

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: 11-7585
Date Received: 4/26/2023
Receipt No: 52 P000687
Claim Fee: \$50.00
Received By: MB

RECEIVED

DEC 14 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

Phone: (208) 252-0587

2. Date of Priority: 6/15/1892

3. Source:
OVID CREEK

Trib. to:
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	43E	13	NE NW	8	BEAR LAKE	

5. Description of diverting works:

This is the Peterson Dam, which is now cemented. The flood irrigation occurs by a dam which backs up the water and floods the property.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/10	10/31	17.1		
STOCKWATER	01/01	12/31	0.02		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

Stock drink from the water naturally, instream stock. In the off-season we do not divert water and the stock drink from the creek itself.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	12	SE	SW		5	0.1
13S	43E	12	SW	SE			0.1
13S	43E	12	SE	SE			0.1
13S	43E	13	NE	NE			38
13S	43E	13	NW	NE			37
13S	43E	13	SW	NE			0.4
13S	43E	13	SE	NE			0.6
13S	43E	13	NE	NW	1		18
13S	43E	13	NE	NW	8		20
13S	43E	13	SW	NW			39
13S	43E	13	SE	NW	2		23
13S	43E	13	SE	NW	7		1.7
13S	43E	13	NE	SW	3		21
13S	43E	13	NE	SW	6		18
13S	43E	13	NW	SW			35
13S	43E	13	SW	SW			1.1
13S	43E	13	NE	SE			39
13S	43E	13	NW	SE			39
13S	43E	13	SW	SE			0.6
13S	43E	13	SE	SE			1.4
13S	43E	14	SW	SE			18
13S	43E	14	SE	SE			35
13S	43E	23	NE	NE			14
13S	43E	23	NW	NE			3.5
13S	43E	24	NE	NE			39
13S	43E	24	NW	NE			39
13S	43E	24	SW	NE			19
13S	43E	24	SE	NE			1.7
13S	43E	24	NE	NW	1		20
13S	43E	24	NE	NW	8		20
13S	43E	24	NW	NW			28
13S	43E	24	SW	NW			2.2
13S	43E	24	SE	NW	2		8.7
13S	43E	24	SE	NW	7		6.1
13S	44E	7	NW	SW	3		11
13S	44E	7	SW	SW	4		43
13S	44E	18	NW	NW	1		36
13S	44E	18	SW	NW	2		32
13S	44E	18	NW	SW	3		32
13S	44E	18	SW	SW	4		32

13S	44E	19	NW	NW	1	32
13S	44E	19	SW	NW	2	33
13S	44E	19	NW	SW	3	17

Total Acres = 855.3

STOCKWATER within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	12	SE		SW	5	
13S	43E	12	SW		SE		
13S	43E	12	SE		SE		
13S	43E	13	NE		NE		
13S	43E	13	NW		NE		
13S	43E	13	SW		NE		
13S	43E	13	SE		NE		
13S	43E	13	NE		NW	1	
13S	43E	13	NE		NW	8	
13S	43E	13	SW		NW		
13S	43E	13	SE		NW	2	
13S	43E	13	SE		NW	7	
13S	43E	13	NE		SW	3	
13S	43E	13	NE		SW	6	
13S	43E	13	NW		SW		
13S	43E	13	SW		SW		
13S	43E	13	NE		SE		
13S	43E	13	NW		SE		
13S	43E	13	SW		SE		
13S	43E	13	SE		SE		
13S	43E	14	SW		SE		
13S	43E	14	SE		SE		
13S	43E	23	NE		NE		
13S	43E	23	NW		NE		
13S	43E	24	NE		NE		
13S	43E	24	NW		NE		
13S	43E	24	SW		NE		
13S	43E	24	SE		NE		
13S	43E	24	NE		NW	1	
13S	43E	24	NE		NW	8	
13S	43E	24	NW		NW		
13S	43E	24	SW		NW		
13S	43E	24	SE		NW	2	
13S	43E	24	SE		NW	7	
13S	44E	7	NW		SW	3	
13S	44E	7	SW		SW	4	
13S	44E	18	NW		NW	1	
13S	44E	18	SW		NW	2	

13S	44E	18	NW	SW	3
13S	44E	18	SW	SW	4
13S	44E	19	NW	NW	1
13S	44E	19	SW	NW	2
13S	44E	19	NW	SW	3

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

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

Other claims for irrigation and stock with different priority dates.

12. Remarks:

Priority Date Explanation:

Filing claim based on statutory claim. We purchased the property in the 1980s. Previous owner, Wayne and Weldon Johnson, stated that the use began back at the claimed priority date. All of the claims on this property in total are for approximately 17.1cfs and 855 acres. During very dry years we have historically began diverting and irrigating back into January.

13. Basis of Claim: Statutory Claim

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)

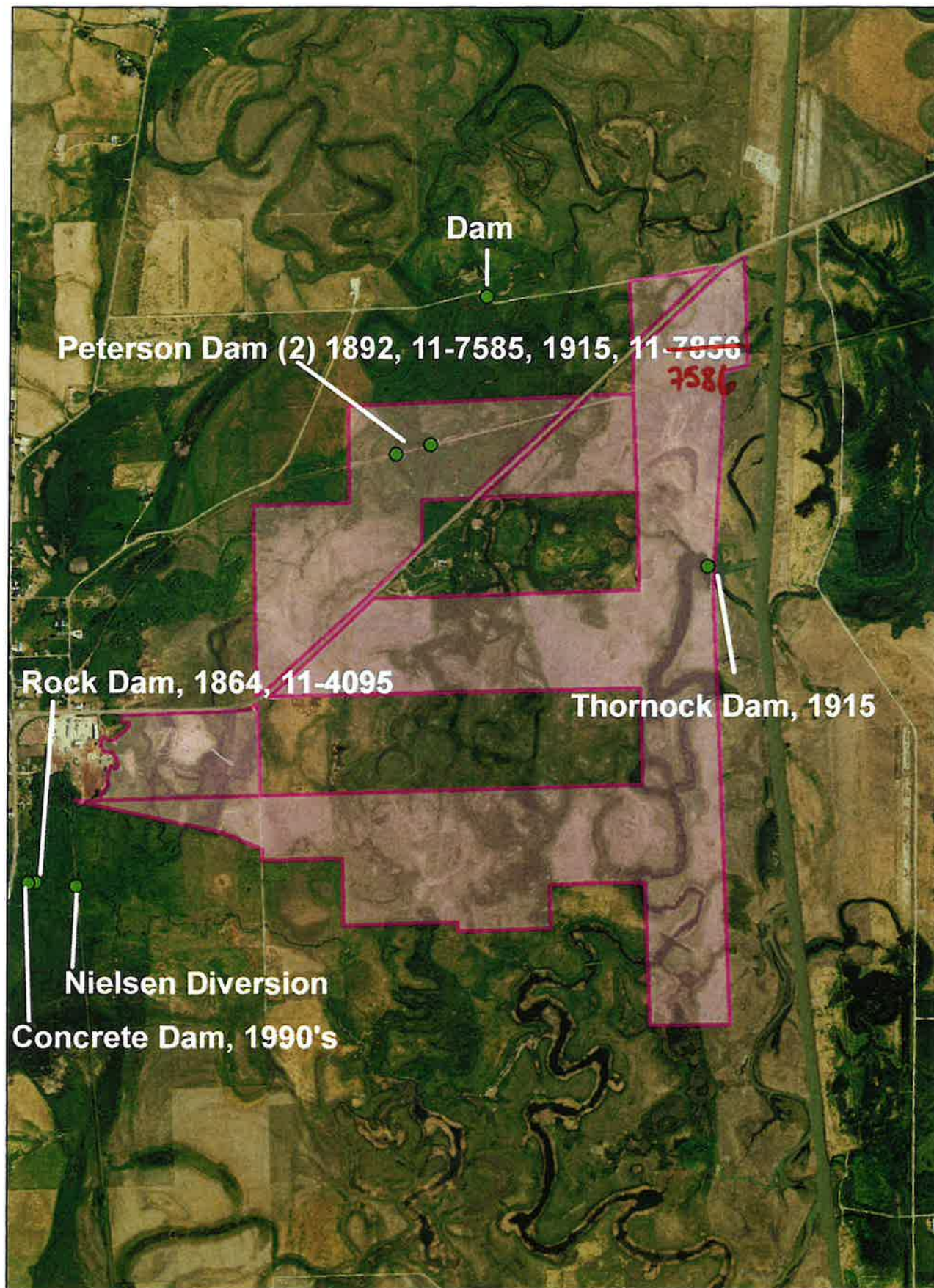
Name of Organization (please print)

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

Signature of Authorized Agent Dennis Hunzeker Date 12/14/2023

Printed Name of Authorized Agent Dennis Hunzeker

Diversion Works



Point of Diversion: ●
Place of Use: —

0 600 1,200 2,400 3,600 4,800
Feet

