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OCT 10 2003

DEPARTMENT OF  
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

A. )

Subcase )

27-10028

(Insert water right number)

Case No. 39576 )

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: BONNIE P. GARDNER  
LEON J. GARDNER

Address: 469 E. 400 N

BLACKFOOT, ID 83221

Daytime Phone: 208-785-1688 / 208-709-1678

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: BONNIE P. GARDNER  
LEON J. GARDNER

Address: 469 E. 400 N

BLACKFOOT, ID 83221

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☒ **Quantity** IRRIGATION 10.18 CFS 04/01 to 11/01  
Should be: STOCKWATER 0.94 CFS 03/01 to 11/30
4. ☒ **Priority Date**  
Should be: MARCH 30th 1901
5. ☐ **Point of Diversion**  
Should be: \_\_\_\_\_
6. ☐ **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: 136 ACRES
10. ☒ **I object because:**  
☐ This water right Should not exist.

☒ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** RECOMMENDED  
ACRES & CFS IS INADEQUATE. +

F.

VERIFICATION (must be completed)

State of IDAHO )

)ss.

County of BINGHAM )

BONNIE P. GARDNER  
LEON J. GARDNER

(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

x Bonnie P. Gardner

x Leon J. Gardner

(Signature of person filing objection)

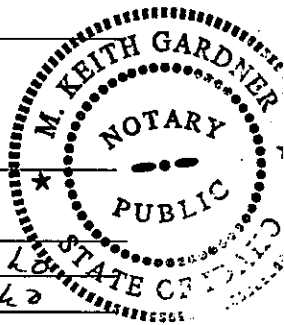
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 8 October 2007

[Signature]  
Notary Public for State of Idaho

Residing at: Blackfoot Idaho

My Commission Expires: 11/7/10



## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on 10/08, 2008, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

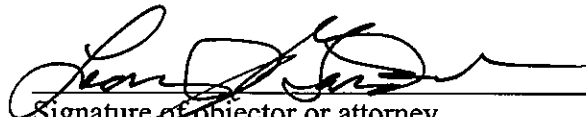
Name: BONNIE P GARDNER  
LEON J GARDNER  
Address: 469 E 400 N  
BLACKFOOT, ID 83721

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449

  
\_\_\_\_\_  
Signature of objector or attorney  
mailing on Objector's behalf

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 27-10028  
Date Received: 10/18/1988  
Receipt No: E003249  
Received By: MWH

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

RECEIVED

OCT 10 2008

DEPARTMENT OF  
WATER RESOURCES

1. Name of Claimant(s)

LEON J GARDNER Phone: (208)785-2040  
469 E 400 N  
BLACKFOOT ID USA 83221

BONNIE P GARDNER Phone: (208)785-1688  
469 E 400 N  
BLACKFOOT ID USA 83221

2. Date of Priority: ~~09/05/1906~~ 03/30/1901

3. Source: SAND CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County  | Type |
|----------|-------|---------|-----------------------|----|----|---------|------|
| 02S      | 36E   | 14      | NW                    | NE | NE | BINGHAM |      |
| 02S      | 36E   | 14      | NW                    | NE | NE | BINGHAM |      |
| 02S      | 36E   | 14      | SE                    | NW | NE | BINGHAM |      |

5. Description of diverting works:

HEAD GATES IN SAND CREEK TO DIVERSION DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 10.18  |            |
| STOCKWATER | 03/01 | 11/30 | 0.94   |            |

7. Total Quantity Appropriated is:  
10.18 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 |
|---------------|-------|---------|------------|-----|------------|-------|
| 02S           | 36E   | 14      | SW         | NE  | IRRIGATION | 11    |
|               |       |         | NE         | NE  | IRRIGATION | 19    |
|               |       |         | SE         | NW  | IRRIGATION | 36    |
|               |       |         | NW         | NE  | IRRIGATION | 36    |
|               |       |         | NW         | NE  | IRRIGATION | 34    |
| Section Acres |       |         |            |     |            | 136   |
| Total Acres   |       |         |            |     |            | 136   |

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

\*\*\*\* AMENDED CLAIM FILED TO CORRECT PRIORITY DATE.

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: 4

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): Bonnie P. Gardner Date: 10/8/08  
Dean J. Gardner 10/8/08 Date:

State of Idaho )  
 County of Bingham ) SS.

Subscribed and sworn (or affirmed) before me this 8th  
 of October 2008

Notary Public

Residing at Blackfoot  
 My commission Expires 11/1/10

