

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

Claim ID: 11-234

Date Received: 12-11-23

Receipt No: 20006666

Claim Fee: 152.00 By: MB

RECEIVED

DEC 11 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) North Shore Bear Lake LLC Phone (801) 694-5980
Mailing address 2023 N. Compton Road, Farmington, Utah Zip 84025-3959
Street or Box City State
Email address (optional) thom@morganasphalt.com
2. Date of priority: (Only one per claim) May 1, 1894 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Bloomington Creek
which is tributary to (b) Bear Lake
4. a. Location of point of diversion is: Township 14S, Range 43E, Section 22,
SE 1/4 of SW 1/4, Govt. Lot _____, BM, County of Bear Lake
Parcel no. RP14S43E226600 (04616.00)
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Diversion dam in Bloomington Creek. Dimensions unknown.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 05/01 to 10/01 amount 1.18 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 1.18 (cfs) and/or (b) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.)

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	43E	24					26	15.16	35.84	24.1									

Parcel no(s) RP14S43E242400 (04643.00) Total number of acres irrigated 101.1

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

11. Do you own the property listed above as place of use? Yes () No (✓)

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

12. Describe any other water rights used at the same place and for the same purposes as described above.

11-235 or None ()

13. Remarks (Include an explanation of the priority date selected):

This priority date is based on the water right 11-234 decreed on July 24, 1923, in Bear Lake County Case of George T. Thornock, et. al. v. Bloomington Irrigation Co., et al.

Real Property is owned by Roy Bunderson but the water rights appurtenant to the property were purchased by Applicant in June 7, 2019. See the attached Special Warranty Deed for Water Rights. Water right is currently used for mitigation of Idaho water right nos. 11-7843, 11-7844, and 11-7932.

List of Attachments to Claim Form.

1. IDWR Water Right Report of 11-235

2. Current POU & POD Map

3. Special Warranty Deed for Water Rights

Name of claimant(s) North Shore Bear Lake LLC

Claim ID

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court Bear Lake Decree Date July 25, 1923 Plaintiff v. Defendant George T. Thornock, et al. v. Bloomington Irrigation Co., et al
If applicable provide IDWR Water Right Number 11-234

15. Signature(s)

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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: 3

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) _____ Date: _____
_____ Date: _____

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

Manager _____ of North Shore Bear Lake LLC
Agent's 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 Thom Morgan Date Dec 7, 2023

Printed Name of Authorized Agent Thom Morgan

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Thomas J. Budge Date 12/7/2023

Address PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) North Shore Bear Lake LLC Claim ID _____

Close

Water Right Report : 11-234(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	NORTH SHORE BEAR LAKE LLC	2023 COMPTON RD	FARMINGTON	UT	84025-3959
Original Owner	HULME, JOHN P			ZZ	
Previous Owner	BUNDERSON, ROY	PO BOX 255	BLOOMINGTON	ID	83223
Previous Owner	BUNDERSON, SHANNON	PO BOX 255	BLOOMINGTON	ID	83223
Security Interest	FIRST COMUNITY BANK UTAH, DIVISION OF GLACIER BANK	1601 N HILL FIELD RD	LAYTON	UT	84041-2161

Water Right Status

Priority Date : 5/1/1894
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BLOOMINGTON CREEK		BEAR LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BLOOMINGTON CREEK	14S	43E	32	0		SE	SW	BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/01	1.18	CFS
TOTAL			1.18	CFS

Places of Use

Printable View Paged View

Place of Use Legal Description : IRRIGATION (BEAR LAKE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
14S	43E	24		NE		NW	
14S	43E	24		NW		NW	
14S	43E	24		SW		NW	
14S	43E	24		SE		NW	

Irrigation Totals

Total Acres Acre Limit

Conditions

Code Conditions

P/D TOWN DITCH OF THE BLOOMINGTON IRRIGATION CO. P/U ACRES IRRIGATED 59

Dates

Licensed Date :
Decreed Date : 7/25/1923
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :

Other Information

State or Federal :
Water District Number : 11J
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :

Application Received Date:
Protest Deadline Date:

Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

11/27/2023

North Shore Bear Lake LLC

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

North Shore Bear Lake LLC 11-234 and 11-235 POU



Instrument # 229402

BEAR LAKE COUNTY

06-10-2019 03:40:56 No. of Pages: 5

Recorded for: FIRST AMERICAN TITLE - MONTPELIER

Cindy Garner Fee: \$15.00

Ex-Officio Recorder Deputy: JH

Index to: WARRANTY DEED

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Roy Bunderson and Shannon Bunderson, husband and wife, P.O. Box 255, Bloomington, Idaho 83223 ("Grantors"), hereby sell and convey unto **North Shore Bear Lake, LLC**, 2023 N. Compton Road, Farmington, Utah 84025 ("Grantee"), all of Grantors' right, title and interest in Idaho water right nos. 11-234 and 11-235 as described in **Exhibit A** attached hereto (the "Water Rights"), being appurtenant to the NW1/4 of Section 24, Township 14 South, Range 43 East, Boise Meridian, Bear Lake County, Idaho.

Grantors hereby covenant and warrant to Grantee that: (a) Grantors are the owner in fee simple of the Water Rights; (b) Grantors have not conveyed any part of the Water Rights to anyone other than Grantee; (c) the Water Rights are free from all liens, claims, or encumbrances; (d) Grantors have the authority to convey the Water Rights to Grantee; and (e) Grantors have disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Rights. Grantors make no other covenants or warranties as to the Water Rights.

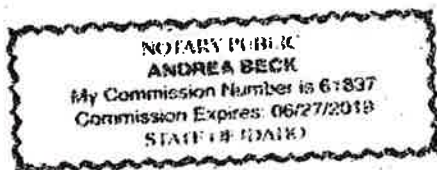
DATED this 7th day of June, 2019.

Roy Bunderson
Roy Bunderson

Shannon Bunderson
Shannon Bunderson

STATE OF IDAHO)
: ss.
COUNTY OF BEAR LAKE)

This record was acknowledged before me on this 7th day of June, 2019, by **Roy Bunderson and Shannon Bunderson**.



Andrea Beck
Notary Public for Idaho
Commission expires 6-27-2019

SPECIAL WARRANTY DEED FOR WATER RIGHTS**North Shore Bear Lake LLC**

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/9/2017

WATER RIGHT NO. 11-234

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROY BUNDERSON
Current Owner	SHANNON BUNDERSON PO BOX 255 BLOOMINGTON, ID 83223 2089452051
Original Owner	JOHN P HULME

Priority Date: 05/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLOOMINGTON CREEK	BEAR LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/01	1.4 CFS	
Total Diversion			1.4 CFS	

Location of Point(s) of Diversion:

BLOOMINGTON CREEK|SESW|Sec. 32|Township 14S|Range 43E|BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14S	43E	24		NENW			NWNW			SWNW			SEnw	

Exhibit A - 1

North Shore Bear Lake LLC

Conditions of Approval:

1. P/D TOWN DITCH OF THE BLOOMINGTON IRRIGATION CO. P/U ACRES IRRIGATED 70

Dates:

Licensed Date:

Decreed Date: 07/25/1923

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number: 11J

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/9/2017

WATER RIGHT NO. 11-235

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROY BUNDERSON
Current Owner	SHANNON BUNDERSON PO BOX 255 BLOOMINGTON, ID 83223 2089452051
Original Owner	JOHN P HULME

Priority Date: 05/01/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLOOMINGTON CREEK	BEAR LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	6/25	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

BLOOMINGTON CREEK || Sec. | Township | Range | County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14S	43E	24		NENW			NWNW			SWNW			SEnw	

Exhibit A - 3

North Shore Bear Lake LLC

Conditions of Approval:

1. P/D HANSEN DAM P/U ACRES IRRIGATED 50.

Dates:

Licensed Date:

Decreed Date: 07/25/1923

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number: 11J

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

RECEIVED

DEC 11 2023

December 8, 2023

Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

Sent via Email & U.S. Mail

**Re: North Shore Bear Lake LLC
Notices of Claims to Water Rights
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of four Notices of Claims to Water Rights filed on behalf of North Shore Bear Lake LLC, together with a check in the amount of \$468.00 for the filing fees, broken down as follows:

Claim 11-234: \$50 flat fee + (\$1.00 per acre x 101.1 acres (irrigation)) = \$152

Claim 11-235: \$50 flat fee (irrigation of same irrigated acres as 11-234) = \$50

Claim 11-7843: \$50 flat fee + (\$100 per cfs x 0.6 cfs (municipal)) = \$110

Claim 11-7844:

\$50 flat fee + (\$100 per cfs x 1.0 cfs (diversion to storage)) + (\$6 (aesthetic storage)) = \$156

Total: \$468.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,


TESSA SPARROW
Paralegal

Enclosure

c: North Shore Bear Lake LLC