

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: A25-13763
Date Received: 1/19/1995
Receipt No: E020626
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BONNIE P GARDNER 208-785-1688
Address: 469 E 400 N
BLACKFOOT ID 83221
2. Date of Priority: FEB 6, 1904
3. Source: POSEY CREEK Trib. to: SINKS
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 03S | 43E | 17 | SW | SW | SW | | BONNEVILLE |
5. Description of diverting works:
EARTHEN DAM AND OPEN DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.780 | | |
| STOCKWATER | 04/15 | 11/01 | 0.020 | | |
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 72.5 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER, 60 RANGE CATTLE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	43E	17	SW	SW		IRR	1.44.63
			SW	SW		STOCK	1000

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
		20	NW	NW	IRR	25.0
			NW	NW	STOCK	
					Section Acres	25.0
					Total Acres	39.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

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):

Donna D. Gardner

Date:

Sept 11, 1995

Date:

NOV 13 1995

State of Idaho)

County of bonanza) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of Sept 19 95

Dave Cole
Notary Public

Seal

Residing at Heise, Id

My Commission Expires 2/26/96

NOV 13 1995

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Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BONNIE P GARDNER 208-785-1688
Address: 469 E 400 N
BLACKFOOT ID 83221

2. Date of Priority: FEB 20, 1935

3. Source: POSEY CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	43E	17	SW	SW	SW		BONNEVILLE

5. Description of diverting works:
EARTHEN DAM AND OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.780		
STOCKWATER	04/15	11/01	0.020		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

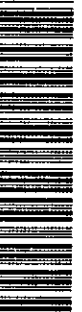
9. Non-irrigation uses:
STOCKWATER, 60 RANGE CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	43E	17	SW	SW		IRR	1.16
			SW	SW		STOCK	

NOV 13 1995

A2513763



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
		20	NW	NW	IRR	25.0
			NW	NW	STOCK	
					Section Acres	25.0
					Total Acres	39.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

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): *Bonnie P. Herdman* Date: 1/14/95

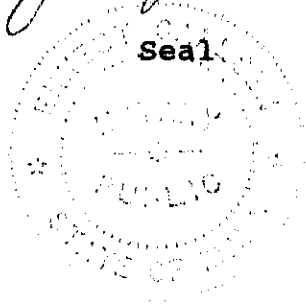
Date: _____

NOV 13 1995

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of January 19 95

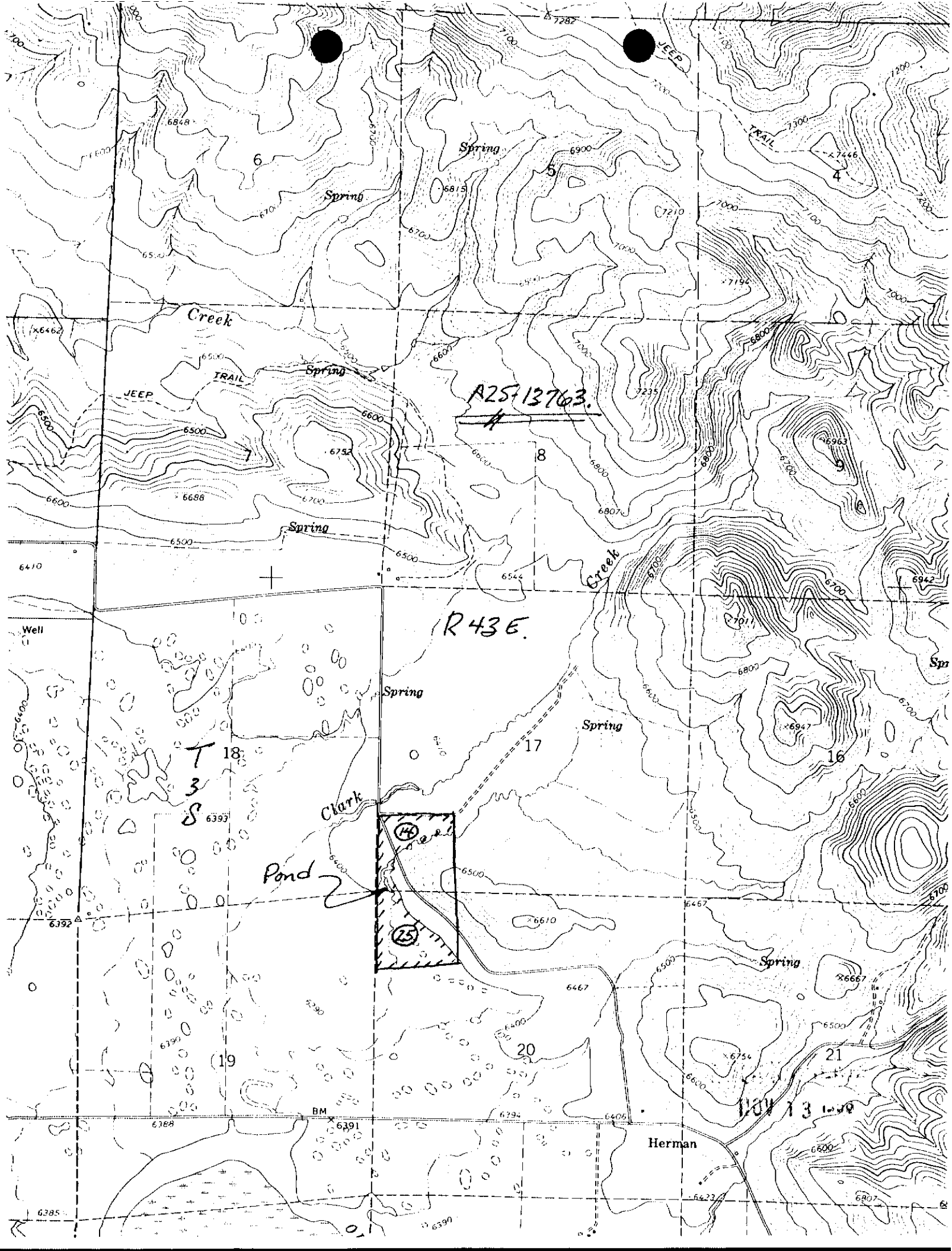
Ernest Carlson
Notary Public

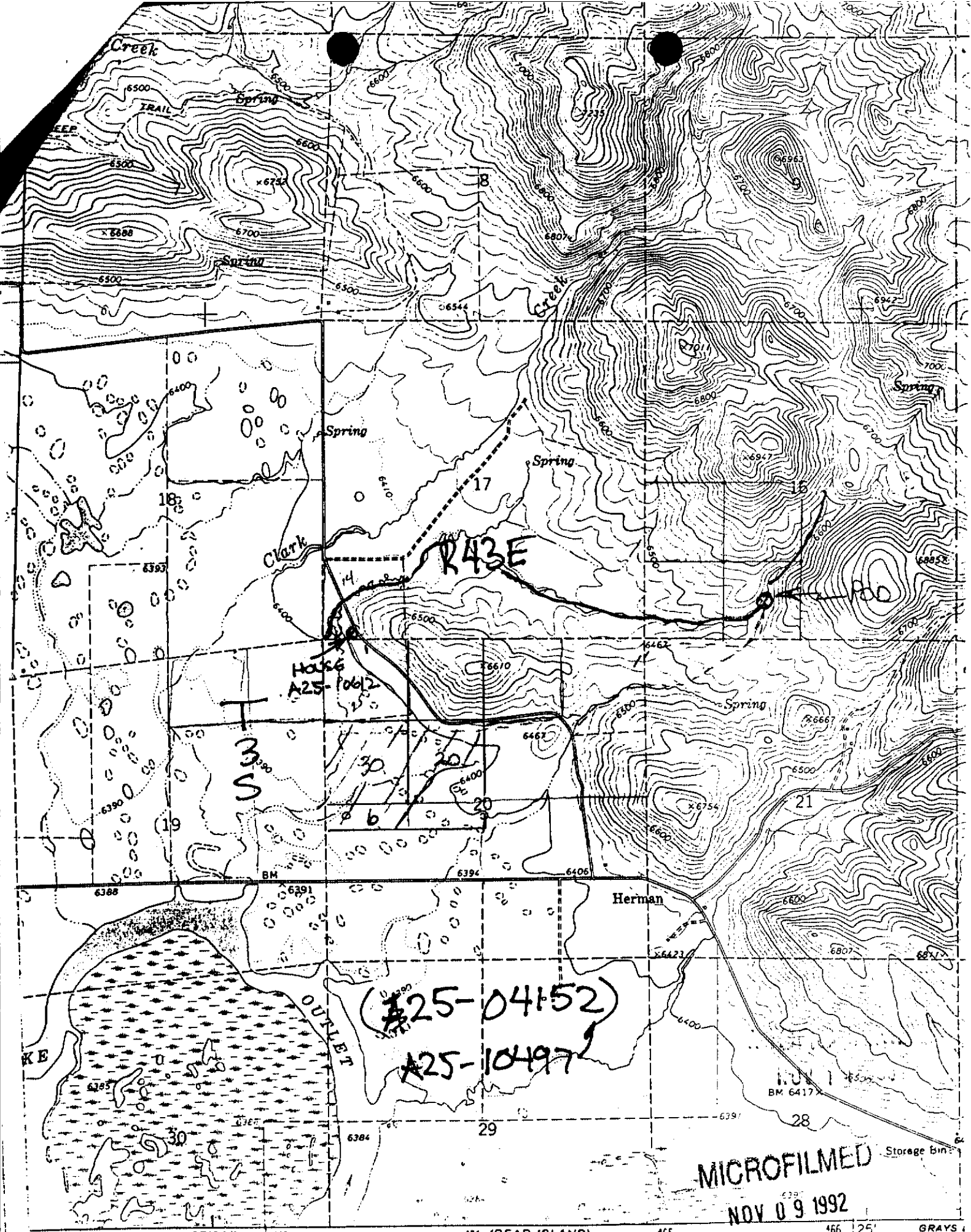


Residing at Okla Falls

My Commission Expires 6-14-2000

RECORDED
NOV 13 1995





R. 43 E. 27'30" 463 464 (BEAR ISLAND) 3770 III SW 465 466 25' GRAYS

SCALE 1:24000

MICROFILMED
NOV 09 1992
Storage bin

1 MILE

Log for claim 25-13763

Spatial Dynamics CAT

11/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s43e	17	SWSW	14	41	Indiscernible
03s43e	20	NWNW	25	41	Indiscernible
Totals:			39	82	

According to photo, looks
like the 25 acres should
be in sec 17 SWSW & the
14 acres should be in
sec 17 NWSW?
please see map you provided
as well

AJ5809NP
No. A25-13763

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 92

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BONNIE P GARDNER 469 E 400 N BLACKFOOT ID 83221 (208) 785-1688	02/06/1904	IRRIGATION STOCKWATER	04-15 10-15 04-15 11-01	0.780 CFS 0.020 CFS	
TOTAL DIVERSION:					0.800 CFS	
CONSUMPTIVE USE:						72.50 AFA

Water Source: POSEY CREEK

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R43E S17

SWSWSW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
03S	43E	17	:					:					:			14		:					:	14.0
03S	43E	20	:					:		25			:					:					:	25.0
TOTAL ACRES																							39.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
03S	43E	17	:					:					:			5		:					:	
03S	43E	20	:					:		5			:					:					:	

POU County: BONNEVILLE

Non-Irrigation Uses: STOCKWATER, 60 RANGE CATTLE.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
25-10612 A25-10612

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	01/20/95 ECARLSEN	03/29/95 POST-STD	09/11/95 RBODELL

IN THE MATTER OF:

AFFIDAVIT

State of Idaho
County of Bingham

I DOROTHY Poulson being first duly sworn,
deposes and says:

I married Basil Poulson on
Feb. 20-1935. At that time Posie
Creek was running a stream of water
on Twp 35 Rg 43 E. Sec. 17-20 in
Gray Lake Idaho. This irrigated 39 acres
besides watering cattle.
Dorothy Poulson

Dorothy Poulson
(Signature)

Subscribed and sworn to before me this 19th day of January, 1995

Martha Overdorf
(Notary Public)

Residing at Blackfoot, Idaho
My Commission Expires 11-4-98

- MR. MORRIS HAS DAMMED OFF ENTIRE STREAM AND IS DIVERTING ALL OF THE WATER TO HIS 28 ACRES (CLAIMED 1.50 cfs)

- MS. GARDNER WANTS SOME OF H₂O LEFT IN STREAM.

- BOTH HAVE B/U CLAIMS

MORRIS - 1936

GARDNER - 1904

- MS. GARDNER NEEDS WATER FOR PASTURE AND STOCKWATER

L. GROFFINER

NOV 13 1950

Continuation of Abstract of Title

Next- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Posey Oglesby, widower,
(Signs by mark - X)
Wm. Wickel and R. H. Hocking,
witnesses.....
TO

Grantor.

Alexander Brown,
Grantee.

Character of Instrument **Warranty Deed**
Date **February 6, 1904**
Recorded **May 23, 1916 at 10:05 A.M.**
Book **#2** of Deeds at Page **575**
Records of Bonneville County, Idaho.
Transcribed from Book ... Page ...
Records of Bingham County, Idaho.
Consideration **\$600.00(No IRS)**

Acknowledgement.

Date **May 23, 1904**
Before **Harry Field, Justice of Peace**
In and for **Bingham** County, State of **Ida.**
Is Official Seal Affixed? **XX**
Is Acknowledgement regular? **Yes**
Does Acknowledgement show separate examination of wife? **XX**
No IRS-

Granting Words. Grant, bargain, sell, and convey
Covenants. Warrant and defend
Does wife join throughout instrument?
Are there any irregularities or defects?
Are there any conditions, limitations or recitals?

*NOT IN TITLE.
Not abstracted
herein.*

Conveys the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, the
E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19,
the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17 and the SE $\frac{1}{4}$ of
the SE $\frac{1}{4}$ of Section 18, in Twp. 3 South of Range
43 E.B.M. containing 240 acres more or less. To-
gether with a private water right from Posey Creek.

NOV 18 1916

12 ELL 47

Continuation of Abstract of Title

~~No. 200~~ The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Alex Brown, (Not stated)

Character of Instrument Quitclaim Deed
Date May 12, 1913
Recorded May 17, 1916 at 9:06 A.M.
Book #4 of Deeds at Page 471
Records of Bonneville County, Idaho.
Transcribed from Book . . . Page . . .
Records of Bingham County, Idaho.
Consideration \$900.00 (IRS \$1 old.)

Grantor.

TO

Acknowledgement.

Emma M. Ashton,

Date May 12, 1916
Before W.B. Hardy, a Notary Public
In and for Minidoka County, State of Idaho
Is Official Seal Affixed Yes
Is Acknowledgement regular Yes
Does Acknowledgement show separate examination of wife ex
No IRS- Residence Rupert, Idaho

Grantee.

Granting Words. Demise, release and forever quitclaim
Covenants. To have and to hold
Does wife join throughout instrument?
Are there any irregularities or defects?
Are there any conditions, limitations or recitals?

Conveys the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section
20, the East Half E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, in Twp. 3
South of Range Forty-three (43) East of
Boise Meridian, Idaho, containing 160 acres,
according to Government Survey. Together with
160 in. of water our of Poisi Creek.

NOV 13 1916