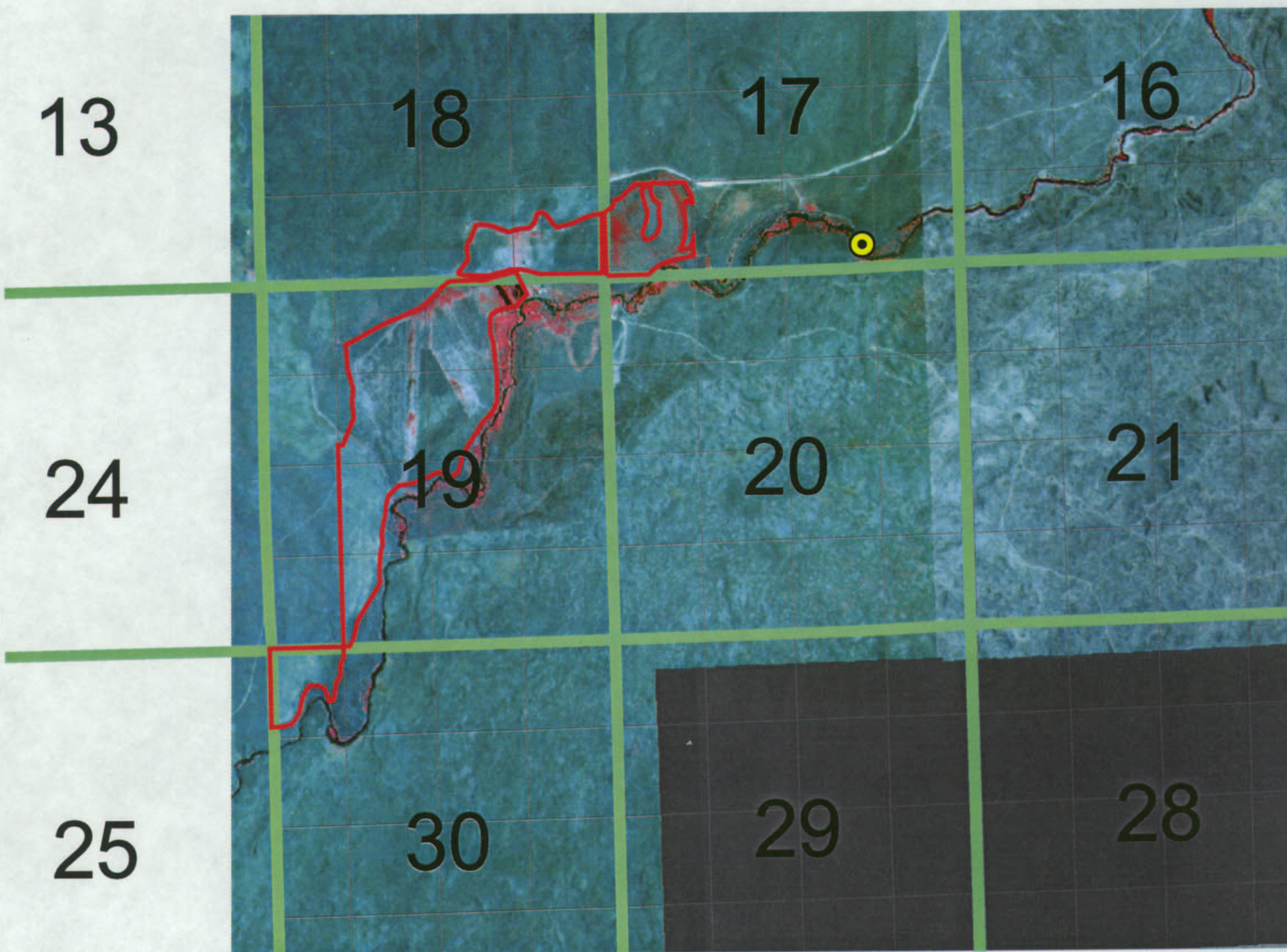


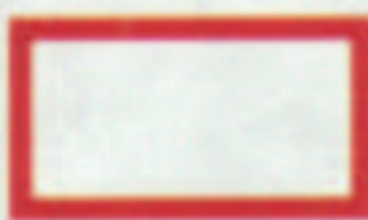
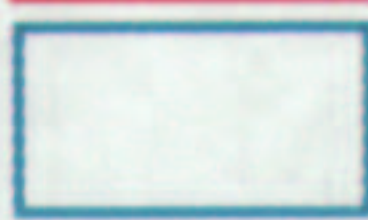
Idaho Department of Water Resources

Water Right 31-97, 31-98, 31-99, 31-175

Township 10 North Range 38 East



0 2000 Feet

-  Point of Diversion
-  Place of Use
-  Quarter-quarter Sections
-  Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 1/2001

8 | 9
17 | 16

TWN. 10 N Range 38 E BM.

STATE

Point of Diversion

For 31-175
31-0097
31-0098
31-0099



RICHARD EGBERT
A71
T247

BALL

STAT

RICHARD EGBERT
A71
T245

BALL BROS.

C5
T276

Point of Diversion

17 | 16
20 | 21

USA

RICH ORME
B40

MICROFILMED

NOV 17 1992

CLAIM # A31-00097

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
10N	30E	17	SE	SW	SE		CLARK	

SOURCE: CANAS CREEK

TRIB: MUD LAKE

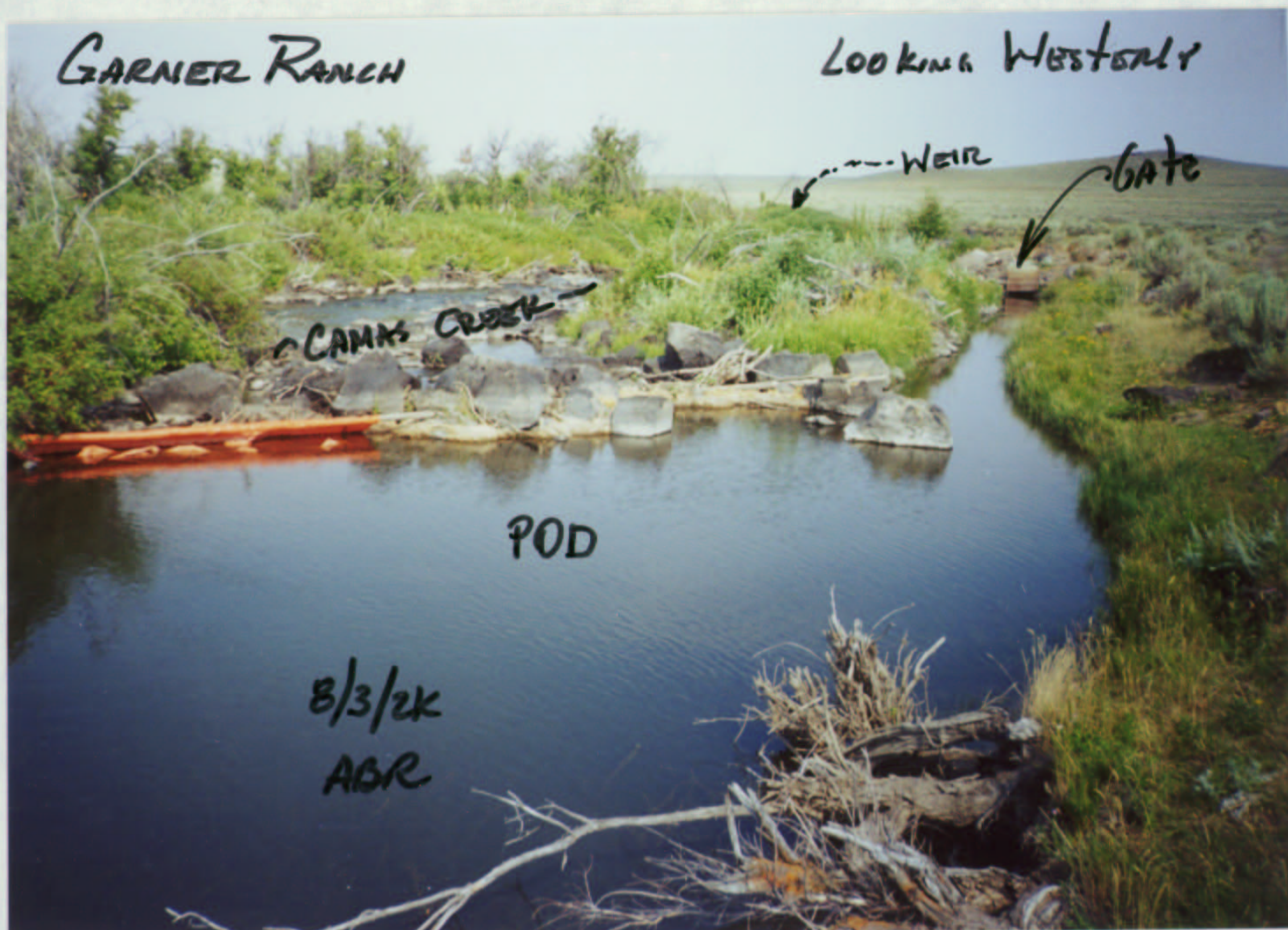
REVIEWED BY: ABR

DATE: 8/3/2K

SYSTEM DESCRIPTION:

CANVAS DAM ACROSS PART OF CREEK AT ROCKY AREA w/ 5 STRAW BALES
DIVERTS TO SCREW GATE, WATER $\approx$ 1/4 mi DOWN DITCH.

31-00097
98 } SAME
99 } POD
175 }
PPH



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 31-97
Date Received: 6/27/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GARNER RANCH Phone: (208)523-8393

C/O KAY R GARNER
2013 S 65TH W
IDAHO FALLS ID USA 83402

2. Date of Priority: 05/15/1890

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	38E	17	SE SE	CLARK

5. Description of diverting works:

HEADGATE IN CREEK W/ WEIR TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.6	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:
1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	38E	17	SW	SW	IRRIGATION	32
					Section Acres	32
10N	38E	18	SW	SE	IRRIGATION	11
			SE	SE	IRRIGATION	31
					Section Acres	42
10N	38E	19	NW	NE	IRRIGATION	25
			SW	NE	IRRIGATION	29
			NE	NW	IRRIGATION	13
			SE	NW	IRRIGATION	26
			NE	SW	IRRIGATION	3
			NW	SE	IRRIGATION	2
					Section Acres	98
					Total Acres	172

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

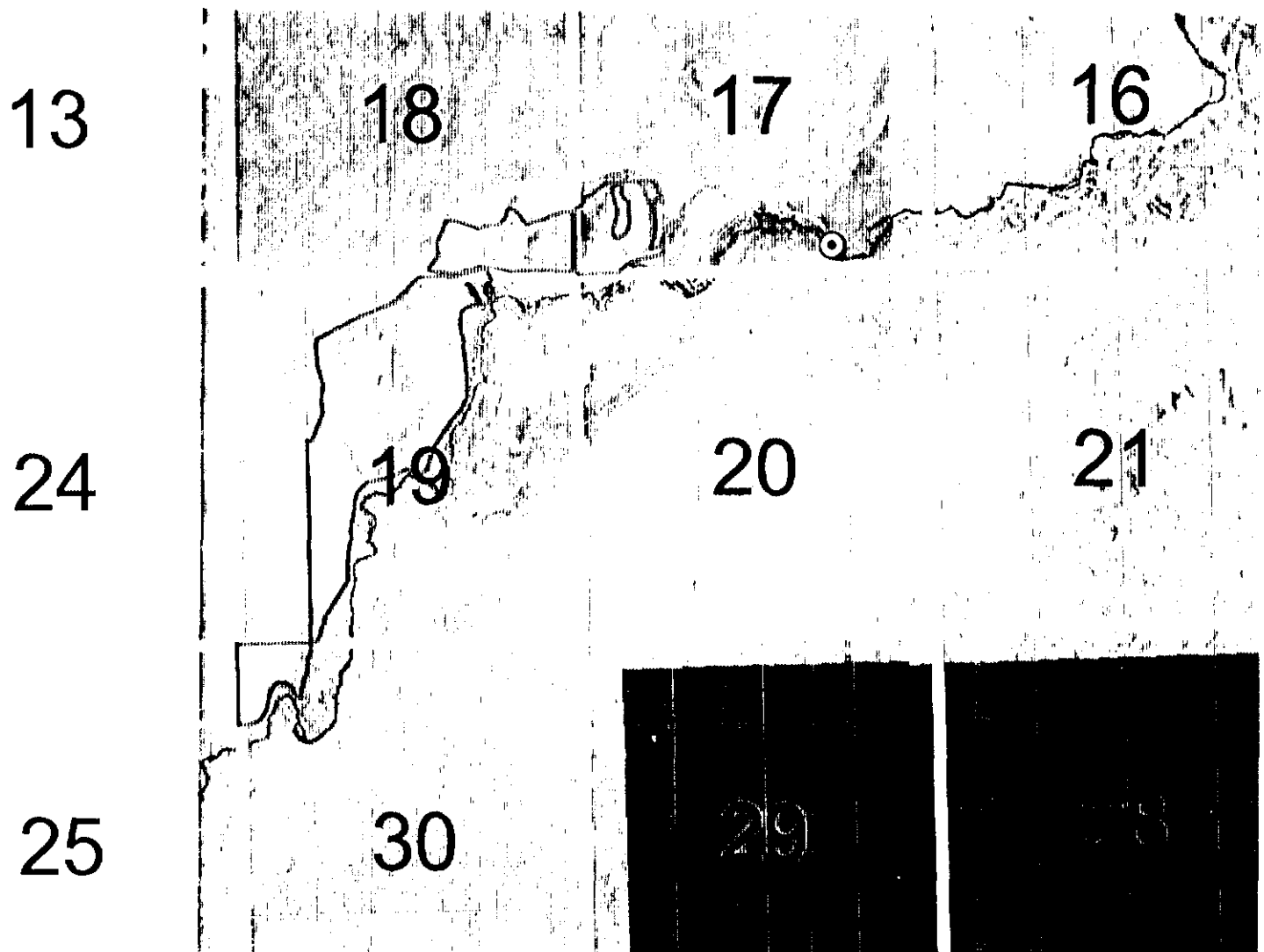
CHANGED ADDRESS PER REQUEST/CV/10/31/00

15. Basis of Claim: Decreed

Idaho Department of Water Resources

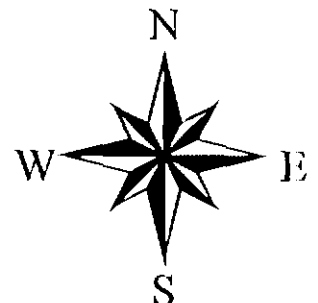
Water Right 31-97, 31-98, 31-99, 31-175

Township 10 North Range 38 East



0 2000 Feet

- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Quarter-quarter Sections
- ▭ Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 1/2001

01/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-97

NAME AND ADDRESS: GARNER RANCH
C/O KAY R GARNER
2013 S 65TH W
IDAHO FALLS, ID 83402

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE

QUANTITY: 1.6 CFS

PRIORITY DATE: 05/15/1890

POINT OF DIVERSION: T10N R38E S17 SESWSE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-31	1.60 CFS
STOCKWATER	04-15 10-31	0.07 CFS

PLACE OF USE:

IRRIGATION Within CLARK County			
T10N R38E S17	SWSW	29	T10N R38E S18 SWSE 11
T10N R38E S18	SESE	23	T10N R38E S19 NENE 1.1
T10N R38E S19	NWNE	32	T10N R38E S19 SWNE 25
T10N R38E S19	NENW	19	T10N R38E S19 SENW 35
T10N R38E S19	NESW	25	T10N R38E S19 SESW 11
T10N R38E S19	NWSE	1.9	T10N R38E S30 LOT 1 NWNW 20

STOCKWATER Use same as IRRIGATION

233 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 233 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-97, 31-98, 31-99, 31-175.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

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 31-97
Date Received: 6/27/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GARNER RANCH Phone: (208)523-8393

C/O KAY R GARNER
2013 S 65TH W
IDAHO FALLS ID USA 83402

2. Date of Priority: 05/15/1890

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	38E	17	SE SE	CLARK

5. Description of diverting works:

HEADGATE IN CREEK W/ WEIR TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.6	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:
1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10N	38E	17	SW SW	IRRIGATION	29

					Section Acres	29	
10N	38E	18	SE	SE	IRRIGATION	23	
			SW	SE	IRRIGATION	11	
					Section Acres	34	
10N	38E	19	NE	SW	IRRIGATION	25	
			SE	SW	IRRIGATION	11	
			NE	NE	IRRIGATION	1.1	
			NW	NE	IRRIGATION	32	
			NE	NW	IRRIGATION	19	
			SW	NE	IRRIGATION	25	
			SE	NW	IRRIGATION	35	
			NW	SE	IRRIGATION	1.9	
					Section Acres	150	
10N	38E	30	NW	NW	1	IRRIGATION	20
					Section Acres	20	
					Total Acres	233	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

CHANGED ADDRESS PER REQUEST/CV/10/31/00

CLAIM AMENDED TO SHOW FULL ACRES IDENTIFIED BY AL RUBERRY FIELD WORK AND GIS WORK.
BCONTOR 1/10/01.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization

foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

of _____ 20__

Notary Public

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: 39576

Ident. Number 31-97
Date Received: 6/27/88
Receipt No:
Received By: C. O. 26419

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GARNER RANCH Phone: (208)523-8393

C/O KAY R GARNER
2013 S 65TH W
IDAHO FALLS ID USA 83402

2. Date of Priority: 05/15/1890

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	38E	17	SE SE	CLARK

5. Description of diverting works:

HEADGATE IN CREEK W/ WEIR TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.6	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:
1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10N	38E	17	SW SW	IRRIGATION	32

					Section Acres	32
10N	38E	18	SW	SE	IRRIGATION	11
			SE	SE	IRRIGATION	31
					Section Acres	42
10N	38E	19	NW	NE	IRRIGATION	25
			SW	NE	IRRIGATION	29
			NE	NW	IRRIGATION	13
			SE	NW	IRRIGATION	26
			NE	SW	IRRIGATION	3
			NW	SE	IRRIGATION	2
					Section Acres	98
					Total Acres	172

11. Place of use in counties: CLARK

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

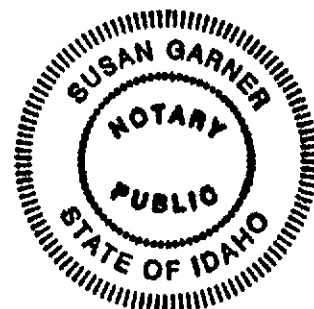
13. Other Water Rights Used:

14. Remarks:

CHANGED ADDRESS PER REQUEST/CV/10/31/00

15. Basis of Claim: Decreed

16. Signature(s) *Garner Ranch 1-5-01*
by Joyce Garner, Partner



Susan Garner
1-5-01

Commission expires
12-20-05

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: A31-00097
Date Received: 6/27/1988
Receipt No: E000524
Received By: SMA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARNER RANCH 208-356-3276
Address: BOX 214
REXBURG, ID 83440

2. Date of Priority: MAY 15, 1890

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	38E	17	SE	SE			CLARK

5. Description of diverting works:
HEADGATE IN CREEK W/ WEIR TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 430.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 300 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	38E	17	SW	SW		IRR	32.0
Section Acres							32.0

A3100097

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	38E	18	SW	SE	IRR	11.0
			SE	SE	IRR	31.0
					Section Acres	42.0
		19	NW	NE	IRR	25.0
			SW	NE	IRR	29.0
			NE	NW	IRR	13.0
			SE	NW	IRR	26.0
			NE	SW	IRR	3.0
			NW	SE	IRR	2.0
					Section Acres	98.0
					Total Acres	172.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
A31-00175/00098/00099.

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number:
Case Number: 635
Court :
Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

Decree Defendant

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: - 2 -

For Organizations:

I do solemnly swear or affirm that I am Partner of _____ Title

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

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

Beep Garner
Signature of Authorized Agent

Gorner Ranch
Title and Organization

6-25-88

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of June 19 88

Deena Sheen
Notary Public

Seal

Residing at Rigby

My Commission Expires 4-22-1994

8 | 9
17 | 16

Town. 10 N Range 38 E. R. 11.
STATE

Index of Diversion

for 31-175
31-0097
31-0098
31-0099

RICHARD EGBERT
A71
T247

BALL

STAT

RICHARD EGBERT
A71
T245

BALL BROS. Point of Diversion
CS
T276

17 | 16
20 | 21

USA

RICH ORME
B40

MICROFILMED

NOV 17 1992

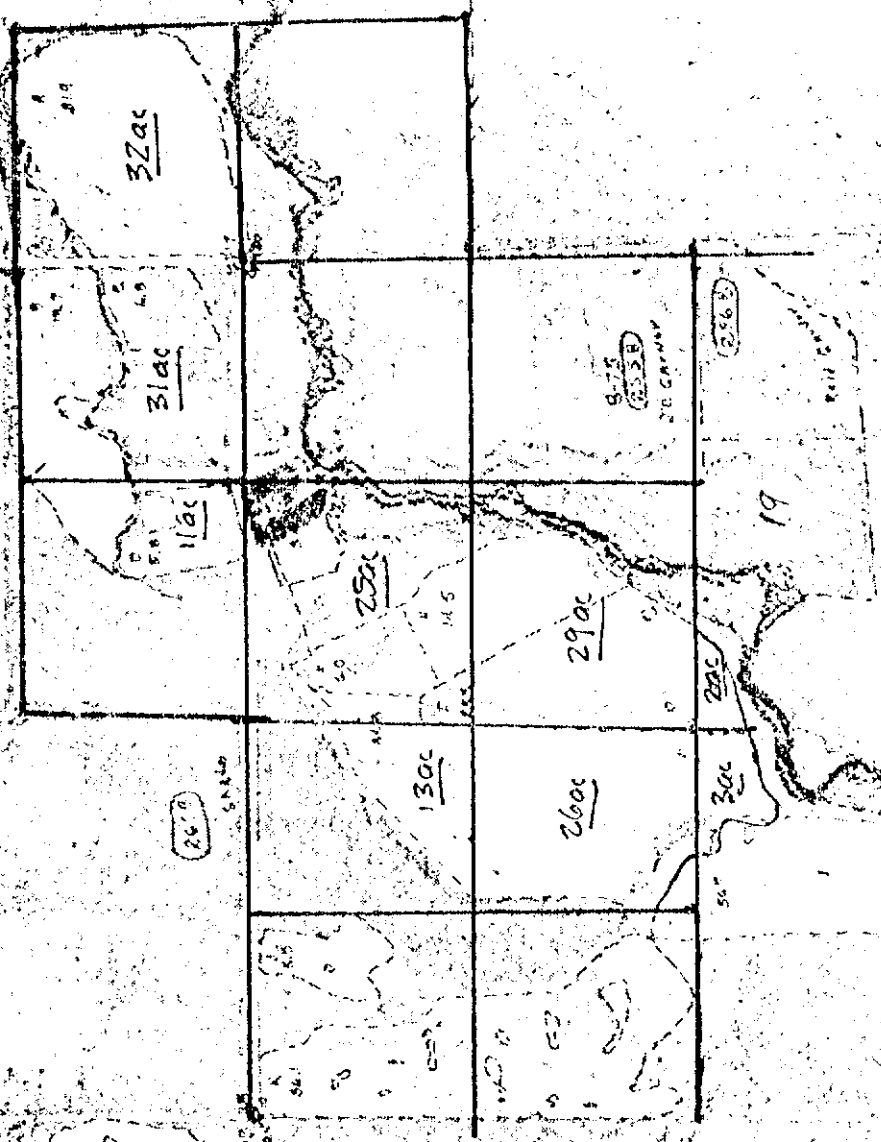
CLAIM # A31-00097

H-1

NOT TO SCALE

RANGE 38 E-B M

37-2-3



Boundary of lands irrigated

(2328)
5-2-82

MICROFILMED
NOV 17 1982

CLAIM # A31-00097

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00077

LAST: GARNER RANCH
ADDRESS: BOX 214
CITY: REXBURG
PHONE NUMBER: 208-356-3276

FIRST:

STATE: ID ZIP: 83440

Mr. KAY GARNER
523-8395
IDAHO FALLS ID

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

RECEIVE CORRESPONDENCE.

NO REMARKS IN CLAIM

NEEDS CHANGES OF ADDRESS completed

FIELD EXAMINATION INFORMATION

CONTACT PERSON: AL RUSSELL

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/1

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

8/2/2K CAUCO 356-3276, SPoke w/ MRS. GARNER - SHE ADVISED TO CONTACT MR. KAY GARNER
IN IF. 8/2/2K CAUCO MR. KAY GARNER, HIS CONT - LIST MESSG TO CALL.

8/2/2K KAY GARNER CAUCO - MADE APPT FOR 8/3/2K @ 1030 TO VISIT RANCH, REVIEW WL'S
AS CLAIMS. SO MOT. DISCUSSED WHAT CAN BE DISCONTINUED (BY EVIDENCE) ENLARGING...
CLAIMS (SWSW SEC. 17-?), DISCUSSED RE VS CLAIMED RE AMONG, etc.

KAY WOULD LIKE CORRESPONDENCE TO GO TO HIM RE: CLAIMS - GAVE HIM ADDRESS FORM
ASK HIS LETTER DROP IT OFF OR MAIL IT. I WOULD PROBABLY BE IN-TOWN TO
DO "THINGS" TO CLAIMS AND MAYBE FILE ENLARGING... CLAIM ON SEC. 17 RE.

A. AJ CLAIM: # A31-00097 PRIORITY DATE: 05-15-1890 STAGE: D

B. WR RECORD: # 31-00097 PRIORITY DATE: 05-15-1890 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: DEERUE REAS 1890-MAY 15

RECOMMENDED PRIORITY DATE: SO IT IS
05-15-1890

REVIEWED BY ASR

DATE 8/2/2k

12/20/2k CALLED MR. CARNER. HE'S NOT IN - SPOKE w/ YOUNG SON - LEFT MESSAGE FOR Him TO CALL.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00097	13N	38E	17		SE	SE		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-00098 NONE
A31-00099
A31-00175

MR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00097	13N	38E	20		SW	SE		CLARK

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

31-00099

NONE

NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

CHANGE OF POD FROM DEERISTE

C03 WHEN _____?

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
10N	30E	17	SE	SW	SE		CLARK	
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: CANAS CREEK

TRIB: MUD LAKE

REVIEWED BY: MR

DATE: 8/3/24

SYSTEM DESCRIPTION:

CANAS DAM + CROSS PART OF CRUSH AT ROCKY AREA w/ STRAW BRIDS
DIVERTS TO SCREEN GATE, WATER $\approx$ 1/4 mi DOWN DITCH.

31-00097
98 } SAME
99 } POD
175 }
↓
POD

GARNER RANCH

Looking Westward



A. ROOT WATER RIGHT NUMBERS: A31-00097

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	38E	17	S4	SW		GARNER RANCH	A31-00097 /32.0	-	/		
			S4	SW		GARNER RANCH	A31-00098 /32.0	-	/		
			S4	SW		GARNER RANCH	A31-00099 /32.0	-	/		
			S4	SW		GARNER RANCH	A31-10167 /	-	/		
			S4	SW		GARNER RANCH	A31-00175 /32.0	-	/		
10N	38E	18	S4	SE		GARNER RANCH	A31-00097 /11.0	-	/		
			S4	SE		GARNER RANCH	A31-00099 /11.0	-	/		
			S4	SE		GARNER RANCH	A31-00175 /11.0	31-00175	/		
10N	38E	18	SE	SE		GARNER RANCH	A31-00097 /31.0	-	/		
			SE	SE		GARNER RANCH	A31-00099 /31.0	-	/		
			SE	SE		GARNER RANCH	A31-00175 /31.0	31-00175	/		
10N	38E	19	N4	NE		GARNER RANCH	A31-00097 /25.0	31-00097	/		
			N4	NE		GARNER RANCH	A31-00099 /25.0	31-00099	/		
			N4	NE		GARNER RANCH	A31-10167 /	-	/		
			N4	NE		GARNER RANCH	A31-00175 /25.0	31-00175	/		
			N4	NE		JACOBY, JOSEPH		31-02002	/40.0		
10N	38E	19	S4	NE		GARNER RANCH	A31-00097 /29.0	31-00097	/		
			S4	NE		GARNER RANCH	A31-00099 /29.0	31-00099	/		
			S4	NE		GARNER RANCH	A31-10167 /	-	/		
			S4	NE		GARNER RANCH	A31-00175 /29.0	-	/		
			S4	NE		JACOBY, JOSEPH		31-02002	/40.0		
10N	38E	19	NE	NW		GARNER RANCH	A31-00097 /13.0	31-00097	/		
			NE	NW		GARNER RANCH	A31-00099 /13.0	31-00099	/		
			NE	NW		GARNER RANCH	A31-00175 /13.0	-	/		
			NE	NW		JACOBY, JOSEPH		31-02002	/25.0		
10N	38E	19	SE	NW		GARNER RANCH	A31-00097 /26.0	31-00097	/		
			SE	NW		GARNER RANCH	A31-00099 /26.0	31-00099	/		
			SE	NW		GARNER RANCH	A31-00175 /26.0	-	/		
			SE	NW		JACOBY, JOSEPH		31-02002	/30.0		
10N	38E	19	NE	SW		GARNER RANCH	A31-00097 / 3.0	31-00097	/		
			NE	SW		GARNER RANCH	A31-00099 / 3.0	-	/		
			NE	SW		GARNER RANCH	A31-10167 /	-	/		
			NE	SW		GARNER RANCH	A31-00175 / 3.0	-	/		
10N	38E	19	N4	SE		GARNER RANCH	A31-00097 / 2.0	31-00097	/		
			N4	SE		GARNER RANCH	A31-00099 / 2.0	-	/		
			N4	SE		GARNER RANCH	A31-00175 / 2.0	-	/		
TOTAL ACRES							A31-00097	172.30			

No Prior DECREASED AC TO THIS OR
 ENLARGED CLAIM?

PPM are 24s

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

SEE WHAT TX #191 DID FOR 31-00175. Au Rts. same POJ/POJ.

RECOMMENDATIONS:

KP6 = 80 AC

TOTAL ACRES:

REVIEWED BY:

DATE:

12/14/20

DECREASED TO LANDS AS CLAIMED EXCEPT SEC. 17. But, DUE TO 1.6 CTS
DECREASE - AC LIMITED TO 80 AC.

A. AS CLAIMED USES:

5/1 10/31

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00097 IRRIGATION	FROM 04-31 TO 12-01	1.600 CFS
A31-00097 STOCKWATER	FROM 01-31 TO 12-31	0.070 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00097 IRRIGATION	FROM 05-31 TO 09-01	1.600 CFS
31-00097 STOCKWATER	FROM TO	1.600 CFS
31-00097 DOMESTIC	FROM TO	1.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USES:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

Recommend MAY 1 TO OCT. 31 PIST. DUPT. STD. DIVERGENCE IS LINE SPECIFIC

STOCKWATER IS ADDRESSED BY DIVERGENCE.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR FOOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

11/11 Deliveries

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A51-00175/00098/00099.

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00097	CANAS CREEK	GARNER RANCH	1.500	0.009		
A51-00098	CANAS CREEK	GARNER RANCH	1.200	0.006		
A51-00099	CANAS CREEK	GARNER RANCH	3.100	0.018		
A51-00175	CANAS CREEK	GARNER RANCH	0.250	0.001		

LIST ALL RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-00097	STOCKWATER	GARNER RANCH	FROM 01-01 TO 12-31	.070 CFS	
A51-10157	STOCKWATER	GARNER RANCH	FROM 01-01 TO 12-31	.140 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 450.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. REF	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>PRIZES</u>	<u>5/1 10/31</u>	_____	_____	_____
<u>Stock</u>	<u>5/1 10/31</u>	_____	_____	_____
TOTAL FOR THIS RIGHT		_____	_____	_____

REVIEWED BY: NR

DATE: 5/2/21

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(/)	()
(/)	()
(/)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00097

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.600

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00097	1.600	-		31-00097	1.600
TOTAL CFS		1.600				1.600

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

DECLINED / CLAIMED AS 1.6 CFS - NO APPARENT SPLITS, C/O'S, TX'S.

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 8/2/00
NAME OF FIELD EXAMINER: Arthur B. [Signature] TITLE: Sr. Agt.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-00097

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

23:23:55
03/13/93

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A31-00097

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARNER RANCH BOX 214 REXBURG ID 83440 (208) 355-3276	05/15/1890	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	1.60 CFS 0.07 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.60 CFS 433.0 AF1

WATER SOURCE: CAMAS CREEK

TRIBUTARY TO: MUD LAKE

STAGE: DECREED

POINT(S) OF DIVERSION: TION R38E S17

SESE

CLARK 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	
10N	38E	17	:																			32.0
10N	38E	13	:																			42.0
10N	38E	19	:			25	29			13				26		03				02		98.0
																				TOTAL ACRES	172.0	

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR IRRIGATION

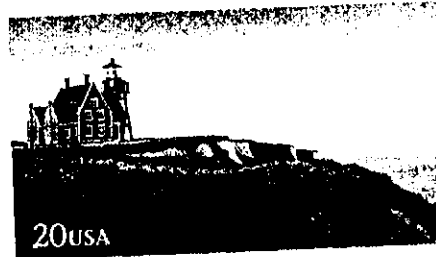
POU COUNTY: CLARK

NON-IRRIGATION USES: STOCKWATER - 500 CATTLE.

OTHER RIGHTS: A31-00175/00098/00099.

DATES: EXAM MADE DATES: VERIFIED DATES: 07/08/1983

MISC: WATER DISTRICT NUMBER: 31 FIELD INSPECTION FLAG:
PRESUMPTION FLAG:



GARNER RANCH
C/O KAY R GARNER
2013 S 65TH W
IDAHO FALLS ID 83402

©USPS 1997 recycled

OCTOBER 31, 2000

DEAR MS. GARNER;

WATER RIGHT NUMBERS A31-00097, A31-00098, A31-00099 AND
A31-00175 HAVE BEEN CHANGED TO REFLECT THE ADDRESS ON THE
FRONT OF THIS CARD.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen
CHERI VANDERMEULEN

OCT 30 2000

CHANGE IN ADDRESS

Department of Water Resources
Eastern Region

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 31-00097

31-00098

31-00099

31-00175

[] Old Mailing Address: Garner Ranch

P.O. Box 214

Rehburg, Id. 83440

[] New Mailing Address: Kay R. Garner Garner Ranch

2013 S. 65th W.

Idaho Falls, Idaho 83402

[] Telephone Number: (208) 523-8393

[] Signature of Claimant: Kay R. Garner

[] Date: 10-24-00

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 2001

Garner Ranch
c/o Kay Garner
2013 S 65th W
Idaho Falls, Idaho 83402

Re: Adjudication Claims 31-97, 31-98, 31-99, 31-175

Dear Mr. Garner:

While Mr. Allan Ruberry is away, I am helping finalize some of the work he was doing. Recently you returned some amended claims, which were signed with the intent of claiming all the acres Mr. Ruberry identified in his field work.

Unfortunately, we are doing battle with a new computer system, and sometimes the computer wins. The claim forms you returned had the old land list, rather than the new list, as intended.

The enclosed amended claims are now correct. Please return them as soon as possible with notarized signatures. If it is helpful to you, we have notaries on staff here at the office. There is no charge.

Please call me if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

Idaho Department of Water Resources Receipt

Receipt ID E026419

Payment Amount \$61.00 Date Received 1/8/01 11:38:26 AM Region Eastern Status ☐
Payment Type Check Check Number 1583

Payer GARNER RANCHComment 31-97, 31-98, 31-99 AND 31-175

Fee Detail

Amount	Description	F
<u>\$61.00</u>	<u>ADJUDICATION FILING FEE 0.</u>	

Cu
Signature Line (Dept. Representative)

*Give to
allen -
\$60 fee
paid
under receipt #
E026419*

Idaho Department of Water Resources Receipt

Receipt ID E026419

Payment Amount \$61.00 Date Received 1/8/01 11:38:26 AM Region Eastern Status ☒
Payment Type Check Check Number 1583

Payer GARNER RANCHComment 31-97, 31-98, 31-99 AND 31-175

Fee Detail

Amount	Description	Fund	FD	PCA	SO
<u>\$61.00</u>	<u>ADJUDICATION FILING FEE</u>	<u>0337</u>	<u>43503</u>	<u>1155</u>	



Signature Line (Dept. Representative)

Water Right Number - 31-00097

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
JACOBY

J. P.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/15/1890 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
CAMAS CREEK MUD LAKE

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

10N 38E 20 SW SE (33) CLARK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/01 1.600
04 - STOCKWATER
43 - DOMESTIC
1.02 = 80 ac.

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.600 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10N 38E 19 NE NE 01 IRRIGATION (33) CLARK
10N 38E 19 NW NE 01 IRRIGATION (33) CLARK
10N 38E 19 SW NE 01 IRRIGATION (33) CLARK
10N 38E 19 SE NE 01 IRRIGATION (33) CLARK
10N 38E 19 NE NW 01 IRRIGATION (33) CLARK
10N 38E 19 SE NW 01 IRRIGATION (33) CLARK
10N 38E 19 NE SW 01 IRRIGATION (33) CLARK
10N 38E 19 NW SE 01 IRRIGATION (33) CLARK

Lots? NO

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

1.6 cfs = 0.005
40 x 800 = 320

J. P. Jacoby

31 0097 ✓
1890 - May 15

1.6 c.f.s.

Source: Camas Creek, a tributary
of Mud Lake.

Point of Diversion: In the South-
west Quarter of the Southeast Quar-
ter of Section 20, Township 10 North,
Range 38 East, B.M.

POD
SW SE Sec. 20

POU
NE 1/4 E 2 NW, NE SW, NW SE Sec. 19

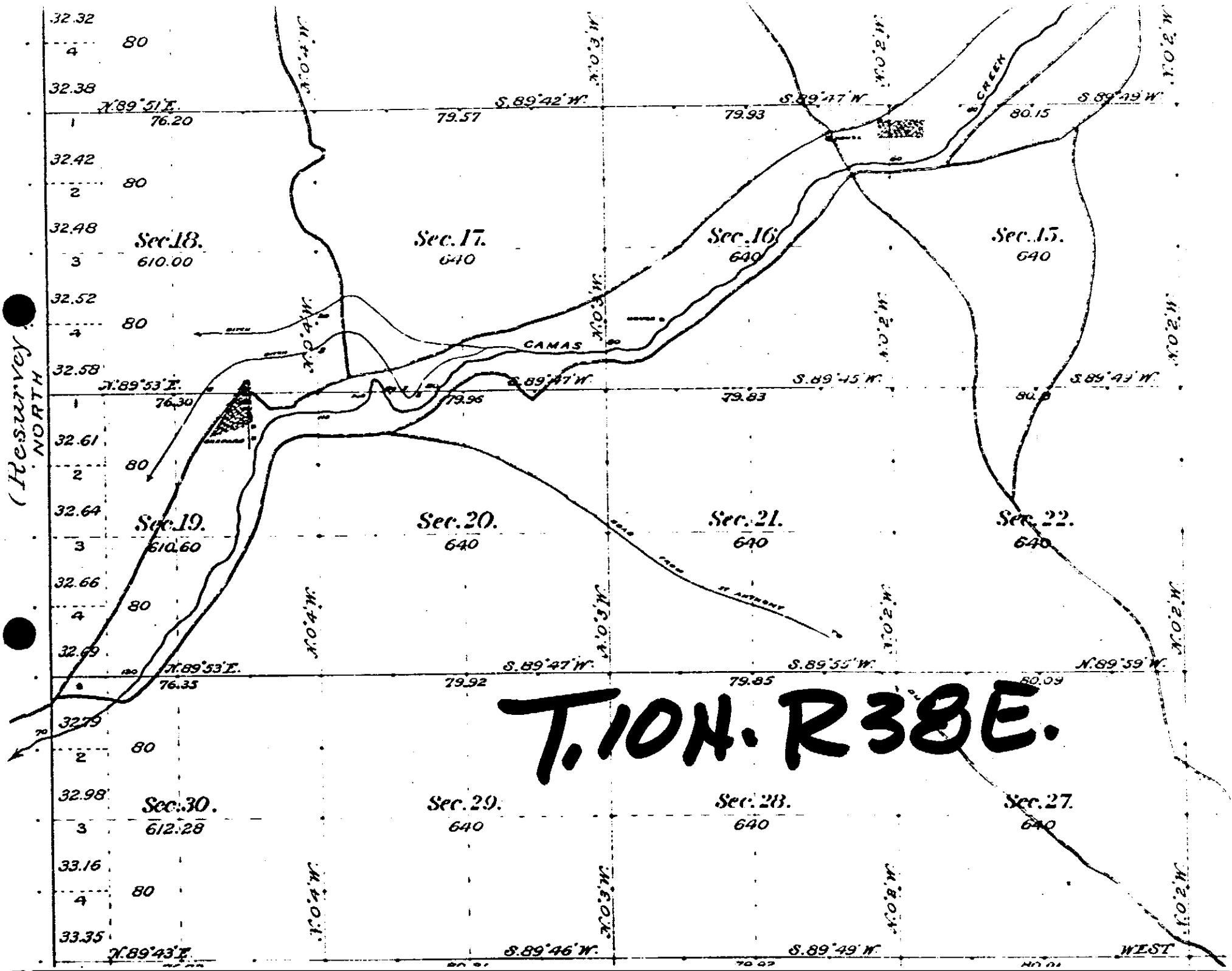
BUST CASE 320 AC.

For use on the following described
land, to-wit: The Northeast Quar-
ter and the East Half of the North-
west Quarter and the Northeast Quarter
of the Southwest Quarter and the North-
west Quarter of the Southeast Quarter
of Section 19, all in township 10,
North, Range 38 East, B.M.

No. 49

1/6 80 AC BY DEC 1890 CS
102

(Hesurvey)
NORTH



T. 10N. R. 38E.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 26, 2000

Garner Ranch
PO Box 214
Rexburg ID 83440

Re: Request for Evidence of Use of 31-00097, 31-00098, 31-00099, 31-00175

Dear Claimant:

On or about July 31, 2000, you were mailed a letter requesting some type of evidence that you had exercised the (above referenced) water right to which you have a claim in the ongoing Snake River Basin Adjudication. This request made specific reference to Idaho Code 42-222, paragraph 2 which states, "All rights to the use of water... shall be lost and forfeited by a failure for the term of five (5) years to apply it to beneficial use for which it was appropriated..."

As of the date of this letter, we have not received your declaration of use of the claimed water right referenced above. Because no declaration has been received the claim to a water right will receive a Disallowed recommendation to the SRBA court.

You are responsible to provide evidence supporting your claim to a water right. If you intend to pursue a favorable recommendation and thereby avoid forfeiture, please provide evidence of water use and delivery during the years of 1977 to 1987, by October 10, 2000. **This letter of request is your final notice.**

If you no longer own the property appurtenant to the above referenced claim, please contact our office so we can notify the current owner of this important matter.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 31, 2000

GARNER RANCH
PO BOX 214
REXBURG ID 83440

RE: EVIDENCE TO SUPPORT BENEFICIAL USE OF SNAKE RIVER BASIN
ADJUDICATION (SRBA) CLAIM(S) A31-00097, A31-00098, A31-00099, A31-
00175

Dear Mr. Garner:

The Idaho Department of Water Resources is reviewing SRBA claims in the Kilgore area of Basin 31. Our office conducted a field exam of the above referenced claim(s) but failed to find evidence of beneficial use. Idaho Code 42-222, paragraph 2 states, "All rights to the use of water . . . shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated . . ."

To avoid forfeiture, please provide evidence of water delivery and payment of the water district assessment prior to 1987. This proof must be provided within 21 days of receipt of this letter to avoid a disallowal recommendation to the Snake River Basin Adjudication court.

If you no longer own the property appurtenant to the above referenced claim, please contact our office so we can notify the current owner of this matter.

Sincerely,

For Allen Ruberry
Senior Water Agent

Enclosure