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APR 30 2003

03/10/2003

Department of Water Resources
Eastern Region

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

RIGHT NUMBER: 29-4194

NAME AND ADDRESS: EDNA GUNTER
2456 N BLACKROCK CANYON RD
POCATELLO ID 83204

MIXED OWNERSHIP

-THE PLACE OF USE IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POU SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
28.00 AFY

PRIORITY DATE: 05/01/1958

POINT OF
DIVERSION: T07S R35E S22 NENESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS 28.00 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S22	SENE	0.8	T07S R35E S22	NESE	6.2
---------------	------	-----	---------------	------	-----

7 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 - Beneficial Use

THE FOLLOWING LANGUAGE INSERTED UNDER POU WOULD RESOLVE ANY POTENTIAL OBJECTION BY THE BLM

"THE USE OF WATER UNDER THIS RIGHT WITHIN SENE, S22, T07S, R35E, IS LIMITED TO THE S2SE OF THAT PLACE OF USE."

IN ALTERNATIVE TO THE ABOVE LANGUAGE, THE FOLLOWING REMARK INSERTED UNDER PLACE OF USE WOULD RESOLVE ANY POTENTIAL OBJECTION BY BLM.

"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND."

01/09/2003

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

RIGHT NUMBER: 29-4194

NAME AND ADDRESS: EDNA GUNTER
2456 N BLACKROCK CANYON RD
POCATELLO ID 83204

SOURCE: GROUND WATER

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QUANTITY: 0.140 CFS
28.000 AFY

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PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.140 CFS
28.00 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S22

SENE

0.8

T07S R35E S22

NENESE

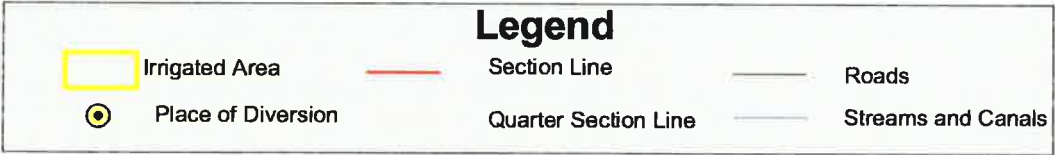
6.2

7 ACRES TOTAL

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

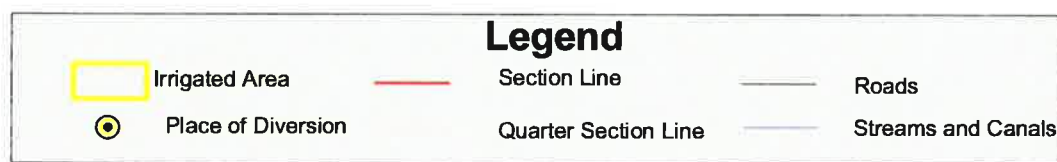
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use



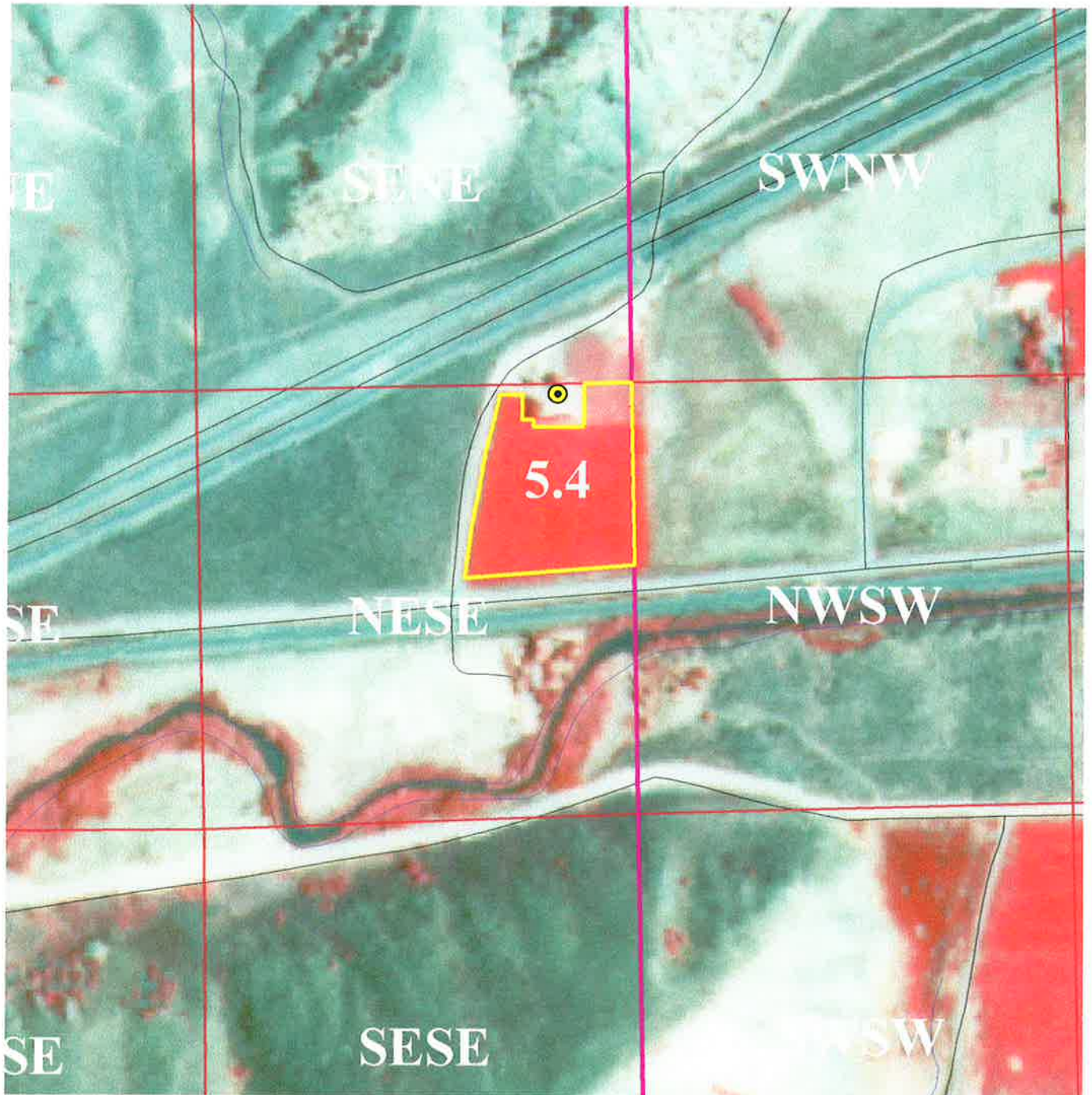
Water Right Claim Number A29-04194
Township , 7S35E

09/05/2000



Water Right Claim Number A29-04194
Township , 7S35E

09/05/2000



JUN 15 2001

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: A29-04194

Date Received: 3/22/1990

Receipt No: ED12489Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDNA GUNTER 208-775-3713
Address: 2456 N. BLACKROCK CANYON RD
POCATELLO, ID 83204

2. Date of Priority: MAY 01, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	22		NE	SE		BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	22	NE	SE		IRR	7.0

Section Acres 7.0

A29-04194

Page 1

Date: 03/22/90

MICROFILMED

NOV 13 1992

A2904194



10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: BANNOCK

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: 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: 0

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): Edna Hunter Date: March 22, 1990

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 90

Heise Carls
Notary Public

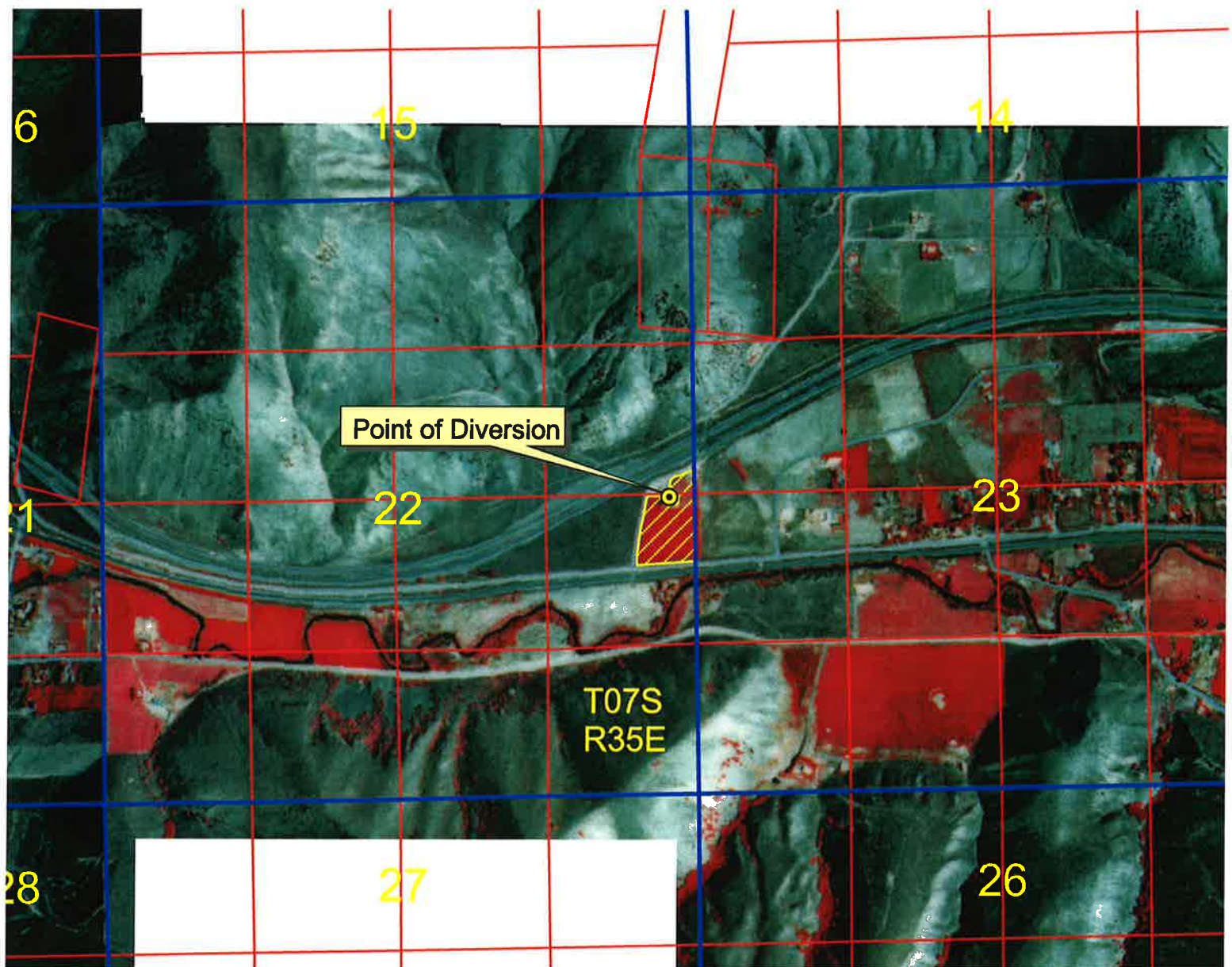
Seal

Residing at Heise, Id

My Commission Expires 2/26/96



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-4194



0.5 0 0.5 1 Miles

1:16000



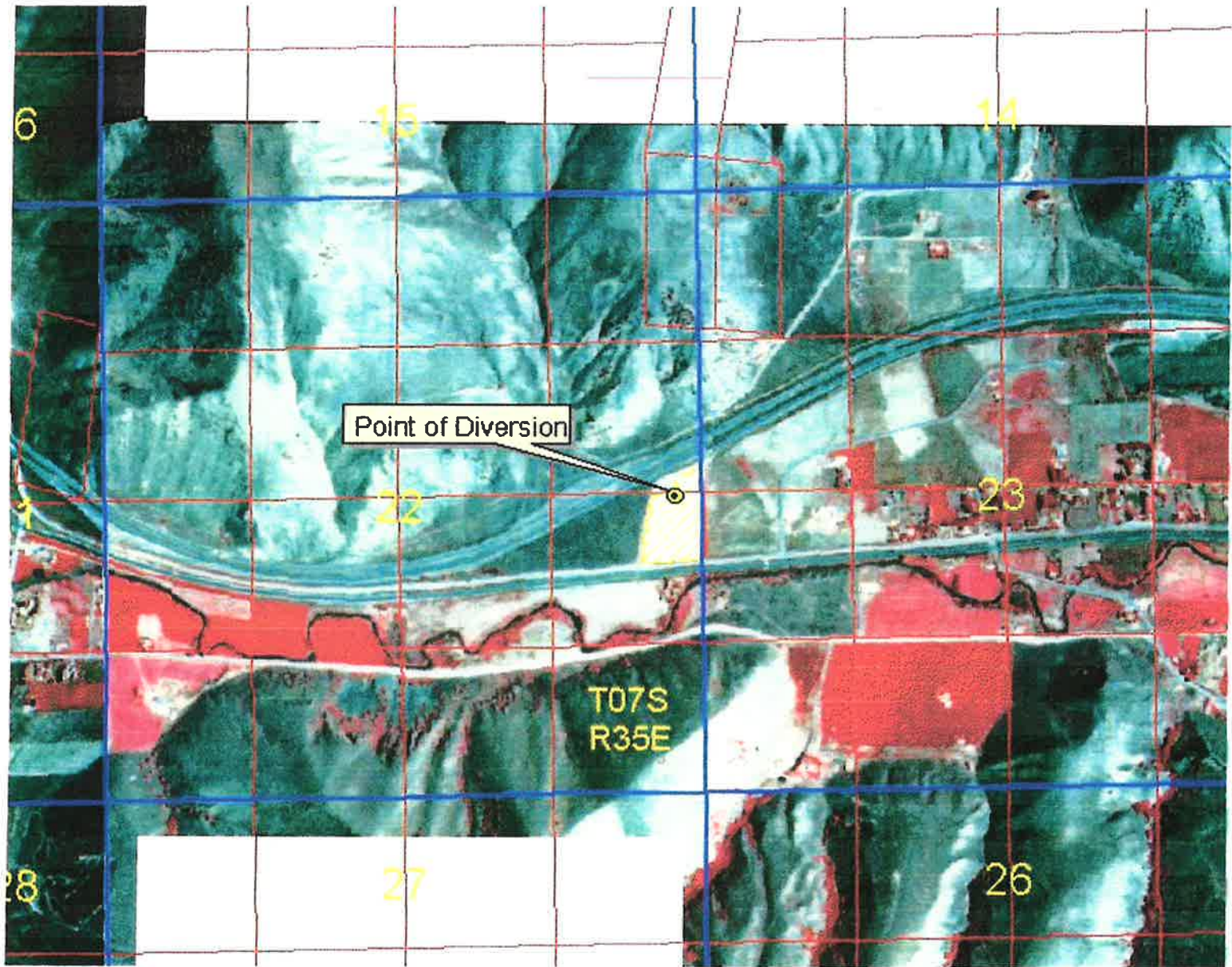
- ⊙ Point(s) of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

SCANNED
FEB 22 2005
PROFILED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: January 2003



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-4194



0.5 0 0.5 1 Miles

PROFILED

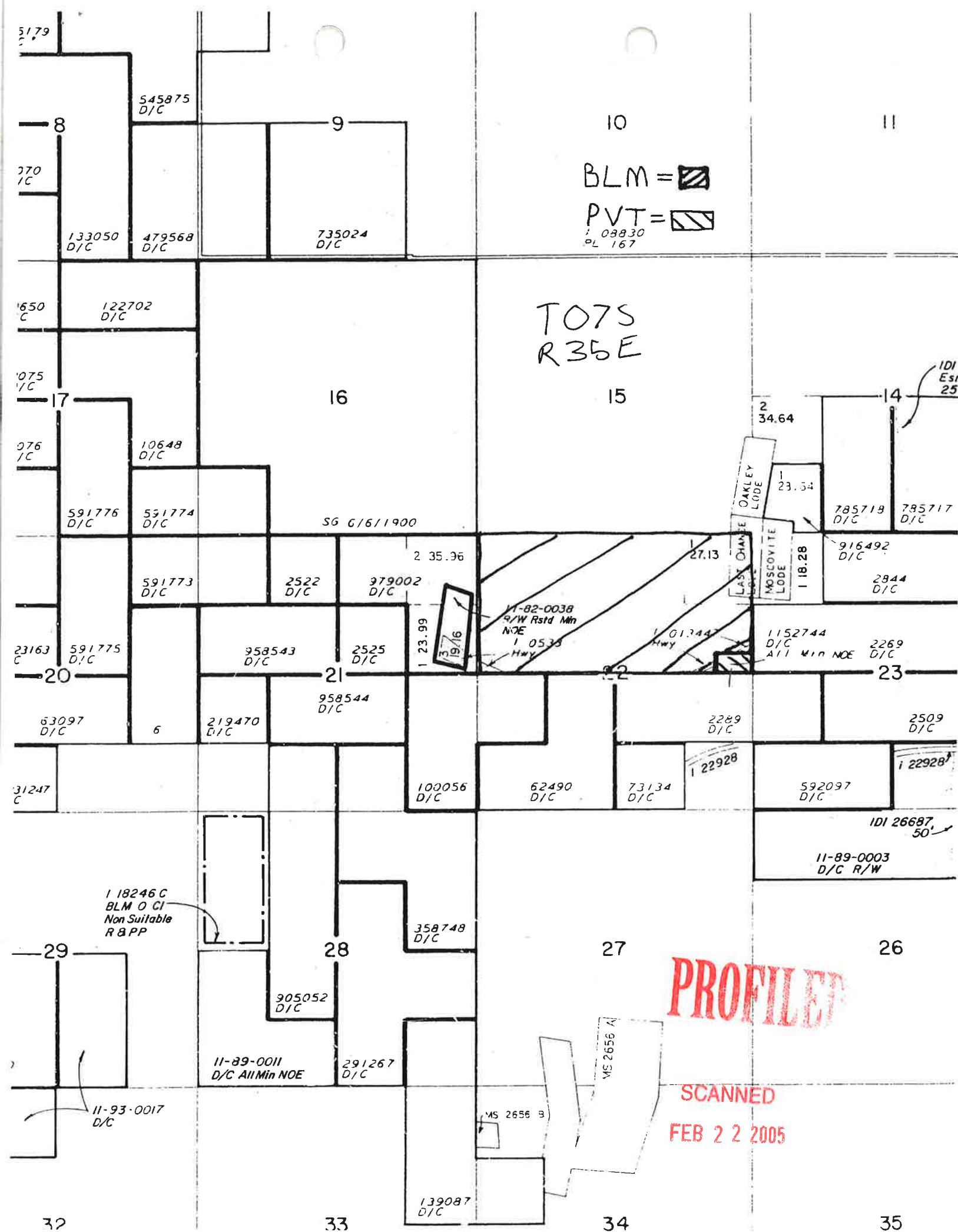
1:16000



- ⊙ Point(s) of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

SCANNED
FEB 22 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
2000



02/08/2003

NOTICE OF ERROR
REPLY

Craig

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-4194

EDNA GUNTER
2456 N BLACKROCK CANYON RD
POCATELLO ID 83204
Telephone Number: (208)775-3713

RECEIVED
APR 16 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

___ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-26-003 SIGNATURE: *Edna Gunter*
Please print your name: Edna Gunter

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
APR 03 2003
Department of Water Resources
Eastern Region

SCANNED
FEB 22 2005

PROFILED

SCANNED

JUN 15 2001

June 13, 2001

SCOT GUNTER
CHARRONE GUNTER
2480 N BLACKROCK RD
POCATELLO ID 83204-7313

RE: Snake River Basin Adjudication Claim 29-04194

Dear Scot and Charrone,

Enclosed is the amended claim and Notice of Change of Water Right Ownership form Charrone and I spoke about on Wednesday June 13, 2001. There were two steps that we spoke about that need to be taken:

Step 1:

Have Edna sign the amended claim **in front of a notary**. The only change in the claim is that the irrigated place of use is more accurately described to include a portion of your property as irrigated land.

Step 2:

Complete the Notice of Change in Water Right Ownership. Please include your deed to the property showing that Edna conveyed part of her property to you. This will allow me to split the original claim and put a portion of the water right in your name.

Results:

The result of this process is that both Edna and yourself will have your own separate water right from the irrigation well. I have enclosed two maps that are almost identical. One is for your records and graphically explains what I potentially planning on recommending after the above steps are completed.

The second map is for my use. Please draw in the location of the irrigation well and return it to me with the signed amended claim and the Change of Ownership form.

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L Saxton
Water Resource Agent
Adjudication Bureau

Log for claim A29-04194

Spatial Dynamics BTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	22	NESE	7	5.4	
Totals:			7	5.4	

6/11/01 Scot + Charrone Gunter own Property in SEUE.
need c/o after claim Amended
775-3049

6/13/01 2480 N Blackrock Canyon
Pocatello ID
83204

Spoke with Charrone - sent c/o and amended claim.

AJ5809NP
No. A29-04194

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 186

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDNA GUNTER 2456 N BLACKROCK CANYON RD POCATELLO ID 83204 (208) 775-3713	05/01/1958	IRRIGATION	03-15 11-15	0.140 CFS	
TOTAL DIVERSION:					0.140 CFS	
CONSUMPTIVE USE:						17.50 AFA
Water Source: GROUNDWATER		Tributary to:		Stage: STATUTORY CLAIM		

AJ5809NP
No. A29-04194

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 187

Point(s) of Diversion: T07S R35E S22 NESE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE													
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
				-----				:	-----				:	-----				:	-----				:	-----					
07S 35E 22 :								:					:					:	07				:					:	7.0
																								TOTAL ACRES	7.0				

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10022 29-10695 A29-10021 A29-10022 A29-10695

Other Water Rights Listing Overlapping Place(s) of Use:

A29-10021

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/22/90 DCARLSON 07/20/94 THOMPSON 03/29/95 POST-STD

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

I, Elvin Gunter being first duly sworn upon his oath, deposes and says:

I am the son of Boyd H. Gunter, deceased and Edna Gunter.

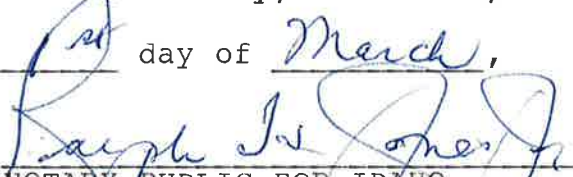
I am acquainted with the well and pump to mainline and handline that has been consistently used during irrigation season to water the 7 acres owned by my parents in Bannock County, Idaho described as NE4 SE4, Section 22, Township 7 S., Range 35 EBM.

I was born in 1941, in Pocatello, Idaho and was raised on above described premises. I know from memory and being present that the well, pump and irrigation equipment was placed on the premises while I was in high school in the late 50's. I have lived in Bannock County, Idaho all my life. I know that my Father, Boyd H. Gunter, lived on the above premises with my Mother, Edna Gunter during all time in question until his death. Since his death, my Mother has continued to live and reside there. During each and all of the years in question my parents, and my Mother, since the death of my Father, used the well water to irrigate and farm above premises during the irrigation season.

In Witness Whereof I have hereunto set my hand this 1st day of March, 1995.


ELVIN GUNTER
1048 Mills Way, Pocatello, ID

SUBSCRIBED AND SWORN to me this 1st day of March, 1995.


NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILMED
NOV 13 1998

AFFIDAVIT

STATE OF IDAHO)
COUNTY OF BANNOCK)

ss

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

We, Russell Davis and Tresa Davis both of Pocatello, Idaho, being first duly sworn, upon their oath deposes and says:

We have been a neighbors and friends of Boyd H. Gunter and Edna Gunter of Bannock County for over 42 years.

We are acquainted with the well, pump and irrigation equipment placed on the premises of the Gunters in Bannock County, Idaho located on 7 acres described as NE4 SE4, Section 22, Township 7 S., Range 35 EBM. Said well, pump and irrigation equipment have been in place and used during irrigation season each year since 1958 to farm and irrigate above described premises.

In Witness Whereof I have hereunto set my hand this 18th day of March, 1995.

Russell F. Davis
RUSSELL DAVIS

Tresa B. Davis
TRESA DAVIS

SUBSCRIBED AND SWORN to before me this 18th day of March, 1995.

Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: Nov 98

MICROFILMED
NOV 13 1998

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

I, Morris Dayley of Pocatello, Idaho, being first duly sworn,
upon his oath deposes and says:

I have been a neighbor and friend of Boyd H. Gunter and Edna
Gunter of Bannock County for over 50 years.

I am acquainted with the well, pump and irrigation equipment
placed on the premises of the Gunters in Bannock County, Idaho
located on 7 acres described as NE4 SE4, Section 22, Township 7 S.,
Range 35 EBM. Said well, pump and irrigation equipment have been in
place and used during irrigation season each year since 1958 to farm
and irrigate above described premises.

In Witness Whereof I have hereunto set my hand this 1st day
of March, 1995.

Morris Dayley
MORRIS DAYLEY
6919 W. Portneuf Road
Pocatello, Idaho 83204

SUBSCRIBED AND SWORN to before me this 1st day
of March, 1995.

Roger L. Jones, Jr.
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILMED

NOV 13 1990

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF BANNOCK)

Re: Boyd H. and Edna Gunter
CLAIM TO A WATER RIGHT
CLAIM NUMBER 294194
DEPT. OF WATER RESOURCES
STATE OF IDAHO

I, Edna Gunter of Pocatello, Idaho being first duly sworn,
deposes and says:

I am the widow of Boyd H. Gunter, deceased.

On land owned by my husband and me, he filed a Claim to a
Water Right with a priority date of May 1958 with the Department of
Water Resources, State of Idaho, being claim number 29 4194 for
ground wter on seven acres of property located in Bannock County,
Idaho described as NE4 SE4, Section 22, Township 7 S., Range 35 EBM.

Within my knowledge, I know that my husband and I drilled a
well and placed thereon a pump together with mainline and handline
in May 1958 and that said well, pump, mainline and handline have
been used since that date in each year during the irrigating season
to farm and irrigate said acreage up to and including the present.

At the time of submitting this affidavit, I am also submitting
affidavits of neighbors, Morris Dayley, Russell and Tresa Davis, and
that of my son, Elvin Gunter, who was born and raised by Boyd and me
upon the above premises and who is a life long resident of Bannock
County, Idaho.

I respectfully request that these said affidavits, submitted
in proof of Claim number 29 4914 be made part of the permanent file
in this matter.

In Witness Whereof, I have hereunto set my hand this 28th day
of February, 1995.

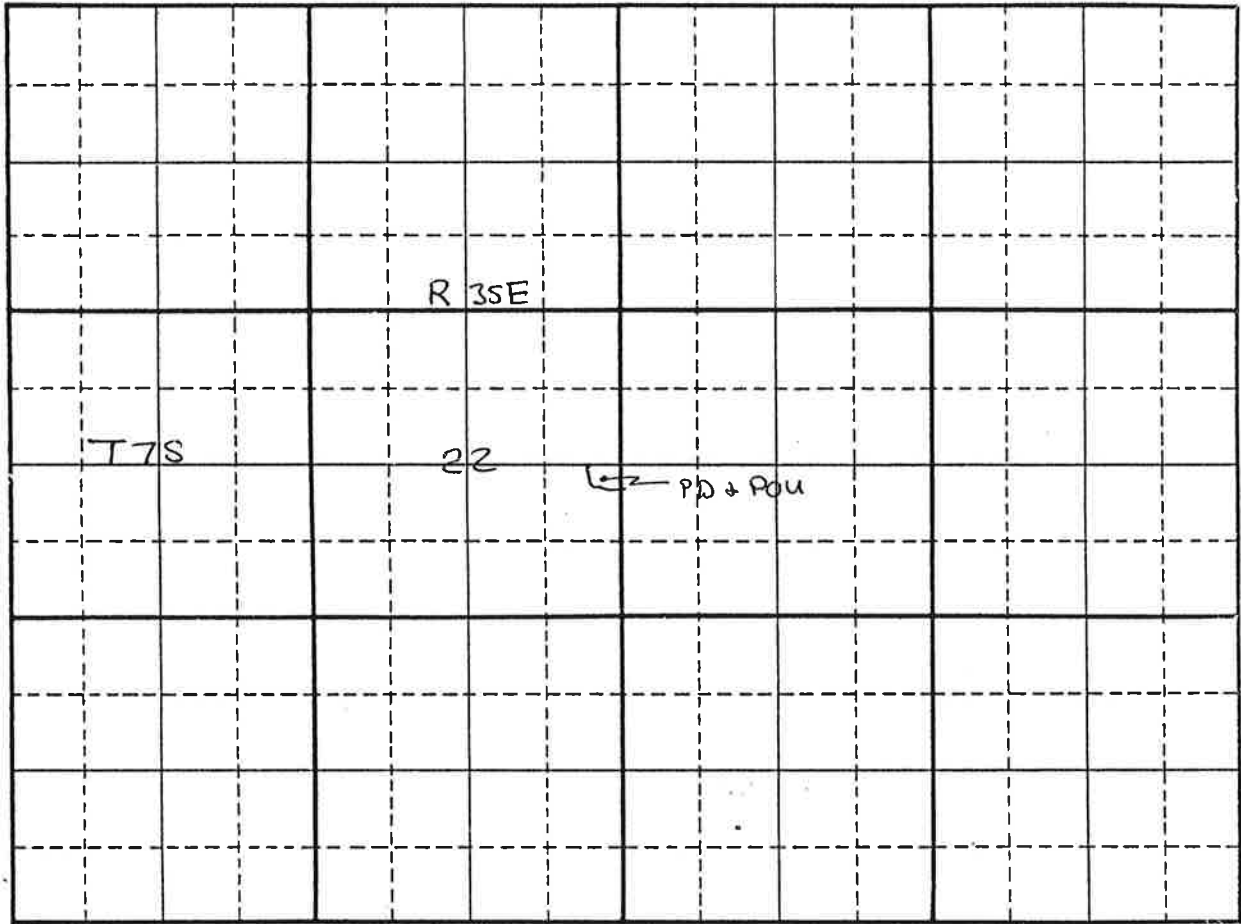
Edna Gunter
EDNA GUNTER

SUBSCRIBED AND SWORN to before me this 28th day
of February, 1995.

Ralph S. Jones
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
Commission Expires: 1-15-99

MICROFILMED

NOV 13 1990



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Bonnaville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

to before me this 21 day of April, 1981.

Boyd Hunter
(Claimant)

Kathleen A. Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by HIT Date 4-21-81 Exception filed by: _____ Date _____
 Prelim. check by KCW Date 4-21-81
 \$10.00 fee received by KCW Date 4/21/81 # 17601
 Published in High State Journal
 Dates 1/30 & 3/7/81