

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: A22-00631
Date Received: 8/31/1988
Receipt No: E001972
Received By: _____

*I THINK THE
DIVERSION
SHOULD BE
GARDNER-BEARDS
DITCH*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

T.O.

1. Name: FLOYD GARDNER 619-443-1020
Address: 14436
RIOS CANYON, ID 92021

2. Date of Priority: DEC 01, 1903

3. Source: TETON RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	40E	36	NW	SE	NW		FREMONT

5. Description of diverting works:
HEADWORKS OF PINCOCK GARNER DITCH TO DISTRIBUTION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 827.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	1	NE	NW		IRR	10.0
Section Acres							10.0

A22-00631

Page 1

Date: 09/02/88



FILED
OCT 20 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	36	SW	NW		IRR	34.0
Section Acres							34.0
Total Acres							44.0

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:
22-0207, 01-0063, 0062, 0344

14. Remarks:
SEE TRANSFERE #6322

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

FLOYD GARDNER

Decree Plaintiff

vs

LYNN CRANDALL, W.M.

Decree Defendant

007201002

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number A22-00631Date Received 7-29-88Receipt Number E001972

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 29 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Floyd B. Gardner Phone (619) 443-1020Mailing Address 14436 Rios Canyon Rd Zip 920212. Date of Priority (Only one (1) per claim) EL Cajon, CA
12-01-19033. Source of water supply (a) South Fork Teton River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 7N Range 40E Section 36,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Fremont

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,Govt. Lot 1 B.M., County of _____ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of1/4, Govt. Lot _____ B.M., 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. Headgate to ditch tometrod pump to sprinkler lines

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 3.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 182.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	40E	36							34			39							73
6N	40E	1					10												10

Total number of acres irrigated 83

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.
_____ or None (X)

14. Remarks: See TransF 6322

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

OCT 28 1952

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 22-0631

Court _____ Case Number _____ Decree Date April 6, 1984

Plaintiff vs Defendant Gardner vs Crandall

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

Signature of Claimant (s) x Lloyd B. Gardner Date x 7-19-88

Vicki J. Gardner Date 7-19-88

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.

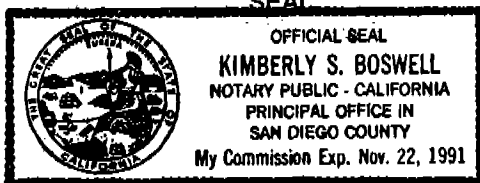
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ~~Idaho~~/or California)

County of San Diego) SS.

Subscribed and sworn (or affirmed) before me this 19th day of July 19 88



Notary Public Kimberly S. Boswell

Residing at 850 N. Second St. El Cajon, CA 92021

My Commission Expires November 22, 1991

Please Print Name

Kimberly S. Boswell

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

OCT 28 1988

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim 22-00631

Spatial Dynamics LTD

7/26/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	1	NENW	10	11	
07n40e	36	SWNW	34	34	
Totals:			44	45	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED**APPLICATION FOR TRANSFER OF WATER RIGHT****To Change the Point of Diversion and/or the Place of Use**Name of applicant Floyd B. Gardner and/or David L. Gardner Phone 458-4937Post office address Route #1, Sugar City, Idaho 83448**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**a. Decree to Floyd Gardner (22-0631), David L. Gardner (22-0636)

(Name)

in case of Floyd Gardner, et al vs Lynn Crandalldated 4/6/1954 in 9th Judicial District county of Fremont

(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant**3. Source of water** Teton River tributary to Snake River**4. Date of priority** 12/01/1903**5. Water is used for the following purposes:**22-0631 amount 3.20 for Irrigation purposes from * to *22-0636 amount 1.60 for Irrigation purposes from * to *

amount _____ for _____ purposes from _____ to _____

(month/day -- both dates inclusive)

6. Total amount of water under right: a. 4.80 cubic feet per secondb. _____ &/or
acre feet per annum**7. Location of original point of diversion is** * $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
22-0631																			
7N	40E	36							40			40							80
22-0636																			
7N	40E	36											40						40

Total number of acres to be irrigated 120**9. Describe any other water rights used for the same purposes as described above**

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 4.80 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ SW ¼, Section 36 Township 7N
Range 40E, B.M., Fremont County
Additional points _____

- c. Description of diverting works 250 Hp. propane engine with P.T.O. drive for pump.

- d. Describe the reasons for applying for a change in the point(s) of diversion To update the records of the Department and Water District # 01.

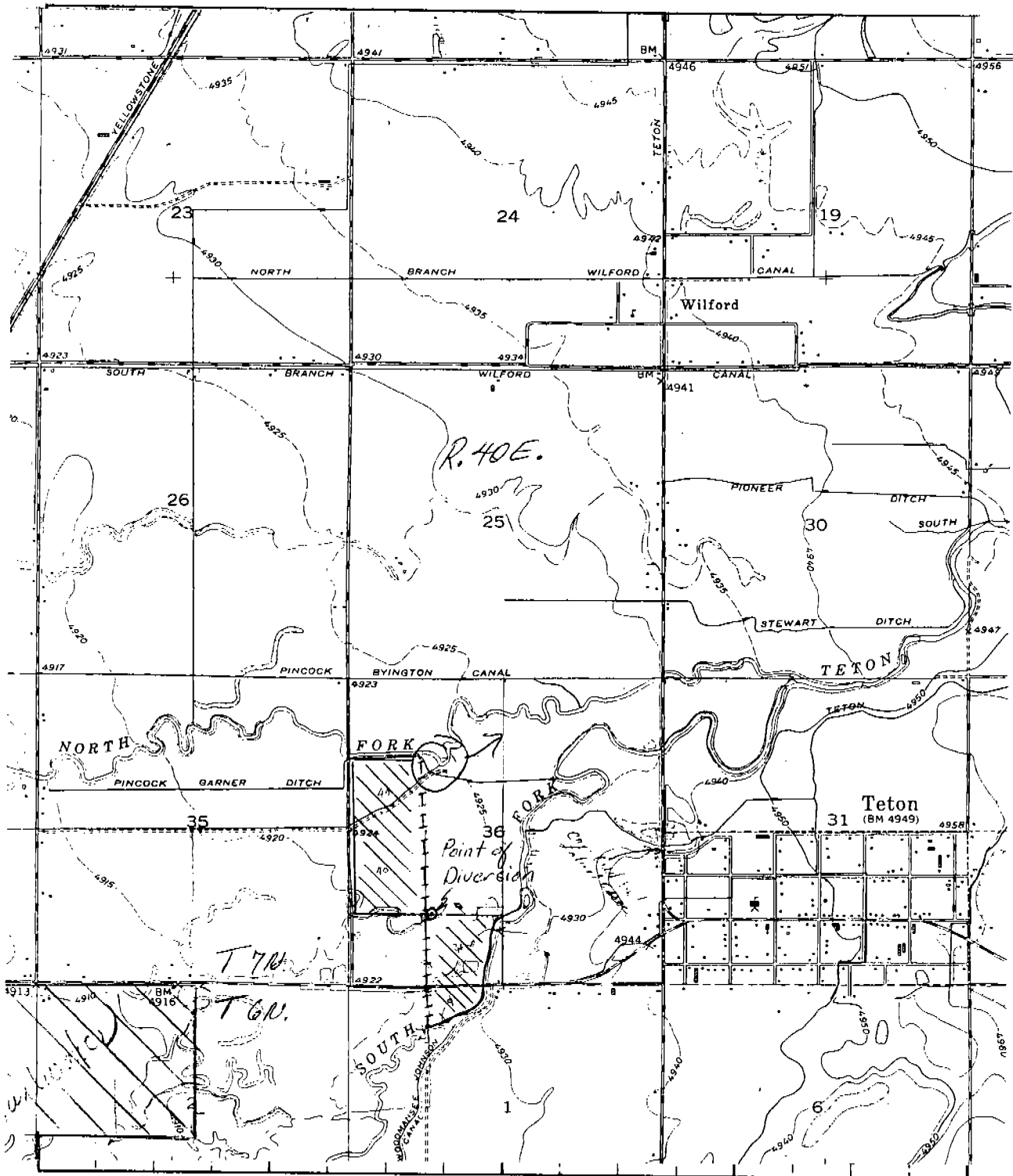
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	40E	36							40			40		31					111
6N	40E	1					9												9

Total number of acres to be irrigated 120

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Floyd B. Gardner
(Signature of applicant)

Subscribed and sworn to before me this 12 day of July, 19 79

Jean Watkins
(Notary public)

My commission expires May 15, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0631/0636 and said application is hereby approved, subject to the following limitations and conditions:
(1) A totalizing measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (2) Subject to control by the watermaster of State Water District 01, Snake River.

Witness my hand this 29TH day of August, 19 79

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>7-12-79</u>	Protest filed by _____
Prelim. check by <u>EMC</u>	Fee <u>35.00</u>	_____
Receipted by <u>dh</u>	Date <u>7-12-79</u> # <u>11999</u>	_____
Published in <u>Fremont County Chronicle News</u>	Copies of protest forwarded by _____	
Pub. dates <u>July 19 & 26, 1979</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
<u>7-18-79</u> rec'd. <u>7-23-79</u>	by <u>Ernest Carlson</u>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Floyd B. Gardner and/or David L. Gardner Phone 458-4937
Post office address Route #1, Sugar City, Idaho 83448

A. DESCRIPTION OF RIGHT AS RECORDED

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(Name)
in case of Floyd Gardner, et al vs Lynn Crandall
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(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

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4. Date of priority 12/01/1903

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(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.80 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is * % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
22-0631																			
7N	40E	36							40			40							80
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Total number of acres to be irrigated 120

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1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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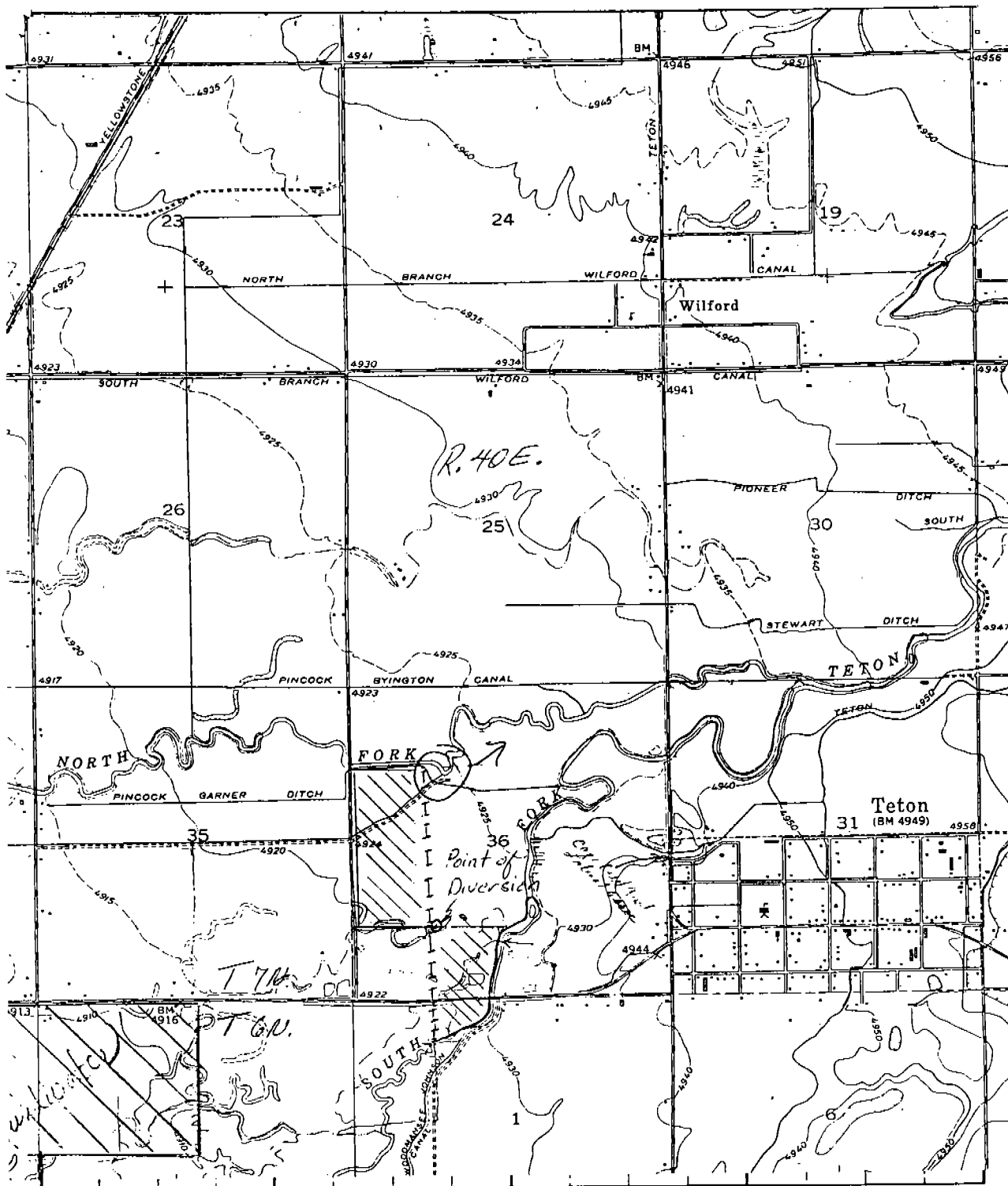
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			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	40E	36							40			40		31					111
6N	40E	1					9												9

Total number of acres to be irrigated 120

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SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Floyd O. Gardner
(Signature of applicant)

Subscribed and sworn to before me this 12 day of July, 19 79

Jean M. [Signature]
(Notary public)

My commission expires May 15, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>7-12-79</u>	Protest filed by _____
Prelim. check by <u>EMC</u>	Fee <u>35.00</u>	_____
Receipted by <u>dh</u>	Date <u>7-12-79</u> # <u>11999</u>	_____
Published in _____	Copies of protest forwarded by _____	
Pub. dates _____	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> <u>denial</u>	
_____ rec'd. _____	by _____	