

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 43-10477
Date Received: 6/12/89
Receipt No: S008033
Received By:

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

RECEIVED
AUG 25 2000
Department of Water Resources
Southern Region

1. Name of Claimant(s)

Name: MARIE JEANNE GARDINER Phone: (435)673-7210
Address: 234 S 100 W
ST GEORGE UT USA 84770
Name: MATTHEW C GARDINER Phone: (435)673-7210
Address: 234 S 100 W
ST GEORGE UT USA 84770

2. Date of Priority: 06/30/1985

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
15S	27E	28	NW NW SW	0	CASSIA

5. Description of diverting works:

16"X 420' WELL, PUMP, MAINLINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
IRRIGATION	03/15	11/15	0.45

7. Total Quantity Appropriated is:
0.45 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
15S	27E	20	SE	SE	IRRIGATION	40
					Section Acres	40
15S	27E	29	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	80
					Total Acres	120

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:

4/20/99 TF; OWNERSHIP CHANGED FRANK GARDINER TO MATTHEW AND MARIE GARDINER PER 1409(6) AND DEEDS REC'D 12/2/98
8-8-00 VH: CLAIM AMENDED TO REFLECT THAT THIS CLAIM IS AN EXPANSION OF LICENSED RIGHT 43-02287. THIS CLAIM AND CLAIM BASED UPON LICENSE 43-02287 IS LIMITED TO A COMBINED DIVERSION RATE OF 0.6 CFS AND A COMBINED VOLUME OF 120 AFA.
THIS CLAIM IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE 120 ACRES DESCRIBED ABOVE.

15. Basis of Claim: Beneficial Use

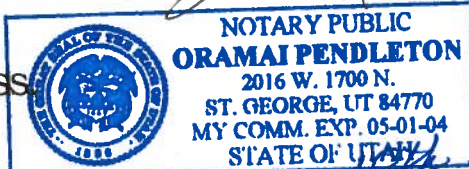
16. Signature(s)

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): Matthew Gardin Date: 8-18-2000
Mariejeann Gardin Date: 8-18-2000

State of Utah)
County of Washington) SS



Subscribed and sworn (or affirmed) before me this 18th day of August 2000
Oramai Pendleton

Notary Public

Residing at 2016 W 1700 N St George
My commission Expires 05 01 04

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: **A43-10477**
Date Received: 6/12/1989
Receipt No: S008033
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MATTHEW C GARDINER 435-673-7210
Address: 234 S 100 W
ST GEORGE UT 84770
AND/OR
Name: MARIE JEANNE GARDINER 435-673-7210
Address: 234 S 100 W
ST GEORGE UT 84770

2. Date of Priority: MAY 29, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	27E	28	NW	NW	SW		CASSIA

5. Description of diverting works:
16"X 220' WELL, 75 HP PUMP, MAINLINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	4.000		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	27E	20	SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		28	NW	SW	IRR	40.0
			SW	SW	IRR	40.0
					Section Acres	80.0
		29	NE	NE	IRR	40.0
			SE	NE	IRR	40.0
					Section Acres	80.0
					Total Acres	200.0

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:
NONE

14. Remarks:
4/20/99 TF; OWNERSHIP CHANGED FRANK GARDINER TO MATTHEW AND MARIE GARDINER PER 1409(6) AND DEEDS REC'D 12/2/98.

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MATTHEW C GARDINER
MARIE JEANNE GARDINER
234 S 100 W
ST GEORGE UT 84770

RE: SRBA Claim(s) A43-10477

Dear Mr. and Mrs. Gardiner:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

2287

"Aonley" VH

RECEIVED
DEC 02 1998
Department of Water Resources
Snake River Basin

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A 43-10477
 Adjudication Claim No(s).: 39576
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant
Frank T Gardiner
Malta, ID
4. New Owner/Claimant(s)
Matthew C. Gardiner, Marie Jeanne Gardiner
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address
234 S. 100 W.
 City, State and ZIP Code
St George, UT 84770
 New Telephone Number
(435) 673-7210
5. Date you acquired the property
19 Nov 1998 and 8 Nov 1997 *see deeds attached*
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____

 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)
Matthew Gardiner
Marie Jeanne Gardiner
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

T 15

T1660

20

21

29

28

T8488

259107**QUITCLAIM DEED**

NO#

For Value Received

SPENCE A. GARDINER, a married man contracting as his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

MATTHEW C. GARDINER and MARIE JEAN GARDINER, husband and wife
ADDRESS:

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

**TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA
COUNTY, IDAHO****SECTION 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$**
SECTION 28: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ ✓

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: NOVEMBER 18, 1998

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROWFILM 305Spence Gardiner
SPENCE A. GARDINER

1998 NOV 19 A 9 59

259107CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDERFEE 300 DEPUTY bm

STATE OF IDAHO)

) ss.

COUNTY OF CASSIA)

On this 18 day of NOVEMBER, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared SPENCE A. GARDINER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.Barbara Ehle

Notary Public

Residing at: BURLEY, IDAHO

My Commission expires: 6-12-2003

See attached warranty deed

WARRANTY DEED

No #

For Value Received

FRANK T. GARDINER and LILLIAN M. GARDINER, husband and wife

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

MATTHEW C. GARDINER and MARIE JEANNE GARDINER, husband and wife, and
SPENCE A. GARDINER, a single man

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 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

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

Accruing taxes, levies and assessments; easements and rights of way of record if any.

Matt Gardiner
234 South 100 West
St George, Utah 84770
(435) 673-7210

RECEIVED
DEC 02 1998
Department of Water Resources
Southern Region

Department of Water Resources State of Idaho
1341 Fillmore - Suite 200
Twin Falls, Idaho 83301-3380

To Whom It May Concern,

I am sending a completed Notice of Change of Water Right Ownership and an application for a drilling permit. I want to drill a replacement well for the one already in existence because of a well drilling tool in the bottom of the existing well. I would like to proceed with the new well as soon as possible to prepare for next year's growing season. I request information or approval, which ever is appropriate, about the possibility of using the existing well for a stock water well. I am willing to fill the old well and drill a domestic well if the law requires it, but I request that I be allowed to use the old well as a domestic well. Please contact me at phone number 435-674-6080 or fax # 435-674-6060.

The existing well, which I would like to convert to domestic use is 220 feet deep and the steel casing is 16 inches in diameter.

Thank You

Matt Gardiner



Copy of letter and
app for drilling permit
given to G Funderburg
12/2/98 by C. Hahn.

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
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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10477
Date Received: 6/12/1989
Receipt No: S008033
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK T. GARDINER 208-645-2448
Address: MALTA, ID 83342

2. Date of Priority: MAY 29, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	27E	28	NW	NW	SW		CASSIA

5. Description of diverting works:
16"X 220' WELL, 75 HP PUMP, MAINLINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	4.000		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	20	SE	SE ✓		IRR	40.0
						Section Acres	40.0
		28	NW	SW ✓		IRR	40.0

A43-10477 Page 1 Date: 06/12/89

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MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	28	SW	SW		IRR	40.0
						Section Acres	80.0
		29	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	80.0
						Total Acres	200.0

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:
NONE

14. Remarks:

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: _____

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

443-10477

Date Received

Receipt Number

S008033

see

RECEIVED

JUN 8 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) FRANK T GARDNER Phone 201 645-2848Mailing Address MALTA, Idaho Zip 833422. Date of Priority (Only one (1) per claim) 5-29-19423. Source of water supply (a) well
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 15 Range 27 Section 28,
NW 1/4 of NW 1/4 of SW 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.16" well casing 220' deep
1/4 mile underground MAIN Line, 3/4 mile Portable
Aluminum 75 H.P. pump

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MAR 05 1993

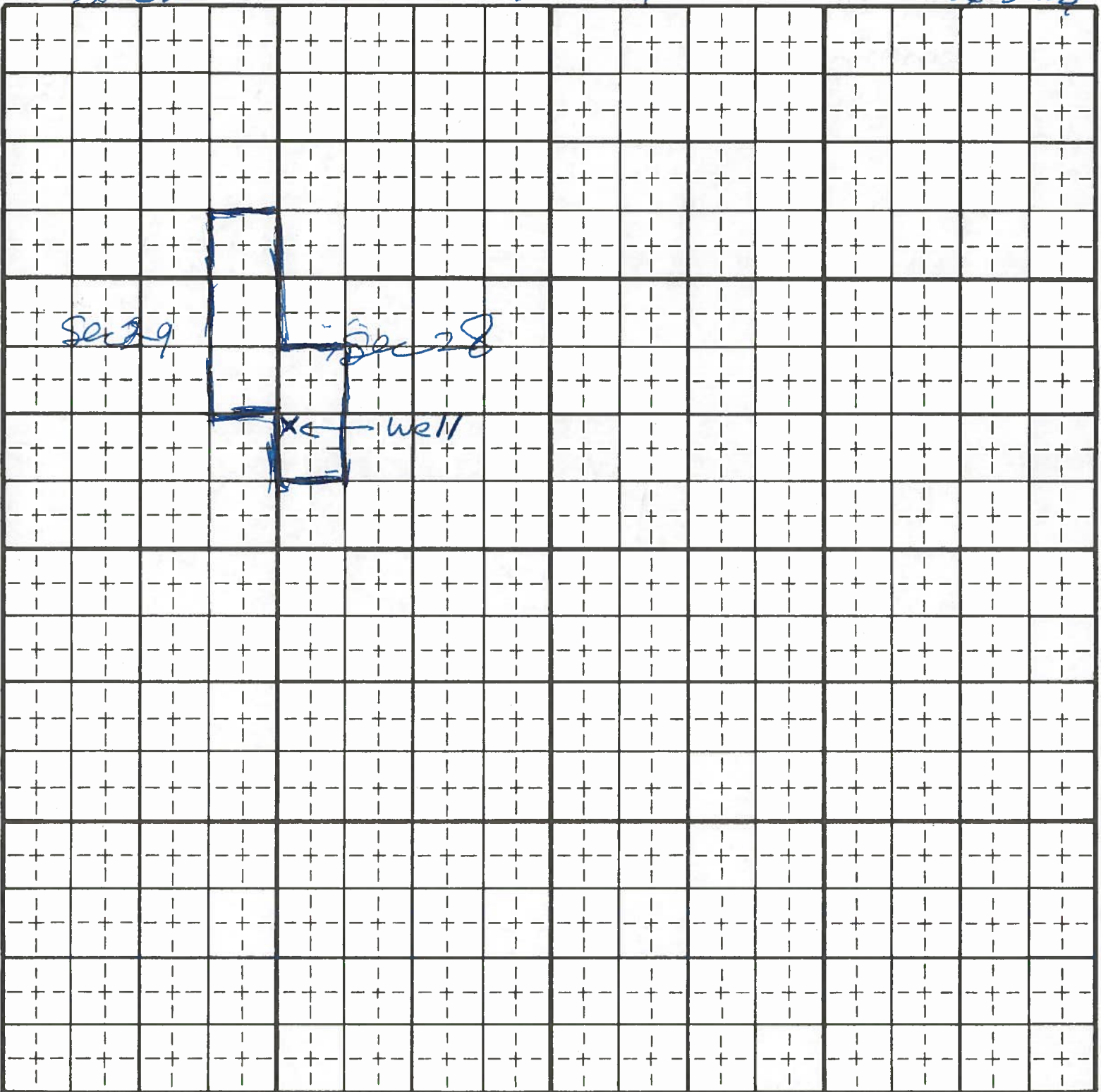
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 15 S R 27 E
Sec 29 E $\frac{1}{2}$ NW $\frac{1}{4}$

Sec 20 SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 28 SW $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec 20



Last Name

GARDNER

Ident No.

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Oct 1 amount 4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater 400 sheep

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	
15S.27E		20																	✓
		28										✓	✓						
		29	✓			✓													

Total number of acres irrigated 200

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 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.
_____ or None ()

14. Remarks:

Last Name GARDINER Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

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) Frank J. Gardiner Date 6-5-89

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 _____

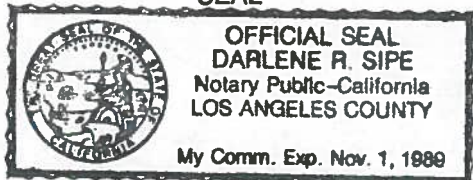
Title and Organization _____ Date _____

State of Idaho/or California)

County of Los Angeles) SS.

Subscribed and sworn (or affirmed) before me this 5th day of June 19 89

SEAL



Notary Public Darlene R. Sipe

Residing at Downey, California

My Commission Expires 11/1/89

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 _____ Ident. Number _____

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MAR 05 1993

Copies White-State, Yellow-Claimant

Dear Mr Merritt

I did not have access to this
~~permit~~ ^{permit} since I was out of state at
the time ~~I~~ filed the adjudication
papers.

Would it be possible to put this
with Irrigation Adjudication Form
Civil Case # 39576

FRANK T GARDNER

Sorry for the inconvenience

RECEIVED

JUN 19 1989

Department of Water Resources
Southern Region Office

File this with A43-10477

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MAR 05 1993

Permit No. 1 2 3 0 8

Copy

Certificate of Completion of Works

To ALL WHOM IT MAY CONCERN:

This is to certify that MRS. HOPE H. GARDINER
 of MALTA, County of CASSIA, and State of
IDAHO, the holder^s of Permit No. 19308, issued upon Application
 No. 26802 bearing date of priority of MAY 29, 1942, authorizing the diversion of
4.0 second feet of the waters of SUBTERRANEAN SOURCE, FROM WELLS

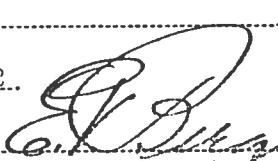
County of CASSIA, State of Idaho, for IRRIGATION AND STOCK WATER
 purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of
 completion of the works of diversion set out and described in said Permit; that said works are adequate for
 diverting and conveying to the place of intended use -FOUR-
 second feet of the waters of SUBTERRANEAN SOURCE, FROM WELLS

that the point of diversion of said waters NW¹SW¹, Section 28, Township 15 South, Range 27 E.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

NW¹SW¹, SW¹NW¹ Section 28, E¹NE¹ Section 29, and SE¹SE¹ Section 20, all in
Township 15.S. Rge. 27 E. B.M.

Witness my hand this 24 day of November, A. D. 1942.


 Commissioner of Reclamation.

PERMIT No. 19308.....

Certificate of Completion
of Works

Dated November 24, 1942.....

Stream.....Subterranean Source.....

County.....Cassia.....

Amount.....4.0.....

Date of Priority.....May 22, 1942.....

Recorded in Book.....70.....

of.....Permits....., page.....19308.....

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MAR 05 1993



2dzo
2148
Twin
Dend WATER Resourc
4th Ave East
Falls, Edzo

MICROFILMED

U S 1993

83301



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: A43-10477

Frank T. Gardiner

Malta, Id. 83342

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,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10477
FRANK T. GARDINER

MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by February 3, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 05 1993

Idaho Dept Water Resources
Adjudication Bureau
Statehouse Mail
Boise, Idaho

RECEIVED

MAY 07 1992

Department of Water Resources
Southern Region Office

Dear Sirs:

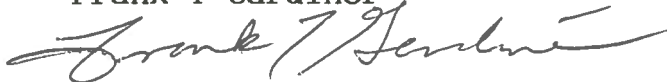
Re water right # A43-10477

Enclosed is photo copy of water license no 19308 indicating a date of priority of 5-29-42.

Although most of the principals involved in the development of this property are now deceased, I would suggest that you contact Roger Neddo, Malta, Idaho for verification re the beneficial use of well water on ~~the~~ ^{there} this property as he can probably recall going ^{there} with his Fathers' threshing machine, to thresh alfalfa seed, when he was a young boy.

Since this was one of the first uses of well water in this drainage area, I feel it would be a travesty if the water right is not granted.

Frank T Gardiner



227 South Irena #5
Redondo Beach, Calif 90277

MICROFILME

MAR 05 1993

STATE OF IDAHO

License and Certificate of
Water Right

Water License No. 19308

To Mrs. Hope H. Gardiner

Malta, Idaho

Source of Supply Wells

Cassia County

Amount Six tenths (0.6) Sec. Feet

Point of Diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28,

Twp. 15 S., Range 27 East, B.M.

Place of Use SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28

Twp. 15 S., Range 27 East, B.M.

Purpose Irrigation and livestock

Date of Priority May 29, 1942

Recorded March 14, 1944

in Book 7 of Licenses, Page 4206

Hancock, Vikie

From: Skinner, Corey
Sent: Friday, July 27, 2001 10:18 AM
To: Shaff, Don
Cc: Christensen, Kelly; Hancock, Vikie
Subject: Pending Transfer 69307

Transfer 69307 proposes changes to the following rights.

AJC 43-4158

Transfer, filed in the name of Matthew &/or Marie Jeanne Gardiner, proposes changing pod and pou from lands in Township 13 South, Range 26 East to lands in Township 15 South, Range 27 East. Transfer is attempting to move right from Kelly's area to Vikie's area within Basin 43, up the valley.

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10/27/2000

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

RIGHT NUMBER: 43-10477

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

SOURCE: GROUND WATER

QUANTITY: 0.45 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-2287 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.6 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 120 AF.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T15S R27E S28 NWNWSW 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	0.45 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R27E S20	SESE	40	T15S R27E S29
T15S R27E S29	SENE	40	NENE
120 ACRES TOTAL			40

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-2287 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120 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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B.

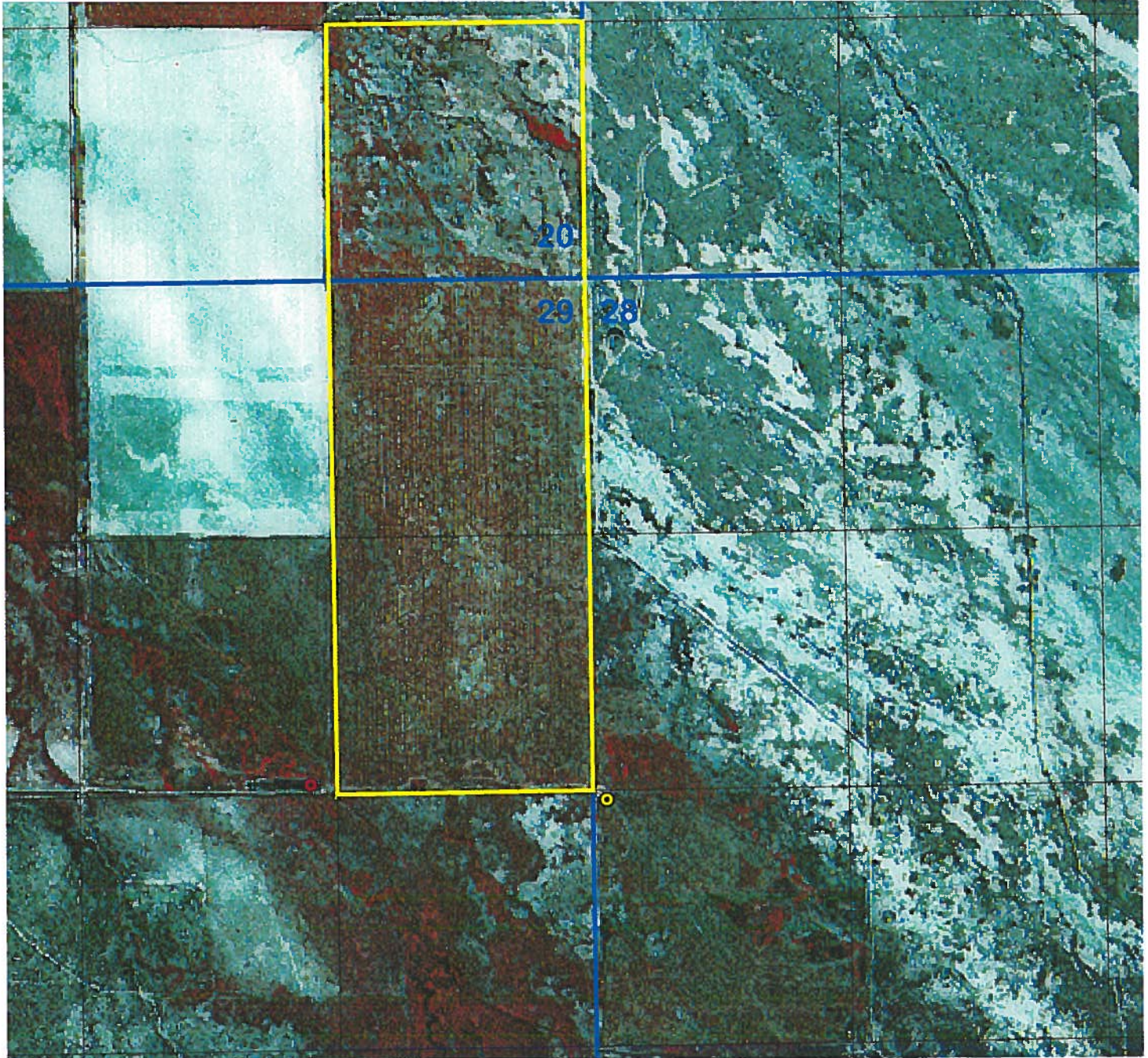
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-2287 PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

RIGHTS: 43-02287, 43-10477

RECOMMENDED PLACE OF USE
TWP 15S, RNG 27E, SEC 20, 29
Data entry on August 25, 2000



-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

JPEG = 43-2287

OWNER
CODE NAME & ADDRESS
C FRANK T GARDINER

PRIORITY
DATE
05/29/1982 IRRIGATION

USE PERIOD
FROM TO
04-01 10-01

DIVERSION
RATE
4.80 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T15S R27E S28

MMNWSH

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				SUM
	T	R	S	NE	NE	NE	NE	NE	SW	SW	SW	SW	SE	SE	SE	SE	
15S 27E 20 :	NE	NE	NE	NE	NE	NE	NE	NE	SW	SW	SW	SW	SE	SE	SE	SE	40.0
15S 27E 28 :	NE	NE	NE	NE	NE	NE	NE	NE	SW	SW	SW	SW	SE	SE	SE	SE	80.0
15S 27E 29 :	NE	NE	NE	NE	NE	NE	NE	NE	SW	SW	SW	SW	SE	SE	SE	SE	80.0
	40								40								200.0
TOTAL ACRES																	

POU County: CASSIA

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

*for map with only claim
& license, also w.o.*

limited to 90ac

1984 -

1984 - Expansion

943-2287

*6 x 244 x 1.985290
48 30 = 120 AFA
70 43-02287*

A-18

A-18

1989-1313

1989-1313

9720ac

1981 1981 total

0.6 g/s
120 AFA



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 9, 2000

Matthew Gardiner
234 South 100 West
St. George, Utah 84770

RE: Snake River Basin Adjudication (SRBA)
Amended Claim No.: 43-10477 and New Claim No.: 43-02287

Dear Matt,

Enclosed find forms for your approval and signature. Based upon our conversation, Scott King's conversation with Goldie Gardiner, and from 1987 and 1978 aerial photos, I have established that it is reasonable to conclude that 120 acres were being irrigated from groundwater in 1987. This would be an expansion of 90 acres above and beyond the original 30 licensed in 1942.

I have amended claim 43-10477, filed by Frank Gardner, to represent the expansion of acres from the original license, and changed the priority date to that legislated by Idaho Code 42-1416B. Although the place of use lists the entire 120 acres, this expansion right will be limited to 90 acres within that 120 acres. You will notice in remarks that there are also limits placed upon diversion rate and volume when the two rights are combined.

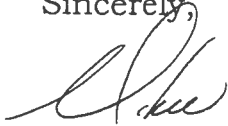
I have also enclosed a printed copy of a new claim based upon license 43-02287. The elements of the claim were taken from the original license, with some modification based upon information found on claim 43-10477 as originally filed - such as the numbers of stock and diversion works. One thing you may notice is that the diversion rate for stockwater is included as part of the total 0.6 cfs. In the remarks section I have noted that the claim represents an accomplished transfer of the place of use, and also the limiting combined diversion rate and volume conditions. Note that claim 43-02287 will be limited to the irrigation of 30 acres within the total of 120.

I left room in the remarks section of the new claim for you to add anything you wish to add. Also, if you feel that any of the information on either of the claims is not as you wish it claimed, line through the printed information and hand print your corrections. Be sure to sign

and notarize both claims and return them to my attention for processing, along with a check for \$50.00 for the filing of the new claim.

I will be back in the office August 21st. Don't hesitate to call if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Hancock', written over the word 'Sincerely,'.

Vikie Hancock
Sr. Water Resource Agent

Hancock, Vikie

Subject: 43-10477
Entry Type: Phone call

Start: Wed 8/2/00 11:00 AM
End: Wed 8/2/00 11:30 AM
Duration: 30 minutes

Matt Gardiner called regarding my letter to him and the information sent. We discussed some of his options, including the filing of an expansion claim for acres irrigated in excess of the license prior to 1987. I explained that he would be limited to 30 inches and the volume licensed, but that thru more efficient methods, he may have been able to irrigate more than 30 acres with that much water.

He asked if he could divert a large amount of water and put all the volume out in a short time. I explained that his license limited him to a diversion rate of 0.6 cfs also.

He said that he thought that Frank Gardner was irrigating about 120 acres and so what would he be limited to on the expansion claim. I said that he would be limited to how much Frank Gardner was irrigating in 1987 with 30 inches. He said that, in that area, it didn't take a lot of water to irrigate as there was a high water table.

He asked if the process was going to be fair, as he knew of a lot of people who had expanded their acreages since 1963, and he was concerned that the big guys would have the resources to get the water they needed. I told him about the objection process and that our process was designed to be fair. I said that the amount and kind of enforcement allowed after the decree was final would probably be up to the Idaho legislature, but that our intention was to not allow people to divert more than they had a right to.

He stated that he did not feel that his place of use exhibited symptoms of any groundwater depletion problems and who would he contact about that. I gave him the address of the state office and told him to address the letter to Dave Tuthill's attn. My thinking was that Dave would want to be aware of the objection to the CGWA and that then he could fwd it to the proper person for a technical reply.

I told Mr. Gardner that we had a new database and that I would do some thinking on whether the claim based upon BU filed by Frank Gardner could be amended to cover the expansion along with a new claim based upon the license issued to Hope Garder, or whether it would be best change the basis of the existing claim to license and file another for the expansion. I told him that either way he was looking at \$50, and that I could send him the appropriate forms.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 2000

Matthew Gardner
234 S 100 W
St George, Utah 84770

RE: Snake River Basin Adjudication (SRBA)
Claim No.: 43-10477

Dear Mr. Gardner:

I have reviewed the file of the above reference Adjudication claim. Documents found in our file for water right license 43-02287 (original number 19308), provided some information on the chronology of events regarding water use on the property you purchased from Frank Gardner. From these historical documents, and from looking at aerial photos taken of your property in 1962, 1968 and 1987, it does appear that some increased development of water has occurred without a water right on your acreage after implementation of the Raft River Critical Groundwater Area on 7-23-1963.

The attached sheet outlines the events recorded in our files. Some of the documents available to me were poor quality microfilm copies, and I have requested good copies of the originals from our vault in Boise. If you wish to examine these documents, I will be happy to send copies to you, or you can certainly contact me for an appointment to meet here at the office. I am also enclosing dated aerial photos, with your property outlined, for your inspection.

I will be out of the office from August 10th through the 18th, but should otherwise be available, and look forward to meeting with you.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent

CHRONOLOGY OF EVENTS, ADJUDICATION CLAIM 43-10477

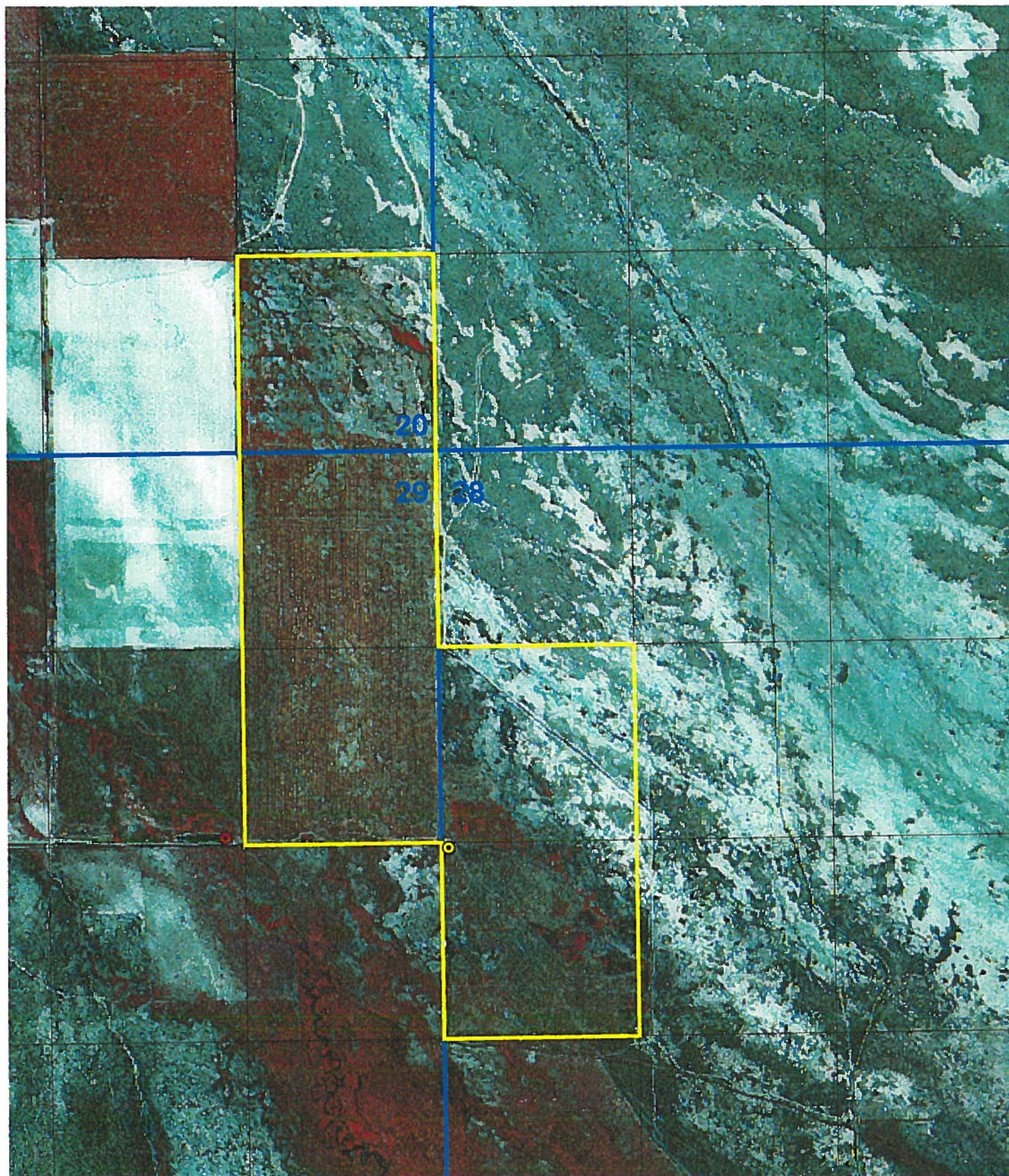
SEE WATER RIGHT LICENSE FILE 43-02287

- 5-29-42 Hope Gardner files Application for Permit to Appropriate Water for livestock purposes and the irrigation of 115 acres located in the SESE Section 20, NENE & SENE Section 29, SWNW & NWSW Section 28 T15S, R27E. Point of diversion the in NWSW Sec 28.
- 11-16-42 Ms. Gardner files Notice of Completion of Works.
- 05-27-43 Field Examiner finds point of diversion in NWSW Section 28, stockwater uses, and that the total extent of irrigation is 15 acres in the SWNW and 15 acres in the NWSW Section 28.
- 3-14-44 License is issued to Hope Gardner for 0.6 cfs of groundwater for 30 acres of irrigation, or one inch per acre.
- 11-22-67 Inquiry by Frank Gardner to IDWR asking the procedure for deepening well and moving it within the same 40 acre tract on property he has inherited from his mother, Hope Gardner.
- 11-28-67 Reply from IDWR to Frank Gardner sending him a copy of license 43-02287 (originally No. 19308) and advising him that he could drill a replacement well within the NWSW of Section 28 without need of a transfer. He was also advised that only 0.6 cfs could be diverted from a new well, or the existing well, or both in any combination, and that he may only irrigate 15 acres in the SWNW and 15 acres in the NWSW of Section 28. He was told that new permits were no longer being allowed in his area and so 0.6 cfs would be the maximum rate of withdrawal that could be allowed under his proposed re-drilling.
- 12-6-67 Letter from Frank Gardner to IDWR questioning the legal basis whereby the department could limit his water right to the irrigation of the licensed 30 acres when the original permit stated an intent to develop more.
- 12-8-67 Reply from IDWR reporting that a review of the permit and license verified that the license was correct, and restating that development on the property was limited to 30 acres and 0.6 cfs.
- 06-05-89 Frank Gardner files SRBA Claim 43-10477 for 4.0 cfs, priority date 5-29-42, for the irrigation of 200 acres in the SESE Sec 20, NWSW & SWNW Sec 28, NENE & SENE Sec 29. He submits a copy of water right license 43-02287 as proof of the 1942 priority date claimed.

FILE NOTES

CLAIM NO(S): 43-10477

TWP 15S RNG 27E
SEC 20, 28, 29



V. HANCOCK

1987 NAPP AERIAL PHOTOGRAPHY

21
28

1978
ASC S PHOTO

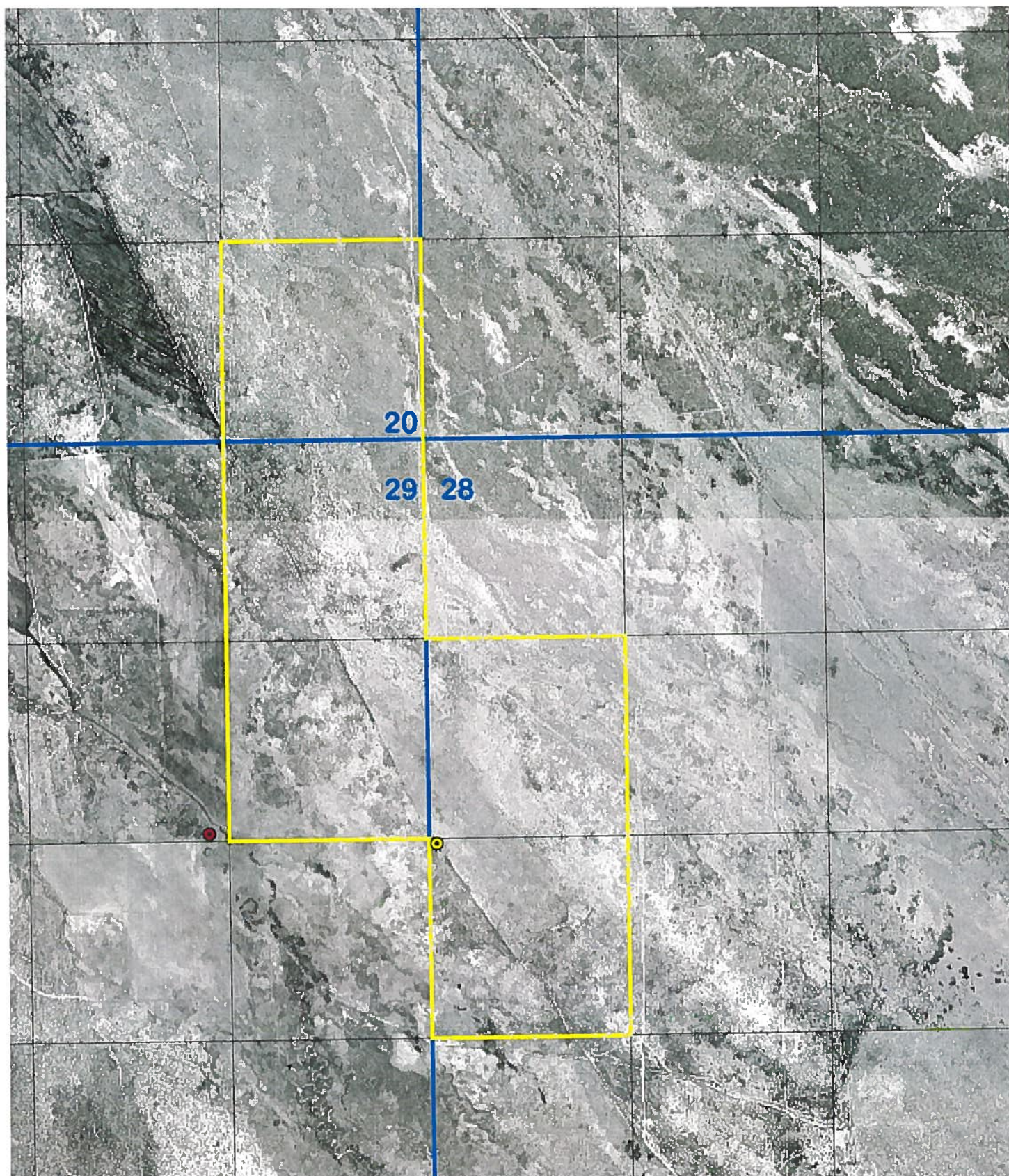
1527
T8488

119.7

FILE NOTES

CLAIM NO(S): 43-10477

TWP 15S RNG 27E
SEC 20, 28, 29



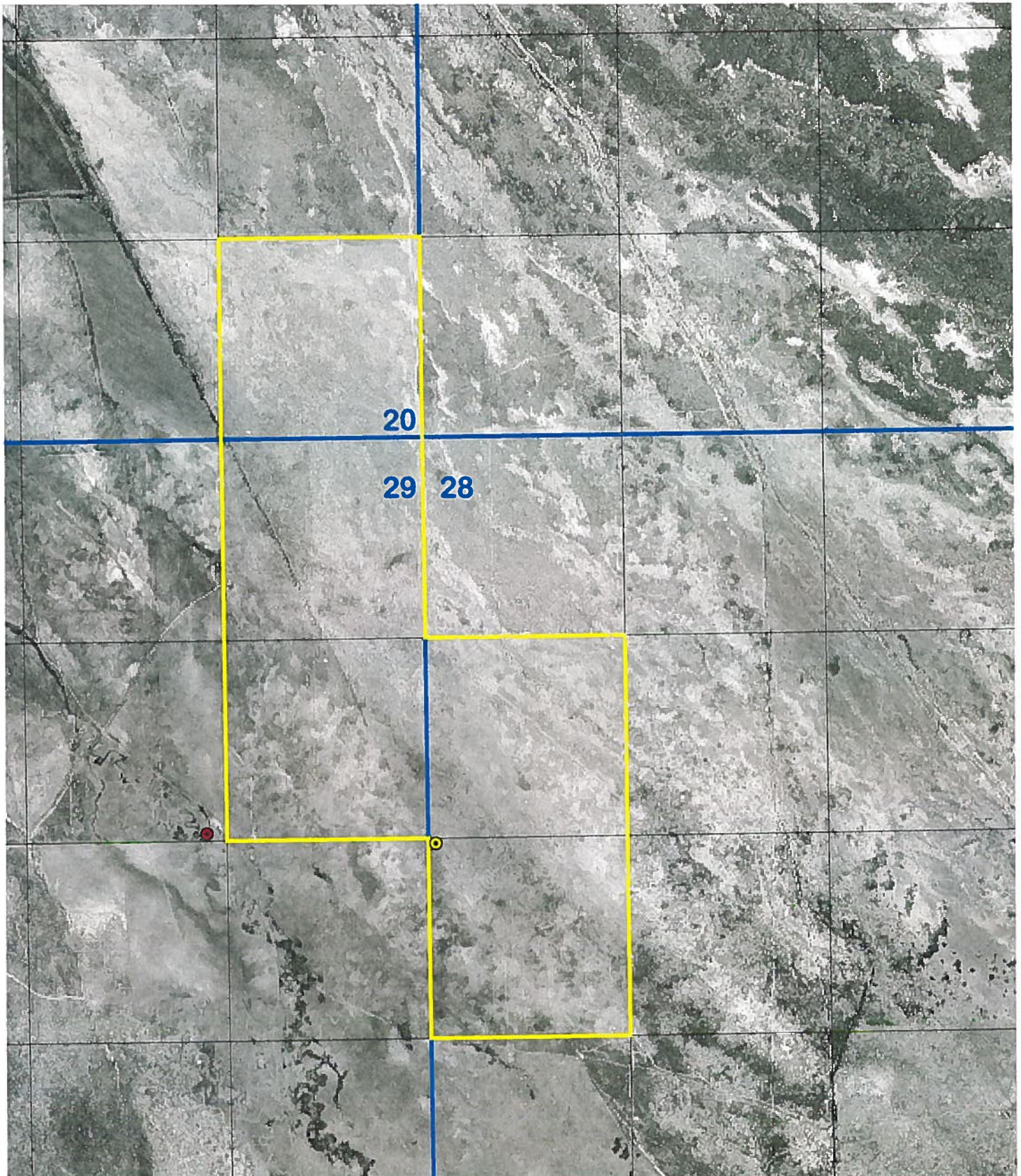
V. HANCOCK

1962 AERIAL PHOTOGRAPHY

FILE NOTES

CLAIM NO(S): 43-10477

TWP 15S RNG 27E
SEC 20, 28, 29



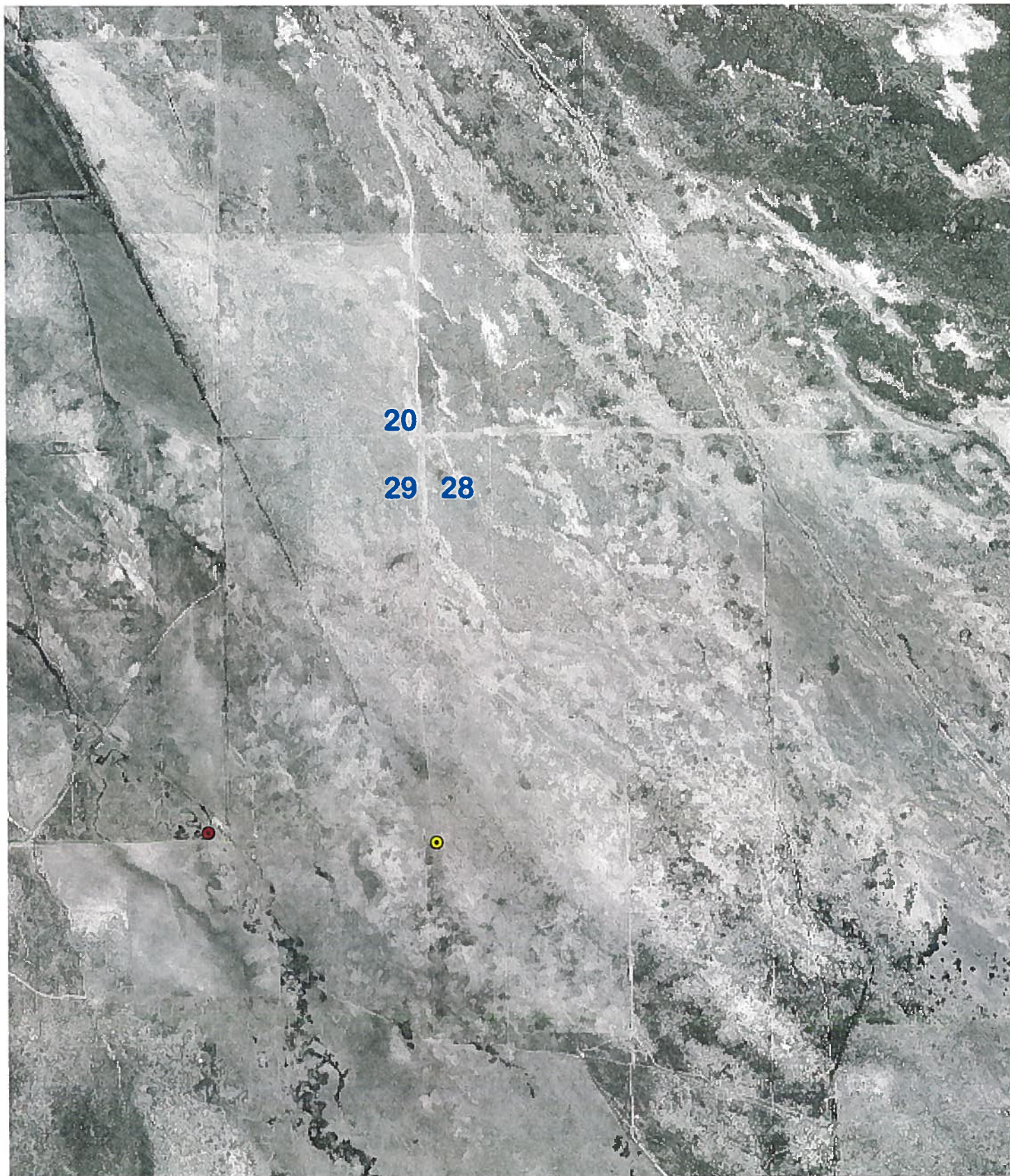
V. HANCOCK

1968 AERIAL PHOTOGRAPHY

FILE NOTES

CLAIM NO(S): 43-10477

TWP 15S RNG 27E
SEC 20, 28, 29



V. HANCOCK

1968 AERIAL PHOTOGRAPHY

Mathew Gardiner
A43-10477
June 21, 2000



Site Tag A0004515

Figure 1: US Electric 125-hp motor. Serial number R2020949. GPS file name: T-62119A. Pump: Layne and Bowler, Serial number LP99061/12T. Flow was measured with the Polysonic flow meter at an average of 1573 gpm or 3.51 cfs. The ditch was a new dug ditch. There was some wild flooding going on at the top of the ditch because the ditch was not deep enough to handle to flow. The pump had been redone last year.



Figure 2: US Electric 125-hp motor. Serial number R2020949. GPS file name: T-62119A. Pump: Layne and Bowler, Serial number LP99061/12T. Flow was measured with the Polysonic flow meter at an average of 1573 gpm or 3.51 cfs.



Figure 3: Looking ^{NW} North from Gardner's new pump to the old abandoned well. This well was abandoned because a tool was dropped down the well. The old well is located in front of the power pole.



Figure 4: Close up of the abandoned well. The water level was measured on the south side of the well casing. The level at the top of the casing was 6 feet 3 inches. The casing was marked with the point of measurement and the depth. GPS file name GARDNOLD.

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **7/11/2000**

Page 1 of 2

Record ID	463	Measured Flow:	
Water Right No.	A43-10477	Designed Flow:	
Name	Gardiner, Matthew	HP/Eff Flow:	1.17 cfs
pod	15S 27E 28	Sprinkler Flow:	
year:	unknown, original well estimate	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	40 hp	Claimed well 40-hp submersible	
PWL	100 ft	Estimated water level	
Disch Psi	60 psi	pressure-discharge condition with sprinklers	
PUMP Eff Estimate	0.79 %		
TDH	239 ft		
OHP	31.6 hp		
Flow	524 gpm	=	1.17 cfs
System Method:			
No Lines		Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line		C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	0	r=	0.0000 ft Nozzle radius
Nozzle size		A=	0.00000 ft^2 Nozzle area
Nozzle pressure		h=	0 ft Head
Flow per nozzle	0.00 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	0 gpm	Q=	0.000 cfs Flow per nozzle
Percent Leaks		=	0.000 gpm Flow per nozzle
Total Flow	0 gpm	=	
Pivot / System rating		gpm	=

Comments / Data Supplied:

7/11/2000 snk

Per conversation with Goldie Gardiner (Matthew's father) during June 2000 field exam, this beneficial use claim was developed using a currently abandoned well that was equipped with a 40-hp submersible pump. The 40-hp system used to pressure discharge into sprinklers (approximately 40 acres irrigated) and also open-discharged. Two estimates made for this 40-hp system: one pressure discharging and the other open-discharging at low back-pressure.

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: **Scott King**

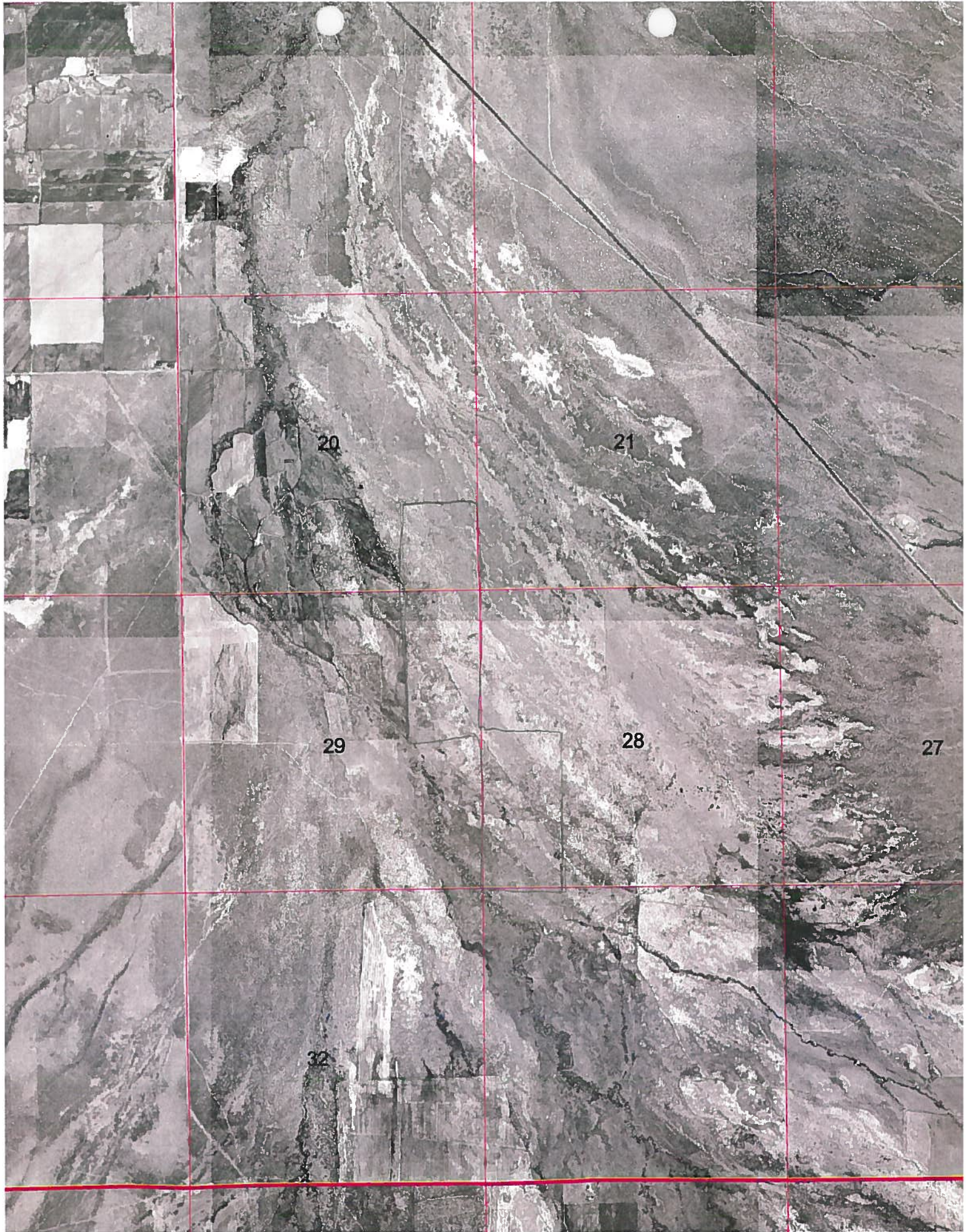
Date: **7/11/2000**

Page 2 of 2

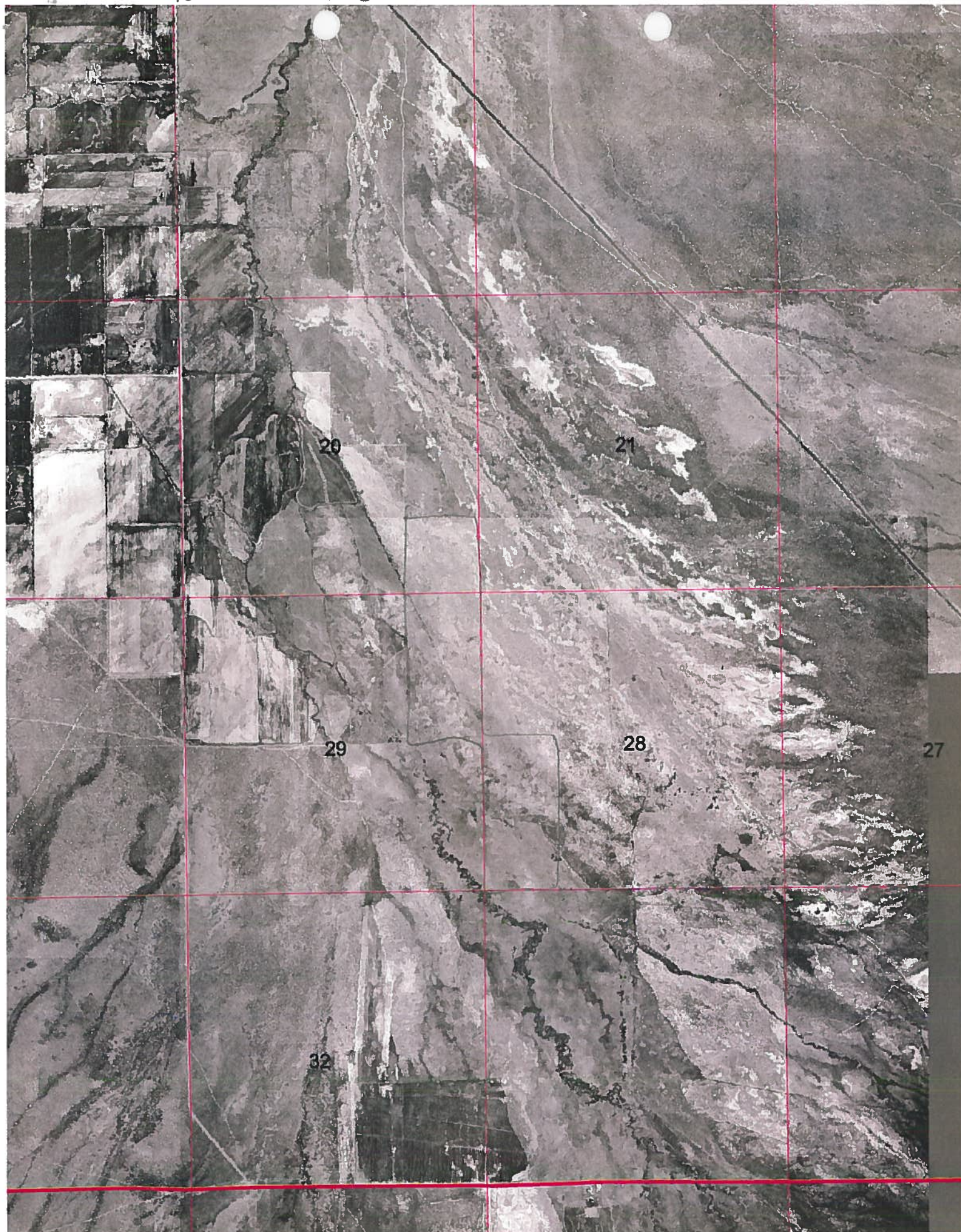
Record ID 463 Water Right No. A43-10477 Name Gardiner, Matthew pod 15S 27E 28 year:	Measured Flow: Designed Flow: HP/Eff Flow: 1.64 cfs <--Max Sprinkler Flow: Pivot/System Flow:
Flow Measurement: gpm =	
Curve/Pump Design: gpm =	
Horsepower / Efficiency Method	
Horsepower 40 hp PWL 150 ft Disch Psi 5 psi Eff Estimate 0.75 % TDH 162 ft OHP 30 hp Flow 735 gpm = 1.64 cfs	estimated pwl open discharging efficiency reduced; open discharge likely not design
System Method:	
No Lines Birds per line Ttl no nozzles 0 Nozzle size in Nozzle pressure psi Flow per nozzle 0.00 gpm Sprinkler Flow 0 gpm Percent Leaks % Total Flow 0 gpm =	Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$ C= 1.00 Nozzle coefficient; typical 0.97 to 1.00 r= 0.0000 ft Nozzle radius A= 0.00000 ft^2 Nozzle area h= 0 ft Head g= 32.2 ft/sec^2 Gravitational constant Q= 0.000 cfs Flow per nozzle = 0.000 gpm Flow per nozzle
Pivot / System rating gpm =	

Comments / Data Supplied:

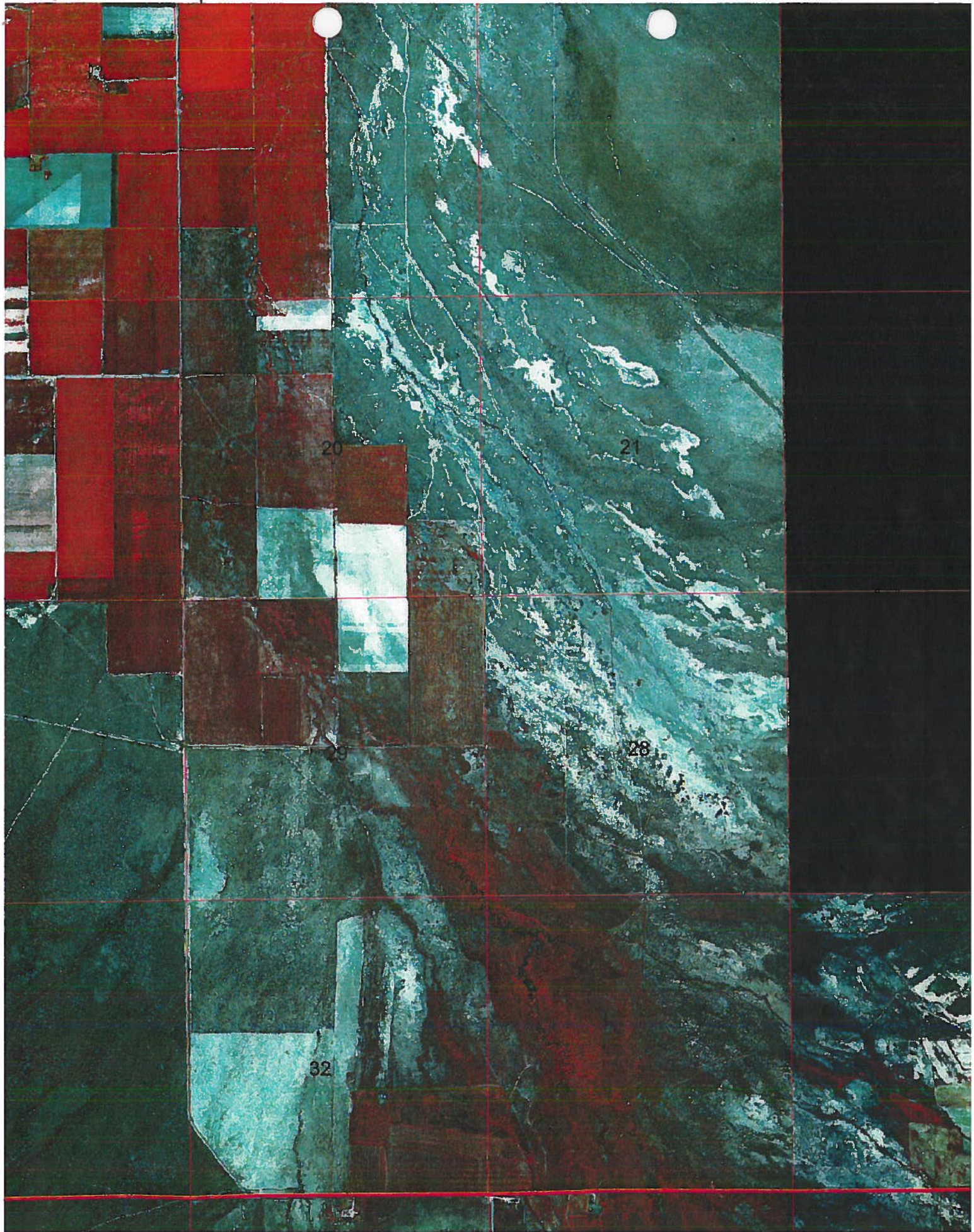
15 S 27 E 1962



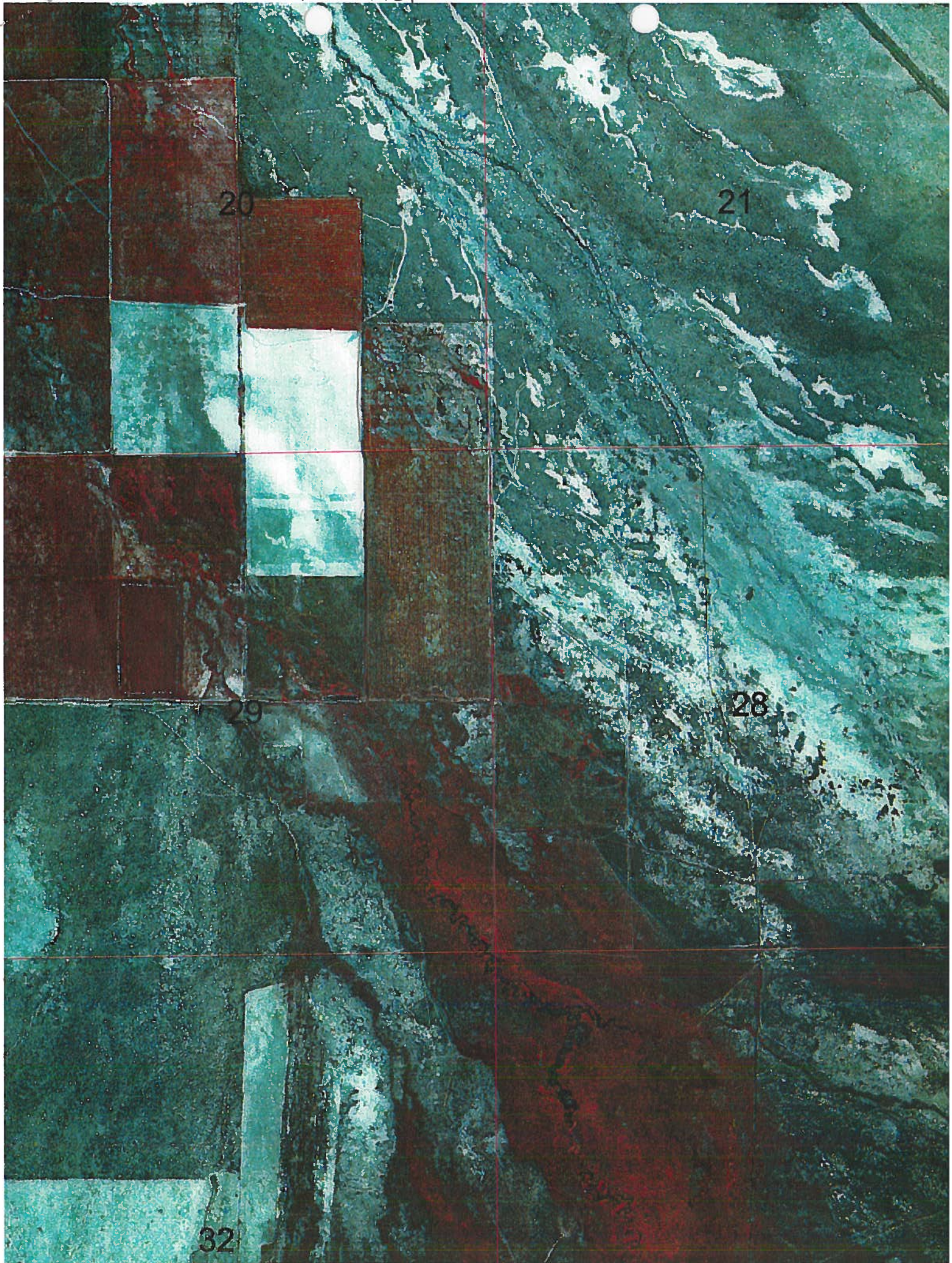
155 27E 1968



SS 27E 1987.



155 27E 1987



Matthew - Gardiner. (435)-673-7210.

doesn't irrigate the 200 acres. ≈ 120 .

15S 27E 28 NW NW SW.

-75 hp

19. Gas motor in the 40's.

later-

Golden. 645-2563. (dead) with

open discharge

- making plans to plant alfalfa

Purchased 1-2 years ago.

- improve well last year.

133 26E Golden Gardiner.

lic (2573)

Review Water Right Database for old (1930's?) license

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIMS PROOF READING REPORT

Desert Entry Land 06/19/00 16:42:56
Page 1

Water Right Number - A43-10477

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GARDINER MARIE JEANNE 1 - 234 S 100 W
2 -
3 -
City- ST GEORGE State- UT Zip- 84770
Phone - 435-673-7210

GARDINER MATTHEW C 1 - 234 S 100 W
2 -
3 -
City- ST GEORGE State- UT Zip- 84770
Phone - 435-673-7210

*** O - ORIGINAL OWNER ***

GARDINER FRANK T 1 -
2 -
3 -
City- MALTA State- ID Zip- 83342
Phone - 208-645-2448

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - -
05/29/1942 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - -
GROUNDWATER

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot RFlg County Diversion Name
15S 27E 28 NW NW SW (31) CASSIA

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/01 4.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - -
4.000 600.0

+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
15S 27E 20 SE SE 40.0 01 IRRIGATION (31) CASSIA
15S 27E 28 NW SW 40.0 01 IRRIGATION (31) CASSIA
15S 27E 28 SW SW 40.0 01 IRRIGATION (31) CASSIA
15S 27E 29 NE NE 40.0 01 IRRIGATION (31) CASSIA
15S 27E 29 SE NE 40.0 01 IRRIGATION (31) CASSIA

Total Acres: 200.0

+ - - Diversion Means - 16"X 220' WELL, 75 HP PUMP, MAINLINE & SPRINKLERS.

+ - - Non-Irrigation Use -

See back page
for notes

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/19/00 16:43:48
Page 2

Water right number - A43-10477

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -

GEN 4/20/99 TF; OWNERSHIP CHANGED FRANK GARDINER TO MATTHEW AND MARIE
GARDINER PER 1409(6) AND DEEDS REC'D 12/2/98.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - - -
00/00/0000

+ - - Audit Fields - 06/12/89 CLELLAND 03/30/95 POST-STD 04/20/99 TFAWCETT

+ - - - - - -Comments- - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S008033	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

See over →

Notes Per conversation w/ Goldie Gardiner
during field exam 6/21/2000
by Cindy Bird and Scott King

Original well Clanswell dug in 1930's
Perma Pump. Find licence. 30" approx.
Only irrigated land in SE area = 80 acres or so
2 wells at current location.

pt in approx 50' NW of current pumping.
Not used. Tool stuck in well below 100'.

This well drilled late 50's or early 60's

Once had 40-hp submersible - also maybe another pump
pressure & open discharged. unsure of size

10" mainline from well down 1/4 mile

Used handlines to sprinkler irrigate

These wells never used on SE 80 acres.

AND original well not used on NW 120 acres.

Current well drilled about 3 yrs ago.

Using same 125-hp motor and current pump.

Water level in well 50' to NW is about 6 ft from surface

Water table very shallow in this area. Often
able to grow some alfalfa w/o irrigation
due to shallow w.l.

This form used for data collection only. This was NOT a licensing RT exam. *Scott King 7/10/2023*

~~BENEFICIAL USE FIELD REPORT~~

A. GENERAL INFORMATION

Claim
Permit No. A43-10477

1. Owner: Gardner, Mathew Phone No.

Current Address: A A A

2. Accompanied by: Golden Gardner, Scott King EXAM DATE: 6/21/00
cindy Bird

Address: 2101 15th St Phone No. _____

Relationship to Permit Holder: Golden is Mathew's father

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

OVERLAP REVIEW

1. Other water rights with the same^{claimed} place of use: 43-02287

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

OUTER DIAMETER
8.5941 IN

PIPE MATERIAL
? CS.9S

WALL THICKNESS
.25000 IN

SPACING
6.536 IN U

06-21 13:1600 *R
+002.30 % AI2

0308.0 MMSEC
101.84 % T0

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
AUT ZERO

13:20+ 1.573E 3GPM 00R
+00000 *G 00R
-00000 *G 00R

13:22+ 1.580E 3GPM 00R
+03157 *G 00R
-00000 *G 00R

13:24+ 1.582E 3GPM 00R
+06317 *G 00R
-00000 *G 00R

13:26+ 1.578E 3GPM 00R
+09472 *G 00R
-00000 *G 00R

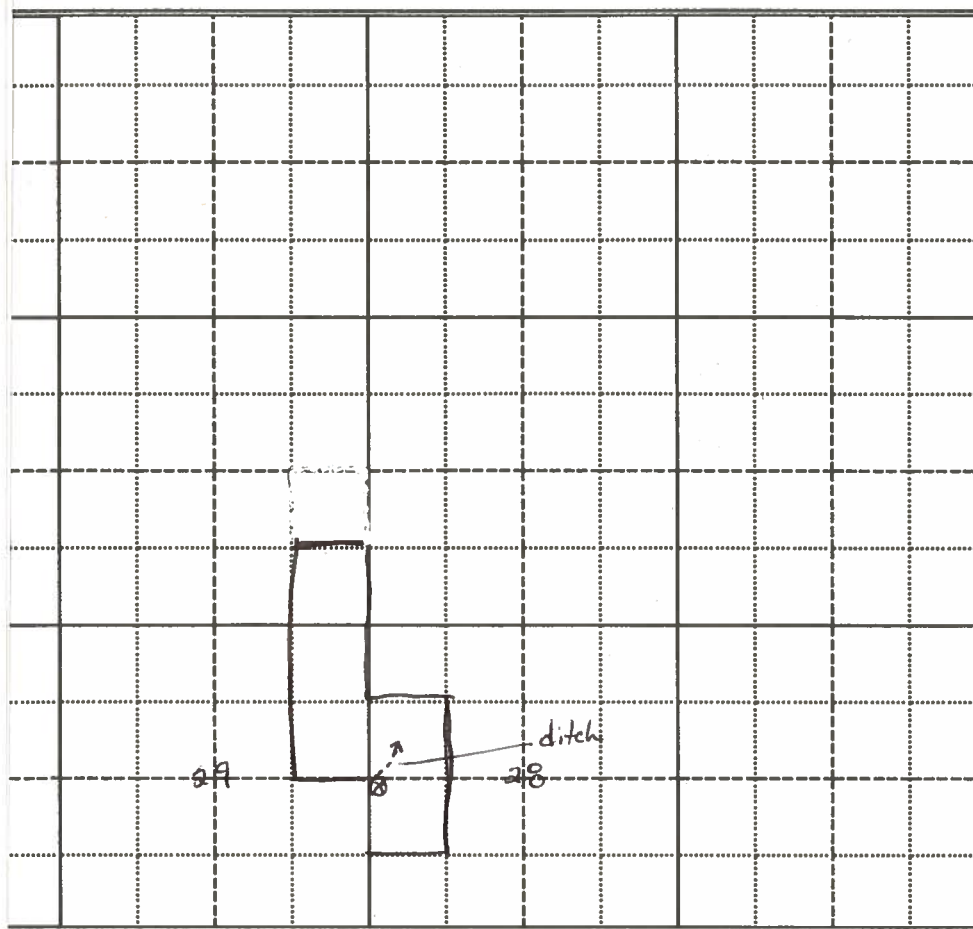
13:28+ 1.574E 3GPM 00R
+02621 *G 00R
-00000 *G 00R

13:30+ 1.564E 3GPM 00R
+05760 *G 00R
-00000 *G 00R

MATTHEW
Golden
Gardner

443-10477
6-21-2000
S King
C Bird

am: Indicate all major components and distances between components. Indicate weir as applicable.



Showing location(s) of
use (required).

Aerial Photo Attached
(required for Irrigation of 10+ acres)

Photo of Diversion and System Attached

Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Electric	125	R2020949	Layne & Bowler	LP99061 / 12T

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter - Polysonic	Sonic	Polysonics	TF-P	Southern's		Spring 2000

2. Measurements: 1573 gpm average over 15 minutes

E. NARRATIVE/REMARKS/COMMENTS

Pole # 29059 General Electric

$K_f = 4.8$; 480V ; SF=1 ; $K = 0.6$ TA=2.5
10 rev / 68 sec. (ave. of 3 readings)

$\frac{10 \text{ rev}}{1.13 \text{ min}} = 8.82 \text{ rev/min}$

$$KW = 3.6 \times \underset{K_h}{4.8} \times \underset{\substack{\text{assumed} \\ \text{multiplier}}}{40} \times \frac{10 \text{ revs}}{68 \text{ secs}} = 101.6 \text{ kW} \\ = 136.3 \text{ hp}$$

OK -

Old well about 50 ft NW of current well. ~~At~~ Per G. Gardiner, old well had 40-hp submersible pump and was once used to sprinkler irrigate some of the property. Due to a drilling tool stuck in the well, the well was abandoned for the current well, which has been fairly recently drilled and equipped with current pump and motor.

Well was open-discharging to ditch, conveying water to fields south of the well.

Neither the current or near-by abandoned wells were ever used to irrigate land in NWSW 528. ^{and SW 1/4 528} However, the NWSW 528 lands were once irrigated with ~~an~~ a third shallow well SE of the current well, but this well is long-abandoned.

Measured flow with Polysonics TF-P
1573 gpm = 3.51 cfs.

Have conditions of permit approval been met? ☐ yes ☐ no

1573 GPM.
3.51 CFS

F. FLOW CALCULATIONS 3.51 cfs _____ Additional Computation Sheets Attached

Measured Method: Sonic flowmeter on pipe of open-discharging well.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
			Totals:	_____

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Scott N King Date July 10, 2000

Reviewer _____ Date _____

SEAL

Hancock, Vikie

To: Matt

Subject: RE: Claim A43-10477 and 43-02287

Matt,

I have yet to review the file and supporting documents, so cannot tell you what will be possible for the Department to recommend based upon the history of authorized water use on your property. I can understand your concern in regard to something as important as water rights, and would be glad to meet with you and your attorney, if you so desire.

Our procedure includes a Preliminary Director's Report with a Notice of Error process in which the claimant or the attorney of record, and the Department, can discuss any disagreements the claimant may have with the proposed recommendation. Subsequent to this, the Director's Report is filed with the SRBA Court, followed by an Objection period. If a claimant still feels that the recommendation of his or her water right is incorrect, they may file an objection and seek relief from the Court.

I will inquire as to when I can expect your file in my office, and review it as soon as possible.

Vikie

-----Original Message-----

From: Matt [mailto:sgclinic@sginet.com]

Sent: Thursday, July 06, 2000 12:04 PM

To: vhancock@idwr.state.id.us

Subject: Claim A43-10477 and 43-02287

Vickie,

The last time I heard from you about claims A43-10477 and 43-02287, you were going to call me when you got the file from Boise. I have been out of town for a week and wondered if you had called while I was gone. I would like to know what the tentative recommendation of your department will be on my claims so I will know whether I need to hire legal counsel or not before our meeting. Thank you.

Matt Gardiner

7/6/00

Hancock, Vikie

From: Hancock, Vikie
Sent: Monday, June 26, 2000 9:40 AM
To: 'Matt'
Subject: RE: claims 43-02287 and A43-10477

Matt,

Thanks for your prompt reply. At this time I am not sure if I will be in the office on July 3rd - out of town guest are coming that are not certain of their arrival time. I'm sorry for the inconvenience, but it would probably be better to schedule an appointment for another date. I also need to retrieve your paper file from our engineer, Scott King, who is in our State Office in Boise. When I have the file here to refer to, I will call the number you gave me in your email of this morning, and we can discuss the claim by telephone. If it becomes apparent that you need to come into the office, we can make an appointment then.

Vikie

-----Original Message-----

From: Matt [mailto:sgclinic@sginet.com]
Sent: Monday, June 26, 2000 10:05 AM
To: vhancock@idwr.state.id.us
Subject: claims 43-02287 and A43-10477

Vickie,

In your email you suggested that we set up an appointment to discuss my claims A43-10477 and 43-02287. I will be in Idaho on July 3, and hope that we can meet sometime on that day, or perhaps we can discuss things on the phone (435) 674-6080. Please reply back via email as to when you would like to have me call or visit your office. I am deeply troubled by talk of possible forfeiture of either of the claims based upon photography, since I was required, prior to receiving a drilling permit, to submit the aerial photographs of the property from the ag department. I hope that interpretation of the photographs hasn't changed in a year's time, after I have spent over \$40,000 on the new well and pump. I just purchased the property recently and purchased it knowing that it had some acres of licensed water, which I thought could never be taken once I finally found the actual license document, and additional acres of beneficial use claims. I was not clear what the claims were so I called the Department of Water resources to find out what it had prior to repairing the well. I had no fears of any forfeiture claims because I personally saw it being farmed when I lived in Malta. I do not understand talk of forfeiture of a water right when the property is being irrigated at this moment. I have not in fact abandoned the water right. I do feel that I made a good faith effort to determine the status of the property prior to making the additional investment in repairing the well. Why were the aerial photographs requested at the time I applied for the well drilling license, if they weren't being used to verify the water right status? It was even stated by IDWR personnel that this was the purpose for the requested photographs. I would not be so bothered by talk of taking away water, if it had just occurred a few months ago, before I had invested so much in repairing the well and installing a pump. I will be ruined financially if all of the water is taken away. The purpose of the adjudication is to preserve the rights of the priority water rights, and the fact of the matter is that pumping on my farm has not affected the ground water level at all. It is only 4 to 6 feet to water in my stock water well on the farm, with the irrigation pump pumping only 20 feet away from the stock water well, just as it was in 1942, as anyone can verify by driving to the farm and looking in the well.

Sincerely,

Matt Gardiner

Hancock, Vikie

From: Hancock, Vikie
Sent: Friday, June 23, 2000 10:03 AM
To: 'sgclinic@sginet.com'
Subject: Matt Gardner Water Right Claim

Mr. Gardner,

Scott King forwarded to me your email and his reply of June 22nd, as I am the Water Resource Agent assigned to investigate claims in your area.

I was able to check the database from this office yesterday, and determined that the 1942 license was not claimed in the SRBA. The license seems to be appurtenant to 15 acres in the NWSW and 15 acres in the SWNW of section 28. Documents in the file indicate that the original application for permit showed an intent to develop 115 acres, but that inspection by the department engineer in 1944 found only the above mentioned 30 acres actually being irrigated. A claim in the SRBA based upon this license - now identified as 43-02287 in our records - would be limited to 30 acres and a diversion rate of 0.6 cfs.

I have not yet received the information Scott found during his field exam of the well and property, however it appears that there are issues of possible forfeiture in a critical groundwater area that need further review. Please contact me at your convenience so that we may set up an appointment to discuss your claim after I have had time to review all the information available to me here. My phone number is: 208-736-3033
address: 1341 Fillmore St, #200, Twin Falls, Idaho 83301

Vikie Hancock
Sr. Water Resource Agent
IDWR Southern Regional Office

GARDNER

Hancock, Vikie

From: King, Scott
Sent: Thursday, June 22, 2000 12:11 PM
To: 'Matt'
Cc: Hancock, Vikie; Bird, Cindy
Subject: RE: Water Right Claim number A43-10477

Matt,
I don't think that this license is claimed in the SRBA adjudication, but I cannot check today because our databases are down for a big conversion project. I will check as soon as they are back up (Friday or early next week). If it isn't claimed, it may be good to claim it.

I am concerned that the 1962 and 1968 aerial photography appear to indicate very little, if any, irrigation. The beneficial use claim should have been developed prior to the Critical Ground Water District designation (1963) to be considered valid. Although we measured flow rate yesterday, this flow was from a new well and likely is more flow than was originally developed based on my conversation with Goldie. I am concerned about the quantity of water originally developed, and therefore we need evidence to support both the quantity of water developed (flow rate) and the extent of beneficial use (irrigated acres).

The license could make a valid claim as well, but there may be issues of forfeiture if the water was not applied to beneficial use for a period of 5 consecutive years. The 1962 and 1968 photography raise questions about forfeiture.

I believe Vikie Hancock of our Twin Falls regional office is working on this claim. We will give Vikie the results of our June 21, 2000 flow measurements and field visit. You should work with Vikie regarding the concerns that I've raised here.

Scott King

-----Original Message-----

From: Matt [mailto:sgclinic@sginet.com]
Sent: Wednesday, June 21, 2000 11:52 PM
To: sking@idwr.state.id.us
Cc: cbird@idwr.state.id.us
Subject: Water Right Claim number A43-10477

I scanned and attached a jpeg picture of a water license dated May 29, 1942. This is on the same property as water right claim number A43-10477. I will send a copy in the regular mail as well, however, I am not sure if you have received all of my correspondence by regular mail so I thought I would try Email as well.

Thank You

Matt Gardiner

155 27E 20 SESE 15 ac ea 43-07195
28 nwsnw, swsw 43-2287 43-07195
29 ne ne, SE ne 43-0003E
43-07195

43-07195 Rnd mtn creek

RECEIVED

JUN 26 2000

Department of Water Resources

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

June 21, 2000

Scott King or Cindy Bird
State of Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Right Claim No. A43-10477

My research has produced an old Water Right License on the A43-10477 claim. It is included with this letter.

Thank You



Matt Gardiner

43 - 2287
NOT CLAT

State of Idaho

License and Certificate of Water Right

Water License No. 19308 Priority May 29, 1942 Amount 0.6 second foot

THIS IS TO CERTIFY that MRS. HOPE H. GARDINER of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 29, 1942; that Permit No. 19308 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4 second feet, was issued thereunder on November 24, 1943, showing that said works were completed on the 16th day of November, 1942; and that on the 16th day of December, 1942

MRS. HOPE H. GARDINER of Malta, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of wells (subterranean) a-tributary-of for the purpose of irrigation and livestock purposes under Use Permit No. 19308 of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses, at page 4206, on the 14th day of March, 1944;

The right hereby confirmed dates from May 29, 1942;

The Point of Diversion is located 1900 ft. distant from S W corner Sec. 28, T.15 S., R.27 E. PM in the NW ¼ SW ¼, Sec. 28, Tp. 15 S., R. 27 E., B. M. Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.6 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	27 E.	20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	15	--
		29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30	--
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	35	--
		28	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	15
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	20	15
				115	
Number of Acres Actually Irrigated					- 30

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use

STATE OF IDAHO

License and Certificate of Water Right

Water License No. 19308

To Mrs. Hope H. Gardiner
Malta, Idaho

Source of Supply

Wells

Cassia

County

Amount Six tenths (0.6) Sec. Feet

Point of Diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28,

Twp. 15 S., Range 27 East, B. M.

Place of Use SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26,

Twp. 15 S., Range 27 East, B. M.

Purpose Irrigation and livestock

Date of Priority May 29, 1942

Recorded March 14, 1944

in Book 7 of Licenses, Page 4206

Hancock, Vikie

From: King, Scott
Sent: Thursday, June 22, 2000 10:54 AM
To: Hancock, Vikie
Cc: Bird, Cindy
Subject: RE: Gardner A-10477

Vikie,
Cindy and I measured a well. It is a new well drilled within past few years. Previous well, near this one, has a tool stuck in it but was likely the one used to develop this claim. Mr. Gardiner was unsure as to dates of irrigation. Sounds to me like this one has been forfeited and maybe not even developed prior to '63. He claims to have an old DLE license for a clamshell-dug shallow well about 1/4 mile away that is no longer used, but was used on the lands to the southeast. It doesn't appear that this was claimed, but may exist on the WR database. I haven't checked yet. But again, I think there is high likelihood of forfeiture for any of this ground.
Scott

-----Original Message-----

From: Hancock, Vikie
Sent: Tuesday, June 20, 2000 9:24 AM
To: King, Scott
Subject: Gardner A-10477

Scott,

I'm the agent with the Gardner claim. I believe that Cindy has the claim file. I checked the database and find no indication that I have made any preliminary moves toward a recommendation for his claim (no R-record yet, etc). I have a basic place of use outlined in GIS, but am a little confused by it, as it doesn't match the POU listed on the database. There may be something in the paper file that would tell me why I outlined these particular 40s (or not). The bottom line is, my recommendation is as yet unformed, and will depend largely on what you and Cindy find out on Wednesday. Thanks for the communication on this. See you tonight. Oh, and I'm expecting Kent Durfee here on Thursday, so if you would please be sure to bring his files (Bruce/Elbert/Kent) with you tonight I'd appreciate it. Thx.

Vikie



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

A43-10477

February 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARDINER, MATTHEW
234 S 100 W
ST GEORGE UT 84770

RE: Water Right Claim No. A43-10477

Dear Mr. Gardiner:

In December, I sent to you a letter (copy enclosed) requesting information regarding diversion rate for a well used for irrigation and claimed by the above number. Thank you for timely responding to this request. You replied to my letter and included data pertaining to a newer pump that has been recently installed. Unfortunately, I cannot use this information because it represents diversion capacity after November 1987. The data I require must indicate diversion capacity prior to November 1987. If you can find any data to support diversion capacity of this well prior to November 1987, please send it to me at the above address.

If you have any questions about this matter, please let me know. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,

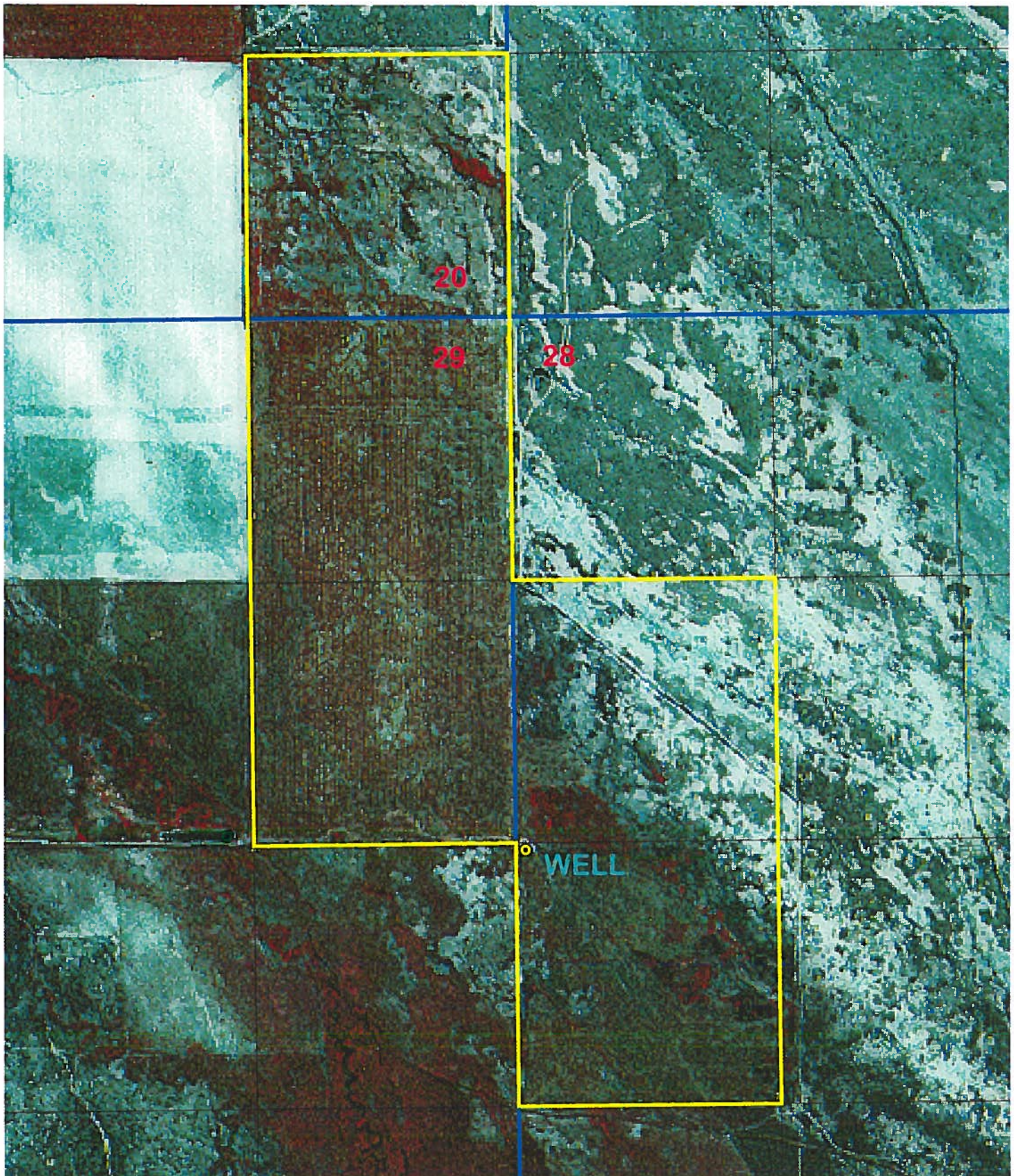
Scott King

Enclosure

FIELD NOTES

CLAIM NO(S): A43-10477

TWP 15S ,RNG 27E
SEC 20, 28, 29



V HANCOCK Date:

1987/1988 NAPP PHOTOGRAPHY

RECEIVED

MAR 20 2000

Department of Water Resources

Gardiner, Matthew
234 S 100 W
ST GEORGE UT 84770

Scott King
State of Idaho
Department of Water Resources
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Right Claim No. A43-10477

Dear Mr. King:

As I previously stated in previous correspondence, I only recently purchased this farm. I have tried to find out more information about the water right and have attached some pump bills from 1983 and 1984 along with information from the electric company about pump size. It appears that during part of 1984 he was running a 75 hp pump. The original water right in 1943 that was established as part of the desert land entry claim was established with a gasoline powered pump, so I could not get any electric bills for the prior usage. As I stated in the previous letter, I personally saw most of the farm growing a good stand of alfalfa in the 1980s. This is all the information I have been able to get so far. Thank you for any suggestions you might be able to offer.

Sincerely,



Matt Gardiner

Enclosure

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

Name: _____ A4310477
Point of Diversion: GARDINER MATTHEW C &
Claim No(s): _____ 15S27E28NWNWSW

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: _____ (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

*please see attached electric service
information*

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

ITEM	ACCOUNT NO
1/P3	070144

BILLING CODES

INDICATES ESTIMATED
METER READING

AMOUNT
3.66
2.74
137.71

TOTAL AMOUNT DUE
143.61

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

DATE	ACCOUNT NO
6/30/83	070144

HOPE GARDINER
MALTA ID 83342

BILLING CODES	
RESIDENTIAL	5 NOTES RECEIVABLE
SMALL COMMERCIAL	6 OTHER RECEIVABLES
5000+ PUMPS	7 PAYMENTS
PUBLIC BLDGE	8 ADJUSTMENTS
ISS CATION POWER	9 SALES TAX
LABOR POWER	
INTEREST	

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
	BALANCE FORWARD					
060883					17	510.38
060883					67	95.51CR
013357					6	414.87CR
018093	10289	11508	12190	27	2	75.00
029059		4271	4271	18	2	309.43
180116	7422	7452	30		1	127.63
						9.17
TOTAL AMOUNT DUE						521.23
90 DAYS AND OVER		90 DAYS	30 DAYS	CURRENT		
.00		.00	.00	521.23	FINANCE CHARGE 1.1%	

TERMS
All accounts are due and payable upon receipt and become past due the last day of the month marked on the invoice. Payment in full must be received by the 10th day of the month marked on the invoice. A late charge of 1 1/2% per month (18% ANNUAL RATE) will be applied to all past due accounts. Purchaser agrees to pay a reasonable attorney's fee in the event of a lawsuit. A collection fee in case of forced collection with or without suit.

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

DATE	ACCOUNT NO
5/31/83	070144

BILLING CODES

- 1 RESIDENTIAL
- 2 COMMERCIAL
- 3 INDUSTRIAL
- 4 LARGE POWER
- 5 SALES TAX
- 6 INTEREST
- 7 PAYMENTS
- 8 ADJUSTMENTS
- 9 OTHER RECEIVABLE

HOPE GARDINER
MALTA ID 83342

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
018093	11816	BALANCE	FORWARD			3.66
029059	4271	11816	110		2	2.24
		9036	4765	18	2	137.71

PAST DUE AMOUNTS			TOTAL AMOUNT DUE
90 DAYS AND OVER	60 DAYS	30 DAYS	
.00	.00	.00	143.61

TERMS: All accounts are due and payable upon receipt and become past due the last day of the month mailed. PER MONTH 11% ANNUAL RATE will be applied to all past due accounts. Purchaser agrees to pay a reasonable attorney or collection fee in case of forced collection with or without suit. FINANCE CHARGE 1 1/2%

1984

IRRIGATION PUMP SCHEDULE

PAGE 9

NAME	SERVICE NUMBER	CONTRACT		H.P.	AVERAGE K.W.	AMT TO BE PAID	DATE PAID	LINE LOAD	SUB STAT.	REMARKS
		DATE	TERM							
ENDOW, Seip 050127	✓ I 8037	✓	5/3/55	5	1200	2280	4/24	F10	M	
ENDOW, Seiji	✓ I 8010	✓	1/30/74	8	185	1850	4/21	F10	M	
ETNA RESERVOIR 050914	✓ U 50061		1/26/76	8	460	80		P20	B	Not used for several ye
FEHLMAN, Grant 060833	✓ I 190140	✓	4/13/73	8	780	2310	4/10	S30	I	
FEHLMAN, Grant	✓ I 190165		4/1/76	8	290					
FOREVERGREEN FARMS 060558	✓ I 17079		5/8/73	8	190	180	5/31	M40	I	
FENTON, Scott 061028 (Luke) 1264	✓ I 8023		1/21/77	7	315	530	5/30	F20	M	
FENTON, Scott	✓ I 8021	✓	1/12/77	8	200	630	5/30	I40	I	Graded Lake
FENTON, Scott	✓ I 8027	✓	4/1/77	8	1000	590	5/30	F10	M	
FRIDAL, Sid 060135	✓ I 9050	✓	6/17/60	8	325	1380	5/24	E20	I	
FRIDAL, Sid	✓ I 90119		1973	Pivot	50	430	6/24	E20	I	
GARDINER, Golden 070143	✓ I 180114	✓	6/28/55	7	190	550	5/3/64	M40	I	
GARDINER, Golden	✓ I 180151				60	460	6/25/64	M40	I	
GARDINER, Hope - Frank 070144	✓ I 180161		7/25/66	8	150	200		M40	I	Not used in 1983
GARDINER, Frank	✓ I 18093		5/2/74	8	175	240		M40	I	
GARDINER, Frank	✓ I 29059		1983		20	186	6/1/84	B20	B	
GARNER, Del B 070573	✓ I 9058	✓	4/17/80	8	830	1980	4/25	I20	I	
GARNER, Del B	✓ I 9061	✓	3/14/78	8	1200	1520	4/25	R20	R	
GERRATT, Larry 070409 #3	✓ I 6045	✓	3/3/81	8	4450	1920		R30	R	
GERRATT, Larry (Sunrise#4)	✓ I 6044	✓	3/3/80	10	6950	2050		R30	R	
GERRATT, Larry #1	✓ I 6049	✓	3/6/81	10	2800	2240		R30	R	
GERRATT, Larry #2	✓ I 6051	✓	13/3/81			1940	5/10	R30	R	
GILBERT, Wesley 070677	✓ I 24043		5/1/80	10	800	480		B40	B	
GILBERT, Wesley	✓ I 24041		1/29/69	8	50	90		B40	B	
GILBERT, Wesley	✓ I 24046		10/1/76	6	276	330		B40	B	

IRRIGATION PUMP SCHEDULE

NAME	SERVICE NUMBER	CONTRACT		H.P.	AVERAGE K.W.	AMT. PAID	DATE PAID	LINE LOAD	SUB STAT.	REMARKS
		DATE	TERM							
DURFEE, Curtis 040567	I	3/26/79	8	180	10	100		H-10	B	Not used in 1982
DURFEE, Curtis	I	3/26/79	8	800	61	610	6/1/82	H-10	B	
DURFEE, Lyle 040112	I	7/1/66	8	150	25	280		F-40	B-I	Not used in 1982
DURFEE, Lyle	I	7/1/66	8	50	5	50		F-40	B-I	Not used in 1982
DURFEE, Lyle	I	4/1/69	8	80	20	80		F-40	B-I	Not used in 1982
ELISO, Elmo 050119	I	7/13/62	8	240	40/50	740	5/23/83	N-20	B	
ELISO, Elmo	I	3/8/77	8	368	26	260	6/13/83	N-20	B	
ELISON, Lano 050120	I	6/27/62	8	240	46	460		N-20	B	Not used in 81 or 82
ELISON, Lano	I	5/6/69	8	75	78	780	6/20	N-20	B	Not used in 1982
ELISON, Lano	I	4/29/58	7	350	40	150	8/1/83	N-20	B	Not used in 1982
ENDOW, Seiji 050127	I	5/3/55	5	1200	234	2340	4/2/8	B-20	M	
ENDOW, Seiji	I	1/30/74	8	185	100/125	1700	4/2/8	B-20	M	
ETNA RESERVOIR 050914	U	1/26/76	8	460	7 1/2	80		P-20	B	Not used for several years.
FEHLMAN, Grant 060833	I	4/13/73	8	780	250	2330	5/1/8	F-20	B-I	
FEHLMAN, Grant	I	4/1/76	8	290	20	160	5/1/8	F-20	B-I	Not used in 1981 or 82
FOREVERGREEN FARMS 060558	I	5/8/73	8	190	30	200	5/31	F-20	B-I	
FRIDAL, Sid 060135	I	6/17/60	8	325	50/150	1330	4/20	C-40	B-I	
FRIDAL, Sid	I	1973		Pivot	50	420	4/20	C-40	B-I	
GARDINER, Golden 070143	I	6/28/55	7	190	60/75	340	3/2	F-40	B-I	
GARDINER, Golden	I	1974 combined with		180114	47	470	6/1/83	F-40	B-I	
GARDINER, Hope & Frank 070144	I	7/25/66	8	150	40	200		F-40	B-I	
GARDINER, Hope & Frank	I	5/2/74	8	175	40	230	7/1	F-40	B-I	
GARNER, Del B. 070573	I	4/17/80	8	830	100/150	2140	4/27	E-20	I	
GARNER, Del B	I	3/14/78	8	1200	154	1540	4/27	N-30	B-I	
GARDINER, Frank	I				20	170	5/25			

150015

AGREEMENT FOR PURCHASE OF POWER (IRRIGATION)

THIS agreement, made this 26th day of May, 1983, between the
RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC., hereinafter called the Seller, and
Frank Gardiner, hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho, particularly
described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 28, Township 15 South, Range 27 East
of the Boise Meridian, and has a well or wells on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 28, Township 15 South, Range 27 East of the Boise
Meridian and desires to irrigate the irrigable portion of said real estate by pumping
water from such well or wells.

NOW, THEREFORE, the Seller agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 20 HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy which is purchased
for pumping water from the well or wells upon said premises for irrigation purposes
during the irrigation season of each year for a period of not less than ten (10)
years from the date of this contract.

1. Service Characteristics: The electrical energy to be furnished under
this contract shall be alternating current, three (3) phase, sixty cycle, 480 volts.

2. Payment: The Consumer shall pay to the Seller for the Electrical energy
furnished at the rates and upon the terms and conditions set forth in Schedule C,
which is hereto attached and by reference made a part of this contract.

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy and seasonal demand used by the Consumer
during any irrigation season at the purchase price or prices shown on Schedule C
shall not equal \$ 200.00 to be paid during any irrigation season, then the
Consumer agrees to pay to the Seller a minimum charge of \$ 200.00 for the
irrigation season of any year during the life of this contract. The said minimum
charge will be billed annually as of December 31 for the year in which no electrical
energy is used. Should the amount of usage not equal or exceed the established annual
minimum charge, the Consumer shall pay the difference between amount used and said
minimum. The said minimum charge to be paid on or before the first day of February
of the next year following the year in which no electrical energy is used.

Bills for electrical energy furnished under this contract shall be paid
monthly by the Consumer to the Seller at its office at Malta, Idaho, and will

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SINESS REPLY MAIL

ASS MAIL PERMIT NO. 1148 BOISE ID

AGE WILL BE PAID BY ADDRESSEE

DEPARTMENT OF WATER RESOURCES

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D 83707-9815



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

