

01/03/2007

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

RIGHT NUMBER: 37-353D

NAME AND ADDRESS: ROBERT E GARDNER
PO BOX 1200
HAILEY ID 83333

KATHRYN ALLRED GARDNER
PO BOX 1200
HAILEY ID 83333

DRAFT

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.600 CFS

Right Nos. 37-353D, 37-418D, 37-419D, 37-443, 37-480B, 37-637, 37-665H, 37-666F, 37-667K, 37-713B, 37-802, 37-2345A, and 37-11671 are limited to a total combined diversion rate of 21.04 cfs.

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.600 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S18	SWNE	40.00	T01N R19E S18	SENE	37.00
T01N R19E S18	NESE	40.00	T01N R19E S18	NWSE	40.00
T01N R19E S18	SWSE	40.00	T01N R19E S18	SESE	40.00
T01N R19E S19	NENE	40.00	T01N R19E S19	NWNE	40.00

317 ACRES TOTAL

Right Nos. 37-353D, 37-418D, 37-419D, 37-2345A and 37-11671 Part are limited to the irrigation of a combined total of 317 acres in a single irrigation season for that land in Sec. 18 & 19 known as the Buhler Ranch.

Right Nos. 37-353D, 37-418D, 37-419D, 37-443, 37-480B, 37-637, 37-665H, 37-666F, 37-667K, 37-713B, 37-802, 37-2345A, and 37-11671 are limited to the irrigation of a combined total of 1552 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a portion of former Right 37-353E.

11/21/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 37-11671

ROBERT E GARDNER

PO BOX 1200

HAILEY ID 83333

Telephone Number: (208)788-2568

KATHRYN ALLRED GARDNER

PO BOX 1200

HAILEY ID 83333

Telephone Number: (208)788-2568

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

11/21/2006

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

RIGHT NUMBER: 37-11671

NAME AND ADDRESS: ROBERT E GARDNER
PO BOX 1200
HAILEY ID 83333

KATHRYN ALLRED GARDNER
PO BOX 1200
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.380 CFS

Right Nos. 37-115B, 37-418D, 37-419D, 37-443, 37-480B, 37-637, 37-665H,
37-666F, 37-667C, 37-667K, 37-713B, 37-802, 37-881, 37-2345, 37-4433
and 37-11671 are limited to a total combined diversion rate of 33.9 cfs.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/15 10/31		1.380 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>				
	T01N R19E S18	SWNE	40.00	T01N R19E S18	SENE 40.00
	T01N R19E S18	NESE	40.00	T01N R19E S18	NWSE 40.00
	T01N R19E S18	SWSE	40.00	T01N R19E S18	SESE 40.00
	T01N R19E S19	NENE	40.00	T01N R19E S19	NWNE 40.00
	T01N R19E S33	NESE	5.00	T01N R19E S34	NWSW 15.00
	T01N R19E S34	SWSW	27.00	T01N R19E S34	SESW 1.00

368 ACRES TOTAL

Right Nos. 37-115B, 37-418D, 37-419D, 37-443, 37-480B, 37-637, 37-665H,
37-666F, 37-667C, 37-667K, 37-713B, 37-802, 37-881, 37-2345, 37-4433
and 37-11671 are limited to the irrigation of a combined total of 1695 acres

in

a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



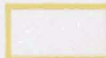
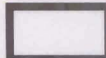
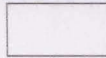
Idaho Department of Water Resources

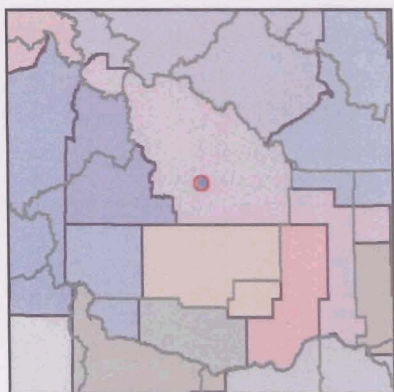
SRBA Recommendation:

37-11671

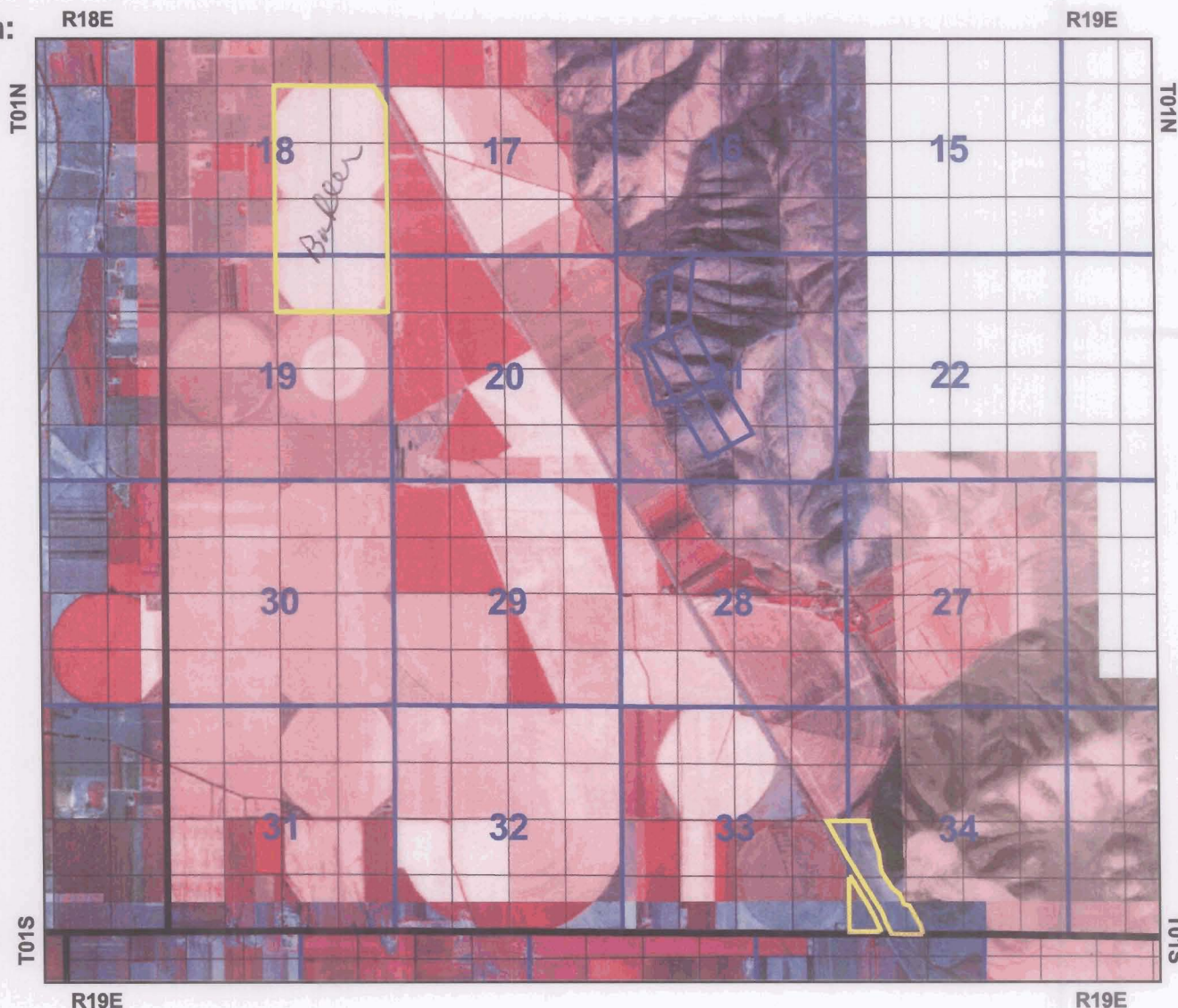
(Irrigation)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 2 4 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
1987/88 Aerial Photography