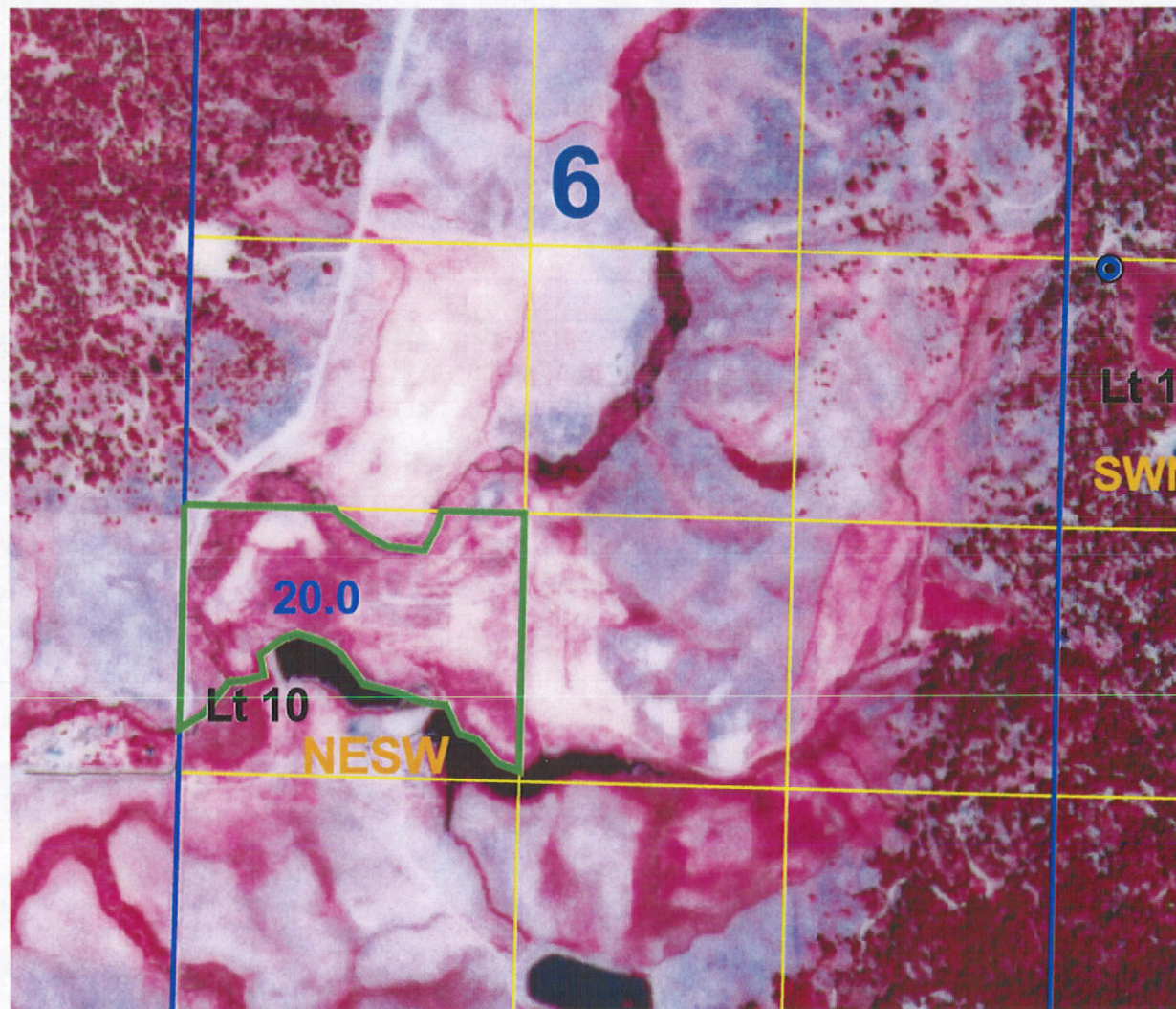


# IDAHO DEPARTMENT OF WATER RESOURCES

## T10N, R03E, 6



### 1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES  
6 SECTION NUMBERS

CLAIM(S): 65-22316

OWNER(S): DOUTHIT, DAN &  
DORATHY

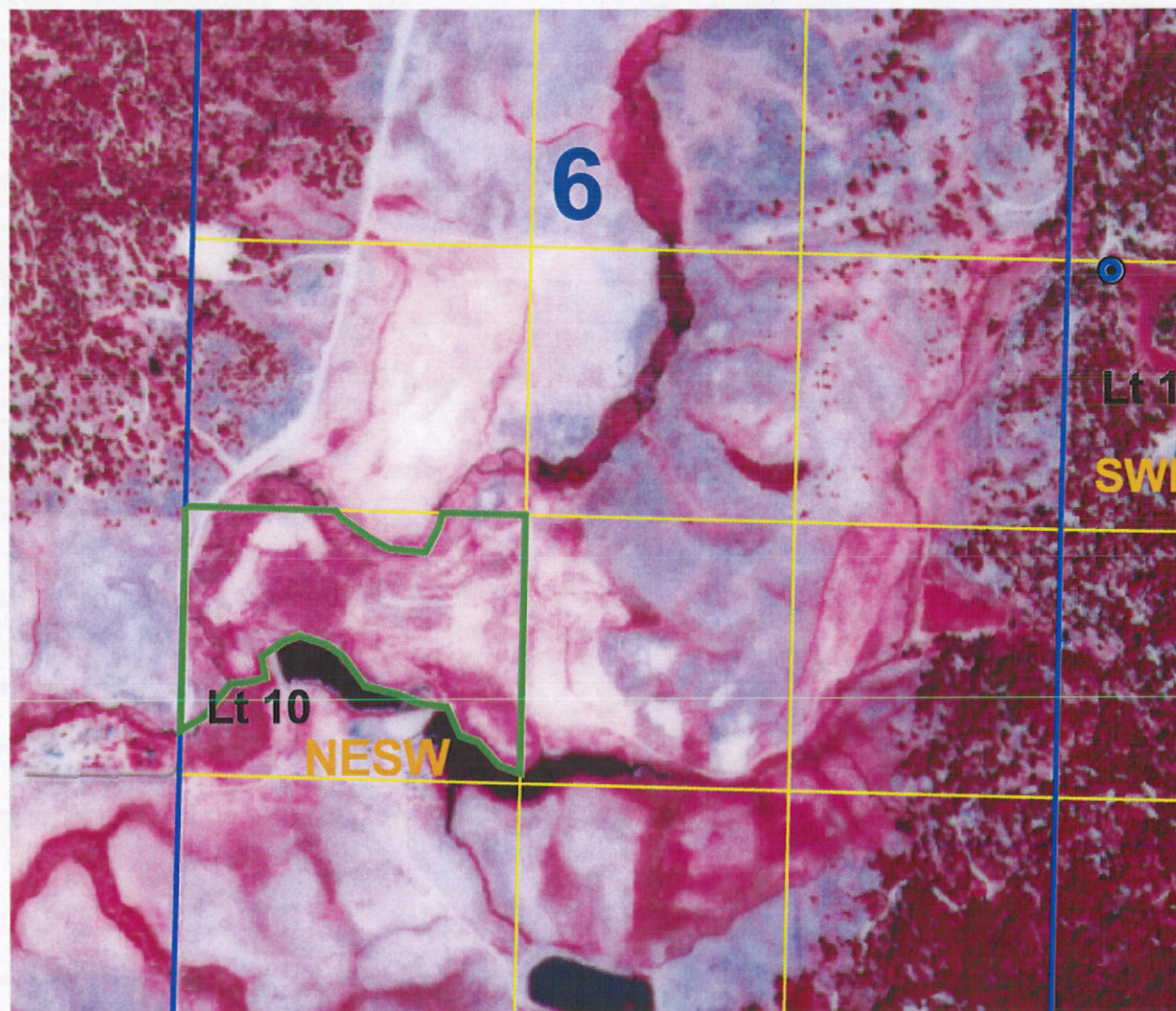
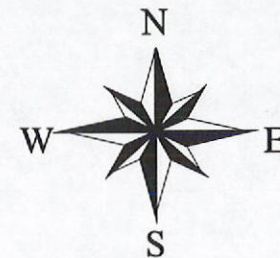
DATE: JANUARY 17, 2001

By: Mel Schulte

0 0.25 0.5 0.75 Miles

# IDAHO DEPARTMENT OF WATER RESOURCES

## T10N, R03E, 6



### 1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES  
6 SECTION NUMBERS

CLAIM(S): 65-22316

OWNER(S): DOUTHIT, DAN &  
DORATHY

DATE: JANUARY 17, 2001

By: Mel Schulte

0 0.25 0.5 0.75 Miles

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 65-22316  
Date Received: 11/7/88  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): DAN DOUTHIT  
5490 CITADEL  
BOISE ID USA 83703

Phone: (208) 344-6816

DORATHY DOUTHIT  
5490 CITADEL WAY  
BOISE ID USA 83703

Phone: (208) 344-6816

2. Date of Priority: 05/15/1910

3. Source: UNNAMED STREAM Trib. to: LITTLE SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County |
|----------|-------|---------|-----------------------|--------|
| 10N      | 03E   | 5       | SW NW 12              | VALLEY |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.4    |            |

7. Total Quantity Appropriated is:  
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres            |
|----------|-------|---------|------------|-----|------------|------------------|
| 10N      | 03E   | 6       | NE SW      | 10  | IRRIGATION | 20               |
|          |       |         |            |     |            | Section Acres 20 |
|          |       |         |            |     |            | Total Acres 20   |

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 65-05560. DB 1/16/2001.

15. Basis of Claim: Decreed

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED****AUG 18 2000****WATER RESOURCES  
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                               | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                               |
|-----------------------|------------------------------|-------------------------------------|-----------------------|------------------------------|-------------------------------------|
| <u>65-09092A</u>      | <u>A65-09092A</u>            |                                     | <u>65-02965A</u>      | <u>A65-02965A</u>            | <input checked="" type="checkbox"/> |
| <u>65-07803A</u>      | <u>A65-07803A</u>            |                                     |                       |                              |                                     |
| <u>65-05560</u>       | <u>A65-05560</u>             | <input checked="" type="checkbox"/> |                       |                              |                                     |
| <u>65-07804</u>       | <u>A65-07804</u>             | <input checked="" type="checkbox"/> |                       |                              |                                     |
| <u>65-07048A</u>      | <u>A65-07048A</u>            | <input checked="" type="checkbox"/> |                       |                              |                                     |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**  
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thelma C Rumsey P.O. Box 109  
Sweet, Idaho 83670
4. New Owner/Claimant(s) Dan & Dorothy Douthit  
 Name Connector (Check one): ☒ and ☐ or ☐ and/or
- New Mailing Address 5490 Citadel Way
- City, State and ZIP Code Boise, Idaho 83703
- New Telephone Number (208) 344-6816
5. Date you acquired the property July 14, 1997

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

|                                                               |                                                                            |                                                              |
|---------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>AGS-05560</u> |                                                                            |                                                              |
| Water Use                                                     | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                    | <u>0.40 cfs</u>                                                            | <u>20 acres - Lot 10</u>                                     |
| Stock                                                         | _____                                                                      | _____                                                        |
| Domestic                                                      | _____                                                                      | _____                                                        |
| Other _____                                                   | _____                                                                      | _____                                                        |
| Total                                                         | <u>0.40 cfs</u>                                                            |                                                              |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

|                                                                |                                                                            |                                                              |
|----------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>AGS-07048A</u> |                                                                            |                                                              |
| Water Use                                                      | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                     | <u>0.86 cfs &amp; 21.6 afa</u>                                             | <u>43 acres - Lot 10</u>                                     |
| Stock                                                          | _____                                                                      | _____                                                        |
| Domestic                                                       | _____                                                                      | _____                                                        |
| Other _____                                                    | _____                                                                      | _____                                                        |
| Total                                                          | _____                                                                      |                                                              |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

Don Douthett  
Don Douthett & Don Douthett

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

|                        |               |                     |
|------------------------|---------------|---------------------|
| Received by <u>N/a</u> | Date _____    | Fee _____           |
| Received by _____      | Date _____    | Receipt No. _____   |
| Processed by _____     | AJ Date _____ | WR _____ Date _____ |

Page 2 - Split right summary for Dan Douthit

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>A65-07604</u>                                                           |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>0.04 cfs</u>                                                            | <u>3 acres - Lot 10</u>                                      |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

## For Office Use Only

|                       |            |                     |
|-----------------------|------------|---------------------|
| Received by _____     | Date _____ | Fee _____           |
| Receipted by _____    | Date _____ | Receipt No. _____   |
| Processed by _____ AJ | Date _____ | WR _____ Date _____ |

# Split tree A65-05560

A65-05560 N/O Zunsaker/Rumsey

DR: .42 cfs

POB: T10N, R03E, S5, SWNW (L+12)

POU: T10N, R03E, S6, SENW (L+9) - 1 ac

S6, NESW (L+10) - 20 ac

A65-22298 N/O Zunsaker/Rumsey

DR: .02 cfs

POB: 10N, 03E, S5, SWNW (L+12)

POU: 10N, 3E, S6, SENW (L+9) - 1 ac

A65-22316 N/O Daniel & Dorothy Drathit

DR: .40 cfs

POB: 10N, 3E, S5, SWNW (L+12)

POU: 10N, 3E, S6, NESW, (L+10) - 20 ac

## WARRANTY DEED

FOR VALUE RECEIVED, THELMA C. RUMSEY, a single person, and JOAN C. HUNSAKER and DOUGLAS M. HUNSAKER, husband and wife, the grantors, hereby grant, bargain, sell and convey unto

JOHN L. GABICA and GENE E. GABICA, husband and wife, and WALTER J. WATKINS and BARBARA WATKINS, husband and wife, as tenants in common, each marital community owning an undivided one-half interest in the property herein described

the grantee(s), whose current address is: HC 78 Box 1107 Emmett, Idaho 83617  
the following described premises, being situate in Valley County, Idaho, to-wit:

All being in Section 6, Twp 10 N., R. 3 E., B.M., Valley County, Idaho:  
A parcel of land known as the East 60 rods of Government Lot 9, also known as the East thirty acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; AND  
Government Lot 10

Including water and ditch rights appurtenant thereto or used in connection therewith, if any, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any,

Irrigation Water Rights:

There are no irrigation water rights except as specifically stated herein. If the land is located in a legal irrigation district, the water rights included are those allowed by that district. The water rights consist of \_\_\_\_\_

\_\_\_\_\_  
(number of shares and name of ditch company and/or water delivery lateral)

The buyer has investigated or inquired of water rights, ditch rights and easements that may be included in this conveyance or sale, and is satisfied with those rights, if any, and purchases the property "as is" without further covenants about water, ditches and easements on the part of grantor/seller.

Said property is conveyed "as is", after reasonable inspection by the grantee, and grantor does not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting, surveys, planning and use, health, ecology, drainage, irrigation (except as otherwise mentioned), water quality, sewage or disposal systems, hazardous materials and toxic wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said Grantees, their heirs or assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise agreed, and they will warrant and defend the same from all lawful claims whatsoever, except as stated hereinabove.

DATED this 12th day of June, 1997.

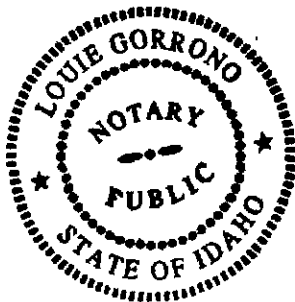
Thelma C. Rumsey  
Joan C. Hunsaker

Douglas M. Hunsaker

STATE OF IDAHO,                     )  
                                              ) ss.  
County of Gem.                     )

On this 12th day of June, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared THELMA C. RUMSEY, a single person, and JOAN C. HUNSAKER and DOUGLAS M. HUNSAKER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Louie Gorrono  
Notary Public for State of Idaho;  
Residing at Emmett, Idaho.

Denise  
Everything  
described in  
Lot #10 belongs  
to Douthitt  

---

Lot #9 belong?  
to another party

Rumsey & Hunsaker  
to  
Gabrica & Watkins  
to  
Douthitt

# Warranty Deed

For Value Received

JOHN L. GABICA and GENE E. GABICA, husband and wife, and  
WALTER J. WATKINS and BARBARA WATKINS, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

DANIEL B. DOUTHIT and DORATHY E. DOUTHIT, husband and wife

whose current address is 5490 North Citadel Way, Boise, Idaho 83703

the grantee s, the following described premises, in VALLEY County Idaho, to wit:

A parcel of land known as Government Lot 10 in Section 6, Township 10 North,  
Range 3 East, B.M., Valley County, Idaho.

226757

TYPE: Deed #10  
LELAND G. HEINRICH, VALLEY COUNTY RECORDER

BY: J. E. Heinrich  
FEE: 3.00

DATE & TIME: 7-14-97 3:35 p.m.

REQUESTED BY: Walter J. Watkins and Barbara Watkins

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,  
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said  
Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances  
EXCEPT: Current year taxes, conditions, covenants, restrictions, reservations,  
easements, rights and rights of way, apparent or of record

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 7, 1997

John L. Gabica  
JOHN L. GABICA

Gene E. Gabica  
GENE E. GABICA

Walter J. Watkins  
WALTER J. WATKINS

Barbara Watkins  
BARBARA WATKINS

STATE OF IDAHO, COUNTY OF GEM

On this 7th day of July, 19 97  
before me, a notary public in and for said State, personally appeared

John L. Gabica and  
Gene E. Gabica

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged to me that  
they executed the same.

Calvin D. Lumbard  
Notary Public

Residing at Emmett  
Comm. Expires 3-14-99

STATE OF IDAHO  
COUNTY OF Baundary ss.

On this 9 day of July, 1997, before me, a Notary Public, personally appeared

Walter J. Watkins and Barbara Watkins

known or identified to me to be the person whose name subscribed to the within  
instrument, and acknowledged to me that they executed the same.

Notary Public Beth H. Hays  
Residing at Boise, Idaho  
3-15-99

## WARRANTY DEED

FOR VALUE RECEIVED, THELMA C. RUMSEY, a single person, and JOAN C. HUNSAKER and DOUGLAS M. HUNSAKER, husband and wife, the grantors, hereby grant, bargain, sell and convey unto

JOHN L. GABICA and GENE E. GABICA, husband and wife, and WALTER J. WATKINS and BARBARA WATKINS, husband and wife, as tenants in common, each marital community owning an undivided one-half interest in the property herein described

the grantee(s), whose current address is: HC 78 Box 1107 Emmett, Idaho 83617  
the following described premises, being situate in Valley County, Idaho, to-wit:

All being in Section 6, Twp 10 N., R. 3 E., S.M., Valley County, Idaho:

A parcel of land known as the East 60 rods of Government Lot 9, also known as the East thirty acres of the SE1/4NW1/4; AND  
Government Lot 10

Including water and ditch rights appurtenant thereto or used in connection therewith, if any, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Irrigation Water Rights:

There are no irrigation water rights except as specifically stated herein. If the land is located in a legal irrigation district, the water rights included are those allowed by that district. The water rights consist of \_\_\_\_\_

\_\_\_\_\_  
(number of shares and name of ditch company and/or water delivery lateral)

The buyer has investigated or inquired of water rights, ditch rights and easements that may be included in this conveyance or sale, and is satisfied with those rights, if any, and purchases the property "as is" without further covenants about water, ditches and easements on the part of grantor/seller.

Said property is conveyed "as is", after reasonable inspection by the grantee, and grantor does not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting, surveys, planning and use, health, safety, drainage, irrigation (except as otherwise mentioned), water quality, sewage or disposal systems, hazardous materials and toxic wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said Grantees, their heirs or assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise agreed, and they will warrant and defend the same from all lawful claims whatsoever, except as stated hereinabove.

DATED this 12th day of June, 1987.

Thelma C. Rumsey  
Joan C. Hunsaker

Douglas M. Hunsaker

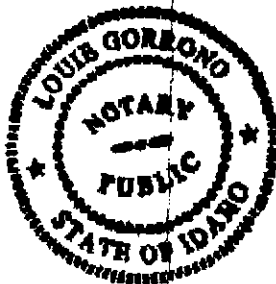
STATE OF IDAHO,

County of Gem.

}  
} ss.  
}

On this 12<sup>th</sup> day of June, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared THELMA C. RUMSEY, a single person, and JOAN C. HUNSAKER and DOUGLAS M. HUNSAKER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



*Louis Gorrondo*

Notary Public for State of Idaho;  
Residing at Emmett, Idaho.  
Comm Expires: 7-20-97

97 JUN 30 AM 11 50  
RECORDED  
REQUESTED BY

225424  
VALL...  
REORDER  
FEE: ...

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: A65-05560  
Date Received: 11/ 7/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: THELMA C RUMSEY 208-584-3446  
Address: PO BOX 109  
SWEET ID 83670

OR

Name: JOAN C HUNSAKER 208-584-3446  
Address: PO BOX 109  
SWEET ID 83670

2. Date of Priority: MAY 15, 1910

3. Source: ABENY CREEK Trib. to: LITTLE SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 10N      | 03E   | 5       |                   | 12  | VALLEY |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.420 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
| 10N      | 03E   | 6       | SE NW      | 9   | IRR | 1.0   |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 10N           | 03E   | 6       | NE SW      | 10  | IRR | 20.0  |
| Section Acres |       |         |            |     |     | 21.0  |
| Total Acres   |       |         |            |     |     | 21.0  |

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-7804 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.  
OWNERSHIP CHANGED BY RDH ON 8-17-94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: \_\_\_\_\_

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho                    )  
                                  ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

RECEIVED  
JAN 24 2002  
WATER RESOURCES  
WESTERN REGION

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 65-22316  
(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100  
Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234  
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:  
David W. Gehlert (303 312-7352)  
Trial Attorney, General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
999 18th Street, Suite N 945  
Denver, CO 80202

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

Name: Dan Douthit & Dorathy Douthit  
Address: 5490 Citadel Way  
Boise, ID 83703

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

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**  
Should be:
  2. ☐ **Source**  
Should be:
  3. ☐ **Quantity**  
Should be:
  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.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

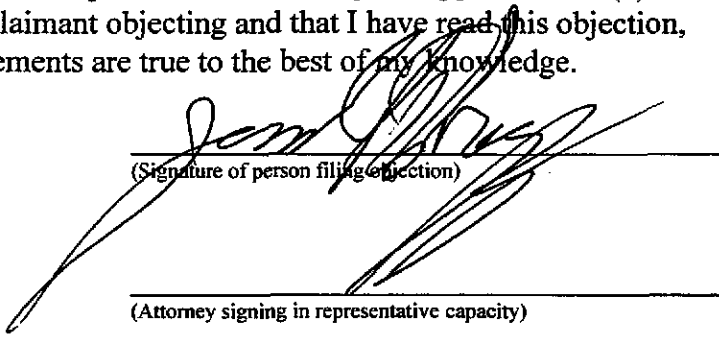
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

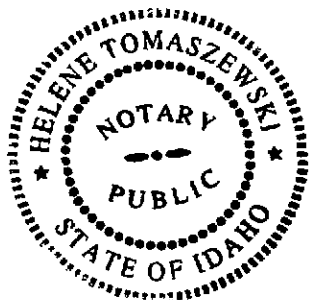
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

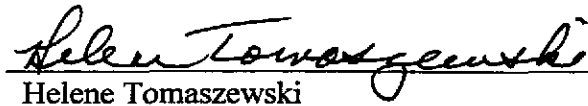
  
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002



  
Helene Tomaszewski  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 01-16-2002

## 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 January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Dan Douthit & Dorathy Douthit

Address: 5490 Citadel Way  
Boise, ID 83703

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

May 4, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

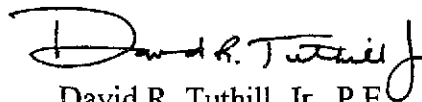
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at [www.idwr.state.id.us/info/water/srba/forms.htm](http://www.idwr.state.id.us/info/water/srba/forms.htm) or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

  
David R. Tuthill, Jr., P.E.  
Adjudication Bureau Chief

01/17/2001

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

RIGHT NUMBER: 65-22316

NAME AND ADDRESS: DAN DOUTHIT  
5490 CITADEL  
BOISE, ID 83703  
DORATHY DOUTHIT  
5490 CITADEL WAY  
BOISE, ID 83703

SOURCE: UNNAMED STREAM TRIBUTARY: LITTLE SQUAW CREEK

QUANTITY: 0.4 CFS

PRIORITY DATE: 05/15/1910

POINT OF DIVERSION: T10N R03E S5 LOT 12 SWNW Within VALLEY County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04-01 11-01          | 0.40 CFS        |

PLACE OF USE:

IRRIGATION Within VALLEY County  
T10N R03E S6 LOT 10 NESW 20

20 ACRES TOTAL

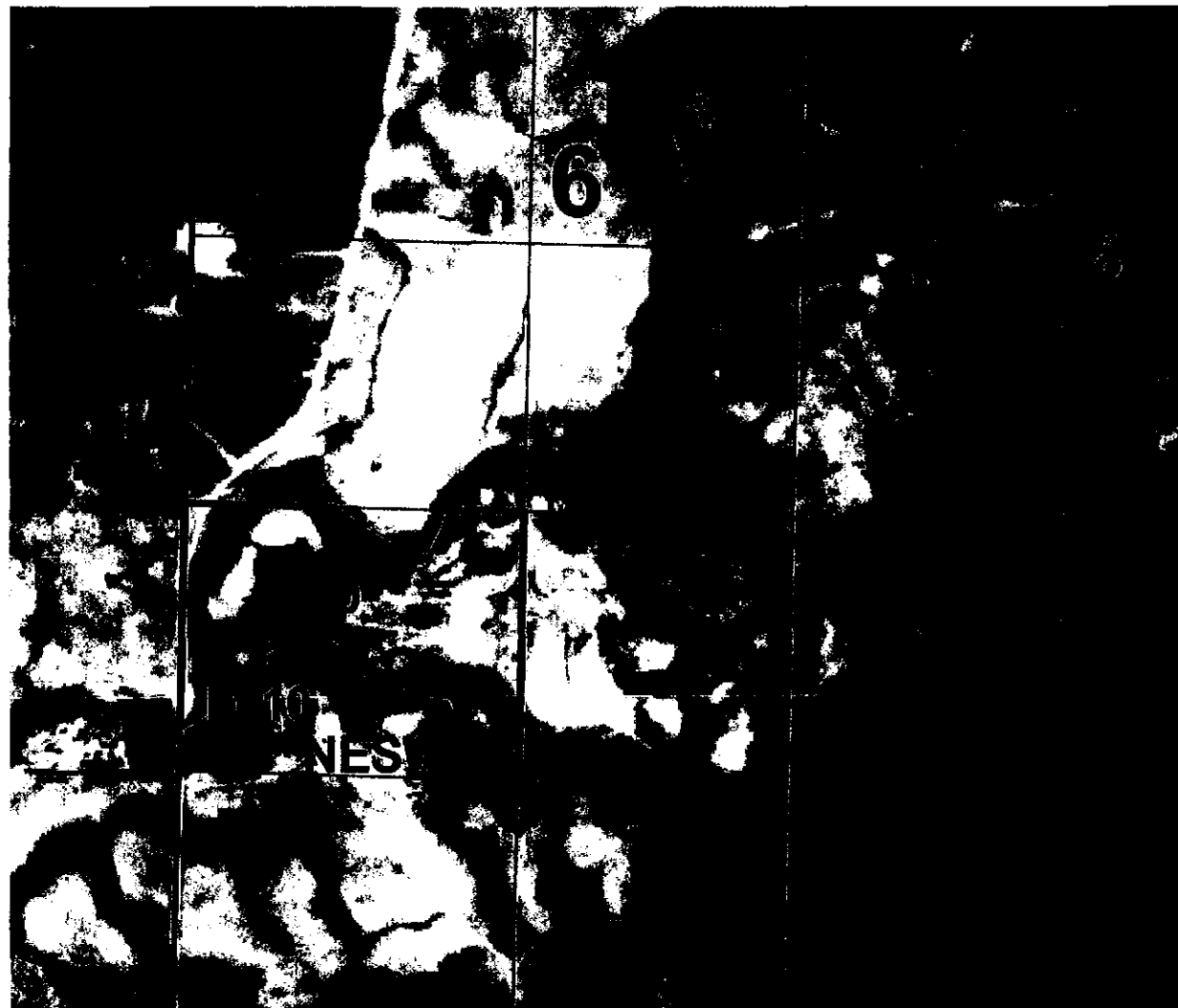
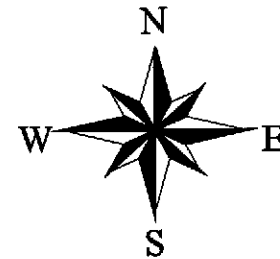
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

# IDAHO DEPARTMENT OF WATER RESOURCES

## T10N, R03E, 6



### 1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES  
6 SECTION NUMBERS

CLAIM(S): 65-22316

OWNER(S): DOUTHIT, DAN &  
DORATHY

DATE: JANUARY 17, 2001

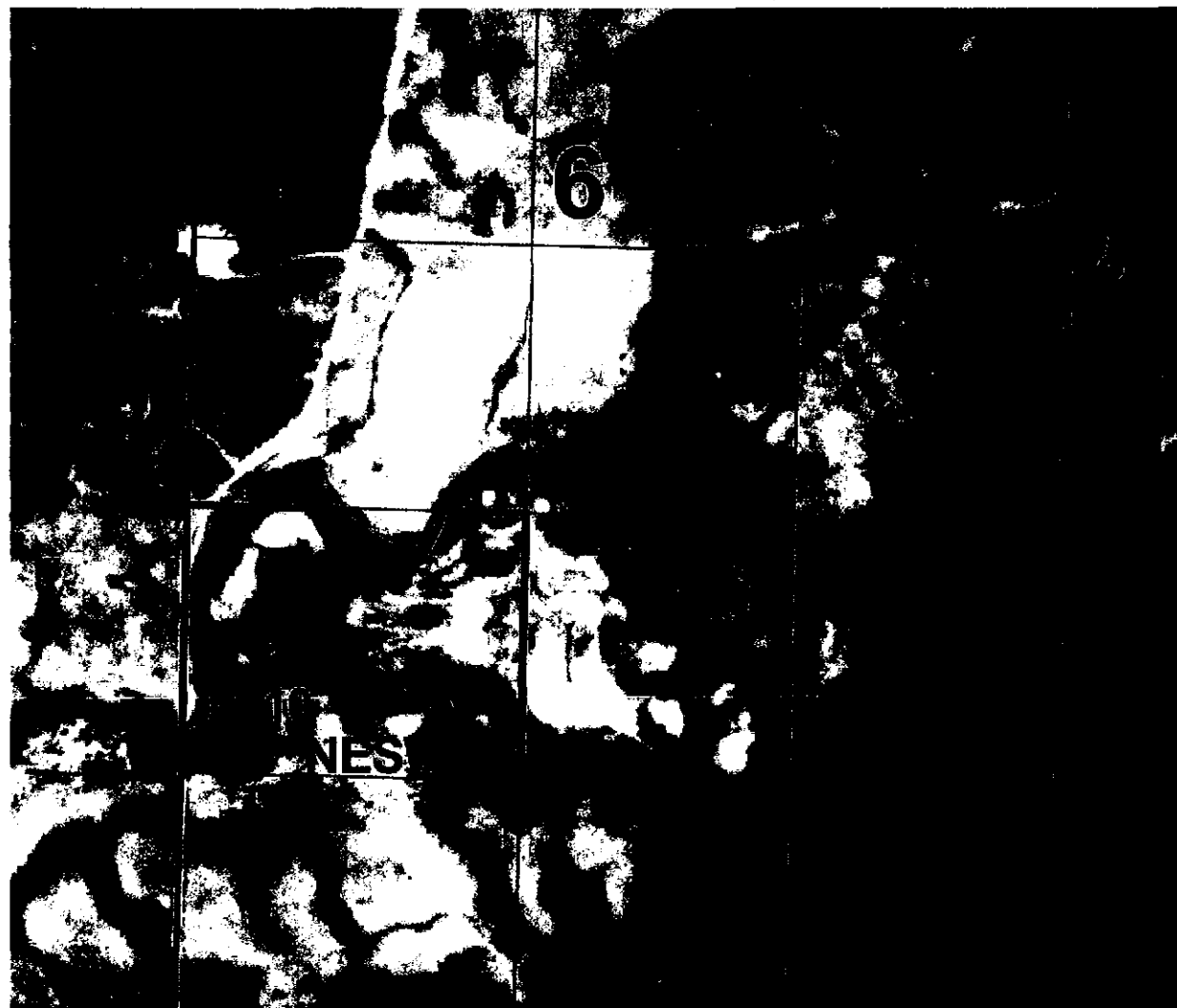
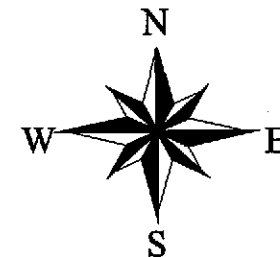
By: Mel Schulte

0 0.25 0.5 0.75 Miles



# IDAHO DEPARTMENT OF WATER RESOURCES

## T10N, R03E, 6



5

2  
NW

### 1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-22316

OWNER(S): DOUTHIT, DAN &  
DORATHY

DATE: JANUARY 17, 2001

By: Mel Schulte

0 0.25 0.5 0.75 Miles

