



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

May 13, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GARDNER FARMS
ATTN LANCE GARDNER
589 N 150 W
BLACKFOOT ID 83221

RE: Change in Ownership for Water Right No. 35-8021

Dear GARDNER FARMS:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. During our review of the documentation you submitted we have determined that additional information is needed. We have enclosed a map that indicates in blue outline the place of use of the above listed water right and highlighted in yellow is your property. The area in question is in the NENW, Section 4 (government Lot 3), where we placed a red asterisk on the map. From the document you submitted it appears you do not own property in this quarter. If you do own this quarter, please submit documentation of that. If you do not own this quarter, then you would have to submit the correct fee to split this water right in order for us to process your Change in Ownership.

The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information or fees. If we do not receive the necessary information or fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

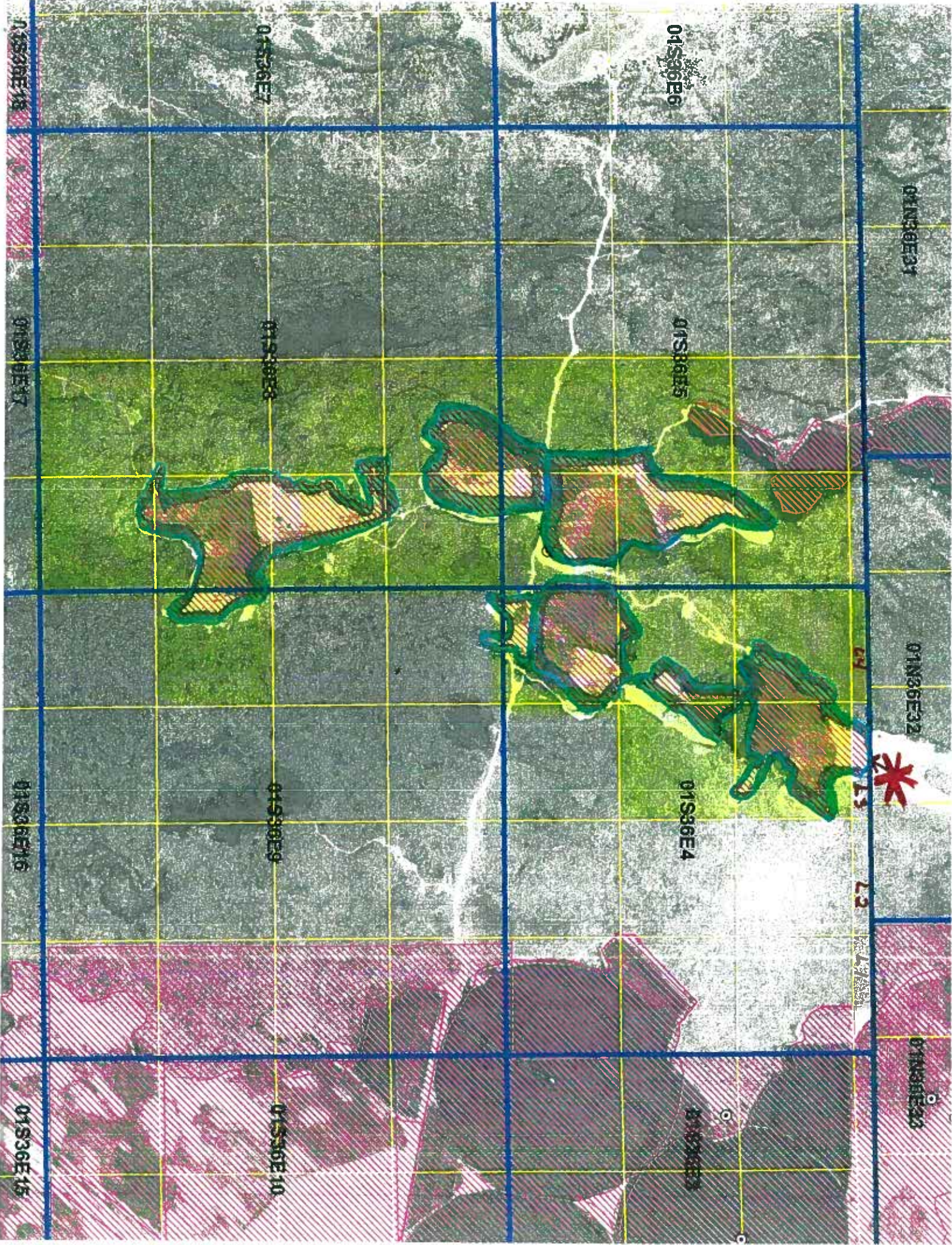
Please feel free to contact the Department if you have any questions.

Sincerely,

Bobby Kern
Office Specialist II

Enclosure(s)

COPY



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-8021

WATER RIGHT NUMBER: 35-8021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BURNT BASIN INC C/O RONALD SEARLE 541 E 1250 N SHELLEY, ID 83274 (208)357-5813
Original Owner	ROBERT LEE SMITH 663 E 1275 N SHELLEY, ID 83274 (208)357-3041

Priority Date: 02/19/1982

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	4/01 to 11/01	4.660 CFS	932.00 AF
	<u>Total Diversion:</u>	4.660 CFS	932.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 5,	Twp 01S,	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	
01S	36E	4					1.0			12.0	24.0	6.0	9.0	31.0					83.0
01S	36E	5				3.0									16.0	4.0	13.0	27.0	63.0
01S	36E	8	5.0	17.0	5.0	18.0									32.0	5.0	1.0	2.0	85.0
01S	36E	9									2.0								2.0

Total Acres: 233

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-8021

1. 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. GTAYLOR 3/28/1997 CHANGE IN OWNERSHIP
Comment: CHANGE IN OWNERSHIP

2. AJU10-DS 7/16/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

SubCase:

SubCase Number: 35-8021
Class: 1
SF5 Filed Date: 3/11/1999
Special Master Recom Signed Date: 3/28/2002
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim: License
Date Filed: 11/20/1998 Objection Status: Active
Date Filed: 11/20/1998 Objection Status: Withdrawn or Dismissed
Date Filed: 11/20/1998 Objection Status: Active

Water Supply Bank: