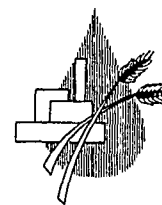


STATE OF IDAHO DEPARTMENT OF WATER RESOURCES CLAIM TO A WATER RIGHT



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

875 Lucille Pocatello, ID 83201 Telephone No. 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 1, 1958

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)
Pond 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:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>.04cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>3-1</u>	To <u>9-30</u>
Quantity	<u>.80cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-15</u>	To <u>8-31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .84cfs 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	43E	36											20X						20
13S	43E	1						20											20

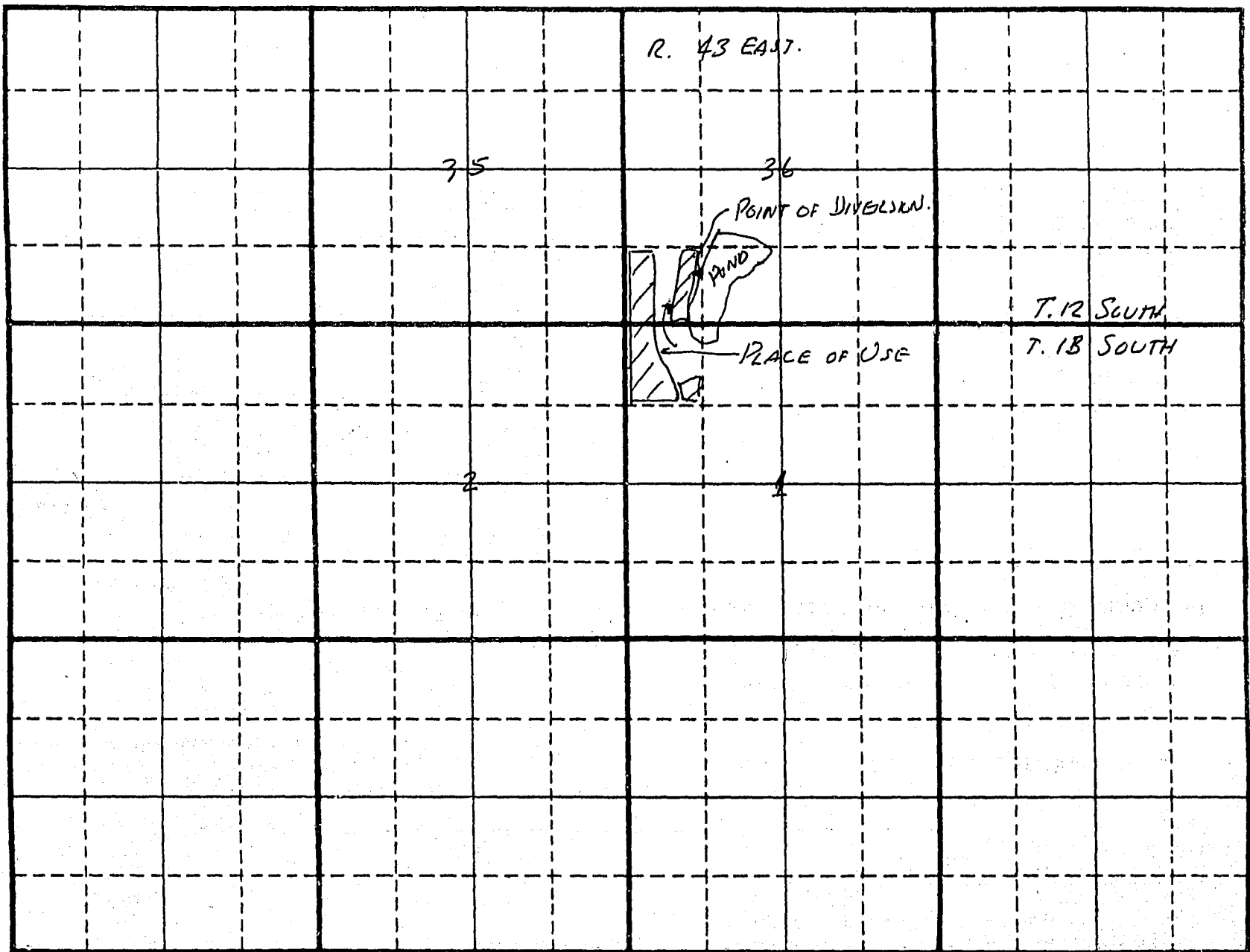
No. of acres 40

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Used for stock water from early spring until the end of August or until the surface water dries up.

NOTE: Include here the type and number of stock watered:

(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. Partnersh 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 8th day of August

Joan L. King
(Claimant)
19 83
Joan Rodriguez
Notary Public
Residing at Pocatello

My commission expires August 1984

Received by CW Date 8-11-83 FOR DEPARTMENT USE ONLY
Prelim. check by S.M. Date 6-29-83 Exception filed by: _____ Date _____
\$30.00 fee received by CW Date 6-11-83 Forwarded to claimant by: _____
Published in POWERS EXAMINER #29208
Dates 9/1 & 9/8/83

TT 4594

RECEIVEDSTATE 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

(Name of Claimant)

(Partner in Partnership)

875 Lucille Pocatello, Idaho 83201

(Mailing Address)

(Zip Code)

Telephone No. (208) 232-0042

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, 1950 - stock water
June 1, 1958 - irrigation

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)
surface slew area tributary to unknown

- (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	.04 cfs	Use stock water	Period of Use From 3-1	To 9-30
Quantity	.80 cfs	Use irrigation	Period of Use From 5-15	To 8-31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .84 cfs TOTAL QUANTITY USED.

(cfs, af)

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

SW ¼ SW ¼, 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 ¼ 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	43E	36											20X						20
13S	43E	1						20											20

No. of acres 40

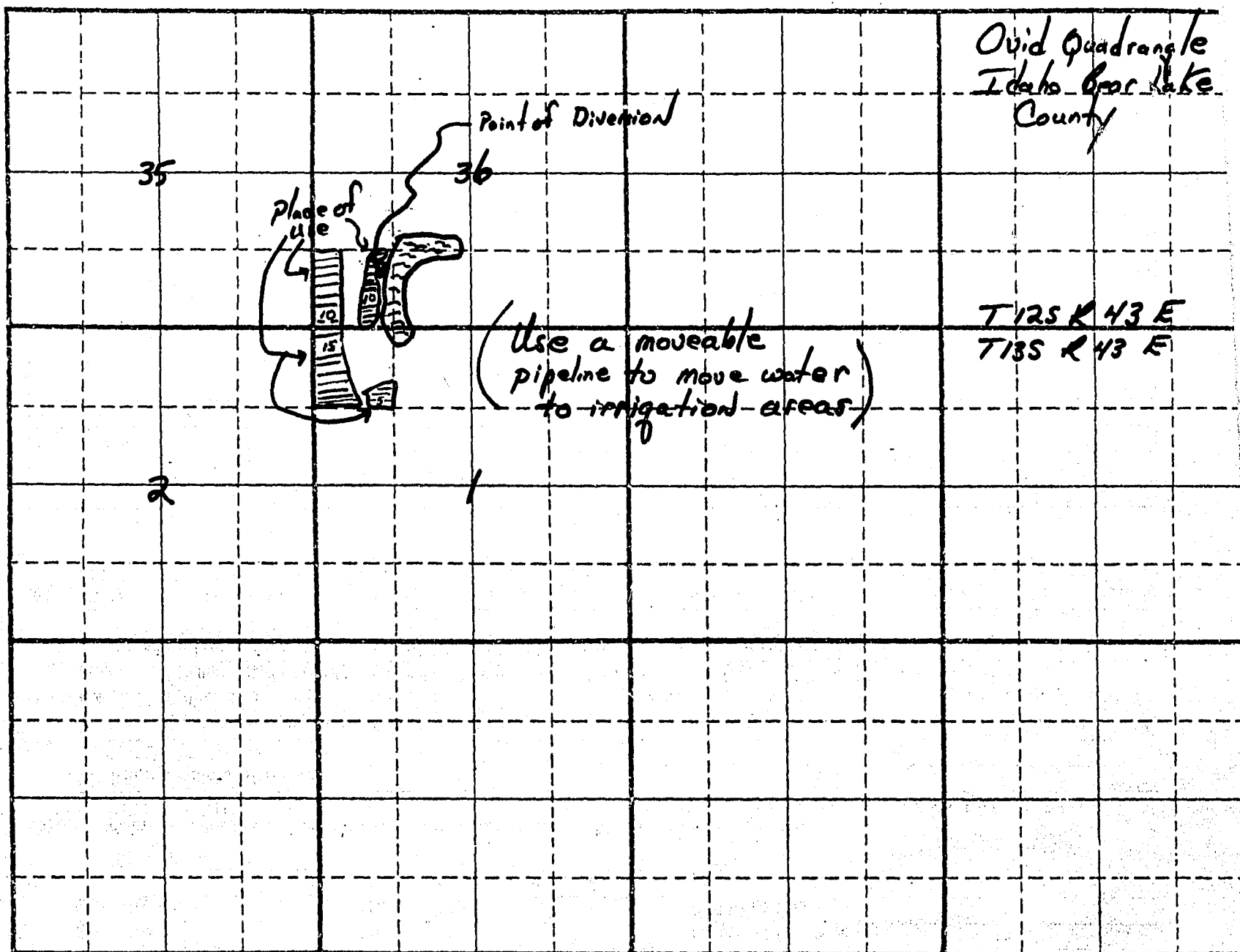
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Used for stock water from early spring until the end of August or until the surface water dries up.

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

Notary Public
Residing at

Pocatello

My commission expires August 1984

FOR DEPARTMENT USE ONLY

Received by CW Date 6-22-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date 6-30-83 claimant by: _____
\$30.00 fee received by CW Date 6-30-83 _____
Published in #2208 _____
Dates _____

1983 #916
386

AFFIDAVIT OF PUBLICATION

OCT 13 1983

IDAHO, }
Bear Lake } ss.

Department of Water Resources
Eastern District Office

Maria B. Nye
being duly sworn,

I say:
the Publisher of THE
LINER, a weekly newspaper published at Mont-
pelier, County of Bear Lake and State of Idaho; and
has been and is in general circulation in the
said, and in the vicinity of Montpelier; that the
said, a copy of which is attached hereto, was pub-
lished newspaper once a week for 2 con-
secutive issues in the regular and entire issue of said paper
period and time of publication, and was published
paper proper and not a supplement; that said
newspaper established and regularly published for more
than eight consecutive weeks prior to the date of
publication of said advertisement.

It was published in the issue beginning with
September 1, 1983, and ending
on September 8, 1983.
Maria B. Nye
1983

and sworn to before me this 13th day
September, 1983.
Notary Public

Notary Public, Residing at Montpelier, Idaho
Commission Expires September, 1983

LEGAL NO. 2386
OFFICE OF CLAIMS TO
WATER RIGHTS

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

11-4266
HEMMERT, HERVIN &/or DWIGHT
ST. CHARLES, ID 83272
Source: SPRING trib. to SINKS
Priority Date: 05/01/1916
Diversion Pt: NWNE Sec 09 T 16S R 45E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 09 T 16S R 45E

11-4264
KUNZ, ROGER L.
875 LUCILLE, POCA TELLO, ID 83201
Source: POND trib. to SINKS
Priority Date: 06/01/1958
Diversion Pt: SWSW Sec 36 T 12S R 43E
Use: IRRIGATION (0.80 CFS)
STOCKWATER (0.04 CFS)
In: SWSW Sec 36 T 12S R 43E NWNW Sec 01
T 13S R 43E FOR 40 ACRES

11-4263
HULME, CHARLES E. &/or MELVIN J.
BLOOMINGTON, ID 83223
Source: SPRING trib. to DRY CREEK
Priority Date: 11/06/1901
Diversion Pt: SWNW Sec 28 T 14S R 43E
Use: STOCKWATER (0.03 CFS)
In: SWNW Sec 28 T 14S R 43E

11-4262
HULME, CHARLES E. &/or MELVIN J.
BLOOMINGTON, ID 83223
Source: SPRING
Priority Date: 12/23/1914
Diversion Pt: SENE Sec 28 T 14S R 43E
Use: STOCKWATER (0.03 CFS)
In: SENE NESE Sec 28 T 14S R 43E

11-4261
HULME, CHARLES E. &/or MELVIN J.
BLOOMINGTON, ID 83223
Source: SPRING trib. to DRY CREEK
Priority Date: 05/14/1920
Diversion Pt: NWSW Sec 28 T 14S R 43E
Use: STOCKWATER (0.04 CFS)
In: NWSW Sec 28 T 14S R 43E

11-4260
HALL FAMILY TRUST
2643 IOWA ST., OGDEN, UT 84401
Source: SPRING trib. to THOMAS FORK
CREEK
Priority Date: 05/09/1929
Diversion Pt: SESW Sec 07 T 12S R 46E
NENW NWNE NENE Sec 18 T 12S R 46E
NWNW Sec 17 T 12S R 46E
Use: STOCKWATER (0.10 CFS)
In: SESW Sec 07 T 12S R 46E NWNW Sec 17
T 12S R 46E NENE NWNE NENW Sec 18 T
12S R 46E

11-4259
HALL FAMILY TRUST
2643 IOWA ST., OGDEN, UT 84401
Source: SPRING trib. to THOMAS FORK
CREEK
Priority Date: 03/25/1921
Diversion Pt: SESW Sec 07 T 12S R 46E
NENW NWNE NENE Sec 18 T 12S R 46E
NWNW Sec 17 T 12S R 46E
Use: STOCKWATER (0.10 CFS)
In: SESE Sec 07 T 12S R 46E SWSW Sec 08 T
12S R 46E

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.

9-1, 9-8
79 LINES

11-4264

KUNZ, ROGER L.

875 LUCILLE, POCA TELLO, ID 83201

Source: POND trib. to SINKS

Priority Date: 06/01/1958

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

Use: IRRIGATION (0.80 CFS)
STOCKWATER (0.04 CFS)

In: SWSW Sec 36 T 12S R 43E NWNW Sec 01 T 13S R 43E FOR 40 ACRES

11-4264
KUNZ, ROGER L.
875 LUCILLE, POCA TELLO, ID 83201
Source: POND trib. to SINKS
Priority Date: 06/01/1958
Diversion Pt: SWSW Sec 36 T 12S R 43E
Use: IRRIGATION (0.80 CFS)
STOCKWATER (0.04 CFS)
In: SWSW Sec 36 T 12S R 43E NWNW Sec 01
T 13S R 43E FOR 40 ACRES

August 3, 1983

Roger L. Kunz
875 Lucille
Pocatello, ID 83201

Dear Mr. Kunz:

The Department is in receipt of your claims to a water right.

Unfortunately, there are a few corrections to be made on the claim with its source on the slough or pond, before processing can continue.

The enclosed claim form makes these corrections which are as follows:

Part 1. Only one priority date is allowed for each claim form. Thus, the 1950 priority date has been eliminated since the 1958 date for irrigation is more important. The stockwater use is still on the claim.

Part 2. The tributary has been changed to dinks.

Please sign and notarize the claim forms and return it to this office as soon as possible as it will replace the claim already on file.

If you have any questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:jk

Enclosures

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: STEVE McCLUMICK

Right Number 11 4264 Applicant Robert L. Kunt

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 19, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Sept 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10/25/83

RECEIVED

OCT 20 1983

Department of Water Resources



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: Claim to a Water Right No. 11-4266 HEMMERT
11-4264 KUNZ
11-4263 HULME
11-4262 "
11-4261 "
11-4260 HALL
11-4259 "

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 September 1 and 8, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Called
10-7-83
CW*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 19, 1983

ROGER L. KUNZ
875 LUCILLE
POCATELLO ID 83201

RE: Claim No. 11-4264

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