

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: A43-02573
Date Received: 4/28/1989
Receipt No: C006507
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN F. GARDINER 208-645-2563
Address: HC 72, BOX 2038
MALTA, ID 83342

2. Date of Priority: MAY 22, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	26E	26	SW	NE	NE		CASSIA

5. Description of diverting works:
WELL, 16" & 12" CASING, 510' DEEP, 60 HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.000		

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

8. Total consumptive use is 501.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	26E	23	NE	SE		IRR	39.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0

Section Acres 156.0

A43-02573

Page 1

Date: 05/01/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	24	SW SW		IRR	11.0
Section Acres						11.0
Total Acres						167.0

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:
43-04240, 43-00015

14. Remarks:

***** MEMO TO FILE *****
TRANS. 2488.

15. Basis of Claim: LICENSE
Water Right Number: 31139

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 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 443-02573Date Received 4-28-89Receipt Number C006507

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Golden F. Gardiner Phone (208) 645-2563Mailing Address HC 72 Box 2038, Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) May 22, 19633. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 13 S Range 26 E Section 26,
SW 1/4 of NE 1/4 of NE 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.

The original well was drilled in 1949 to a depth of 350 feet with a 16 inch diameter. The well was deepened to 510 feet with a 12 inch diameter in Jan. 1966. The pump column is eight inches in diameter. A 30 horsepower pump was installed in 1955. The 30 horsepower pump was replaced by a 60 horsepower pump in 1966. Only unlined ditches were used originally. However, the ditches were eventually replaced by pipelines and a sprinkler irrigation system which was completed in 1980.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov. 15 amount 3.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 501 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	
<u>13S</u>	<u>26E</u>	<u>23</u>													<u>39</u>	<u>39</u>	<u>39</u>	<u>39</u>	<u>156</u>
		<u>24</u>											<u>11</u>						<u>11</u>

Total number of acres irrigated 167

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.
43-4240, 43-0015 or None ()

14. Remarks:

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Last Name Gardiner

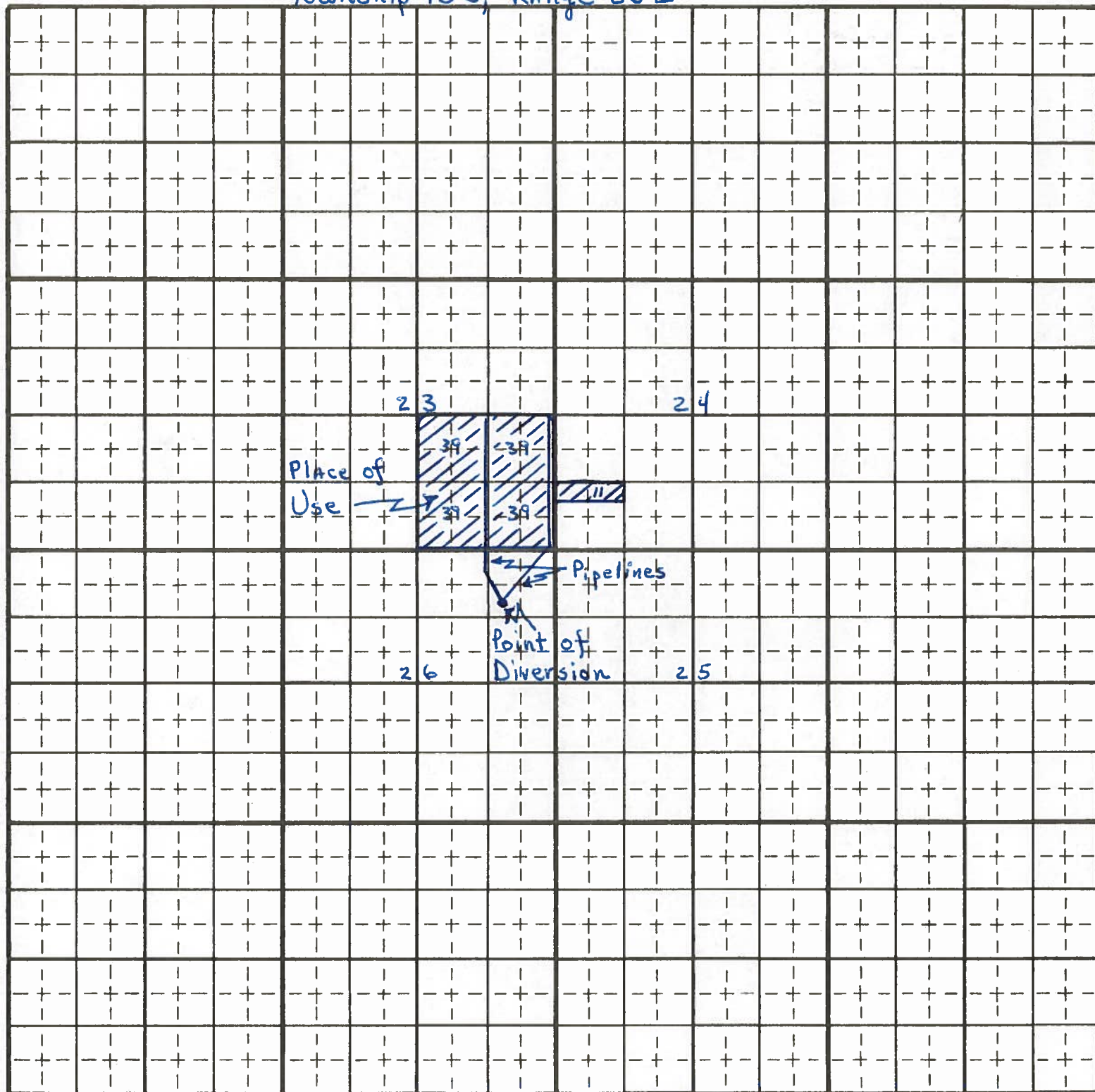
Ident No. 443-02573

Copies: White -State, Yellow -Bureau
MAR 8 4 1993

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 13 S, Range 26 E



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Last Name Gardiner

Ident No. A43-02573

Copies: White-State, Yellow-Chicago MAR 04 1993

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

Decree _____

If applicable provide IDWR Water Right Number G-31139/43-2573

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Golden F Gardiner Date 4-28-89

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 _____)

County of CASSIA)

SS.

Subscribed and sworn (or affirmed) before me this 28th day of April 19 89

SEAL

Notary Public Jasut Valley

Residing at Malta Idaho

My Commission Expires 3/17/92

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 _____

Last Name Gardiner Ident. Number A43-02573

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Copies White-State, Yellow-Claimant MAR 04 1993

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Gand

CL

IDENT. NO.

443-02573

DATE RECEIVED

4-28-89

CK #

AMOUNT \$

200,650.7

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☐ YES ☒ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO
12. Is the ownership of p.u. checked? ☐ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO N/A
15. Is the basis of the claim indicated? ☐ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A
22. Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by:

CA

Date: 4-28-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)

Receipt Prepared by:

CA

Date:

4-28-89

Claim data entered by:

CA

Date:

4-28-89

Checked by:

Date:

Sent to claimant by:

Date:

5-1-89

Comments:

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MAR 04 1993

01/26/2001

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

RIGHT NUMBER: 43-2573

NAME AND ADDRESS: GOLDEN F GARDINER
HC 72 BOX 2038
MALTA, ID 83342

SOURCE: GROUND WATER

VERIFIED BY KKCQUANTITY: 3 CFS
668 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE
OF 3.30 CFS COMBINED RIGHT NOS. 43-2573 & 43-4233.

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE. COMBINED RIGHT NOS. 43-2573, 43-4240, & 43-10123

PRIORITY DATE: 05/22/1963

POINT OF DIVERSION: T13S R26E S26 SWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	3.00 CFS 668.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH
15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE
RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31
UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE
IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R26E S23	NESE	39	T13S R26E S23 NWSE 39
T13S R26E S23	SWSE	36	T13S R26E S23 SESE 39
T13S R26E S24	SWSW	11	T13S R26E S26 NWNE 3

167 ACRES TOTAL

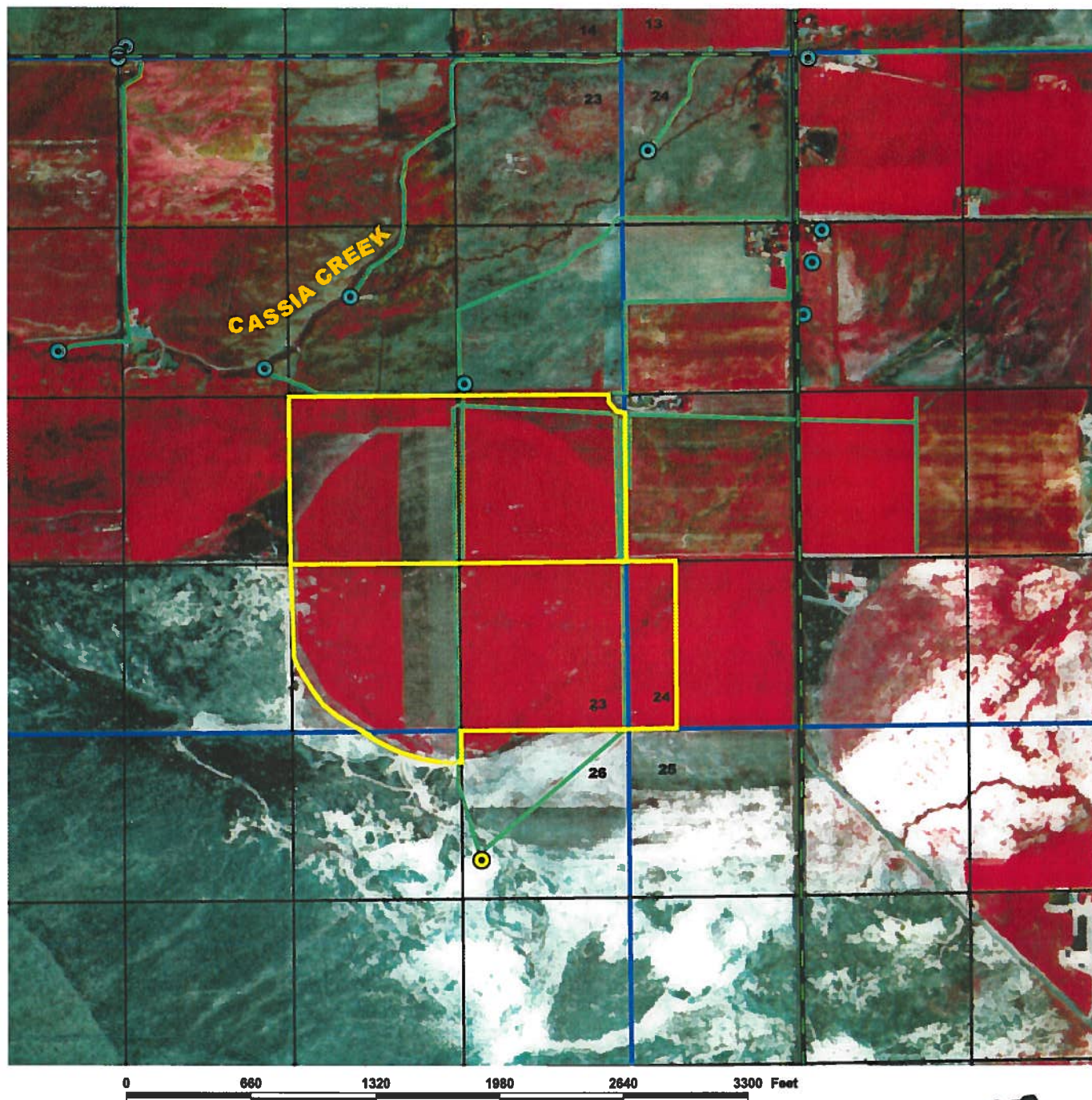
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 330 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS. 43-2573, 43-4240, & 43-10123

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 - License

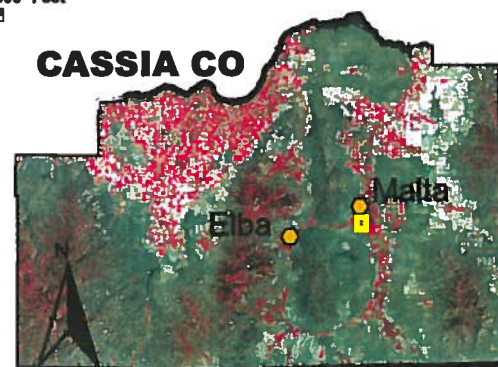
RECOMMENDED PLACE OF USE FOR 43-2573



PLACE OF USE
TWP 13S, RNG 26E, SEC 23, 24, & 26
Data entry on January 26, 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**



43-02573

T 2488 approved to change P/U. P/D did not change

Priority date: May 22, 1963

Transfer Approved: Feb 1, 1981

43-04233 no evidence of priority in micro fiche

Claimed priority date: 4-1-1955

orig system = drilled in 1949

16" dia 350' deep

30 HP pump installed in 1955 open ditch

60 HP pump " " 1966 sprinkler system by 1980

field exam for 43-02573 was conducted on 7-3-67
found 60 HP pump 3.33 CFS capacity.

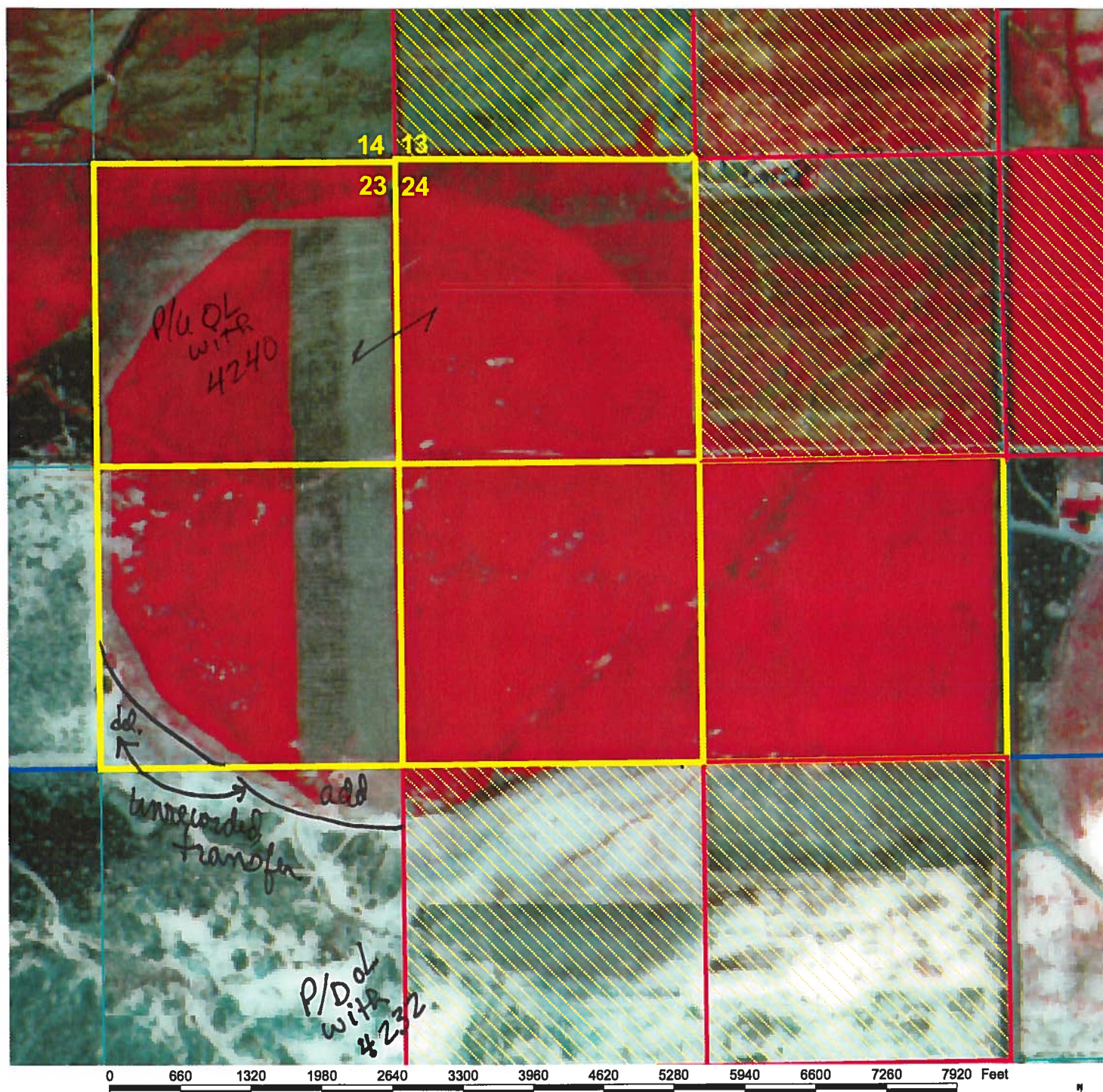
the field exam identifies that irrigation occurs in
the claimed P/U for 43-04233. no acres identified.

The 1962 & 1968 aerial photos indicate that
some irrigation was occurring as of the date of the photos.

IDAHO DEPARTMENT OF WATER RESOURCES

Claims by system

1. A43-02573
2. Multiple partial overlaps have been claimed within the claimed place of use boundary.



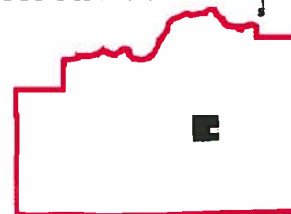
TWP 13S; RNG 26E;
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED

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.



Surface Water Rights

Priority
A43-00300 - 4-1-06 .76 CFS for 38 AC = .02 CFS/AC
Sec 24

A43-00301 - 4-1-13 .80 CFS for 80 AC = .01 CFS/AC

complete overlap.
A43-00408 5-1-06 2.40 CFS for 118 AC = .0203 CFS/A.

A43-04292 4-1-31 .80 CFS for 80 AC = .01 CFS

complete overlap with 43-00301 bringing the rate per acre up to 1" to the Acre. (no evidence in file)

A43-04240 3-1-49 2.40 CFS 116 AC = 0.0207 CFS/A
No overlap with other surface water rights.

Claims 43-00015A thru 43-00029A are for the total P/U represented by the above claims.

Surface Water Rights

Priority
A43-00300 - 4-1-06 .76 CFS for 38 Ac = .02 CFS/Ac
Sec 24

A43-00301 - 4-1-13 .80 CFS for 80 Ac = .01 CFS/Ac

complete overlap.
A43-00408 5-1-06 2.40 CFS for 118 Ac = .0203 CFS/Ac

A43-04232 4-1-31 .80 CFS for 80 Ac = .01 CFS

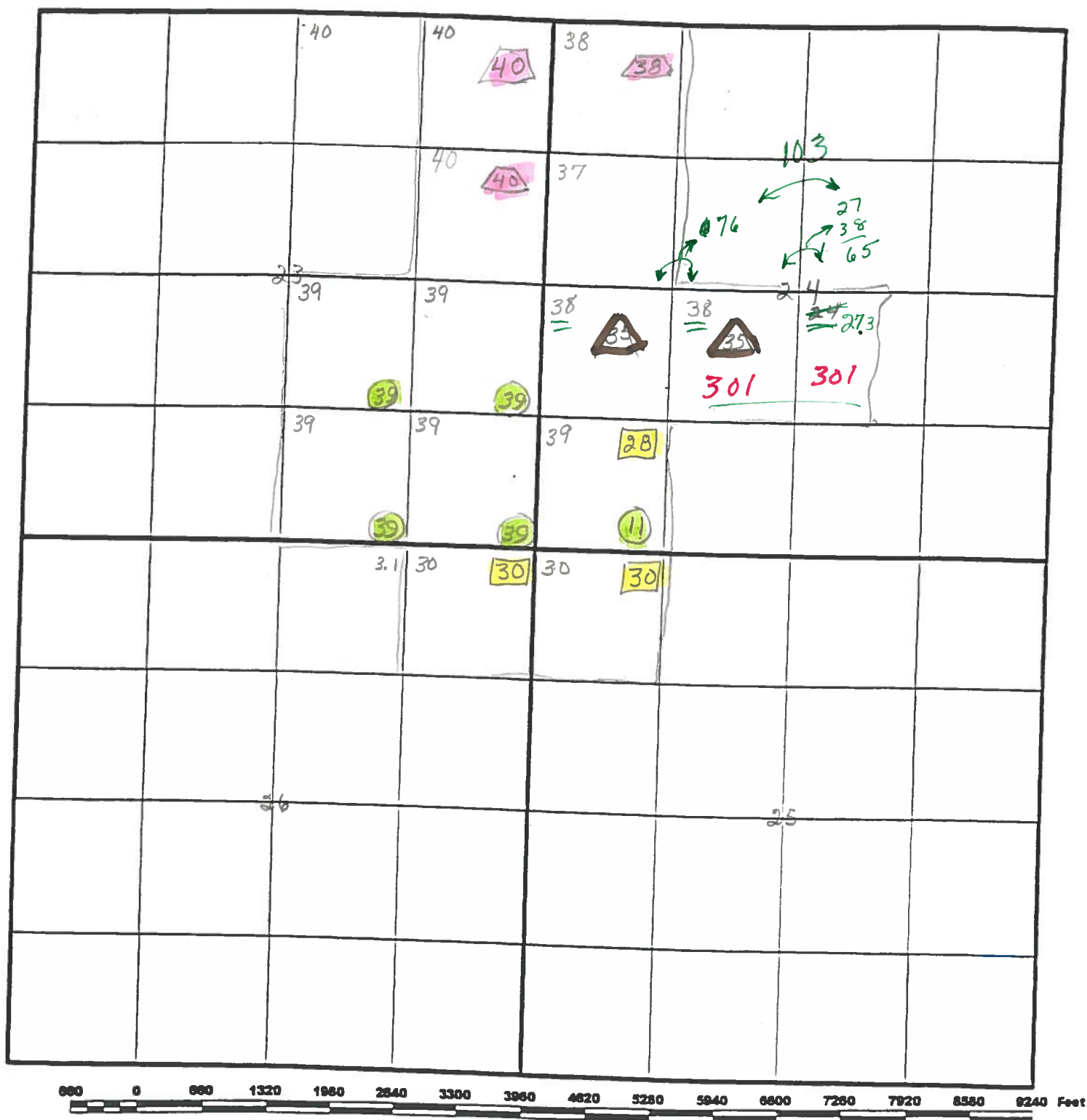
complete overlap with 43-00301 bringing the rate per acre up to 1" to the acre. (no evidence in file)

Recommended on same P/U as 43-301 on 65 acres. $65 \cdot .02 = 1.30 \text{ CFS}$

$1.30 \text{ CFS} - 0.80 \text{ CFS (from 301)} = \underline{0.50 \text{ CFS}}$. rate for 43-4232

A43-04240 3-1-49 2.40 CFS 116 Ac = 0.0207 CFS/Ac
No overlap with other surface water rights.

Claims 43-00015A thru 43-00029A are for the total P/U represented by the above claims.



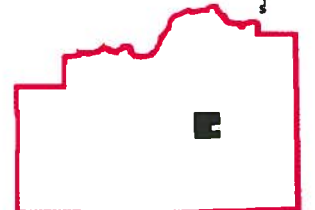
$\textcircled{ac} = 43-2573 \quad 167ac \quad \left. \begin{array}{l} \\ \\ \end{array} \right\} \text{P/D Sec 26}$
 $\boxed{ac} = 43-4233 \quad 88ac$
 $\textcolor{pink}{\triangle ac} = 43-4158 \quad 118ac \quad \left. \begin{array}{l} \\ \\ \end{array} \right\} \text{P/D Sec 23}$
 $\triangle ac = 43-10123 \quad 70ac$

Claims by system

-
- Mary U Gardiner & or Gloria Ottley**
- (1) 43-00408 & 04158 → GW S23 →
- Mary Gardiner & or Golden Gardiner**
- (2) 43-00015A thru 00029A (11 claims)
- Golden F Gardiner**
- (Diagonal Stripes) 43-00300
 - (3) 43-04233 GW Sec 26 *
 - (3) 43-00301 & 04232 Surface w.
 - (3) 43-02573 GW Sec 26 *
 - (3) 43-04240 S water
 - (3) 43-10123 GW S23 →
- Handwritten notes on map:
- P/O well
 - 4158 10123
 - 4240
 - 2573
 - 4240
 - 10123
 - no decreed rights
 - no surface water?
 - 23 24
 - 26 25
 - 4233
 - no decreed rights
- Scale: 0 660 1320 1980 2640 3300 3960 Feet

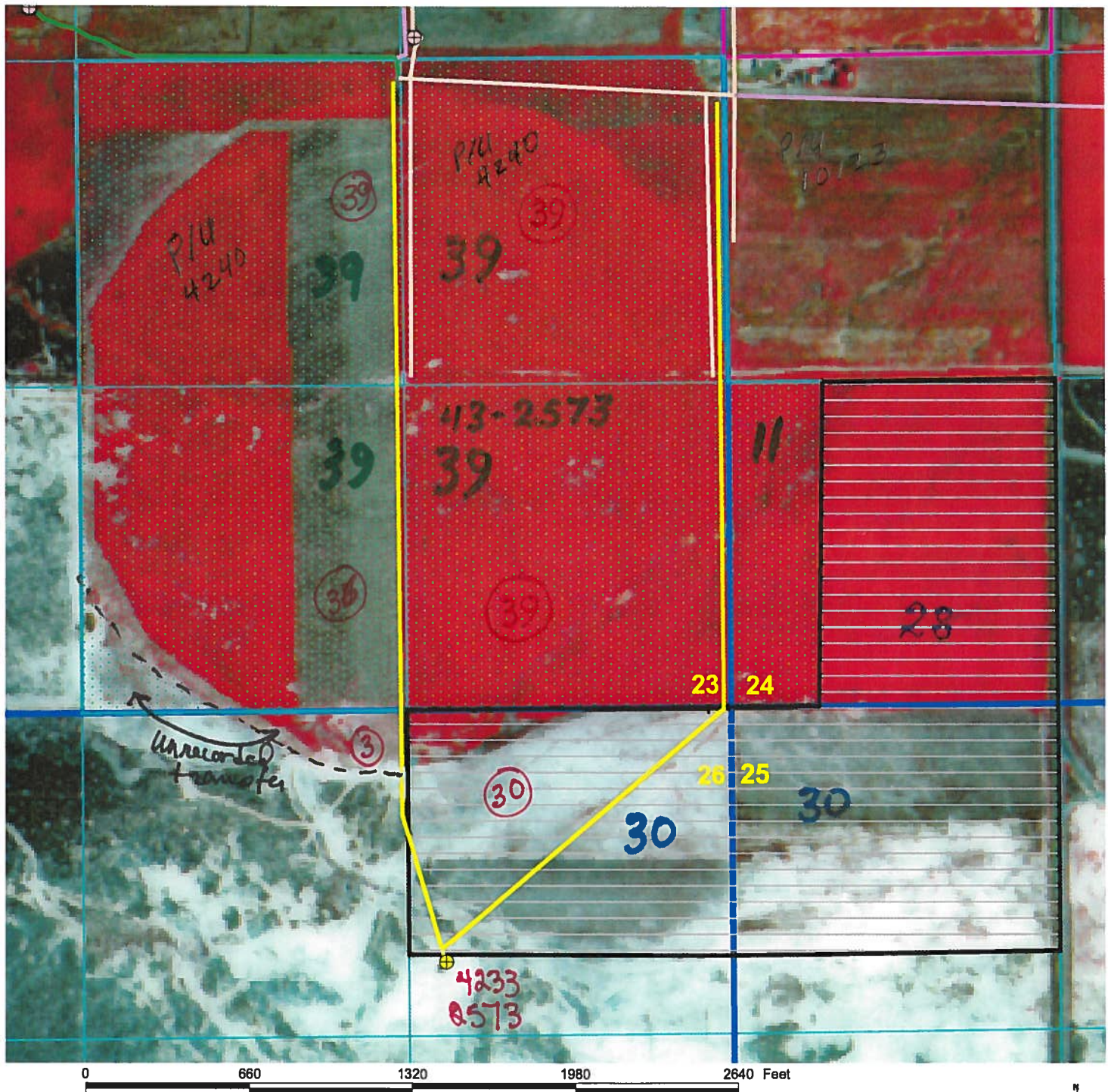
JPEG LAYOUT CREATED

-  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.

IDAHO DEPARTMENT OF WATER RESOURCES

Gardiner Delivery system & P/U
for Well in Sec 26 SWNE
A43-04233 & A43-02573



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

JPEG LAYOUT CREATED

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

- AREA STREAMS
- AREA DITCH SYSTEM
- CLAIMED POINT OF DIVERSION
- A43-02573
- A43-04233
- SECTION LINES
- QUARTER QUARTER LINES



RECEIVED
FEB 23 1981

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Transfer No. 2988
Application No. 43-2573

APPROVED

Name of applicant Golden F. Gardiner Phone 645-2563
Post office address Malta, Idaho 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. G-31139/43-2573 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Well, groundwater tributary to _____

4. Date of priority May 22, 1963

5. Water is used for the following purposes:

amount 3.0 cfs for irrigation purposes from April 1 to October 31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6. Total amount of water under right: a. 3.0 cubic feet per second

b. 668 &/or acre feet per annum

7. Location of original point of diversion is NE 1/4 of NE 1/4 of Section 26

Township 13 S. Range 26 E. B.M., in Cassia County

Additional points of diversion, if any _____

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	
13S	26E	23													39				39
		24							38		37	23	7			23			128

Total number of acres to be irrigated 167

T# 2488
-2573

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13S	26E	24							38		37	23	7				23		128
13S	26E	23													39				39
																			167

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion (No change)

- a. Amount of water to be diverted 3.0 c.f.s. &/or 668 acre feet
- b. Point(s) of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26 Township 13S
Range 26 E, B.M., Cassia County _____
Additional points _____

- c. Description of diverting works Well, pump & pipe line
- d. Describe the reasons for applying for a change in the point(s) of diversion Use the water nearer the well.

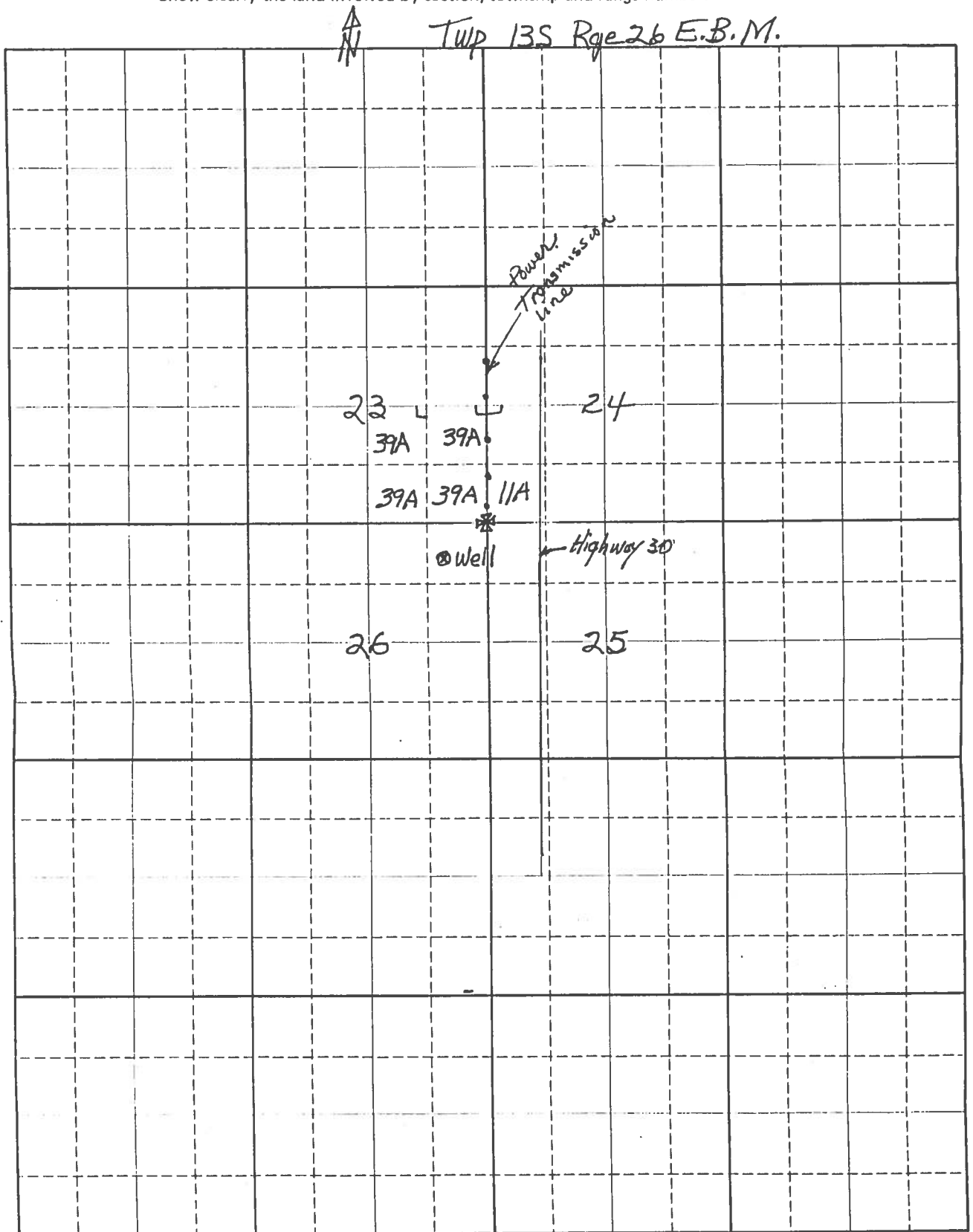
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13S	26E	23													39	39	39	39	156
13S	26E	24									11								11

Total number of acres to be irrigated 167

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Gordon F. Gardner
(Signature of applicant)

Subscribed and sworn to before me this 31 day of Oct., 1980

Leif J. Meacham
(Notary public)

My commission expires 3/3/84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2573,
and said application is hereby approved.

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

The right hereby transferred is totally removed from lands within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 13 S., R. 26 E. Any further irrigation of these lands
under this right would constitute an expansion and therefore is not allowed.

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

Witness my hand this 20th day of February, 19 81

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by marcy Date 11/4/80

Protest filed by _____

Prelim. check by gd Fee \$10.00 # 16659

Receipted by marcy Date 11/5/80

Published in South Idaho Press

Copies of protest forwarded by _____

Pub. dates 11/27 + 12/4/80

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

_____ rec'd. _____

by Jeni DRT

2-2573 T# 2488

REPORT OF EXAMINER

Form No. 10-111a

This report is for Comp. of Works & Beneficial Use

In Water District No.

1. Name of applicant. Golden F. Gardiner

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE 1/4 of Section 26

T 13 S R. 26 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

WORTHINGTON PUMP # UP 4678

60 HP FAIRBANKS - MORSE # 2045 PY

12" DISCHARGE THROUGH EARTH DITCHES

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4 NW 1/4, N 1/2 SW 1/4, NW 1/4 SE 1/4, Sec. 24; NE 1/4 SE 1/4, Sec. 23, T. 13 S, R. 26 E, B.M.

IRRIGATION ALSO APPEAR IN SE 1/4 SE 1/4 SEC. 23
SW 1/4 SW 1/4 SEC. 24, NE 1/4 NE 1/4 SEC. 26,
NW 1/4 NW 1/4 SEC. 25.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: MR E MRS GARDINER CONTACTED

SPARKING METER USED

1 REV 30 SEC

1 " 29 1/2 "

1 " 30 "

20 Tm. 3.33 or 166.5

CORRELATE METHOD USED

9 3/4 " @ 6' I.D. - 12 1/2 " 5.8 - 15"

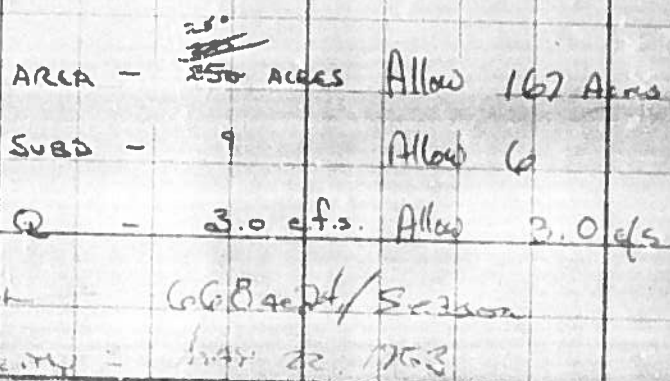
(155 ft/sec) (0.02 sq. ft.) [factor of (15/2.5 on 12) or 32] = 3358 or 167.9"

This examination was made on the 3TH day of July, 1967

(Signed) Dean R. Reynolds

See next page for map of area being irrigated and a plat

3/139 4192573



Scale: 2 Inches Equals 1 Mile. Draw Map in ink.

August 10, 1967

Re: Permit No. G-31139

Mt. Golden F. Gardiner
Malta, Idaho

Dear Mr. Gardiner:

This office recently made an inspection of the well drilled under your Permit No. G-31139.

We found that the well produces 3.33 c.f.s. and the water is used to irrigate approximately 239 acres of land. You are no doubt aware that the permit granted by this office was for a well to produce 3.0 c.f.s. to irrigate 167 acres of land.

It is the position of this office that the development of acreage beyond the 167 acres originally allowed is not now approved within the Salt River Critical Ground Water Area, and as such cannot be allowed or recognized.

I, therefore, request that you review this matter and advise this office if we have made any mistakes as to the production of the well and the acres served by it, or whether you have other water rights of which we are not aware. We will appreciate hearing from you concerning this with the next 30 days so we may know what further action should be taken concerning the matter.

Very truly yours,

R. KEITH HUGHESON
State Reclamation Engineer

RKH:ow

31139

Re: Perm

Mr. Solde
Malta, Id

Dear Sir.

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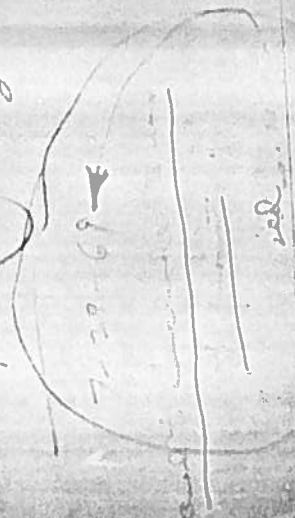
COPIES

rd. measur

~~average~~

with Mr.

6-1-12



OK
11-25-69 DRC

Seattle in

3/1/39
13-2573

Amend to max
of Permit

allow work checked
upon map

Limit 1000 to 3000 ft

32.0

B

B_{2.7}

H, D312
1.2

D67

23 24

C_{1.1}

D_{38.5}

D_{14.3}

E

G_{7.4}

E_{1.9}

F_{18.5}

D282

I_{33.6}

I_{10.2}

224

22 23
27 + 25

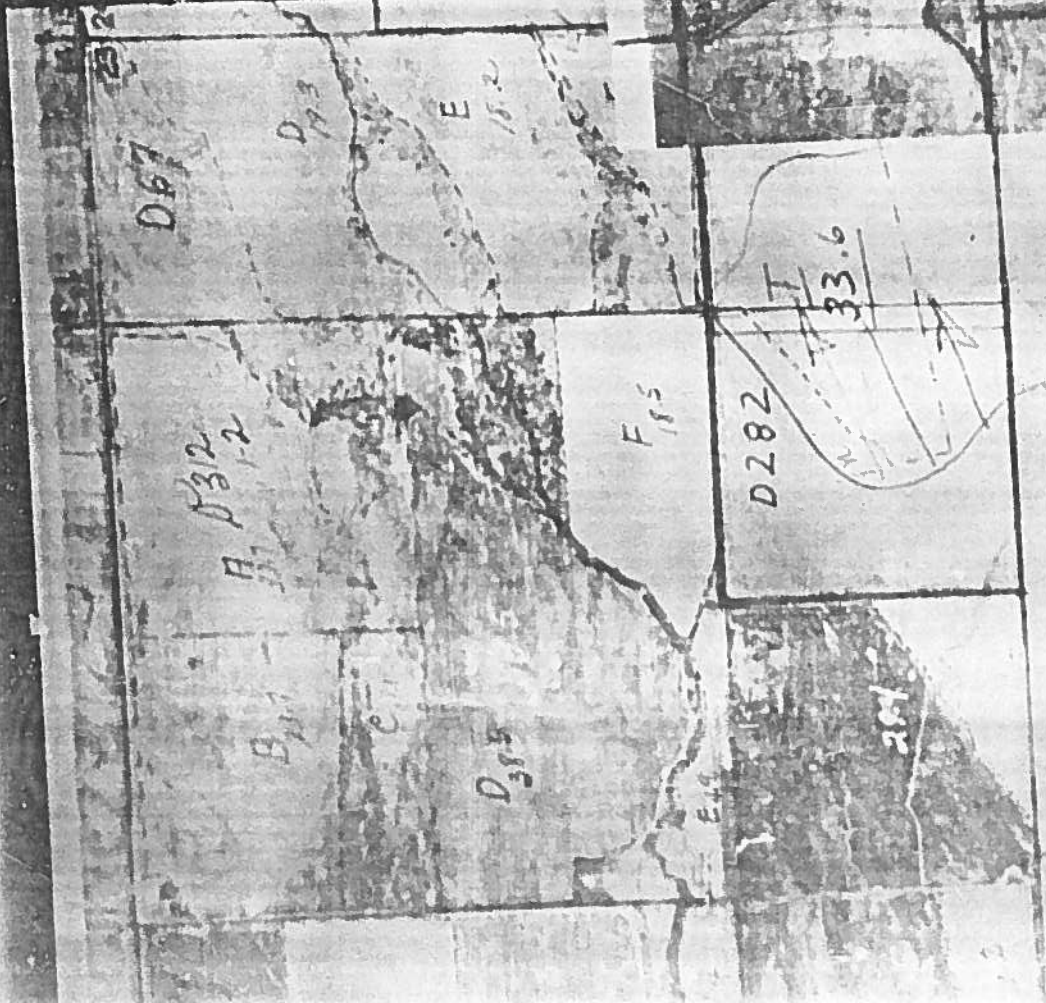
23 24
26 25

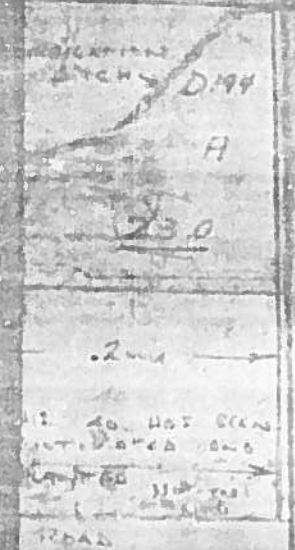
13.2573

31134

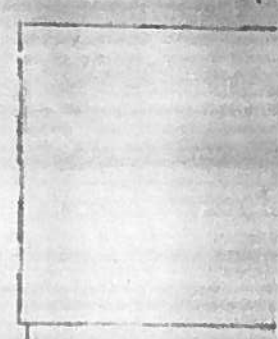
RD

3





↑
TO WATER



31439