

To: ERNIE CARLSON - Adjudication 29-June-2004
Supervisor

From: GAIL BLANCHARD (Fall River area)
LYNN LOOSLI (Loosco Farms)
Rick BLANCHARD (Tri-Angle B Ranch)
SILKEY CANAL WATER USERS

Regarding: Silkey Slough & Spring Water Claim

A21-12442

A21-04028

A21-04089

A21-19172

Please attach to packet to Ernie
from Gail Blanchard (21-June-2004)

Ernie,

22-June-2004

Enclosed are copies of the pages referring to the original owner of the property upon which the ~~A21-4028~~ spring water claim was used to irrigate. A.S. Anderson built a log cabin home which is part of the enlarged home in which my wife and I live in today. The original cabin log home was built prior to October 16, 1888. The land which he diverted part of the spring water to irrigate was nineteen feet below the elevation of the Anderson Springs.

A.S. Anderson was a surveyor by trade. He surveyed the Silkey Ditch and the Curr Ditch. He sold the home and property to his sister and her husband two and one half years later. The Abstract information indicated that A.S. Anderson made his final payment to the receiver of payments on May 25, 1896. His brother in law and his sister made their final payment to A.S. Anderson in February 1898.

A.S. Farnsworth filed on water with a June 1, 1890 priority date. The Silkey Canal was completed providing additional water to the spring flows filed upon two years earlier. From 1890 on the previous smaller lateral ditches that A.S. Anderson used were abandoned except where the smaller ditches were enlarged to deliver the spring combined with the river water. Parts of the smaller ditches are still visible although they are no longer being used since June 1, 1890.

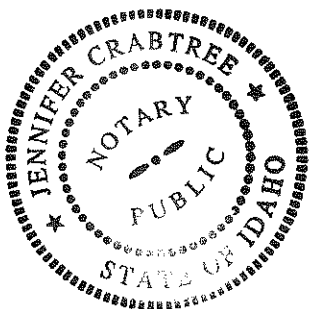
A.S. Anderson property was described as follows: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 3, 4, and 5 in Section 13, Township 8 North, Range 41 E.B.M. He also had land that was under spring water irrigation in Section 14. There is slough water in conjunction with the spring water. Lot # 5 from the above description is where the home (A.S. Anderson) is located. The ditch in which the water is delivered is part of lot #6 adjacent to lot # 5. Both lots are partially irrigated from the A21-4028 spring claim.

By June 1, 1890 the spring water was totally included in the three lateral branches of the Silkey Canal System. A field exam is recommended to see the abandoned ditches that are still visible that were used prior to the completion of the Silkey Canal either in late 1889 or early Spring 1890.

A.S. Anderson Claim: Book B Water Location Records, page 231
A.S. Anderson Receivers Final Receipt: Book C of Deeds, p.485
Abstract of Title: No. 240 Fremont County-St. Anthony, ID

Notary Public

Gail Blanchard
Claimant Signature



Jennifer Crabtree
Notary Public for State of Idaho
Commission Expires 9/23/09
Jennifer Crabtree
6/24/04

INDEXED

Permit No. 14172

Certificate of Completion of Works

Andrew S. Anderson
Claimed and was using
this spring flow was a
since 1888.

To ALL WHOM IT MAY CONCERN:

This is to certify that A. M. Blanchard,
 of Chester, County of Fremont, and State of
Idaho, the holder of Permit No. 14172, issued upon Application
 No. 20121 bearing date of priority of July 25, 1919 *05/16/1888*, authorizing the diversion of
3.2 second feet of the waters of an unnamed stream,

County of Fremont, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the
 proof of completion of the works of diversion set out and described in said Permit; that said works are
 adequate for diverting and conveying to the place of intended use 3.2
 second feet of the waters of an unnamed stream;

that the points of diversion of said waters are (1) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 8 N.,
R. 42 E., and (2) NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 8 N., R. 41 E., B. M.,

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Twp. 8 N., Range 42 E., B. M., and
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13, Twp. 8 N., Range 41 E., B. M.

Witness my hand this 14th day of September, A. D. 1922.

W. G. SWENDSEN.

Commissioner of Reclamation.

By

Geo. H. Carter
 Assistant.

21-2098

No. 240.

ABSTRACT OF TITLE

TO

RECEIVED
JAN 13 1923
FEDERAL LAND BANK

RECEIVED
JAN 23 1923
FEDERAL LAND BANK

8
SOUTH-EAST QUARTER OF THE NORTH-~~EAST~~^{WEST} QUARTER (SE-~~NE~~^W), LOTS
THREE (3), FOUR (4) AND FIVE (5) OF SECTION THIRTEEN (13) AND LOT
ONE (1) OF SECTION FOURTEEN (14) IN TOWNSHIP EIGHT (8) NORTH OF
RANGE FORTY-ONE (41) EAST OF BOISE MERIDIAN, CONTAINING ONE HUNDRED
THIRTY AND THIRTY-FIVE HUNDREDTHS (130.35) ACRES.

Home place

Continuation of Abstract of Title to the Lands described in the Caption hereto.

United States Receiver,

No. 1.

Character of Instrument,

Receiver's Final Receipt.

Date of Instrument,

May 25", 1896.

Date of Record,

July 14", 1896 at 12-30 P.M.

Book C of Deeds Page 485.

Grantors.

TO

Andrew S. Anderson,

Grantees.

Consideration, \$ 278.55 Are Signatures Sealed?

Names of Witnesses

Date of Acknowledgement

Before Whom Acknowledged, and is it regular?

Granting Words

Covenant, if any

Description and Remarks:

SE $\frac{1}{4}$ HW $\frac{1}{2}$, Lots 3, 4 & 5 Sec. 13; Lots 1, 2, 3 & SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 and Lot 1 & NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Tp. 8 N., R. 41. E., B.M., containing 278.55 acres.



Continuation of Abstract of Title to the Lands described in the Caption hereto.

United States,

No. 2

Character of Instrument,

Patent.

Date of Instrument,

August 28", 1896.

Date of Record,

October 17", 1896 at 5-20 P.M.

Book A of Patents Page 474.

Grantors.

TO

Andrew S. Anderson,

Grantees.

Consideration, \$ Are Signatures Sealed?

Names of Witnesses

Date of Acknowledgement

Before Whom Acknowledged, and is it regular?

Granting Words

Covenant, if any

Description and Remarks:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 3, 4, 5 Sec. 13; Lots 1, 2, 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14 and Lot 1 & NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Tp. 8 N., R. 41 E., B.M., containing 278.55 acres.

Continuation of Abstract of Title to the Lands described in the Caption hereto.

A.S. Anderson and Emily C. Anderson,
his wife,

No. 23

Character of Instrument,

Warranty Deed.

Date of Instrument,

February 19", 1898.

Date of Record,

March 17", 1898.

Book H of Deeds Page 21-2.

Consideration, \$ 4200. Are Signatures Sealed?

TO

Grantors.

A.S. Farnsworth,

Grantees.

Names of Witnesses E.J. Cabbie J.W. Dunn

Date of Acknowledgement February 19", 1898.

(Utah, Yes.

Before Whom Acknowledged, and is it regular? Joseph W. Dunn, Notary Public, Beaver Co.,

Granting Words Grant, Bargain, Sell, Alien, remise, release, convey and con-

firm.
Covenant, if any General Warranty.

Description and Remarks:

Lots 3, 4, 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, Lots 1, 2, 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14; thence beginning at the South-east corner of Sec. 14 and extending 2 rods west, thence 80 rods south parallel with section line; thence 2 rods east; thence 80 rods north to beginning in Tp. 8 N., R. 41 E., B.M., containing 207.20 acres or according to plat 216.20 acres. Together with all ditch and water right used on said land owned by A.S. Anderson.

Continuation of Abstract of Title to the Lands described in the Caption hereto.

A.S. Farnsworth and Mary Alice Farnsworth,

No. 4

Character of Instrument,

Mortgage.

Date of Instrument,

April 1", 1899.

Date of Record,

April 15", 1899 at 11-40 A.M.

Book K of Mtgs. Page 127.

TO

Grantors.

E.F. Holtby,

Grantees.

Consideration, \$1000. Are Signatures Sealed? Yes

Names of Witnesses J.F. Tolton.

Date of Acknowledgement April 1", 1899.

Before Whom Acknowledged, and is it regular? J.F. Tolton, Notary Public, Beaver Co., Utah. Yes.

Granting Words Grant, Bargain, Sell and convey.

Covenant, if any Cost and counsel fees in case of suit for collection.

Description and Remarks:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 3, 4, 5, Sec. 13 & Lot 1 Sec. 14, Tp. 8 N., R. 41 E., B.M., containing 130.35 acres.

Given to secure payment of a promissory note of even date herewith.

R41E

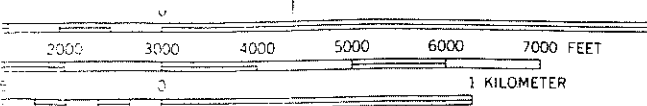
12

Storage Bin

13

Gaging Station

R41E R42E



CONTOUR INTERVAL 10 FEET

HENRYS

Gravel Pit

FARMERS OWN

West Anderson Springs

East Anderson Springs

PACIFIC

UNION

20

CHESTER CANAL RIVER

BELL

DITCH

Gravel Pit

Flume

Gravel Pits

Slick Ditch Head Point of Diversion
Legal Description

NE 1/4 Sec. 20, T. 8 N. R. 42 E BM

ROAD CLASSIFICATION

Heavy-duty

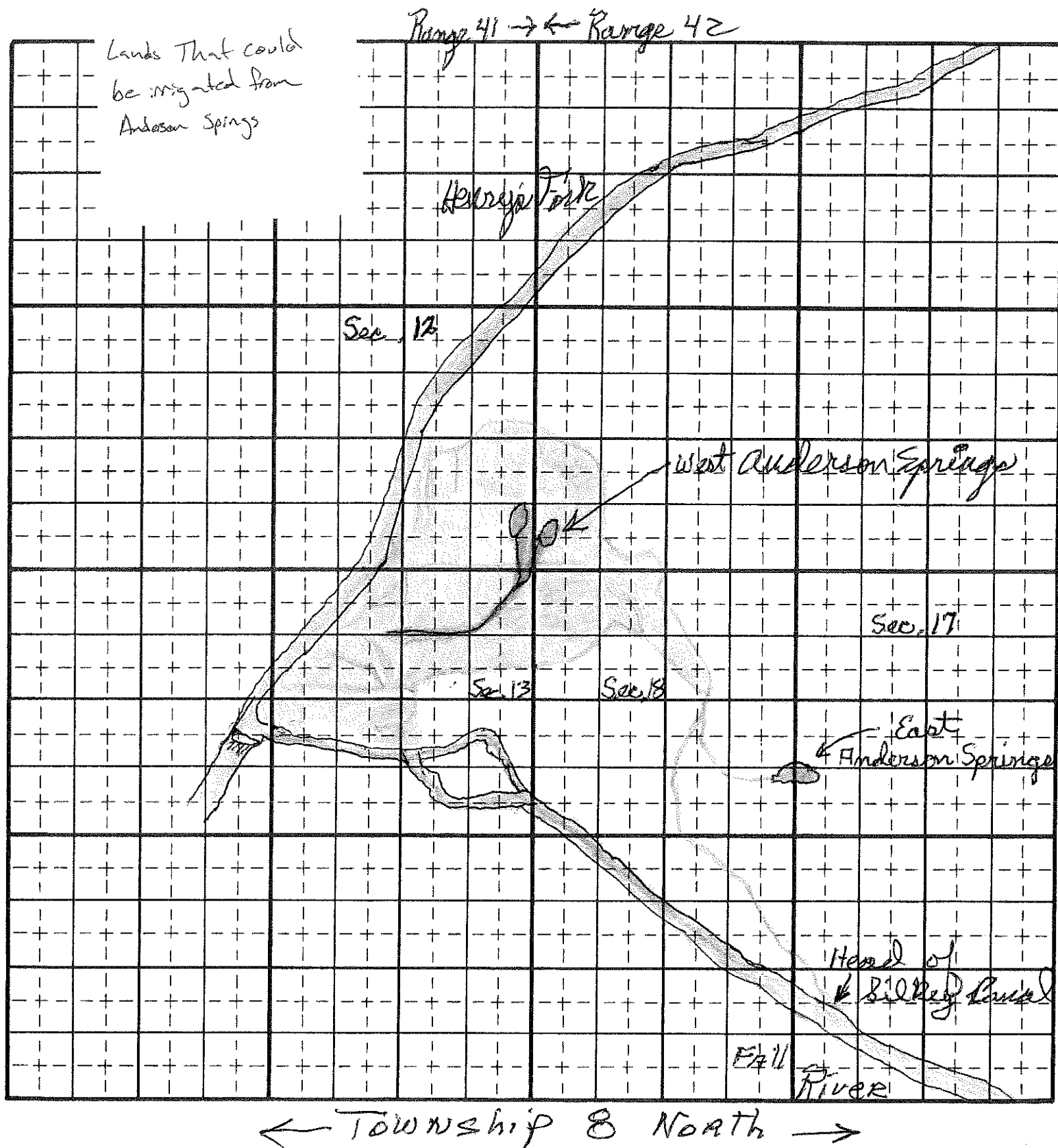
Medium-duty

Light-duty

Unimproved

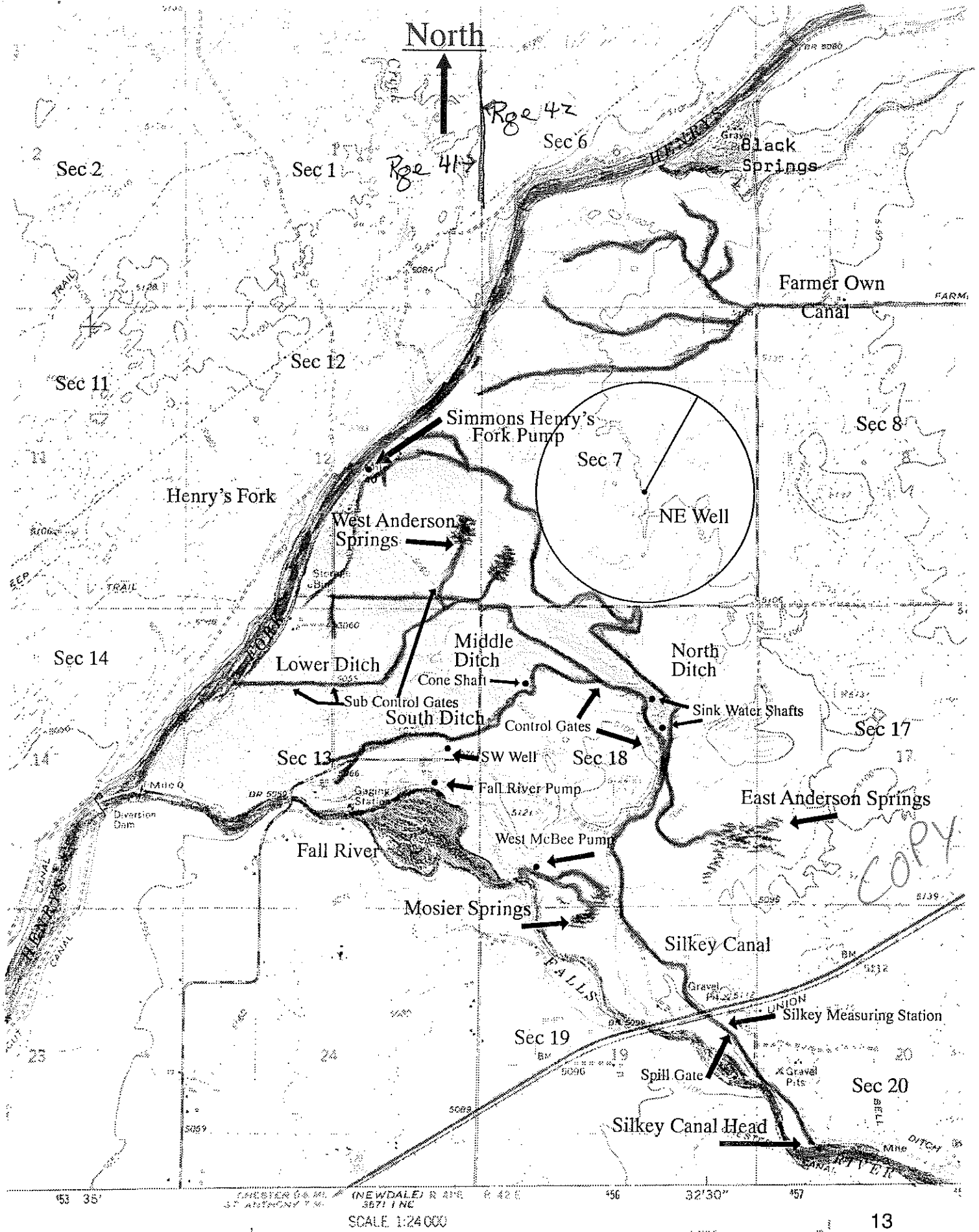
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



Township 8 North

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: **A21-04028**
Date Received: 3/ 8/1989
Receipt No: M002956
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GAIL BLANCHARD 208-624-7011
Address: P.O. BOX 145
CHESTER ID 83421
AND/OR
Name: JACQUELINE BLANCHARD 208-624-7011
Address: P.O. BOX 145
CHESTER ID 83421

2. Date of Priority: OCT 16, 1888

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	42E	17	NW	SW	SW		FREMONT
			SW	SW	SW		FREMONT
		18	SE	NE	SE		FREMONT
			NE	SE	SE		FREMONT

5. Description of diverting works:
DITCH FROM THE SPRING TO CANAL SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		
GROUNDWATER RECHARGE	11/02	03/31	1.500		
STOCKWATER	04/01	11/01	0.020		

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

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HD. SHEEP, E/ WATER IS DIVERTED DURING WINTER TO A CAVE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	41E	13	SW	NE		GWR	
			NE	SW	5	IRR	8.0
			NE	SW	5	STOCK	
			NE	SE	7	IRR	21.0
			NE	SE	7	STOCK	
			NW	SE	6	IRR	21.0
			NW	SE	6	STOCK	
			Section Acres				50.0
	42E	18	NW	NW		GWR	
			Total Acres				50.0

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:
A2100106B, 00051A, 04028.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

C. Stephen Allred
Director

September 12, 1977

RE: Claim to a Water Right No. 21-4028

Gail Blanchard
Chester,
ID 83421

Dear Mr. Blanchard:

The Department of Water Resources has completed the processing of your claim to a Water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Ronald D. Carlson

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enc: Copy of claim

Water Location } Water Notice
of
A. S. Anderson

I, A. S. Anderson do hereby claim
Ten thousand inches of water measured under
a four inch pressure to be diverted from Fall
River by means of two canals, one ^(Cord & Ditch) canal to be
diverted from Fall River at a point on south
bank of stream, N.W. 1/4 of sec. 19, T. 8, N. R. 42 East
extending in a westerly direction to sec. 23
T. 8, N. R. 41 E. the point of use, and the ^(Silky Ditch) canal
to be diverted from Fall River at a point on
North bank of stream in S.E. 1/4 of sec. 20 T. 8
N. R. 42 E. and extending through sections 20,
19, and 18 in T. 8, N. R. 42 E. to center of sec. 13 in
T. 8, N. R. 41 E. being end of main canal.
the water to be used on sections 20, 19 and 18 in
T. 8, N. R. 42 E. and upon sections 12, 13, and 14
in T. 8, N. R. 41 E.

I claim the above water for agricultural,
milling, manufacturing and mining purp
and reserve the right to make the requisite
number of lateral ditches, necessary for the
distribution of the water upon all lands li
ing under said canal.

In witness whereof I have hereunto set my
my hand and seal this 16th day of Oct. 1888.
Recorded at request of A. S. Anderson (Seal)
of A. S. Anderson at
80 min. past 9 o'clock A. M.

Co. Recorder

Geo. A. Robethans

Transcribed from Book "B" Water Location Re
Bingham County, Idaho page 231

Mr. Anderson was a surveyor - he lived
in the original portion of the home which my
sister lives in.

67 PAGE 581
Warranty Deed

THIS INDENTURE, Made this 23rd. day of October
in the year of our Lord One Thousand Nine Hundred and Fifty-nine, between Mary B. Williams,
formerly Mary B. Blanchard, and Gomer H. Williams, wife and husband,
of Chester, County of Fremont, State of Idaho
the parties of the first part, and Gail Blanchard and Jacqueline Feck Blanchard,
his wife,

of Chester, County of Fremont, State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Fifty and
no/100 - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Fremont State of Idaho, bounded
and more particularly described as follows, to-wit:

Lots 3, 4, 5, 6, and 7 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13;
and Lot 1 of Section 14, all in Township 8 North,
Range 41, East Boise Meridian. Together with all
water rights thereto belonging.

Excepting from said Lot 3 the following described
parcel of land to-wit: Commencing at: the S.E.
Corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 8 North,
Range 41, East Boise Meridian, and running thence
North 370 feet, more or less, to the East bank of
Henry's Fork of Snake River, thence Southwesterly
along the East Bank of said river 488 feet, more or
less, to a point directly West of the point of
beginning, thence East 343 feet, more or less, to
the point of beginning.



Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said parties of the second part their heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seal S the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Mary B. Williams [Seal]

Gomer H. Williams [Seal]

[Seal]

[Seal]

Official

Identification No. _____
Exchange No. 21 4028

STATE OF IDAHO
DEPARTMENT OF RECLAMATION RESOURCES
APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Gail Blanchard
Post office address Chester, Idaho P.O. Box 145
2. Right obtained by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - b. ~~XXXXXX~~ or Claim No. 21-4028 in the records of the Department of Reclamation.
3. Source of water unnamed springs tributary to _____
(Name of stream or source)
4. Date of Priority of Right _____
5. Amount of water
 - a. 0.80 ~~20~~ c.f.s. and/or
 - b. _____ acre feet/annum
6. Water is used for irrigation from Apr. 1 to Nov. 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NE 1/4 SE 1/4 of Section 18,
Township 8N, Range 42E, B.M., in Fremont County.
Additional points of diversion, if any SE 1/4 SE 1/4, Sec. 18

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	
8N	41E	13									6				L.5 23		20		49

Total number of acres to be irrigated 49

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Gail Blanchard
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of July, 1977.

William W. May
(Notary Public)

My commission expires 6/15/81

ACTION OF THE STATE RECLAMATION ENGINEER

I have examined Application for Exchange of Water No. _____ and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions: _____

2. Denial of said application is for the following reasons: _____

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

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by Qu Date 7-15-77 Time 11:20 A. Preliminary check by ROC

Fee \$30.00 #675 Received by Qu Date 7-18-77 Publication prepared by Qu

Date 8-16-77 Published in Rocky Mountain Dates Aug 25 & Sept 1-15

Affidavit of Publication received _____ Publication approved by _____

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by _____

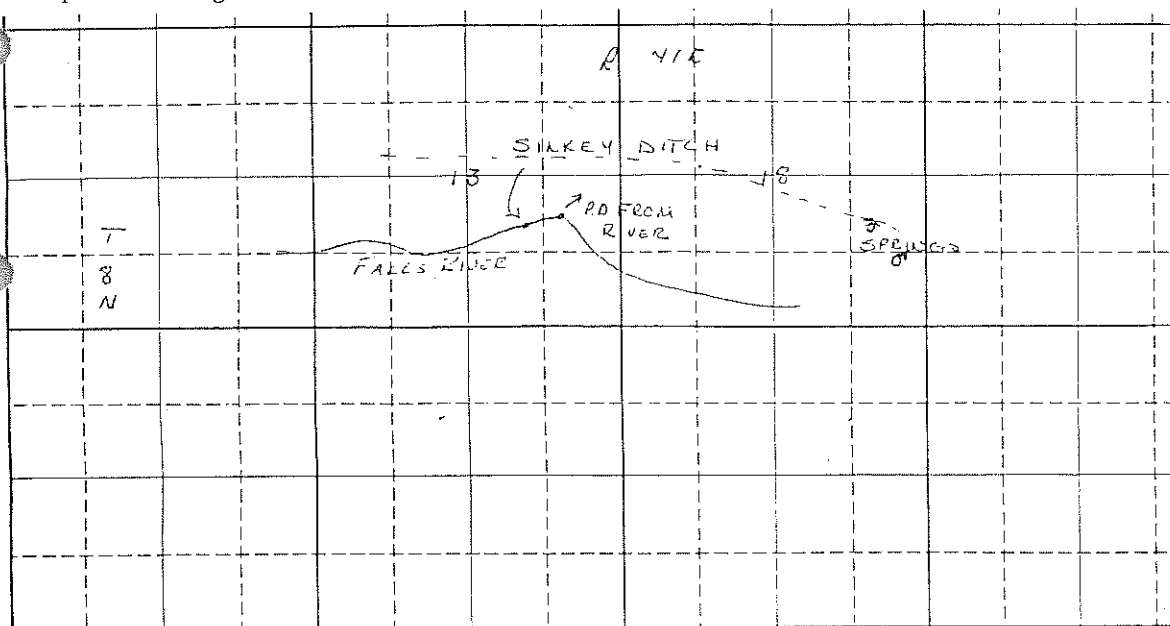
(Title)

9. Name of Right Holder No specific right exchange with river
Post office address _____
10. Source of water Fall River tributary to Henry's Fork
(Name of stream or source)
11. Name of canal or ditch South Branch of Silkey Ditch
12. Amount of water a. N.A. c.f.s. and/or
b. _____ acre feet/annum
13. Right obtained by:
a. Decree to N.A. in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree (if known) _____
- b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE

14. 0.80 c.f.s and/or _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into Falls River at a point in NW 1/4 SE 1/4 of Section 13, Township 8N, Range 41E, B.M. in Fremont County; Additional points, if any _____
15. In lieu thereof 0.80 ~~15~~ c.f.s. and/or _____ acre feet per annum will be diverted from Falls River at a point within the NE 1/4 SE 1/4 of Section 13 Township 8N, Range 41E, B.M., in Fremont County.
16. Explanation the springs described have been used for many years. It is proposed to divert them into Falls River to replace an equal amount from the above reference point or NW 1/4 SE 1/4, Sec. 13, T. 8N, R. 41E

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



Water Location in)
of)
A.S. Anderson)

WATER NOTICE.

*Fremont County
Recorder's Office*

I, A.S. Anderson, do hereby claim 10,000 inches of water measured under a four inch pressure, to be diverted from Fall River by means of two canals; one canal to be diverted from Fall River at a point on south bank of stream, NW $\frac{1}{4}$ Sec. 19, Tp. 8 N., R. 42 E. extending in a westerly direction to Sec. 23, Tp. 8 N., R. 41 E. the point of use, and the canal to be diverted from Fall River at a point on the North Bank of stream in SE $\frac{1}{4}$ Sec. 20, Tp. 8 N., R. 42 E. and extending through sections 20, 19 & 18 in Tp. 8 N., R. 42 E. to center of Sec. 13 in Tp. 8 N., R. 41 E. being end of main canal, the water to be used on Sections 20, 19 & 18 in Tp. 8 N., R. 42 E. and upon Sections 12, 13 & 14 in Tp. 8 N., R. 41 E.

I claim the above water for agricultural, milling, manufacturing and mining purposes and reserve the right to take the requisite number of lateral ditches, necessary for the proper distribution of the water upon all lands lying under said canal.

In witness whereof, I have hereunto set my hand and seal this 10th day of Oct. 1888.

A.S. Anderson. (seal)

Recorded at the request of A.S. Anderson at 30 min. past 9 o'clock A.M.
Geo. A. Robethan Co. Recorder.

Transcribed from book "B" Water Location Record Bingham County, Idaho
page 231.

MICROFILMED
OCT 20 1992