

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 43-408
Date Received: 6/15/89
Receipt No: S008248
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MATTHEW C GARDINER
234 S 100 W
ST GEORGE UT 84770

Phone: (435) 673-7210

MARIE JEANNE GARDINER
234 S 100 W
ST GEORGE UT 84770

Phone: (435) 673-7210

2. Date of Priority: 05/01/1906

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	26E	23	SE SE NW	CASSIA	

5. Description of diverting works:

HEADGATE, DITCH, WEIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.4	

7. Total Quantity Appropriated is:
2.36 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
13S	26E	23	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	80
13S	26E	24	NW	NW	IRRIGATION	38
					Section Acres	38
					Total Acres	118

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

ORIGINALLY DECREED 2.4 CFS, CLAIMED 2.36
3/8/01 tf; ownership changed Mary Gardiner and Gloria Ottley to Matt Gardiner per
1409(6) and warranty deed received 3/7/01.

15. Basis of Claim: Decreed

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED
FEB 26 2001
Department of Water Resources
Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-408</u>	<u>43-408</u>	—	<u>43-18</u>	<u>43-18A</u>	—
<u>43-4158</u>	<u>43-4158</u>	—	<u>43-19</u>	<u>43-19A</u>	—
<u>43-15</u>	<u>43-15A</u>	—	<u>43-20</u>	<u>43-20A</u>	—
<u>43-16</u>	<u>43-16A</u>	—	<u>43-21</u>	<u>43-21A</u>	—
<u>43-27, 43-17</u>	<u>43-17A</u>	—	<u>43-22, 43-23, 43-24</u>	<u>43-22A</u>	—
			<u>43-25</u>	<u>43-25A</u>	—
			<u>43-26</u>	<u>43-26A</u>	—
			<u>43-29</u>	<u>43-29A</u>	—

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Mary Gardiner, 183 A Street, Salt Lake City, UT 84103

Gloria Ottley, 752 Road L S.W., Quincy WA 9884

4. New Owner/Claimant(s)

Matthew Gardiner or Marie Jeanne Gardiner

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

234 So. 100 W.

City, State and ZIP Code

St George, UT 84770

New Telephone Number

(435) 673-7210 or wk (435) 674-6080

5. Date you acquired the property

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

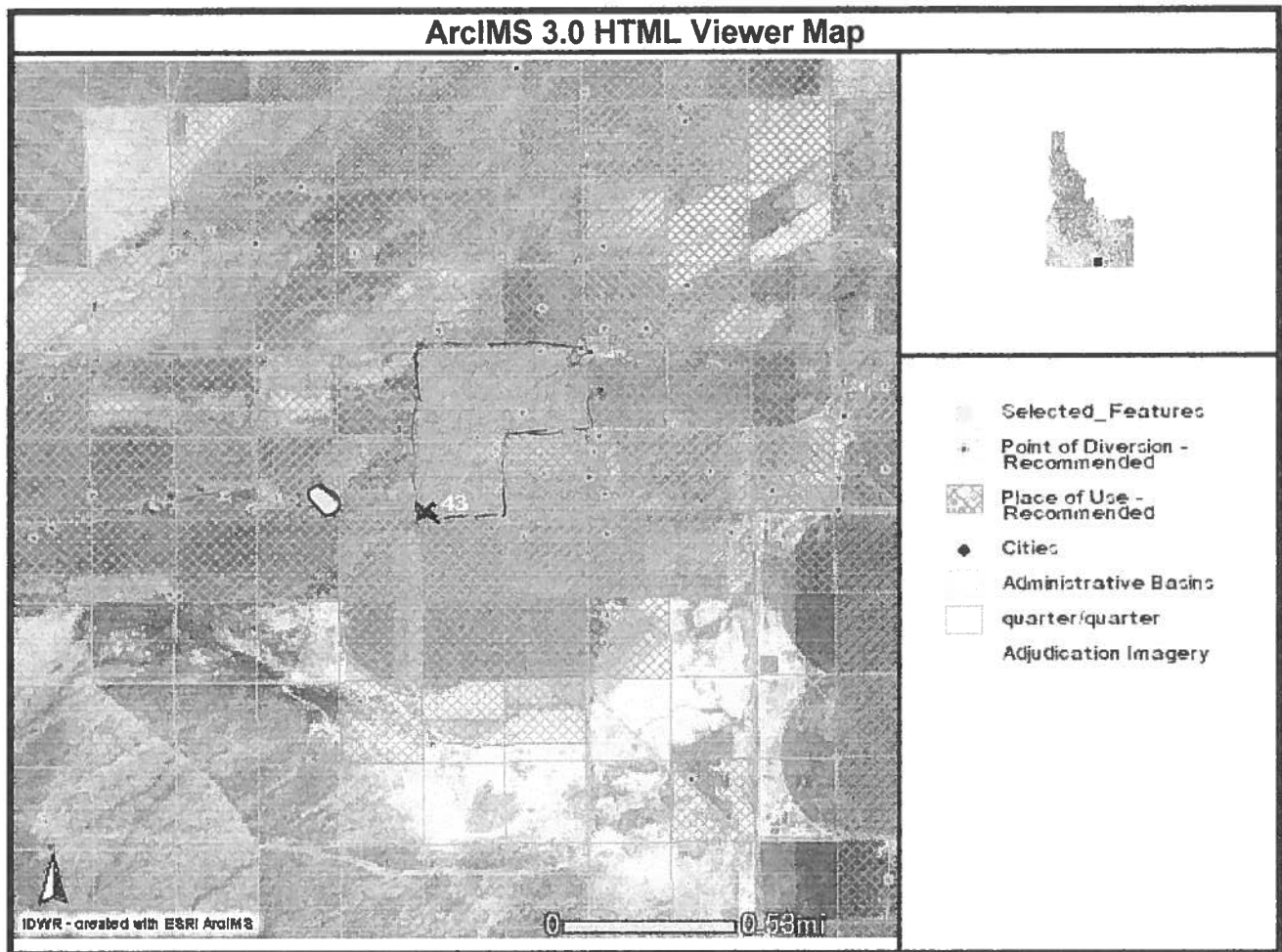
Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Matthew Sardine
Marie Joanne Sardine

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by [Signature] AJ Date 3/8/01 WR _____ Date _____



O creek water point of diversion
X ground water point of diversion

Feb 7, 2001

Real Estate Purchase Contract

Buyers, Matt Gardiner and Marie Jeanne Gardiner residing at 234 South 100 West, St George, Utah 84770, offer to purchase the Property described below.

120 acres with the following legal description
Township 13S, Range 26E, Section 23, Tract NENE, 40 acres, and
Tract SENE, 40 acres, and Township 13S, Section 24, Tract NWNW,
40 acres. Located in Cassia County, Idaho, USA.

Included in the sale are all water rights associated with the property including rights 43-4158, 43-408, and all structures and improvements attached to the land.

Purchase Price is \$75,000.00.

Seller agrees to pay for a standard-coverage owner's policy of title insurance, insuring Buyer in the amount of the Purchase Price.

Buyer agrees to allow the sellers to maintain possession of the house for up to 18 months following the date of closing of the sale to allow for retrieval of personal property in the house and buildings. If the sellers finish retrieving their personal belongings prior to 18 months after the date of closing, the sellers agree to notify buyers and to deliver keys to the buyers at that time.

This Agreement may be executed in counterparts and when taken together shall constitute the entire document.

Method of Payment:

Sellers will contact Land Title & Escrow in Burley, Idaho, or another reputable title and escrow company in Cassia County, Idaho, forwarding the essential information contained in this agreement to the title company, with a request for a title insurance policy on the property. The Buyer agrees to pay the sales price to the sellers through the intermediary Title Company with a cashier's check or fed funds wire within 14 days of notice from the title company that the paper work is completed.

• We agree to this sales contract and have signed below to signify our acceptance of its terms.

Buyers:

Matthew Gardiner

Matthew Gardiner
234 South 100 West
St. George, Utah 84770
(435) 674-6080
(435) 673-7210

Marie Jeanne Gardiner

Marie Jeanne Gardiner

Sellers:

Mary Gardiner

Mary Gardiner
183 A Street
Salt Lake City, Utah 84103

Gloria Ottley

02-01-01
90
Gloria Ottley
~~80 L Road SW~~ 752 ROAD L S.W.
Quincy, Washington 98848

RECEIVED

FEB 26 2001

Department of Water Resources
Southern Region

To: IDWR
From: Matt Gardiner
Date: February 20, 2001
Subject: Notice of Change in Water Right Ownership (enclosed)

I understand that the preliminary director's report for the water rights on the enclosed form should be coming out on the 5th of March. I would like the water right correspondence on these claims to come to me.

The sale should close this week, however, with one owner in the state of Washington and the other in Utah, I don't know the exact time when all the paper work will be complete. The sales contract is attached as proof of change of ownership. You can call Land Title and Escrow in Burley Idaho to verify that the sale is in progress. When I get a copy of the deed, I will fax the IDWR a copy.

I request that a copy of the water right claims correspondence be sent to me.

Thank You



Matt Gardiner
(435) 674-6080

To: Department of Water Resources

From: Matthew and/or Marie Gardiner

Date: March 5, 2001

Subject: Change of ownership of water rights 43-4158, 43-408, 43-15A through 43-29A

3 pages including this page

I have previously sent a IDWR form giving notice of change of ownership of water rights 43-4158, 43-408, and 43-15A through 43-29A. At the time the form was sent I sent a purchase contract as evidence of ownership and wrote a note indicating that I would send a copy of the deed when the sale was complete. Please add the attached copy of the deed to my file.

Thank You



Matt Gardiner

WARRANTY DEED

#33800

For Value Received

MARY U. GARDINER and GLORIA J. OTTLEY, formerly known as GLORIA J. GARDINER, as their sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MATTHEW C. GARDINER, SR. and MARIE JEANNE GARDINER, husband and wife
Address: 234 South 100 West, St. George, Utah 84770

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

**TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 23: E½NE¼

Section 24: NW¼NW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to water License Nos. 43-4158 and 43-408

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2001 and subsequent years.

Agreement For Purchase Of Power between Raft River Rural Electric Cooperative, Inc., Seller and Golden Gardiner, Consumer, dated October 25, 1961 and recorded April 15, 1963 as Instrument No. 12317 on Film No. 20, records of Cassia County, Idaho, covering the E½, NE¼, Section 23, Township 13 South, Range 26 East of the Boise Meridian.

Reservation contained in State of Idaho Deed to Mrs. Hope H. Gardiner and Mary U. Gardiner and Gloria J. Gardiner, dated March 25, 1974 and recorded September 19, 1974 as Instrument No. 78797 on Film No. 91, records of Cassia County, Idaho, which reads as follows: "reserving to the State all Mineral rights in lands sold subsequent to the 8th day of May 1923."

Agreement For Purchase Of Power between Raft River Rural Electric Cooperative, Inc., Seller and Golden Gardiner, Consumer, dated October 25, 1961 and recorded March 21, 1979 as Instrument No. 115134 on Film No. 124, records of Cassia County, Idaho, covering the E½, NE¼, Section 23, Township 13 South, Range, 26 East of the Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

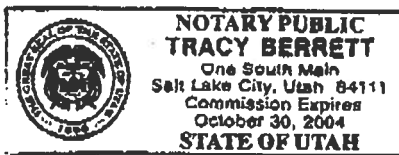
Dated: March 1, 2001

Mary U. Gardiner
MARY U. GARDINER

Gloria J. Ottley 03-05-2001
GLORIA J. OTTLEY, formerly known as
GLORIA J. GARDINER

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

On this 1st day of March, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY U. GARDINER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Tracy Berrett
Notary Public
Residing at: One South Main St., Ut 84111
My Commission expires: October 30, 2004

STATE OF WASHINGTON)
COUNTY OF) ss.

On this 5th day of March, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared GLORIA J. OTTLEY, formerly known as GLORIA J. GARDINER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Kathy P. Tobin
Notary Public
Residing at: Gunnep
My Commission expires: 01-27-05



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: A43-00408
Date Received: 6/15/1989
Receipt No: S008248
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLORIA OTTLEY 509-785-4461
Address: 80 L ROAD S.W.
QUINCY, WA 98848

AND/OR

Name: MARY U. GARDINER 801-359-5045
Address: 183 A STREET
SALT LAKE CITY, UT 84103

2. Date of Priority: MAY 01, 1906

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	23	SE	SE	NW		CASSIA

5. Description of diverting works:
HEADGATE, DITCH, WEIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		

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

A.F.A.

8. Total consumptive use is 354.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-00408

Page 1

Date: 06/15/89

MICROFILMED
MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	23	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	80.0
		24	NW	NW		IRR	38.0
						Section Acres	38.0
						Total Acres	118.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04158

14. Remarks:
ORIGINALLY DECREED 2.4 CFS, CLAIMED 2.36

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

GAMBLE

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: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

RECEIVED

JUN 5 1989

Department of Water Resources
Southern Region OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MARY U. GARDINER OR GLORIA G. DITLEY Phone (801) 359-5045
Mailing Address 183 'A' St., Salt Lake City, Utah Zip 841032. Date of Priority (Only one (1) per claim) May 1, 19063. Source of water supply (a) CASSIA Creek
which is tributary to (b) Raft River4. a. Location of existing point of diversion is: Township 13S Range 26E Section 23,
SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CASSIA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Originally A wood and earth dam was
used to divert the water. The dam was recently replaced by a headgate. There
is also A headgate on the ditch at the point of diversion. Just past the headgate
there is A weir.

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MAR 03 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 2.36 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.36 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 354 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	26E	23	40			40													80
		24						38											38

Total number of acres irrigated 118

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
43-4158 or None ()

14. Remarks: Re: Item 1 Address of 2nd Named CLAIMANT
GLORIA G. OTTLEY Phone (509) 785-4461
80 L Rd. S.W.
Quincy, Washington 98848

MICROFILMED

MAR 03 1993

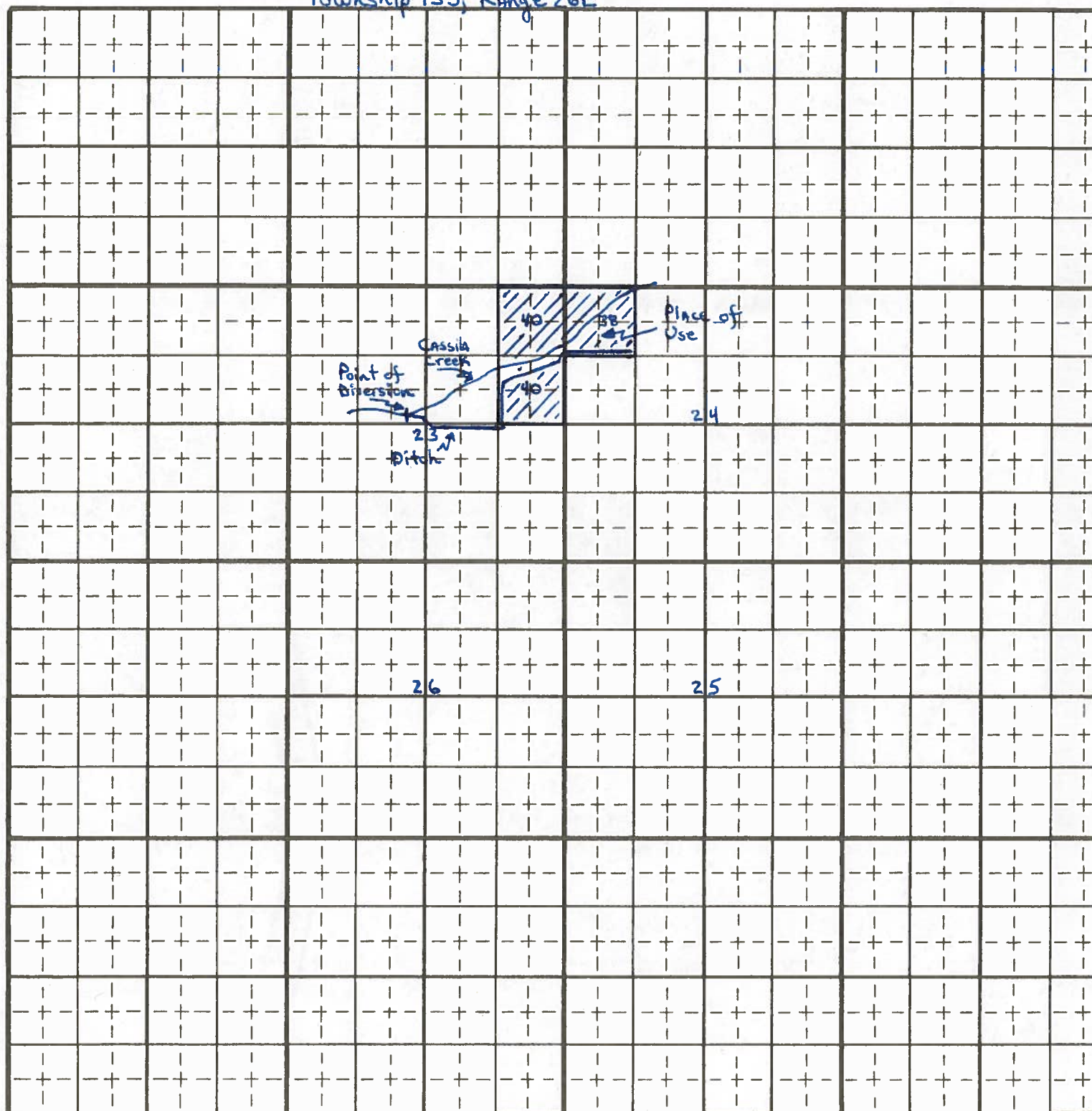
Last Name Gardiner Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

Township 13S, Range 26E



MICROFILMED

MAR 03 1993

Last Name Gardiner

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒

If applicable provide IDWR Water Right Number 43-0408

Court Cassia Co. District Ct. Case Number 4362 Decree Date January 3, 1943

Plaintiff vs Defendant State of Idaho v. C.S. Gamble

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Mary H. Gardiner Date 5-29-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 29th day of May 19 89

SEAL

Notary Public Rosella Hedden

Residing at Mallett, Idaho

My Commission Expires April 6 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MAR 03 1993

Last Name Gardiner Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 17, 1989

Re: A43-00408
A43-04158

Mary U. Gardiner
183 A Street
Salt Lake City, Ut 84103

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 03 1993

03/08/2001

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

RIGHT NUMBER: 43-408

NAME AND ADDRESS: MARIE JEANNE GARDINER
MATTHEW C GARDINER
234 S 100 W
ST GEORGE, UT 84770

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 2.36 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-408 AND 43-4158.

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION: T13S R26E S23 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.36 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R26E S23	NENE	40	T13S R26E S23
T13S R26E S24	NWNW	38	SENE 40

118 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 118 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 43-408 AND 43-4158.

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

01/24/2001

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

RIGHT NUMBER: 43-408

NAME AND ADDRESS: MARY U GARDINER
183 A STREET
SALT LAKE CITY, UT 84103

GLORIA OTTLEY
80 L ROAD SW
QUINCY, WA 98848

VERIFIED BY KKC

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 2.36 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-408 AND 43-4158.

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION: T13S R26E S23 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.36 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R26E S23	NENE	40	T13S R26E S23
T13S R26E S24	NWNW	38	SENE 40

118 ACRES TOTAL

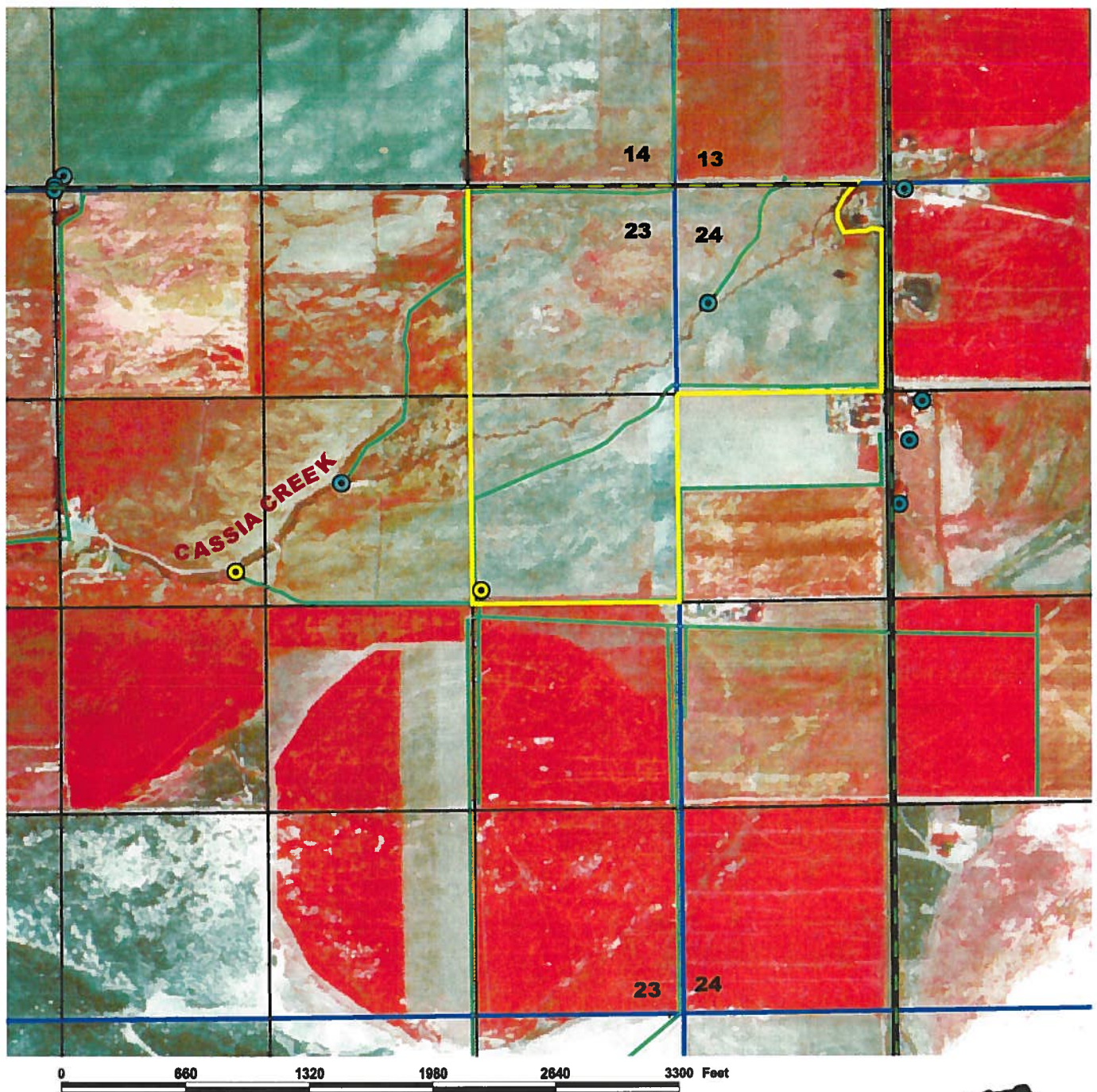
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 118 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 43-408 AND 43-4158.

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

RECOMMENDED PLACE OF USE FOR 43-408, AND 43-4158



PLACE OF USE

TWP 13S, RNG 26E, SEC 23 & 24

Data entry on January 24, 2001

GIS PLACE OF USE PRESENTATION

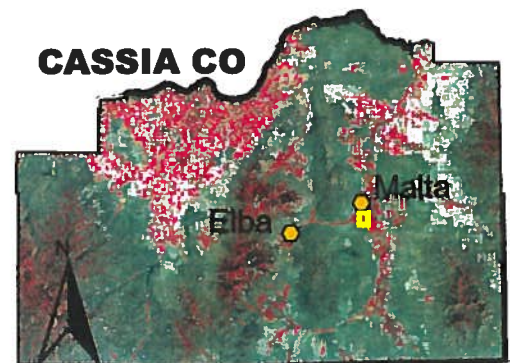
1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE
SECTION LINES
QUARTER/QUARTER LINES

CASSIA CO



CLAIM NUMBER 43-04158 DATE _____
43-00408 AGENT _____

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 118
GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	26E	23	40			40													8
GIS				39.8			39.8													
RECOM																				
CLAIM	13S	26E	24					38												3
GIS								37.8												
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-DBPOU.SHP

Some = GW for 43-04158 43-00408 - surface water.

SHAPE NOS.

P/U overlap with 43-00017A & 9 other claims

43-DBPOD.SHP

Ownership? Both systems have Mary Gardiner as an owner but different different second owners.

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

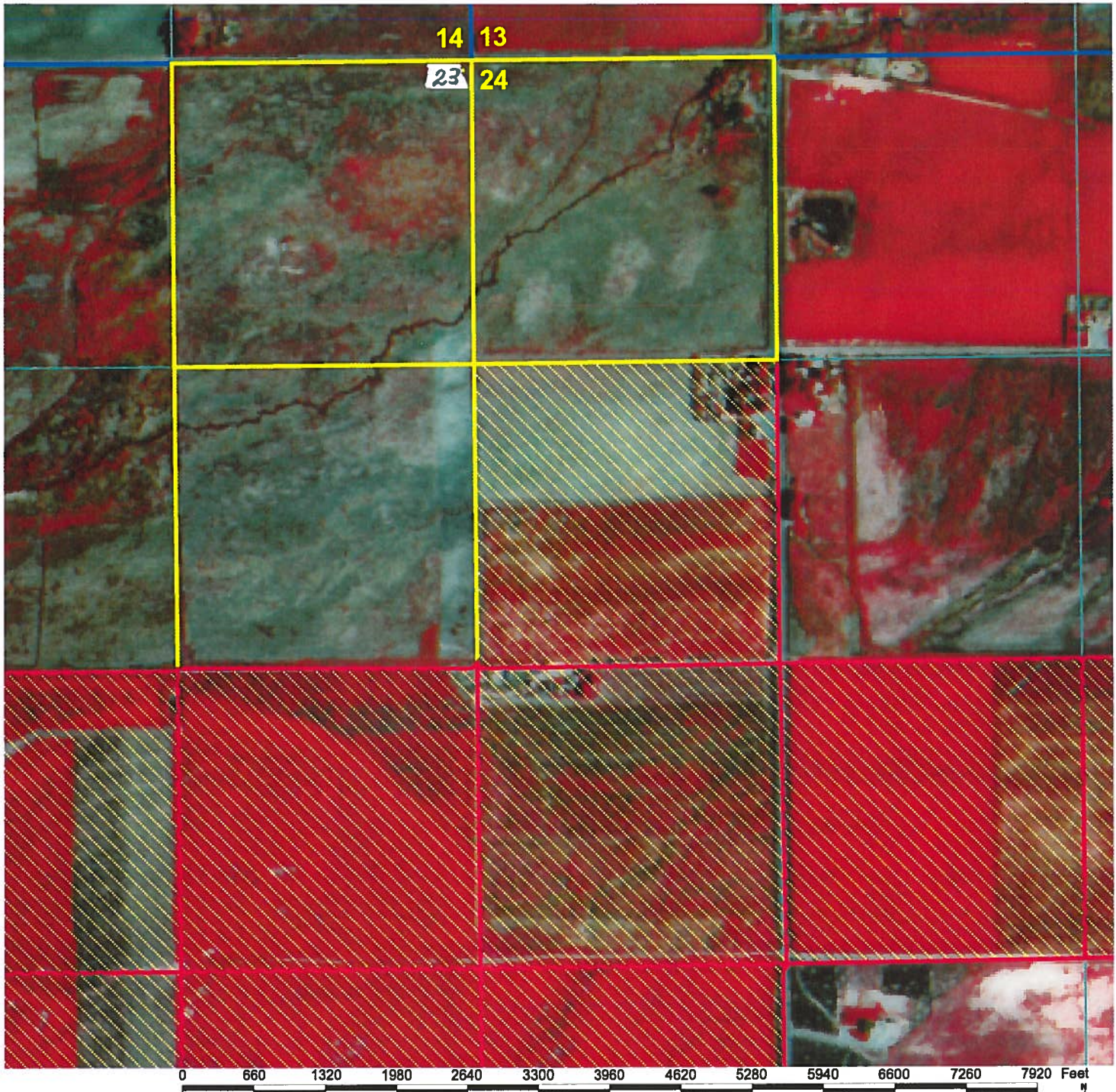
JPEG LAYOUT

IDAHO DEPARTMENT OF WATER RESOURCES

Claims by system

1. A43-00408 & A43-04158

2. A43-00015A, 00016A, 00017A, 00018A, 00019A,
00020A, 00021A, 00022A, 00025A, 00026A, & 00029A



TWP 13S; RNG 26E;
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED 4-26-99

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- ELBA AREA STREAMS
- ELBA AREA DITCH SYSTEM
- OUTSIDE CLAIMED P/U
- CLAIMED POINT OF DIVERSION
- CLAIMED PLACE OF USE
- SECTION LINES
- QUARTER QUARTER LINES

CASSIA Co.

