

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: A37-00802
Date Received: 10/17/1988
Receipt No: S003007
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT GARDNER 208-788-2568
Address: BOX 470
BELLEVUE, ID 83313
OR
Name: KATHRYN GARDNER 208-788-2568
Address: BOX 470
BELLEVUE, ID 83313

2. Date of Priority: APR 01, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	3	NE	SE			BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

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

8. Total consumptive use is 690.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	1	NE	SW		IRR	5.0
			NW	SW		IRR	5.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
						Section Acres	86.0
		12	NE	NW		IRR	23.0
			NW	NW		IRR	40.0
			SW	NW		IRR	35.0
			SE	NW		IRR	29.0
			NE	SW		IRR	35.0
			NW	SW		IRR	35.0
			SE	SW		IRR	38.0
			NW	SE		IRR	20.0
			SW	SE		IRR	30.0
			SE	SE		IRR	40.0
						Section Acres	325.0
		13	NE	NE		IRR	20.0
						Section Acres	20.0
	20E	7	SW	SW	2	IRR	40.0
						Section Acres	40.0
						Total Acres	471.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00637, A37-00638, A37-00443.

14. Remarks:
ACRES IRRIGATED IN STIPULATION TO DECREE ON FILE ARE 276 ACRES.
ACRES SHOWN IN P/U ARE PART OF THE COMBINED SYSTEM OF OTHER WR.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 5/10/1951

CLOVER LAND & LIVESTOCK CO.
Decree Plaintiff
A37-00802 Page

ALLRED ET. AL.
vs Decree Defendant
2 Date: 10/17/88

MICROFILMED

FEB 23 1993

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): Robert D. Gardner Date: 10-17-88

Date: _____

State of Idaho

County of Twin Falls)
) ss.

Subscribed and sworn (or affirmed) before me this 17th day

of October 19 88

Roxanne Storey
Notary Public

Seal

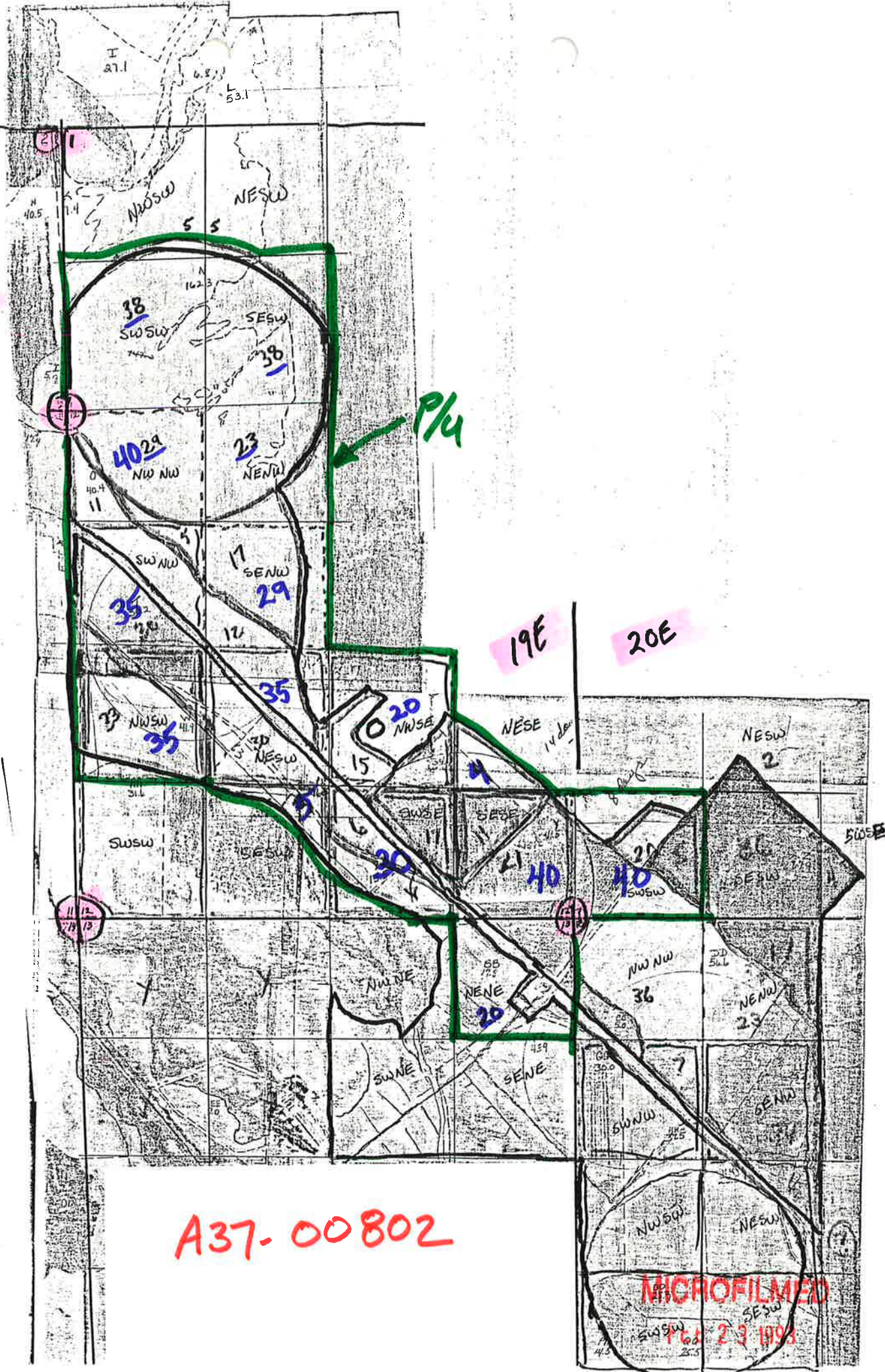
Residing at Buhl, Id

My Commission Expires 6-30-94

IN.

15.
196

55



A37-00802

MICROFILMED

Feb 23 1993

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-802 V1

WATER RIGHT NUMBER: 37-802 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHRYN ALLRED GARDNER PO BOX 1200 HAILEY, ID 83333 (208)788-2568
Current Owner	ROBERT E GARDNER PO BOX 1200 HAILEY, ID 83333 (208)788-2568

Priority Date: 04/01/1935

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	5.000 CFS	966.00 AF
	<u>Total Diversion:</u>	5.000 CFS	966.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 3, Twp 01S, Rge 19E, B.M.
BLAINE 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	
01S	19E	1									9.5	9.5	38.0	38.0					95.0
01S	19E	12					31.0	40.0	37.0	39.0	37.0	34.0		5.0		25.0	31.0	39.0	318.0
01S	19E	13	34.0																34.0
01S	20E	7							37.0										37.0
									L 2										

Total Acres: 484

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-802 V1

1. E55 Right Nos. 37-353D, 37-418D, 37-419D, 37-443, 37-480B, 37-637, 37-665H, 37-666F, 37-667K, 37-713B, 37-802, 37-2345A, 37-2684 and 37-11671 are limited to the irrigation of a combined total of 1528 acres in a single irrigation season.
2. K06 This right is limited to the irrigation of 276 acres within the place of use described above in a single irrigation season.
3. C18 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.

Remarks:

Comments:

1. mciscell 12/18/2006 POU

Comment: Included 10 more acres in shape in NWSW and NESW S1. Acre limit based on Stipulation in decree.

2. cfritsch 2/7/2007 Updated Conditions

Comment: Updated Conditions

Water Supply Bank: