

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: A29-07381
Date Received: 4/10/1990
Receipt No: EO13023
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD W. GUNTER 208-254-3770
Address: 1274 E TWO MILE RD
MC CAMMON, ID 83250

OR

Name: CAROL GUNTER 208-254-3770
Address: 1274 E TWO MILE RD
MC CAMMON, ID 83250

2. Date of Priority: MAR 10, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	36	SE	NW			BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		49.00
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 50.20 A.F.A.

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME S/ 50 SHEEP, 2 HORSES, 5 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	36	SW	NW		IRR	6.0
			SE	NW		IRR	8.0
Section Acres							14.0
Total Acres							14.0

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: LICENSE

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): Donald W. Hunter Date: 4/10/90
Carol Hunter Date: 4/10/90

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of April 19 90

Dane Carls
Notary Public

Seal

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

03/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-7381

NAME AND ADDRESS: CAROL GUNTER
DONALD W GUNTER
1274 E TWO MILE RD
MC CAMMON, ID 83250

SOURCE: GROUND WATER

QUANTITY: 0.24 CFS
50.2 AFY

PRIORITY DATE: 03/10/1977

POINT OF DIVERSION: T08S R36E S36 SWSNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.20 CFS 49.00 AFY
DOMESTIC	1-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County
T08S R36E S36 SWNW 6 T08S R36E S36 SENW 8
DOMESTIC Use same as IRRIGATION

14 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Log for claim A29-07381

Spatial Dynamics PJM

8/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	36	SWNW	6	6.2	
08s36e	36	SEnw	8	8.8	
Totals:			14	15	

AJ5809NP
No. A29-07381

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 169

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD W GUNTER	03/10/1977	IRRIGATION	04-01 11-01	0.200 CFS	49.00 AFA
C	CAROL GUNTER		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	1274 E TWO MILE RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.240 CFS	50.20 AFA
	(208) 254-3770			CONSUMPTIVE USE:		35.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R36E S36 SENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
08S	36E	36	:					:			06	08	:					:					:	14.0
																							TOTAL ACRES	14.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: D/ ONE HOME S/ 50 SHEEP, 2 HORSES, 5 CATTLE

Other Rights: NONE

Other Water Rights With Same Point(s) of Diversion With Stage (Includes All Sources):
29-11837 A29-11837

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

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

Audit: 04/11/90 DCARLSON 07/27/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7381 Priority March 10, 1977 Amount 0.24 cfs

THIS IS TO CERTIFY, that Donald W. Gunter
of McCammon, Idaho, has complied with the terms and conditions of Permit
No. 29-7381 issued pursuant to Application for Permit dated March 10, 1977,
and has submitted proof to the Department of Water Resources on March 8, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.24 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.20</u> cfs and	<u>49.0</u> acre feet
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.24 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
50.2 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4 Section 36,
Twp 8S, Rge 36E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Totals
			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	
8S	36E	36						6	8						14

Total number of acres irrigated 14

D = Domestic use location.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13TH day of JANUARY, 1984.

Acting for the Director

MICROFILMED

DRT

Identification No. 29 7381

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

APPROVED

**To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)**

1. Name of applicant Donald W. Gunter Phone: 775-3636
post office address Rt. #2, Box 43, Inkom, Idaho 83245
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 8S
Range 36E B.M. Bannock County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.50 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.54 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b. Estimated construction cost is \$ 7,000.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 8S
Range 36E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1
(5) If water is to be used for other purposes describe: _____

[illegible]

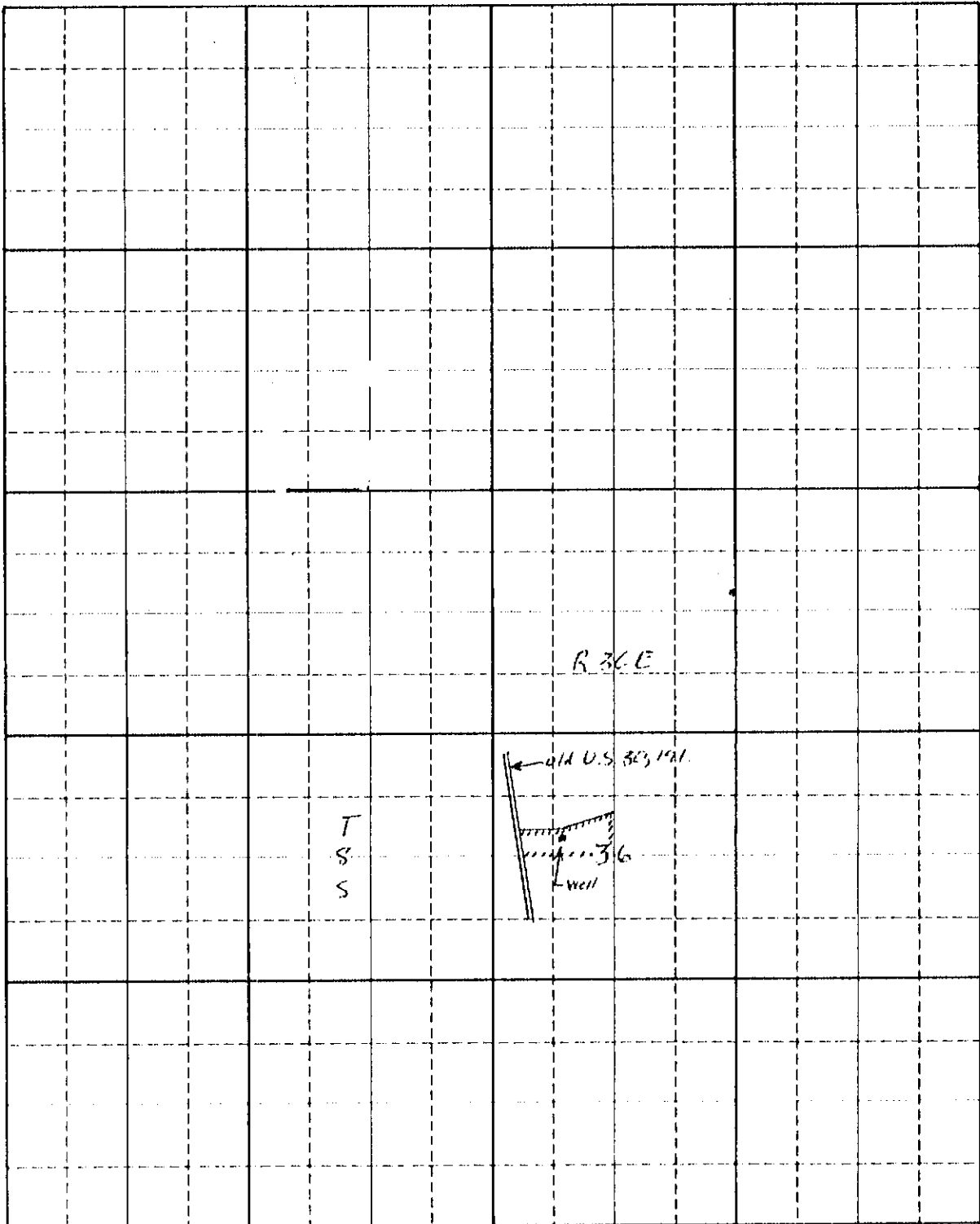
9. a. Who owns the property at the point of diversion.....Applicant

b. Who owns the land to be irrigated or place of use.....Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.....

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Donald W. Hunter
(Applicant)

Proposed Priority 3/10/77

Received by Cal Date 3-10-77 Time 11:30 AM
Preliminary check by LH Fee \$25.00
Receipted by Cal Date 3-10-77 # 6431
Publication prepared by Cal Date 3-18-77
Published in State State Journal
Publication dates 77m 24431, 1977
Publication approved me Date 4-18-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC jo

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

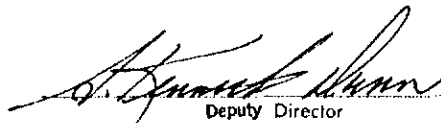
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7381, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

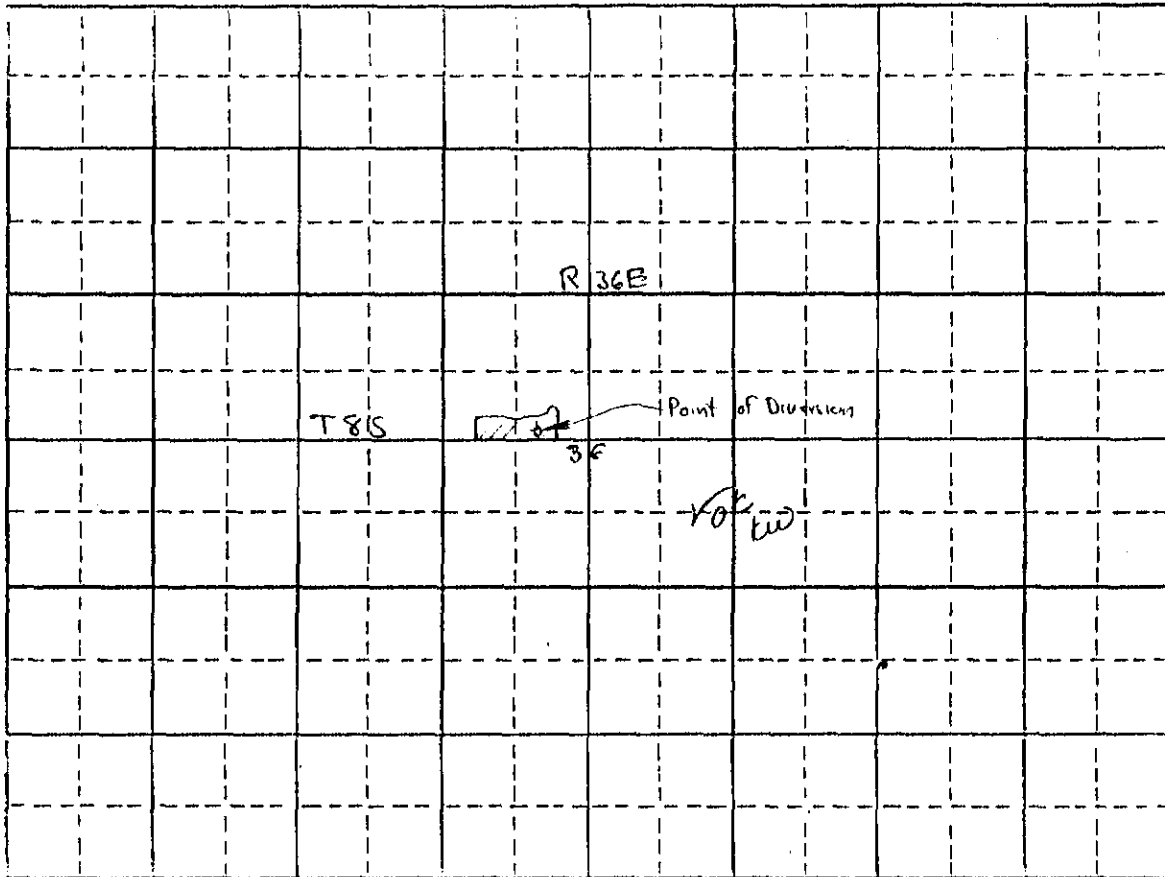
2. Denial of said application is for the following reasons: _____

Witness my hand this 17 day of May, 19 77.


Deputy Director

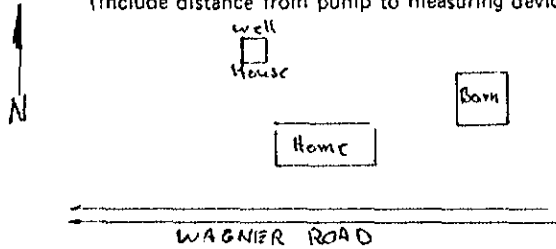
Examiner measured sprinkler system only - allow 0.24 cfs for capacity.

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NW 1/4 Sect. 36 T8S R36E

✓ same as permit

Place(s) of Use

✓ same as permit (less acreage)

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
8S	36E	36							6	8									14
		36							X-acreage										

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature

David W. Jones
Keith Wilson
Ray Walker

Checked by

Approved by

Date

Date

Date

1-28-1983

12-01-1983

12/12/1983

24-7331

Vok
Kuo

T85

R36E

36
11

B
536

B
278

B
138

P
48

P
83

B
174

B52
(178)

MICROFILM