

Nº 1888

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

R. J. Spence

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, 30.00

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

Karla Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 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 Shopp Ave., Idaho Falls, Idaho 83402.

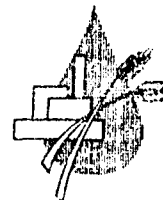
A. KENNETH DUNN
Director

RECEIVED
JAN 25 1982

Department of Water Resources
Eastern District Office

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

(Mailing Address)

(Zip Code)

Telephone No. 847-1303

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) 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:

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>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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	45E	29				X													

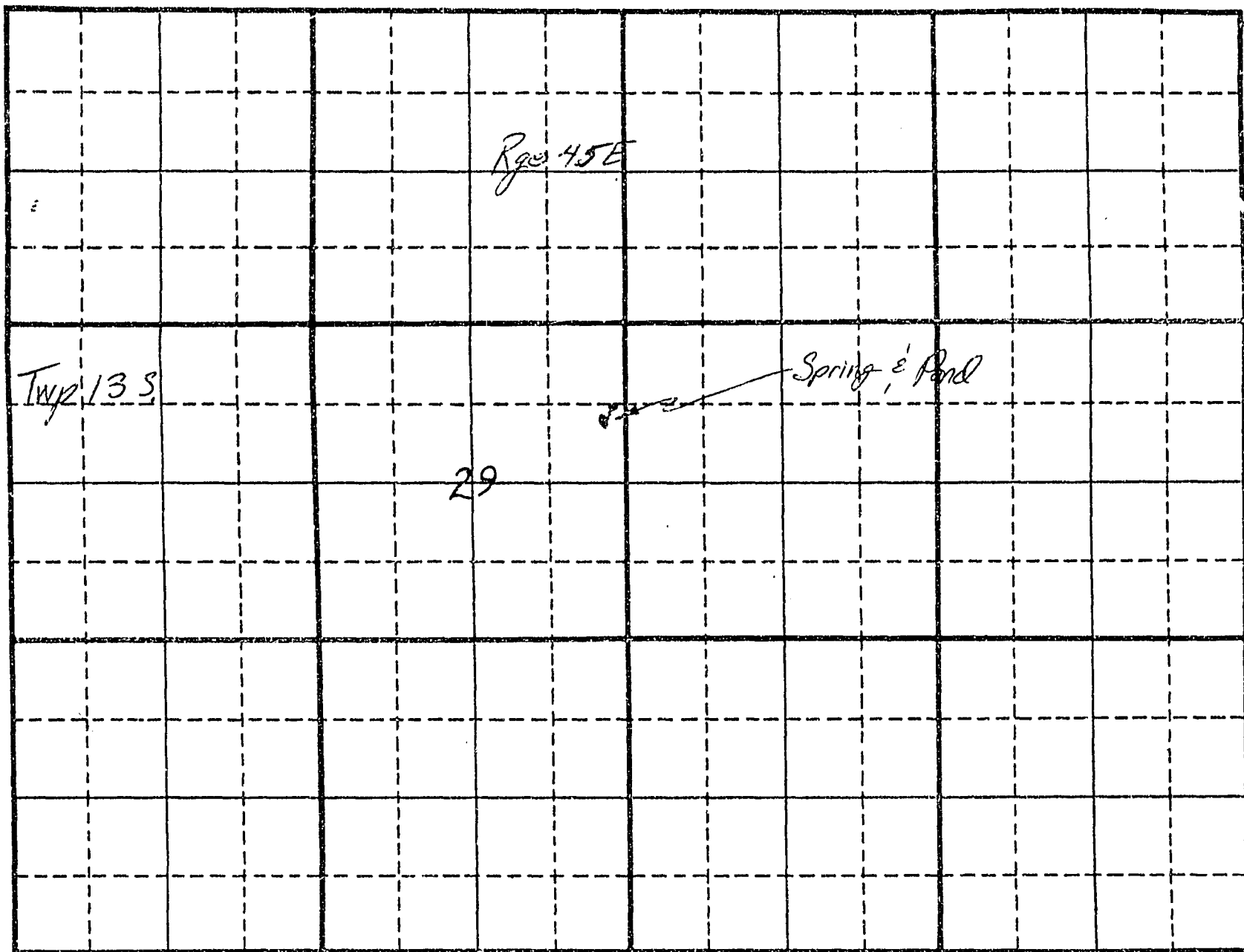
No. of acres

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

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

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



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 Blaine) 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 21st day of December, 19 81.

Fred W. King
(Claimant)

Ruth A. Wells
Notary Public
Residing at Montpelier, Id

My commission expires Lifetime

Drafted by EMC 5/13/81 FOR DEPARTMENT USE ONLY
Received by OW Date 12-22-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 12-22-81 claimant by: _____
\$30.00 fee received by OW Date 12-22-81
Published in Newspaper # 52223
Dates 1-7 & 1-14-81

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

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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

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

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 billing to this office before JANUARY 25, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: John McCormick

Right Number 11-4210 Applicant HUNTER

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 E. C. Calver Date Feb 4, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 2/18/82

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

IDAHO STREAM CODE INDEX

1000-178-6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 25, 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

RECEIVED
FEB 13 1982

Department of Water Resources