

RECEIVED
JUN 11 2014
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

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

1. I am the Claimant in the above entitle enlargement claim as amended.
2. I have owned and have been personally involved with the watering practices of lands located in Sections 25 & 26, Twp. 7 N., Rge. 35 E.B.M. since around the year 1968.
3. When I originally watered the said lands owned by me, there was an old well located in the NE/1/4SE1/4 of Section 26, Twp. 07N., Rge. 35 E.B.M. and drilled sometime in the mid 1930s (Several hundred feet from my present well located in the SW1/4NW1/4SW1/4 of Twp. 07N., Rge. 35 E.B.M which was added to the old historic well for use in watering my lands).

4. During or about the year 1969, I began leasing the lands subject to the enlargement claim above for the purpose of grazing my cattle. Because the old well had ample water at that time, water literally flowed artesian from the old well which flowed down gradient from my lands and ponded at the fence line of my lands. I then caused the water to back up along the fence line and beyond onto the enlargement lands which were then irrigated either by direct flow from my lands onto the enlargement lands or from sub-irrigation which provided enough sub-water to keep the enlargement lands irrigated in most of the years.

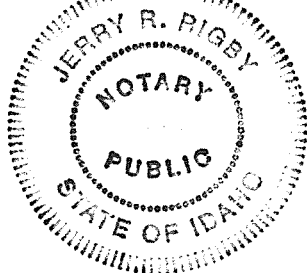
5. During the years of 84-89, I continued the practice as similar as possible by dyking the surface flows to cause sub-irrigation to continue to occur.

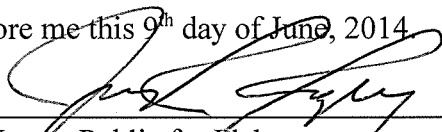
6. I discontinued leasing the lands in the late 90s. However, even though I drilled my new well in 1974 (the one subject to the enlargement and located in the NW1/4SW1/4 of Section 25, Twp. 7 N., Rge 35 E.B.M.), waters continued to collect at the base of my lands, through the said dyking process and continued to water the enlargement lands from old well as well as the new well described herein being the source of the water and which are described as the points of diversion for the present enlargement claim.

DATED this 9th day of June, 2014.


Paul Gunderson

SUBSCRIBED AND SWORN To before me this 9th day of June, 2014




Notary Public for Idaho
Residing at: Rexburg
My Commission Expires: 11-09-17

Affidavit of Paul Gunderson

\\UBUNTU-SERVER\Public\SB\gundersonp2.aff

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 9th day of June, 2014.

RIGBY ANDRUS & RIGBY LAW, PLLC



Jerry R. Rigby

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

☒ Mail
☐ Hand Delivery
☒ Facsimile
☐ Electronic Mail

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

☒ Mail
☐ Hand Delivery
☐ Facsimile
☐ Electronic Mail

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

☒ Mail
☐ Hand Delivery
☐ Facsimile
☐ Electronic Mail

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

☒ Mail
☐ Hand Delivery
☐ Facsimile
☐ Electronic Mail

Affidavit of Paul Gunderson

\\UBUNTU-SERVER\Public\SB\gundersonp2.aff

Robert L. Harris
Holden, Kidwell
P.O. Box 50130
Idaho Falls, ID 83405

☐ Mail
☐ Hand Delivery
☐ Facsimile
☒ Electronic Mail