

08/24/2005

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

RIGHT NUMBER: 27-12013
NAME AND ADDRESS: BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221
LEON J GARDNER
400 N 469 E
BLACKFOOT ID 83221

SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 03/04/1909

POINT OF DIVERSION:
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 SENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S14	NENE	9.6	T02S R36E S14	NWNE	22.0
T02S R36E S14	SWNE	11.0	T02S R36E S14	SENE	18.0

60.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 60.6 acres in a single irrigation season. Combined Right Nos.: 27-10028 and 27-12013

This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 27-~~2012~~ ¹²⁰⁷¹

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

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

08/03/2005

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

RIGHT NUMBER: 27-12013
NAME AND ADDRESS: BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221

LEON J GARDNER
400 N 469 E
BLACKFOOT ID 83221

SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.400 CFS
~~Use of this right with Right No. 27-10028 is limited to a total combined diversion rate of 2.08 cfs.~~
2.41

PRIORITY DATE: 03/04/1909

POINT OF DIVERSION:
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 SENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County
T02S R36E S14 NENE 14.4 T02S R36E S14 NWNE 24.4
T02S R36E S14 SWNE 10.7 T02S R36E S14 SENW 20.7

60.6
70.2 ACRES TOTAL

This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.

ESG - 70.2 AC 27-12013, 27-10028

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 27-12072. 2012

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

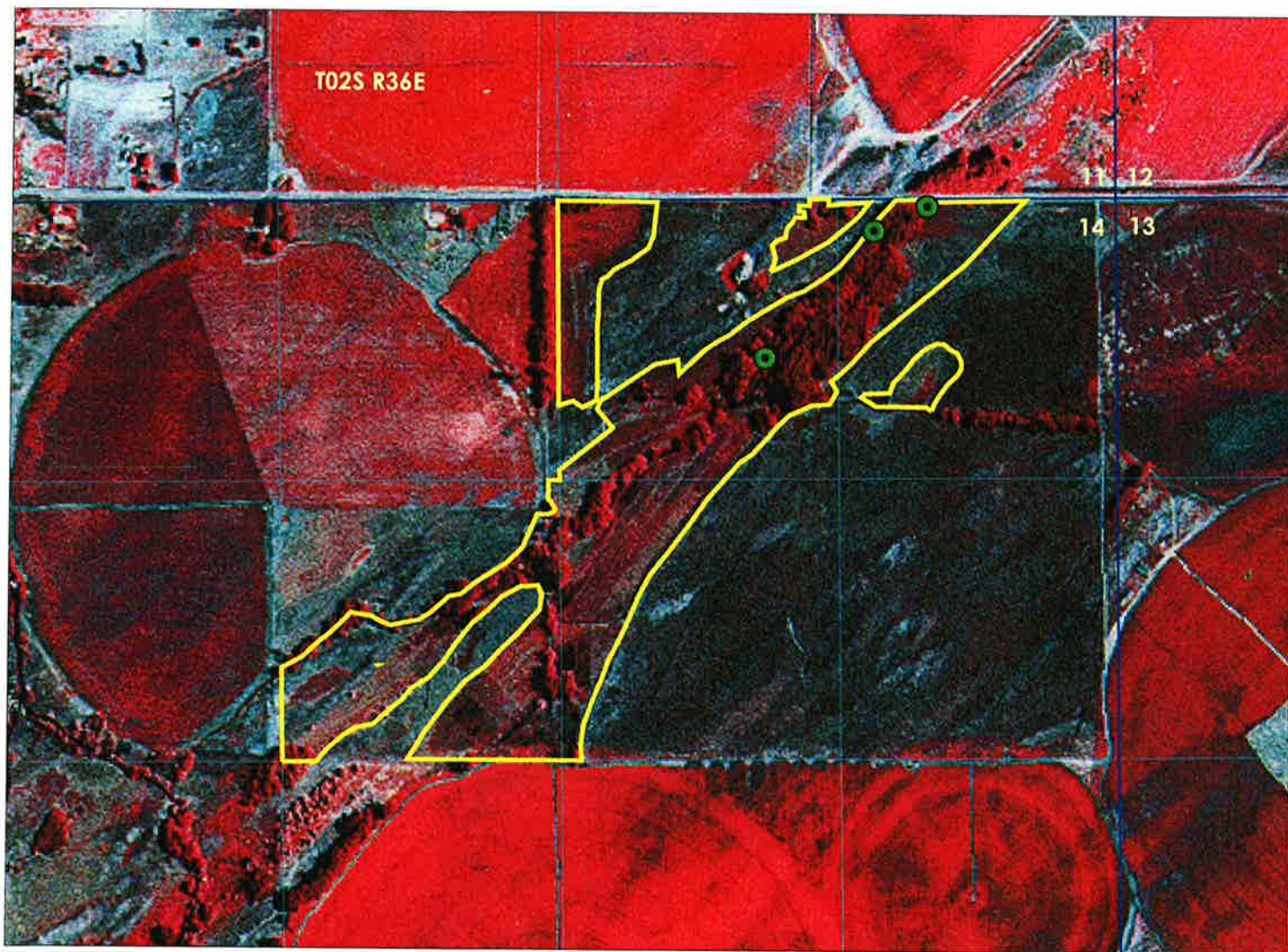
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Department of Water Resources

Eastern Region



Claim No.: 27-10028 & 27-12013



0 660 1320 1980 2640 Feet

PROFILED

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

SCANNED
MAY 17 2006



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: August 2005



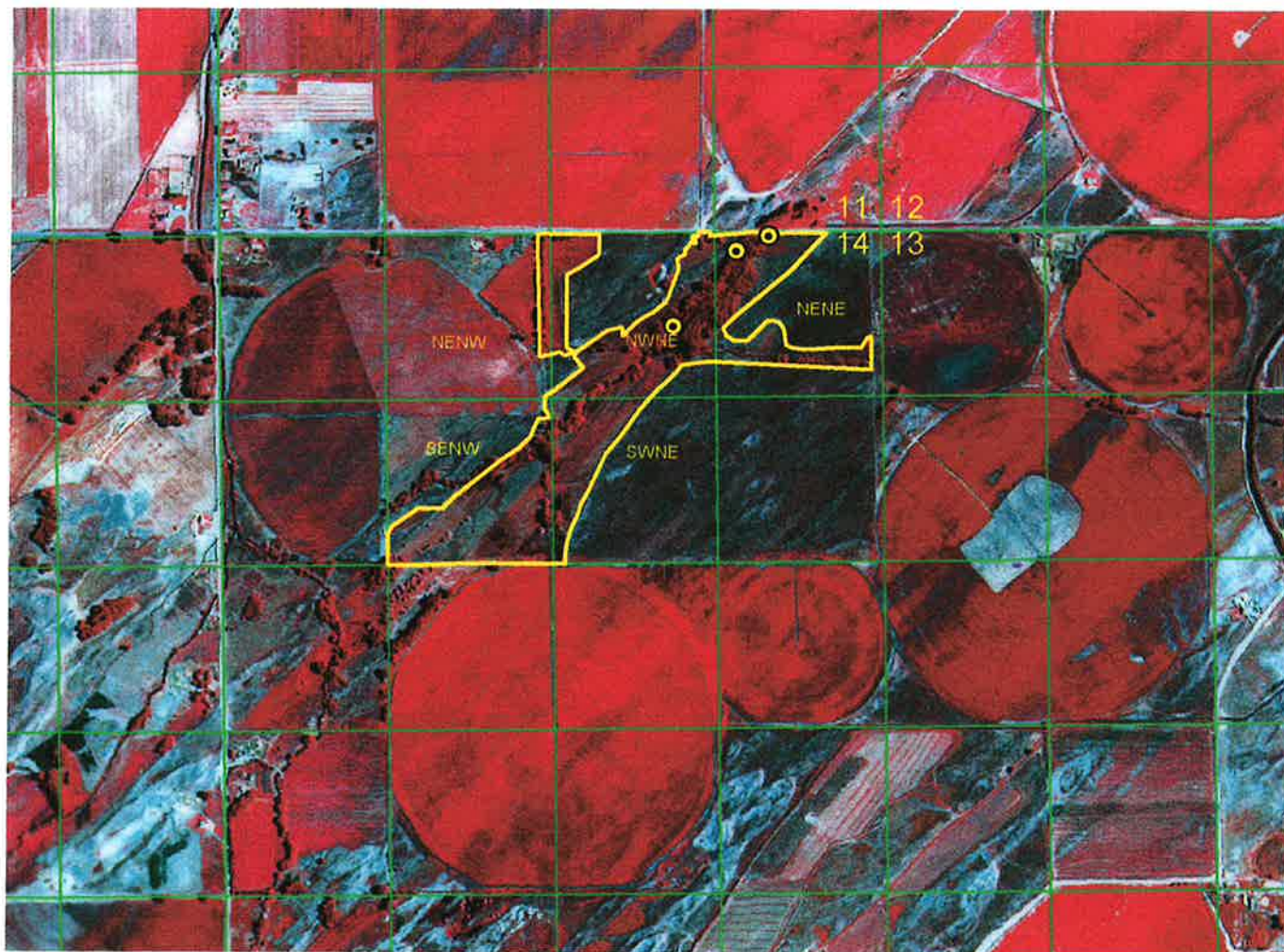
STATE OF IDAHO

Department of Water Resources

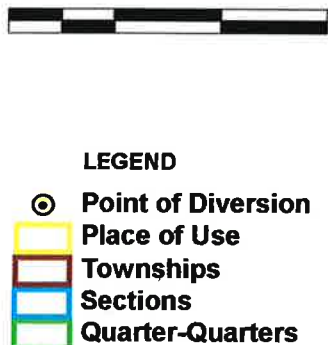
Eastern Region



Water Right(s) 27-10028 & 27-12013

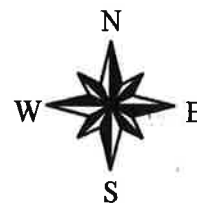


800 0 800 1600 Feet



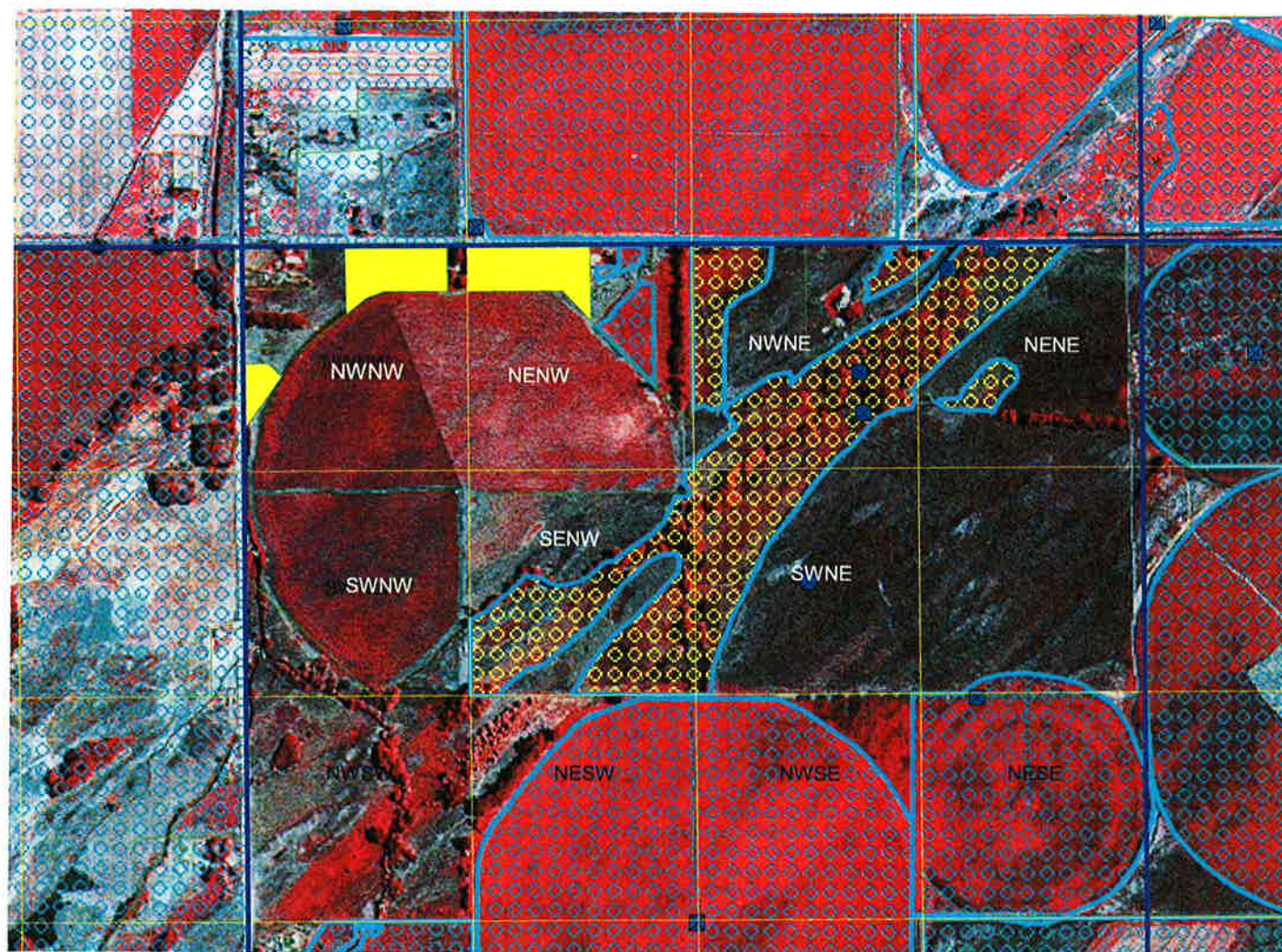
Place of Use: T2S, R36E:
(part of) Sec. 14, SENW,
SWNE, NWNE, NENE.

Point(s) of Diversion: T2S, R36E:
Sec. 14, SENWNE, NWNENE.



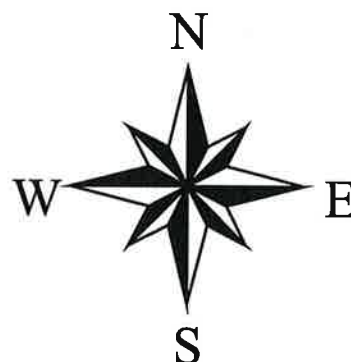
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: July 2005.

2 south, 36 east, section 14, north half



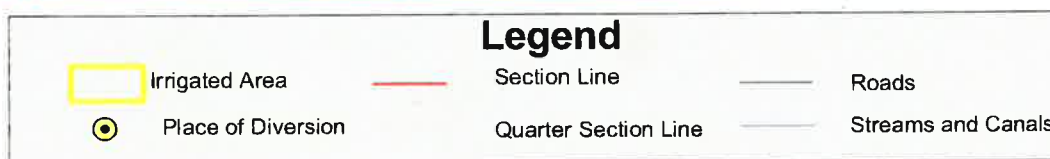
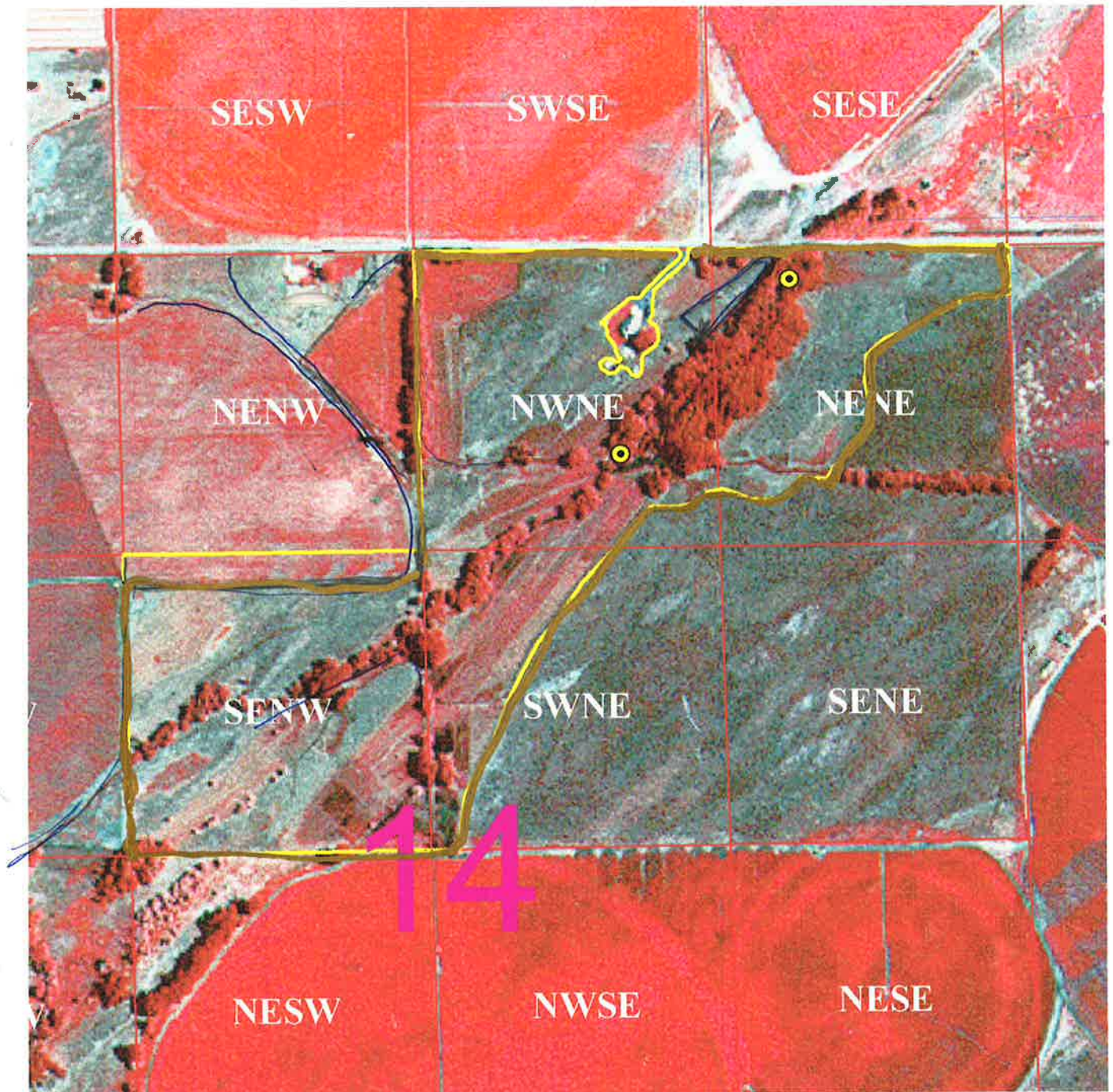
0.2 0 0.2 0.4 Miles

-  Sections
-  QQ
-  Bingham taxlots
-  GCDB02S36E GCDB
-  Recommendation POD
-  Recommendation POU
-  Administrative BasinsAdminbas.shp



Water Right Claim Number 27-10028
Township , 2S36E

01/02/2001



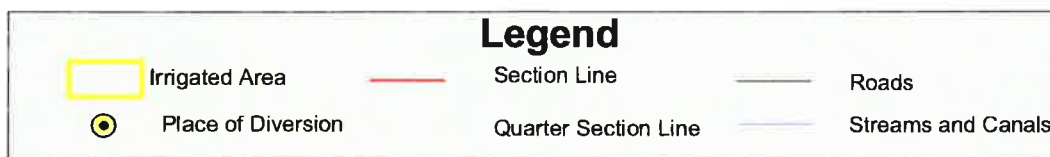
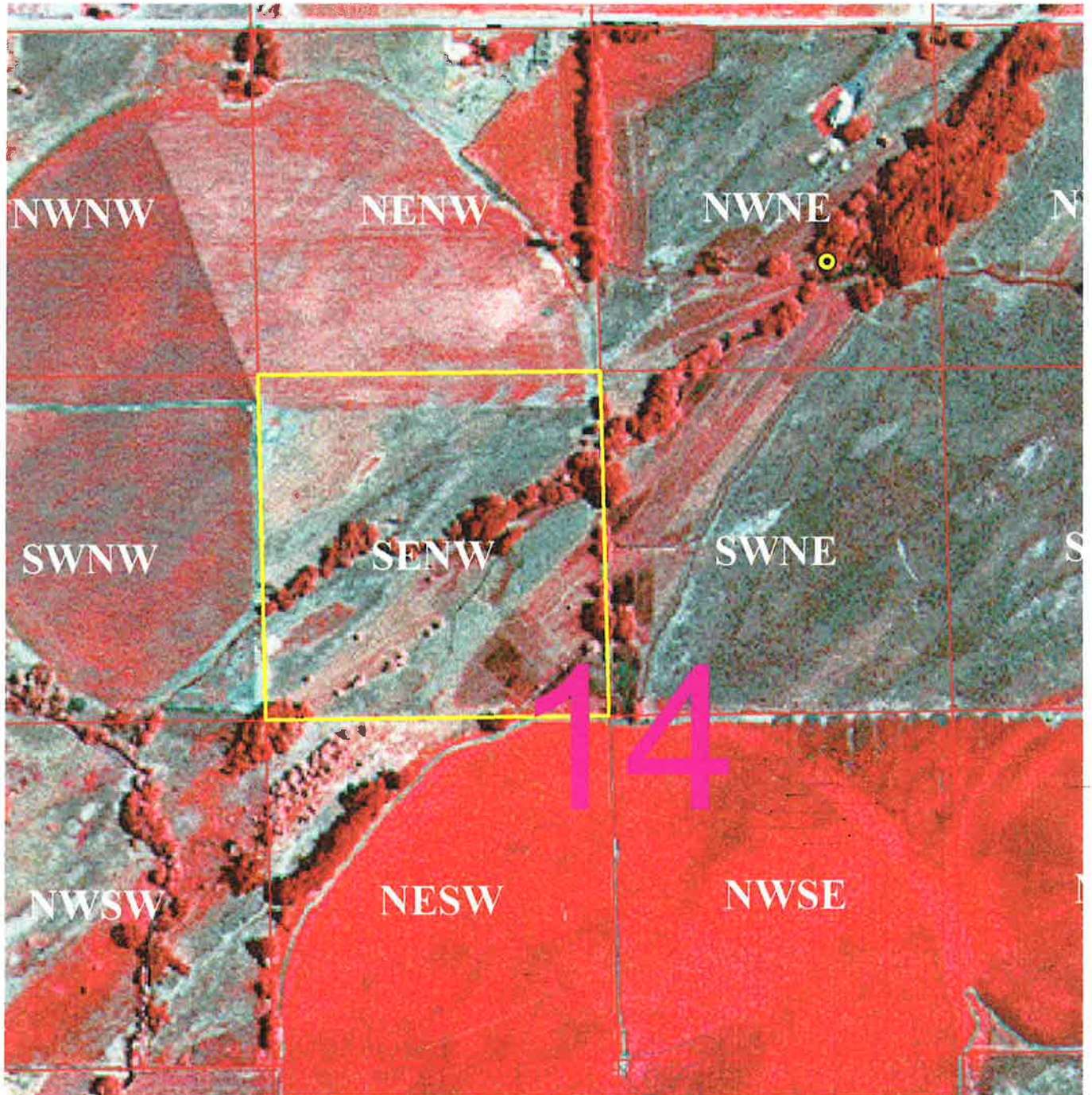
400 0 400 800 Feet

SPATIAL DYNAMICS

Okay - Dennis Hardner

12/21/2000

Water Right Claim Number 27-02012A
Township , 2S36E



01/11/2012

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-12013

NAME AND ADDRESS: BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221

LEON J GARDNER
469 E 400 N
BLACKFOOT ID 83221

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.400 CFS

The appropriator is entitled to the quantity of water described above at the point of measurement in T2S, R37E, S7, NWNW Lot 1.

PRIORITY DATE: 03/04/1909

POINT OF
DIVERSION:

T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 NWNENE Within BINGHAM County
T02S R36E S14 SENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.400 CFS
PLACE OF USE:	<u>IRRIGATION in BINGHAM County</u>		
	T02S R36E S14 NENE 9.60	T02S R36E S14 NWNE	22.00
	T02S R36E S14 SWNE 11.00	T02S R36E S14 SENW	18.00

60.6 ACRES TOTAL

This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 60.6 acres in a single irrigation season. Combined Right Nos.: 27-10028 and 27-12013

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

~~This right is a split from former right 27-12071~~

This right is a split from former right 27-12072.

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 W Center Street, Soda Springs, Idaho 83276-1575

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 22, 2007

Leon J Gardner
Bonnie P Gardner
469 E 400 N
Blackfoot, ID 83231

COPY

REF: SRBA Rights 27-10028 and 27-12013

Subject: Basin 27 Objections to Irrigation Use

Dear Claimants:

This letter concerns the objection filed by the Shoshone-Bannock Tribes and/or the Bureau of Indian Affairs (collectively referred to as "the Tribal Objectors") to your water right in the Snake River Basin Adjudication (SRBA) and the concurrence of the Idaho Department of Water Resources (IDWR) in a proposed settlement agreement to resolve the objection.

It is IDWR's understanding that you have agreed to settle the volume objection made by the Tribal Objectors to your water right by including a specific total annual volume limit on your irrigation water right. Recently, the Tribal Objectors requested that IDWR concur in the settlement agreement. IDWR is reluctant to concur in such settlements because of a lack of information regarding actual diverted volumes in Basin 27. If a volume limit is to be included in a water right, IDWR wants to make sure that the volume limit is as accurate as possible. To this end, IDWR is currently in the process of implementing a study intended to provide a basis for determining diverted volumes in Basin 27. Still, IDWR realizes that that some water users might have information that would provide actual diverted volumes for their water rights, thus eliminating the need to wait for completion of the study. As such, IDWR is requesting any information you have to support historical diversion amounts for your water right. If you have any such information, please send it to the address listed above.

SCANNED

JUN 9 5 2007

If you have any questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CC: BIA, U.S. Dept. Of Justice
Jeanette Wolfley, Shoshone-Bannock Tribes
State Of Idaho, David Barber
Garrick Baxter, Deputy Attorney General

SCANNED
JUN 06 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
October 31, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

NEIL MORGAN
MORGAN ENTERPRISES LLC
762 W HWY 39
BLACKFOOT ID 83221

RE: RETURNED OWNERSHIP CHANGES 27-12011 FOR ELLIS, CAMPBELL
AND KOHLER

Dear Mr. Morgan:

I am returning the above referenced documents. I have done extensive research on the property described in the deeds you submitted and there are no valid water rights on that property. 27-12011 was disallowed due to forfeiture as a result of 5 years of non-use when the Belnaps owned it.

I have enclosed a map delineating your clients' properties and the only valid water right in the area. As you can see, the water is not located in the same quarter section.

I hope this clears up any confusion you or your clients have over this issue. If you need more information, please contact Senior Water Right Agent, Cindy Bird, in our Soda Springs office at (208) 547-3993.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

04/27/2005

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: 27-12013

BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221
Telephone Number: (208)785-1688

LEON J GARDNER
400 N 469 E
BLACKFOOT ID 83221
Telephone Number: (208)785-2040

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

POU

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

INCREASE NUMBER OF IRRIGATED ACRES

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

PER DRAWING

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

DATE:

7/22/05

SIGNATURE:

Leon J. Gardner

Please print your name:

LEON J. GARDNER

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

PROFILED

SCANNED

MAY 17 2006

08/24/2005

**NOTICE OF ERROR
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Please type or print clearly, fill out this form completely and mail.

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LEON J GARDNER
400 N 469 E
BLACKFOOT ID 83221
Telephone Number: (208)785-2040

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:

10/3/05

SIGNATURE:

Leon J. Gardner

Please print your name:

LEON J. GARDNER

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

Kristen

08/03/2005

**NOTICE OF ERROR
REPLY**

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 31, 2005

Water right number: 27-12013

BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221
Telephone Number: (208)785-1688

LEON J GARDNER
400 N 469 E
BLACKFOOT ID 83221
Telephone Number: (208)785-2040

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

____ I AGREE with this proposed recommendation; no changes need to be made. - see below

DATE: 8/15/05

SIGNATURE: Leon J Gardner

Please print your name: _____

IDWR Regional Office,

per 8/15/05 @ 1:15 P.M. Call to Ernie Carlson the Combined diversion limit is corrected to 2,81 CFS and the Place of use Combined total is corrected to 70.2 acres.

RECEIVED
AUG 24 2005

Department of Water Resources
Eastern Region

04/27/2005

NOTICE OF ERROR
REPLY

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

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Telephone Number: (208)785-1688

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400 N 469 E
BLACKFOOT ID 83221
Telephone Number: (208)785-2040

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

POU

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

INCREASE NUMBER OF IRRIGATED ACRES

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

PER DRAWING

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

DATE: 7/22/05

SIGNATURE:

Leon J. Gardner

Please print your name:

LEON J. GARDNER

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

Cindy has file & will do the changes.

*KMG
7/22*

MEMO

DATE: August 2, 2005

TO: Jennifer Crabtree

FROM: Cindy Bird

REF: 27-12013/27-10028

SUBJECT: Linking POU shape.

Please link the place of use shape from the enclosed CD to the above referenced claims. The GCDB and the imagery doesn't match so you will need to manually edit the number of acres in each QQ as listed on the data entry form after you link the shape.

OK
JC
8/4/05

The diversion rate on 27-12013 doesn't change because it is limited by the license 27-2012. The diversion rate on 27-10028 will change as noted on the data sheet.

Place Of Use Data Entry Form

Claim Number: 27-12013☐ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
2S	36E	14	NWNE		Bingham		24.4	Irrigation.
		14	NENE		Bingham		14.4	Irrigation.
		14	SWNE		Bingham		10.7	Irrigation
		14	SENE		Bingham		20.7	Irrigation.

Total Acres 70.2

Document how the POU was verified:

The imagery doesn't line up with the GCDB. The POU shape shows irrigated land in the NENE. but those acres were added to the acres in the NWNE for a total of 70.2 acres.

The acres will have to be manually adjusted after the shape is linked.

link 27-12013.shp

Transfers Changing POU NOReviewer: CBDate: 8/1/05NOE
Corrections

Period of Use and Quantity Data Entry Form

Claim Number: 27-12013.

☐ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.40	

Overall Diversion Rate 0.40

Overall Diversion Volume _____

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

20 acres @ 0.02 = 0.40. (20 acres licensed under 27-2012 SENW)

Reviewer: CB

Date: 8/1/05 NOE change.

Period of Use and Quantity Data Entry Form

No change to diversion rate
to this register because of
license limit.
CB

Notes

4/11/05 27-10028. shp. is the
POU for Both 27-12013 & 27-10028.
PPLS

division rate 0.40 cfs

1" per acre for 20 acres under
original POU.

Irrigated acres 52.1

This right is a portion of 27-12072. (27-2012)

POD'S - 27-12013 pod. 8hp.

POU share - 27-10028. shp.

4/11/05 Create layout for 52.1 acres of irrigation CS

Recommended 2" per acre. (when combined
with 27-10028), per statement of
examiner for license 27-2012.

8/1/05 This recommendation is based on the
20 acres under the license in the SE NW.
of section 14. There is no evidence that any
other part of this license was moved of the
licensed POU & CS.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-12072

WATER RIGHT NUMBER: 27-12072

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES F LONDON
	BLACKFOOT, ID 83221
Current Owner	ISAAC T ALFRED
	RFD #3
	BLACKFOOT, ID 83221

Priority Date: 03/04/1909

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND CREEK	BLACKFOOT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01	12/31		
IRRIGATION	04/01	10/31	1.000 CFS	
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

SAND CREEK	SW1/4NE1/4	Sec. 14, Twp 02S, Rge 36E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	14					8.0	10.0	12.0	20.0									50.0

Total Acres: 50

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

1. Shelley Keen 4/11/2005 Split Right

Comment: Two licenses were issued for Permit 27-2012. The license records are numbered 27-12071 and 27-12072.

Bird, Cindy

From: Keen, Shelley
Sent: Monday, April 11, 2005 7:52 AM
To: Bird, Cindy; Shaff, Don
Subject: Split of 27-2012

Cindy and Don,

I split License 27-2012 into 27-12071 and 27-12072 to accommodate the fact that two licenses were issued for the permit.

Call or email if you have questions.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-287-4947
shelley.keen@idwr.idaho.gov

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-12071

WATER RIGHT NUMBER: 27-12071

Owner Type Name and Address
 Current Owner CHARLES F LANDON
 BLACKFOOT, ID 83221

Priority Date: 03/04/1909

Basis: License

Status: Active

Source Tributary
 SAND CREEK BLACKFOOT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31		
IRRIGATION	/ to /	1.440 CFS	
	<u>Total Diversion:</u>	1.440 CFS	

Location of Point(s) of Diversion

SAND CREEK SW1/4NE1/4 Sec. 14, Twp 02S, Rge 36E, B.M.
 BINGHAM County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	14									29.0			12.0			6.0		47.0
02S	36E	23					1.0	24.0											25.0

Total Acres: 72

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

1. Shelley Keen 4/11/2005 Split Right

Comment: Two licenses were issued for Permit 27-2012. The license records are numbered 27-12071 and 27-12072.

Notes

7/18/04 Claims need to be amended.

System is down so we need to amend them based on the claim copy notes.

7-14-04 Letter to Clamont re amendment, BP

7-14-04 Letter to Doug Jones, Southern
Hussey Analysis. BP

7-19-04 Amended claim received. BP

4/8/05 Part of 27-2012.

20 acres in SENW under the original license. Licensed at 1" per acre. There is no documents showing how the rest of the license was moved to this pool.

Recommend only 20" under the license.

They can't adversely pose the right.

Kob. limited to 20 acres of irrigation under this right.

P21 part of license 4591,

4/8/05 Talked with Don Staff about the 2 licenses 4591, 1-1.44 cfs & 1-1.0 cfs with different Pous. Don's going to talk to Shelley Keen about correcting the error.

Notes

6/22/04 Gardners are the only users
of 27-2012, from Sand Creek.
Licensed @ 1.44 cfs. Date listed in
concrete diversion 1919. Amend
claim to that date. Measured
diversion rate by Skip was 5.087 cfs
and that was not flowing full. CG

7/9/04 27-2012A was unnumbered because
of the many claims of this right. All
of this right is being recommend to
Bonnie Gardner. and I didn't want
a suffix because it isn't part of 27-2012.
Michelson Properties claimed the parent
right but it will not be recommended
for them.

7/9/04 1:15pm emailed Dave T. to see if
someone could do a Hubble analysis.

Called Bonnie and she will be here
Wednesday July 14, 10AM with
additional information

Conversation: Skip They have pasture.

1 pod-man is the intrusion of the
reservation canal and the stream.

The new creek has 3 pod's on it.

Claim no. A27-10028
A27-2012A

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

6-16-04	y The on-site exam was conducted on 6-16-04 with Claimant Bonnie Gardner. Photo # 1 shows an old diversion structure next to the current major one in Photo #2. Date on the old structure shows "1918" carved in concrete.	RLK
---------	--	-----

Photo #2 shows the main diversion site on Sand Creek. Area is aptly named as all of ditch area + surrounding places of use is sand based.

GPS data is: 2645813 1340346 WSR, GPS Tag # 40009074, GPS File - GARDNR

The flow measurement was taken here for a total of 5.08 cfs. All of the water is diverted out of Sand Creek by the 2 ditches shown.

Photo #3 shows the middle diversion on Sand Creek. The ditch is 3' wide by 1.5' deep + not yet opened for irrigation.

GPS data is: 2645969, GPS tag (existing) A0013029 on fence stake 1340530

to the right of the headgate. GPS File # 272012

Photo #4 is the uppermost diversion on Sand Creek. This is an 18" culvert to a small ditch that is not yet opened

for irrigation. GPS data is: 2646037 GPS Tag # A001328F 1340570 GPS File # 271028

Photo #5 shows the end of the Sand Creek channel. This is at the edge of the Clawson property claimed in

A27-02012B + A27-10761. The Clawson field is 5'-6' higher than the channel bottom. It doesn't appear this water has

been used on the Clawson ground for many years + the ground (Clawson) is now irrigated with a pivot from a well.

Claim no. A27-10028
A27-2017A

Claimant Contact Log

Date 6-16-04

Remarks Page 2

Agent initials

WJF

Photo #6 shows the fence line at end of Sand Creek channel + edge of Clawson property. Note GPS unit on top of fence post. GPS data for that point is:
2645116 GPS File # SNOCRK
1339890 NO GPS TAG

Photo #7 shows a remnant of the Gardner ditch that reached the Mickelson Property (Claim 27-2012). This does not appear to have been used in many years + it too is below the grade of the Mickelson property. The Mickelson property also is irrigated with a pivot from a well.

Photo #8 shows that Sand Creek now flows directly into the Reservation Canal. This canal was built in the early 1960's + did not flume Sand Creek water over or under it. Legally, I don't know how the Tribe could appropriate this water. Mr. Gardner, shown in the photo is standing on a headgate which allows some of the Sand Creek flow into a 4' wide channel. This is the channel that then flows onto the Gardner property.

GPS data for this intersection of Canal + Creek is
2645108 GPS File - RESCNL
1342067 No GPS Tag.

Claim no. A27-10028
A27-2012A

Claimant Contact Log

Date 6-16-04

Remarks Page 3

Agent initials

thf

It appears to me that Gardner are the only user of
License 27-2012 with a probable beneficial use claim
dated at least till "1919".

From the letters in the file + old permit data it appears
"old" permit 4591 matured into 2 licenses somehow.
One was for 1.44 cfs (I presume this was 27-2012)
+ another for 1.00 cfs. The old Number book shows that
"old" permit #6288 (mentioned in property transfers) never matured
into a license.

Contacts Data Entry Form

Owner Type _____ Full Name Bonnie P Gardner Address 469 E 400 N City _____ State _____ Zip _____ Phone 785-1688

Current Owner _____

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

Current Owner _____ Blackfoot, ID 83221

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Bonnie Gardner Phone Number: 785-1688

Relationship to Claimant: _____

Date of Field Exam: 6-16-04 Time: _____

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

Reviewer: CB

Date: 7/9/04

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 27-12013.

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ 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:

License

Reviewer: CBDate: 7/9/04

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
license
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. 27 - 12013

Point of Diversion and Source Data Entry Form

Claim Number: 27-12013

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

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
2S	36E	14			Bingham	Sand Crk
GPS Coordinates: <u>2648108</u>					<u>1342067</u>	
2S	36E	14			Bingham	Sand Crk
GPS Coordinates: <u>2645116</u>					<u>1339890</u>	
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

GPS File: RESCNL

GPS File: SDCRK

Other rights from this POD? ~~#~~ 27-10028

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

NO GPS TAGS.
field exam.
link POD'S

1962-Reservation Canal was put in and
changed the original POD.

Transfers Changing POD NoReviewer: CBDate: 7/9/04

1. Is the basis of claim a Decree or License?

Yes (X) No ()

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No ()

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

4. Does the parent right have a POD?

Yes (X) No ()

If Yes, go to 5
If No, go to 6

5. Can the claimed POD be verified using the water right file?

Yes () No (X)

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

6. Is there evidence that there has been a change in the POD?

Yes (X) No ()

If Yes, go to 7
If No, go to 9

7. Can the change be verified as an accomplished transfer?

Yes (X) No ()

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

8. Was a transfer filed?

Yes () No ()

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

9. Does the file contain all of the necessary information to verify the POD?

Yes (X) No ()

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

10. Is a POD remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Point of Diversion

Claim No. 27 - 12013

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5
If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8
If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Yes (☐) No (☒)

Source

Claim No. 27-120123

Purpose of Use Data Entry Form

Claim Number: 27-12013. Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

field exam
license
1987/88 X+PP Photography

Transfers Changing Purpose of Use noReviewer: CBDate: 7/9/04

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes (☐) No (☒)

Purpose of Use

Claim No.

27-12013

Period of Use and Quantity Data Entry Form

Claim Number: 27-12013☐ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.40	

Overall Diversion Rate 0.40

Overall Diversion Volume _____

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

field exam

Reviewer: CBDate: 4/8/05

1. Is the basis of claim a Decree or License? Yes (☒) No (☐)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes (☐) No (☐)
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes (☐) No (☐)
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes (☐) No (☒)
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes (☐) No (☐)
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes (☐) No (☒)
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes (☐) No (☐)
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes (☐) No (☐)
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes (☐) No (☐)
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes (☐) No (☐)
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes (☐) No (☐)
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (☒) No (☐)
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes (☐) No (☒)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes (☐) No (☐)
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes (☒) No (☐)
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes (☐) No (☐)
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes (☐) No (☐)
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes (☐) No (☒)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. 27 - 12013.

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes (X) No ()

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes (X) No ()

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes () No ()

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes () No ()

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes () No (X)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes () No (X)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes () No ()

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes () No (X)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes () No ()

Quantity

Claim No. 27 - 12013

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes (☒) No (☐)
If Yes, go to 2
If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes (☐) No (☒)
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes (☐) No (☐)
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended? Yes (☐) No (☐)
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Does this right have any combined used limits with other rights? Yes (☐) No (☐)
If Yes, go to 6
If No, go to 6
6. Is an additional remark and/or condition required? Yes (☒) No (☐)
If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7
7. Would you like to view the recommended right? Yes (☒) No (☐)
If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.
8. Is this a "split" or "combined" right? Yes (☒) No (☐)
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9
9. Do you have documents you would like to attach or link to the file? Yes (☐) No (☒)
If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10
10. Would you like to set the verification date? Yes (☒) No (☐)
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. 27 - 120B

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

C03

P21

27-2012

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: PO4 / PO0

FROM: Cindy

DATE: 7/9/04

Please use Skips map and let me know the number of acres within PO4.

Also find Skips GPS points and let me know the location. The claim needs to be amended to include these points.

They have a Wednesday (7-14-04) 10AM apt. with me.

Thanks,

S/

() For your information

CB

signature

Attached Field Notes or Other Documents:

yes

Claim No.:

27-12013

Reviewer

CB

Date

7/9/04

A27-2012A + A27-10028



Old diversion structure with
year "1919" carved in concrete

Current major diversion structure,
Site of measurement



GPS tag

A27-20124 + A27-10028

A27-2012A + A27-10028



Sand
Creek

Headgate

Middle diversion on Sand Creek

A27-2012A + A27-10028



Upper diversion on Sand Creek

A27-2012A + A27-100a8

GPS
unit



End of Sand Creek Channel + edge

of Clawson 3/4 Pivot

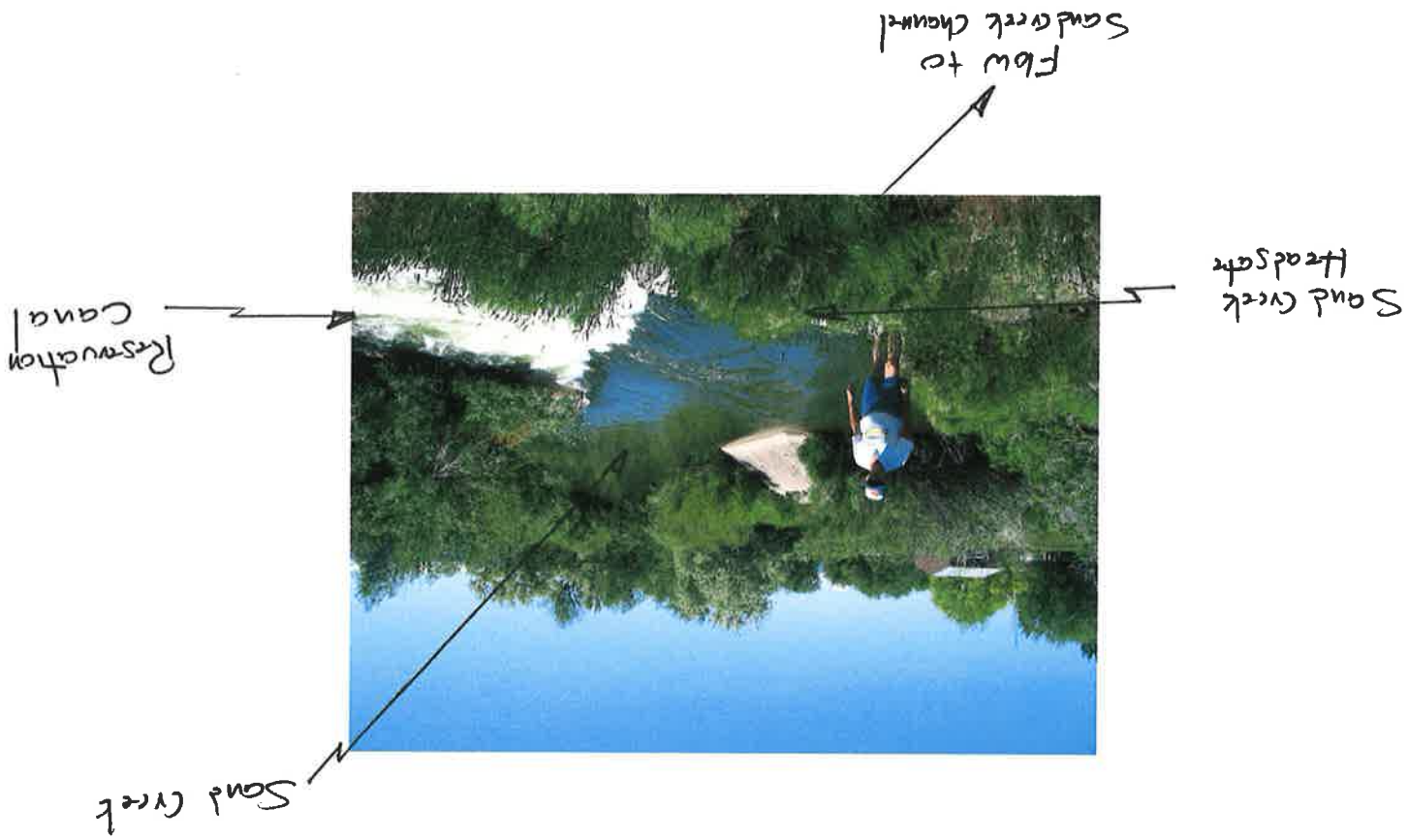
A27-20124 + A27-10028



old ditch

Remnant of Gardner's ditch
at edge of Mickelson property

A27-020124 + A27-10028



A27-02012A + A27-10028



Sand Creek Channel after
exiting headgate

A27-2012A + A27-10028



End of Sand Creek Channel



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 14, 2004

Doug Jones
I.D.W.R.
Southern Region
1341 Fillmore St. STE 200
Twin Falls, ID 83301-3380

REF: Snake River Basin Adjudication (SRBA)
Claims 27-10028 and 27-12013

Claimants: Leon or Bonnie Gardner
469 E. 400 N.
Blackfoot, ID 83221
785-1688

Subject: Hubble Analysis

Dear Doug;

Hey guy how are things for you? It has been a long time. Thank you for taking on this Hubble Analysis. As you might note the source, Sand Creek, it is very sandy soil. They water pasture grass. I've made some notes and copied the Bingham County Soil Conversation information for you. Intrepid Technology assumed a 1% slope on the ditches. I think that is a pretty good assumption because if you look at the TOPO in included it is pretty flat in this country.

On the 1987/88 NAPP photography included are some heavy black lines. They are the ditches they use to irrigate this piece of property. Flood irrigation of course.

If you have any questions please don't hesitate calling the claimants or me.

Respectfully,

Cindy E. Bird

Enclosed: Bingham Co Soil Conservation Information (October 1973)

1987/88 NAPP photography of POU.

Soil map

TOPO map



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 14, 2004

Leon J. Gardner
Bonnie P. Gardner
469 E. 400 N.
Blackfoot, ID 83221

Ref: Snake River Basin Adjudication (SRBA)
Notice of Claims **27-12013** & 27-10028

Subject: Amending your claims

RESPONSE DATE: JULY 21, 2004

Dear Leon and Bonnie,

Sorry that our system was down during your visit to the office. I have amended the claims listed above. Again, if you agree with the amendments, please sign them in front of a notary and return them to me in Soda Springs.

If you have any questions please feel free to contact me in Soda at 547-3993.

Respectfully,

Cindy E. Bird

Enclosure: Amended Notice of Claims 27-10028 & 27-12013.

Bird, Cindy

From: Tuthill, Dave
Sent: Friday, July 09, 2004 1:52 PM
To: Bird, Cindy; Jones, Doug
Subject: RE: Hubble Analysis

Doug,

I am forwarding Cindy's request to you. This would be a good introductory effort in conducting the Hubble analysis.

Perhaps we can use these two claims as training vehicles. We can work with Jeff to prepare the Hubble on these -- I would suggest that you arrange to spend some time (2 days?) in Boise to do this -- perhaps in September after your family has settled from the New York trip.

Cindy, in the meantime please send copies of the file information to me for scanning so the information will be ready to go.

Thanks, Dave

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

From: Bird, Cindy
Sent: Friday, July 09, 2004 1:15 PM
To: Tuthill, Dave
Subject: Hubble Analysis

good afternoon Dave,
Is someone available to do a Hubble Analysis on claims 27-12013 and 27-10028? They have sandy soil and irrigate from Sand Creek.

thanks,
Cindy



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 28, 2005

Leon J Gardner
400 N 469 E
Blackfoot ID 83221

RE: Notices of Error

Dear Leon,

Enclosed is the most recent Preliminary Director's Report (PDR) for water rights 27-10028 and 27-12013, the associated layout, and a layout from a field inspection.

At the end of July, we received your reply to the Notice of Error we sent to you. As a response to that reply, Harold Jones went out to inspect the property you irrigate to ensure that we have the correct place of use in our database. Accompanied by yourself, Harold traced on an aerial photo your irrigated land, which only totaled 60.6 acres. Also, we have included in your water right files a note that you discussed with Ernie Carlsen the diversion rate and combined acreage of these two rights on August 15, 2005. However, the recommendation is limited to the information obtained in the field inspection. Therefore, I cannot recommend 70.2 acres of irrigated land as the place of use as you requested in your phone conversation with Ernie. The combined diversion limit you requested is consistent with the two rights. I did not add a total of 2.81 cfs to each right because each is allowed what is recommended. However, the sum of the two diversion rates totals 2.81 cfs.

Please review the PDRs enclosed and return the Notice of Error reply. If you have any questions, please feel free to contact Ernie Carlsen or myself at (208) 525-7161.

Respectfully yours,

Kristin Moore
GIS Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 16, 2003

BONNIE P. GARDNER
469 E. 400 N.
BLACKFOOT, ID 83221

REF: SNAKE RIVER BASIN ADJUDICATION CLAIM
27-2012A

Subject: OVER CLAIMED WATER RIGHT

Dear Claimant(s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice of claim identified with the number shown above, has been filed on in the Snake River Basin Adjudication (SRBA). The Notice indicate water usage is based on a license. **This license has been over claimed in the SRBA.** Therefore, you will need to file some evidence to support your claim to the water right.

If you have any questions please feel free to contact me at 547-3993.

Sincerely;

Cindy E. Bird
Adjudication Bureau

CC: Mickelsen Property LLC (27-2012)
Michael Clawson (27-2012B)

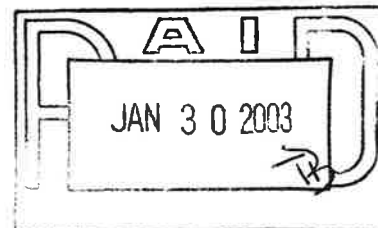
RECEIPT of Watermaster District No. 27 2003-11

Blackfoot, Idaho January 21, 2003

RECEIVED FROM:

BONNIE GARDNER
469 E 400 N
BLACKFOOT ID 83221

Total Assessment to be paid \$66.24



Please Send Payment to Bingham County Treasurer
501 N Maple #210, Blackfoot, Idaho 83221

*****DUE DATE APRIL 1, 2003*****

RECEIPT of Watermaster District No. 27

1996-10

Blackfoot, Idaho ~~JANUARY 12~~ 19-96

RECEIVED FROM:

BOONIE GARDNER

469 E 400 N

~~BLACKFOOT ID 83221~~

Ditch

Sec

Twp

Range

E.B.M.

Estimated Expense for:

Corrections based on actual water deliveries for

previous year_____ To be added.

To be deducted

Total assessment to be paid

~~99.95~~

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 percent per annum after June 1, _____ on unpaid assessments.

RECEIPT of Watermaster District No. 2

#1991-26

#1991-26

Blackfoot, Idaho April 22 1991

RECEIVED FROM:

Basil Poulson

153 E 200 N

Blackfoot, ID 83221

Sand Creek Ditch _____ Sec. _____

_____ Twp. _____ Range _____ E.B.M. _____

Estimated Expense for 1991 63.47

Corrections based on actual water deliveries for

previous year 1990 To be added 33.85

To be deducted _____

Total assessment to be paid 97.32

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 percent per annum after June 1, on unpaid assessments.

RECEIPT of Watermaster District No. 27

#1992-24

#1992-24

Blackfoot, Idaho APRIL 15 1992

RECEIVED FROM:

BASIL POULSON

153 E 200 N

BLACKFOOT, ID 83221

SAND CREEK Ditch _____ Sec. _____

_____ Twp. _____ Range _____ E.B.M. _____

Estimated Expense for 1992 76.42

Corrections based on actual water deliveries for

previous year 1991 To be added 31.87

To be deducted _____

Total assessment to be paid 108.29

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 percent per annum after June 1, on unpaid assessments.

RECEIPT of Watermaster District No. 27

1995-13

1995-13

Blackfoot, Idaho APRIL 7 19 95

RECEIVED FROM:

BONNIE GARDNER

469 E 400 N

BLACKFOOT ID 83221

SAND CREEK Ditch _____ Sec. _____

_____ Twp. _____ Range _____ E.B.M.

Estimated Expense for _____ 1995

Corrections based on actual water deliveries for

previous year _____ To be added _____

To be deducted _____

Total assessment to be paid _____ 77.68

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 percent per annum after June 1, _____ on unpaid assessments.

November 18, 2003

Cindy Bird
15 West Center Street
Soda Springs, Id
83276

Re: 27-2012A

Dear Cindy;

Enclosed are some receipts showing payment by Basil Poulson (my father) for Sand creek water.

Also enclosed is an agreement of sale from Adams to Tubbs, prior owners of my property. There is reference to 461 inches of Sand Creek water for irrigation of my property as being part of the sale agreement.

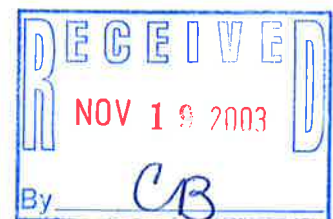
I am looking forward to meeting with you and persuing this issue to conclusion.

Please let me know if there is anything further I can provide for you to secure my proper water rights.

Sincerely,



Bonnie Gardner



RECEIVED FROM:
Basil Poulson
Route # 1
Blackfoot, Idaho
Ditch Sand Creek
Twp. Range E.B.M.
Estimated Expense for 1973 53.67
Corrections based on actual water deliveries for
To be added 5.78
To be Deducted 47.89
Total assessment to be paid

No 85
Blackfoot, Idaho March 31, 19 73

RECEIPT of Watermaster District No. 27

NOTICE of Watermaster District No. 27

No 171

Blackfoot, Idaho April 1, 19 75

No 171

RECEIVED FROM:

Basil Poulson
R# 1
Blackfoot, Idaho 83221
Sand Creek Ditch Sec.
Twp. Range E.B.M.
Estimated Expense for 1975 71.25
Corrections based on actual water deliveries for
previous year 1974 To be added 6.26
To be Deducted 77.51
Total assessment to be paid

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 per cent per annum after June 1, on unpaid assessments.

NOTICE of Watermaster District No. 27

Nº 85

Blackfoot, Idaho March 31 19 73

Nº 85

RECEIVED FROM:

Basil Poulsen
Route # 1
Blackfoot, Idaho
Sand Creek Ditch Sec.
Twp. Range E.B.M.
Estimated Expense for 1973 53.67
Corrections based on actual water deliveries for
previous year To be added
To be Deducted 5.78
Total assessment to be paid 47.89

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

*Paid by check
3/31/73*

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 per cent per annum after June 1, on unpaid assessments.

NOTICE of Watermaster District No. 27

Nº 42

Blackfoot, Idaho March 31 19 72

Nº 42

RECEIVED FROM:

Basil Poulsen
R# 1
Blackfoot, Idaho
Sand Creek Ditch Sec.
Twp. Range E.B.M.
Estimated Expense for 1972 48.30
Corrections based on actual water deliveries for
previous year To be added
To be Deducted 1.77
Total assessment to be paid 46.53

Please Send Payments to Bingham County Treasurer
Box 190, Blackfoot, Idaho 83221

You are hereby notified that the Watermaster District No. 27 Assessment is now due and payable. The annual meeting of the Waterusers Association of Watermaster District No. 27 adopted a resolution providing that no water be delivered until all assessments are paid. Interest will be charged at the rate of 8 per cent per annum after June 1, on unpaid assessments.

INDEXED

COMPARED

17630

STATE OF IDAHO, }
County of Bingham, } ss

I hereby certify that the within
instrument was filed for record in
this office at the request of _____

Emory N. Paulson

on the 4 day of Oct. 1950

at 30 minutes past 3 o'clock

P. M. and was duly recorded in

Book 1 of Bond for Page 44

Bingham County Records.

H. F. Hootton
County Recorder
Stella C. Wilson
Deputy Recorder

Recorder's Fee \$ 3.25

Wilson Avenue
City.

V. E. Hootton

AGREEMENT OF SALE

THIS AGREEMENT, Made and entered into this 4th day of October, 1950, by and between George G. Adams and Myrtle Adams, husband and wife, of the County of Bingham, State of Idaho, the parties of the first part, and Emory N. Poulson, also of the County of Bingham, State of Idaho, party of the second part, the witnesseth: In consideration of two dollars, agreed to pay to the said parties of the first part, WHEREAS, on the 6th day of December, 1948, the parties of the first part entered into a written agreement for the sale of the lands and premises hereinafter described to Verl A. Tubbs and Alta Tubbs, husband and wife, of Bingham County, Idaho, and the said purchasers have this date sold, assigned and transferred their rights and interests as purchasers of said premises to said Emory N. Poulson, party of the second part herein, who has agreed to pay to the parties of the first part the sum of \$7,600.00, in installments, with interest and in the manner hereinafter provided, for a conveyance of title in fee to said premises upon the completion of the payment of said sum, and the parties of the first part having agreed to accept said sum in full payment of their interest as vendors in said premises; NOW, THEREFORE, in consideration of the premises and of the covenants and agreements on the part of the said party of the second part hereinafter contained, the said parties of the first part agree to sell and convey unto the said party of the second part, and the second party agrees to buy, all that certain lot, piece or parcel of land, situate, lying and being in the County of Bingham, State of Idaho, and bounded and particularly described as follows, to-wit: upon which premises or on either side to be

The North half of Section Fourteen, in Township Two South, Range Thirty-six, East of the Boise Meridian.

Together with the water and water rights, ditches and ditch rights of water appurtenant thereunto and used for the irrigation thereof, and particularly 461 inches of the waters of Sand Creek for the first part, the irrigation thereof. So the party of the second part

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appear, preappertaining policies to be paid by the party of the first part for the sum of SEVEN THOUSAND, FIVE HUNDRED and no/100 Dollars, in lawful money of the United States; and the said party of the second part, in consideration of the premises, agrees to pay to the first parties the said sum of SEVEN THOUSAND, FIVE HUNDRED and no/100 Dollars, in installments, together with interest on all deferred payments and unpaid balances at the rate of five percent per annum, as follows:

The sum of \$100.00 upon the execution of this agreement, receipt of which is hereby acknowledged by the first parties; the sum of \$1,900.00, together with accrued interest, on or before the 15th day of December, 1950; the sum of \$1,000.00, together with accrued interest on or before the 15th day of December, 1951, and a like sum of \$1,000.00, together with accrued interest, on or before the 15th day of December of each year thereafter, until the full amount of said purchase price, together with the interest all that shall accrue on the decreased balances thereof, shall have been fully paid; provided, that the party of the second part shall have the privilege of paying all or any part of the unpaid balance of said purchase price on any installment payment date, and to thereby sooner discharge this contract.

The party of the second part agrees to possess, maintain and preserve the said premises in good order, repair and condition during the term of this agreement and further agrees to commit no waste upon said premises or to suffer waste to be committed thereon by others during said term. It is further agreed that all buildings now existing or hereafter placed on said premises shall be kept fully insured

against loss by fire, with loss payable to the parties of the first part, as present owners, and to the party of the second part as purchaser under contract, as their respective interests may appear, premiums on said policies to be paid by the party of the second part. The party of the second part further agrees to pay all taxes and assessments of whatever nature levied upon said premises during the term of this contract.

In the event of a failure to comply with the terms hereof, or to make the payments when due as herein specified by the second party, and after demand in writing that the terms hereof be complied with or payments which are in default made within thirty days from the date of said demand on the second party, and continued default, the said first parties shall be released from all obligations in law or equity to convey said property and may immediately re-enter and take possession of said property and every part thereof and eject the said second party therefrom; and the said parties of the first part shall in such event be released from all obligations either in law or in equity to convey the said property as herein provided, and any amount or amounts which shall have been paid hereon by the second party shall and may be retained by the first parties and accepted by them as rental for said property during such occupancy by the second party, and as liquidated damages for the breach of this contract; and said second party shall forfeit all right thereto and all payments made on said property.

And the said parties of the first part, on receiving such payments, at the times and in the manner above mentioned, agree to execute and deliver to the said party of the second part, or to his assigns, a good and sufficient warranty deed to said property, together with an abstract of title showing good and marketable title thereto.

8691, 14612
The parties of the first part further promise and agree to dig and enlarge the ditch for the irrigation of said premises from the outlet at the government canal in Section 6, Township 2 South, Range 37, E.B.M., to the new ditch constructed by Florian Wernette in Section 12, Township 2 South, Range 36, E.B.M., so as to make the same fully adequate for conveyance of 4612 inches of water to the lands hereby sold to the second party, the bottom of said ditch to be at least six feet in width, and such work to be completed during the year 1950.

It is further agreed that the provisions of this agreement shall apply to and bind the heirs, executors, administrators and assigns of the respective parties.

IN WITNESS WHEREOF, The said parties hereto have hereunto set their hands the day and year first above written.

George G. Adams

Myrtle Adams
Parties of the first part.

Emory N. Poulson
Party of the second part.

STATE OF IDAHO,)
 : SS.
County of Bingham)

On this 4th day of October, 1950, before me, H. William Furchner, a Notary Public in and for the State of Idaho, personally appeared George G. Adams and Myrtle Adams, husband and wife, and Emory N. Poulson, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

H. William Furchner

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(copy of ...)
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Roswell G. Conway
Director, Bureau of Census
Washington, D.C.
August 11, 1952

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...
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June 12. 03

Re: SRBA

27-2012A

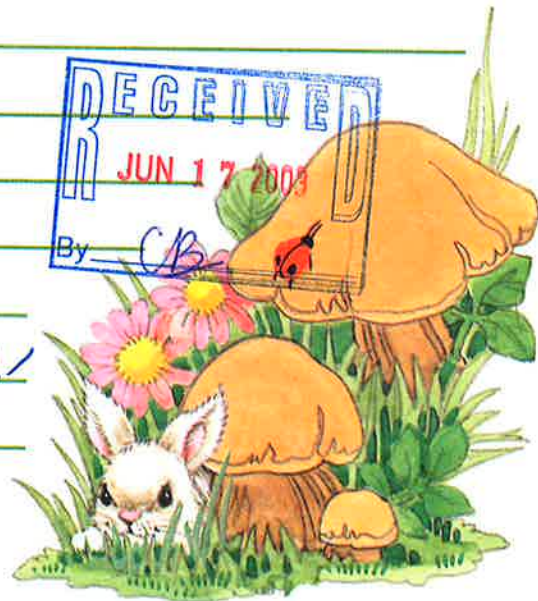
Dear Cindy,

Enclosed is a copy of Declaration
of Homestead for Isaac Alfred.
Also copies of the receipts of
the water master #27.

Please let me know if you
need anything further.

Sincerely,

Bonnie Gardner
469 E. 400N
Blackfoot ID 83221
785-1688



No 34940

Declaration of Homestead of Isaac T. Alfred
Know all men by these presents. That I, the undersigned, do hereby certify that I am married, and that I do now, at the time of making this declaration, actually reside with my family on the land and premises hereinafter described. That my family consists of a wife and four children, That the land and premises on which I reside are bounded and described as follows, to wit; Lying and being in the county of Bingham, State of Idaho and being the south seventy acres of the west one half of the S W $\frac{1}{4}$ of sec. 11 and the NW $\frac{1}{4}$ of Section 14 all in township two south of range thirty six (36) east of the Boise Meridian. that it is my intention to use and claim the said lot of land and premises above described, and all of the subdivisions thereof, together with the dwelling house thereon, and its appurtenances, as a homestead, and I do hereby select and claim the same as a homestead, That the actual cash value of said property I estimate to be Four thousand (\$4,000.00) Dollars
IN witness whereof I have hereunto set my hand this October 22, 1910

Isaac T. Alfred

State of Idaho

Ss

Bingham County

I do hereby certify that; on this 22nd day of October, 1910 before me William A. Beakley a Notary Public in and for the County of Bingham, State of Idaho personally appeared Isaac T. Alfred known to me to be the person whose name is subscribed to the with in and foregoing Declaration of Homestead and acknowledged to me that he executed the same.

IN Witness whereof I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho the day and year last above written.

My commission expires February 11, 1913
Recorded at the request of
WM. A. Beakley Oct. 22, 1910
at 4:30 P M

Seal

William A. Beakley Notary public in
and for said county and state

F. W. Jordan, Recorder

By *Alfred S. Jordan* Deputy

27-2120
1.44 cfs

- A 27-2120
1.44 cfs (Mickelson Prop.)
- A 27-2120.A
0.40 (Gardner)
- A 27-2120.B
0.60 (~~Belnap~~) Clawson

This license is over claimed.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-2012

WATER RIGHT NUMBER: 27-2012

Owner Type Name and Address
 Current Owner CHAS F LANDON
 BLACKFOOT, ID 83221

Priority Date: 03/04/1909

Basis: License

Status: Active

Source
 SAND CREEK

Tributary
 BLACKFOOT RIVER

Beneficial Use
 DOMESTIC
 IRRIGATION

From To
 1/01 to 12/31
 / to /

Diversion Rate
 1.440 CFS

Annual Volume

Total Diversion: 1.440 CFS

Location of Point(s) of Diversion
 SAND CREEK
 BINGHAM County

SW1/4NE1/4

Sec. 14, Twp 02S, Rge 36E, B.M.

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02S	36E	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							28	10	12	20	29.0			12.0			6.0		47.0
02S	36E	23					1.0		24.0										25.0

Total Acres: 72

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

Please file in 27-2012 A
 Gardner

*Nickelsen claimed
 27-2012*

*A27-2012 A
 Gardner claimed
 SE NW NE Sec. 14
 POP Also claimed by
 A27-2012 B
 0.60*

27-2012 B

Nickelsen A27-2012

POP chg for

SCANNED

Log for claim 27-02012A

Spatial Dynamics LTD

12/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	14	SENW	20	40	Indiscernible
Totals:			20	40	

36

9

Date _____, ~~10~~ **DISCHARGE MEASUREMENT NOTES**

River at

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No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

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2/11/20

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-2012

WATER RIGHT NUMBER: 27-2012

Owner Type Name and Address
 Current Owner CHARLES F LANDON
 BLACKFOOT, ID 83221

Priority Date: 03/04/1909

Basis: License

Status: Active

Source Tributary
 SAND CREEK BLACKFOOT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31		
IRRIGATION	/ to /	1.440 CFS	
	<u>Total Diversion:</u>	1.440 CFS	

Location of Point(s) of Diversion
 SAND CREEK SW1/4NE1/4 Sec. 14, Twp 02S, Rge 36E, B.M.
 BINGHAM County

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	36E	14									29.0			12.0			6.0		47.0
02S	36E	23					1.0	24.0											25.0

Total Acres: 72

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

April 16, 1936

Re: Permit No. 4591
Charles F. Landon

MR. F. A. MARK
Pocatello, Idaho
Box 765

Dear Sir:

In reply to your letter of April 6th, we wish to advise you that the above permit was issued to Charles F. Landon and he later conveyed a portion of his right, under the said permit, to Isaac T. Alfred. Both proof of completion of works and application of water to beneficial use were made under this permit and Landon obtained a license for 1.44 cubic feet of water per second. This was made appurtenant to the following described lands: 29 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 6 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, 24 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1 acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, all in T. 2 S., R. 36 E.

Alfred also obtained a license. However, we presume you are not interested in his right.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLW/rg

4591

March 7, 1938

Mr. J. R. Smith
Route 1
Firth, Idaho

Dear Sir:

I have your letter of February 26th, in which you request a copy of Frank Landon's filing on Sand Creek. I have examined the records of this office, and I find no such filing.

I do find a Permit No. 4591 issued to Chas. F. Landon, of Blackfoot, Idaho, for the appropriation of 9 second feet of water from Sand Creek and its tributaries for use on land in Sections 14, 22, and 23, T. 2 S., R. 36 E., B. M. This filing was made March 4, 1909, and the rights to this permit have since been conveyed to Isaac T. Alfred. Two licenses have been issued under this permit, one for 1 second foot and one for 1.44 second feet. If you wish a copy of this permit, we shall be glad to furnish it to you upon receipt of a fee of \$2.00.

The waters of Sand Creek in Bingham County have been decreed, but I failed to find a decreed right listed in the name of Frank Landon.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

J1

4591

Notice of proof of completion of works received September 14th, 1911, fixing October 27th, 1911, as date, and Jimball, Idaho, as place of proof.

Deposition blanks mailed September 16th, 1911.

Water Commissioner notified September 16th, 1911.

Publication notice mailed September 16th, 1911.

Depositions received October 30th, 1911.

Affidavit of publication and fee received November 25th, 1911.

Report of Engineer received December 11th, 1911.

Certificate issued December 15th, 1911.

Permit No. 4591.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that CHARLES F. LAMSON, of Blackfoot, R.F.D.#3, County of Bingham, and State of Idaho, the holder of Permit No. 4591, issued upon Application No. 6286, bearing date of priority of March 4th, 1909, authorizing the diversion of 9 second feet of the waters of Sand Creek and Tributaries, County of Bingham, State of Idaho, for irrigation and domestic 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 9 second-feet of the waters of Sand Creek and Tributaries, that the point of diversion of said waters is at a point 60 rods due north of the Southwest Corner of the Northeast quarter (NE $\frac{1}{4}$), Section 14, Township 2 South, Range 36, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest quarter (NW $\frac{1}{4}$), East half of the Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$), West half of the Southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$), Section 14, North half of the Northwest quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$), Section 23, Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 22, Township 2 South, Range 36, East of the Boise Meridian.

Witness my hand this 15th day of December, A.D. 1911.

A. E. Robinson.

State Engineer.

License issued for 1 second feet James J. ...
Page 1232

License issued for 1.44 second feet Charles F. Lamson
Page

PERMIT NO. 4591

APPLICATION FOR EXTENSION OF TIME

STATE OF IDAHO,)
) ss.
County of Bingham,)

Chas. F. Landon, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 4591.

Under the terms and conditions of said permit, construction work thereunder was required to be completed by April 29, 1911.

THAT, he is unable to complete such work within the required time, for the following reasons, to-wit:

I have not had time to get all the ditches made to the parts farthest from the dam, nor to get all the land cultivated and covered with water; also because my permit gives me an extension of time till April 29, 1913.

WHEREFORE, he asks that the State Engineer extend the time for the completion of construction work under said permit, to April 29, 1913.

And further, deponent saith not.

Chas F Landon

Subscribed and Sworn to before me this 13th day of May, 1911.

Jim Anthony
Justice of the Peace

Basalt Precinct.

My Commission expires _____

Date of receipt at office of State Engineer 9.00 a.m. May 17, 1911.

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, State Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 4591, to October 29, 1911.

Witness my hand this 24 day of May, 1911.

A. E. Robinson
State Engineer.

Q U I T C L A I M D E E D.

THIS INDENTURE, Made the 1st day of October, in the year of our Lord one thousand nine hundred and twelve between Charles F. Landon of the County of Bingham and State of Idaho, the party of the first part, and Isaac T. Alfred, of the County of Bingham and the State of Idaho, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One dollar, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents devise, release and forever quit-claim unto the said party of the second part, and to his heirs and assigns, all that certain water right situated in the County of Bingham, State of Idaho, and bounded and particularly described as follows, to-wit:

Three and two tenths cubic feet per second of the waters of Sand Creek and its tributaries, for the irrigation of the NW $\frac{1}{4}$ Sec. 14, Twp. 2 S., R. 36 E., B.M., as covered by and included in the application for Permit No. 6288, which was approved by the State Engineer of the State of Idaho, Permit No. 4591 issuing thereon, to the party of the first part.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To Have and to Hold, all and singular, the said premises, together with the appurtenances unto said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of Chas. F. Landon.

Lorenzo E. Thomas.

STATE OF IDAHO.)
) ss.
County of Bingham.)

On this 1st day of October in the year 1912, before me Lorenzo E. Thomas, a Notary Public in and for said county and state, personally appeared Charles F. Landon, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Lorenzo E. Thomas.

My Commission Expires Feb. 25th, 1915.

Notary Public.

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at
9:00 A. M. Oct. 4, 1912.

A. E. Robinson,

State Engineer.

APC.

Application No. 6288
Permit No. 4591
Chas. F. Landon
9 second feet
Sand Creek
Bingham County
Approved April 29, 1909

State Engineer.

9-311

Scale 50 chains to an inch

True Meaning

[4-590.]

Township No. 27 South
 Range No. 36 East of Prime Mer.

Good to be working in
at your hand, and
which come as well.

4591

REPORT OF ENGINEER.

Evolved into
27-2012

1. State name of applicant and number of permit: Isaac T. Alfred; 4591
2. State source of water supply: Sand creek and tributaries
3. Location of point of diversion: About 65 rods North of the Southeast corner of the Northwest quarter of Sec. 14, Tp. 2 South, Range 36 EBM
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: The works of diversion are fully completed
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: two ditches each about four feet wide at bottom
 - (b) Width at water line: about five feet each
 - (c) Depth of water: fifteen inches in both ditches
 - (d) Grade per mile: One ditch about 1 1/2 ft; the other about 3 ft.
One ditch about 400 inches
 - (e) Capacity of ditch: One ditch about 250 inches; second feet
6. State whether or not water has been turned into works of diversion, and if so, to what extent:

Water has been turned into works of diversion; have had water running to the extent of 250 inches in the small ditch and 400 inches in the larger one
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract:

NE 1/4 of NW 1/4 of 14, 8 acres in cultivation
NW 1/4 of NW 1/4 ten acres; SE 1/4 of NW 1/4 of 14, 20 acres; and
SW 1/4 of NW 1/4 of Sec. 14, 12 acres in cultivation.
Total acres in actual cultivation, 50.
This land will take about two inches of water per acre for irrigation. It is all sandy.
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: The land marked on plat in dark pencil is all sand hills, not susceptible of irrigation. The land left paper color on the plat is the land in cultivation and under irrigation.

STATE OF IDAHO, }
County of Bingham } ss.

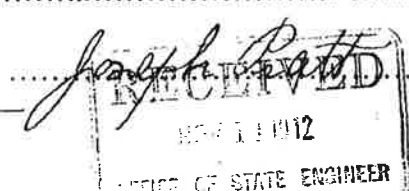
Joseph Pratt, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 9th day of November 1912

My Commission Expires February, 1913.

4591

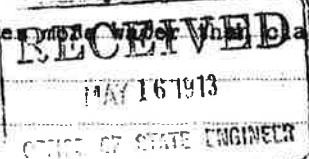
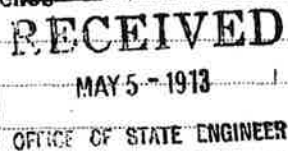
Notary Public



REPORT OF ENGINEER

- 4591
1. State name of applicant and number of permit: Charles F. Landon.
 2. State source of water supply: Sand Creek & other tributaries.
 3. Location of point of diversion: 825 ft. North from center of Section 14. Tp. 2. S.
R. 36. E. Boise Meridian.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes (With the exception of a place or two at the extrem end.)
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: Four feet.
 - (b) Width at water line: Five feet.
 - (c) Depth of water: 1.5
 - (d) Grade per mile: 2.
 - (e) Capacity of ditch: 11. second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water has been used on nearly all of land Eighty five acres has been
irrigated and the Sixty several seasons.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 29 ac. in the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$, 12 Ac. in the S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$
6 Ac. in the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Non in the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ all in Sec 14.
34. Ac. in the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec 23 and One acre in the
N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ Sec. 23,
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: Witnesses and holders of permit were present and assisted in
the measurements the land is very sandy and requires constant labor
to keep the ditches open. it also requires much water when clay soil



A. E. Christensen

STATE OF IDAHO,

County of Bingham } ss.

A. E. Christensen, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this Second day of May 1913

My Commission Expires Jan 26 - 1916

John Jorgensen
Notary Public.
4591

P. V.

Can Neaton prove up on her right with the notice as it is at the present time?

I am told by F. J. Alfred who proved up on some of the same water a short time ago, that he did not get a surveyor to survey his land that he got two reasonable men (neighbors) to estimate the probable No. of acres, and they made affidavit as a part of the proof.

Question No. V.

Can I do the same, or must I get a qualified engineer? I thought the amount of water asked for had something to do with it.

Some of the blanks you sent to the Justice are already filled, which should not have been done till Apr. 1st.

As I do not believe they can be corrected so as to suffice, will you please send me another set of blanks, and I will have them filled out on that date? I mean the two blanks for witnesses, and one for the permit holder. I would ask you to send the answers to this letter and the blanks directly to me.

Yours Resp.

L. F. Landon.

Blackfoot Id. R. F. D. 3.

4591

OLD NUMBER BOOK

OLD NUMBER	NEW NUMBER	OLD NUMBER	NEW NUMBER	OLD NUMBER	NEW NUMBER
6121	*	6181	*	6241	*
6122	65-2109	6182	*	6242	*
6123	*	6183	31-2053	6243	*
6124	17-2004	6184	*	6244	*
6125	43-2067	6185	*	6245	*
6126	*	6186	22-2053	6246	22-2054
6127	*	6187	*	6247	*
6128	*	6188	*	6248	*
6129	*	6189	*	6249	*
6130	43-2068	6190	35-2019	6250	34-2105
6131	29-2098	6191	*	6251	*
6132	37-2177	6192	*	6252	34-2106
6133	79-2022	6193	*	6253	*
6134	67-2047	6194	*	6254	*
6135	32-2033	6195	*	6255	22-2055
6136	32-2034	6196	*	6256	72-2019
6137	32-2035	6197	*	6257	*
6138	24-2012	6198	*	6258	57-2037
6139	*	6199	63-2131	6259	63-2132
6140	*	6200	*	6260	*
6141	*	6201	*	6261	*
6142	79-2023	6202	*	6262	63-2133
6143	37-2178	6203	*	6263	*
6144	*	6204	82-2010	6264	*
6145	37-2179	6205	*	6265	*
6146	37-2180	6206	*	6266	*
6147	*	6207	34-2103	6267	31-2054
6148	*	6208	96-2042	6268	*
6149	*	6209	*	6269	*
6150	*	6210	*	6270	*
6151	57-2036	6211	*	6271	*
6152	74-2091	6212	*	6272	*
6153	*	6213	*	6273	*
6154	*	6214	*	6274	*
6155	29-2099	6215	*	6275	*
6156	*	6216	43-2069	6276	*
6157	*	6217	*	6277	*
6158	63-2130	6218	*	6278	*
6159	45-2081	6219	11-2039	6279	*
6160	61-2020	6220	*	6280	22-2056
6161	22-2052	6221	*	6281	97-2001
6162	*	6222	43-2070	6282	37-2181
6163	34-2101	6223	*	6283	45-2083
6164	61-2021	6224	45-2082	6284	63-2134
6165	*	6225	*	6285	*
6166	*	6226	*	6286	73-2063
6167	51-2016	6227	75-2024	6287	86-2006
6168	85-2028	6228	*	6288	*
6169	*	6229	34-2104	6289	*
6170	*	6230	72-2018	6290	*
6171	*	6231	*	6291	45-2084
6172	*	6232	*	6292	37-2182
6173	34-2102	6233	*	6293	*
6174	*	6234	*	6294	*
6175	*	6235	*	6295	63-2135
6176	75-2021	6236	*	6296	*
6177	75-2022	6237	*	6297	*

AJ5809NP
No. A27-02012A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 57

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BONNIE P GARDNER 469 E 400 N BLACKFOOT ID 83221 (208) 785-1688	03/04/1909	IRRIGATION	04-01 11-01	0.400 CFS	
					TOTAL DIVERSION:	0.400 CFS
					CONSUMPTIVE USE:	50.00 AFA

Water Source: SAND CREEK

Tributary to: BLACKFOOT RIVER

Stage: LICENSE

Point(s) of Diversion: T02S R36E S14 SENWNE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																																																		
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE																																
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM																															
-----																																-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	
02S 36E 14 :																																:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20.0	
																																																													TOTAL ACRES	20.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: 1907 RIGHT CLAIMED UNDER A27-10028.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10814 A27-02012B A27-10028 A27-10761 A27-10814

Other Water Rights Listing Overlapping Place(s) of Use:
A27-10028

Remarks: GEN PORTION OF ORIGINAL LICENSE 27-102012 WHICH WAS LICENSED ON
NOV. 23, 1912. (NOT CODED IN DATA BASE).

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/18/88 VERNER 04/21/93 THOMPSON 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

APRIL 21, 1993

BONNIE P GARDNER
469 E 400 N
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-02012A AND A27-10028

Dear Ms. Gardner:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

for

Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

MICROFILMED

APR 12 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

APR 20 1993

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

- 40 cfs 5.380 cfs
A27-02D12A AND A27-10028

☒ Name and Address of Former
Owner/Claimant(s)(Seller): _____

BASIL POULSON

153 E. 200 N.

☒ New Owner/Claimant
(Purchaser): _____

BLACKFOOT, ID 83221

BONNIE P. GARDNER

☒ New Mailing Address: _____

469 E. 400 N.

BLACKFOOT, ID 83221

☒ New Telephone Number: (208)- 785-1688

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s): _____

Date 4/19/93

Date _____

☒ Signature of Former
Owner/Claimant(s): _____

Date 4-19-93

Date 4-18-93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

APR 12 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

County Bingham
Stream Sand Creek
Amount 1 second-foot
Use Irrigation
Priority 8/09

STATE OF IDAHO

Water License No. 4591

WHEREAS, On the 8th day of March, A.D. 1909,

CHARLES F. LONDON,

of Blackfoot, County of Bingham, State of Idaho, duly made application (No. 6288) to me for a permit to use 9 cubic feet per second of the waters of SAND CREEK and its tributaries

County of Bingham, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 29th day of April, A.D. 1909, Permit No. 4591 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 29th day of April, A.D. 1911, and for the application to beneficial use of said water on or before the 29th day of April, A.D. 1913 and,

WHEREAS, On the 27th day of October, A.D. 1911,

CHARLES F. LONDON,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 9 cubic feet per second of said waters, as evidenced by my Certificate No. 4591 dated December 15th, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 9 cubic feet per second of water, with date of priority of March 4, 1909, and

WHEREAS, On the 1st day of October, A.D. 1912, CHARLES F. LONDON transferred all of his right, title and interest in and to Permit #4591 to ISAAC T. ALFRED of Blackfoot, County of Bingham, State of Idaho, and,

WHEREAS, On the 16th day of November, A.D. 1912,

ISAAC T. ALFRED,

the holder of said permit, duly made proof of the application to beneficial use of 1 cubic feet per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

ISAAC T. ALFRED,

of Blackfoot, County of Bingham, State of Idaho, the holder and owner of said Permit No. 4591, a perpetual right, dating from March 4, 1909, to the use of 1 cubic foot per second of the waters of SAND CREEK and its tributaries,

in the County of Bingham and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 60 rods due north of the Southwest Corner of the Northeast quarter (NE $\frac{1}{4}$) of Section 14, Township 2 South, Range 36, East of the Boise Meridian,

and conducted to and upon 50 acres, divided as follows: 8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and 12 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 2 South, Range 36, East of the Boise Meridian,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 22nd day of November, A.D. nineteen hundred and twelve.

(Seal)

A. E. Robinson
State Engineer

27 2012

• ВПНД •

for the purpose of Irrigation and domestic use,
State of Idaho, applicable to a license for the use of the waters of the State, and subject also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by the majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

and conducted to end upon 72 scores divided as follows: 29 scores in the NW¼ SW¼ 18 acres; 18 scores in the NW¼ SW¼ 18 acres; 6 scores in the NW¼ of SW¼ 800. 14. 24 acres in the NW¼ of NW¼ and 1 score in the NW¼ of NW¼ 800. 22. all in T. 2 S. R. 26 N. B. M.

and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 60 rods due North of NW Cor. of NE 1/4 of Sec. 14, T. 2 S., R. 36 E., N. M.

Blackfoot 4591, a perpetual right, dating from March 4, 1908, State of Idaho, Bingham County of said Permit No. 4591, to the use of 1.44 cubic feet per second of the waters of said creek, and tributaries, the holder and owner

the holder of said permit, duly made proof of the application to beneficial use of
1.44 cubic feet per second of said water.
NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to CHAS. F. LARSON.

WHEREAS, On the 27th day of April, A.D. 1913, CHAS. F. LADDON,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of the cubic feet per second of said waters, as evidenced by my Certificate No. 4891 dated December 15, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use with date of priority of March 4, 1909, and Mine (8) cubic feet per second of said waters.

WHEREAS, On the 27th day of October, A.D. 1911, CHAS. F. LANDON,

and Greek and tributaries. State of Idaho, for irrigation and domestic purposes, and was issued A. D. 1909, Permit No. 4591. A. D. 1911, and for the application to ben- serein described on or before the 25th day of April. A. D. 1912, and the State Engineer extended the time for completion of works under said permit to October 29, 1911, and, WHEREAS, On the 24th day of May, A. D. 1911, the State Engineer extended the

Blackfoot
(No. 6288) to me for a permit to use
County of
Bingham (9) cubic feet per second of the water of
State of Idaho
I, duly made application
purposes, and
for irrigation and domestic

WHEATON On the 4th day of March
A.D. 1909.
WAS. & LVI. NO. 107

STATE OF IDAHO
Water License No. 4591.

County, Stream, Amount, Use, Priority,
Bingham Sand Creek, 1.46 Dec. ft., Irrigation, 2/4/09.

4261

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 27-12013
Date Received: 6/22/2004
Receipt No:
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

BONNIE P GARDNER Phone: (208)785-1688 LEON J. GARDNER

469 E 400 N
BLACKFOOT ID USA 83221

2. Date of Priority: 03/04/1909

3. Source: SAND CREEK

Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02S	36E	14	SE	NW	NE	BINGHAM	
			NW	NE	NE	BINGHAM	

2 POINTS OF DIVERSION ARE LOCATED IN THE NWNENE OF SECTION 14.

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

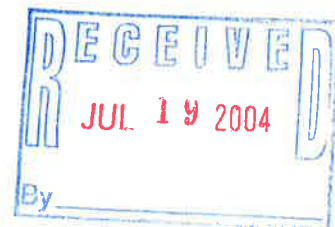
Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	~~0.4~~ <u>1.44</u>	

7. Total Quantity Appropriated is:

~~0.4 C.F.S.~~ 1.44 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	
02S	36E	14	SE	NW	IRRIGATION	20	<u>36</u>
			SW	NE	IRRIGATION		<u>11</u>
			NW	NE	IRRIGATION		<u>36</u>
			NE	NE	IRRIGATION		<u>19</u>
Section Acres						20	<u>102</u>
Total Acres						20	<u>102</u>

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-10028

14. Remarks:

RIGHT 27-2012A WAS RENUMBERED TO 27-12013.

15. Basis of Claim: License

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

SCANNED

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

Renumbered to 27-12013 7/4/04 CB
Ident. Number: **A27-02012A**
Date Received: 10/18/1988
Receipt No: E003249
Received By: _____

AMENDED

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BONNIE P GARDNER
Address: 469 E 400 N
BLACKFOOT ID 83221
and/or Leon J. Gardner 208-785-1688

2. Date of Priority: MAR 4, 1909 ✓

3. Source: SAND CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	36E	14	SE	NW	NE		BINGHAM
			NW	NE	NE	(2pts)	

5.-Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	~~0.400~~ 1.44		

7. Total Quantity Appropriated is:
~~0.400~~ C.F.S. (and/or)
1.44

A.F.A.

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	14	SE	NW		IRR	~~20.0~~ 36

SW NE
NW NE
NE NE

COPY
MICROFILMED
36
APR 12 1994
19

A27-02012A

Page

1

Date: 04/21/93

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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Section Acres ~~20.0~~ 102.

Total Acres ~~20.0~~ 102.

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

~~1907 RIGHT CLAIMED UNDER A27-10028.~~

14. Remarks:

~~PORTION OF ORIGINAL LICENSE 27-102012 WHICH WAS LICENSED ON
NOV. 23, 1912. (NOT CODED IN DATA BASE).~~

15. Basis of Claim: LICENSE

renumbered from 27-2012A.

F02 POD Remark (2pts) of Diver. are located

T2S R36E Sec 14 ; NWNE NE.

COPY

MICROFILMED

(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 X 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):

Denise Chadwick
Leon J. Yardner

Date:

7/16/04

Date:

7/16/04

State of Idaho)

County of

Bingham

) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of July, 2004

Denise Chadwick

Notary Public

Residing at

Blackfoot Id

My commission Expires

9-10-05



SCANNED

JUL 10 1991

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

Renumbered to 27-12013 7/9/04 CB
Ident. Number: **A27-02012A**
Date Received: 10/18/1988
Receipt No: E003249
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BONNIE P GARDNER 208-785-1688
Address: 469 E 400 N
BLACKFOOT ID 83221

2. Date of Priority: MAR 4, 1909 ✓

3. Source: SAND CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	14	SE	NW	NE		BINGHAM

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	36E	14	SE	NW		IRR	20.0

MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

11. Place of use in counties: BINGHAM ✓

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

13. Other Water Rights Used:
1907 RIGHT CLAIMED UNDER A27-10028.

14. Remarks:
PORTION OF ORIGINAL LICENSE 27-102012 WHICH WAS LICENSED ON
NOV. 23, 1912. (NOT CODED IN DATA BASE).

15. Basis of Claim: LICENSE

MICROFILMED

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: A27-02012A
Date Received: 10/18/1988
Receipt No: 6003249
Received By: EGV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BASIL POULSON 208-785-2553
Address: 153 E. 200 N.
BLACKFOOT, ID 83221
OR
Name: DOROTHY POULSON 208-785-2553
Address: 153 E. 200 N.
BLACKFOOT, ID 83221

2. Date of Priority: MAR 04, 1909

3. Source: SAND CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	14	SE	NW	NE		BINGHAM

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	14	SE	NW		IRR	20.0
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
1907 RIGHT CLAIMED UNDER A27-10028.

14. Remarks:
PORTION OF ORIGINAL LICENSE 27-102012 WHICH WAS LICENSED ON
NOV. 23, 1912. (NOT CODED IN DATA BASE).

15. Basis of Claim: LICENSE

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:

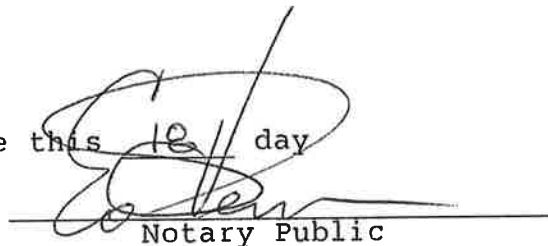
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Basil Poulson Date: Oct 18, 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of October 19 88



Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

UNCLASSIFIED

NOV 12 1992

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SN T

EAST BLANCH
BLACK FOOT
CANYON

Sec 14

A27-10028
A27-02012A

R36E

R36E

SAND
CREEK

N

