/04/81</u>			

My commission expires May 4, 1984

Notary Public William Rhodes
Residing at Alamo Falls

Sworn to before me this 13 day of MAY, 1981.

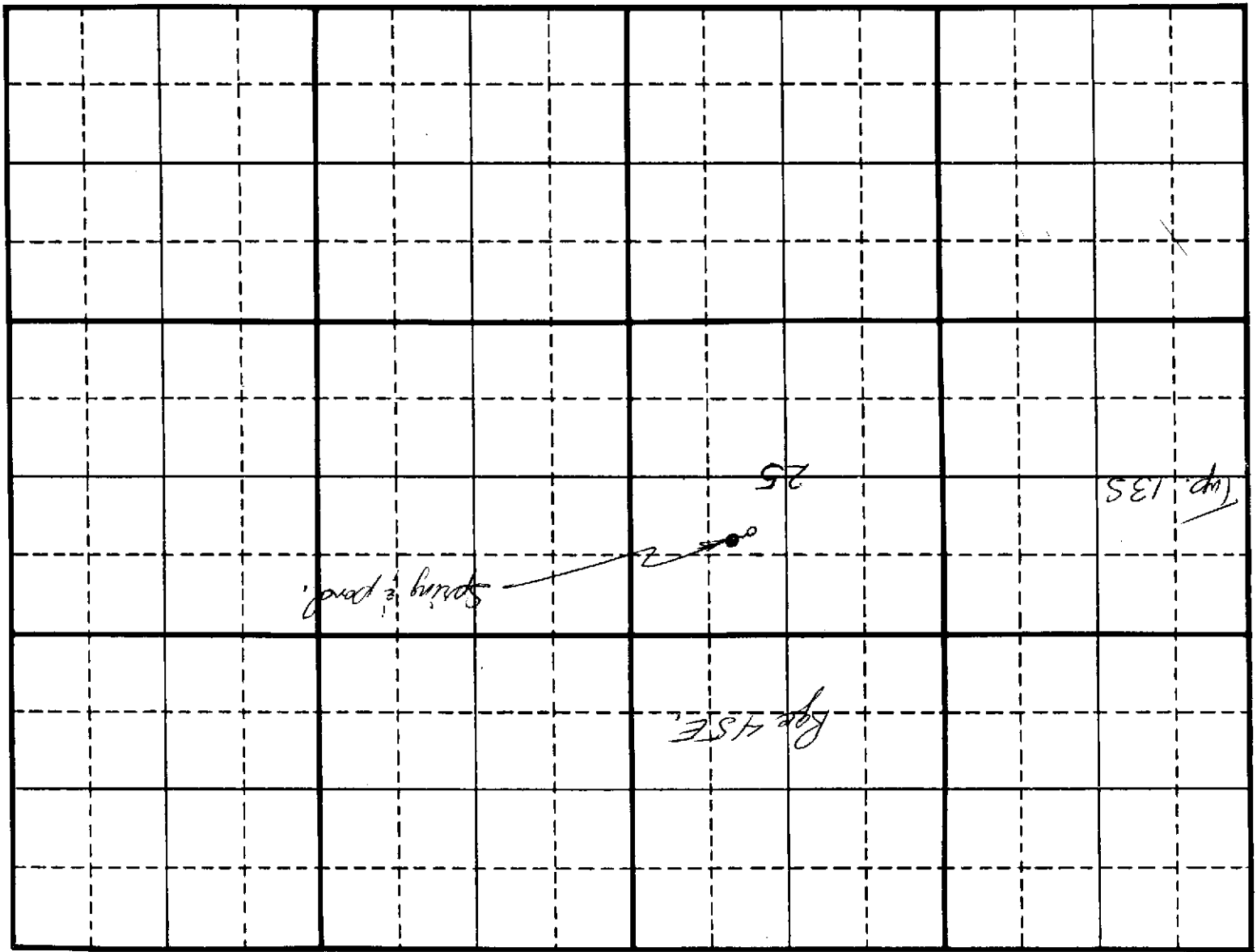
(Claimant) W. H. Rhodes

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.

State of Idaho)
County of BEAR 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 _____

AFFIDAVIT OF PUBLICATION

IDAHO,
Bear Lake

ss.

being duly sworn,

says:

the Public Notices of TH
INER, a weekly newspaper published at Mon
County of Bear Lake and State of Idaho; an
has been and is in general circulation in th
said, and in the vicinity of Montpelier; that th
t, a copy of which is attached hereto, was put
newspaper once a week for 2 cor
ks in the regular and entire issue of said pape
period and time of publication, and was publishe
aper proper and not a supplement; that said
on established and regularly published for mor
eight consecutive weeks prior to the date
on of said advertisement.

was published in the issue beginning with

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

and sworn to before me this 4th de

August, 1981

Notary Public, Residing at Montpelier, Idah

on Expires Lifetime, 198

Public Notices

A. KENNETH DUNN
Director

Published 5-28 & 6-04-81.

6-4, 6-11
201 LINES

11-4108

EBORN, DARRELL
P.O. BOX 65, OVID, ID 83260
Source: UNNAMED SLOUGH tribu-
tary to OVID CREEK
Priority Date: 05-15-1958
Amount: 2.06 CFS
Diversion Point: SESW Sec 15 T 13S R
43E, BEAR LAKE Co.
Use: IRRIGATION (2.06 CFS)
from 05-15 to 10-15
Place of Use: SWSW SESW Sec 15 T
13S R 43E NENW NWNW Sec 22 T 13S R
43E FOR 103 ACRES
Diversion Means: PUMP & SPRINK-
LER.

11-4109

PARKER, WESTON JENSEN
RT. 1 BOX 58, OVID, ID 83260
Source: NORTH CREEK tributary to
OVID CREEK
Priority Date: 05-15-1968
Amount: 2.06 CFS
Diversion Point: SWSE Sec 09 T 13S R
43E, BEAR LAKE Co.
Use: IRRIGATION (2.06 CFS)
from 05-15 to 10-15
Place of Use: SWNE SENE SENW
NESW NESE NWSE SWSE Sec 16 T 13S
R 43E FOR 103 ACRES
Diversion Means: DITCH, PUMP &
SPRINKLER.

11-4110

PETERSON, LATHAIR
P.O. BOX 22, OVID, ID 83260
Source: NORTH CREEK tributary to
OVID CREEK
Priority Date: 05-15-1962
Amount: 1.84 CFS
Diversion Point: SWSE Sec 09 T 13S R
43E, BEAR LAKE Co.
Use: IRRIGATION (1.84 CFS)
from 05-15 to 10-15
Place of Use: SESW SWSE Sec 15 T
13S R 43E NWNE NENW Sec 22 T 13S R
43E FOR 92 ACRES
Diversion 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
Diversion 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
Diversion 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
Diversion 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
Diversion Means: EXCAVATED

Meeting was conducted by Lola
Hoskins
June 7th
Montpelier Stake Center Sunday.
Stakes held their Adult Special
Interest Fireside jointly at the
Montpelier and Montpelier South
of Montpelier
Mildred Hunzeker and June Guyon

MICROFILMED

01 WATER RIGHT NUMBER - 11-4111 02 OLD (CD) NUMBER -

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

06 ADD LINE 1 - RURAL RT. 1 07 ADD LINE 2 -

08 ADD LINE 3 - 09 CITY - MONTEPELIER 10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM 13 STATUS -

14001 - SPRING SOURCE 15001 - SHEEP CREEK TRIBUTARY OF

16 DIVERSION MEANS - EXCAVATED SPRING AREA. 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	LDT	RFLG	STREAM	INDEX	FIELD	S
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22001	SWNE	23001	25	24001	13S	25001	45E	26001	27001	0	0.0	0.0	0.0	0.0	0.0	0.0
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29 NON-IRRIGATION USE - S/2500 SHEEP, 300 RANGE.

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
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30001 - 04 STOCKWATER	31001	13S	32001	45E	33001	25	34001	SWNE	35001	36001	TOTAL ACRES: 0
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PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
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37001 - 0501	38001 - 1215	39001 - 04 STOCKWATER	40001 -	0.020	41001 - 0.00
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42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY	DATES	55 LICENSE	DATES	63 TRANSFER/AMENDED
48 PROOF DUE	1-MAY-1931	56 APPL RECEIVED		64 DLE/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		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Kew

Right Number 11 4111 Applicant Huozker

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. 8-14-81
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 8/19/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juan Date 8/24/81

Department of Water Resources

RECEIVED
AUG 24 1981

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. 11-4111

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

RECEIVED

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

John V. Evans
Governor

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

A. Kenneth Dunn
Director

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

RECEIVED

Water Right NumberDate Published

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

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:

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 83401 .

A. KENNETH DUNN

Director

MICROFILMED

Published 5/28 & 6/04/81.

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

Diversion 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

Diversion Means: EXCAVATED SPRING AREA.

MICROFILMED