

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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-71

Date Received: 4/25/2023

Receipt No: P000137

Claim Fee: \$54.00 By: JW

RECEIVED

APR 25 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Danielle Gunn Phone (208) 680-8705
Mailing address 497 N 900 W, Blackfoot, ID Zip 83221
Street or Box City State
Email address (optional) dgunnbaileymillie@gmail.com
2. Date of priority: (Only one per claim) 05/01/1864 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Paris Creek
which is tributary to (b) Bear Lake Outlet Canal
4. a. Location of point of diversion is: Township 14S, Range 43E, Section 11,
SW 1/4 of NW 1/4, Govt. Lot _____, BM, County of Bear Lake
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Diversion in Paris Creek located approximately 200 feet upstream of my property. Open ditch used for flood
irrigation. Paris Creek also flows through the property.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 5/1 to 9/15 amount 0.04 or _____

For Stockwater purposes from 5/1 to 9/15 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Stockwater use is for up to three horses and a couple of cows.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14	43E	11							0.3			1.2							1.5

Parcel no(s) P00000115430

Total number of acres irrigated 1.5

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes (☒) No (☐)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

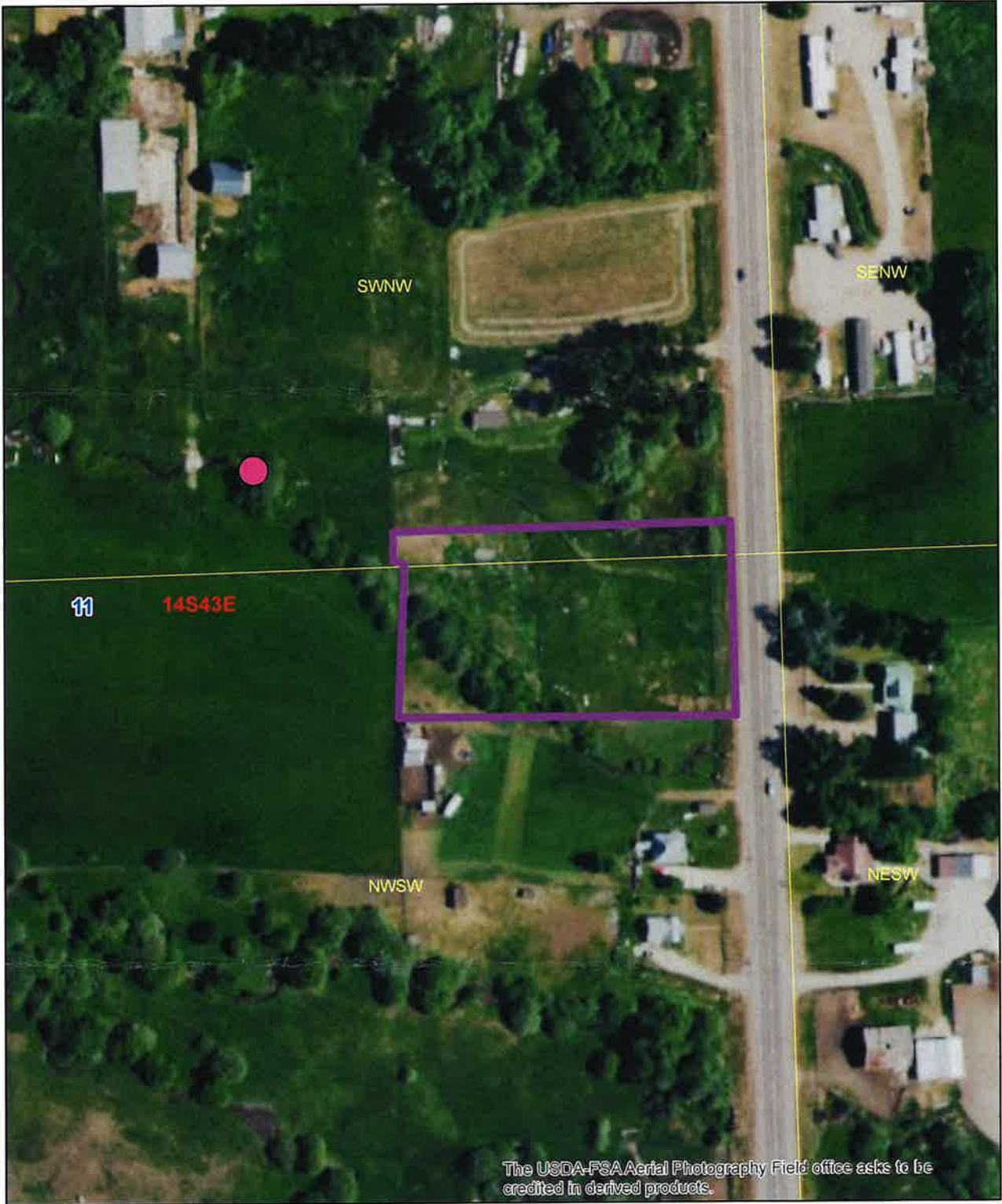
13. Remarks (Include an explanation of the priority date selected):

~~Priority date is same as priority date for water right 11-71.~~

Name of claimant(s) Danielle Gunn

Claim ID _____

Danielle Gunn BRBA Claim - Portion of WR 11-71



Legend

-  Township/Range
-  Sections
-  QQ

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (☒)

Court B L County DC Decree Date 7/27/1932 Plaintiff v. Defendant Pioneer Irrig. v. Southfield Ditch

If applicable provide IDWR Water Right Number 11-71 (part)

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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: 2; deed, quiet title

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Danielle Gunn Date: 4-20-2023

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) Danielle Gunn Claim ID _____

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/19/2023

Water Right 11-71

Owner Type **Name and Address**
Current Owner WILFORD W BUDGE

, ZZ

Priority Date: 5/1/1864

Basis: Decreed

Status: Active

Source
PARIS CREEK

Tributary
BEAR LAKE OUTLET

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	09/15	0.500 CFS	
	Total Diversion		0.500 CFS	

Source and Point(s) of Diversion:

PARIS CREEK SWNW Sec. 11, Twp 14S, Rge 43E, BEAR LAKE County

Place Of Use:

IRRIGATION within BEAR LAKE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	43E	11									X	X							0.0

POU Total Acres: 0.0

Conditions of Approval:

1. P/U SEE LEGAL DESCRIPTION IN DECREE

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made this 21 December, 2016

BETWEEN

**ALICIA DREDGE, as the Personal Representative of the Estate of
MILTON C. WARD, also know as MILTON CRANNEY WARD, deceased,**

party of the First Part,
AND

DANIELLE GUNN,
of 497 North 900 West, Blackfoot, ID., 83221

party of the Second Part.

Witnesseth, that the said party of the First Part, for valuable consideration, and for the purpose of conveying that certain real property from the estate of **MILTON C. WARD, also know as MILTON CRANNEY WARD** does by these presents hereby grant, bargain, sell, convey, and confirm unto the said party of the Second Part, and to her heirs and assigns forever, all that certain parcel of land, situated lying and being in **PARIS, County of Bear Lake, State of ID.,** and more particularly described as follows:

See Attached Exhibit "A"

Instrument # 223614

BEAR LAKE COUNTY

12-28-2016 08:47:57 AM No. of Pages: 2

Recorded for : FIRST IDAHO TITLE CO

CINDY GARNER

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: PERSONAL REP. DEED

This deed has been prepared as an accommodation by FIRST IDAHO TITLE COMPANY without benefit of a title search and its accuracy is not guaranteed.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances unto the party of the Second Part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the First Part has hereunto set her hand(s) and seals the day and year first above written.

Alicia Dredge P.R.
ALICIA DREDGE, Personal Representative

STATE OF Idaho, COUNTY OF Minidoka

On this December 21, 2016, before me a Notary Public in and for the State, personally appeared

ALICIA DREDGE

known to me to be the person whose name is subscribed to within instrument, and acknowledge to me that she executed the same, as Personal Representative of the **MILTON C. WARD, also know as MILTON CRANNEY WARD.**

IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year in the certificate first above written.

Bonnie J. Sutton

Notary Public

Residing at: Paul Idaho

My Commission Expires:

January 27, 2017

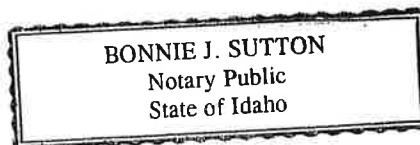


EXHIBIT A

PARCEL NO. 1:

A parcel of land located in the Section 10, Township 14 South, Range 43 East, Boise Meridian, Paris City, Bear Lake County, Idaho, and further described as follows:

Beginning at the Northeast Corner of said Section 10 located North 00°13'42" East 5244.64 feet from a Witness Corner that is 66 feet North of the actual Southeast Corner of said Section 10; thence South 00°13'42" West 1225.54 feet; thence West 2022.40 feet to a 5/8" rebar with cap labeled "A.A. HUDSON, PLS 4735", set at a fence corner; thence South 02°49'11" East 16.46 feet to a 5/8" rebar with cap set on the North bank of a canal, the TRUE POINT OF BEGINNING; thence South 05°32'56" East 401.13 feet along a fence line to a 5/8" rebar with cap set on the North right of way line of Paris Canyon Road; following said North right of way line the next 3 courses: thence Northwesterly along a 651.97 foot radius non-tangent curve concave to the Southwest whose center bears South 03°43'44" West, through a central angle of 04°13'21", a distance of 48.05 feet to the point of tangency, (chord = North 88°22'57" West 48.04 feet); thence South 89°30'23" West 131.36 feet to the beginning of a 595.44 foot radius curve concave to the Southeast; thence Southwesterly along said curve through a central angle of 04°52'11" a distance of 50.61 feet (chord = South 87°04'18" West 50.59 feet); thence North 176.00 feet to a 5/8" rebar with cap; thence North 23°19'45" East 90.20 feet to a 5/8" rebar with cap; thence North 47°25'15" East 211.03 feet to the True Point of Beginning.

PARCEL NO. 2:

Commencing at a point 924 feet East from the SW corner of the NW¼ of Section 11, Township 14 South, Range 43 East of Boise Meridian, Bear Lake County, Idaho, and running thence South 173.58 feet; thence East 297 feet (to West line of U.S. Highway 89); thence North 173.58 feet; thence West 297 feet to the Place of Beginning.

Jonathan W. Harris
BAKER & HARRIS
266 West Bridge Street
Blackfoot, Idaho 83221
Telephone: (208) 785-2310
Facsimile: (208) 785-6749
E-Mail: jwharris@bakerharrislaw.com
Court eService Email: efilng@bakerharrislaw.com
Idaho State Bar No. 6261

Attorneys for Plaintiff

Filed: 02/04/2020 13:48:05
Sixth Judicial District, Bear Lake County
Cindy Garner, Clerk of the Court
By: Deputy Clerk - Volbrecht, Karen

Instrument # 231023

BEAR LAKE COUNTY
02-12-2020 09:13:29 No. of Pages: 3
Recorded for: BAKER & HARRIS
Cindy Garner Fee: \$16.00
Ex-Officio Recorder Deputy: JH
Index to: JUDGEMENT

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

DANIELLE GUNN,

Plaintiff,

v.

THE HEIRS AND DEVISEES OF
WILFORD W. BUDGE, JOHN DOES I
through X, and JANE DOES I through X,
being parties unknown who may claim an
interest in the real property more particularly
described as:

A parcel of land located in Section 11,
Township 14 South, Range 43 East, Boise
Meridian, Paris City, Bear Lake County,
Idaho and more particularly described as
follows:

Beginning at the West quarter corner of said
Section 11, from which the Southwest corner
of Section 11 bears South 00° 16' 03" West
2655.49 feet; Thence North 89° 48' 19" East
925.00 feet along the latitudinal centerline of
said Section 11 to a point on a fence line, the
True Point of Beginning; Thence North 01°
33' 55" East 25.92 feet along said fence line
to a 5/8" rebar with cap labeled, "A.A.
Hudson, PLS 13173", set at a fence corner;

Case No. CV04-19-0205

DECREE QUIETING TITLE

DECREE QUIETING TITLE - 1

Thence South 89° 50' 10" East 342.51 feet along a fence line to a 5/8" rebar with cap set on the West right of way line of Highway 89; Thence South 00° 10' 33" West 23.76 feet along said West right of way line to a point on the said latitudinal centerline of Section 11; Thence South 89° 48' 19" West 343.15 feet along said latitudinal centerline to the True Point of Beginning.

Defendants.

Judgment is entered as follows:

1. That Plaintiff, Danielle Gunn, owns in fee simple and is entitled to the quiet and peaceful possession of that certain parcel of land situated in the County of Bear Lake, State of Idaho, and described as:

A parcel of land located in Section 11, Township 14 South, Range 43 East, Boise Meridian, Paris City, Bear Lake County, Idaho and more particularly described as follows:

Beginning at the West quarter corner of said Section 11, from which the Southwest corner of Section 11 bears South 00° 16' 03" West 2655.49 feet; Thence North 89° 48' 19" East 925.00 feet along the latitudinal centerline of said Section 11 to a point on a fence line, the True Point of Beginning; Thence North 01° 33' 55" East 25.92 feet along said fence line to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173", set at a fence corner; Thence South 89° 50' 10" East 342.51 feet along a fence line to a 5/8" rebar with cap set on the West right of way line of Highway 89; Thence South 00° 10' 33" West 23.76 feet along said West right of way line to a point on the said latitudinal centerline of Section 11; Thence South 89° 48' 19" West 343.15 feet along said latitudinal centerline to the True Point of Beginning.

2. That Plaintiff's title to said real property is hereby forever quieted against any and all claims or demands of Defendants, the Heirs and Devisees of Wilford W. Budge, John Does I

DECREE QUIETING TITLE - 2

through X, and Jane Does I through X, and any person claiming under them to any estate, right, title, lien or interest in said real property.

3. That Defendants, the Heirs and Devisees of Wilford W. Budge, John Does I through X, and Jane Does I through X, and any person claiming under them, are permanently enjoined and restrained from asserting any claim or interest in or to said real property or any part thereof.

DATED this Signed: 2/3/2020 03:53 PM



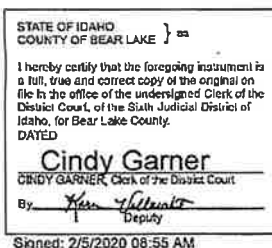
Mitchell W. Brown, District Judge

CLERK'S CERTIFICATE OF SERVICE

I certify that on this February 4, 2020, I served a true and correct copy of the following-described document on the person(s) listed below by the method indicated.

Document Served: **DECREE QUIETING TITLE**

Person(s) Served: Jonathan W. Harris () Mail
BAKER & HARRIS (X) iCourt E-Mail
266 West Bridge Street () Hand Delivered
Blackfoot, Idaho 83221
efiling@bakerharrislaw.com



Cindy Garner
CLERK OF THE COURT
Signed: 2/4/2020 01:49 PM

By: 
Deputy Clerk