

11/13/2002

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

RIGHT NUMBER: 29-12259

NAME AND ADDRESS: J GAURTH THOMPSON FAMILY TRUST
J GAURTH THOMPSON TRUSTEE
1136 W THOMPSON LN
ARBON ID 83212

SOURCE: RATTLESNAKE CREEK

TRIBUTARY: BANNOCK CREEK

QUANTITY: 20.000 AFY

The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

PRIORITY DATE: 12/31/1916

POINT OF DIVERSION:

T10S R35E S6 SENESE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

AESTHETIC STORAGE

01/01 12/31

20.00 AFY

PLACE OF USE: AESTHETIC STORAGE Within POWER County

T10S R35E S06 NESE

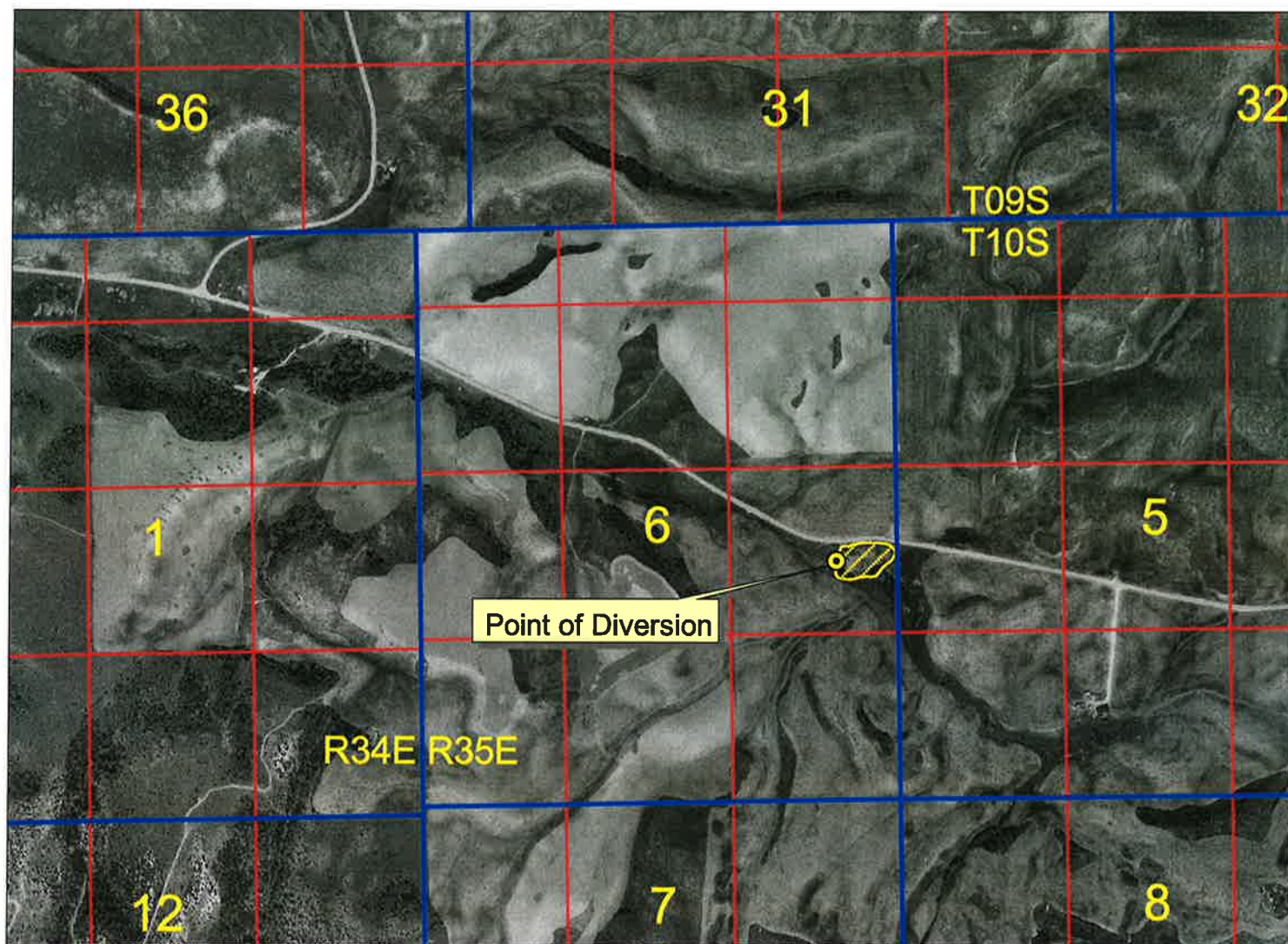
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

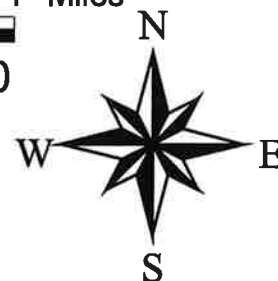
EXPLANATORY MATERIAL: Beneficial Use



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-12259



1:16000



-  **Point(s) of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: November 2002

02/18/2003

NOTICE OF ERROR
REPLY

Paul

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: 29-12259

J GAURTH THOMPSON FAMILY TRUST
J GAURTH THOMPSON TRUSTEE
1136 W THOMPSON LN
ARBON ID 83212
Telephone Number: (208)335-2109

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

At the present time the reservoir no longer holds 20 ACFY. There is no need for any sort of measuring device.

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

The right holder / Not be required to install any measuring device

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

The reservoir has filled up with silt to the point that is a large Denver dam holding only a small amount of water which runs over the spillway in the same amount as comes in. The purpose is a wild life habitat where duck-goose and wild game take live and winter.

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

DATE: *2-25-02*

SIGNATURE:

J. Gaurth Thompson

Please print your name:

J. Gaurth Thompson & Trustee

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

RECEIVED

FEB 21 2003

WATER DIVISION

02/18/2003

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

RIGHT NUMBER: 29-12259

NAME AND ADDRESS: J GAURTH THOMPSON FAMILY TRUST
J GAURTH THOMPSON TRUSTEE
1136 W THOMPSON LN
ARBON ID 83212

SOURCE: RATTLESNAKE CREEK

TRIBUTARY: BANNOCK CREEK

QUANTITY:

~~20.00 AFY~~ *Large beaver dam*

The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

PRIORITY DATE: 12/31/1916

POINT OF DIVERSION:

T10S R35E S6 SENESE Within POWER County

PURPOSE AND

PERIOD OF USE:

Habitat Storage

PURPOSE OF USE

PERIOD OF USE

QUANTITY

~~AESTHETIC STORAGE~~

01/01 12/31

~~20.00 AFY~~

PLACE OF USE:

Habitat Storage

~~AESTHETIC STORAGE~~ Within POWER County

T10S R35E S06

NESE

Large beaver dam

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 - Beneficial Use

RECEIVED

FEB 20 2003

Department of Water Resources
Boise, Idaho

MAY 16 2001

J. Gaurth Thompson
1136 West Thompson Lane
Arbon, ID 83212

March 1, 1995

Idaho Department of Water Resources
900 N Skyline Dr.
Idaho Falls, ID 83402



MAR 22 1995

Department of Water Resources
Eastern District Office

Dear Dave:

Enclosed is the information requested pertaining to the priority date for the reservoir located at T10S R34E S05. The statement is based on the personal knowledge of Mr. Willard Bradley whose father constructed the dam.

If any further information is needed please contact me.

Sincerely,

J. Gaurth Thompson

Enclosures

March 18, 1995

RECEIVED
MAR 22 1995

Department of W.
Eastern District Court

To whom it may concern:

For the purpose of Evidence of Priority, in the year 1901, my father George Willard Bradley settled in the approximate area of where the reservoir commonly known as Bradley reservoir is located (T10S R35E S6). Enclosed is a document showing when he, George Willard Bradley, filed a possession claim for the property in which he will be settling on.

At the time he started farming (1901) the ground had not been surveyed. However, he built the dam sometime after that in the approximate year 1916 for the purpose of controlling and catching the spring runoff as well as the catching the excess flow for the purpose of irrigation. Also enclosed is a document showing that permit #1705 was issued stating that he had rights to that water. Since that time the reservoir has also served the purpose of sustaining wildlife.


G. Willard Bradley II


Witness

Witness

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J GAURTH THOMPSON FAMILY TRUST 1136 W THOMPSON LANE ARBON ID 83212 (208) 335-2109	12/31/1900	AESTHETIC STORAGE	01-01 12-31		20.00 AFA
TOTAL DIVERSION:						20.00 AFA
CONSUMPTIVE USE:						18.60 AFA

Water Source: SPRINGS

Tributary to: RATTLESNAKE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R34E S05

NESE

POWER County

Place of use Legal Description for: AESTHETIC STORAGE

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
10S	35E	6	:				A	:					:					:					:		

POU County: POWER

Non-Irrigation Uses: AESTHETIC STORAGE; RIPARIAN HABITAT

Remarks: COULD BE WILDLIFE STORAGE AS A USE.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

26

MAR 22 1935

Water Resources
Eastern District Office

POSSESSORY CLAIM OF GEORGE W. BRADLEY.

KNOWALL PERSONS, That I, George W. Bradley, of Hawkins
Bennecko County, State of Idaho, do hereby claim that
the possession and right of possession of the following
unsurveyed, Government land.

Commencing at the Northwest corner of township 10 South
Range 35 East of the Boise Meridian, in Power County,
running thence West 240 rods; thence South 40 rods; thence
East 80 rods; thence South 160 rods; East 80 rods; thence
North 120 rods; to place of beginning.

And I certify the following; That said claim does
not exceed over 160 acres; That he holds the same under
possession of same under provision of Sec Chapter 4
Title 10 of the Revised Codes of Idaho, that no part of
said land is embraced in any other claim, that said claimant
is a citizen of the United States over the age of 21 years.

George W. Bradley
Claimant.

State of Idaho
County of Power

On this 14th day of December 1915, before me J. H.
Thomas a Notary Public in and for the County of Power
aforesaid, personally appeared George W. Bradley, known
to me personally to be the person whose name is subscribed
to the within and foregoing 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.

Com. Exp 3/8/1919.

J. H. Thomas
Notary Public, Residing at
American Falls, Idaho

MAR 2 1995

92810



This Indenture

 Department of Water Resources
 Eastern District Office
 Made this

sixth

day of

January,

in the year of our Lord one thousand nine hundred and twentysix.

 BETWEEN Julia M. Bradley, a widow, of the Village of Augusta,
 Kellogg County, Michigan, party

 and George W. Bradley, whose P. O. Address is Robin, Idaho, of the first part,
 party

 Witnesseth, That the said party of the first part, for and in consideration of the sum of
 Three Thousand (\$3,000.00) Dollars,
 to her in hand paid by the said party of the second part, the receipt whereof is hereby confessed
 and acknowledged, do hereby these presents grant, bargain, sell, remise, release, alien and confirm unto the
 said party of the second part, and his heirs and assigns, FOREVER, all those certain
 pieces or parcels of land situate and being in the

County of Power Idaho and State of Idaho, and described as follows, to-wit:

 The Southwest one-quarter (S.W. 1/4) of the South-
 east one-quarter (S.E. 1/4) of Section Twentyseven (27), Town 9
 S. R. 34 E. B. M.

 Also the Northwest one-quarter (N.W. 1/4) of the
 Northeast one-quarter (N.E. 1/4) of Section Thirtyfour (34) in
 said Township;

 Also the North one-half (1/2) of the Northwest one-
 quarter (N.W. 1/4) of said Section Thirtyfour (34) in said Township

 Also the South one-half (S. 1/2) of the Northeast one-
 quarter (N.E. 1/4) of said Section Thirtyfour (34) in said Town-
 ship;

 Also the Southwest one-quarter (S.W. 1/4) of the North-
 west one-quarter (N.W. 1/4) of Section Thirtyfive (35) in said Town-
 ship;

 Also the Northwest one-quarter (N.W. 1/4) of the
 Southwest one-quarter (S.W. 1/4) of said Section Thirtyfive (35)
 in said Township; the lands described above containing three hundred
 and twenty (320) acres more or less.

 Also the Southeast one-quarter (S.E. 1/4) of the North
 east one-quarter (N.E. 1/4) of Section One (1), in Town 10 S. R. 34 E.
 B. M.;

 Also Lots No. 1, 2, 3 and 4 of Section No. One (1) of
 Town 10 S. R. 34 E. B. M. The lands described in said Section One
 (1) contain 123.86 acres; meaning and intending to include in this
 conveyance Reservoir for irrigation purposes known as Permit No.
 1705, to be conveyed in connection with said 123.86 acres.

 Meaning and intending to convey in connection with
 said 320 acres all water rights for irrigating purposes now in use
 in connection with said property.

 Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise
 appertaining: To Have and to Hold the said premises, as herein described, with the appurtenances,
 unto the said party of the second part and to his heirs and assigns, FOREVER. And the said
 Julia M. Bradley,

 part of the first part, for her self, her heirs, executors and administrators, do seal
 covenant, grant, bargain and agree to and with the said party of the second part his heirs and
 assigns, that at the time of the ensembling and delivery of these presents she is well seized of the
 above granted premises in fee simple; that they are free from all incumbrances whatever

and that... she will, and her heirs, executors, her administrators shall Warrant and Defend the same against all lawful claims whatsoever,

In Witness Whereof, The said part Y of the first part ha A hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

James H. Field Julia M. Bradley
Margaret Scholz

STATE OF MICHIGAN,
COUNTY OF KALAMAZOO

On this 6th day of January,

before me, a Notary Public, in and for said County, personally appeared Julia M. Bradley,

to me known to be the same person described in and who executed the within instrument who acknowledged the same to be her free act and deed.

Notary Public, Kalamazoo County, Mich.
My comm. exp. Oct. 28, 1927.

WARRANTY DEED

SHORT FORM

Julia M. Bradley

TO

George W. Bradley

REGISTER'S OFFICE

County of Kalamazoo

This instrument was presented and received for record this 26

day of January A. D. 1926

at 11:30 o'clock P. M., and

recorded in Book 26 of deeds,

on page 112, as a proper certifi-

cate was furnished in compliance with

Section 3957, Compiled Laws of 1897.

Register of Deeds

By ascertained

See Index

MAY 16 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: **A29-12259**
Date Received: 4/ 5/1990
Receipt No: C016090
Received By: _____

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

1. Name: J GAURTH THOMPSON FAMILY TRUST 208-335-2109
Address: 1136 W THOMPSON LANE
ARBON ID 83212
2. Date of Priority: DEC 31, 1900
3. Source: SPRINGS Trib. to: RATTLESNAKE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	34E	5		NE	SE		POWER
5. Description of diverting works:
10' HIGH DAM WITH SPILLWAY
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
AESTHETIC STORAGE	01/01	12/31			20.00
7. Total Quantity Appropriated is:
C.F.S. (and/or) 20.00 A.F.A.
8. Total consumptive use is 18.6 Acre Feet Per Annum.
9. Non-irrigation uses:
AESTHETIC STORAGE; RIPARIAN HABITAT
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	35E	6	SE	NE		AES S	
			NE	SE		AES S	
11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

COULD BE WILDLIFE STORAGE AS A USE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

-12274

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

129-12259

Date Received

Receipt Number

C016090

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
APR 5 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) J. Garth Thompson Family Trustee
J. Garth Thompson Phone (208) 335-2109
- Mailing Address 1136 DBA Thompson Farms
1186 West Thompson Lane Arbon Ida Zip 83212
2. Date of Priority (Only one (1) per claim) Res-Dam built Early 1900
3. Source of water supply (a) Springs
which is tributary to (b) Rattlesnake
4. a. Location of existing point of diversion is: Township 10S Range 34E Section 546
NE 1/4 of SE 1/4 of sa 6 1/4, Govt. Lot, _____ B.M., County of Power

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 _____

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.

10' High Dam with spillway

A2912259



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Riparian purposes from Jan 1 to Dec 31 amount _____ or 6-20 AFH

For Habitat purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 6-20 AFH (acre feet)

8. Total consumptive use claimed is 18-60 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>10S</u>	<u>35E</u>	<u>6</u>				<u>X</u>									<u>X</u>				

Total number of acres irrigated 0

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

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

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

14. Remarks:

Last Name Thompson Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of squares, each containing a crosshair symbol. The grid is divided into four 10x10 quadrants. The top-left quadrant is shaded gray. The text "Sec 6" is written in the top-right quadrant, and "Oil Pond Location" is written in the bottom-right quadrant.

Thompson

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 _____

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) J. Scott Thompson Trust Date 4-1-90
_____ 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 Utah)
County of CACHE) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of April 19 90

SEAL .

Notary Public Grant W. Campbell

Residing at Logan Utah

My Commission Expires Aug 13 1993

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Thompson Ident. Number _____