

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: A29-11556
Date Received: 4/19/1990
Receipt No: EO 13408
Received By: SS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD D. GARDNER 208-897-5104
Address: 24286 S. MARSH VALLEY RD.
DOWNEY, ID 83234
OR
Name: JODY L. GARDNER 208-897-5104
Address: 24286 S. MARSH VALLEY RD.
DOWNEY, ID 83234
OR
Name: DANA M. MARLER 208-897-5105
Address: 24544 S. MARSH VALLEY RD.
DOWNEY, ID 83234
OR
Name: RAYMOND E. MARLER 208-897-5105
Address: 24544 S. MARSH VALLEY RD.
DOWNEY, ID 83234

A291556



2. Date of Priority: MAY 01, 1900

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	36E	1	SE	SW	NW		BANNOCK
			NW	NE	SW		BANNOCK
			SW	NE	SW		BANNOCK
			NE	NW	SW		BANNOCK

5. Description of diverting works:
SERIES OF SPRINGS FLOW INTO COMMON DITCH. FLOW IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		

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

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	36E	1	SW	NW		IRR	6.0
			SE	NW		IRR	6.0
					Section Acres		12.0
					Total Acres		12.0

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: 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: 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): Raymond E. Marler Date: 4-19-90
Richard J. Sandner Date: 4-19-90

State of Idaho

County of Bonneville) SS.

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

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

POINT OF DIVERSION
SPRING - HOUSE
A29-11558

POINT OF DIVERSION
P.O. POND
A29-11557

T11S
T12S

POINT OF DIVERSION
A29-11556 SPRINGS

T
12
S
R3

R3DE

R36E

R
36
E

R
37
E

MICROFILMED

NOV 16 1992

A29-00327

Log for claim A29-11556

Spatial Dynamics TWB

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s36e	0		0	0	POD placement?
12s36e	0		0	0	POD placement?
12s36e	0		0	0	POD placement?
12s36e	0		0	0	POD placement?
12s36e	1	SWNW	6	7.4	
12s36e	1	SEnw	6	6.5	
Totals:			12	13.9	

AJ5809NP
No. A29-11556

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 179

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD D GARDNER	05/01/1900	IRRIGATION	04-01 11-01	0.240 CFS	
C	JODY L GARDNER					
	24286 S MARSH VALLEY RD					
	DOWNEY ID 83234					
	(208) 897-5104					
				TOTAL DIVERSION:	0.240 CFS	
				CONSUMPTIVE USE:		30.00 AFA

C DANA M MARLER
C RAYMOND E MARLER
24544 S MARSH VALLEY RD
DOWNEY ID 83234
(208) 897-5105

Water Source: SPRINGS

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R36E S01 SESWNW NWNESW SWNESW NENWSW BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
12S	36E	1	:									06	06							:	12.0
																				TOTAL ACRES	12.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00327

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

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

Audit: 04/20/90 VERNER 09/07/94 JTHOMPSON 03/29/95 POST-STD 04/12/00 CVANDERM

Affidavit

I, the undersigned, having been a resident of Marsh Valley for the past 46 years, hereby state that I am acquainted with that property known as the Gardner + Marker ranch (formerly the Wakely Ranch), legally described as follows:

T12S R36E S01 Reference: AJ5809NP No. A29-11556 of Idaho Department of Water Resources files.

I further state that I am acquainted with the springs rising on said property and water from Break Creek that has been used to irrigate said property, and I hereby certify that said water has been used on this property for the past 55 ^{approx} years.

Signed this 27th day of March 1995.

R. Richard Baker

R. RICHARD BAKER

272 E 1st North
Downey, Id 83234

RECEIVED

MAR 30 1995

Department of Water Resources
Eastern District Office

NOV 14 1995

Affidavit

I, the undersigned, having been a resident of Marsh Valley for the past 30 years, hereby state that I am acquainted with that property known as the Gaedner + Marlee ranch (formerly the Wakely Ranch), legally described as follows:

T12S R36E S01 Reference: AJ5809NP No. A29-11556 of Idaho Department of Water Resources files.

I further state that I am acquainted with the springs rising on said property and water from Birch Creek that has been used to irrigate said property, and I hereby certify that said water has been used on this property for the past 40 years.

Signed this 28th day of March 1945.

Louis Blythman

Box 41

Downey, Idaho 83234

RECEIVED

MAR 30 1995

Department of Water Resources
Eastern District Office

NOTED

NOV 14 1996

Affidavit

I, the undersigned, having been a resident of Marsh Valley for the past 70 years, hereby state that I am acquainted with that property known as the Gaedner + Markle ranch (formerly the Wakely Ranch), legally described as follows:

T12S R36E S01 Reference: AJ5809NP No. A29-11556 of Idaho Department of Water Resources files.

I further state that I am acquainted with the springs rising on said property and water from Birch Creek that has been used to irrigate said property, and I hereby certify that said water has been used on this property for the past 40 years.

Signed this 28th day of March 1995.

William H. Evans

25976 S. U.S. Hwy 91
Downey, Id 83234

RECEIVED

MAR 30 1995

Department of Water Resources
Eastern District Office

NOV 14 1990

Affidavit

I, the undersigned, having been a resident of Marsh Valley for the past 40 years, hereby state that I am acquainted with that property known as the Gaedner + Markee ranch (formerly the Wakely Ranch), legally described as follows:

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I further state that I am acquainted with the springs rising on said property and water from Birch Creek that has been used to irrigate said property, and I hereby certify that said water has been used on this property for the past 30 years.

Signed this 28th day of March 1995.

Donald D. Wakely
1280 E. Big Hollow Rd
Downey, Idaho 83234
208-897-5910

RECEIVED

MAR 30 1995

Department of Water Resources
Eastern District Office

MOHONVILLE

NOV 14 1995

AJ5809NP
No. A29-11556

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94
PAGE: 1

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	DOWNEY ID 83234			TOTAL DIVERSION:	0.24 CFS	
	(208) 897-5104			CONSUMPTIVE USE:		30.00 AFA

C DANA M MARLER
C RAYMOND E MARLER
24544 S MARSH VALLEY RD
DOWNEY ID 83234
(208) 897-5105

Water Source: SPRINGS

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R36E S01 SESWNW NWNESW SWNESW NENWSW BANNOCK County

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T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
12S	36E	1	:							06	06									12.0
																			TOTAL ACRES	12.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

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Field Inspection Flag:

Presumption Flag:

MAR 30 1995

Map District Office
Eastern District Office