

RECEIVED

APR 19 2002

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 65-03160

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Gurnsey Investments, Ltd. by Vern L. Gurnsey, gentleman

Address: 1111 W. Highland View Dr.
Boise, Idaho 83702

Daytime Phone: 208-343-1780

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Harry L. Bettis

Address: 10775 Sucker Cr. Rd.
Payette, Id. 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 137 ~~acres~~ acres, not 147.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See detail.

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of ADH)

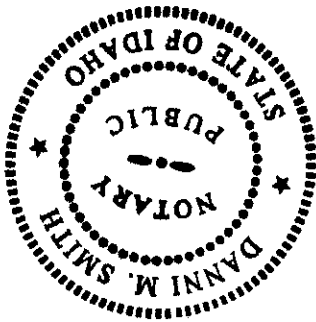
VERN L GURNSEY, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gurnsey Investments, LLC
Vern L. Gurnsey, general partner
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 17th of April 2002



(Danni M. Smith
Notary Public for IDWR
Residing at: Boise ID
My Commission Expires: 12/5/2006

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on April 18, 2002, ~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name:	<u>HARRY BETTIS, BETTIS RANCHES, + ATTY JO BREMAN</u>	
Address:	<u>10775 SUCKER CR. RD.</u>	<u>409 W JEFFERSON</u>
	<u>PALETTE, ID. 83661</u>	<u>BOISE, ID 83702</u>

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Vern L. Gurnsey, general partner for
GURNEY INVESTMENTS, LTP
Signature of Objector or attorney
mailing on Objector's behalf

**INSTRUCTIONS FOR FILING
OBJECTIONS TO WATER RIGHTS IN THE
SNAKE RIVER BASIN ADJUDICATION**

The attached form is for your use if you file an objection to a water right. You may copy or reproduce this blank form.

To object to more than one water right, you must use a **separate form for each objection** and there must be **only one objector** for each form.

Your objection must be **received** by the court on or before the deadline specified in the notice that the Idaho Department of Water Resources mailed to you. If you are filing 25 or more objections you must contact the Clerk of the SRBA court at least 14 days before the filing deadline and arrange an appointment for filing.

You may attach any explanation or documentation that you feel is necessary to support your objection.

INSTRUCTIONS FOR COMPLETING THE OBJECTION FORM

- A. Subcase.** Fill in the water right number to which you are objecting at the top of the form in the blank following "Subcase." The water right number will become the Subcase Number.
- B. Name and Address of Person Objecting.** Enter your name, address and daytime telephone in the blanks provided.
- C. Claimant of Water Right As Listed in Director's Report.** Fill in the claimant/owner blank of the water right to which you are objecting as it is listed in the Director's Report.
- D. Elements of the Water Right.** If you disagree with one or more of the elements in the Director's Report, check the appropriate box(es) and write in the space provided what you think the element "should be." If you are objecting because you do not think a water right should exist or because a water right was not recommended and should be recommended, mark the appropriate box under No. 11 and explain your reason in paragraph E.
- E. Reasons supporting objection.** State the reason supporting your objection(s).
- F. Verification.** You must sign the Objection form in front of a notary. By filing this objection form, you are certifying that the objection is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.
- G. Certificate of Mailing.** Fill in the appropriate blanks for the date and the owner of the water right, and sign the form. Remember that the original copy of this Objection must be mailed to the Clerk of the SRBA District Court with copies mailed to the parties listed in this section.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 65-03161

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Gurnsey Investments Ltd. by Vern L. Gurnsey, gen. ptr.

Address: 111 W. Highland View Dr.

Boise, Idaho 83702

Daytime Phone: 208-3431780

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Harry L. Battis

Address: 10775 Sucker Cr. Rd.

Payette, Id. 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 130 acres, not 147
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See detail attached

F.

VERIFICATION (Must be Completed)

State of IDAHO)

County of ADA) ss.

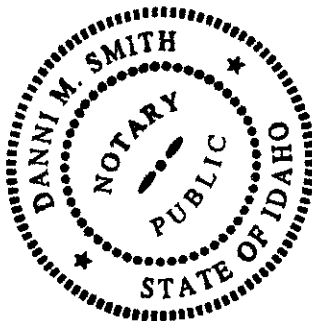
VERN L GURNSEY, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gurnsey Investments, Ltd. by
(Signature of person filing objection) Vern L. Gurnsey, general partner

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 17th APRIL 2002



Danni M. Smith
Notary Public for IDWR
Residing at: BOISE ID
My Commission Expires: 12/5/2006

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on APRIL 18, 2000, ~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name:	<u>HARRY BETTIS BETTIS RANCHES</u>	<u>JO BEEMAN ATTY.</u>
Address:	<u>10775 SUCKER CR. RD.</u>	<u>409 W. JEFFERSON</u>
	<u>PALETTE ID 83661</u>	<u>BOISE, ID. 83702</u>

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Vern L. Gurnsey, general partner
GURNSEY INVESTMENTS, LTP.
Signature of Objector or attorney
mailing on Objector's behalf

GURNSEY INVESTMENTS, LTD.

1111 W. HIGHLAND VIEW DR.
BOISE, IDAHO 83702
PHONE: (208) 343-1703 (208) 325-8721

VERN GURNSEY, GEN. PTR.
KITTY GURNSEY, GEN. PTR.
KRISTINA JOHNSON, LTD. PTR.
STEVE D. GURNSEY, LTD. PTR.
SCOTT T. GURNSEY, LTD. PTR.

April 17, 2002

To Whom It May Concern:

Gurnsey Investments, Ltd. is a limited partnership with Vern L. & Kathleen Wallace Gurnsey as general partners and their children, Kristina G. Johnson, Steven D. Gurnsey, and Scott T. Gurnsey as the primary limited partners with units of ownership gifted by their parents as general partners.

Part of the assets of Gurnsey Investments, Ltd. is situated in the W 1/2 of the SE 1/4 of Section 27, Township 17 North, Range 3 East, Boise Meridian, consisting of approximately 12.66 acres lying West of Highway 55 in Valley County, Idaho.

This property (known as the Wood's Place) was originally owned by Henry and Bette Nortune (Kathleen Gurnsey's aunt and uncle. Our family purchased this piece of land from the Nortunes on 10/18/88 and later on 7/24/95 deeded it to the above named general partnership.

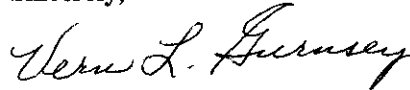
Part of the property now owned by Gurnsey Investments, Ltd. has been historically irrigated with the remainder of the SE 1/4 of Section 27 via a culvert under Highway 55 as shown on the enclosed sketch map or adjacent owners and ditches.

Under water rights #65-3160 and #6-3161 this property and the portion of the SE 1/4 of Sec. 27, T. 17N., R 3E has been irrigated since 1909. These two water rights cover 147 acres.

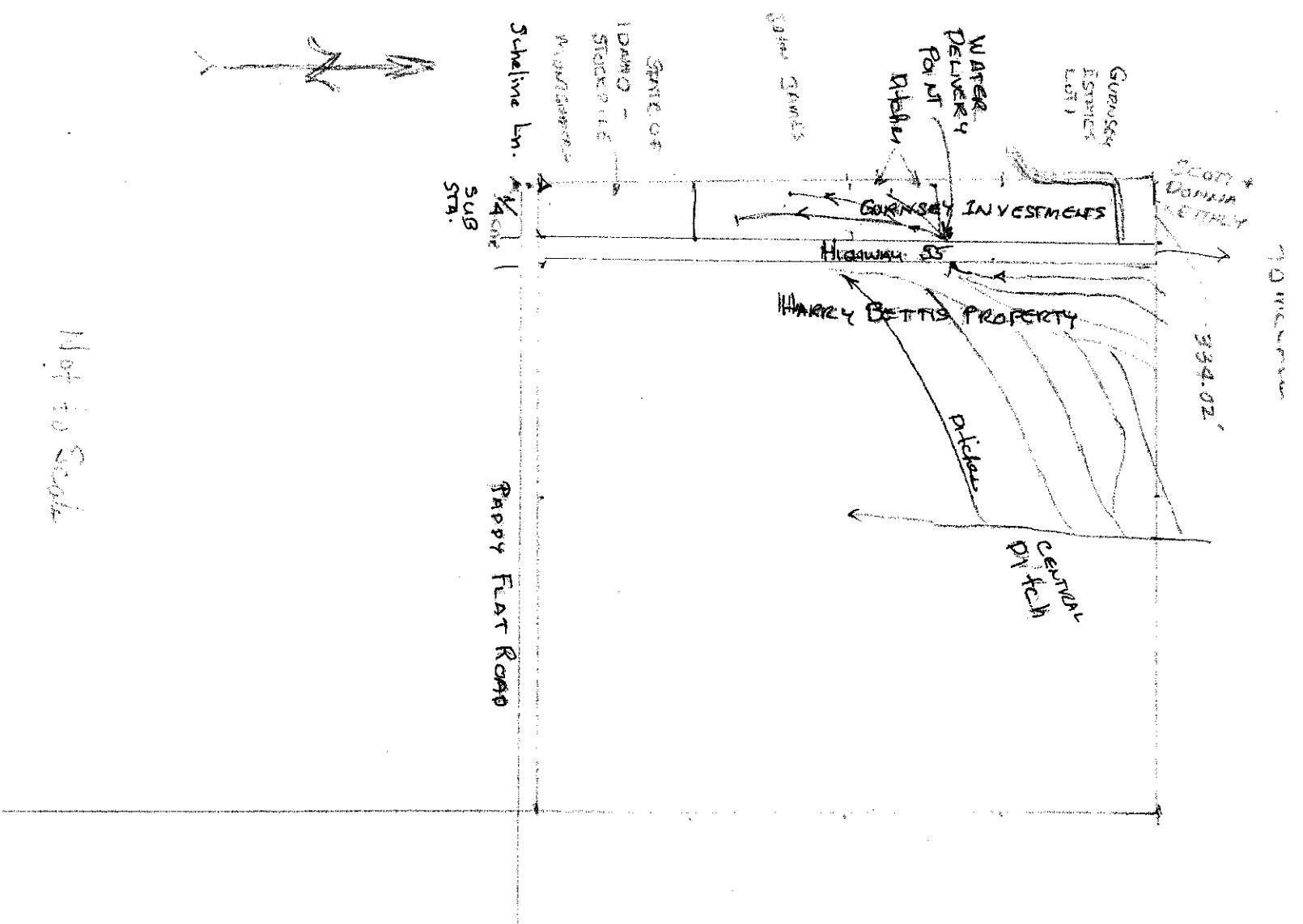
Simply stated, with Highway 55, the other adjacent land not owned by Mr. Bettis consists of approximately 23-24 acres. If the quarter section consists of 160 acres, and the non-irrigated portions of the W 1/2 SE 1/4, Sec.27 are subtracted, the 147 acres claimed by these two water rights must include our irrigated properties in the Quarter section--Hence the "objection", and our request to solidify whatever rights Gurnsey Investments should entail.

Since we are such a small portion of the overall rights enumerated, I hope this can be settled in a speedy and inexpensive manner. Thanks for any help.

Sincerely,

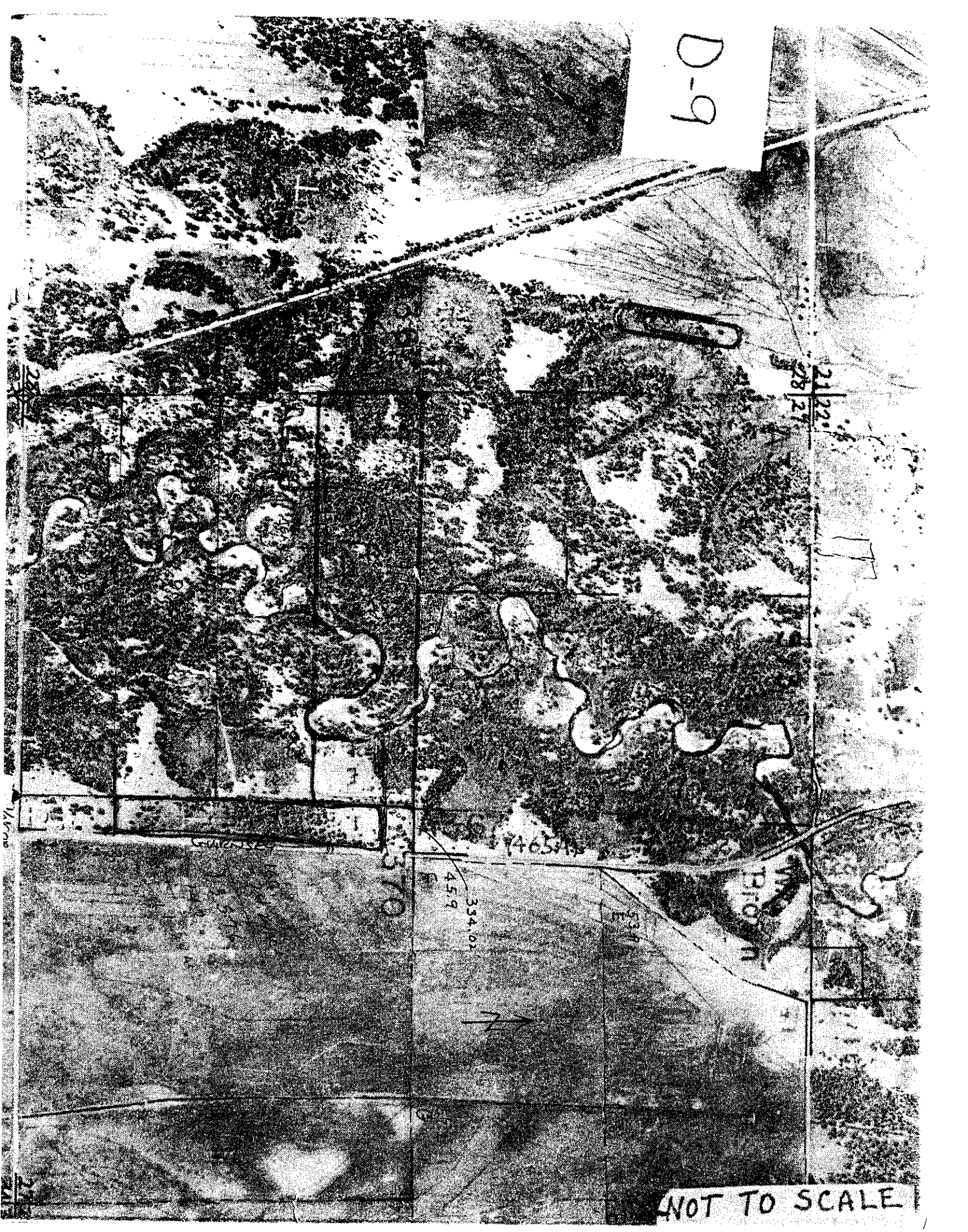


Vern L. Gurnsey, General Partner
Gurnsey Investments, Ltd.



Not to Scale

D-9



NOT TO SCALE

GURNSEY INVESTMENTS, LTD.

1111 W. HIGHLAND VIEW DR.
BOISE, IDAHO 83702
PHONE: (208) 343-1703 (208) 325-8721

VERN GURNSEY, GEN. PTR.
KITTY GURNSEY, GEN. PTR.
KRISTINA JOHNSON, LTD. PTR.
STEVE D. GURNSEY, LTD. PTR.
SCOTT T. GURNSEY, LTD. PTR.

APRIL 18, 2002

TO MY KNOWLEDGE THIS IS THE OWNERSHIP CHAIN
ON WATER RIGHTS 65-03160 + 65-03161: IN THE
SE. 1/4 SEC. 27, TWP 17N R. 3E. B.M. VALLEY COUNTY, IDAHO

- OLDEST KNOWN OWNER TO OUR FAMILY.
- MORGAN BROWNLEE, WHO'S WIFE WAS A WOODS. HENCE
FORTH KNOWN AS THE "WOODS PLACE" - PROBABLY FROM
HOMESTEAD OR OTHER EARLY ACQUISITION RIGHTS. THENCE TO:
- HENRY NORTUNE + TILDA BARKER, BROTHER + SISTER, - PROBABLY
BY PURCHASE / ESTATE. HENRY NORTUNE WAS THE "HIRED
MAN" ON THE HOME RANCH - OWNED BY THE HALBERTY'S
MY WIFE'S GRANDPARENTS - MATERNAL - THENCE TO:
- HENRY NORTUNE - BETTY HALBERTY NORTUNE:
- THEN SPLIT IN 1988 BY PURCHASE OF THE PORTION WEST
OF HIGHWAY 55 TO VERN + KITTY GURNSEY. THE REMAINDER
EAST - APPROX. 140 ACRES - LATER SOLD TO CRUICKSHANK, +
THEN TO BETTIS RANCHES.
- THE REMAINING 20 ACRES WAS HWY 55 RIGHT OF WAY,
+ STATE OF IDAHO STOCKPILE SITE OF 4.5 ACRES. PURCHASED
FROM JOHN CRUICKSHANK - 9-14-89, + GURNSEY'S OCT. 18,
1988 -
- GURNSEYS SOLD THE NORTH 2.2 ACRES TO SCOTT + DONNA
KIEHL + WHO LIVE THERE. RETAINING 12.664 ACRES, WHICH
WAS TRANSFERRED TO GURNSEY INVESTMENTS, LTD 7-24-95.

12-24-92