

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

RIGHT NUMBER: 22-13483

NAME AND ADDRESS:

BLAINE HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093

EVERGREEN INVESTMENT UTAH LLC
2834 ETIENNE WAY
SANDY UT 84093

NANCY HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093

SOURCE:

Source:
UNNAMED STREAM

Tributary:
FOX CREEK

QUANTITY: 0.250 CFS

~~Right Nos. 22-13481 and 22-13483 are limited to a total combined diversion rate of 0.70 cfs.~~

PRIORITY DATE: 01/25/1938
~~01/24/1938~~

POINT OF DIVERSION:

T04N R45E S33 NWNE
Within TETON County

~~T04N R45E S33 SWNWNE~~
~~Within TETON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.250 CFS

PLACE OF USE:

IRRIGATION within TETON County
T04N R45E S28 SWSW 17.0
T04N R45E S28 SESW 18.0

35 ACRES TOTAL

This right is limited to the irrigation of 12.3 acres within the place of use described above in a single irrigation season.

Right Nos. 22-13481 and 22-13483 are limited to the irrigation of a combined total of 35 acres in a single irrigation season.

~~This right is limited to the irrigation of 12.28 acres within the place of use described above in a single irrigation season.~~

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

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.

~~This right is subject to regulation by the watermaster of Water District 01.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 22-4183 .

Source is also known as Snake Creek.

COPY

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 22-13483

Case No. 35976

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Blaine Huntsman, Nancy Huntsman & Evergreen Investment Utah, LLC

Address: 2834 Etienne Way,
Sandy, UT 84093

Daytime Phone: 801-438-0240

Name & Address of Attorney, if any:

Kent W. Foster; Holden, Kidwell, Hahn & Crapo

PO Box 50130

Idaho Falls, ID 83405-0130

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

Name: Blaine Huntsman, Nancy Huntsman & Evergreen Investment Utah, LLC

Address: 2834 Etienne Way,
Sandy, UT 84093

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: 0.41 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Points of Diversion**
Should be: SESWSW, Section 28 and SENENW, Section 33, both in T14N., R45E.
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: 26 acres in SESW, Sec. 28, T4N., R45E.
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 OBJECTION(S):** Recommendation lists correct quarter-quarter section for point of diversion, but the point shown in the infrared photo accompanying the Preliminary Recommendation is on the wrong source within that quarter-quarter section. Recommendation misses some 8 acres historically irrigated in the SESW, Sec. 28, T4N., R45E. and hence 0.16 cfs.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

Kent W. Foster, duly sworn, upon oath, deposes and says:

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.



Kent W. Foster, Attorney

Subscribed and sworn to before me this 28th day of June, 2007





Notary Public for Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: July 7, 2009

G.

CERTIFICATE OF MAILING

I hereby certify that on this 28th day of June, 2007, 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. 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
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Kent W. Foster

G:\WPDATA\AKW\13254 Huntsman, Blaine\Objection, 22-13483.wpd

OK
JC
3/14/06

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
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
	22-4181	√			
	22-4182				

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 rights(s) or claims(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 your water rights(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
Charles E. Crary, III & Margaret H. Crary, as Trustees of the 1988 Crary Trust
8401 East Woodland Road, Tucson AZ 85749
4. New Owner/Claimant(s)
Blaine Huntsman
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 7 South Wolcott
 City, State and ZIP Code Salt Lake City, UT 84101
 New Telephone Number 801-994-0303
5. Date you acquired the property March 16, 2001

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SCANNED MAR 06 2006
JUL 10 2006 Department of Water Resources
Eastern Region

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	0.74 cfs	15 acres in NESE and 22 acres in SESE, Section 29, T4N., R45E.
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 attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

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

SCANNED

JUL 10 2007



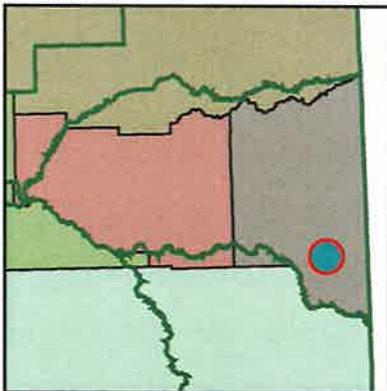
Idaho Department of Water Resources

Adjudication Claim:

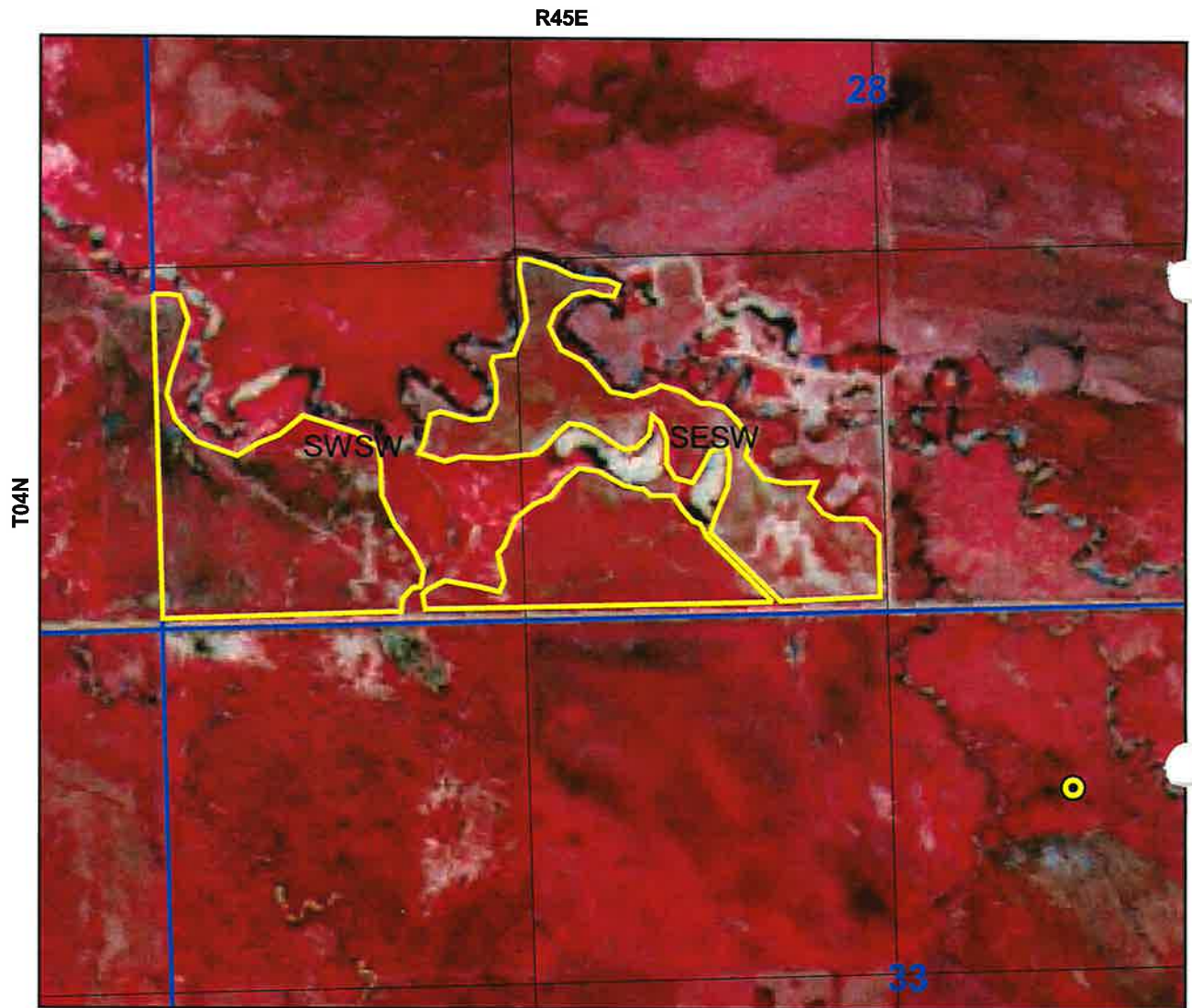
22-13483

Legend

- SCANNED JUL 10 2007
-  Point of Diversion
 -  Place of Use
 -  Townships
 -  PLS Sections
 -  Quarter Quarters



Teton County
IDWR Basin 22



0 0.3 0.6 Miles

Prepared by J. Crabtre
On Friday, March 17, 2006
1987/88 Aerial Photography

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: A22-04183

Date Received: 9/22/1988

Receipt No: EM2788

Received By: _____

SEP 28 1988

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CHARLES E. CRARY 602-749-1466
Address: 8401 E. WOODLAND RD.
TUSCON, AZ 85749
AND/OR
Name: MARGARET H. CRARY
Address: 8401 E. WOODLAND RD.
TUSCON, AZ 85749
AND/OR
Name: CHARLES E. CRARY 208-354-8309
Address: P.O. BOX 581
DRIGGS, ID 83422
AND/OR
Name: MARGARET H. CRARY 208-354-8309
Address: P.O. BOX 581
DRIGGS, ID 83422

A2204183



2. Date of Priority: JUN 01, 1908

3. Source: UNNAMED CREEK Trib. to: FOX CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	45E	33	NW NE		TETON

5. Description of diverting works:
HEADGATE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		

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

A.F.A.

A22-04183

Page 1

Date: 09/22/88

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JUL 10 2007

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OCT 29 1992

8. Total consumptive use is 40.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 04N | 45E | 28 | SE | SW | | IRR | 20.0 |
| Section Acres | | | | | | | 20.0 |
| Total Acres | | | | | | | 20.0 |
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:
SOURCE KNOWN AS SNAKE CREEK.
15. Basis of Claim: STATUTORY CLAIM

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: 1

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): Charles E. Cary Date: 9/22/88
Date:

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of September 19 88

Anthony S. Olenichak
Notary Public

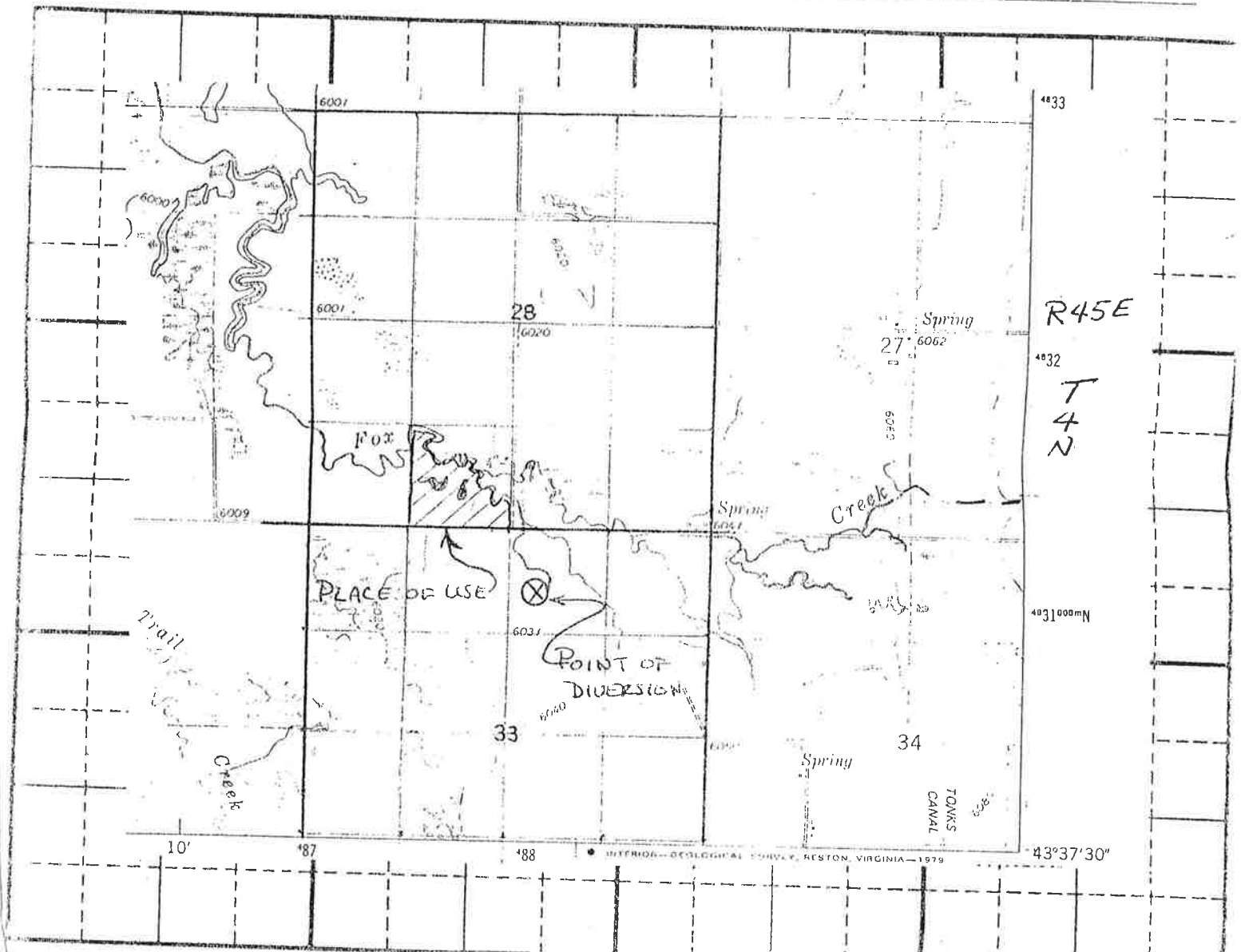
Seal

Residing at Idaho Falls
My Commission Expires 9/12/1994

A22-04183

(8) Remarks Source also known as Snake Creek.

Other rights: Decree 22-0093 (1-22-1916) from Fox Creek



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