

01/23/2006

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

RIGHT NUMBER: 22-631

NAME AND ADDRESS: FLOYD B GARDNER
2685 N RIVER RD
ST ANTHONY ID 83445

SOURCE: SOUTH TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.200 CFS

PRIORITY DATE: 12/01/1903

POINT OF DIVERSION:
T07N R40E S36 NESESW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within MADISON County

T06N R40E S01 Lot 3 NENW	9.00	T07N R40E S36	SWNW	34.00
T07N R40E S36	NWSW	37.00		
80 ACRES TOTAL				

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 No. 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

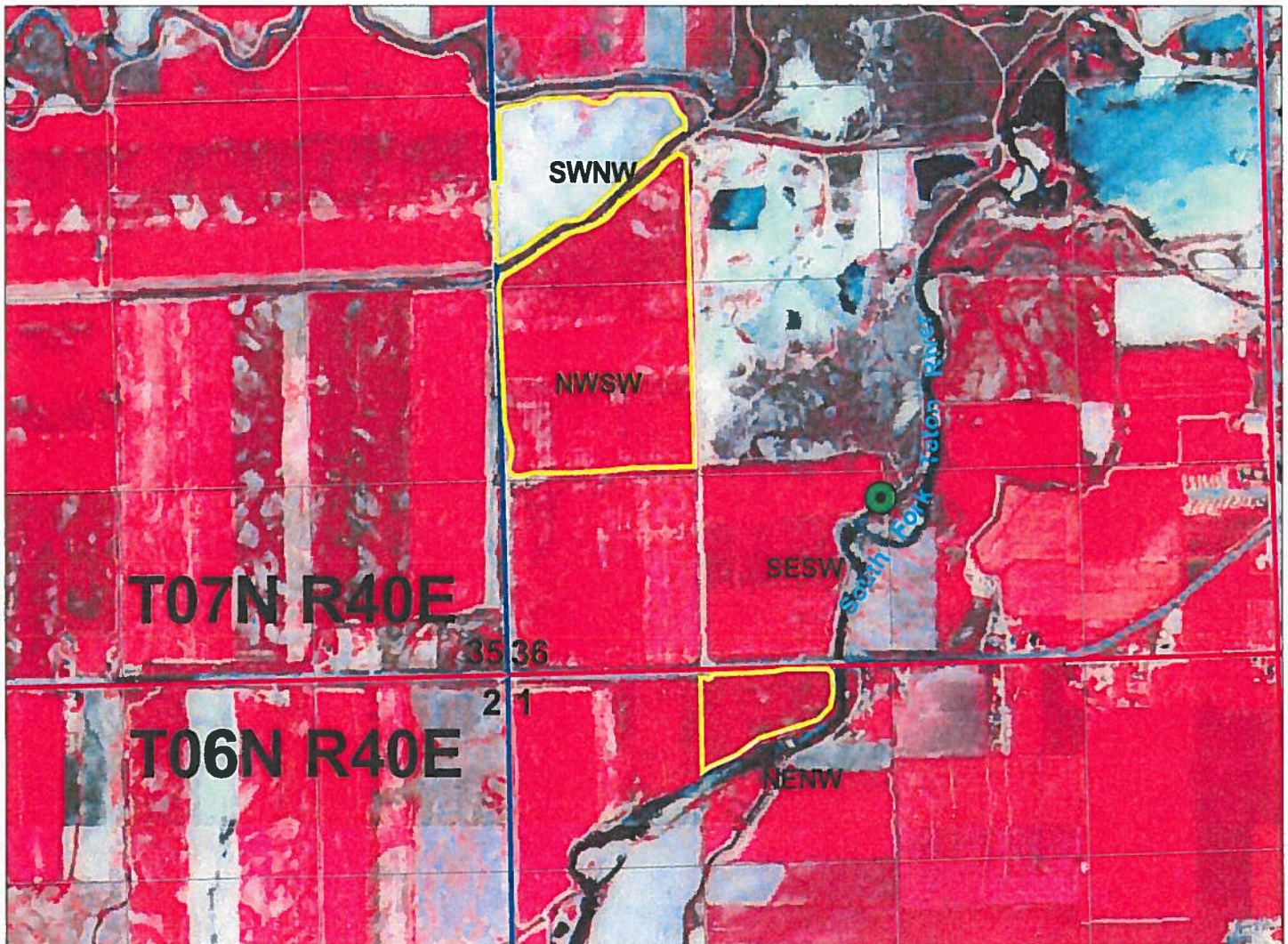
The following rights are also diverted through point of diversion described above: 22-207B, 22-631, and 22-636A.

Department of Water Resources

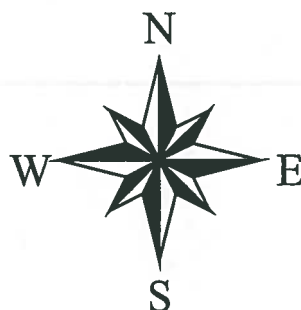
Eastern Region



Claim No.: 22-631



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: December 2005

09/07/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-631

FLOYD B GARDNER
2685 N RIVER RD
ST ANTHONY ID 83445
Telephone Number: (208) 624-0966

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10-16-2006 SIGNATURE: Floyd B. Gardner

Please print your name: FLOYD B Gardner

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
OCT 25 2006
Department of Water Resources
Eastern Region

11/10/05
10/25

NOTES

12-27-05

This right was decreed to the NWSW and SWSW of S 36 (80 ac) with 2"/ac. In 1979, Tx 2322 was filed which combined this right and 22-636 on 120 ac. PPU w/ 2"/ac. When the claims were filed in adjudication, they were filed as separate rights. However neither party (Floyd Gardner and David Gardner) claimed the correct acres according to the decree.

22-631 filed for 83 ac. and 3.2 cfs. Quantity is okay. But only 80 ac. can be recommended because that is all that was decreed under this WR.

Water Right No(s). A22-00631

GPS Data - same as 22-636A

CR File
22636A

Typed version of claim in file is incorrect. Address was for El Cajon, CA. Acreage left out also. See original claim (hand written)

Claimant: Floyd Gardner now lives at;
2685 N. River Road
St. Anthony, ID 83445

Home phone - 208-624-0966
Cell - 619-571-9118

GPS DATA:

Tag # Same as A22-636A Location: on headgate frame

Diversion Data:

Source: Teton River Trib to: Snake River

Rediv. **MOTOR** 6 cyl catapillar Diesel on ditch
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Transf #2322 map incorrect. Point of diversion is ditch off
Teton River in SE1/4 Sec. 36, T7N R40E. Diesel pump shown
is the re-diversion point out of ditch. Claimants brother, Ed
Gardner (phone 458-4437) runs this farm + own under 22-636A (Doyle Brock).
Both use same P.A.D + rediv. pump. P.A.D is not Pincock-Gardner Ditch

Field Exam Date: 11-07-2005 Agent: R. W. Jones

Producers to 0.026 cfs/ac x 83 ac = 2.21 cfs

Part of 22-631 is UNCLAIMED ≈ 37 ac



Rediversion pump on ditch, A22-631 + A22-636A



Point of Diversion, Rts A22-631 + A22-636A



REDIV

22-636A

01704

T7N, R40E
T6N, R40E

City of Teton

35 36
21

30 29
31 32

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED**To Change the Point of Diversion and/or the Place of Use**Name of applicant Floyd B. Gardner and/or David L. Gardner Phone 458-4937Post office address Route #1, Sugar City, Idaho 83448**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**a. Decree to Floyd Gardner (22-0631), David L. Gardner (22-0636)

(Name)

in case of Floyd Gardner, et al vs Lynn Crandalldated 4/6/1954 in 9th Judicial District county of Fremont

(Name of court)

b. License No. _____ 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 Teton River tributary to Snake River4. Date of priority 12/01/1903**5. Water is used for the following purposes:**22-0631 amount 3.20 for Irrigation purposes from * to *22-0636 amount 1.60 for Irrigation purposes from * to *

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.80 cubic feet per second

&/or

b. _____ acre feet per annum

7. Location of original point of diversion is * % of _____ % of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

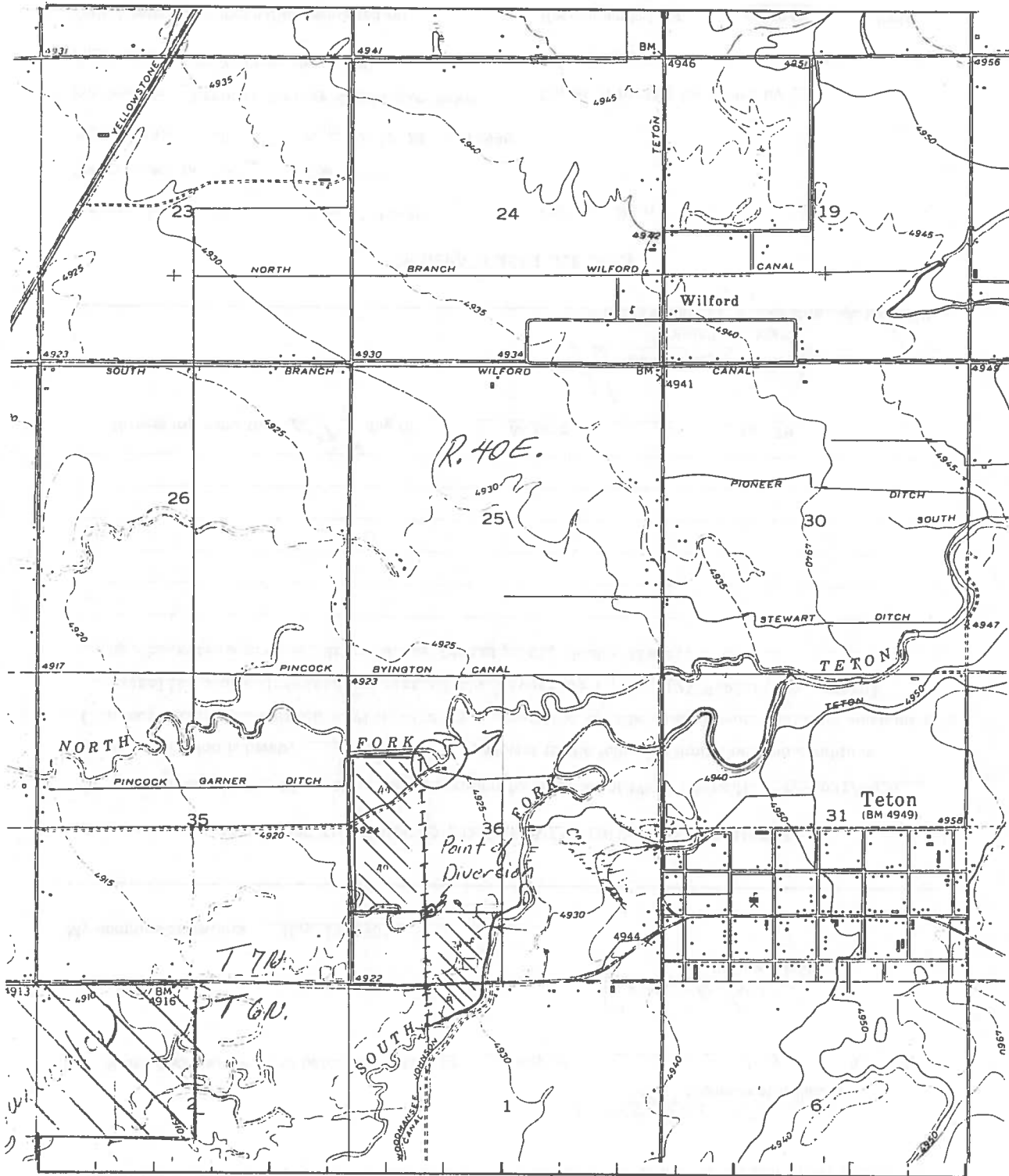
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
22-0631																			
7N	40E	36							40			40							80
22-0636																			
7N	40E	36											40						40

Total number of acres to be irrigated 120

9. Describe any other water rights used for the same purposes as described above _____

120	Total number of acres to be irrigated
-----	---------------------------------------

3. 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.

4. 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.

Subscribed and sworn to before me this 12 day of July, 1979

(Signature of applicant)

Joseph A. Sanders

(Notary public)

Joseph A. Sanders

My commission expires May 15, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0631/0636 and said application is hereby approved _____, subject to the following limitations and conditions:

(1) A totalizing measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (2) Subject to control by the watermaster of State Water District 01, Snake River.

Witness my hand this 29th day of August, 1979.

NORMAN C. YOUNG
Administrator, Resources Admin. Div.

Norman C. Young

FOR DEPARTMENT USE ONLY

Received by _____ Date 7-12-79
Prelim. check by *ENC* Fee 35.00
Received by _____ Date 7-12-79 #11999
Published in _____
Fremont County Chronicle News
Pub. dates July 19 & 26, 1979
Watermaster recommendation requested on _____
7-18-79
rec'd. 7-23-79
Recommended for _____
approval _____
denial _____
by *Mark Collins*

Contacts Data Entry Form

Water Right No. 22-631

Owner Type _____ Full Name FLOYD GARDNER Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

OFFICE GENERATED CC OF CLAIM HAS ADDRESS ERROR:14436, RIOS CANYON RD 92021 ⇒ NO SUCH PLACE.

CORRECT ADDRESS

CLAIMANT'S HANDWRITTEN CLAIM SHOWS ADDRESS AS:14436, RIOS CANYON RD, EL CAJON CA 92021

DISPERSED UNDER GARDNER vs CHANDALL, 6 APRIL 1954 TO:
FLOYD GARDNER, AS 160", DEC. 1, 1903, TETON RIVER.
TX# 2322 Δ'S POLL (120° AC) SHOWS COMBINED USES OF 22-636 &
22-631 TO 4^B CTS ON 120° AC = 0.04 cts/AC ⇒ 2"/AC.

AS CLAIMED: 22-00631, 3.2 cts on 83° AC (SEE HAND
WRITTEN CLAIM COPY.) AND ERROR OF POLL EXISTS ON

THE OFFICE GENERATED CLAIM COPY - WHEREBY THE
39° AC CLAIMED IN NWSW SEC. 36, T7N R40E
WAS OMITTED ⇒ ADD BACK TO RECOMMENDATION.

RE: POOL/POLL, PHOTO/GPS, CONVEYANCE SYSTEM

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: DEC 1, 1903 Claimed Basis: DUE RGSRecommended Priority Date: 12/1/1903 Recommended Basis: DUE RGS☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DUE RGS + TR# 2322.

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 7N, R 40E, Sec. 36, NW, SE, NW. County: FREMONTSource: TETON RIVER, SO. FK Tributary: SNAKE RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	
<u>7N</u>	<u>40E</u>	<u>36</u>			<u>FREMONT</u>	<u>SOUTH TETON RIVER</u>	<u>TWB To:</u> <u>HENRY'S FORK</u>
GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	40E	1	NENW		FREMONT		10	Paris.
7N	40E	36	SNNW				34	"
			NWSW				39	"

Total Acres 83SEE ERROR
* NOTES.

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

* SEE CONTACT Pg - DISCUSSION OF CLAIM POU ERROR - CORRECTED.

Transfers Changing POU TX #2322

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Range</i>	<i>4/1</i>	<i>11/01</i>	<i>3.2</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Range</i>	<i>4/1</i>	<i>10/31</i>	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Q BY TX #2322. $4^{\frac{1}{2}} \text{ cfs} + 120 \text{ ac} = 0.04 \text{ cfs/ac}$

$\therefore 83 \text{ ac} \times 0.04 = 3.32$. CLAIMS 3.2 AS DETERMINED $\Rightarrow$ OK

Reviewer: _____

Date: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

AUG 31 1979

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Floyd B. Gardner and/or David L. Gardner Phone 458-4937
Post office address Route #1, Sugar City, Idaho 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to Floyd Gardner (22-0631), David L. Gardner (22-0636)
(Name)
in case of Floyd Gardner, et al vs Lynn Crandall
dated 4/6/1954 in 9th Judicial District county of Fremont
(Name of court)
- b. License No. _____ 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 Teton River tributary to Snake River4. Date of priority 12/01/1903

5. Water is used for the following purposes:

22-0631 amount 3.20 for Irrigation purposes from * to *

22-0636 amount 1.60 for Irrigation purposes from * to *

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

6. Total amount of water under right: a. 4.80 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is * $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
22-0631																			
7N	40E	36							40		40								80
22-0636																			
7N	40E	36											40						40

Total number of acres to be irrigated 120

9. Describe any other water rights used for the same purposes as described above _____

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

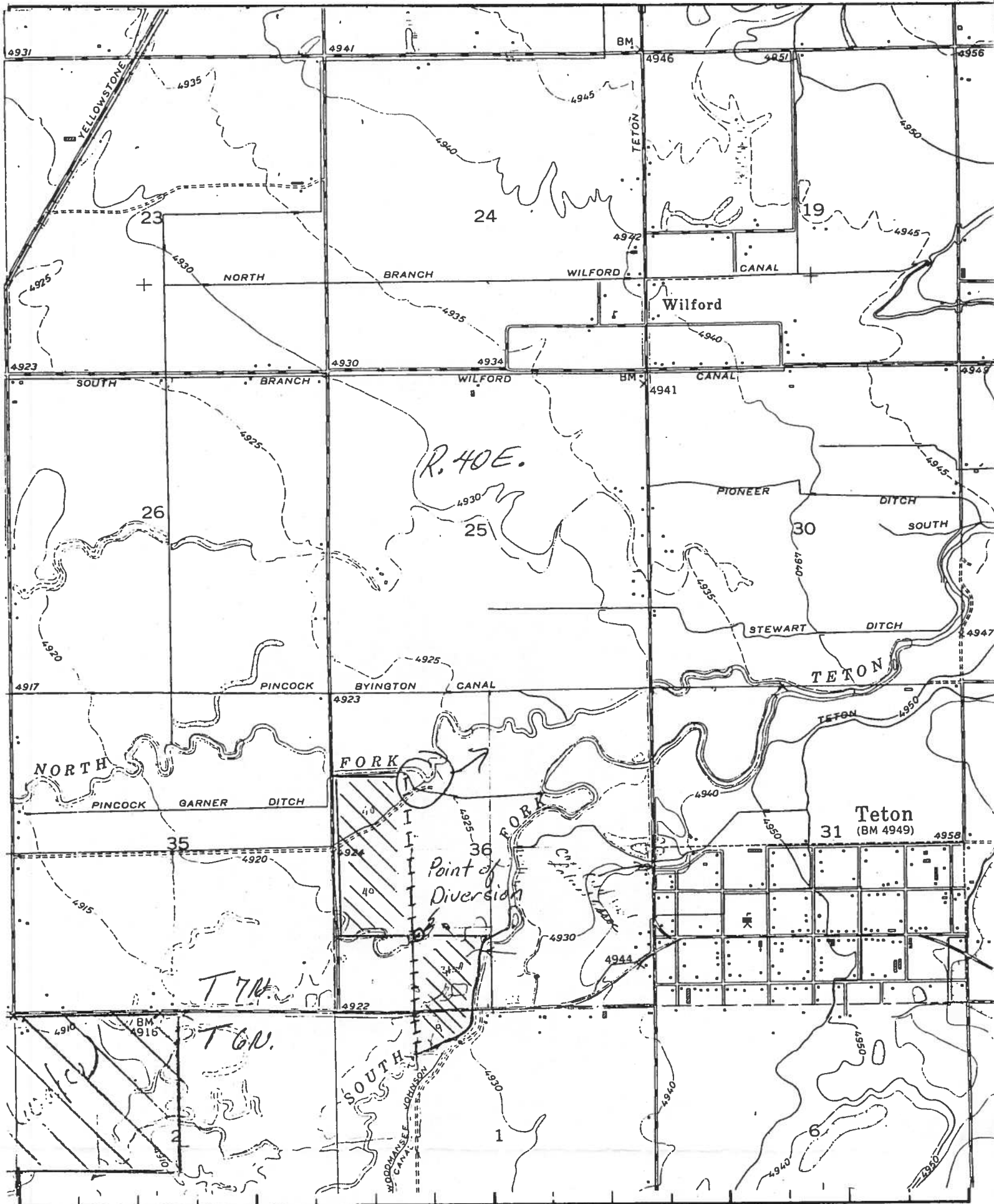
1. Change in point of diversion
- a. Amount of water to be diverted 4.80 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ SW ¼, Section 36 Township 7N .
Range 40E, B.M., Fremont County
Additional points _____
- c. Description of diverting works 250 Hp. propane engine with P.T.O. drive for pump.
- d. Describe the reasons for applying for a change in the point(s) of diversion To update the records of the Department and Water District # 01.

2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	40E	36							40			40	(31)						111
6N	40E	1					9												9

3. 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.

4. 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.

Floyd B. Gardner
(Signature of applicant)

Subscribed and sworn to before me this 12 day of July, 19 79

Jean W. Strain
(Notary public)

My commission expires May 15, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0631/0636 and said application is hereby approved, subject to the following limitations and conditions:

(1) A totalizing measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (2) Subject to control by the watermaster of State Water District 01, Snake River.

Witness my hand this 29TH day of August, 19 79.

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

FOR DEPARTMENT USE ONLY

Received by dh Date 7-12-79

Protest filed by _____

Prelim. check by EMC Fee 35.00

Receipted by dh Date 7-12-79 #11999

Published in Fremont County Chronicle News

Copies of protest forwarded by _____

Pub. dates July 19 & 26, 1979

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

7-18-79 rec'd. 7-23-79

by Ernest Colman, S.S.

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

Name of applicant Floyd B. Gardner and/or David L. Gardner Phone 458-4937

Post office address Route #1, Sugar City, Idaho 83448

A. DESCRIPTION OF RIGHT AS RECORDED

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dated 4/6/1954 in 9th Judicial District county of Fremont
(Name of court)
- b. License No. _____ 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 Teton River tributary to Snake River

4. Date of priority 12/01/1903

5. Water is used for the following purposes:

22-0631 amount 3.20 for Irrigation purposes from * to *

22-0636 amount 1.60 for Irrigation purposes from * to *

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

6. Total amount of water under right: a. 4.80 cubic feet per second
b. &/or
acre feet per annum

7. Location of original point of diversion is * _____ % of _____ % of Section _____ Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
22-0631																			
7N	40E	36							40				40						80
22-0636																			
7N	40E	36											40						40

Total number of acres to be irrigated	120
---------------------------------------	-----

9. Describe any other water rights used for the same purposes as described above

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT, if entire right is owned by the applicant, omit part B.

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion
 - a. Amount of water to be diverted 4.80 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SE ¼ SW ¼, Section 36 Township 7N
Range 40E, B.M., Fremont County
Additional points _____
 - c. Description of diverting works 250 Hp. propane engine with P.T.O. drive for pump.
 - d. Describe the reasons for applying for a change in the point(s) of diversion To update the records of the Department and Water District # 01.

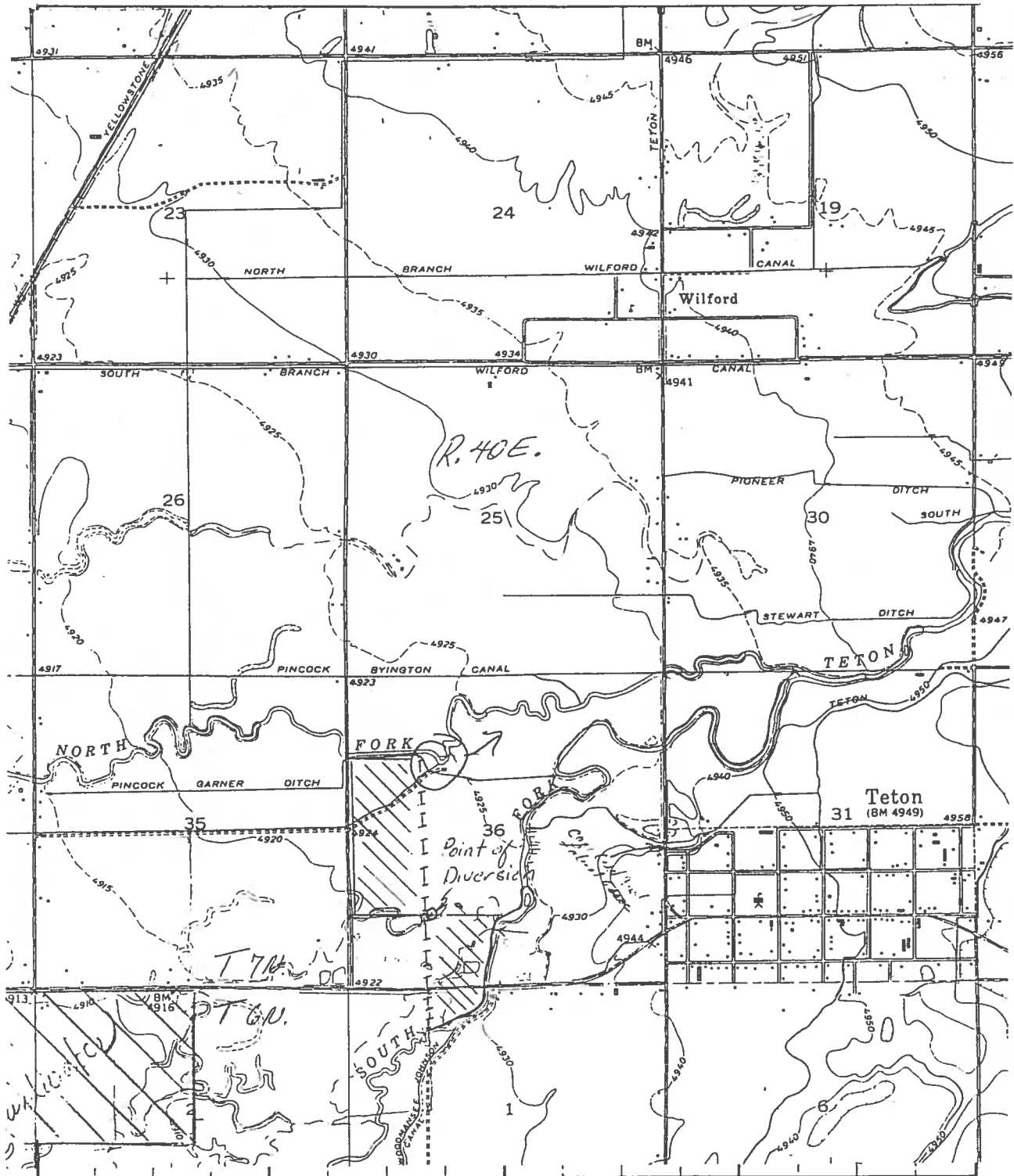
2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	40E	36							40			40		31					111
6N	40E	1					9												9

Total number of acres to be irrigated 120

3. 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.

4. 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.

Floyd Gardner
(Signature of applicant)

Subscribed and sworn to before me this 12 day of July, 19 79

Jean Watson
(Notary public)

My commission expires May 15, 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>7-12-79</u>	Protest filed by _____
Prelim. check by <u>EMC</u>	Fee <u>35.00</u>	_____
Receipted by <u>dh</u>	Date <u>7-12-79</u> # <u>11999</u>	_____
Published in _____		Copies of protest forwarded by _____
Pub. dates _____		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for approval denial
_____ rec'd. _____		by _____

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: A22-00631
Date Received: 8/31/1988
Receipt No: E001972
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD GARDNER 619-443-1020
Address: 14436
RIOS CANYON, ID 92021

2. Date of Priority: DEC 01, 1903

3. Source: TETON RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	40E	36	NW	SE	NW		FREMONT

5. Description of diverting works:
HEADWORKS OF PINCOCK GARNER DITCH TO DISTRIBUTION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 827.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	1	NE	NW		IRR	10.0
Section Acres							10.0

A2200631



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	40E	36	SW	NW		IRR	34.0
Section Acres							34.0
Total Acres							44.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

22-0207, 01-0063, 0062, 0344

14. Remarks:

SEE TRANSFER ²³²² ~~#6322~~

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FLOYD GARDNER

Decree Plaintiff

vs

LYNN CRANDALL, W.M.

Decree Defendant

MICROFILMED

OCT 28 1982

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: 39356

Ident. Number

A22-00631

Date Received

7-29-88

Receipt Number

E001972

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 29 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Floyd B. Gardner Phone (619) 443-1020
Mailing Address 14436 Rios Canyon Rd Zip 92021
EL Cajon, CA

2. Date of Priority (Only one (1) per claim) 12-01-1903

3. Source of water supply (a) South Fork Teton River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 7N Range 40E Section 36,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Fremont

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. Headgate to ditch to

metrod pump to sprinkler lines

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OCT 28 1992

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 3.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 182.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
7N	40E	36							34				39						73
6N	40E	1					10												10

Total number of acres irrigated 83

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

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

14. Remarks:

2322
See Transf. 6322

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OCT 28 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 22-0631
Court _____ Case Number _____ Decree Date April 6, 1954
Plaintiff vs Defendant Gardner vs Crandall

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) x Lloyd B. Gardner Date x 7-19-88

Vicki J. Gardner Date 7-19-88

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 San Diego) SS.

Subscribed and sworn (or affirmed) before me this 19th day of July 19 88



Notary Public Kimberly S. Boswell

Residing at 850 N. Second St. El Cajon, CA 92021

My Commission Expires November 22, 1991

Please Print Name Kimberly S. Boswell

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
OCT 28 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

