



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 10, 2005

Glenn S. Bradley, Jr.
Carolyn M. Bradley
890 W 620 N
Shoshone ID 83352

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 37-20734 and 37-20735

Dear Claimants:

Thank you for responding so quickly with your Notice of Error Reply to the claims shown above. The points shown on the map are where Lee Peterson determined they should be using a GPS unit when he conducted a field exam for your SRBA claims. However, as you noticed on the GIS Layout with the 1987 aerial photo, the points appear to be shifted to the south. I have enclosed another GIS Layout showing the same points with a 1992 Digital Orthophotoquad, which is an aerial photo produced by the United States Geological Survey. I think you will now find that the points of diversion appear in the proper locations with respect to other features shown in the photo.

I have corrected the legal descriptions for the points of diversion on claim 37-20734 to match the location where the GPS points appear on the 1992 aerial photo. The legal description for the point of diversion for claim 37-20735 did not have to be changed in order to depict the correct Township, Range, Section and Government Lot as shown on the GIS layout.

Thank you for reviewing your preliminary recommendations so thoroughly, and bringing the discrepancy between the aerial photo and GPS points to my attention. If you have any questions, you may contact me at (208) 287-4917.

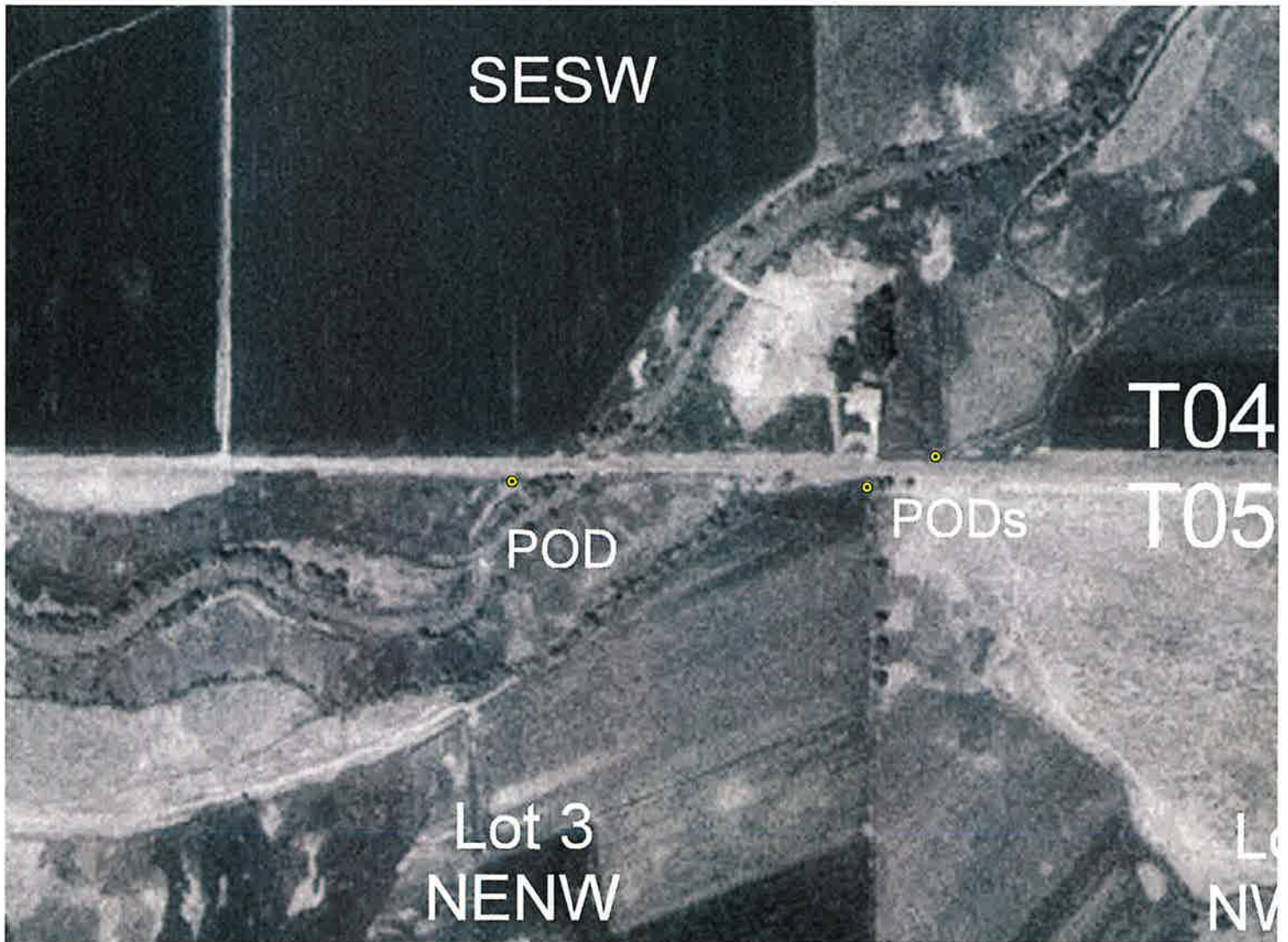
Sincerely,


Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures:

GIS Layout with 1992 aerial photo
Revised Preliminary
Recommendation for 37-20734

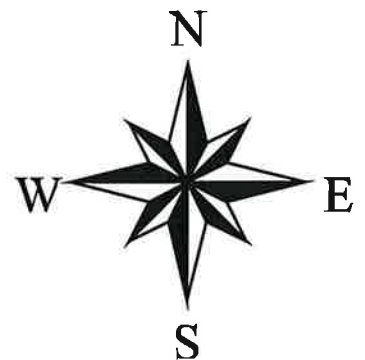
37-20734 & 37-20735



400 0 400 800 Feet

1992 Digital
Orthophotogquad

T04S R16E S32
T05S R16E S05

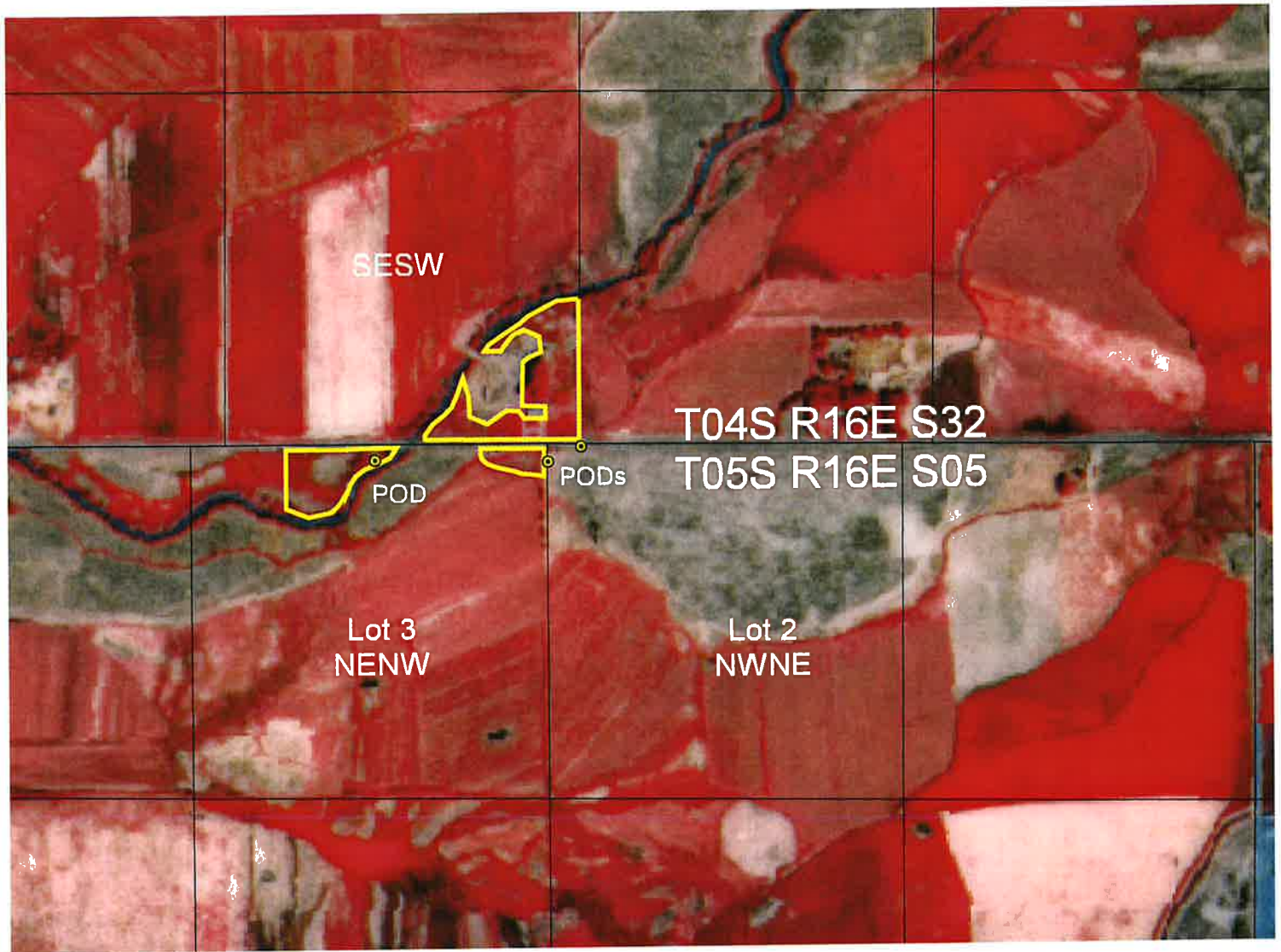


Map prepared by: Carter Fritschle
Date prepared: 09/09/03 - Revised 12/06/04
1987-1988 NAPP photography
Idaho Department of Water Resources

37-20735 Hwy 311 9-9-04

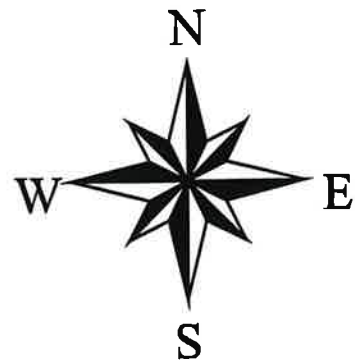


37-20734 & 37-20735



700 0 700 1400 Feet

T04S R16E S32
T05S R16E S05



Map prepared by: Carter Fritschle
Date prepared: 09/09/03 - Revised 12/06/04
1987-1988 NAPP photography
Idaho Department of Water Resources

12/06/2004

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

RIGHT NUMBER: 37-20735

NAME AND ADDRESS: GLENN S BRADLEY JR
890 W 620 N
SHOSHONE ID 83352

CAROLYN M BRADLEY
890 W 620 N
SHOSHONE ID 83352

SOURCE: WASTE WATER

TRIBUTARY: THORN CREEK

QUANTITY: 0.050 CFS

PRIORITY DATE: 10/15/1965

POINT OF DIVERSION:

T05S R16E S5 NENW Lot 3 Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.050 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S05 Lot 3 NENW 1.5

1.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

The source of this right is waste water originally diverted by the Big Wood Canal Co.

Contacts Data Entry Form

Claim Number 37-20735

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	GLENN S BRADLEY JR	890 W 620 N	SHOSHONE	ID	83352	(208)886-2808
Current Owner	CAROLYN M BRADLEY	890 W 620 N	SHOSHONE	ID	83352	

Date of Field Exam: 9-9-04 Time: 11:30 AAccompanied By: Glen Bradley Phone Number: 886-2808Relationship to Claimant: BUTLER

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

6 miles north & 9 1/2 west of shoshone

_____Lee R. Peterson
234 S View Rd
Jerome, ID 83338-6448Date: 9-9-04

Point of Diversion and Source Data Entry Form

Claim Number 37-20735

Claimed Point of Diversion and Source

T05S R16E S5 NENW Lot 3 Within LINCOLN County Source: WASTE WATER MILNER GOODING CANAL

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

③ WASTE WATER BIG WOOD CANAL

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
3	55	16E	5			LINCOLN	Neighbor Field across road

Other rights from this POD? NONE

Document how the POD and Source were verified:

OWNER'S GLEN & CAROLYN BRADLEY REVIEWED FILE-
MAPS - PHOTOS - GLEN AND I WENT OUT AND
HE SHOWED ME POD

③ GLEN 3 2452138 1314038 photo photo
AP013784 1030311

Reviewer: _____

Date: 9-9-04

Place Of Use Data Entry Form

Claim Number 37-20735

Claimed Place Of Use

T05S R16E S05 Lot 3 NENW 1.5

Total Acres 1.5 OK By Bradleys

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
55	16E	5			hickory	3		Irrigation

Total Acres 1.5 looked OK to them

Document how the POU was verified:

By reviewing color photo & location of property

Reviewer:



Date: 9-9-04

Period of Use and Quantity Data Entry Form

Claim Number 37-20735

Claimed Period of Use and Diversion Rate

varies whenever neighbor irrigates

Water Use	Start	End	Rate	Volume
IRRIGATION	03/15	11/15	0.05	<i>no source of m³</i>

Overall Diversion Rate 0.05

Overall Diversion Volume

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

Water Right Period of Use and Diversion Rate

varies

Water Use	Start	End	Rate	Volume

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

3 | *Irrigation when available whenever* | *varies* |

Water Use	Start	End	Rate	Volume

Overall Diversion Rate

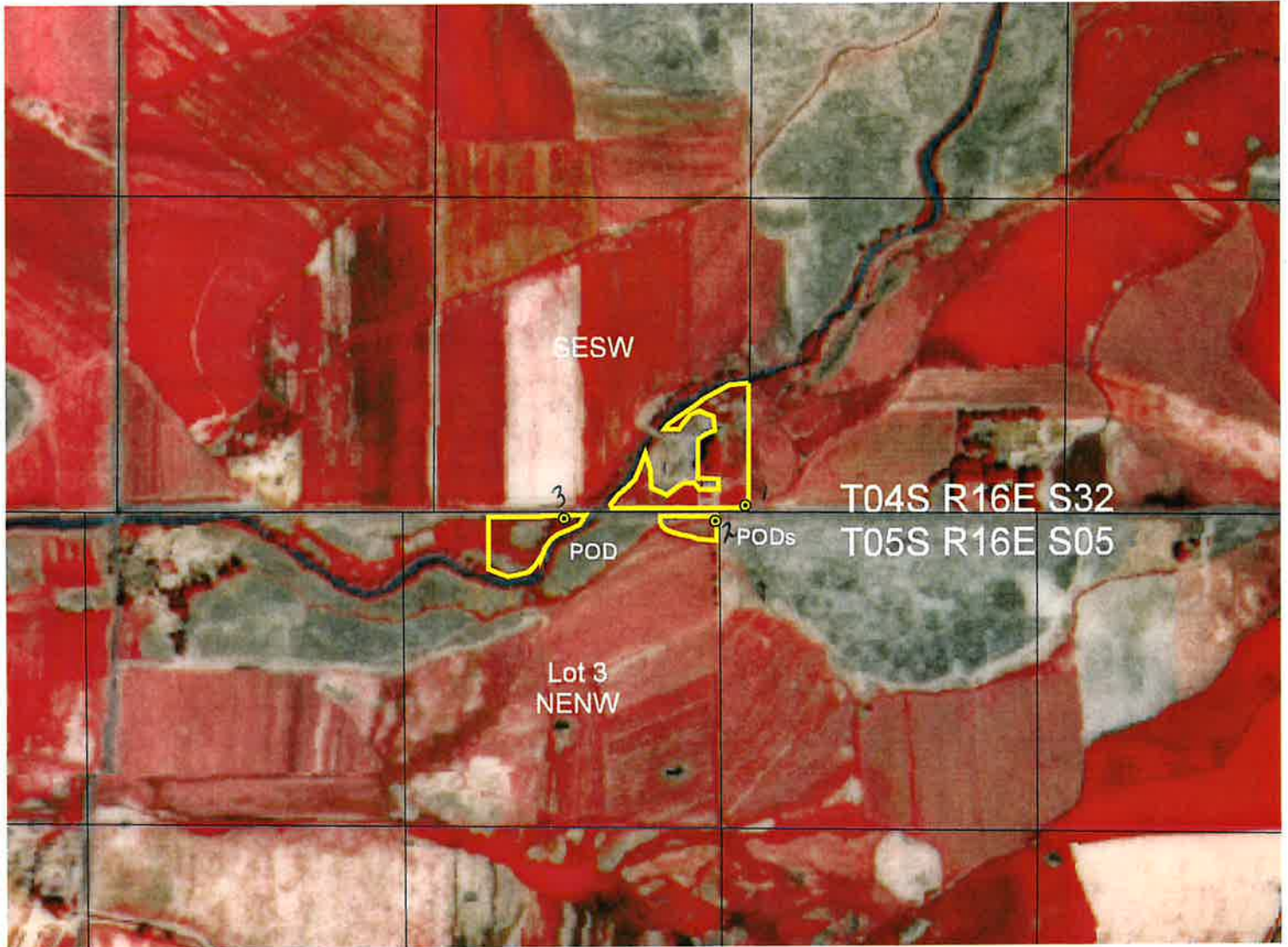
Overall Diversion Volume

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

*wastewater is almost impossible to set
period - rate - volume, it changes so
soon*

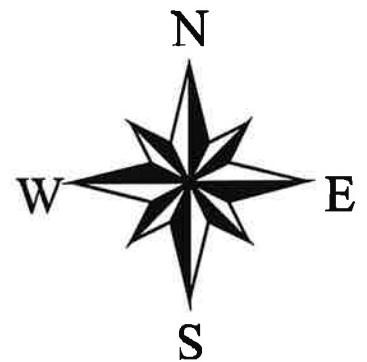
Reviewer: Date: *9-9-04*

37-20734 & 37-20735



800 0 800 1600 Feet

T04S R16E S32
T05S R16E S05



Map prepared by: Carter Fritschle
Date prepared: 09/09/03
1987-1988 NAPP photography
Idaho Department of Water Resources

August 5, 2004

To Whom It May Concern:

I am writing this letter to support the claim to waste water filed by Glenn and Carolyn Bradley on June 26, 2002. The claim number is 37-20735.

I have intimate knowledge of the use of water on the Bradley property and nearby ownerships. My Uncle, Delbert R. Betty, was the former owner of the Bradley property from May 27, 1944 to the fall of 1965. I helped him farm his place almost every year from 1946 to 1965. When the Bradleys bought the Betty farm in 1965, I leased it from them and farmed it continuously until I retired in 1984.

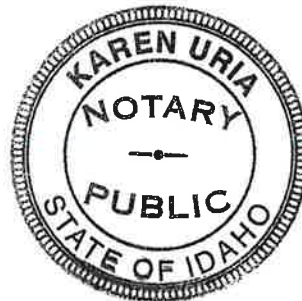
From the first time I was on the property until the present, the waste water from the field immediately west of the Main Gooding Canal was used to irrigate the pasture to the south. When the 620 North Road was constructed, this use was continued by piping the water under the road in a culvert. The Bradleys acquired the eastern one and one half acres of that pasture in 2002, and continue to irrigate it with the waste water that flows from the north side of the road. The ditches and structures necessary to irrigate the pasture on the south side of the road have been in place since the first time I saw the property in 1944, but some were rebuilt when the 620 Road North road was constructed in the 1950s.

Based upon my knowledge, the Bradleys would be entitled to a priority date of at least 1944. They are certainly entitled to the 1965 date they are claiming.

Sincerely,

Elden L. Guthrie

Elden L. Guthrie
Gooding, Idaho



*State of Idaho
County of Gooding
Karen Uria exp 5/6/10
Gooding ID
Notary*

August 5, 2004

History of Water Use on Pasture Immediately West of Main Gooding Canal and
Immediately South of the 620 North Road Offered as Support to Water Right
Claim 37-20735

Written by Glenn Bradley on August 5, 2004

The pasture just west of the Main Gooding Canal and south of the 620 North Road is watered by waste water from the 20 acre field just north of the 620 North Road.

My first observation of this practice was in 1965 when we bought the Betty farm on the north side of the 620 North Road. I know positively that this practice has continued every year since 1965.

Elden Guthrie told me that the waste water from the north side of the road had been used to irrigate the pasture on the south side of the road since he first saw the property in 1944.

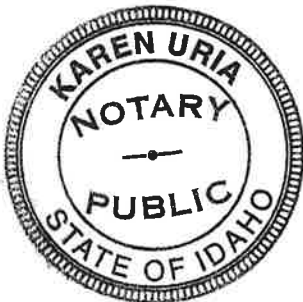
Elden is very knowledgeable about the property because his Uncle, Delbert R. Betty, had owned the farm on the north side of the 620 North Road from May 27, 1944 to the fall of 1965 and Elden helped him farm it most of the time he owned it. From 1965 to 1984, Elden leased the farm on the north side of the 620 North Road from us and farmed it continuously.

Although we could probably claim a priority date of at least 1944 for this use, we are claiming 1965 because we are positive about the use since then.

Glenn S. Bradley, Jr.

*State of Idaho
County of Gooding*

*Karen Uria exp 5/6/10
Notary*





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 30, 2004

37-20734 AND 37-20735
GLENN S BRADLEY JR
CAROLYN M BRADLEY
890 W 620 N
SHOSHONE ID 83352

Re: Evidence of Priority Date

RESPONSE DEADLINE
AUGUST 27, 2004

Dear Claimants:

The Notices of Claim to a Water Right (claim) identified with the numbers shown above your names has been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

If you no longer own the property to which the claims are appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printouts of your claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claims disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim numbers. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

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 37-20735
Date Received: 6/26/2002
Receipt No: 5025024
Received By: *DF*

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

1. Name of Claimant(s)

GLENN S BRADLEY Phone: (208)886-2808

890 W 620 N
GOODING ID USA 83352

CAROLYN M BRADLEY Phone:

890 W 620 N
SHOSHONE ID USA 83352

2. Date of Priority: 10/15/1965

3. Source: WASTE WATER Trib. to: MILNER GOODING CANAL

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
05S	16E	5	NE	NW	3	LINCOLN	

5. Description of diverting works:

CULVERT UNDER COUNTY ROAD AND GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.05	

7. Total Quantity Appropriated is:
0.05 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
05S	16E	5	NE NW	3	IRRIGATION	1.5
					Section Acres	1.5
					Total Acres	1.5

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

WASTE WATER FROM CLAIMANTS FIELD

15. Basis of Claim: Beneficial Use

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 37-20735

Date Received _____

Receipt Number 5025024

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

Please type or print clearly

1. Name of Claimant (s) Glenn S (Jr) + Carolyn Bradley Phone (208) 886-2808
Mailing Address 890 W 620 N Shoshone ID Zip 83352
2. Date of Priority (Only one (1) per claim) 1965 (10-15-65, from 37-20735 by DJ)
3. Source of water supply (a) Waste Water October 15
which is tributary to (b) Milner Gooding Canal
4. a. Location of existing point of diversion is: Township 5S Range 16E Section 5,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, 3 B.M., County of Lincoln
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.

Culvert under County road and gravity irrigation

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.05 (cfs) and/or (b) _____ (acre feet)

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

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

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	
5S	16E	5					1.5												1.5

Total number of acres irrigated 1.5

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

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

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

14. Remarks:

Last Name _____ 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.

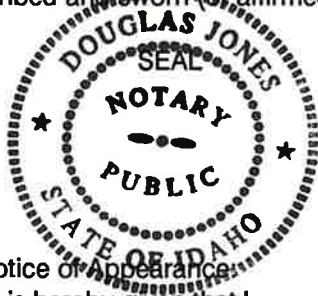
Signature of Claimant (s) Henry S. Bradley, Jr. Date June 26, 2002
Carolyn M Bradley Date 6-26-02

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 Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of June, 2002 19 _____



Notary Public Douglas Jones

Residing at Buhl, ID

My Commission Expires 8/8/2007

Please Print Name

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

Signature _____

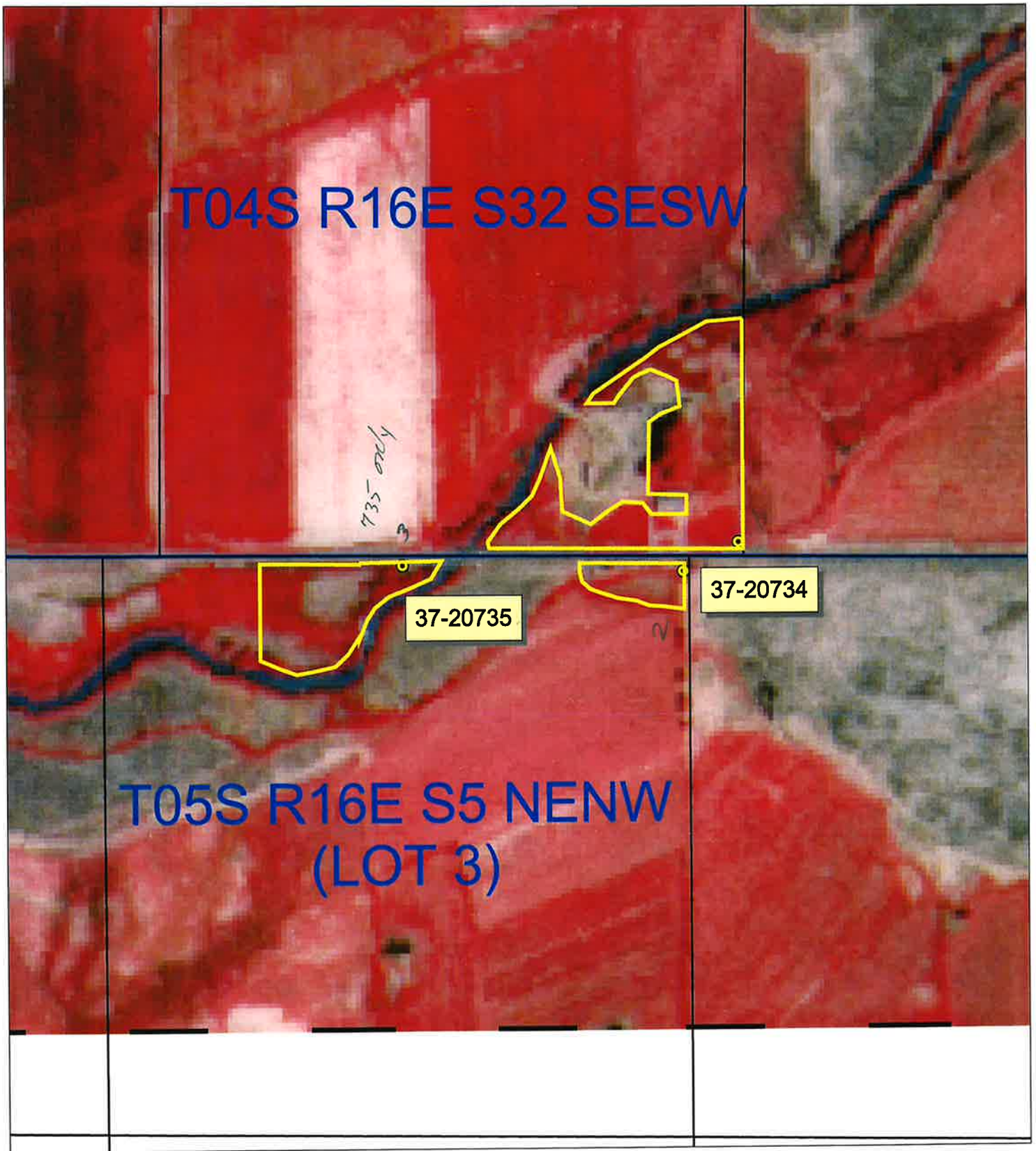
Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES



330 0 330 660 990 Feet



37-20734 & 37-20735