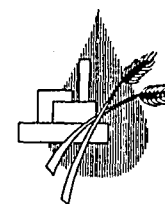


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Mountain D. Kunz
(Name of Claimant)

Bern Idaho 83220 Telephone No. 847-1625
(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) July 1, 1914

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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>0.02cfs</u>		Use <u>Stock</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) 0.06cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 35 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.
From spring via 3/4" pipe and gravity flow to home and water trough.

(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							X										

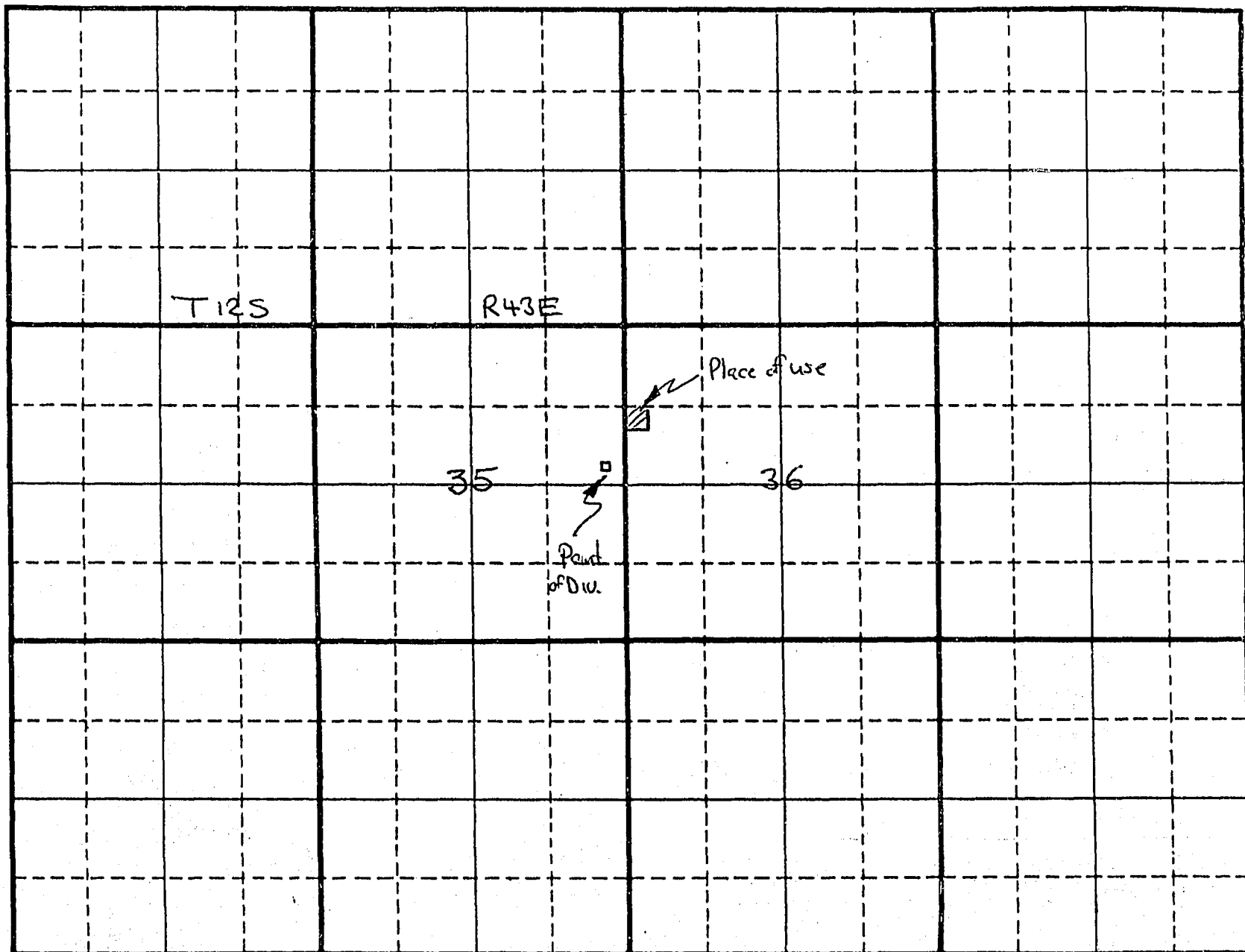
No. of acres _____

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

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

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

(8) Remarks A second spring was developed in 1941. This is also piped to
home and stock. This pd is in SWNE Sect. 35 T. 12S R. 43E.



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 Bear Lake) 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 27 day of October, 1983.

Montana C. Hargis
(Claimant)

Gaine Webb
Notary Public
Residing at Paris, Idaho

My commission expires Lifetime

CW 10-31-83
CW 7-5-85 FOR DEPARTMENT USE ONLY
Received by MA Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWJ Date 11-02-83 claimant by: _____
\$30.00 fee received by MA Date 6-29-83 #32803
Published in News Examiner
Dates 11/17 & 11/24/83

2452

AFFIDAVIT OF PUBLICATION

E OF IDAHO,
ty of Bear Lake

ss.

Maria B. Nye
being duly sworn,

ses and says:

it he is the Publisher of THE
3-EXAMINER, a weekly newspaper published at Mont-
pelier, 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 pub-
lished in said newspaper once a week for 2 con-
secutive weeks in the regular and entire issue of said paper
during the period and time of publication, and was published
as a newspaper proper and not a supplement; that said
advertisement has been established and regularly published for more
seventy-eight consecutive weeks prior to the date of
publication of said advertisement.

When notice was published in the issue beginning with

November 17, 1983, and ending

the issue of November 23, 1983.

Maria B. Nye
p. 21-23

scribed and sworn to before me this 28th day

November, 1983.
Alma Green

Notary Public, Residing at Montpelier, Idaho

Commission Expires Lifetime, 19

9 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2452

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4297

MCLEAN, ELAINES.
SLEIGHT, CLYDE T. &/or G. WILLIAM
4884 COTTONWOOD LANE, SALT LAKE
CITY, UT 84117

Source: PARIS CREEK trib. to BEAR
RIVER

Priority Date: 12/23/1948

Diversion Pt: NESE Sec 13 T 14S R 43E

Use: IRRIGATION (1.00 CFS)

STOCKWATER (0.02 CFS)

In: SENE NESE Sec 13 T 14S R 43E FOR 50
ACRES

KUNZ, MONTAIN D.

BERN, ID 83220

Source: SPRING trib. to SINKS

Priority Date: 07/01/1914

Diversion Pt: SENE Sec 35 T 12S R 43E

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWNW Sec 36 T 12S R 43E

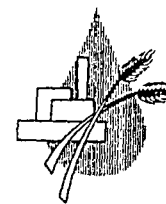
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN, Dir.

11-17, 11-23
34 LINES

Hold until
new claim James
14.

VOID



NOTE:

The filing deadline has been extended with a substantially increased fee:

<u>Date Claim Filed</u>	<u>Fee</u>
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

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:

- 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. UN-Named Springs tributary to Sinks

- (cfs, af) (Domestic, Irrigation, Stock, Etc.) (Both dates inclusive)
(Mo., Day) (Mo., Day)

(4) .06 TOTAL QUANTITY USED.
(cfs. af)

- [illegible]

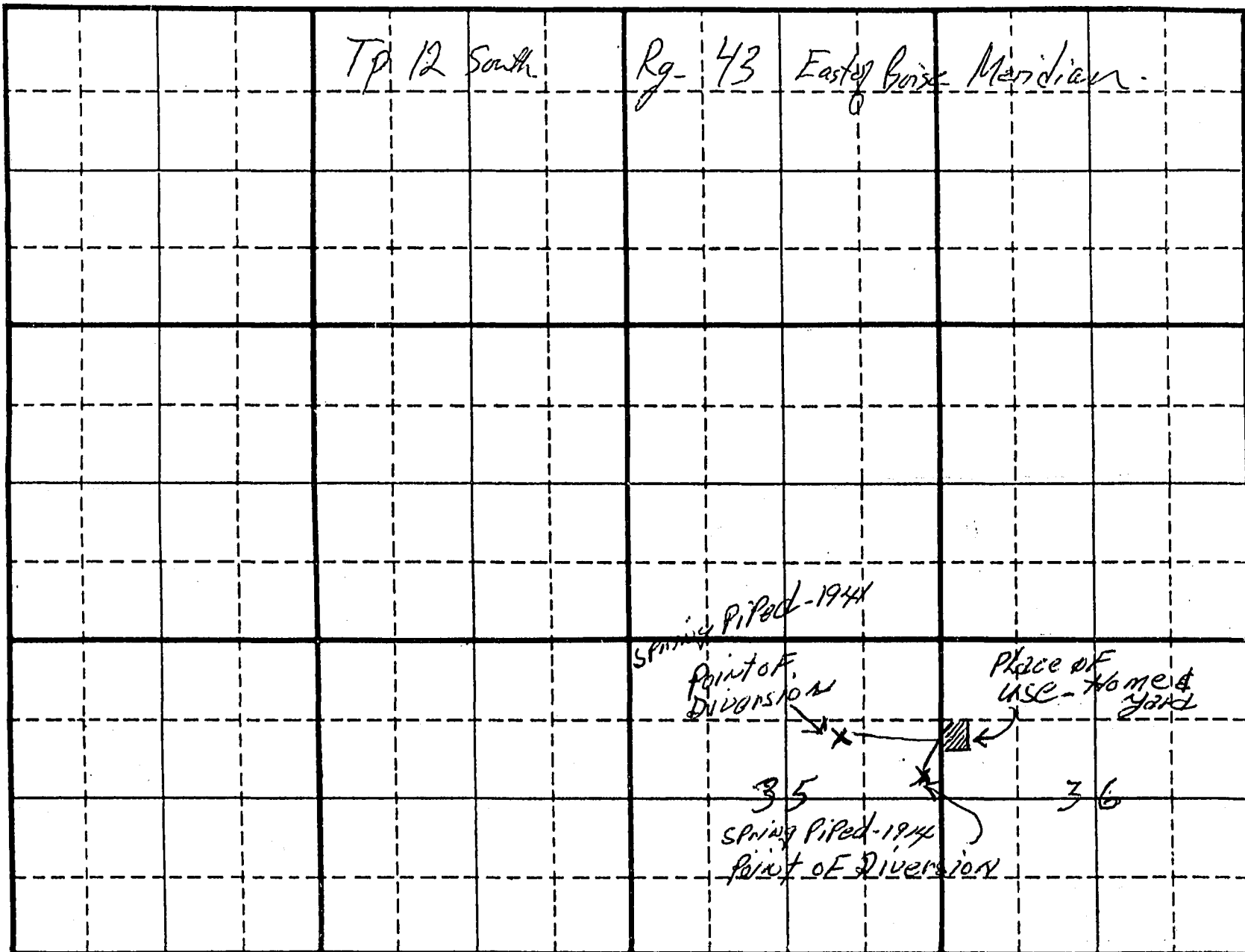
No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water supplies needs of 1 household including yard & garden. Also waters up to 50 head of livestock.

NOTE: Include here the type and number of stock watered: cows & horses - up to 50 head

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

- (8) Remarks Cone Spring piped to home in 1914 - the other in 1941
Each has 3/4 in. galvanized pipe. Each was hand
dug to depth of approx. 3 feet. Flow is quite
constant during normal calendar year.



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)
) ss.
County of _____)

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 28 day of JUNE, 1983.

[Signature]
(Claimant)
[Signature]
Notary Public
Residing at PARIS

My commission expires LIFETIME

Received by CW 7-5-83 FOR DEPARTMENT USE ONLY
Prelim. check by marye Date 6/29/83 Exception filed by: _____ Date _____
\$30.00 fee received by marye Date 6/30/83 #22803 Forwarded to claimant by: _____ Date _____
Published in _____
Dates _____

11-4296

KUNZ. MONTAIN D.

BERN. ID 83220

Source. SPRING trib. to SINKS

Priority Date: 07/01/1914

Diversion Pt. SENE Sec 35 T 125 R 43E

Use: STOCKWATER	(0.02 CFS)
DOMESTIC	(0.04 CFS)

In SWNW Sec 36 T 125 R 43E

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 11/17 & 11/24/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 3, 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 billings to this office before DECEMBER 5, 1983.

Yours truly,

RONALD D. CARLEON
Supervisor
Eastern Region

Encl.

October 11, 1983

Montain Kunz
Bern,
Idaho 83220

Dear Mr. Kunz:

Enclosed is a new claim form based on the one you submitted. Your original had two different priprity dates for two different springs. Only one priority date per claim can be taken so I have reworkdd the information you provided to produce this new claim.

If everything appears correct please sign and have the claim notarized and return it to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:jk

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT
11 4296

Right Number _____ Applicant 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.

December 5, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Dec 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 12/15/83

RECEIVED
DEC 15 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

December 7, 1983

RE: Amended Claim to a Water Right No. 11-4269 HALL

Claim to a Water Right No. 11-4296 KUNZ
11-4297 McLEAN/SLEIGHT

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 17 and 24, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 5, 1983

MONTAIN D. KUNZ
BERN

ID 83220

RE. Claim No. 11-4296

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