

**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

RECEIVED

MAR 17 2023

IDWR/Preston

Ident. Number: 11-4253
Date Received: 3/17/2023
Receipt No: P000063
Claim Fee: \$ 25.00
Received By: CJA

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day**

1. Name of Claimant(s)

EDWARD KUNZ
14 NORTH ST
BERN ID 83220

Phone: (208) 847-2919

AND/OR

BERNADETTE KUNZ
14 NORTH ST
BERN ID 83220

Phone: (208) 847-2919

2. Date of Priority: 9/15/1910

3. Source:
LAYFETTE SPRINGS

Trib. to:
RED PINE CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	43E	15	SW NE		BEAR LAKE	

5. Description of diverting works:

The springs was developed by the homesteader with a small spring box, then later in the 1980's the NRCS renovated the springs. The springs currently has three underground culverts that collect the water, with one culvert that rises to the surface. The water is piped out to the water trough where the cattle drink. Excess water flowing into Red Pine Creek. There is a fence around the springs to keep animals out.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	1/01	12/31	0.02		
STOCKWATER	4/15	12/01	0.05		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

500 head of beef cattle and 5 horses.

Originally the homesteaders used the spring water for their cabins. The water was collected in a springbox and hauled in buckets for daily use by Ace Jensen and Ike Johnson. After my grandfather Heber Kunz bought the place, they would stay in the cabins while farming the land in the summer. They continued to use the spring, hauling water in buckets and drinking directly from the spring box. The cabins are not used anymore, but we have continued to use the springs to meet our culinary needs; drinking, cooking, and washing dishes while we are working or camping out on the place.

9. Place of use:

DOMESTIC within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	43E	15	SW		NE		
12S	43E	15	NW		SE		

STOCKWATER within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	43E	15	SW		NE		
12S	43E	15	NW		SE		

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:

12. Remarks:

Priority Date Explanation:

This is the date that was claimed on the statutory claim. To the best of my knowledge, this property was homesteaded on, and my family bought the place from the original homesteaders, Ace Jensen and Ike Johnson.

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 Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Edward Kury Date: 3-17-2023
Bernadette Kury Date: 3-17-2023