

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 22-13319  
Date Received: 9/29/2004  
Receipt No: **E030359**  
Received By: *MR*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GARDEN WATER CO LTD Phone:  
C/O BOYD BOWLES PRESIDENT  
261 E 200 S  
DRIGGS ID USA 83422

2. Date of Priority: 06/15/1896

3. Source: DARBY CREEK , DARBY CREEK , DARBY CREEK Trib. to: TETON RIVER , TETON  
RIVER , TETON RIVER

| Point of Diversion: | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | Type |
|---------------------|----------|-------|---------|--------|--------|--------|-----|--------|------|
|                     | 04N      | 46E   | 8       | NW     | NE     |        | 1   | TETON  |      |
|                     | 04N      | 46E   | 8       | NW     | SE     |        | 3   | TETON  |      |
|                     | 04N      | 46E   | 8       | SE     | SE     |        | 4   | TETON  |      |

5. Description of diverting works:  
PODS ARE STATELINE LOCATIONS OF PIPELINES. ACTUAL PODS ARE WYOMING DIVERSIONS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/31 | 3.2    |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

| Place of use: | Township | Range | Section | 1/4 of | 1/4 of | Lot | Use        | Acres |
|---------------|----------|-------|---------|--------|--------|-----|------------|-------|
|               | 04N      | 45E   | 1       | NE     | NE     | 1   | IRRIGATION | 39    |
|               |          |       |         | NW     | NE     | 2   | IRRIGATION | 40    |
|               |          |       |         | SW     | NE     |     | IRRIGATION | 40    |
|               |          |       |         | SE     | NE     |     | IRRIGATION | 38    |
|               |          |       |         | NE     | NW     | 3   | IRRIGATION | 40    |
|               |          |       |         | NW     | NW     | 4   | IRRIGATION | 37    |

|     |     |    |    |    |               |            |    |
|-----|-----|----|----|----|---------------|------------|----|
|     |     |    | SW | NW | IRRIGATION    | 40         |    |
|     |     |    | SE | NW | IRRIGATION    | 40         |    |
|     |     |    | NE | SW | IRRIGATION    | 40         |    |
|     |     |    | NW | SW | IRRIGATION    | 40         |    |
|     |     |    | SW | SW | IRRIGATION    | 39         |    |
|     |     |    | SE | SW | IRRIGATION    | 39         |    |
|     |     |    | NE | SE | IRRIGATION    | 39         |    |
|     |     |    | NW | SE | IRRIGATION    | 40         |    |
|     |     |    | SW | SE | IRRIGATION    | 39         |    |
|     |     |    | SE | SE | IRRIGATION    | 36         |    |
|     |     |    |    |    | Section Acres | 626        |    |
| 04N | 45E | 2  | SW | NE | IRRIGATION    | 24         |    |
|     |     |    | SE | NE | IRRIGATION    | 40         |    |
|     |     |    | NE | SE | IRRIGATION    | 40         |    |
|     |     |    | NW | SE | IRRIGATION    | 35         |    |
|     |     |    | SW | SE | IRRIGATION    | 34         |    |
|     |     |    | SE | SE | IRRIGATION    | 39         |    |
|     |     |    |    |    | Section Acres | 212        |    |
| 04N | 45E | 11 | NE | NE | IRRIGATION    | 39         |    |
|     |     |    | NW | NE | IRRIGATION    | 33         |    |
|     |     |    | SE | NE | IRRIGATION    | 40         |    |
|     |     |    | NE | NW | IRRIGATION    | 38         |    |
|     |     |    | NW | NW | IRRIGATION    | 7.2        |    |
|     |     |    |    |    | Section Acres | 157.2      |    |
| 04N | 45E | 12 | NE | NE | IRRIGATION    | 34         |    |
|     |     |    | NW | NE | IRRIGATION    | 40         |    |
|     |     |    | SW | NE | IRRIGATION    | 40         |    |
|     |     |    | SE | NE | IRRIGATION    | 39         |    |
|     |     |    | NE | NW | IRRIGATION    | 40         |    |
|     |     |    | NW | NW | IRRIGATION    | 40         |    |
|     |     |    | SW | NW | IRRIGATION    | 36         |    |
|     |     |    | SE | NW | IRRIGATION    | 40         |    |
|     |     |    | NE | SW | IRRIGATION    | 33         |    |
|     |     |    | NW | SW | IRRIGATION    | 3.8        |    |
|     |     |    | SE | SW | IRRIGATION    | 1.4        |    |
|     |     |    | NE | SE | IRRIGATION    | 38         |    |
|     |     |    | NW | SE | IRRIGATION    | 40         |    |
|     |     |    | SW | SE | IRRIGATION    | 31         |    |
|     |     |    | SE | SE | IRRIGATION    | 35         |    |
|     |     |    |    |    | Section Acres | 491.2      |    |
| 04N | 45E | 13 | NE | NE | IRRIGATION    | 15         |    |
|     |     |    |    |    | Section Acres | 15         |    |
| 04N | 46E | 5  | NW | NE | 1             | IRRIGATION | 36 |
|     |     |    | SW | NE | 4             | IRRIGATION | 36 |
|     |     |    | NE | NW | 2             | IRRIGATION | 41 |
|     |     |    | NW | NW | 3             | IRRIGATION | 40 |
|     |     |    | SW | NW |               | IRRIGATION | 40 |

|     |     |   |    |    |   |               |     |
|-----|-----|---|----|----|---|---------------|-----|
|     |     |   | SE | NW |   | IRRIGATION    | 40  |
|     |     |   | NE | SW |   | IRRIGATION    | 40  |
|     |     |   | NW | SW |   | IRRIGATION    | 40  |
|     |     |   | SW | SW |   | IRRIGATION    | 40  |
|     |     |   | SE | SW |   | IRRIGATION    | 39  |
|     |     |   | NW | SE | 5 | IRRIGATION    | 33  |
|     |     |   | SW | SE | 6 | IRRIGATION    | 37  |
|     |     |   |    |    |   | Section Acres | 462 |
| 04N | 46E | 6 | NE | NE | 1 | IRRIGATION    | 39  |
|     |     |   | NW | NE | 2 | IRRIGATION    | 41  |
|     |     |   | SW | NE |   | IRRIGATION    | 40  |
|     |     |   | SE | NE |   | IRRIGATION    | 39  |
|     |     |   | NE | NW | 3 | IRRIGATION    | 41  |
|     |     |   | NW | NW | 4 | IRRIGATION    | 40  |
|     |     |   | SW | NW | 5 | IRRIGATION    | 40  |
|     |     |   | SE | NW |   | IRRIGATION    | 40  |
|     |     |   | NE | SW |   | IRRIGATION    | 40  |
|     |     |   | NW | SW | 6 | IRRIGATION    | 37  |
|     |     |   | SW | SW | 7 | IRRIGATION    | 37  |
|     |     |   | SE | SW |   | IRRIGATION    | 36  |
|     |     |   | NE | SE |   | IRRIGATION    | 39  |
|     |     |   | NW | SE |   | IRRIGATION    | 39  |
|     |     |   | SW | SE |   | IRRIGATION    | 21  |
|     |     |   | SE | SE |   | IRRIGATION    | 37  |
|     |     |   |    |    |   | Section Acres | 606 |
| 04N | 46E | 7 | NE | NE |   | IRRIGATION    | 33  |
|     |     |   | NW | NE |   | IRRIGATION    | 39  |
|     |     |   | SW | NE |   | IRRIGATION    | 38  |
|     |     |   | SE | NE |   | IRRIGATION    | 39  |
|     |     |   | NE | NW |   | IRRIGATION    | 40  |
|     |     |   | NW | NW | 1 | IRRIGATION    | 36  |
|     |     |   | SW | NW | 2 | IRRIGATION    | 40  |
|     |     |   | SE | NW |   | IRRIGATION    | 40  |
|     |     |   | NE | SW |   | IRRIGATION    | 40  |
|     |     |   | NW | SW | 3 | IRRIGATION    | 40  |
|     |     |   | SW | SW | 4 | IRRIGATION    | 37  |
|     |     |   | SE | SW |   | IRRIGATION    | 38  |
|     |     |   | NE | SE |   | IRRIGATION    | 39  |
|     |     |   | NW | SE |   | IRRIGATION    | 37  |
|     |     |   | SW | SE |   | IRRIGATION    | 38  |
|     |     |   | SE | SE |   | IRRIGATION    | 38  |
|     |     |   |    |    |   | Section Acres | 612 |
| 04N | 46E | 8 | NW | NE | 1 | IRRIGATION    | 31  |
|     |     |   | SW | NE | 2 | IRRIGATION    | 36  |
|     |     |   | NE | NW |   | IRRIGATION    | 38  |
|     |     |   | NW | NW |   | IRRIGATION    | 39  |
|     |     |   | SW | NW |   | IRRIGATION    | 40  |
|     |     |   | SE | NW |   | IRRIGATION    | 40  |
|     |     |   | NE | SW |   | IRRIGATION    | 40  |
|     |     |   | NW | SW |   | IRRIGATION    | 40  |
|     |     |   | SW | SW |   | IRRIGATION    | 39  |

|     |     |    |    |    |   |               |        |
|-----|-----|----|----|----|---|---------------|--------|
|     |     |    | SE | SW |   | IRRIGATION    | 39     |
|     |     |    | NW | SE | 3 | IRRIGATION    | 36     |
|     |     |    | SW | SE | 4 | IRRIGATION    | 37     |
|     |     |    |    |    |   | Section Acres | 455    |
| 04N | 46E | 17 | NW | NE | 1 | IRRIGATION    | 7.8    |
|     |     |    | NE | NW |   | IRRIGATION    | 14     |
|     |     |    | NW | NW |   | IRRIGATION    | 35     |
|     |     |    |    |    |   | Section Acres | 56.8   |
| 04N | 46E | 18 | NE | NE |   | IRRIGATION    | 37     |
|     |     |    | NW | NE |   | IRRIGATION    | 39     |
|     |     |    | SW | NE |   | IRRIGATION    | 13     |
|     |     |    | SE | NE |   | IRRIGATION    | 11     |
|     |     |    | NE | NW |   | IRRIGATION    | 38     |
|     |     |    | NW | NW | 1 | IRRIGATION    | 38     |
|     |     |    | SE | NW |   | IRRIGATION    | 6.9    |
|     |     |    |    |    |   | Section Acres | 182.9  |
| 05N | 45E | 36 | SW | SW |   | IRRIGATION    | 4.2    |
|     |     |    | SE | SW |   | IRRIGATION    | 36     |
|     |     |    | SW | SE |   | IRRIGATION    | 39     |
|     |     |    |    |    |   | Section Acres | 79.2   |
| 05N | 46E | 31 | SW | SW |   | IRRIGATION    | 37     |
|     |     |    | SE | SW |   | IRRIGATION    | 39     |
|     |     |    | SW | SE |   | IRRIGATION    | 38     |
|     |     |    | SE | SE |   | IRRIGATION    | 32     |
|     |     |    |    |    |   | Section Acres | 146    |
| 05N | 46E | 32 | SW | SW |   | IRRIGATION    | 34     |
|     |     |    | SE | SW |   | IRRIGATION    | 29     |
|     |     |    | NW | SE | 3 | IRRIGATION    | 26     |
|     |     |    | SW | SE | 4 | IRRIGATION    | 33     |
|     |     |    |    |    |   | Section Acres | 122    |
|     |     |    |    |    |   | Total Acres   | 4223.3 |

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:  
THIS CLAIM REPRESENTS 22-437.

15. Basis of Claim:

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 Boyd Bowles of \_\_\_\_\_ Title

Garden Water Co., that I have signed the foregoing Organization

document in the space below as President of \_\_\_\_\_ Title

Garden Water Co. and that the statements contained in the Organization

foregoing document are true and correct. \_\_\_\_\_ Signature of Authorized Agent

Pres. Garden Water Co. Title and Organization

10-6-2004 Date

State of Idaho )

County of Boonville ) SS.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup>

of October 2004

Aaron B. Roberry  
Notary Public

Residing at FRANK KAUS FRANK

My commission Expires 9/23/09

