

RECEIVED
JUN 28 2007
DEPARTMENT OF
WATER RESOURCES

June 25, 2007

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

From: J. H. Cauzza
3951 Villa Court
Fair Oaks, CA 95628

Subject: Objection (Standard Form 1) Water Rights Number 22-131B

Copies To: IDWR Document Depository, United States Department of Justice Environment
& Nat'l Resources Div, Chief Natural Resources Division, Gary L. Hansen (co-
claimant)

To Whom It May Concern,

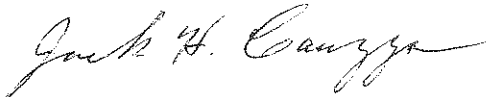
I am submitting the enclosed Standard Form 1 Objection for Water Right Subcase 22-131B because the error correction I submitted previously apparently wasn't received in time to be considered. Upon receipt of the recommended water rights I did contact Mr. Trent Galbreath in the Idaho Falls office of the Department of Water Resources on February 20, 2007 to try and resolve the error. Although he acknowledged that something wasn't correct he indicated that it would still be necessary to submit the enclosed objection.

The enclosed objection states that the place of use and the number of acres isn't correct. In support of the objection I have attached copies of the prior water rights dated September 21, 1988 and May 31, 2005 as well as the property deed with the description of the 80 acres my wife I own jointly with my brother in-law Gary L. Hansen. The 80 acres encompasses the 40 acres described as the place of use in the water right. After further review of all the past documentation it appears that the confusion on the 22-131B Water Right is related to Water Right 22-339B which is for a piece of property that Gary Hansen also owns and does indeed have the correctly designated place of use, T06N R45E S23 SWSE (38.0 acres) which has been incorrectly applied to the recommended 22-131B Water Right.

In my discussion with Mr. Galbreath he indicated that I or a representative may have to appear in court in September to defend our claim. This doesn't seem necessary considering that the history of the water right and ownership is all well documented in the enclosed submittal. Since my wife and I and my brother in-law all live in Fair Oaks, CA appearing in Idaho in September will be difficult. In addition, we will not be available from September 17th through the 25th. I hope,

therefore, that the attached information will be sufficient to resolve this matter supplemented, if necessary, by telephone or e-mail communication. For your convenience, I can be contacted at (916) 967-3380 land #, (916) 716-9028 Cell #, or at jbcauzza@earthlink.net. I am looking forward to resolving this discrepancy as soon as possible.

Thank You,

A handwritten signature in cursive script, reading "Jack H. Cauzza". The signature is fluid and stylized, with a prominent initial "J" and a long, sweeping underline.

Jack H. Cauzza

RECEIVED

JUN 28 2007

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)

A. Subcase 22-131B
(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: JACK H. CAUZZA

Address: 3951 VILLA COURT
FAIR OAKS, CA 95628

Daytime Phone: (916) 967-3380

Name & Address of Attorney, if any:

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

Name: JACK AND BONNIE CAUZZA REVOCABLE TRUST

Address: 3951 VILLA COURT
FAIR OAKS, CA 95628

GARY HANSEN
4045 BUCHANAN DR
FAIR OAKS, CA 95628

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 of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: T06N R45E S24 SW 1/4 SW 1/4 40.0 acres
10. ☐ **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 OBJECTIONS(S):** Previous Notices of Claims dated May 31, 2005 and Sept 21, 1988 (Attached) and current property deed for 80.0 acres that includes the 40.0 acres identified above in D.9. (Also attached)

F.

VERIFICATION (must be completed)

State of CALIFORNIA)
)ss.
County of SACRAMENTO)

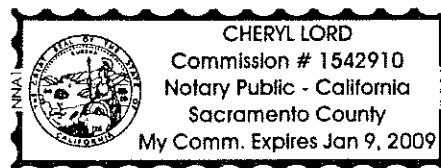
JACK H. CAUZZA, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Jack H. Cauzza
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 25, 2007
Cheryl Lord
Notary Public for California
Residing at: Sacramento County
My Commission Expires: 01-09-2009



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 JUNE 25, 200 , 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: GARY HANSEN
Address: 4045 BUCHANAN DR
FAIR OAKS, CA 95628

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

Jack H. Canyza
Signature of objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

May 31, 2005

RECEIVED

JUN 28 2007

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT

Dear Claimant:

The request for Change of Water Right Ownership concerning the attached Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Katy Jackson
Office Specialist 1

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-131B

WATER RIGHT NUMBER: 22-131B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK AND BONNIE CAUZZA REVOCABLE TRUST 3951 VILLA COURT FAIR OAKS, CA 95628 (916)967-3380
Current Owner	GARY HANSEN 4045 BUCHANAN DR FAIR OAKS, CA 95628
Original Owner	CLEM M HANSEN RT 2 TETONIA, ID 83452 (208)456-2887
Original Owner	IRENE HANSEN RT 2 TETONIA, ID 83452 (208)456-2887

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH LEIGH CREEK	SPRING CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.030 CFS	
IRRIGATION	4/15 to 10/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

NORTH LEIGH CREEK	NE 1/4NW1/4	Sec. 25, Twp 06N, Rge 45E, B.M.
TETON County		
NORTH LEIGH CREEK	SE 1/4NE1/4	Sec. 25, Twp 06N, Rge 45E, B.M.
TETON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	24											X						

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-131B

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	24											40.0						40.0

Total Acres: 40

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

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

JUN 28 2007
DEPARTMENT OF
WATER RESOURCES

Ident. Number: A22-00131B
Date Received: 9/21/1988
Receipt No: M001379
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLEM M. HANSEN 208-456-2887
Address: RT.2
TETONIA, ID 83452
OR
Name: IRENE HANSEN 208-456-2887
Address: RT.2
TETONIA, ID 83452

2. Date of Priority: JAN 22, 1916

3. Source: NORTH LEIGH CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	25	SE	NE			TETON
			NE	NW			TETON

5. Description of diverting works:
N. LEIGH CANAL TO DIVERSION DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
80 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	24	SW	SW		IRR	40.0
			SW	SW		STOCK	

Section Acres 40.0

Total Acres 40.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/03/1938

MARTELL HANSEN

Decree Plaintiff

vs

LYNN CRANDALL, W.M.

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): A. C. Hansen Date: 9-21

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Sept 19 88
Walter E. Gibson
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 9-2-1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: M001379

Date: 09/21/88
Time: 13:14:12

Received
From: HANSEN, CLEM

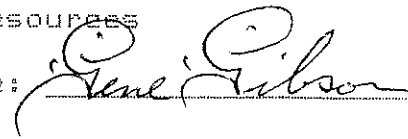
Type of Payment	Program A cct	Amount
ADJUDICATION FEE	0410162 9337 6490	\$180.00
Total		\$180.00

CHECK 687

WR/NO: A22-00131B A22-00339B

Idaho Department of Water Resources

Region:

Signature: 

Water Right Number -	Adj. Flag Translation:	Standard Water Right Number
22-00131		

+ - - - - +	- Last Name - - - +	+ - First Name - +	+ - - - - Address - - - +
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*** C - CURRENT OWNER ***
HANSEN

DAVID

$$\begin{array}{ccc} 1 & 1 & 1 \\ 1 & 2 & 3 \end{array}$$
State-
zip"State-
zip"

UNION CENTRAL LIFE INSURANCE CO.

BEARD

DICK

City-
Phone -

State-
Zimbabwe

HANSEN

३. अ

City _____
Phone _____

State-
Zip-

HANSEN

MARTIN

City- Phone

State-
zip-

MILLER AND VIELE CO.

City-
Phone -

State-
Zip-

City- Phone

State- Zip-

	+ -	- Priority Date	- +	+ -	- Region	- +	+ -	- Stage	- +	+ -	- Status	- +
			01/22/1916				15					

```
+ - - - - Source - - - - +
                                - - - - -
                                NORTH LEIGH CREEK
                                - - - - -
                                + - - - - Tributary
                                           TETON RIVER
                                           - - - - -
```

+	Twn	Rng	Sec	Tract	Lot	RFLg	County	Point of Diversion	Stream Index	Blank if no Index Code	+
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Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume

10.400

RECEIVED

JUN 28 2007

Recorded at the request of
and when recorded return to:

James L. Deeringer, Esq.
DOWNEY, BRAND, SEYMOUR &
ROHWER
555 Capitol Mall, 10th Floor
Sacramento, CA 95814-4686
(916) 441-0131

RECEIVED

FEB 25 2000

TETON CO., ID
CLERK RECORDER

136817

FILED

AT THE REQUEST OF

AT 23 MINUTES PAST 9a M

DATE Feb 25 2000

BY *[Signature]*
CLERK OF RECORD
DEPUTY

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

Mail tax statements to:

Jack H. Cauzza
Bonnie G. Cauzza
3951 Villa Court
Fair Oaks, CA 95628

APN:

DEED

THIS INDENTURE, Made this 3rd day of February, 2000, between Bonnie Cauzza, of 3951 Villa Court, Fair Oaks, CA 95628, the party of the first part, and Jack H. Cauzza and Bonnie G. Cauzza, Trustees of the Jack and Bonnie Cauzza Revocable Trust, UAD 02/01/2000 of 3951 Villa Court, Fair Oaks, CA 95628, the parties of the second part,

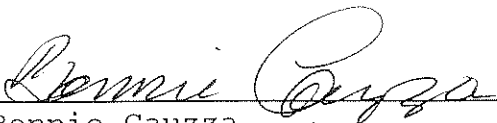
WITNESSETH, That the said party of the first part does hereby grant, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, **an undivided one-half interest** in the following described real estate situated in Teton County, Idaho, to-wit:

The W1/2SW1/4 of Section 24, in Township 6 North, Range 45 East, Boise Meridian.

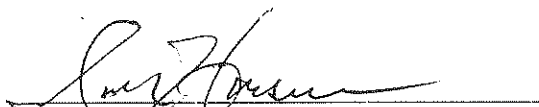
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has, as aforesaid, hereunto set her hand and seal the day and year first above written.


Bonnie Cauzza

I, Gary Hansen, hereby consent to this conveyance pursuant to the terms of the Gift Deed recorded on September 28, 1978, as document number 81976, with the Teton County, Idaho, county recorder.

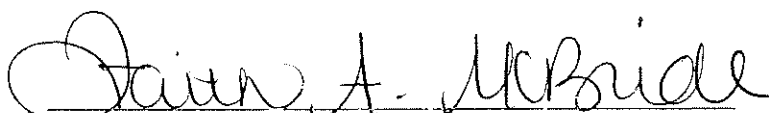

Gary Hansen

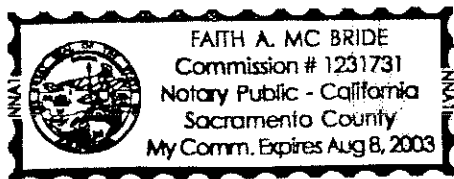
STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

On Feb. 3. 2000, before me, Faith A. McBride, personally appeared and Bonnie Cauzza, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.


(SIGNATURE OF NOTARY)



136817

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

on Feb. 3. 2000, before me, Faith A. McBride
personally appeared and Gary Hansen, personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name
is subscribed to the within instrument and acknowledged to me that he
executed the same in his authorized capacity, and that by his signature
on the instrument the person, or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal.

Faith A. McBride
(SIGNATURE OF NOTARY)



GIFT DEED

THIS INDENTURE, Made and entered into this 13th day of September, 1978, by and between CLEM HANSEN, a single man, of Tetonia, Teton County, Idaho 83452, the party of the first part, and BONNIE CAUZZA, P. O. Box 70, Fair Oaks, CA 95628; and GARY HANSEN, of 4045 Buchanan, Fair Oaks, CA 95628, the parties of the second part,

WITNESSETH:

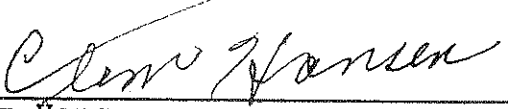
That the said party of the first part, for and in consideration of the love and affection he holds for the parties of the second part, by these presents, does give, convey and confirm unto the said parties of the second part, the following described real property located in Teton County, State of Idaho, to-wit:

The W1/2 SW1/4 of Section 24, in Township 6 North, Range 45 East, Boise Meridian.

Subject to the condition that none of the above described property, or any interest therein, may during the lifetime of either of the parties of the second part, be sold, conveyed in any manner, or encumbered in any way, directly or indirectly without the consent of the other party of the second part.

Together with the rents, issues and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The party of the first part has hereunto set his hand and seal the day and year first above written.

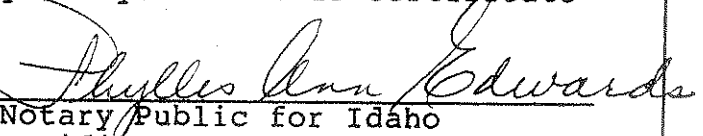

Clem Hansen

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

On this 13th day of September, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared CLEM HANSEN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

FILED
AT 25 MINUTES PAST 11 a.m.
DATE Sept. 28, 1978
BY Bonnie Reece
CLERK OF DIST. COURT


Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission is for life

FILMED
INDEXED
PLATTED

81976