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Department of Water Resources

GURNSEY INVESTMENTS, LTD.

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SCOTT T. GURNSEY, LTD. PTR.

**Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83303 -2707**

re:SRBA --Case # 39576

subcase 6503160 subcase 6503161:

**on objections filed April 17/18 2002 by Gurnsey Investments, Ltd. an
Idaho Limited Partnership Vern L. Gurnsey, general partner:**

**In light of recent meetings with IDWR personnel, Mr. Baxter, & Mr. Howerton, in
which they stated a firm "no split" Department position relative to the 1977/1986
adjudication decree, and the current "Director's recommendation "on the
abovementioned cases, coupled with our late claim; we must rest our objections for
the present.**

**The expense of litigation, time, and travel requirements would make the small
possibility of an amended recommendation prohibitive at this time.**

**We do, however, ask for consideration in any future adjustments or amendments
which would make our claim possible for merit because of the following
consideration.:**

**There are not 147 acres of irrigable land east of Highway 55 as stated in the right
of the SE1/4 of Sec. 27, Twp.17 N, Range 3 E. If our land west of the highway were
included, the 147 acres would be more nearly correct. Our basis of claim would be
based on subtractions as follow:**

The SE1/4 quarter section should and does encompass 160 acres by original survey.

Other ownerships west of and including Highway 55, are:

Scott & Donna Kiethly	2.2 acres
Gurnsey Investments	12,664 acres
State of Idaho storage site & Highway 55	6.0 plus acres

Total west side	20.864 plus acres
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To save time and expense for the State IDWR, Court, and ourselves, we are therefore filing for a "Waste water permit" to serve our old existing ditches on an interim basis so as to provide stock water and minimal irrigation. We further understand that under the proposed permit/future right, we cannot "demand" water delivery, but neither can another agent block the access --, currently by a culvert under Highway 55, to the existing source point.

Sincerely,
Gurnsey Investments, Ltd.

Vern L. Gurnsey, general partner

cc; IDWR Document Depository
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