

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: A21-12531
Date Received: 12/ 9/1998
Receipt No: E024666
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2112531



1. Name: GLEN C FLOYD 208-624-7151
Address: PO BOX 82
CHESTER ID 83421
AND/OR
Name: MARLENE B FLOYD 208-624-7151
Address: PO BOX 82
CHESTER ID 83421

2. Date of Priority: OCT 21, 1992

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	41E	24	SW	SW	SW		FREMONT

5. Description of diverting works:
WELL WITH PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	24	SW	SW		DOMEST	
			SW	SW		STOCK	

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

0.02 STOCKWATER CHANG OF OWNERSHIP ON WATER RIGHT #21-10509
DATER OF PRIORITY 7-1-1900.
STOCKWATER, 15 RANGE CATTLE.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____

_____ Date: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

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Identification No. A21-12531Date Received 12-5-98Receipt Number ED24666NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

DEC 10 1998

Department of Water Resources
Eastern Region

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Marlene B Floyd &/or Glen C. Floyd Phone (208) 624-7151
Mailing Address P.O. Box 82 Chester ID Zip 83421
- Date of Priority (Only one per claim) ~~7/1/36~~ 10/21/92 ^{mt} Month/Day/Year
- Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township T08 N Range 41 E
Section 24 SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, EBM.,
County of Fremont
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 1936: 6" well 50' Deep 3/4 HP Surface Pump
10/21/1992: 6" well Deepened to 150' 1 1/2 HP Surface Pump
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.040 (cfs)
For * Stockwater purposes from 1/1 ^(Both dates are inclusive) to 12/31 amount 0.020
- Total quantity claimed 0.06 (cfs) * see remarks #14.
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic - 1 household * Stockwater 15 Range cattle

10. Place of use is: Township: TOON Range 41E
Section 24 SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: #6.79) 0.02 stockwater change of ownership on water right
#21-10509 date of priority 7/1/1900

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 5 excluding check

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Marlene B. Floyd Date 11-28-98

[Signature] Date 11-28-98

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)

County of Fremont)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 23rd day of November 1998

SEAL

Notary Public Tamara Cooper

Residing at St. Anthony

My Commission Expires 1/24/2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

Drilling Permit No. 21-92E-0072-001
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

RECEIVED

OCT 21 1992

APPLICATION FOR DRILLING PERMIT

Applicant (please print) Jean M. Blanchard by
Marlene B. Floyd - P.O.A.

Department of Water Resources
Eastern District Office

Mailing Address P.O. Box 82

City & State Chester ID

Zip Code 83421

Telephone 208) 624-7151

() Well Owner () Well Operator () Other, specify _____

Proposed well location SW 1/4 SW 1/4, or Gov't Lot No. _____

Sec. 24, Twp. 8N, Rge. 41, County Fremont

Street Address of Well Site 812 N 2900 E Chester ID

Lot, block and subdivision _____

Proposed use of well:

☒ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial, or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

() Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other _____
(Describe)

Well construction information:

() New well ☒ Deepen () Enlarge () Replace - See Condition 9

Proposed Surface Diameter 6" Proposed Maximum Depth 100'

Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

Construction Start Date 10/23/92 Approx

Anticipated Well Driller Timmons/Werschenfluh #445

NOTE: The actual well driller must be identified prior to drilling.

Applicant's signature Jean M. Blanchard by Marlene B. Floyd P.O.A. - 10-20-92

is Owner - P.O.A.
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

10-21-92

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Ernest Carlson for R. D. Carlson.
Signature of Authorized Department Representative

Eastern Regional Manager.
Title

Receipt No ED18D1Z

Received by ff

Fee 35.

Date

10-21-92

EXTENSION OF DRILLING PERMIT

Extension approved by _____

Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E01B012

Date: 10/21/1992

Time: 13:51:33

Received

From: FLOYD, MARLENE

Type of Payment

Program Acct

Amount

DRILLING PERMIT 21-92E-0072-001

63116

229 21 1205

35.00

Total

\$35.00

CHECK 1251

Region: EASTERN

Signature: Julie Gardner



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1993

Ms. Marlene Floyd
P.O. Box 82
Chester, Idaho 83421

Dear Ms. Floyd:

This letter is to acknowledge receipt of your application for assistance under the **Drought Relief Well Construction Program**. Your application has been given the following Application ID Number: **E103108**. Please use this number when contacting our office regarding your application.

In reviewing your application, I noted on the application for a drilling permit that you signed it, indicating power of attorney for Jean Blanchard, in whose name the permit was granted. Yet the application for this program is in your name. I need to document for the file this inconsistency. Please send a statement explaining this. I'm sure you understand that we must be sure that funds are directed to only those who have a right to receive them. By having your explanation in the file, it will document the nature of the change for others who will review the files later.

As soon as I receive the statement described above, I will be able to continue to process your application.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Van Winkle".

Colleen Van Winkle
Grants/Contracts Officer

P.O. Box 82
Chester, ID 83421

September 21, 1993

Colleen Van Winkle
Idaho Dept. of Water Resources
1301 N, Orchard Str.
Statehouse Mail
Boise, ID 83720-9000

RE: Application ID # E103I08

Dear Ms. Van Winkle:

In reference to your letter of August 31, 1993, I have been managing the land belonging to Charles Angus Blanchard, my father, since 1982, two years before his death in 1984. I continued to administer the property on behalf of my mother, Jean M. Blanchard, under verbal agreement until February 2, 1989, whereby I was granted a one year Durable Power of Attorney. It was under authority of the P.O.A. that I filed on behalf of Jean M. Blanchard during the Adjudication filings of the Snake River Plain.

On March 23, 1990. I was granted full Power of Attorney and it was under this authority that I filed on behalf of my mother in October 1992 to deepen the well, as it was not adequate during the drought.

During a visit with my brother in Cedar City, Utah last year, my mother deeded over nine acres to me and the well is situated on those nine acres.

I certify that Jean M. Blanchard has not been financially responsible for any part of the cost of the well, and that all past and future costs have been and will be paid by myself.

Enclosed are copies of the Powers of Attorney and the Gift Deed signed by Jean M. Blanchard to substantiate the forgoing.

Sincerely yours,


Marlene B. Floyd

413675

Microfilm No.

27 Day Mar 19 90

At 4:30 O'clock P M

MICKIE FUNKE
FREMONT CO. RECORDER

Fee \$ 15-00 Deputy

GENERAL POWER OF ATTORNEY

Recorded At Request of

Marlene Floyd

I, JEAN N. BLANCHARD, of P. O. Box 6, Chester, Fremont County, Idaho, hereby appoint, MARLENE B. FLOYD, of P. O. Box 82, Chester, Fremont County, Idaho, my true and lawful attorney-in-fact for me and in my name, place and stead, and for my use and benefit:

TO EXERCISE, DO, OR PERFORM Any act, right, power, duty, or obligation whatsoever that I now have or may acquire the legal right, power, or capacity to exercise, do or perform in connection with, arising out of, or relating to any person, item, thing, transaction, property, real or personal, tangible or intangible, or matter whatsoever;

TO ENGAGE IN AND TRANSACT Any and all lawful business of whatever nature or kind for me and in my name;

TO SIGN, ENDORSE, EXECUTE, Acknowledge, assign, transfer, surrender, and deliver such contracts, agreements, deeds, conveyances, mortgages, deeds of trust, bills of sale, assignments, transfers, security agreements, financing statements, leases, rental agreements, documents of title, certificates of title, annuities, insurance policies, applications, endorsements, annuities, purchase orders, options, proofs of loss, claims, liens, releases, satisfactions, settlements, compromises, checks, drafts, savings certificates, certificates of deposit, promissory notes, commercial paper, stock certificates, bonds, warrants,

dividends, proxies, transfers of stock certificates or bonds, or other instruments of any kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted;

AND WITHOUT LIMITING Any of the foregoing rights, powers, and privileges, to exercise any or all of the same in connection with or in furtherance of acting for me and on my behalf, in any or all of the following kinds of matters:

--Government Payments. To collect, manage and disburse social security benefits, medicare benefits, medicaid benefits, or other government payments, entitlements or benefits, endorsing any checks for such payments, and arranging for automatic deposit of any such payments into a bank account on which my attorney-in-fact is authorized to draw checks.

--Financial Institution Transactions. Managing any checking account, savings account, or savings certificates or deposits, including drawing checks and withdrawing sums, renewing certificates, making deposits, or acquiring or opening additional certificates or accounts.

--Real Estate Transactions. Managing any real estate or interest therein owned by me; exercising the right to sell, lease, or mortgage the same for me; and repairing and maintaining such property.

--Securities Transactions. Managing any and all investments of mine in corporate stocks, bonds, or other interests, limited partnership interests, trust investments, or other forms of securities or investments; exercising the right to sell or transfer, receive and collect dividends or other returns, change investments, reinvest, buy and sell, transfer, change ownership, or change the titles of, stocks and bonds and any other financial instruments or evidences of investments; and hire, direct, and discharge brokers, brokerage firms, or other representatives.

--Business Operations. Managing any business or farming operations owned by me or in which I have an interest.

--Claims and Litigation. Pursuing any claims, actions, or causes of action which I may at any time have, including through litigation; defending any claims or litigation brought against me; and exercising the discretionary right and power to compromise and settle any or all claims by or against me.

--Borrowing and Selling. To borrow money, including on a secured basis, or sell assets, as is necessary or appropriate to provide for my support or to protect or preserve any of my assets and properties.

--Tax Returns. To prepare, sign and file for me, income tax returns, Federal and state, and to adjust or settle any problems arising or audits connected therewith.

I GRANT TO MY SAID ATTORNEY-IN-FACT Full power and authority to perform all and every act and thing whatsoever requisite, necessary, and proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my said attorney-in-fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

IF MY ATTORNEY-IN-FACT Should be unable for any cause, at any time, to act for me, then DON L. BLANCHARD of 2666 North 400 West, Cedar City, Utah 84220, shall serve as my alternate or successor attorney-in-fact with all powers, authorities and rights granted herein.

THIS INSTRUMENT IS TO BE Construed and interpreted as a general power of attorney.

THIS IS A DURABLE POWER OF ATTORNEY And all powers granted herein shall continue and survive any disability on my part, and my attorney shall have the continuing power unless or until revoked by me, to exercise all powers granted herein,

regardless of any disability on my part.

THIS POWER OF ATTORNEY Shall continue in force and effect from date hereof until revoked in writing by me.

DATED This 23rd day of March, 1990.

Jean N. Blanchard
JEAN N. BLANCHARD

STATE OF IDAHO,

)

ss.

County of Madison

)

On this 23rd day of March, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared JEAN N. BLANCHARD, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.

Michael A. [Signature]
Notary Public for Idaho
Residing at *Meridian*
My Commission Expires *6-15-93*