

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04194
Date Received: 3/22/1990
Receipt No: FOI2489
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDNA GUNTER 208-775-3713
Address: 2456 N. BLACKROCK CANYON RD
POCATELLO, ID 83204

2. Date of Priority: MAY 01, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	22	NE	SE			BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	22	NE	SE		IRR	7.0

Section Acres 7.0

A29-04194

Page 1

Date: 03/22/90

MICROFILMED

NOV 13 1992

A2904194



10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. 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 Snake 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: 0

For Individuals:

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

Signature of Claimant(s): Edna Hunter Date: March 22, 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 90

Gene Calk
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

June 13, 2001

SCOT GUNTER
CHARRONE GUNTER
2480 N BLACKROCK RD
POCATELLO ID 83204-7313

RE: Snake River Basin Adjudication Claim 29-04194

Dear Scot and Charrone,

Enclosed is the amended claim and Notice of Change of Water Right Ownership form Charrone and I spoke about on Wednesday June 13, 2001. There were two steps that we spoke about that need to be taken:

Step 1:

Have Edna sign the amended claim **in front of a notary**. The only change in the claim is that the irrigated place of use is more accurately described to include a portion of your property as irrigated land.

Step 2:

Complete the Notice of Change in Water Right Ownership. Please include your deed to the property showing that Edna conveyed part of her property to you. This will allow me to split the original claim and put a portion of the water right in your name.

Results:

The result of this process is that both Edna and yourself will have your own separate water right from the irrigation well. I have enclosed two maps that are almost identical. One is for your records and graphically explains what I potentially planning on recommending after the above steps are completed.

The second map is for my use. Please draw in the location of the irrigation well and return it to me with the signed amended claim and the Change of Ownership form.

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L Saxton
Water Resource Agent
Adjudication Bureau

Log for claim A29-04194

Spatial Dynamics BTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	22	NESE	7	5.4	
Totals:			7	5.4	

6/11/01 Scot + Charlene Gunter own Property in SEUE.
need c/o after claim Amended
775-3049

6/13/01 2480 N Blackrock Canyon
Pocatello ID
83204

Spoke with Charlene - sent c/o and amended claim.

AJ5809NP
No. A29-04194

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 186

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDNA GUNTER 2456 N BLACKROCK CANYON RD POCATELLO ID 83204 (208) 775-3713	05/01/1958	IRRIGATION	03-15 11-15	0.140 CFS	
TOTAL DIVERSION:					0.140 CFS	
CONSUMPTIVE USE:						17.50 AFA
Water Source: GROUNDWATER		Tributary to:			Stage: STATUTORY CLAIM	

AJ5809NP
No. A29-04194

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 187

Point(s) of Diversion: T07S R35E S22 NESE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
07S	35E	22	:																	:	7.0		
																				:	07	:	7.0
																				:	TOTAL ACRES	:	7.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10022 29-10695 A29-10021 A29-10022 A29-10695

Other Water Rights Listing Overlapping Place(s) of Use:

A29-10021

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/22/90 DCARLSON 07/20/94 THOMPSON 03/29/95 POST-STD

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 Boyd H. Gunter

(Name of Claimant)

Route #3, Box 229, Pocatello, ID 83201

(Mailing Address)

(Zip Code)

Telephone No. 775-3713

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) May, 1958

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)

groundwater tributary to _____

- (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.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.14 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>March 15</u>	To <u>Nov. 15</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

- (4) 0.14 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NE ¼ SE ¼, Sec. 22 Twp. 7S Rge. 35E B.M., County of Bannock

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. Well & pump to mainline and hand line.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	35E	22													7				7

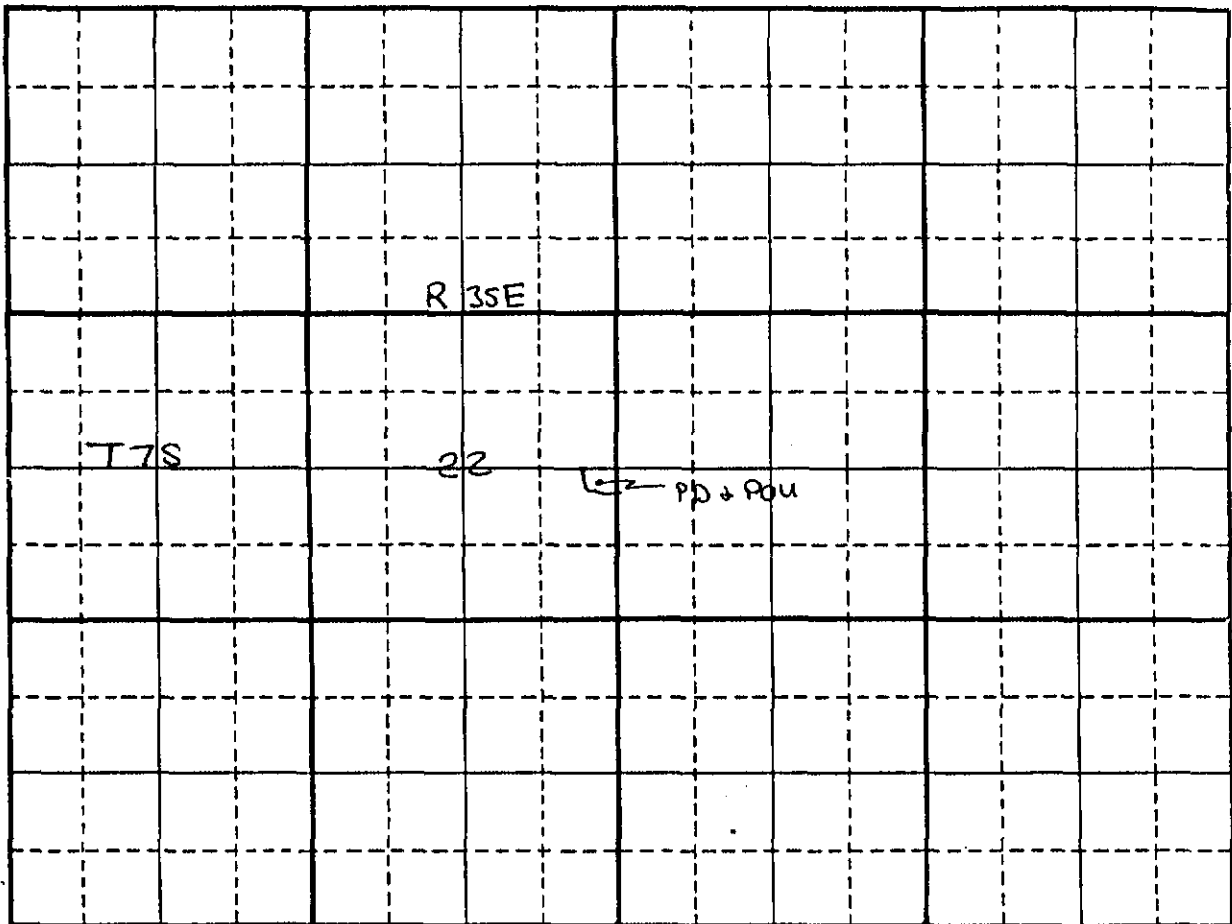
No. of acres 7

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

NOTE: Include here the type and number of stock watered: _____

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

NOT RECORDED
(7)



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) ss.

Bonnaville)

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.

to before me this 21 day of April

1981

+ Boyd Hunter

(Claimant)

Kathleen A. Walker

Notary Public

Residing at

Idaho Falls

My commission expires

2/15/1983

FOR DEPARTMENT USE ONLY

Received by HLT

Date 4-21-81

Exception filed by:

Forwarded to

Date

Prelim. check by KCU

Date 4-21-81

\$0.00 fee received by KCU

Date 4/21/81 #17601

claimant by:

Published in

High State Journal

Dates

7/30 & 9/07/81

AFFIDAVIT

STATE OF IDAHO)
COUNTY OF BANNOCK)

: ss

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

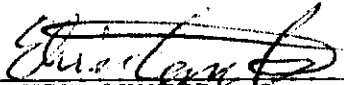
I, Elvin Gunter being first duly sworn upon his oath, deposes and says:

I am the son of Boyd H. Gunter, deceased and Edna Gunter.

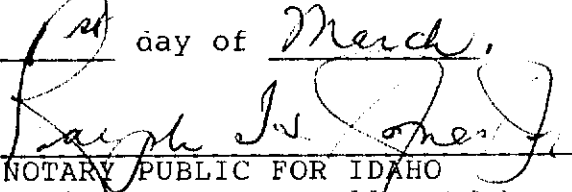
I am acquainted with the well and pump to mainline and handline that has been consistently used during irrigation season to water the 7 acres owned by my parents in Bannock County, Idaho described as NE4 SE4, Section 22, Township 7 S., Range 35 EBM.

I was born in 1941, in Pocatello, Idaho and was raised on above described premises. I know from memory and being present that the well, pump and irrigation equipment was placed on the premises while I was in high school in the late 50's. I have lived in Bannock County, Idaho all my life. I know that my Father, Boyd H. Gunter, lived on the above premises with my Mother, Edna Gunter during all time in question until his death. Since his death, my Mother has continued to live and reside there. During each and all of the years in question my parents, and my Mother, since the death of my Father, used the well water to irrigate and farm above premises during the irrigation season.

In Witness Whereof I have hereunto set my hand this 1st day of March, 1995.


ELVIN GUNTER
1048 Mills Way, Pocatello, ID

SUBSCRIBED AND SWORN to me this
1995.

2nd day of March,

NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILMED

NOV 13 1990

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

We, Russell Davis and Tresa Davis both of Pocatello, Idaho,
being first duly sworn, upon their oath deposes and says:

We have been a neighbors and friends of Boyd H. Gunter and
Edna Gunter of Bannock County for over 42 years.

We are acquainted with the well, pump and irrigation equipment
placed on the premises of the Gunters in Bannock County, Idaho
located on 7 acres described as NE4 SE4, Section 22, Township 7 S.,
Range 35 EBM. Said well, pump and irrigation equipment have been in
place and used during irrigation season each year since 1958 to farm
and irrigate above described premises.

In Witness Whereof I have hereunto set my hand this 18th day
of March, 1995.

Russell F. Davis
RUSSELL DAVIS

Tresa B. Davis
TRESA DAVIS

SUBSCRIBED AND SWORN to before me this 18th day
of March, 1995.

Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: Nov 98

MICROFILM

NOV 13 1998

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

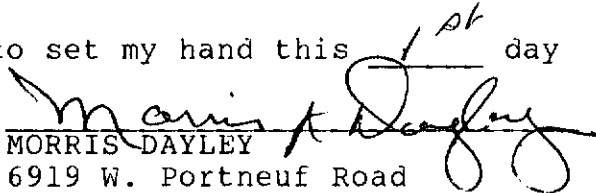
Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

I, Morris Dayley of Pocatello, Idaho, being first duly sworn,
upon his oath deposes and says:

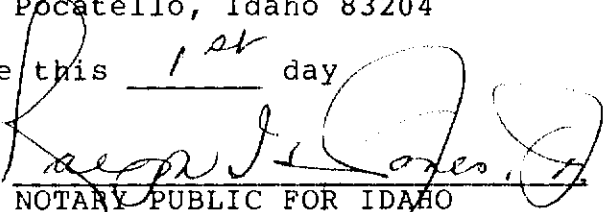
I have been a neighbor and friend of Boyd H. Gunter and Edna
Gunter of Bannock County for over 50 years.

I am acquainted with the well, pump and irrigation equipment
placed on the premises of the Gunters in Bannock County, Idaho
located on 7 acres described as NE4 SE4, Section 22, Township 7 S.,
Range 35 EBM. Said well, pump and irrigation equipment have been in
place and used during irrigation season each year since 1958 to farm
and irrigate above described premises.

In Witness Whereof I have hereunto set my hand this 1st day
of March, 1995.


MORRIS DAYLEY
6919 W. Portneuf Road
Pocatello, Idaho 83204

SUBSCRIBED AND SWORN to before me this 1st day
of March, 1995.


NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILM

NOV 13 1990

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

I, Edna Gunter of Pocatello, Idaho being first duly sworn,
deposes and says:

I am the widow of Boyd H. Gunter, deceased.

On land owned by my husband and me, he filed a Claim to a
Water Right with a priority date of May 1958 with the Department of
Water Resources, State of Idaho, being claim number 29 4194 for
ground wter on seven acres of property located in Bannock County,
Idaho described as NE4 SE4, Section 22, Township 7 S., Range 35 EBM.

Within my knowledge, I know that my husband and I drilled a
well and placed thereon a pump together with mainline and handline
in May 1958 and that said well, pump, mainline and handline have
been used since that date in each year during the irrigating season
to farm and irrigate said acreage up to and including the present.

At the time of submitting this affidavit, I am also submitting
affidavits of neighbors, Morris Dayley, Russell and Tresa Davis, and
that of my son, Elvin Gunter, who was born and raised by Boyd and me
upon the above premises and who is a life long resident of Bannock
County, Idaho.

I respectfully request that these said affidavits, submitted
in proof of Claim number 29 4914 be made part of the permanent file
in this matter.

In Witness Whereof, I have hereunto set my hand this 28th day
of February, 1995.

Edna Gunter
EDNA GUNTER

SUBSCRIBED AND SWORN to before me this 28th day
of February, 1995.

Ralph L. Jones
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILMED

NOV 13 1990