

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s).: 11-01115

Adjudication Claim No(s).: _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Parley P. Kunz & Hilda S. Kunz

Bern, Idaho

4. New Owner/Claimant(s) PacifiCorp, dba Utah Power & Light

New Mailing Address Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
1407 West North Temple

City, State and ZIP Code Salt Lake City, Utah 84140

New Telephone Number (801) 220-2252

5. Date you acquired the property December 13, 1990

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) PacifiCorp By [Signature]
 or Claimant(s) PROPERTY AGENT

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made this 13th day of December 1990, between DALE J. KUNZ, Personal Representative of the Estates of PARLEY P. KUNZ and HILDA S. KUNZ, deceased, of 199 West 205 North, Orem, Utah, 84057, the Party of the First Part; and PACIFICORP, An Idaho Corporation, dba UTAH POWER & LIGHT COMPANY, 1407 West North Temple, Rm. 14, Salt Lake City, Utah, 84140, Party of the Second Part.

WITNESSETH, that the said Party of the First Part, for a valuable consideration, and for the purpose of conveying that certain real property from the Estates of PARLEY P. KUNZ and HILDA S. KUNZ, deceased, does by these presents hereby grant, bargain, sell, convey and confirm unto the said Party of the Second Part, and to its heirs and assigns forever, all that certain parcel of land, situated, lying and being in Bern, County of Bear Lake, State of Idaho, and more particularly described as follows:

Five Tracts of land situate in the South Half of the Northeast Quarter of the Northeast Quarter; and the Southeast Quarter of the Northeast Quarter of Section 36, Township 12 South, Range 43 East, Boise Meridian; Lots 1, 2, and 3, the East Half of the Northwest Quarter; the West Half of the Northwest Quarter of Section 31; and the Southwest Quarter of the Southeast Quarter of Section 30, Township 12 South, Range 44 East, Boise Meridian, described as follows:

TOWNSHIP 12 SOUTH, RANGE 43 EAST, BOISE MERIDIAN: (1)
Section 36: SE1/4NE1/4

ALSO: Beginning at a point 101.5 feet East from the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 36, Township 12 South, Range 43 East of the Boise Meridian, and running thence North 435 feet; thence East 1219 feet, more or less, to the Section line; thence South along the Section line

1 Tract
12.173
ACRES
A

151835

435 feet; thence West 1219 feet, more or less, to the Point of Beginning. ^{62.33} ^{62.34}

Section 31: Lots 1 and 2, the North Half of Lot 3, the E1/2NW1/4, and the W1/2NE1/4 of Section 31, lying Northerly and Westerly of the Old Bear Lake Outlet Channel. ^{31.50}

3 Tracts
156.49
ACRES

TOWNSHIP 12 SOUTH, RANGE 44 EAST OF THE BOISE MERIDIAN:
Section 30: SW1/4SE1/4 of Section 30, lying Westerly and Southerly of the Old Bear Lake Outlet Channel.

40 acres

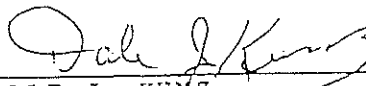
ALSO: Beginning at a point 3064 feet North and 1887.6 feet East, more or less, from the Southwest Corner of Section 31, Township 12 South, Range 44 East of the Boise Meridian, and running thence West 412.5 feet, more or less, to the East bank of the Old Bear Lake Outlet Channel; thence along said East bank Northeasterly and Southwesterly 1470 feet, more or less, to a point 256 feet North, more or less, from the point of beginning; thence South 256 feet, more or less, to the Point of Beginning.

1 Tract
1.212 acres

GRANTOR HEREBY RESERVES AND RETAINS ONE-HALF OF ALL OIL, GAS, AND OTHER MINERAL RIGHTS APPERTAINING HERETO.

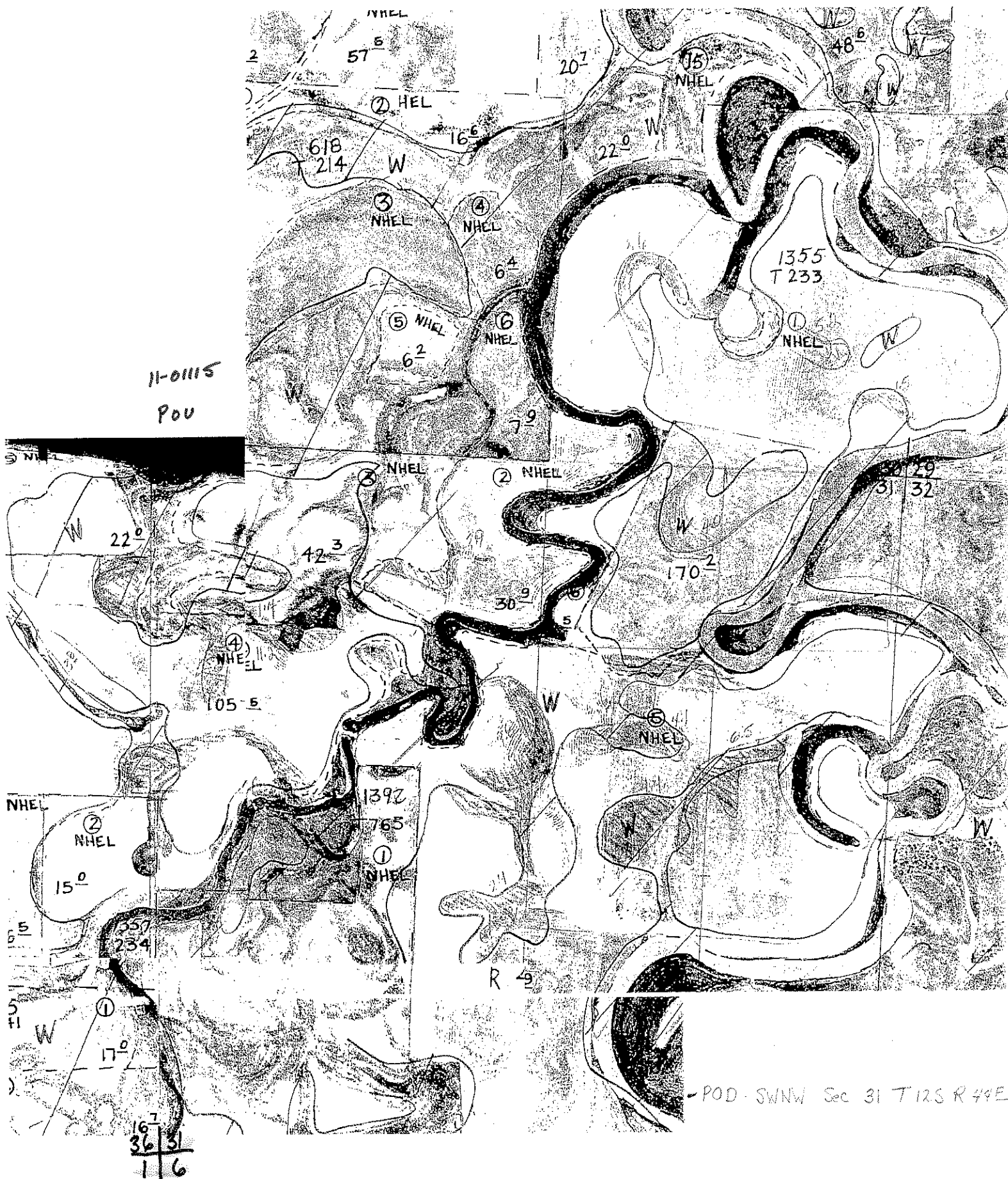
TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtances, unto the Party of the Second Part, and to its heirs and assigns forever. IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.



DALE J. KUNZ

T 12 S R 44 E





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 5, 2005

PACIFICORP
1407 W NORTH TEMPLE
SALT LAKE CITY UT 84140

RE: Change of Ownership for Water Right 11-1096, 11-1114, & 11-1115

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure

11-P

RECEIVED

Stephen S. Dunn

MAR 26 1982

MERRILL & MERRILL
CHARTERED

SPAULDING BUILDING
P. O. BOX 991
POCATELLO, IDAHO 83204
PHONE: (208) 232-2286

Department of Water Resources

ATTORNEYS FOR: Defendant
Utah Power & Light Co.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

FRANK HIRSCHI; GROVE PHELPS;)
REED KUNZ; PAUL KUNZ; STEPHEN)
KUNZ; PARLEY KUNZ; WAYNE KUNZ;)
LARRY ALLEMAN; CLOYD C. WALLEN-)
TINE and DONNA LEE WALLENTINE,)
husband and wife; RICHARD LOVELAND)
and NORMA N. LOVELAND, husband)
and wife; and LEON HARDCASTLE;)
and DEAN KUNZ and LAURA KUNZ,)
husband and wife,)

CASE NO. 2932

JUDGMENT

Plaintiffs,

vs.

DEPARTMENT OF WATER RESOURCES,)
STATE OF IDAHO; UTAH POWER &)
LIGHT COMPANY, a corporation; and)
RUSSELL D. STOKER, as Watermaster)
of District 11, Bear River; and WATER)
DISTRICT II, a municipal corporation,)
and LAST CHANCE CANAL COMPANY,)
an Idaho corporation,)

Defendants.)

The above entitled matter having come on for two evidentiary hearings, briefs being submitted by all parties, and the Court having entered Findings of Fact and Conclusions of Law dated March 12, 1982,

IT IS NOW, THEREFORE, ORDERED, ADJUDGED AND DECREED that Judgment be, and the same is hereby, entered granting water rights in and to Ovid Creek, Bear River, and the Montpelier Creek Wastewater, with the priority date, time of use, diversion point, place of use and other essential requisites as set forth more fully on Tables A, B and C, attached hereto and by this reference incorporated herein as if set forth in full.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiff, Wayne Kunz, be required to install a measuring device approved by the Idaho Department of Water Resources to determine the amount of wasted

MAY 14 1996

Montpelier Creek water flowing into the Bear River and that he is hereby limited to that quantity when pumping out of the Bear River for sprinkler irrigation purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff, Grove Phelps, is required to move his point of diversion so as to eliminate the use of any of the back waters of Bear River and that he be limited to his decreed water from the waste waters of Montpelier Creek as set forth above.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff, Frank Hirschi, has forfeited any water rights he may have established prior to 1970 and that Frank Hirschi has not established any water rights in the Bear River by means of estoppel, acquiescence, or agreement with Utah Power & Light Co.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the water rights granted pursuant to this Judgment are subject to the full administration of the Watermaster for District 11 of the Idaho Department of Water Resources and with regard to Ovid Creek and Montpelier Creek is to be administered separate from the Dietrich Decree and as to the Bear River is to be administered in conjunction with the Dietrich Decree and the water rights set forth therein. Further, that all parties cooperate and comply with said Watermaster in the administration of all water rights granted in the Dietrich Decree and herein.

DATED this 25 day of March, 1982.


Francis J. Rasmussen
District Judge

RECORDED
INDEXED

MAY 14 1986

TABLE A

SCHEDULE OF WATER RIGHTS ESTABLISHED IN COLD CREEK

1. PAUL KUNZ:

11-1096 (a) Priority Date
Period of Use
Amount in c.f.s.
Point of Diversion
Place of Use

3/14/1889

4/15 to 7/10

7.5

SW SE S. 30, NWSE, S. 31,
T. 12 S. R. 44 E.NWSW, SWSW, S. 29 T. 12 S
R. 44 E; NESE, NWSE, SWSE,
SESE, S. 30 T. 12 S R. 44 E;
NENE, NWNE, SWNE, SENE,
NENW, NESW, SESW, NESE, NWSE,
SENW, NWNW, SWNW, SWSE,
S. 31 T. 12 S R. 44 E.

375

11-1114 (b) Priority Date

Period of Use
Amount in c.f.s.

1955

4/15 to 7/15

7.5

Point of DiversionPlace of UseSW SE S. 30, NWSE, S. 31,
T. 12 S. R. 44 E.NWSW, SWSW, S. 29 T. 12 S.
R. 44 E; NESE, NWSE, SWSE,
SESE, S. 30 T. 12 S., R. 44 E;
NENE, NWNE, SWNE, SENE,
NENW, NESW, SESW, NESE, NWSE,
SENW, NWNW, SWNW, SWSE,
S. 31 T. 12 S., R. 44 E.

419

Number of Acres

2. PARLEY KUNZ

11-1115 (a) Priority Date
Period of Use
Amount in c.f.s.
Point of Diversion (amended)
Place of Use
Number of Acres

3/14/1889

4/15 to 7/10

.5

SWNW S. 31, ^{12S}
NENE S. 1 T., 13 S., R. 44 E.

NWNW S. 31 T. 12 S., R. 44 E.

25

11-1116 (b) Priority Date

Period of Use
Amount in c.f.s.
Point of Diversion
Place of Use (amended)

1955

4/15 to 7/15

1.66

NENE S. 31 T. 12 S., R. 44 E.

OK NENE S. 31 T. 12 S., R. 44 E.

NWNW S. 36 T. 12 S., R. 44 E.

83.3

43

Number of Acres