

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS**

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 11-4211
Date Received: 10/18/2023
Receipt No: P000519
Claim Fee: \$197.00
Received By: MB

RECEIVED

OCT 18 2023

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/Preston

1. Name of Claimant(s)

FRED HUNZEKER & SONS
338 WASHINGTON ST
MONTPELIER ID 83254-1534

Phone: (208) 252-0587

2. Date of Priority: 4/2/1891

3. Source:
SPRINGS SINKS

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	44E	10	SE SW	2	BEAR LAKE	
13S	44E	15	NE NW	1	BEAR LAKE	
13S	44E	15	NE NW	1	BEAR LAKE	

5. Description of diverting works: Springs are captured behind earthen dams which disperse water across the meadows.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1		
STOCKWATER	01/01	12/31	0.11		

7. Total Quantity Appropriated is:

1.11 C.F.S. and/or A.F.A.

8. Non-irrigation uses: Stock drink directly from springs and the ponds created by the dams.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	44E	10	SW		SW	1	4.2
13S	44E	10	SW		SW	3	9.5
13S	44E	10	SE		SW	2	28
13S	44E	10	SE		SW	3	1.3
13S	44E	10	SW		SE		8.2
13S	44E	15	NW		NE		29
13S	44E	15	SW		NE		8.3
13S	44E	15	NE		NW	1	23
13S	44E	15	NE		NW	8	17
13S	44E	15	NW		NW		5
13S	44E	15	SE		NW	2	5.5
13S	44E	15	SE		NW	7	8

Total Acres = 147

STOCKWATER same as IRRIGATION

10. Do you own the property listed above as place of use? Yes

11. Other Water Rights Used:

Property is primarily irrigated with water from Preston Montpelier Irrigation Company.

12. Remarks:

Priority Date Explanation:

Priority date based on county and church records. We will find the records and provide them to the court.

13. Basis of Claim: Beneficial Use

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do _____ do not  wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

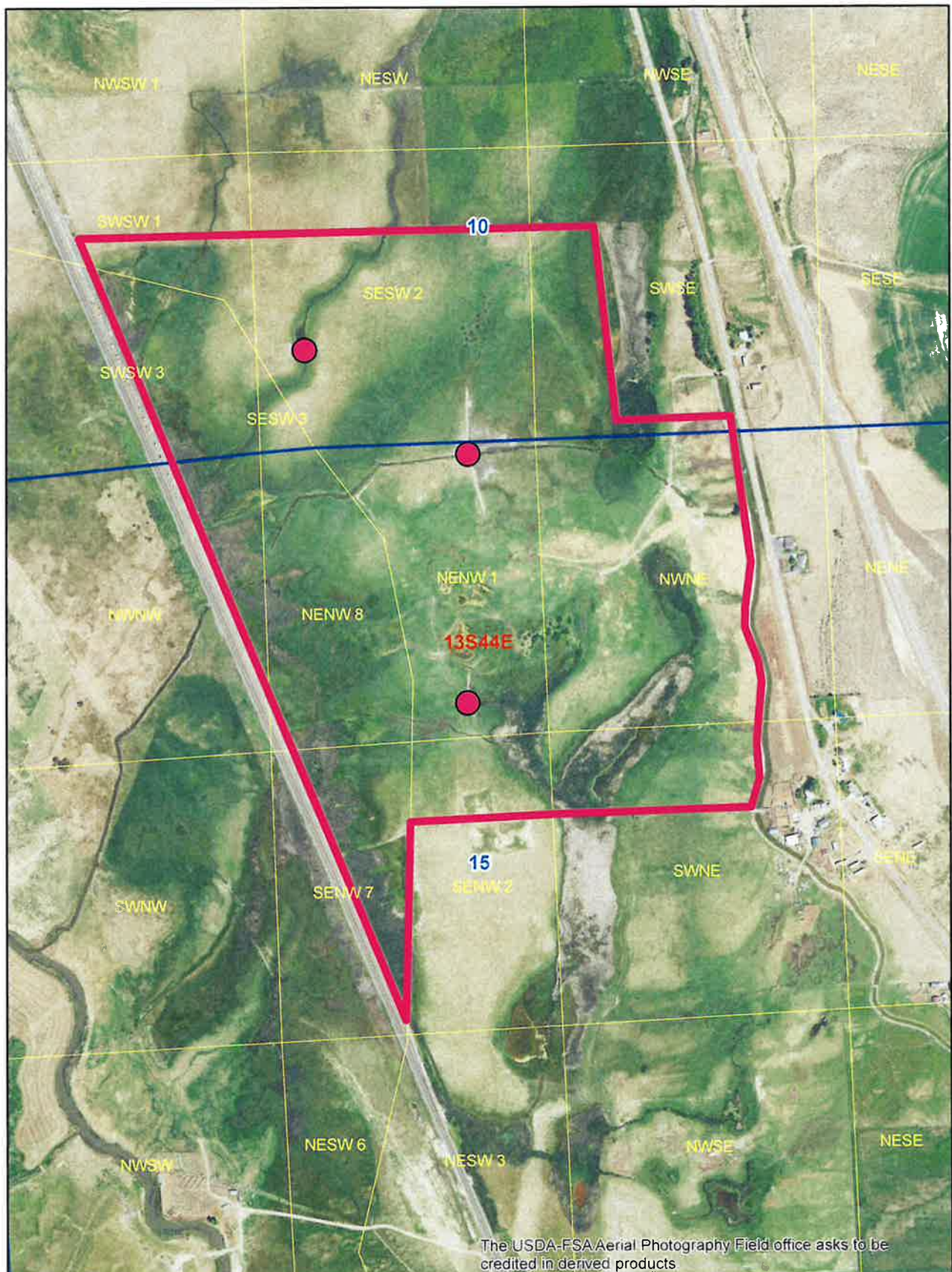
I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

Partner of Fred Hunzeker & Sons
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dennis Hunzeker Date October 18, 2023
Printed Name of Authorized Agent Dennis Hunzeker

BRBA Claim 11-4211
Fred Hunzeker & Sons



10/18/2023

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRED HUNZEKER & SONS 1041 BENCH RD MONTPELIER, ID 83254 (208) 252-2535

Status: Active

Tributary SINKS

UNNAMED STREAM	SWNENW	Sec. 15, Twp 13S, Rge 44E, BEAR LAKE County
UNNAMED STREAM	SWNESW	Sec. 15, Twp 13S, Rge 44E, BEAR LAKE County
UNNAMED STREAM	SWSEnw	Sec. 15, Twp 13S, Rge 44E, BEAR LAKE County

			NE		NW				SW				SE						
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	44E	10											11.0	20.0			4.0		35.0
13S	44E	15		16.0	9.0		40.0	10.0	1.0	16.0	15.0					5.0			112.0

STOCKWATER Same as IRRIGATION

1. WATER FROM SPRINGS TO STREAM IMPOUNDED BY THREE LEVEES
SOURCES ARE SPRINGS & UNNAMED STREAM, TRIB. TO SINKS.

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 Jud Nunzeker & Ans

Rural Route 1 Montpelier Idaho
(Mailing Address)

83254
(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) April 2, 1891

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 & unnamed stream tributary to Shoshone

- (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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	<u>1.00 cfs.</u>	Use <u>Irrigation</u>	Period of Use From <u>April 15</u>	To <u>Oct 15</u>
Quantity	<u>0.11 cfs.</u>	Use <u>Stock water</u>	Period of Use From <u>April 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

- (4) 1.11 cfs. TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NE 1/4 NW 1/4, Sec. 15 Twp. 13S Rge. 44E B.M., County of Bear Lake.
Additional points of diversion: SE NW, NESW Sec. 15 Twp. 13S Rge. 44E.

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.
3 earth filled levees impound water & supply water for ditches to facilitate flood irrigation.

- (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	
13S	44E	10											11	20			4		35
		15		16	9		40	10	1	16	15					5			112

No. of acres 147

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

Springs provide drinking water for 2500 sheep & up to 300 cattle.

NOTE: Include here the type and number of stock watered: 2500 sheep, 300 cattle.

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

(8) Remarks



State of Idaho

County of

Sworn to before me this 21st day of

Notary Public
Residing at

My commission expires _____

Exception filed by:

Forwarded to
claimant by:

Date _____