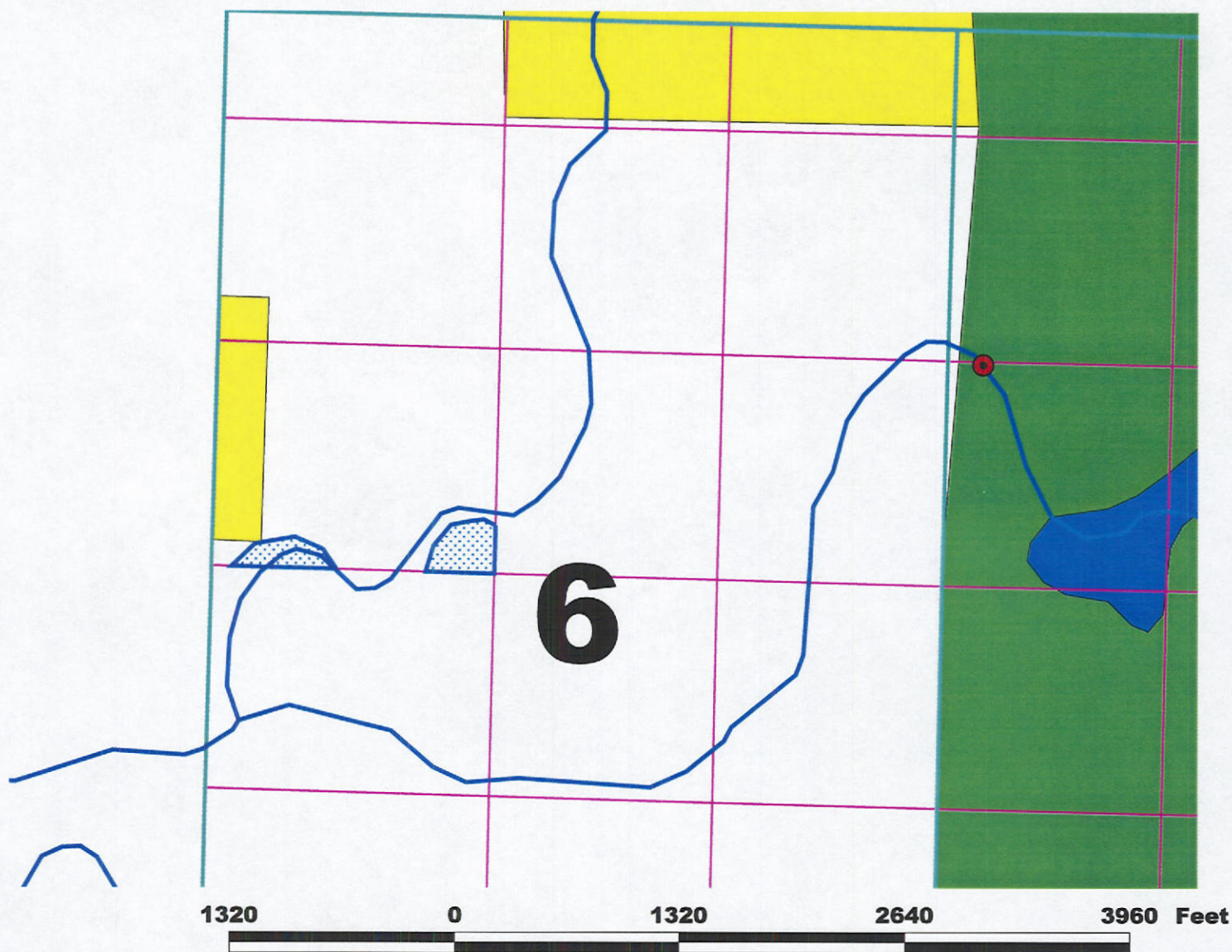




BLM Objection to Hunsaker/Rumsey - 65-22320



- Recommended POD
- Recommended POU
- Allstr.shp
- Stream
- Canal or Ditch
- Intermittent
- Other Hydro
- S10n03e.shp
- T10n03e.shp
- Idown.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

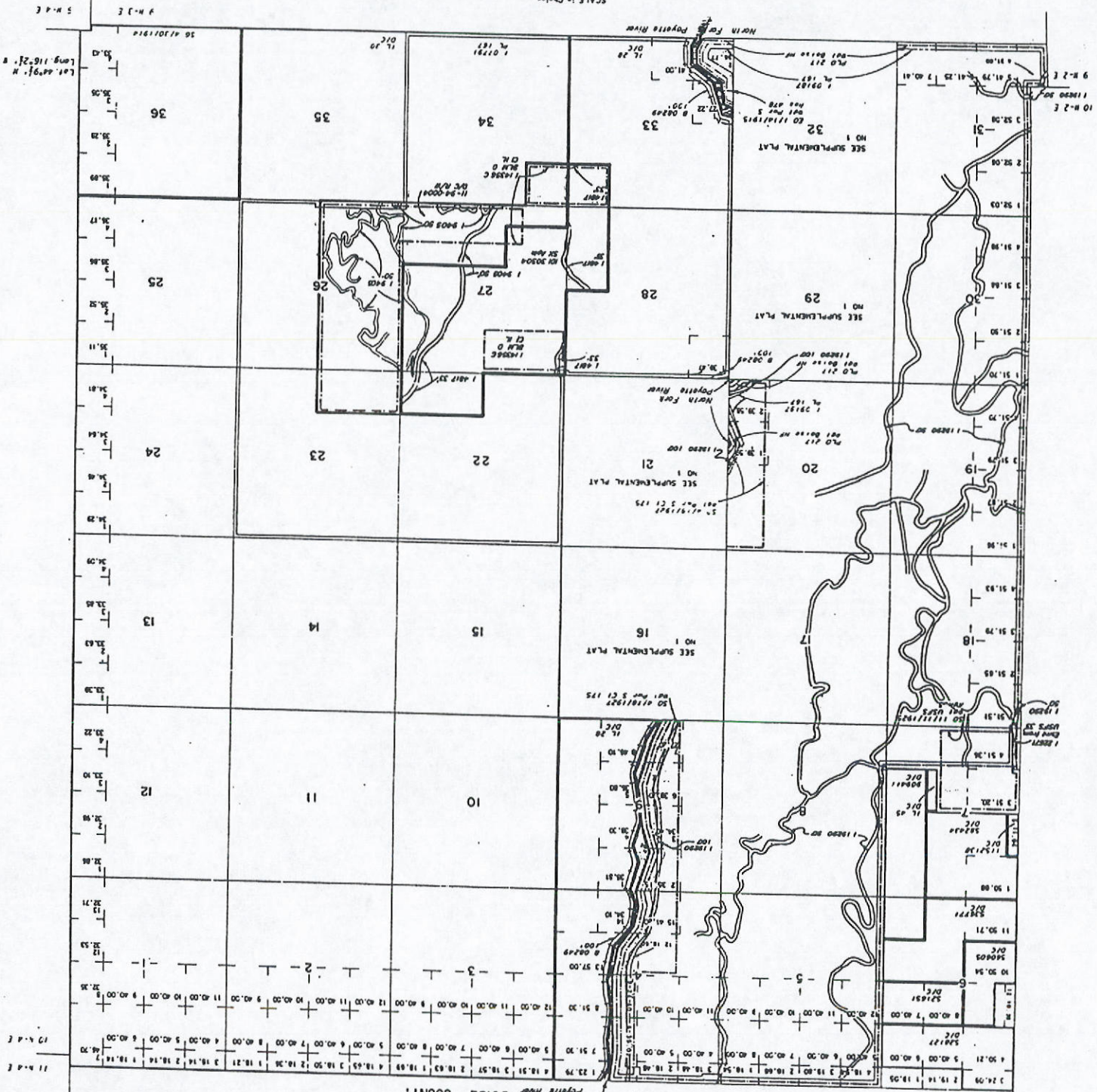


Prepared by: **Craig Saxton**
Date: **March 2002**

TION ROSE

BOISE DISTRICT SEC 3

085 VALLEY COUNTY
015 BOISE COUNTY



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS

TRACT NO.	T	R	SEC	SUBDIVISION
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				

1 0791 Dat Pl 157 (act of Cong 7/23/1955)
completed 2/15/1960. All rd surface right by BLM

1 09187 Dat Pl 157 (act of Cong 7/23/1955)
completed 10/15/1960. All rd surface right by USFS

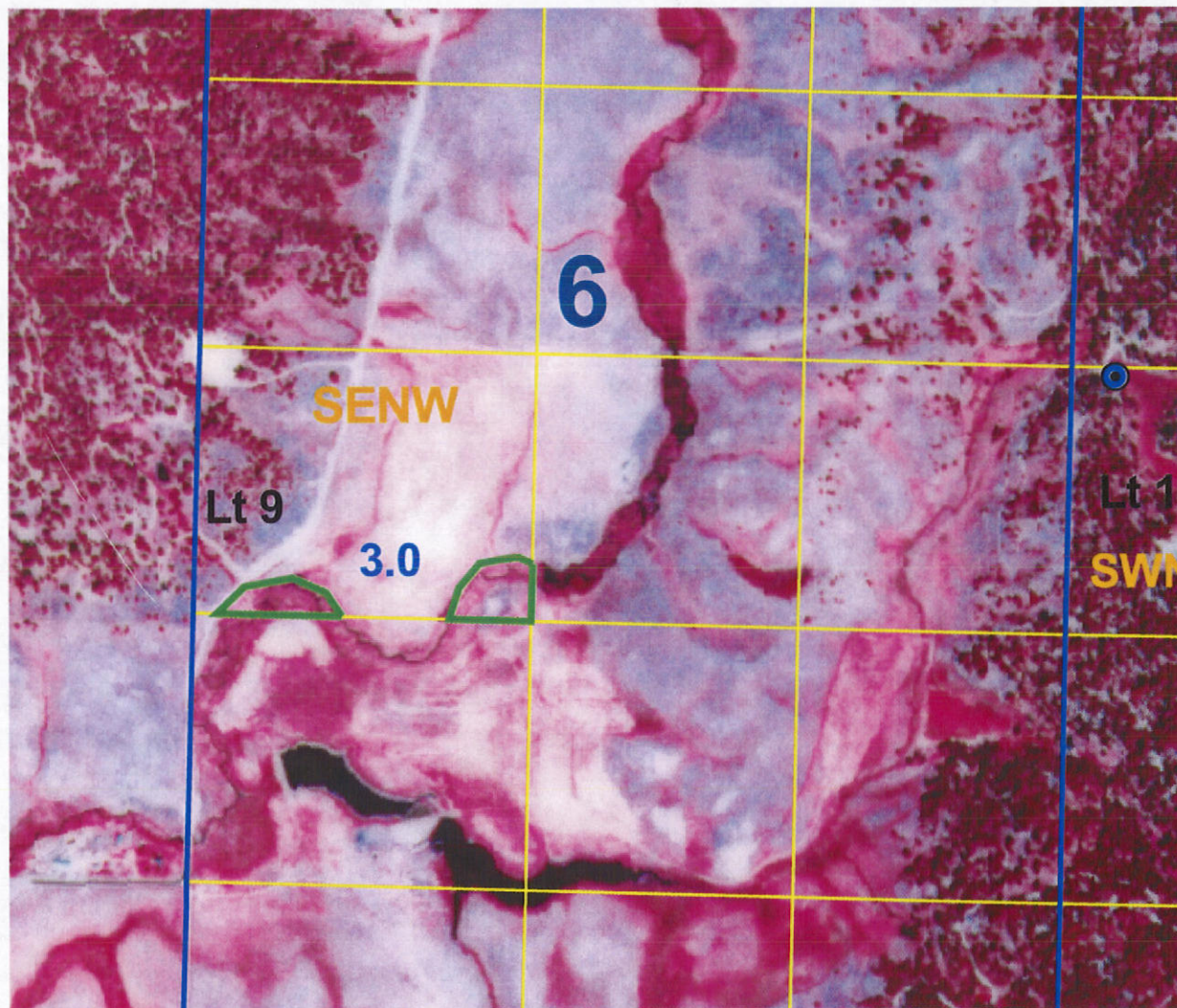
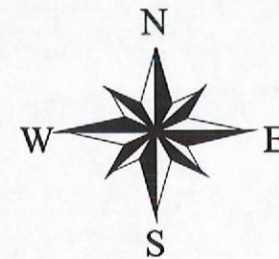
FOR OWNERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO BACK OF
MISCELLANEOUS DOCUMENTS.

COMMENT TO	DATE
	SEP 23 2000

USE PLATS:

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R03E, 6



5

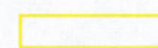
1987 NAPP PHOTO



POINT OF DIVERSION



PLACE OF USE



1/4 1/4 LINES



SECTION LINES

6

ACRES

6

SECTION NUMBERS

CLAIM(S): 65-22320

OWNER(S): HUNSAKER/RUMSEY

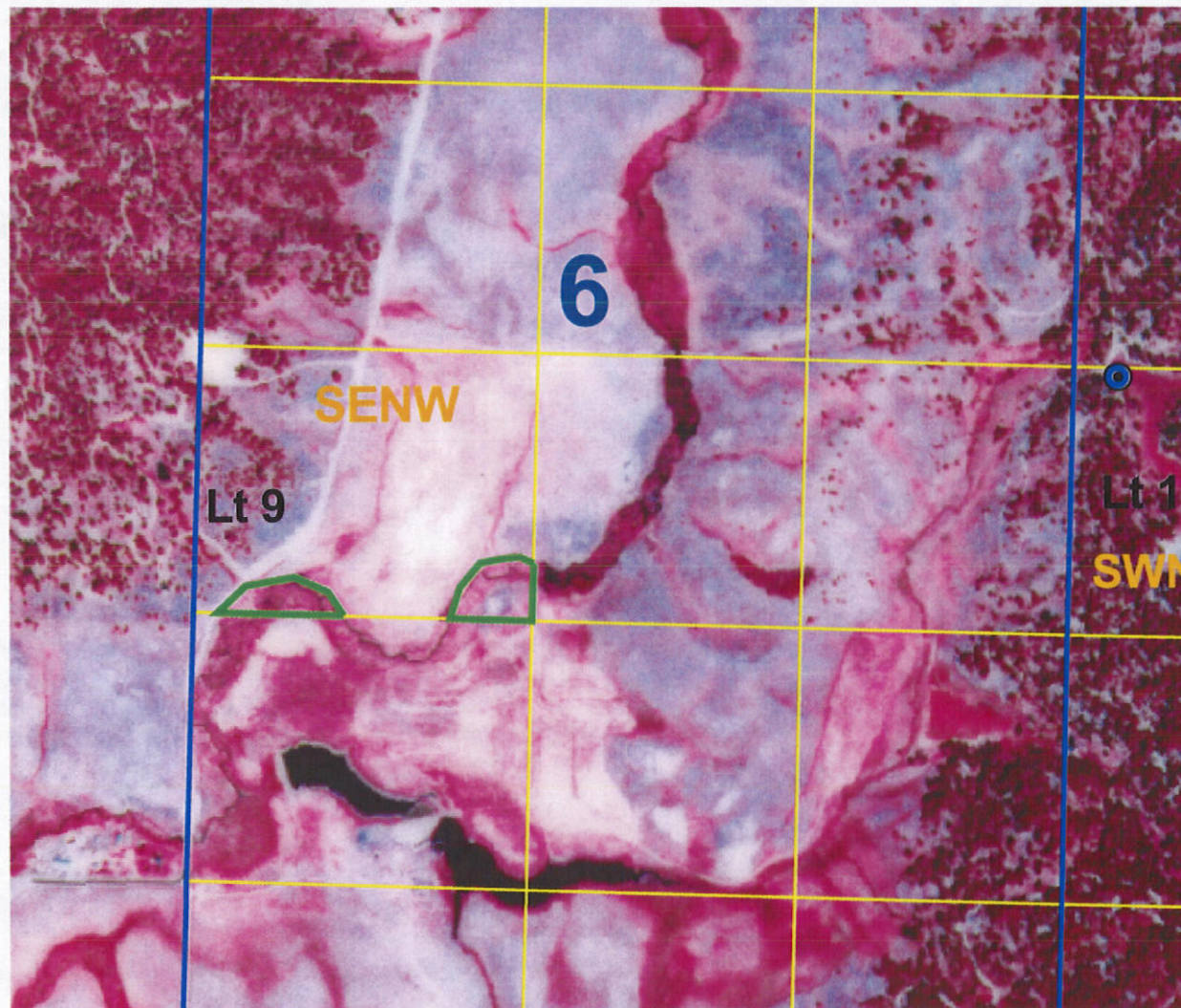
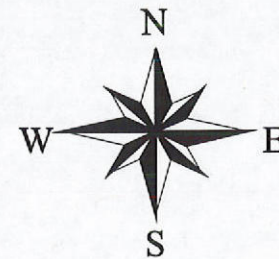
DATE: JANUARY 17, 2001

By: Mel Schulte

0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R03E, 6



5

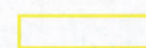
1987 NAPP PHOTO



POINT OF DIVERSION



PLACE OF USE



1/4 1/4 LINES



SECTION LINES

6

ACRES

6

SECTION NUMBERS

CLAIM(S): 65-22320

OWNER(S): HUNSAKER/RUMSEY

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 65-22320
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): JOAN C HUNSAKER
PO BOX 109
SWEET ID USA 83670

Phone: (208)584-3446

THELMA C RUMSEY
PO BOX 109
SWEET ID USA 83670

Phone: (208)584-3446

2. Date of Priority: 06/21/1966

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 STORAGE	01/01	12/31		1
IRRIGATION FROM STORAGE	04/01	11/01		1

7. Total Quantity Appropriated is:
1 A.F.A.

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	SE NW	9	IRRIGATION FROM STORAGE	3
			SE NW	9	IRRIGATION STORAGE	

Section Acres 3

Total Acres 3

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 65-02965A. 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>65-09092A</u>	<u>A65-09092A</u>		<u>65-02965A</u>	<u>A65-02965A</u>	☒
<u>65-07803A</u>	<u>A65-07803A</u>				
<u>65-05560</u>	<u>A65-05560</u>	☒			
<u>65-07804</u>	<u>A65-07804</u>	☒			
<u>65-07048A</u>	<u>A65-07048A</u>	☒			

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		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.40 cfs	20 acres - Lot 10
Stock		
Domestic		
Other		
Total	0.40 cfs	

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		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.86 cfs & 21.6 dfa	43 acres - Lot 10
Stock		
Domestic		
Other		
Total		

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

Wan Douthit
Wan Douthit & Douthit

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	
Received by		Date	
Processed by		Date	
		Fee	
		Receipt No.	
		WR	
		Date	

Page 2 - Split right summary for Dan Douthett

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>A65-07804</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (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 (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 (cubic feet per second or acre-feet per annum)	Description (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 A65-02965A

A65-02965A N/O Junsaber/Rumsey
AV: 15.6 AF
POD: T10N, R03E, S5, SWNW (L+12)
POU: T10N, R03E, S6, SENW (L+9) - 3ac
T10N, R03E, S6, NESW, (L+10) - 43ac

A65-22320 N/O Junsaber/Rumsey
AV: 1.0 AF.
POD: 10N, 3E, S5, SWNW (L+12)
POU: 10N, 3E, S6, SENW (L+9) - 3ac

A65-22321 N/O Daniel & Dorothy Douthett
AV: 14.6 AF
POD: 10N, 3E, S5, SWNW (L+12)
POU: 10N, 3E, S6, NESW (L+10) - 43ac.

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 grantors, 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, 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. L. Gabica
FEE: 3.00

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

REQUESTED BY: Walter J. 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, 1997
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.

Patricia D. Hembird
Notary Public

Residing at Emmett
Comm. Expires 3-14-99

STATE OF IDAHO
COUNTY OF Boundary 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 Betty H. Hembird
Residing at Boundary, Idaho
3-15-99

WARRANTY DEED

FOR VALUE RECEIVED, THELMA C. HUMSEY, 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., E.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, 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. Humsey
Joan C. Hunsaker

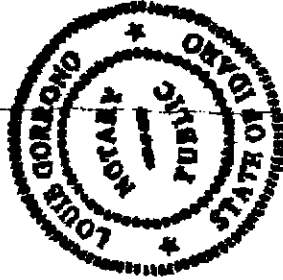
Douglas M. Hunsaker

STATE OF IDAHO,

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. HUMBEY, 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

226424
FILED Emmett
COUNTY CLERK
VALLEY COUNTY RECORDER
BY: Don J. [Signature]
FEE: 6.00

'97 JUN 30 AM 11 50
MOUNTAIN TITLE & TRUST, INC.
REQUESTED BY _____
RECORDED

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: A65-02965A
Date Received: 11/ 7/1988
Receipt No: X777777
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: JUN 21, 1966

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	SW	NW			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 FROM STORAGE	04/01	11/01			15.60
IRRIGATION STORAGE	01/01	12/31			15.60

7. Total Quantity Appropriated is:
C.F.S. (and/or) 15.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

~~MICROFILMED~~
OCT 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	03E	6	SE	NW	9	IRR	3.0
			NE	SW	10	IRR FS	43.0
Section Acres							46.0
Total Acres							46.0

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:

P/U T10N, R3E, S6, LOT 9 DIVIDED INTO 40 AC. TRACT & LOT 12.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A65-02965 FEE PAID UNDER RECEIPT NO. X999999.
RDH 7-29-94.
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: _____

MICROFILMED
OCT 18 1996

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 18 1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	65-9574				
	65-22298				
	65-22317				
	65-22320				
	65-22322				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- 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)

Joan Hunsaker / Thelma Ramsey

4. New Owner/Claimant(s)

Ben VanDyke

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

9520 Malad

City, State and ZIP Code

Boise, ID 83709

New Telephone Number

(208) 375 5974

5. Date you acquired the property

12/99

WARRANTY DEED

Order No.:

FOR VALUE RECEIVED

John Gabica and Gene E Gabica, Husband and Wife

the grantors, do hereby grant, bargain, sell and convey unto

Bill Van DeGrift and Marsha Van DeGrift, Husband and Wife

whose current address is

9520 Malad Boise, ID 83709

the grantees, the following described premises, in Valley County, Idaho, TO WIT:

The North half of Government Lot 9, Section 6, Township 10North, Range 3 East, Boise Meridian, Valley County, Idaho.

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 encumbrances 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: December 6, 1999

John Gabica
John Gabica

Gene E. Gabica
Gene E Gabica

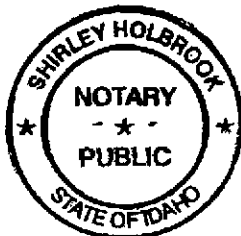
State of Idaho

County of Valley

} ss.

On this 6th day of December, in the year 1999, before me, a Notary Public in and for said state, personally appeared John Gabica and Gene E. Gabica known or identified 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 first above written.



Shirley Holbrook
Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 04/19/2000

99 DEC 16 PM 9:18
ALLIANCE TITLE
REQUESTED BY
RECORDED

TYPE: Deed
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: 10/01/99
FEE: 3.00
244754

99 DEC 7 PM 8:19
ALLIANCE TITLE
REQUESTED BY
RECORDED

TYPE: Deed
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: 10/01/99
FEE: 3.00
244602

WARRANTY DEED

Order No.: AMT1303-00

FOR VALUE RECEIVED

John L Gabica and Gene E Gabica, Husband and Wife

the grantors, do hereby grant, bargain, sell and convey unto

Bill VanDeGrift and Marsha VanDeGrift, Husband and Wife

whose current address is

9520 Malad Boise, ID 83709

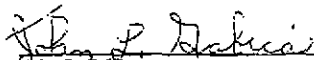
the grantees, the following described premises, in Valley County, Idaho, TO WIT:

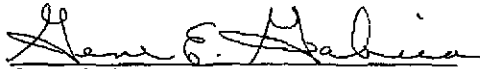
Government Lot 9 save and except the North half of said Lot, Section 6, Township 10 North, Range 3 East, Boise Meridian, Valley County, Idaho.

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 encumbrances 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: December 26, 2000


John L. Gabica


Gene E Gabica

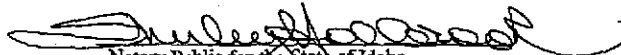
State of Idaho

}
}ss
}

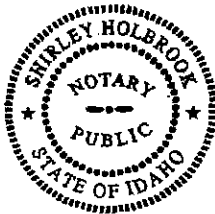
County of Gem

On this 27th day of January, 2000, before me, a Notary Public in and for said state, personally Appeared John L. Gabica and Gene E. Gabica known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed 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.



Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 04/19/2006



Instrument # 251786

VALLEY COUNTY, CASCADE, IDAHO

2000-12-28 10:09:17 No. of Pages: 1

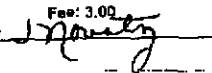
Recorded for: AMERITITLE

LELAND G. HEINRICH

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEEDS



2002 MAY 14 AM 09:42
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

) NOTICE SETTING SUBCASE(S)
) FOR INITIAL HEARING

) SUBCASE NOS: 65-07574 65-22320
) 65-22322

The Initial Hearing for this subcase will be held before
Special Master THOMAS R CUSHMAN

WEDNESDAY, JUNE 26, 2002 at 09:30 AM
GEM COUNTY COURTHOUSE
415 EAST MAIN STREET
EMMETT, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 21, 2002 or hearing will not be vacated.

received

6/7/02

SRBA DL

JOAN C HUNSAKER
THELMA C RUMSEY
PO BOX 109
SWEET, ID 83670

*We no longer have
any interest in the
property associated
with these water
rights*

Joan C Hunsaaker
The Honorable Thomas R. Cushman

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO(208) 736-3011
FAX (208) 736-2121SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

TO:

CARRICK

Telephone: _____

FAX: _____

FROM:

SNAKE RIVER BASIN ADJUDICATION

Telephone: 208-736-3011

FAX: 208-736-2121

NO. OF PAGES INCLUDING COVER SHEET _____

E/T

Deb

THIS FACSIMILE MAY CONTAIN CONFIDENTIAL INFORMATION THAT IS PROTECTED BY THE IDAHO COURT ADMINISTRATIVE RULES. IT IS INTENDED FOR THE USE OF THE INDIVIDUAL(S) NAMED ABOVE. IF YOU ARE NOT THE NAMED RECIPIENT OR AN EMPLOYEE RESPONSIBLE FOR DELIVERING THE FACSIMILE, YOU ARE INSTRUCTED NOT TO DELIVER, DISTRIBUTE OR COPY THIS FACSIMILE, NOR SHOULD YOU DISCLOSE ITS CONTENTS OR TAKE ANY ACTION IN RELIANCE ON THE INFORMATION IT CONTAINS. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE COURT IMMEDIATELY BY TELEPHONE TO ARRANGE THE RETURN OF THE TRANSMITTED DOCUMENTS TO US. THANK YOU.

Objection Memorandum

Date: March 27, 20002

From: Craig L. Saxton

RE: BLM Objection to Hunsaker/Rumsy claim(s) 65-22322, 65-22298, 65-22320, 65-22317

65-22322:

Objection to POU. Notes state, "There is no Lot 9 in this section. SENW = BLM/Private". Notes also indicate that POD recommended in Lot 12 of SWNW S.5 is owned by BLM.

Results of my Research:

POU – Historical Plat map dated 11/10/1915 confirms there is no lot 9 in Section 6.

GIS ownership data confirms that the SENW consists of both private and BLM land.

GIS ownership data indicates that part of the recommended POU might be on BLM land. But if so it is only around 0.30 acres.

POD – GIS ownership data indicated POD was recommended on USFS land – Not BLM Land. 1978 BLM Ownership map confirms this.

65-22298:

Same as 65-22322

65-22320:

Same as 65-22322

65-22317:

Objection to POU. Notes state, "There is no Lot 9 in this section. SENW = BLM/Private". Notes also indicate that POD recommended in Lot 12 of SWNW S.5 is owned by BLM.

Results of my Research:

POU – Historical Plat map dated 11/10/1915 confirms there is no lot 9 in Section 6.

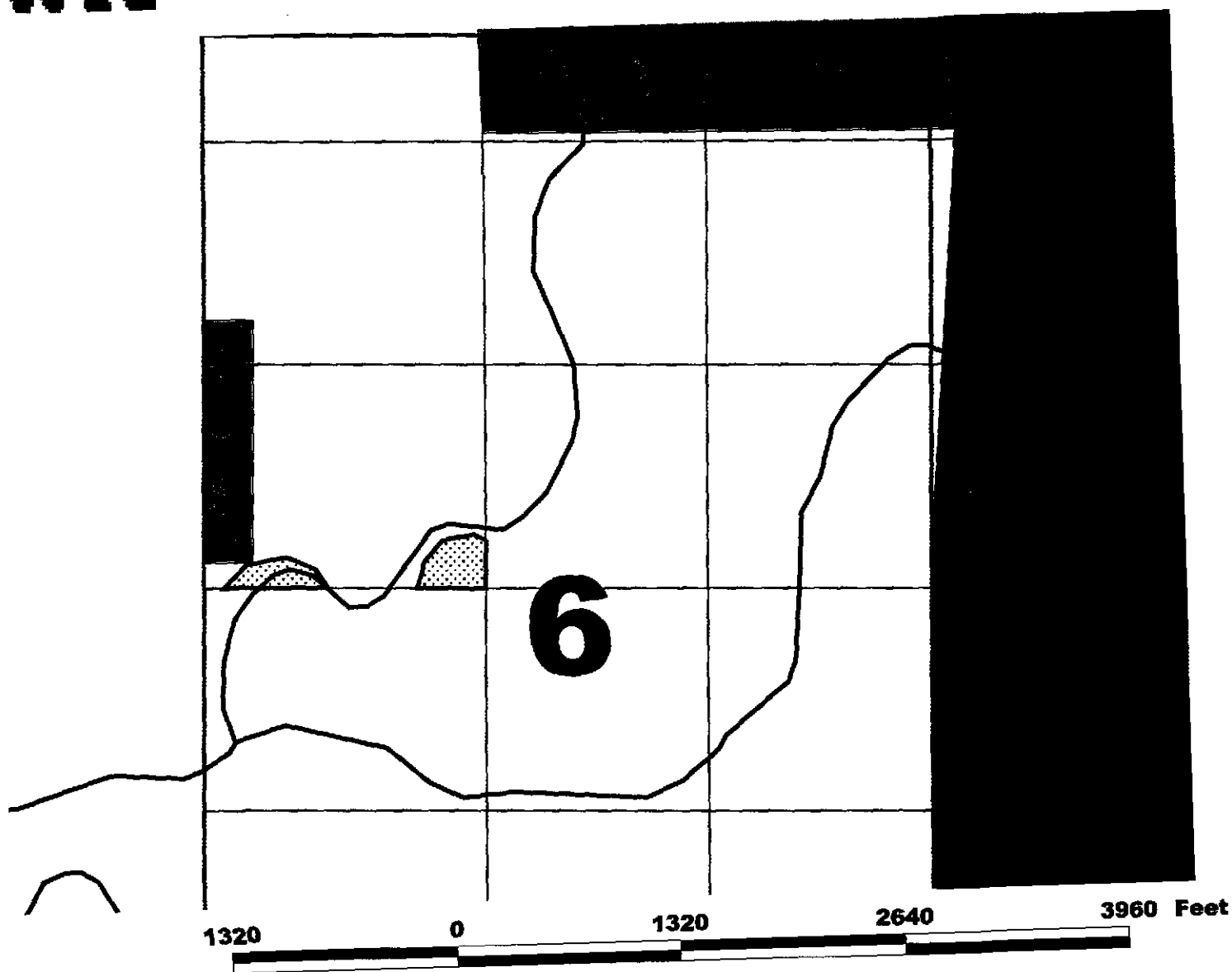
GIS ownership data confirms that the SENW consists of both private and BLM land.

GIS ownership data indicates that the recommended POU under this right is not on BLM land.

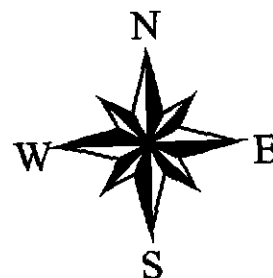
POD – GIS ownership data indicated POD was recommended on USFS land – Not BLM Land. 1978 BLM Ownership map confirms this.



BLM Objection to Hunsaker/Rumsey - 65-22320



- Recommended POD
- ◻ Recommended POU
- ▲ Allotment
- ▲ Stream
- ▲ Canal or Ditch
- ▲ Intermittent
- ▲ Other Hydro
- ▲ S10n03e.shp
- ▲ T10n03e.shp
- ▲ Idown.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service



Prepared by: **Craig Saxton**
Date: **March 2002**

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

 Subcase 65-22320

(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
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

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

Name: Joan C Hunsaker

Address: P.O. Box 109; Sweet ID 83670

Name: Thelma C Rumsey

Address: P.O. Box 109; Sweet ID 83670

Name:

Address: ;

Name:

Address: ;

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: _____

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: See attached

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):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

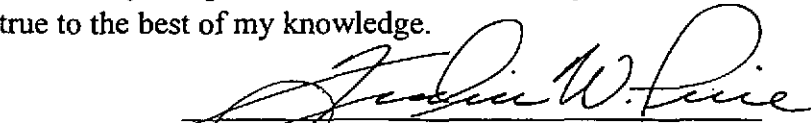
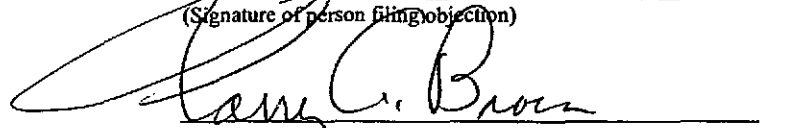
E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

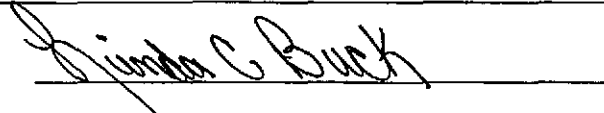
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: 01-16-2002




Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

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.



CERTIFICATE OF MAILING

I certify that on Jan. 18, 2002, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Joan C Hunsaker
Address: P.O. Box 109; Sweet ID 83670

Name: Thelma C Rumsey
Address: P.O. Box 109; Sweet ID 83670

Name:
Address: ;

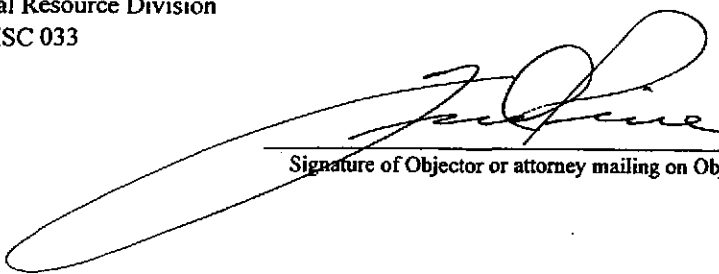
Name:
Address: ;

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. 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



Signature of Objector or attorney mailing on Objector's behalf

VALLEY COUNTY 085

085
UNTY

BOISE COUNTY 015

015
UNTY

MT PLAT

[illegible]

1 07791 Det Pl 167 (Act of Cong 7/23/1933)

completed 2/15/1960. All PD surface figt by DUN

109187 Del PL 167 (Act of Cong 7/22/1955)

completed 10/19/1960. All HF surface Hgt by
USFS

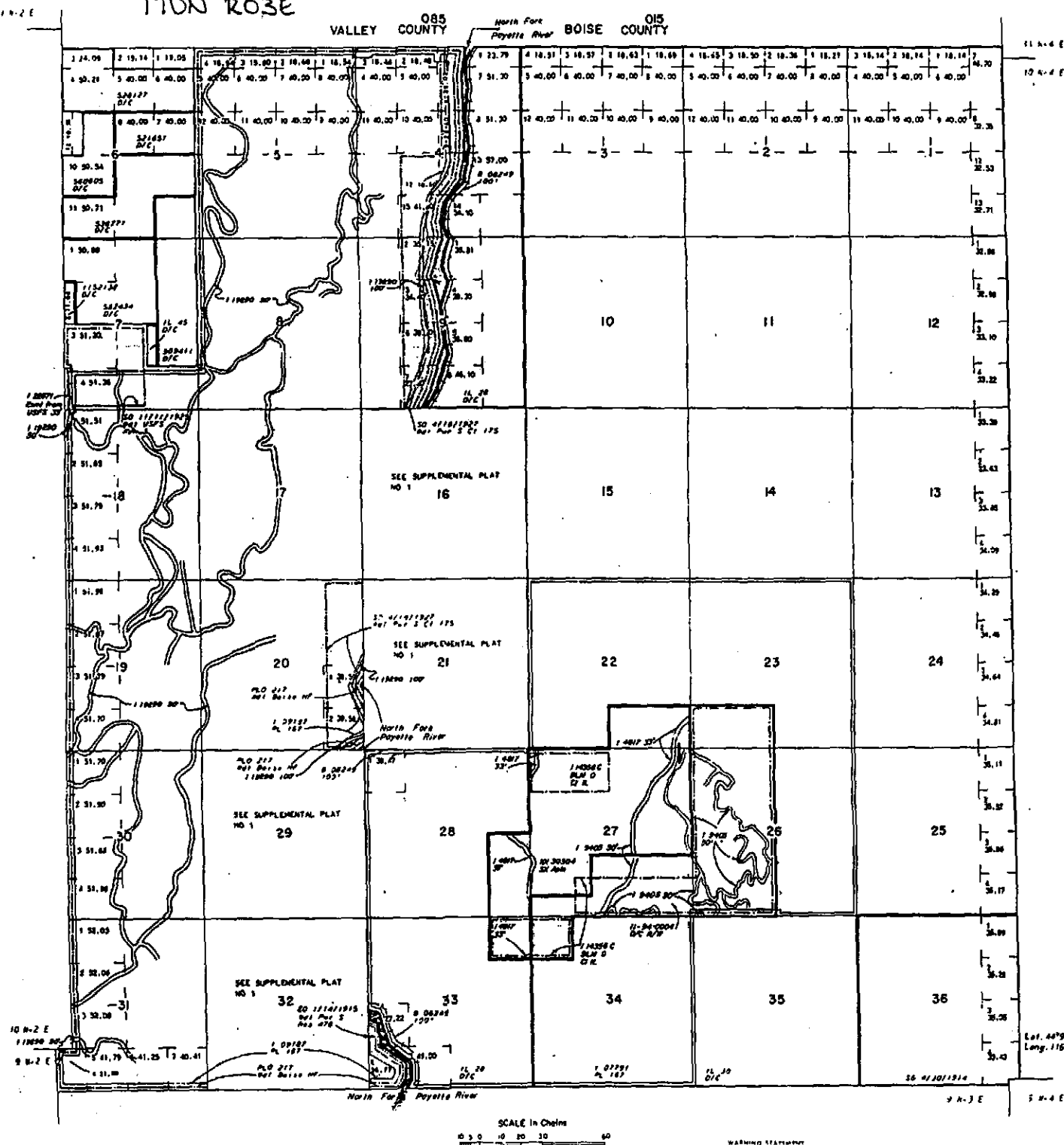
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
FEB 23 2000	

USE PLATS:

Print Name _____

T ION



08/31/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22320

NAME AND ADDRESS: JOAN C HUNSAKER
PO BOX 109
SWEET ID 83670

THELMA C RUMSEY
PO BOX 109
SWEET ID 83670

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE SQUAW CREEK

QUANTITY: 1.00 AFY

PRIORITY DATE: 06/21/1966

POINT OF
DIVERSION:

T10N R03E S5 SWNW Lot 12 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	1.00 AFY
IRRIGATION FROM STORAGE	04/01 11/01	1.00 AFY

PLACE OF USE: IRRIGATION STORAGE Within VALLEY County

T10N R03E S06 Lot 9 SENW *blm/put.*

IRRIGATION FROM STORAGE Within VALLEY County

T10N R03E S06 Lot 9 SENW *blm/put.*

*There is no Lot 9 in this
section
SENW = blm/put
Lot 12 (SENW) = blm*

3 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

01/18/2001

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

RIGHT NUMBER: 65-22320

NAME AND ADDRESS: JOAN C HUNSAKER
THELMA C RUMSEY
PO BOX 109
SWEET, ID 83670

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE SQUAW CREEK

1 AFY

PRIORITY DATE: 06/21/1966

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 STORAGE	01-01 12-31	1.00 AFY
IRRIGATION FROM STORAGE	04-01 11-01	1.00 AFY

PLACE OF USE:

IRRIGATION STORAGE Within VALLEY County
T10N R03E S6 LOT 9 SENW
IRRIGATION FROM STORAGE Within VALLEY
County
T10N R03E S6
LOT 9
SEW

3

3 ACRES TOTAL

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

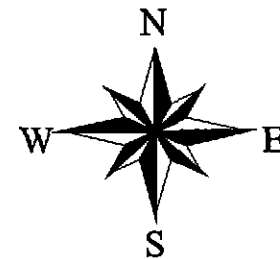
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

See 65-2905A for more info.

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): 65-22320

OWNER(S): HUNSAKER/RUMSEY

DATE: JANUARY 17, 2001

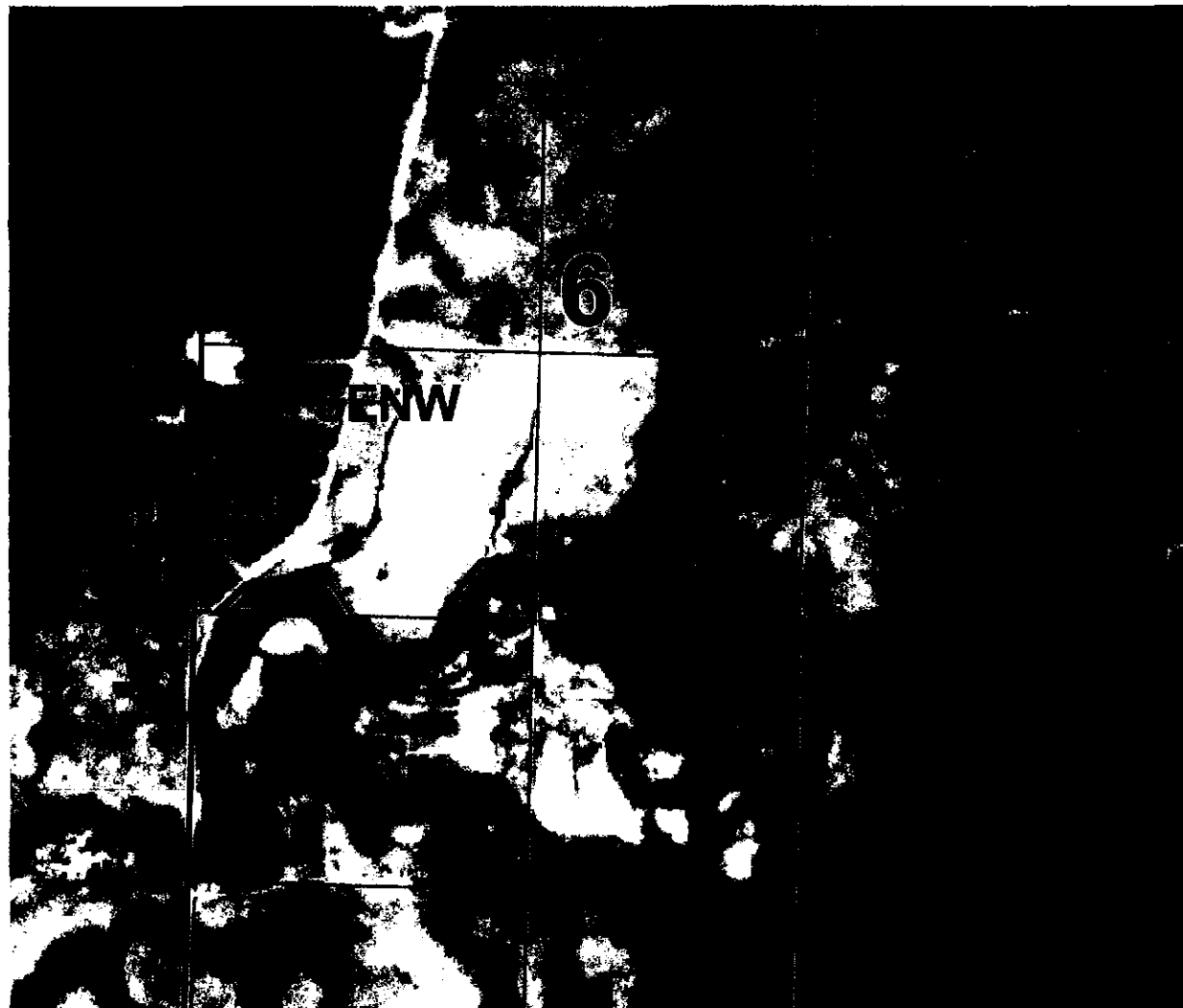
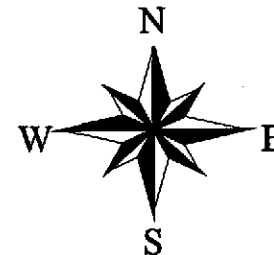
By: Mel Schulte

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): 65-22320

OWNER(S): HUNSAKER/RUMSEY

DATE: JANUARY 17, 2001

By: Mel Schulte

0 0.25 0.5 0.75 Miles





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

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.

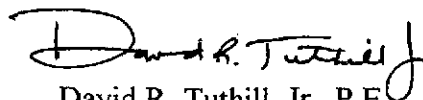
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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 65-22320
(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: Joan C. Hunsaker & Thelma C. Rumsey
Address: PO Box 109
Sweet, ID 83670

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):

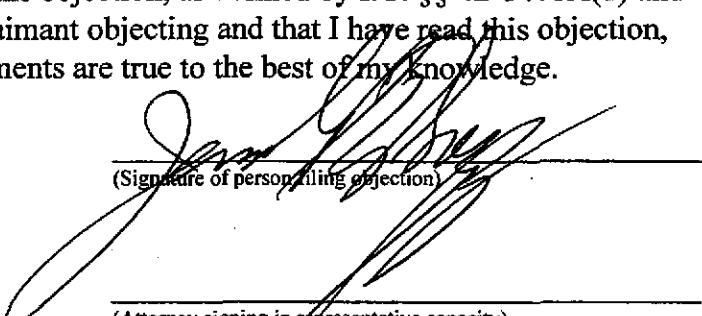
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

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)

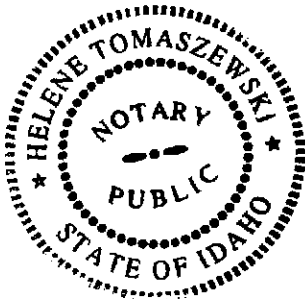
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

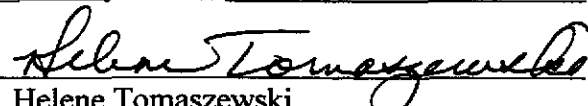

(Signature of person filing objection)

(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: Joan C. Hunsaker & Thelma C. Rumsey

Address: PO Box 109
Sweet, ID 83670

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