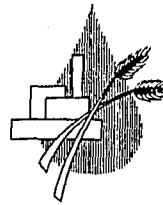


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT

AMENDED

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 Roger L. Kunz (Partner in Partnership)
(Name of Claimant)

875 Lucille, Pocatello, ID 83201
(Mailing Address)

Telephone No. (208) 232-0042
(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) June 15, 1960

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)

Groundwater (well) tributary to _____

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day) (Mo., Day)	
Quantity <u>.96cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-15</u>	To <u>8-31</u>
Quantity <u>.04cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 1.0 TOTAL QUANTITY USED.
(cfs, af)

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

SW 1/4 SW 1/4, Sec. 36 Twp. 12S Rge. 43E 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. Pump and portable pipeline - irrigation by use of 1/4 mile of moveable sprinkler pipe and moveable mainline and a truck mounted pump.

- (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	
12S	43E	35																28	28
13S	43E	2	20																20
12S	43E	36											X						

No. of acres 48

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

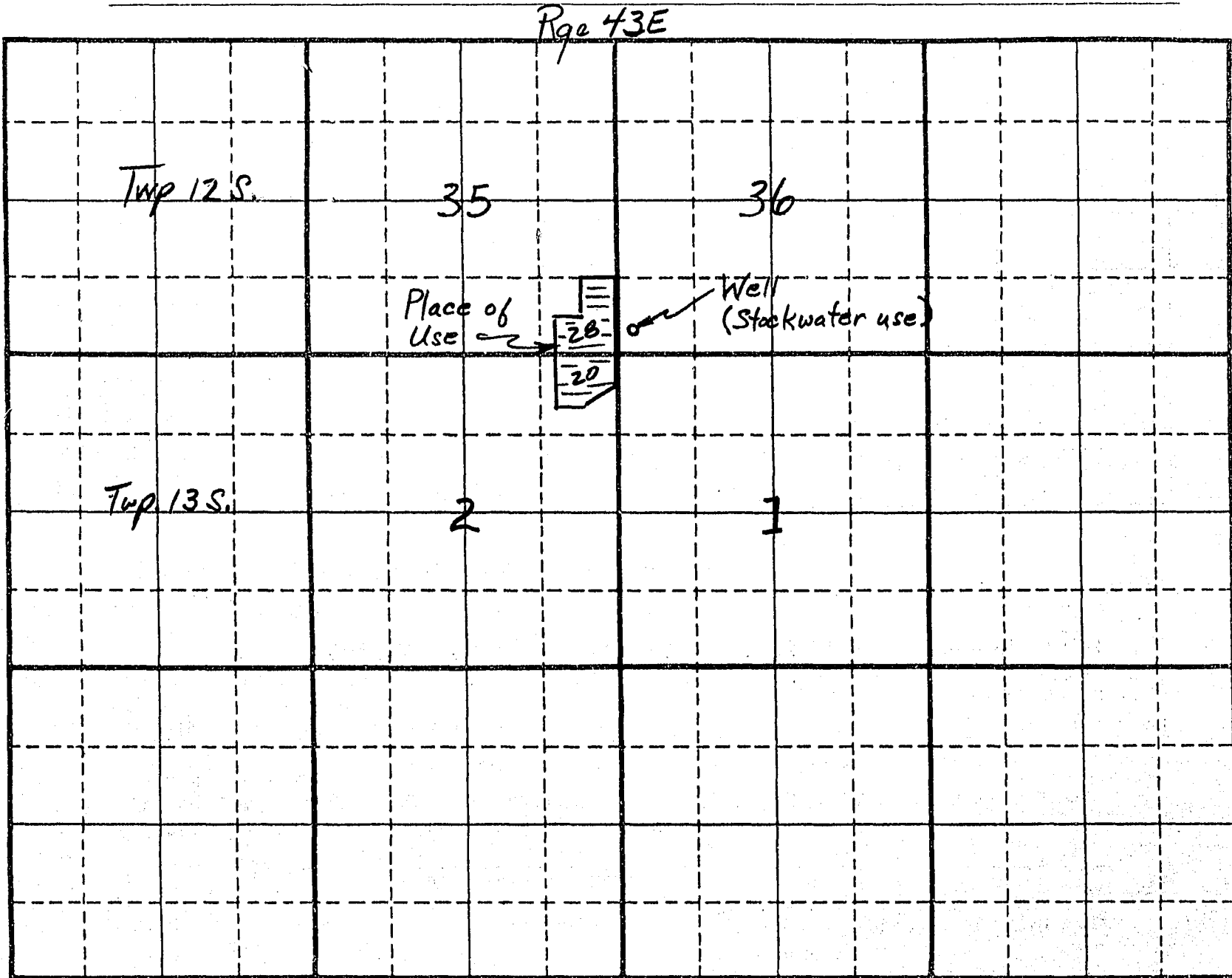
Used for stock water (the well is a natural flowing well)

NOTE: Include here the type and number of stock watered: 50 head of range cattle

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

Partnership - Gary Kunz, R. Kent Kunz and Roger L. Kunz - partnership formerly owned by George S. Kunz (deceased) and Edyth B. Kunz. Partnership purchased property with deeds in trust in 1970.

(8) Remarks _____



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 Bannock) 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 20 day of October

Joan L. Xung
(Claimant)
19 83

Joan Rodriguez
Notary Public
Residing at Pocatello

My commission expires August 1984

FOR DEPARTMENT USE ONLY

Received by aw Date 10-21-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$30.00 fee received by NA Date _____
Published in News Examiner _____
Dates 11/3 - 11/10/83 _____

NOV 17 1983
Nº 2443

815

RECEIVED

DEC 9 1983

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

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

November 3, 19*83*, and ending
with the issue of *November 10*, 19*83*

Fees, *\$18.75*

Subscribed and sworn to before me this *15th* day
of *November*, 19*83*.

Dennis Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

LEGAL NO. 2443
NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 11-4258

Notice is hereby given that Claim to a Water Right No. 11-4258 in the name of Roger L. Kunz, Pocatello, Idaho, was filed with a priority date of June 15, 1960 for the diversion and application to beneficial use of 1.0 cfs of water from a groundwater source with the point of diversion within the SW 1/4 SW 1/4 Sec. 36, T. 12S, R. 43E, B.M. Bear Lake County, the water is claimed to be used from 5-15 to 8-31 for irrigation of 48 acres within the SE 1/4 SE 1/4 Sec. 35, T. 12S, R. 43E and NE 1/4 NE 1/4 Sec. 2, T. 13S, R. 43E and from 1-1 to 12-31 for stockwater purposes within the SW 1/4 SW 1/4 Sec. 35, T. 12S, R. 43E.

The claimant now proposes to amend Claim No. 11-4258 amending the place of use for stockwater purposes to within the SW 1/4 SW 1/4 Sec. 36, T. 12S, R. 43E.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

11-3, 11-10
30 LINES

Nº 2383

SEP 08 1983

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

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

August 25, 19*83*, and ending
with the issue of *September 1*, 19*83*.

Fees, *\$14.38*

Subscribed and sworn to before me this *16th* day
of *September*, 19*83*.

Denise Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

OCT 13 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2383

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

11-4258

KUNZ, ROGER L.

875 LUCILLE, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/15/1960

Diversion Pt: SWSW Sec 36 T 12S R 43E

Use: IRRIGATION (0.96 CFS)

STOCKWATER (0.04 CFS)

In: SESE Sec 35 T 12S R 43E NENE Sec 02 T

13S R 43E SWSW Sec 35 T 12S R 43E FOR 48

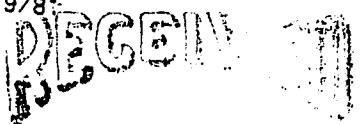
ACRES

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN, Dir.

8-25, 9-1
23 LINES

9/81



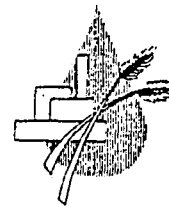
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUN 29 1983

Department of Water Resources
Eastern District Office

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 Roger L. Kunz (Partner in Partnership)
(Name of Claimant)
875 Lucille Pocatello, Idaho 83201 Telephone No. (208)232-0042
(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) June 15, 1960

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)

Ground water (well)

tributary to _____

(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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity	<u>.96 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-15</u>	To <u>8-31</u>
Quantity	<u>.04 cfs</u>	Use <u>Stock water</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	<u>1.00 cfs</u>	TOTAL QUANTITY USED.	_____	_____

(4) _____

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

SW 1/4 SW 1/4, Sec. 36 Twp. 12S Rge. 43E B.M., County of Bear Lake, Idaho

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. Pump and portable pipeline - irrigation by use of 1/2 mile of moveable sprinkler pipe and moveable mainline and a truck mounted pump.

(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	
12S	43E	35																28	28
13S	43E	2	20																20
12S	43E	35											X						

No. of acres 48

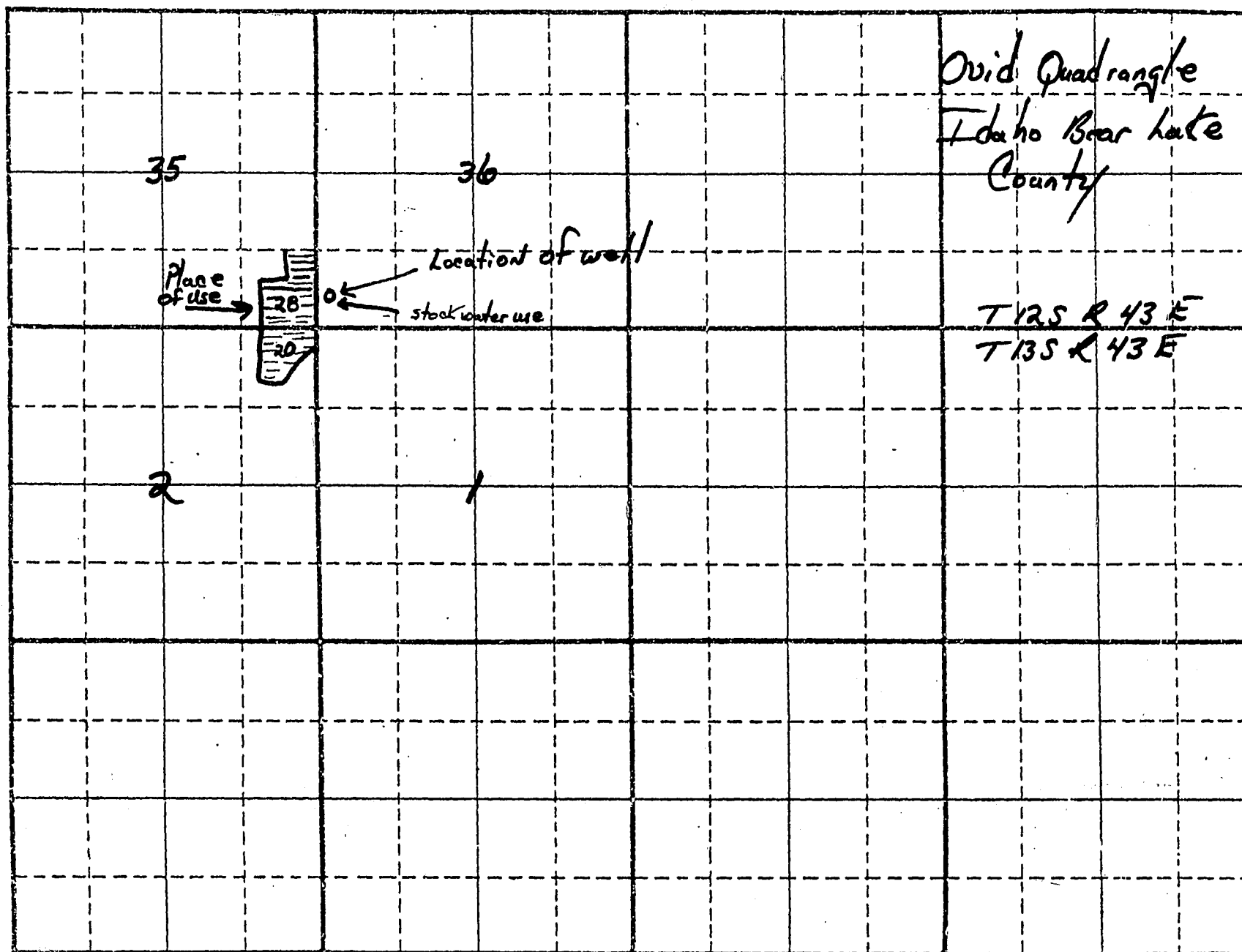
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Used for stock water (the well is a natural flowing well)

NOTE: Include here the type and number of stock watered: 50 head of range cattle

(7) If you are claiming water as a member of an organization, list name of organization: Partnership - Gary Kunz, R. Kent Kunz and Roger L. Kunz - property formerly owned by George S. Kunz (deceased) and Edyth B. Kunz. Partnership purchased property with deeds in trust in 1970.

(8) Remarks _____



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 Bannock) 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 28th day of June 1983

Joan L. Rine
(Claimant)
Joan Rodriguez
Notary Public
Residing at Pocatello

My commission expires August 1984

FOR DEPARTMENT USE ONLY

Received by <i>CU</i>	Date <i>6-29-83</i>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <i>S.M.</i>	Date <i>8-2-83</i>			
\$30.00 fee received by <i>CU</i>	Date <i>6-30-83</i>			
Published in <i>News Examiner</i>	<i>#2208</i>			
Dates <i>8/25 & 9/1/83</i>				

THE NEWS-EX.

LEGAL NO. 2383

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

11-4258

KUNZ, ROGER L.
875 LUCILLE, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/15/1960

Diversion Pt: SWSW Sec 36 T 12S R 43E

Use: IRRIGATION (0.96 CFS)

STOCKWATER (0.04 CFS)

In: SESE Sec 35 T 12S R 43E NENE Sec 02 T
13S R 43E SWSW Sec 35 T 12S R 43E FOR 48
ACRES

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN, Dir.

8-25, 9-1
23 LINES

11-4258-

KUNZ, ROGER L.

875 LUCILLE, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/15/1960

Diversion Pt: SWSW Sec 36 T 12S R 43E

Use: IRRIGATION (0.96 CFS)
STOCKWATER (0.04 CFS)

In: SESE Sec 35 T 12S R 43E NENE Sec 02 T 13S R 43E SWSW Sec 35 T 12S R 43E
FOR 48 ACRES

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 8/25 & 9/1/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 17, 1983

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 SEPTEMBER 12, 1983.

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: STEVE McCORMICK

Right Number 11 4258 Applicant ROGER L. KUNZ

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.

Sept. 12, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Oct 17, 1983

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

dw



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

September 20, 1983

RE: Application for Permit No. 11-7324 LEE, WILLIAMSON, SEAMONS
Claim to a Water Right No. 11-4258 KUNZ

News-Examiner
P.O. Box 278
Montpelier, ID 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 August 25 and September 1, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Called
10-7-83*

October 17, 1983

Roger L. Kunz
885 Lucille
Pocatello, ID 83201

RE: Claim to a Water Right #11-7258

Dear Mr. Kunz:

We have identified a typographic error on your claim identified above. You can see on the enclosed copy that item 6 of the claim identified the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 12S, R. 43E as the place of use for stockwater. The map suggests the stockwater useage is actually the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 12S, R. 43E.

To initiate the correction, we have prepared an amended claim identifying the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36 as the place of use for stockwater on map and in item 6. After reviewing the amended claim, please return it to this office bearing your notarized signature.

Respectfully submitted,

ERNEST CARLSEN
Asst. Regional Supervisor

EC:jk

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest C.

Right Number _____ Applicant _____

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 Ernest Carlson Date Dec 12, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 12/16/83

Amended

Nov 21, 1983

Department of Water Resources

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 11-4258

Notice is hereby given that Claim to a Water Right No. 11-4258 in the name of Roger L. Kunz, Pocatello, Idaho, was filed with a priority date of June 15, 1960 for the diversion and application to beneficial use of 1.0 cfs of water from a groundwater source with the point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 12S, R. 43E, B.M. Bear Lake County; the water is claimed to be used from 5-15 to 8-31 for irrigation of 48 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T. 12S, R. 43E, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13S, R. 43E and from 1-1 to 12-31 for stockwater purposes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, T. 12S, R. 43E.

The claimant now proposes to amend Claim No. 11-4258 amending the place of use for stockwater purposes to within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 12S, R. 43E.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the News Examiner on 11/3 & 11/10/8

LEGAL NO. 2443

NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 11-4258

Notice is hereby given that Claim to a Water Right No. 11-4258 in the name of Roger L. Kunz, Pocatello, Idaho, was filed with a priority date of June 15, 1960 for the diversion and application to beneficial use of 1.0 cfs of water from a groundwater source with the point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 12S, R. 43E, B.M. Bear Lake County; the water is claimed to be used from 5-15 to 8-31 for irrigation of 48 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35 T. 12S R. 43E and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13S, R. 43E and from 1-1 to 12-31 for stockwater purposes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, T. 12S, R. 43E.

The claimant now proposes to amend Claim No. 11-4258 amending the place of use for stockwater purposes to within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 12S, R. 43E.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

11-3, 11-10
30 LINES

November 28, 1983

RE: Claim to a Water Right No. 11-4288 WARD
11-4258 KUNZ (Amended)

News-Examiner
P.O. Box 278
Montpelier, ID 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 November 3 and 11, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

December 12, 1983

RE: Amended Claim to a Water Right No. 11-4258

Roger L. Kunz
875 Lucille
Pocatello, ID 83201

Dear Mr. Kunz:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your amended claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure