

IDAHO DEPARTMENT OF WATER RESOURCES 11/28/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: MERLIN W BLANCHARD
675 W GLOVER RD
ARIMO ID 83214

SOURCE: GARDEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.75 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.30 CFS. COMBINED RIGHT NOS.: 29-00387,
29-00388, 29-00409, 29-00410, 29-07169, 29-07252

PRIORITY DATE: 05/01/1891

POINT OF DIVERSION:

T10S R36E S7 NWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.750 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R36E S10	NENE	39.0	T10S R36E S10	NWNE	36.0
T10S R36E S10	SWNE	38.0	T10S R36E S10	SENE	40.0
T10S R36E S10	NENW	15.0	T10S R36E S10	NESE	18.0
T10S R36E S10	NWSE	11.0			

197 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 265 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-00387, 29-00388, 29-00409, 29-00410,
29-07169, 29-07252

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 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.

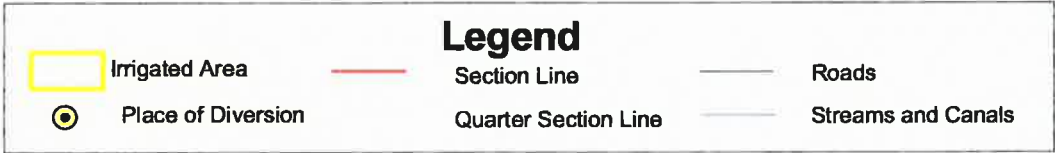
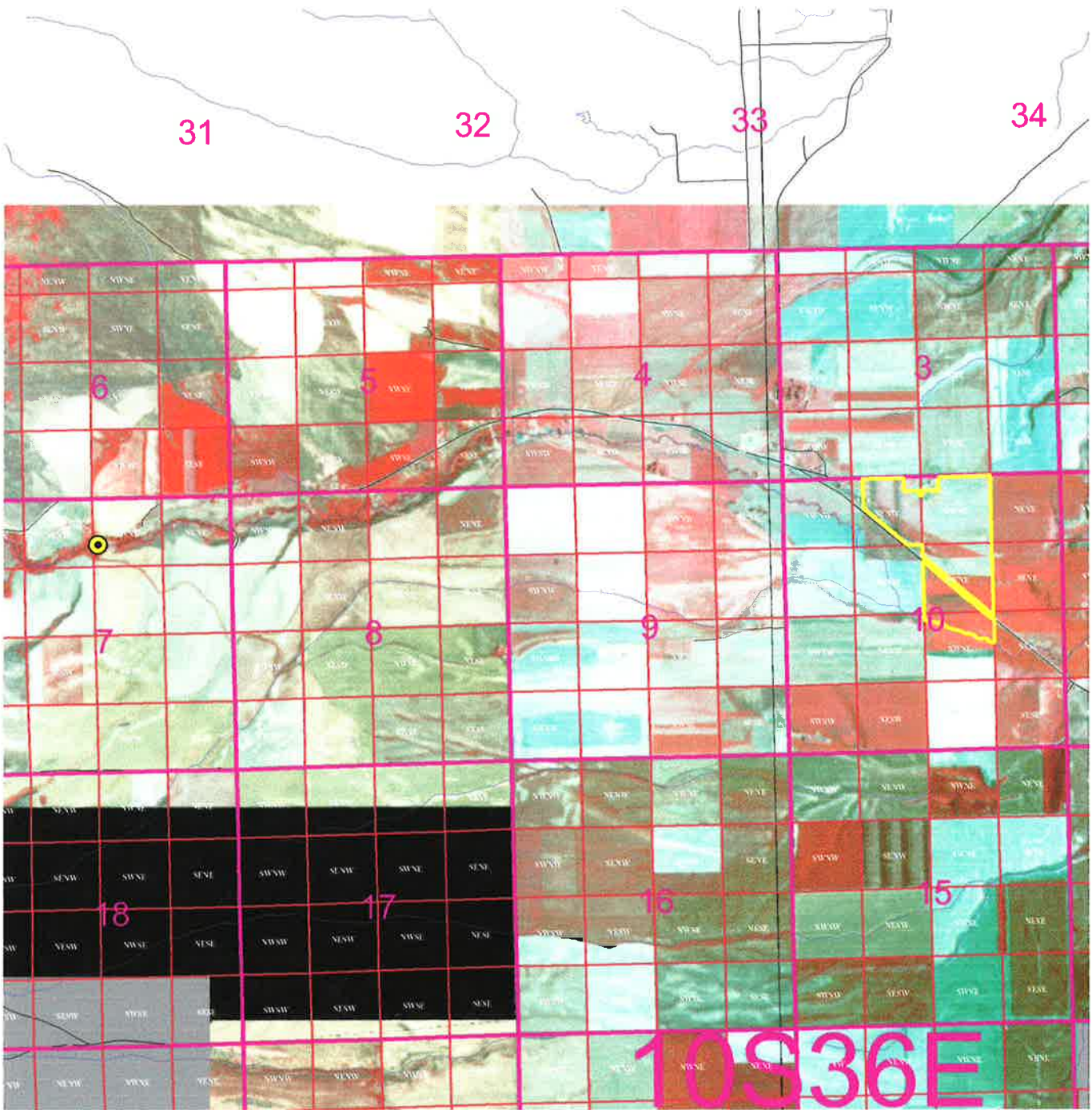
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

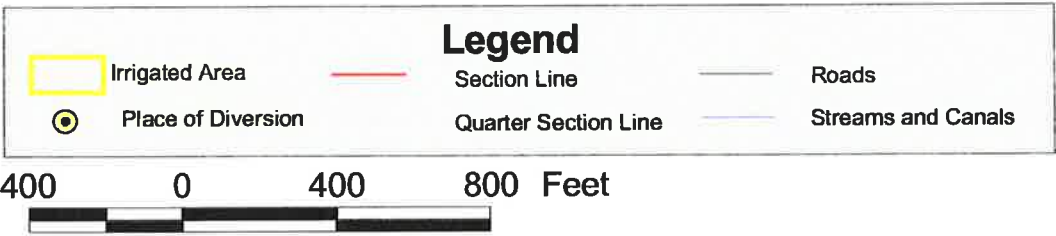
Water Right Claim Number A29-00409

06/23/2000

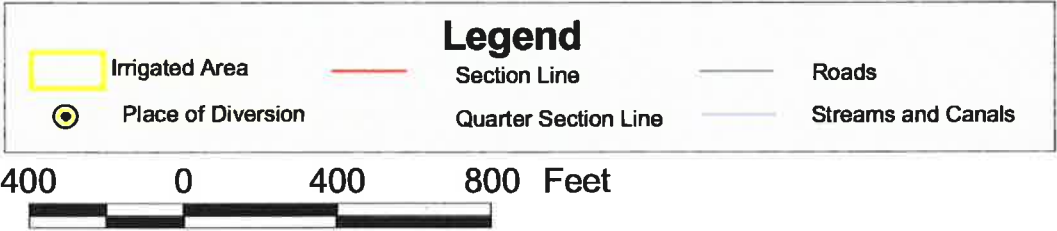
Township , 10S36E



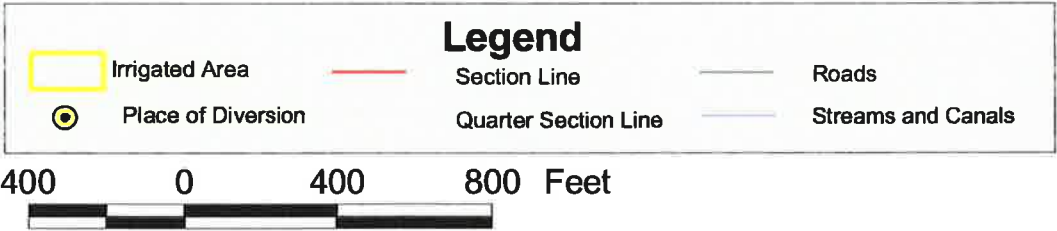
Township , 10S36E



Township , 10S36E



Township , 10S36E



02/08/2003

NOTICE OF ERROR
REPLY

Done
RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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: April 21, 2003

Water right number: 29-409

MERLIN W BLANCHARD
675 W GLOVER RD
ARIMO ID 83214
Telephone Number: (208)254-3350

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.

DATE: 4-15-03 SIGNATURE: Merlin W Blanchard by Gary Blanchard (son)

Please print your name: Merlin W Blanchard

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

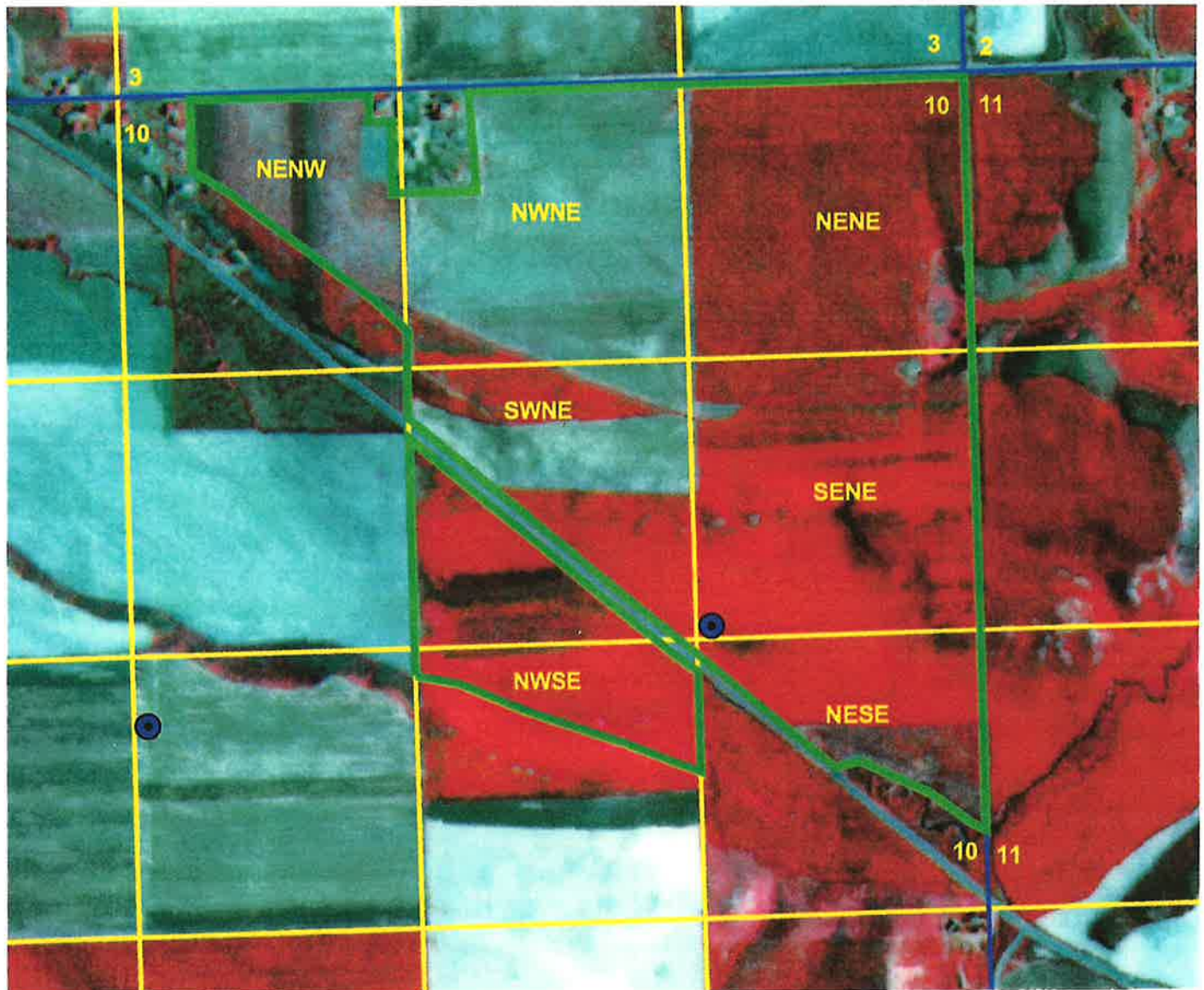
PROFILED

SCANNED
NOV 04 2005

IDAHO DEPARTMENT OF WATER RESOURCES

29-00387, 29-00388, 29-00409, 29-00410

T10S, R36E SEC. 10



PROFILED

ACRES IRRIGATED- 197



POINT OF DIVERSION

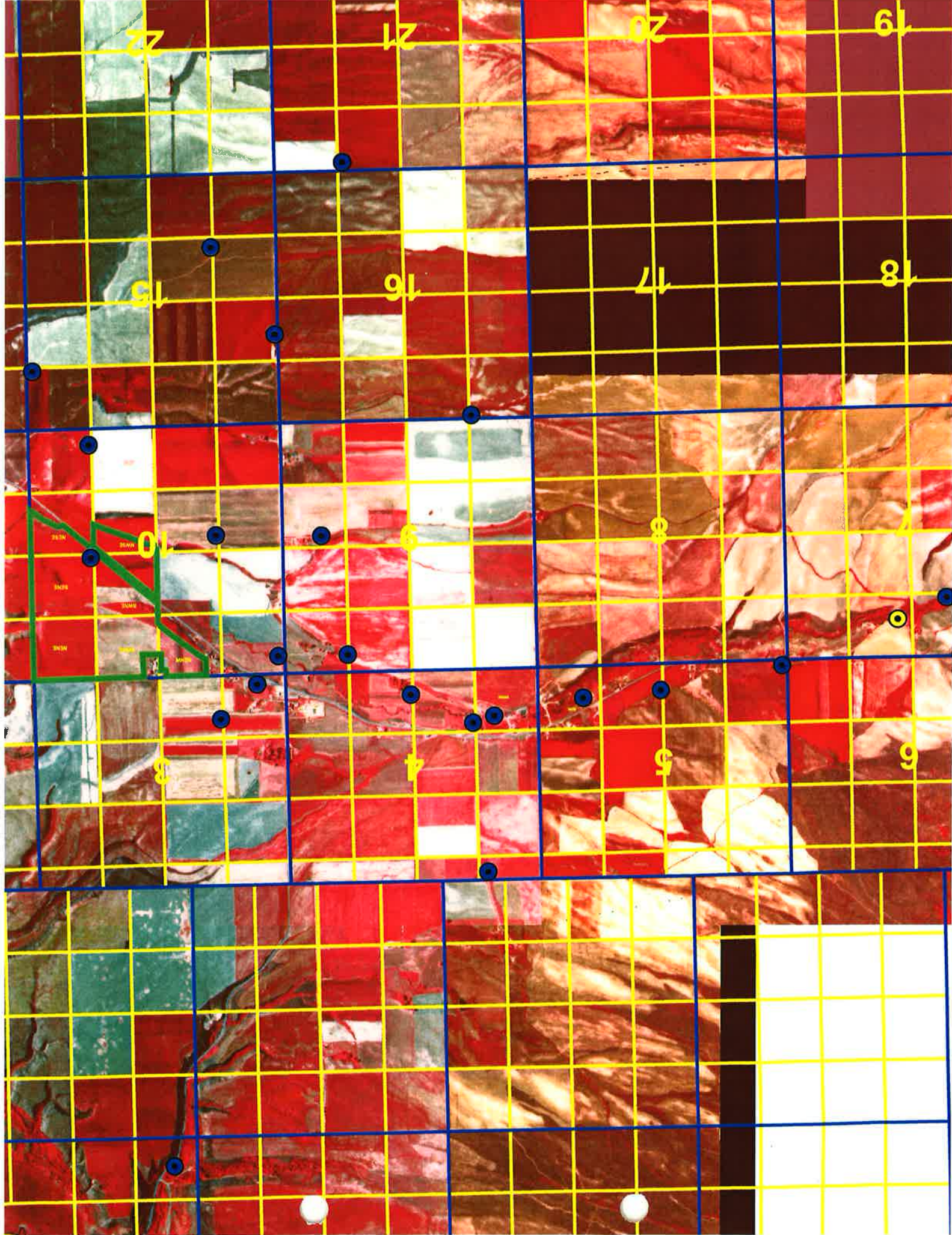
SCANNED

NOV 04 2005



PLACE OF USE

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON



SCANNED

MAY 11 2001

Log for claim A29-00409

Spatial Dynamics LTD

6/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	10	NWNE	37	38	Wrong tract in database?
10s36e	10	SWNE	36	38	
10s36e	10	NENW	15	24	
10s36e	10	NWSE	10	11	Wrong tract in database?
Totals:			98	111	

- be used on the S. W. 1/4 of Sec. 12, Township 10 South of Range 36 E. B. M.
- 29 0401 To George G. Orr, three-fourths second foot of water to date from the 1st day of May, 1902, and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of Sec. 33, Township 9, South of Range 36 E. B. M.
- 29 0402 To George J. Allen, three-fourths second foot of water to date from the 1st day of May, 1896, and one second foot of water to date from the 1st day of May, 1904, to be used upon the N. E. 1/4 of the N. W. 1/4 of Sec. 5; also the West half of the N. W. 1/4 of Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0403 To William C. Smith, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the East half of the N. W. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0404 To J. W. Stinger, three-fourths second foot of water to date from the 1st day of May, 1898 and one second foot of water to date from the 1st day of May, 1904, to be used on lots three and four in sec. 4, and lots one and two in Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0405 To George A. Smith, three-fourths second foot of water to date from the 1st day of May, 1891, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4 and the east half of the N. W. 1/4 of Sec. 10, Township 10 South of Range 36 E. B. M.
- 29 0406 To J. H. Curtis, three-eighths second foot of water to date from the 1st day of May, 1894, and three-eighths second foot of water to date from the 1st day of May, 1901, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0407 To A. M. Curtis, three-eighths second foot of water to date from the 1st day of May, 1894 and three-eighths second foot of water to date from the 1st day of May 1901, and one second foot of water to date from the 1st day of May 1904, to be used on the West half of the N. E. 1/4 Sec. 7, Township 10, South of Range 36 E. B. M.
- 29 0408 To Nannie B. Rollison, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904 to be used on the S. E. 1/4 and the North half of the S. W. 1/4 and the S. E. 1/4 of the N. W. 1/4 of Sec. 4, Township 10 South of Range 36 E. B. M.
- 29 0409 To William P. Burton, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. E. 1/4 and the East half of the S. W. 1/4 of Sec. 8, Township 10 South of Range 36 E. B. M.
- 29 0410 To John B. Chedgzy, three-fourths second foot of water to date from the 1st day of May, 1891 and one second foot of water to date from the 1st day of May, 1904 to be used on the N. E. 1/4 of Sec. 9, Township 10, South of Range 36 E. B. M.
- 29 0411 To William H. Allen, three-fourths second foot of water to date from the 1st day of May 1903 and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 31 and the S. W. 1/4 of the S. W. 1/4 Sec. 32 in Township 9, South of Range 36 E. B. M.
- 29 0412 To Laura T. Toler, three-eighths second foot of water to date from the 1st day of May, 1895 and one-half second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. W. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0413 To E. R. Kendall, three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0414 To Truman Rowe, one and three-fourths second foot of water to date from the 1st day of May, 1904, to be used on lots one and two in Sec. 4, Township 10, South of Range 36 E. B. M.

All of the above described lands being in Bannock County, State of Idaho.

It is further adjudged and decreed that the plaintiff and any of its stockholders, and any or all of said defendants, who are adjudged to be entitled to the use of any of the waters of said stream or any of its tributaries thereto or may pool or unite the waters so decreed to them and use the same jointly or alternately or in rotation, or in such other manner as will secure the greatest benefits and most economical use of said water, so that the waters so united or pooled do not exceed the amount decreed to the parties entering into such arrangement.

AJ5809NP
No. A29-00409

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 40

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLIN W BLANCHARD 675 W GLOVER RD ARIMO ID 83214 (208) 254-3350	05/01/1891	IRRIGATION	04-01 11-01	0.750 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.750 CFS 293.30 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R36E S07

NWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	36E	10	:	37		36		15								10				:	98.0
																				TOTAL ACRES	98.0

POU County: BANNOCK

Non-Irrigation Uses: S/ 20 HEAD OF STOCK

Other Rights: 29-00388, 00387

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-11704	29-11705	A29-00362	A29-00374	A29-00375	A29-00376	A29-00377	A29-00383A	A29-00383B	A29-00384	
A29-00387	A29-00388	A29-00389	A29-00390	A29-00410	A29-00414	A29-00415	A29-00416	A29-00417A	A29-00417B	
A29-00418A	A29-00418B	A29-10642	A29-11704	A29-11705						

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

A29-00367 A29-00368 A29-00387 A29-00388 A29-00410 A29-07252 A29-07316

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 06/18/90 DCARLSON 06/01/94 COX 03/29/95 POST-STD

MAY 31 2001

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: A29-00409

Date Received: 5/01/1990

Receipt No: E014164

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLIN W. BLANCHARD
Address: 675 W. GLOVER ROAD
ARIMO, ID

208-254-3350

83214

2. Date of Priority: MAY 01, 1891

3. Source: GARDEN CREEK

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	7		NW	NE		BANNOCK

5. Description of diverting works:
HEADGATE/ MIDDLE DITCH/ 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	0.750		

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

8. Total consumptive use is 293.3 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 20 HEAD OF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	10	NE	NE		IRR	37.0
			SW	NE		IRR	36.0
			NE	NW		IRR	15.0
			NE	SE		IRR	10.0

A29-00409

Page 1

Date: 06/18/90

A2900409



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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	98.0
					Total Acres	98.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-00388, 00387

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GARDEN CREEK IRRIGATION CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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:

Ident. Number

Date Received

Receipt Number

39576

A29 -00409

E014164

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Merlin W. Blanchard Phone () 254-3350Mailing Address 675 W. Glover Road, Arimo, Idaho Zip 832142. Date of Priority (Only one (1) per claim) May 1, 18943. Source of water supply (a) Garden Creek
which is tributary to (b) Marsh Creek4. a. Location of existing point of diversion is: Township 10S Range 36E Section 7,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Headgate Middle Ditch for Flood Irrigation

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount .75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 293.3 acre feet per annum acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 20 head of stock

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	36E	10					40			40	40			40					100
		10	37		36	15								10					98
																			mmB

Total number of acres irrigated 100 98

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

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

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

14. Remarks: This is a May 1 1891 right under Geo. A Smith

Under the decree of Garden Creek Irrigation Co. as Plaintiff vs.

Thomas E. Wolverton, e.t. a.l. Defendant

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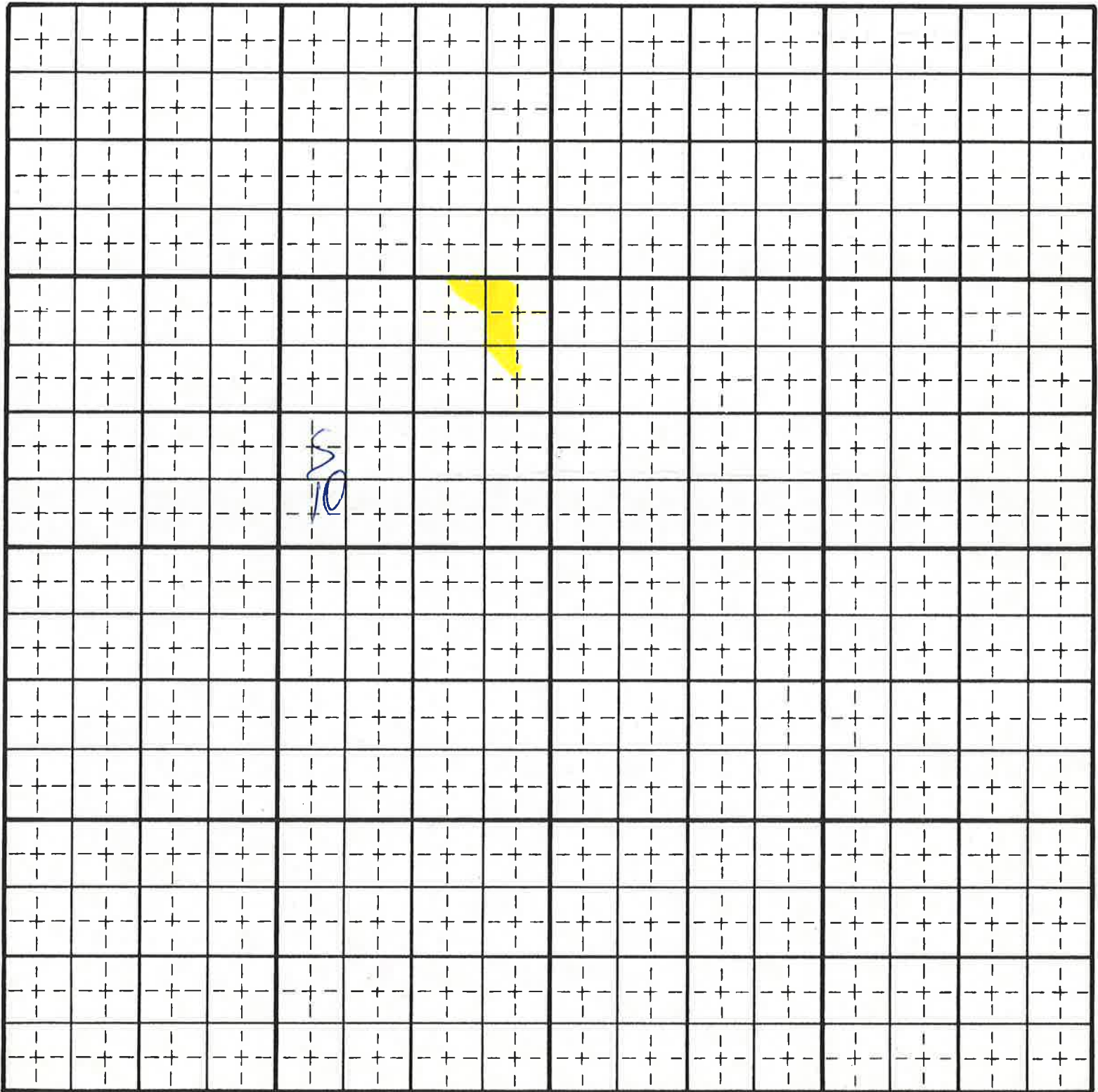
NOV 13 1992

Last Name Blanchard Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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NOV 13 1992

Last Name Blanchard Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____ See Remarks _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Marlin W Blanchard Date 4/30/90

_____ Date _____

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

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 19 90

SEAL

Notary Public Ila Mae Cunningham

Residing at Arden Idaho

My Commission Expires 2/22/91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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NOV 13 1992

Last Name Blanchard Ident. Number _____

Copies White-State, Yellow-Claimant

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NOV 13 1992

