

RECEIVED

SOUTH IDAHO PRESS

DEC 16 1980

BURLEY, IDAHO

Department of Water Resources
Southern District Office

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Mary Summers, being first
duly sworn, deposes and says that she is the

Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated Nov. 27 1980, and ending
with the issue dated Dec. 4 1980.

Mary Summers

Subscribed and sworn to before me

this 12th day of December
1980.

Norma M. Peterson Notary Public

Cost of Publication 17.68

Notary Fee

Total Cost 17.68

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

80-417

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-2573

Notice is hereby given that Golden F. Gardiner
of Malta, Idaho 83342 has applied to the
Department of Water Resources for a change of
the place of use of a right from a groundwater
source. The right sought to be changed is
evidenced by license 43-2573 and recorded as
follows:

Amount: 3.0 cfs, Priority: May 22, 1963, Point
of Diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T.13S, R.26E,
B.M., Cassia County

The water is used for irrigation purposes from
April 1 to October 31 of 167 acres within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T.13S, R.26E.

RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 3.0 cfs NO CHANGE, Point of
Diversion: NO CHANGE, Place of Use: SE $\frac{1}{4}$, Sec.
23; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T.13S, R.26E for
irrigation purposes of 167 acres

Any protest against the approval of the above
proposed change of the portion of the right
described above must be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho, 83301, on or
before December 15, 1980.

C. STEPHEN ALLRED
Director

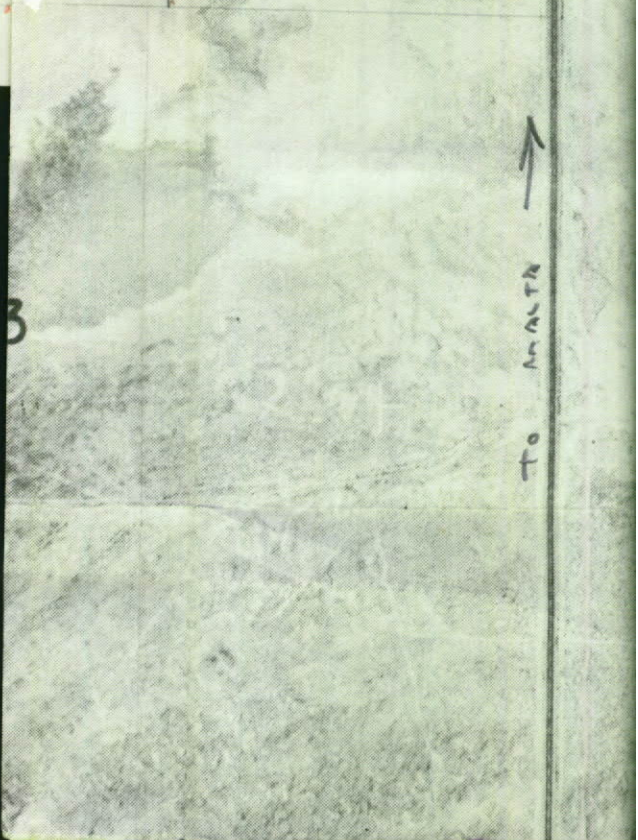
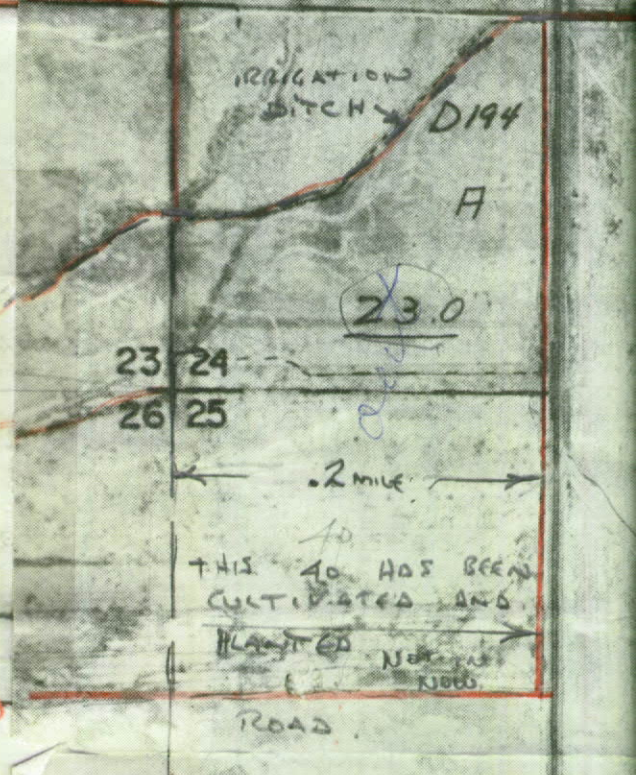
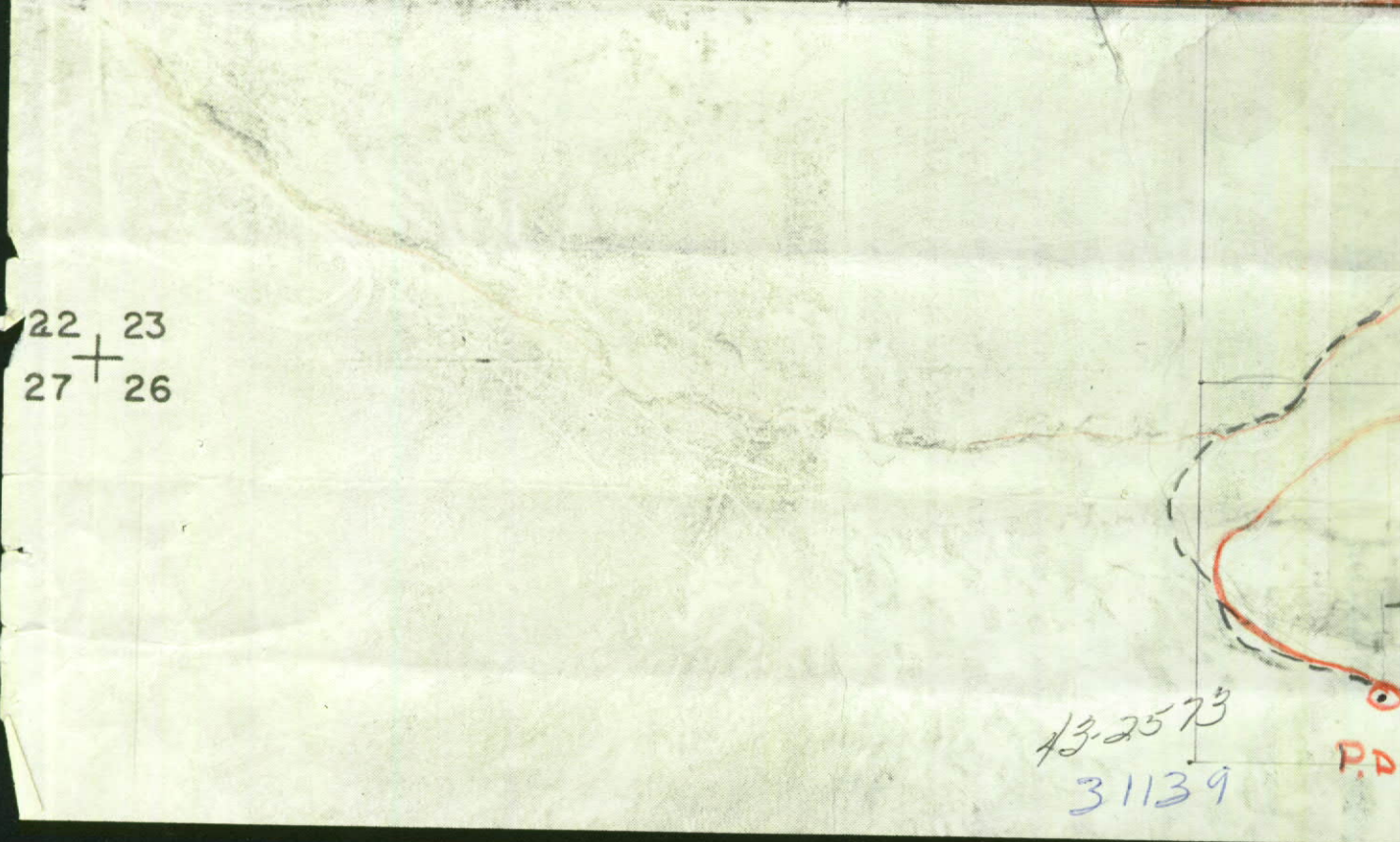
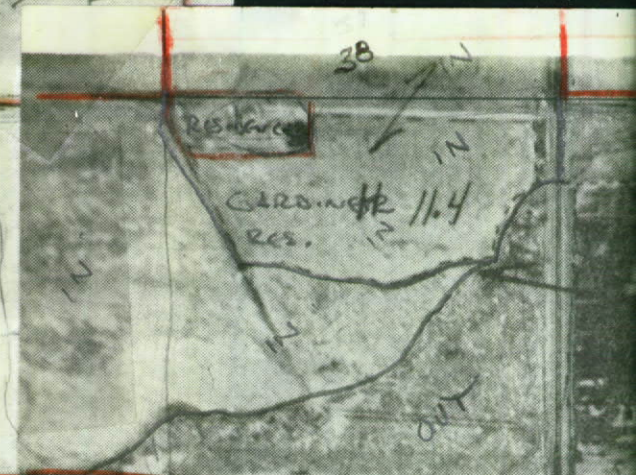
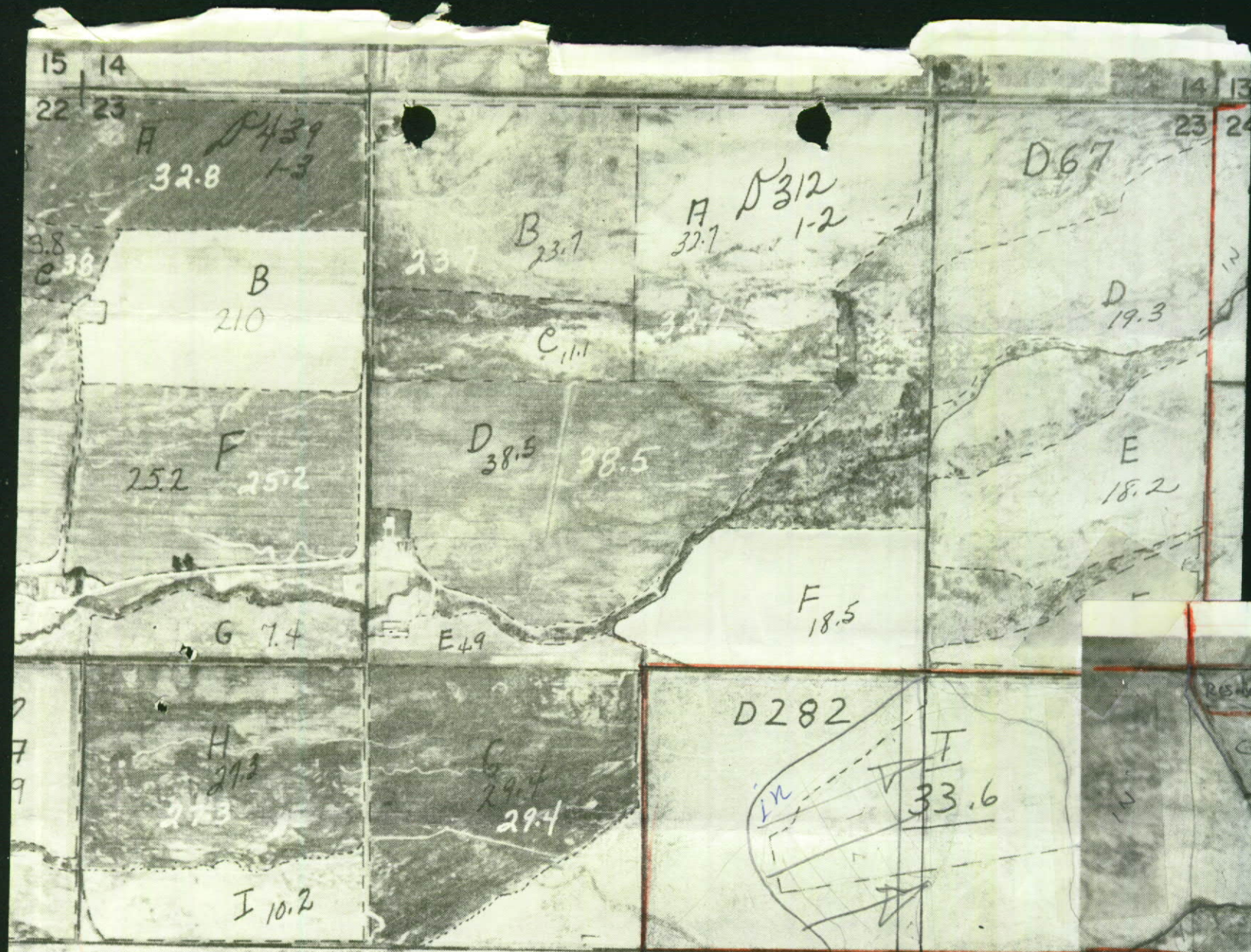
Published in the South Idaho Press on November
27, December 4, 1980.

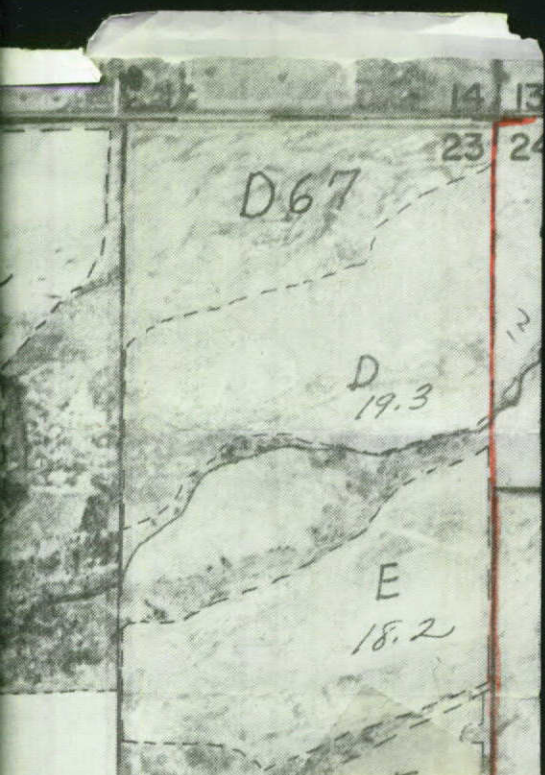
*ok
mcc*

RECEIVED

Hand-drawn map on graph paper showing a survey area. The area is defined by a red dashed line. The area is divided into several sections. The top-left section is labeled '23'. The top-right section is labeled '24'. The bottom-left section is labeled '39'. The bottom-right section is labeled '37'. The bottom-center section is labeled '23'. The bottom-most section is labeled '7'. The area is also labeled 'TWP 13S' and 'R9C 26 E'.

P. Keith Higgins
State Reclamation Engineer





Rge. 26E

MALTA

Not to be included
Not owned by Applicant

Found

39 3 A flow

39

38

RESIDENCE

38

38

38

22

40

39

23

37

23

38

162

129

162

23

37

122

34

239

167

28

omit

7

160

149

28

28

50

317

?

26

P.D.

Found

out

out

25

250

245

(NO ROADS)

TO
STREVELLE

AREA - ~~250~~ 250 ACRES

Allow 167 Acres

SUBD - 9

Allow 6

Q - 3.0 c.f.s.

Allow 3.0 c.f.s. D

VOL = 668 ac-ft./Season

PRIORITY = MAY 22, 1963

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated April 24, 1967 and ending with the issue dated May 13, 1967.

Walter W. Schramm
Subscribed and sworn to before me this

17th day of May, 1967

Keith Chambers
Notary Public

My Commission Expires Feb. 18, 1969
Cost of Publication _____

Notary fee _____

Total Cost _____

67-116

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 26th day of May 1967, at Albion, County of Cassia, State of Idaho before J. Neilson, Notary Public, at Albion, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-31139, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Golden F. Gardiner, Malta, Idaho, 83342.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 3.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 13 S., R. 26 E., B.M.

5. The place where said water is used is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 13 S., R. 26 E., B.M.

6. The date of priority which said user is prepared to establish is May 22, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Burley Herald-Bulletin April 24, May 1, 8, 15, 1967.

RECEIVED
MAY 29 1967

Department of Reclamation

31139

Transfer No. 2488

Application No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

RECEIVED
APPROVED
Department of Water Resources
Southern District Office

Name of applicant Golden F. Gardiner Phone 645-2563
Post office address Malta, Idaho 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. G-31139/43-2573 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Well, groundwater tributary to _____

4. Date of priority May 22, 1963

5. Water is used for the following purposes:

amount 3.0 cfs for irrigation purposes from April 1 to October 31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.0 cubic feet per second
&/or
b. 668 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26
Township 13 S. Range 26 E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13S	26E	23													39				39
		24							38		37	23	7			23			128

Total number of acres to be irrigated 167

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	26E	24							38		37	23	7			23			128
13S	26E	23													39				39
																			167

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion (No change)
- a. Amount of water to be diverted 3.0 c.f.s. &/or 668 acre feet
- b. Point(s) of diversion NE 1/4 NE 1/4, Section 26 Township 13S
Range 26 E, B.M., Cassia County
Additional points _____

- c. Description of diverting works Well, pump & pipe line
- d. Describe the reasons for applying for a change in the point(s) of diversion Use the water nearer the well.

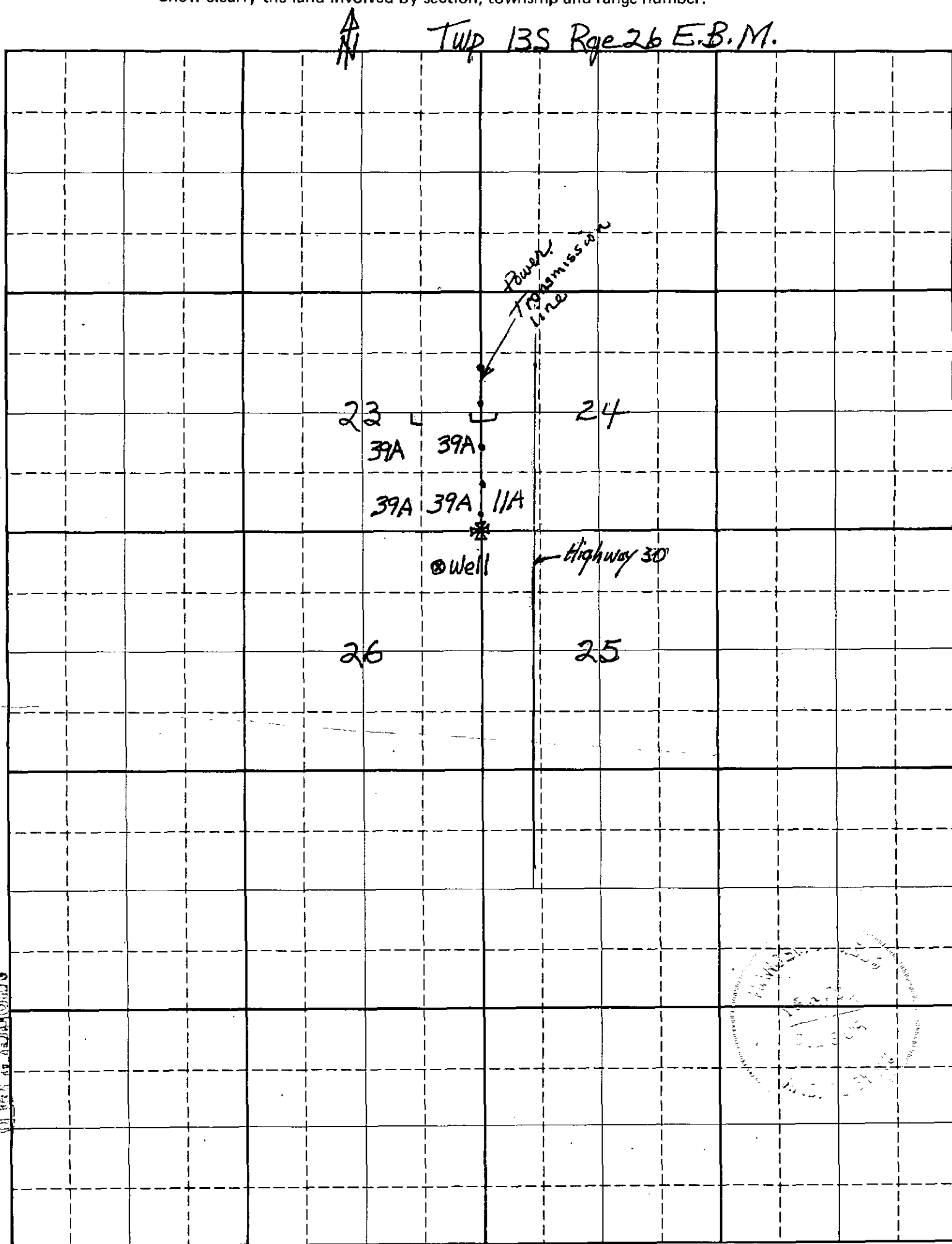
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	26E	23													39	39	39	39	156
13S	26E	24											11						11

Total number of acres to be irrigated 167

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Golden F. Gardner
(Signature of applicant)

Subscribed and sworn to before me this 31 day of Oct., 1980

Leah J. Meacham
(Notary public)

My commission expires 3/3/84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights-No: 43-2573

and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

The right hereby transferred is totally removed from lands within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 13 S., R. 26 E. Any further irrigation of these lands under this right would constitute an expansion and therefore is not allowed.

2. Denial of said application is for the following reasons: _____

Witness my hand this 20TH day of February, 19 81

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by marye Date 11/4/80
Prelim. check by go Fee \$2.00 # 16659
Receipted by marye Date 11/5/80
Published in South Idaho Press
Pub. dates 11/27 + 12/4/80
Watermaster recommendation requested on _____
_____ rec'd.

Protest filed by _____

Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by Jenni DET



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

RECEIVED

DEC 29 1980

Department of Water Resources
Southern District Office

December 19, 1980

Golden F. Gardiner
Malta, Idaho
83342

Re: Application For Transfer of Water Right No. 43-2573

Dear Mr. Gardiner;

This office has completed processing of your application for transfer of the above-referenced water right.

Because the application proposes to change the place of use of a portion of the right, the Department requires that written evidence of title to the land from which the water is being transferred be submitted for inclusion in the file. A current title report, abstract, title insurance policy, deed, sale contract, or tax notice giving the legal description of the property is acceptable for this purpose. A tax notice describing tax lots is not acceptable.

We will hold your application until we receive this information. If you have any questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Senior Water Resource Agent

JES: js

Tax notice enclosed to show ownership.

RECEIVED

DEC 26 1980

Department of Water Resources
Southern District Office

Gardiner

CONSOLIDATED TAX NOTICE AND RECEIPT

CASSIA COUNTY, TAX COLLECTOR

1980

SHIRLEY POVLSEN, COURTHOUSE

BURLEY, IDAHO 83316

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
212.467	16-00	03307	632.50AC 3.98WAC
HOM 10.000	S1/2S1/2 N1/2SE S 23 T 13 R 26		
** 202.467	N1/2SW NWSE PT SWNW 24-13-26 N1/2NW 25-13-26		
L 103.798	NE1/4 S 26 T 13 R 26		
I 78.680			
P 29.989			

GARDINER, GOLDEN
MALTA, ID 83342

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	00120495	243.96	FULL PAYMENT
GENL SCHOOL			TAX 1,234.0
REG AIRPORT	00000952	1.92	PEN.
VALLEY VU CEM	00009290	18.80	INT.
SCHL. DIST. 151	00382503	774.44	COST
RAFT RIV. FIRE	00007982	16.16	TOTAL
RAFT RIV. HIGHW	00098290	178.76	1ST INSTALLMENT
			TAX 617.0
			PEN.
			INT.
			COST
			TOTAL
			2ND INSTALLMENT
			TAX 617.0
			PEN.
			INT.
			COST
			TOTAL
TOTAL	00609512	1,234.04	

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DEC 26 1980

Department of Water Resources
Southern District Office

MAILED

RECORDED

SOUTH IDAHO PRESS

DEC 10 1980

BURLEY, IDAHO

Department of Water Resources
Southern Division

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

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duly sworn, deposes and says that she is the

Clark of the South Idaho
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Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated Nov. 27 1980, and ending
with the issue dated Dec. 4 1980.

Mary Summers

Subscribed and sworn to before me

this 12th day of December

1980

Norma M. Peterson Notary Public

Cost of Publication 17.68

Notary Fee 0.00

Total Cost 17.68

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

80-117

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-2573

Notice is hereby given that Golden F. Gardiner
of Malta, Idaho 83342 has applied to the
Department of Water Resources for a change of
the place of use of a right from a groundwater
source. The right sought to be changed is
evidenced by license 43-2573 and recorded as
follows:

Amount: 3.0 cfs, Priority: May 22, 1963, Point
of Diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T.13S, R.26E,
B.M., Cassia County

The water is used for irrigation purposes from
April 1 to October 31 of 167 acres within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T.13S, R.26E.
RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 3.0 cfs NO CHANGE, Point of
Diversion: NO CHANGE, Place of Use: SE $\frac{1}{4}$, Sec.
23; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T.13S, R.26E for
irrigation purposes of 167 acres

Any protest against the approval of the above
proposed change of the portion of the right
described above must be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes
Bldg. North, Twin Falls, Idaho, 83301, on or
before December 15, 1980.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on November
27, December 4, 1980.

ok
msep

RECORDED

WATER LICENSE

Water License No. G-31139/43-2573 Priority May 22, 1963 Amount 3.0 c.f.s.THIS IS TO CERTIFY, that GOLDEN F. GARDINER

of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 22, 1963; that Permit G-31139/43-2573 was issued pursuant to said application; that the proposed works were completed on or about 1963 with a storage/or carrying capacity of 3.358 c.f.s., said works consisting of well, pump, motor, and earth ditches; and that on May 26, 1967 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 668 acre feet per season, with a maximum rate of diversion of 3.0 cubic feet per second of the waters of ground-water, tributary of _____, for the purpose of Irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 13 S, R. 26 E, B.M., and other additional points _____, in the County of Cassia; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 668 acre feet per year.

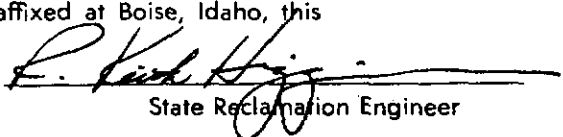
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13 S	26 E	23													39				39
		24							38		37	23	7			23			128

Total number of acres irrigated 167

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of January, 19 70.

 State Reclamation Engineer

43 2573

31139
43-2573

RECEIVED

APR 13 1970

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

Permit No. 43-2573

Comes now Golden F. Gardiner of (address)

Malta, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 43-2573, and requests that the permit and permit map be changed as follows:

1. Point of diversion: 1/4 1/4, Sec. 1, T.

R. B.M. Other points of diversion

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

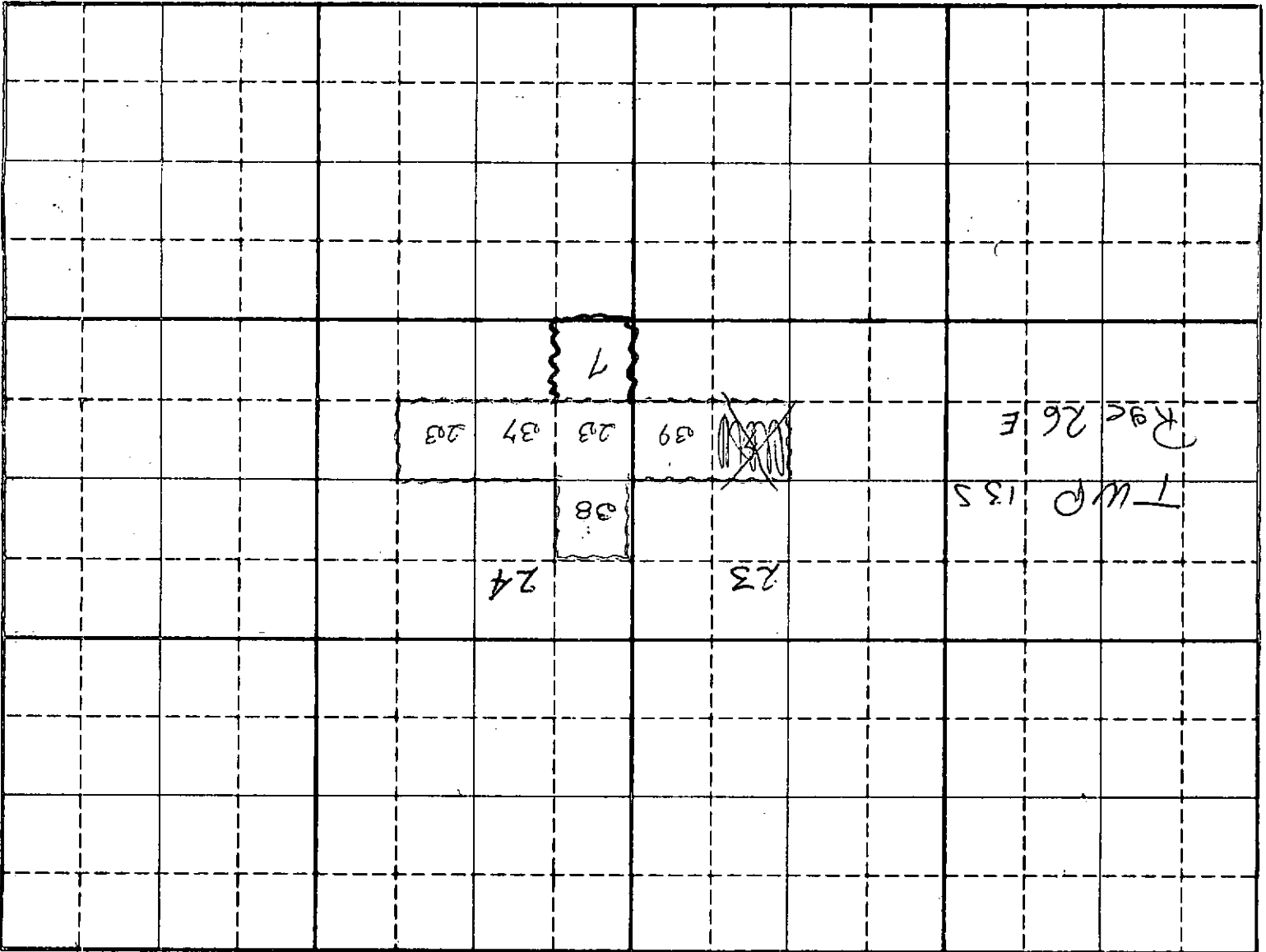
3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13 S	26 E	23													39				39
		24							38		37	23	7			23			128

Total number of acres to be irrigated 167

43-2573
31139

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at 11/11/70, this 11 day of January, 1970
 (signature) [Signature]

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above amendment to Permit No. 43-2573

Witness my hand this 20th day of January, 1970

[Signature]
 State Reclamation Engineer

43- 2573

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39232
Permit No. G- 31139
District No.

1. Name of Applicant: Golden F. Gardiner
Postoffice address: Malta County: Cassia State: Idaho
2. Quantity of water claimed: 3 c.f.s.
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26
 Twp. 13 S , Rge. 26 E , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine
8. Estimated cost of works: \$6,000.00
9. (a) Is reservoir to be used?
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 40" - 1906 Decree on Cassia Creek and 40" 1904 on Cassia Creek
 - (a) 3 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Golden F. Gardiner Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. May 22, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G—31139

Recorded in Book 109 Page 31139 Approved May 24, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 24, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 24, 1968

Witness my hand this 24th day of May, 1963 s/ CARL E. TAPPAN, Assistant
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of May, 1963.

Countersigned: STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS By s/ ROBERT E. SMYLLIE
Secretary of State. Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13 S	26 E	23																	35
13 S	26 E	24							35		37	30			35		30		132
																			167

LICENSE NO. 130.0 FOR 3.0 SEC. 57
LICENSE PAGE NO. 10.

February 20, 1981

RE: Transfer of Water Right No. 43-2573

Golden Gardiner
Malta, Idaho 83342

Dear Mr. Gardiner:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2488). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:jg

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J F Stanton

1. Right number 43-2573 Applicant GARDINER, Golden F.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- (a.) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- (b.) ☒ Description of original point of diversion.
- (c.) ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- (a.) ☒ All of right.
- (b.) ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- (c.) ☒ Check description of point(s) of diversion. No change
- (d.) ☒ Check description of place of use.
- (e.) ☒ Check map (shows p.d. and p.u. after transfer).
- (f.) ☒ Check for correct signature, notarization, and fee.
- (g.) ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments See file for correspondence
no expansion of past expansion

- i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) none / ALSO NO OTHER RECORDED RTS ON LAND FROM WHICH WATER
IS PROPOSED

- (j.) ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

except for
2 Late in tin
Decreed RTS.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on NA Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By Loren O'Halloran Date 2-11-81 Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Golden F. Gardiner
Malta, Idaho
83342

December 19, 1980

Re: Application For Transfer of Water Right No. 43-2573

Dear Mr. Gardiner;

This office has completed processing of your application for transfer of the above-referenced water right.

Because the application proposes to change the place of use of a portion of the right, the Department requires that written evidence of title to the land from which the water is being transferred be submitted for inclusion in the file. A current title report, abstract, title insurance policy, deed, sale contract, or tax notice giving the legal description of the property is acceptable for this purpose. A tax notice describing tax lots is not acceptable.

We will hold your application until we receive this information. If you have any questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Senior Water Resource Agent

JES: js



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 13, 1980

Mr. Golden F. Gardiner
Malta,
Idaho 83342

Re: Application for Transfer of Water Right No. 43-2573

Dear Mr. Gardiner:

Enclosed is your receipt No. 16659 for check No. 92-146 in the amount of \$50.00 for the above referenced application which was received in this office November 5, 1980.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED
NOV 15 1980
TWIN FALLS, IDAHO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-2573

Notice is hereby given that Golden F. Gardiner
of Malta, Idaho 83342 has applied to the Department of Water
Resources for a ~~change of point of diversion~~ - change
of the place of use - ~~of a right~~ from a groundwater source. The
right sought to be changed is evidenced by license 43-2573 and recorded
as follows:

Amount: 3.0 cfs

Priority: May 22, 1963

Point of Diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T.13S, R.26E, B.M., Cassia County

The water is used for irrigation purposes from April 1 to October 31 of 167 acres
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T13S, R.26E.

RIGHT

~~RIGHT~~ TO BE CHANGED AS FOLLOWS:

Amount: 3.0 cfs NO CHANGE

Point of Diversion: NO CHANGE

Place of Use: SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T.13S, R.26E for irrigation purposes of
167 acres

Any protest against the approval of the above proposed change of the portion of the
right described above must be filed with the Idaho Department of Water Resources,
1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before December 15, 1980.

C. STEPHEN ALLRED
Director

Published in South Idaho Press on November 27, and December 4, 1980

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 13, 1980

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right 43-2573

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

January 22, 1970

Re: Permit No. G-31139/43-2573

Mr. Golden F. Gardiner
Malta,
Idaho 83342

Dear Mr. Gardiner:

Enclosed herewith is your Water License issued on the above
numbered permit and a copy of the approved amendment.

Also enclosed is departmental receipt No. 4066 in the amount
of \$22 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

31139
43-2573

January 2, 1970

Re: Permit No. G-31139/43-2573

Mr. Golden F. Gardiner
Malta, Idaho

Dear Mr. Gardiner:

The Department of Reclamation is prepared to issue a license in the amount of 150 inches or 3.00 cubic feet per second to cover 167 acres of ground under the above referenced permit. The fee for licensing will be \$17.00.

However, before we can issue the license it will be necessary for you to submit the enclosed amendment to the Department for approval. This is necessary so that we may license the lands that you are actually beneficially irrigating with the water appropriated under the above permit. The filing fee for the amendment is \$5.00.

So if you will submit to the Department a fee totalling \$22.00, we will license the permit after processing the amendment application.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: amendment form

43-2573
31139

January 16, 1969

Re: Permit No. G-31139

Mr. Golden F. Gardiner
Malta, Idaho

Dear Mr. Gardiner:

Enclosed herewith is the \$5.00 application for amendment fee and the application. It is the Department's intention to contact you in person and re-evaluate the proposed license of water right regarding the above referenced permit.

A representative of the Department attempted to contact you at times in the past year when he was in the area. Unless you request the immediate licensing of the permit as presently proposed (3.0 c.f.s. from a well within the NE 1/4, Sec. 26, T. 13 S, R. 26 E, P.M. for the irrigation of 167 acres), the Department will notify you during the 1969 irrigation season at a convenient time to review this permit with you. The permit is in good standing and is not subject to a priority change.

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

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj
Enclosures (2)

31139
4/3-2573

~~RE-MEASURE~~

~~ARRANGE~~

~~WITH MR.~~

~~GARDNER~~

43-2573
31139

7-29-69

and to include to work
of permit

~~red 6.6~~

Q OK

11-25-69 DRR

22

RECEIVED

JUL 22 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the South Idaho Press of Burley, Idaho; published in the county in which the works are situated.

Golden Gardner
(signature)

Malta, Idaho
(address)

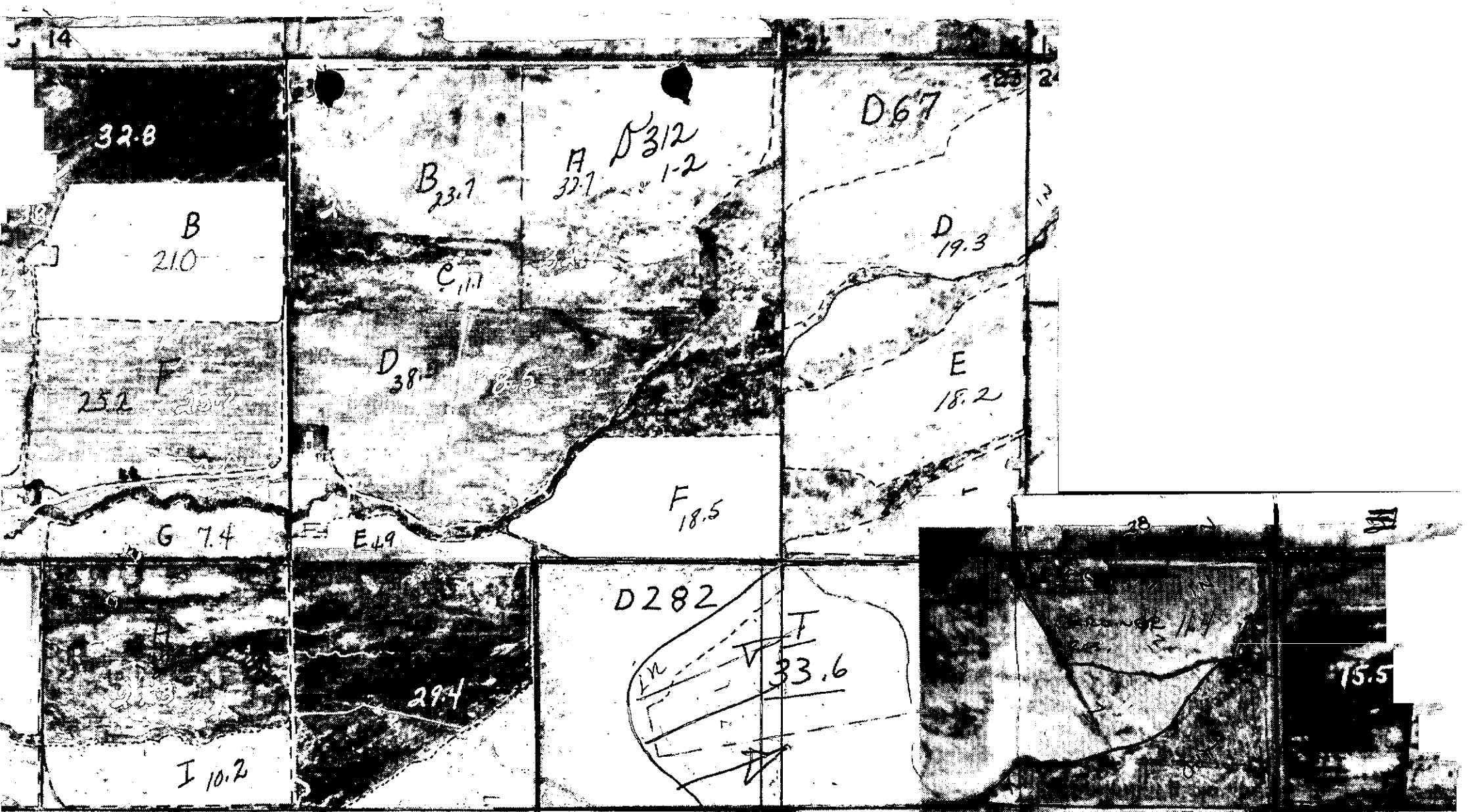
7-18-68
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

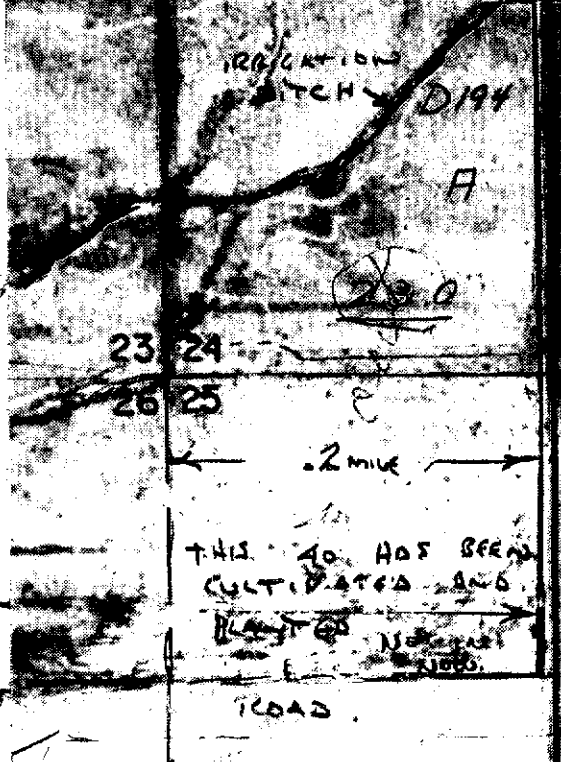
43-2573
3/139



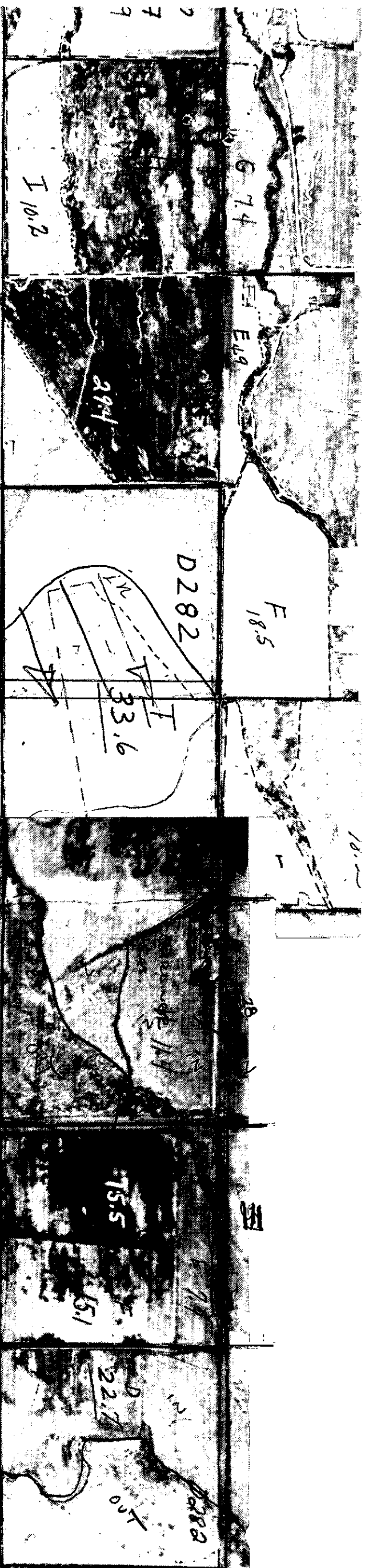
22 23
27 + 26

13.2573
31139

P.D.

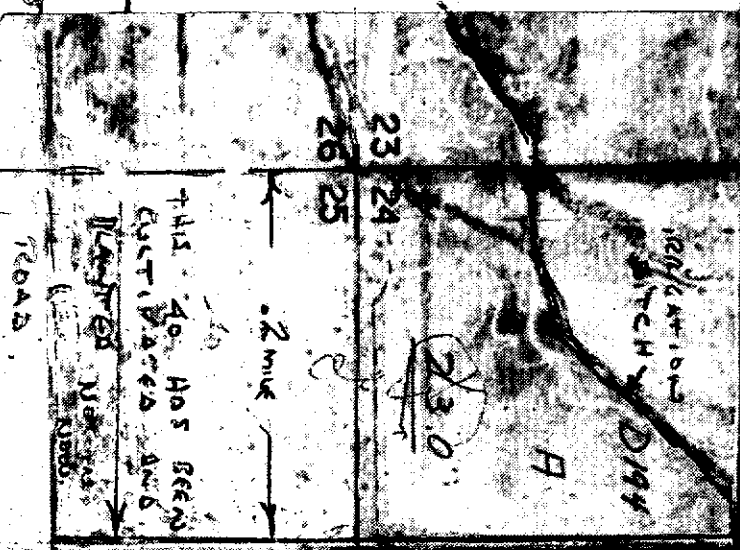


↑
2
1
0
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222 + 23
27 + 26

133573
31139



to water

31139

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200

77
15
38 5
30 8
21 65
17 3250

1858
25
31268
31268
31268
77
484

19 400
3.0

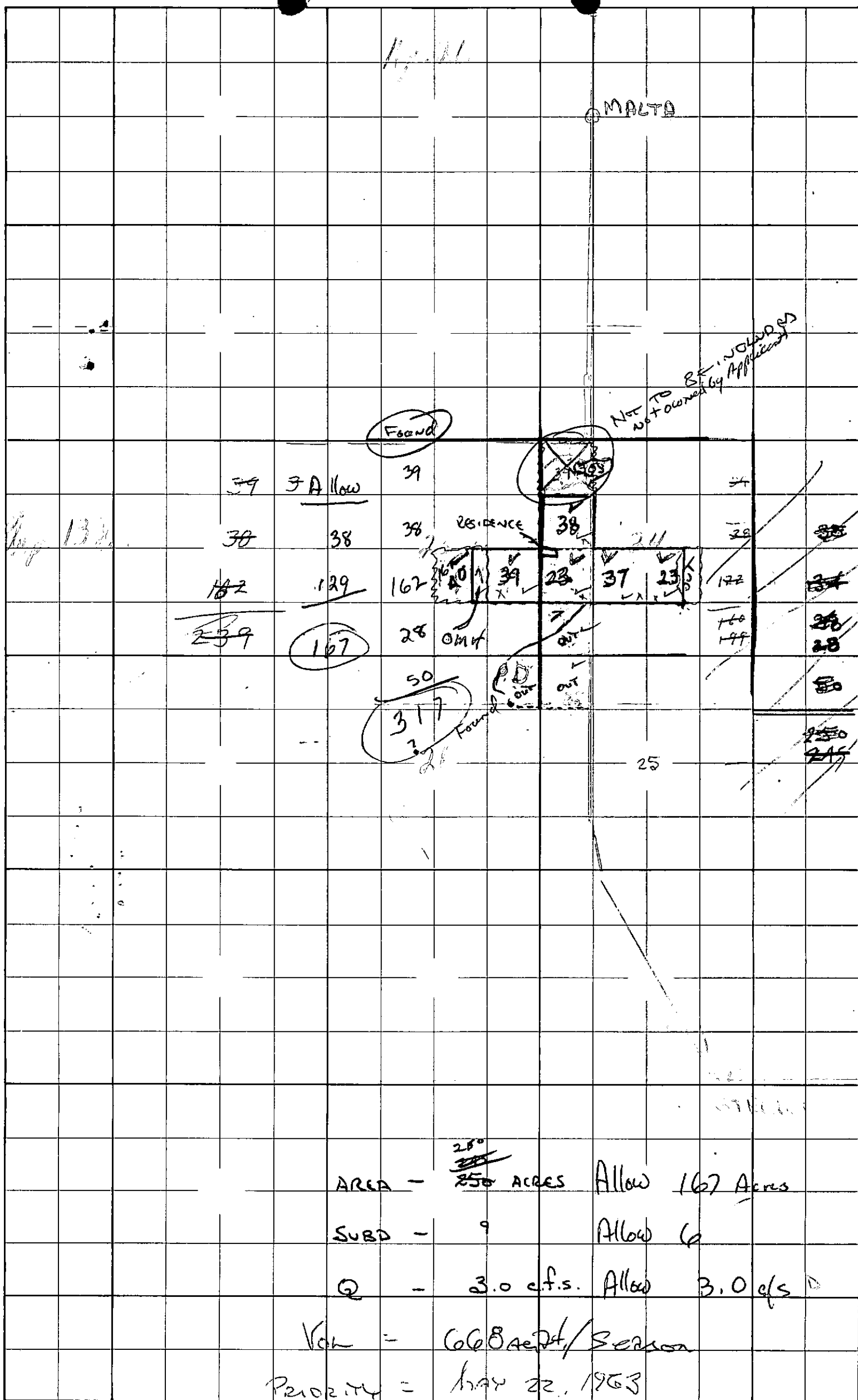
8 9 1 8 2
3 0 0 0 0
3208
484

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-31139

REPORT ON PROOF OF Completion of Works & Beneficial Use



AREA - ~~250~~ ²⁵⁰ ACRES Allow 167 Acres
 SUBD - 9 Allow 6
 Q - 3.0 c.f.s. Allow 3.0 c.f.s

VOL = 668 ac-ft/Season

PRIORITY = MAY 22, 1963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-31139

This proof is for Comp. of Works & Beneficial Use

In Water District No. _____

1. Name of applicant Golden F. Gardiner

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26

T. 13 S R. 26 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

WORTHINGTON PUMP # UP 4678
60 HP FAIRBANKS - MORSE # 2045 PV
12" DISCHARGE THROUGH EARTH DITCHES.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 13 S, R. 26 E, B.M.

IRRIGATION ALSO APPEARS IN SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 23
SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC 26,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 25,

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: MR E MRS GARDINER CONTACTED.

SPARKING METER USED

1 REV 30 SEC
1 " 29 $\frac{1}{2}$ SEC
1 " 30 $\frac{1}{2}$ "
1 " 30 "

30 | 100 3.33 OR 166.5"

COORDINATE METHOD USED

9 $\frac{3}{4}$ " @ 6' I.D. - 12 $\frac{1}{8}$ " F.B. - 15"

(4.55 ft/sec) (802 sq.ft.) [factor of $(\frac{4.5}{2.5}$ OR 12) OR 92] = 3358 OR 167.9"

This examination was made on the 13TH day of July, 1967

(Signed)

Dean R. Reynolds
Examiner.

See plat for location of works
31139 43-2573

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Golden F. Gardiner *pump, 2 ditches (private)*
Malta, Idaho *16" - 509' H-25' 3 c.f.s. 0.500*

Permit No. G-31139

Examination for Comp. of Works & Beneficial Use

County Cassia

Sec. 26 T. 13 S. R. 26 E

Quantity: 3.0 c.f.s.

Source: subterranean

NW 1/4 NE 1/4
P.D.: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 13 S, R. 26 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Decree on Cassia Creek - 40" of 1906
40" of 1904

Filed: May 22, 1963

Due: May 24, 1968

Made: May 26, 1967

Priority: May 22, 1963

WORTHINGTON PUMP
UP 4678

60 HP FAIRBANKS - MORSE

2045 - PV

3/4" 12" 9 3/4" 6" 1/2"

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

September 20, 1967

Re: Permit No. G-31139

Mr. Golden F. Gardiner
Malta, Idaho

Dear Mr. Gardiner:

Our letter of August 10, 1967 pointed out information that this office has with regard to use of water from your well drilled under Permit G-31139. Since you have not responded to our inquiry we must assume that we are correct and that you are irrigating some 72 acres of land without a water right in the Raft River Critical Ground-Water Area. This use of water was apparently initiated after the date of the critical area designation.

We are, therefore, referring the matter to the Attorney General's office for further action.

Very truly yours,



R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

Cc: Mr. William Collins
Assistant Attorney General
Building

31139

August 10, 1967

Re: Permit No. G-31139

Mr. Golden F. Gardiner
Malta, Idaho

Dear Mr. Gardiner:

This office recently made an inspection of the well drilled under your Permit No. G-31139.

We found that the well produces 3.33 c.f.s. and the water is used to irrigate approximately 239 acres of land. You are no doubt aware that the permit granted by this office was for a well to produce 3.0 c.f.s. to irrigate 167 acres of land.

It is the position of this office that the development of acreage beyond the 167 acres originally allowed is not now appropriated within the Raft River Critical Ground Water Area, and as such cannot be allowed or recognized.

I, therefore, request that you review this matter and advise this office if we have made any mistakes as to the production of the well and the acres served by it, or whether you have other water rights of which we are not aware. We will appreciate hearing from you concerning this within the next 30 days so we may know what further action should be taken concerning the matter.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

31139

June 2, 1967

Re: Permit No. G-31139

Golden F. Gardiner
Malta, Idaho 83342

Dear Mr. Gardiner:

We acknowledge receipt of the depositions and affidavit of publication in the Burley Herald-Bulletin submitted as proof of completion of works and beneficial use on Permit G-31139.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

31139

State nature of all improvements which have been made as a direct result of said use:

Irrigated farming what was originally brushland.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled

the well: Dean Rogers, Duncan Arizona, Guy Sundberg Nat, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

Water was used before and each season since the
issuance of permit G-31139. Well was deepened on this said permit.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Flood waters from Cassia Creek

(sign) Golden F. Gardiner

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

albion, County of Cassia

State of Idaho, on this 26th day of May, A. D. 19 67.

My commission expires: June 10, 1967

Jay P. Johnson

31139

RECEIVED
MAY 29 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Loyal F. Giel 45. Malta Idaho Malta

Ques. 2 Are you acquainted with Golden Gardner, the holder of
Permit No. G31139? How long have you known him and where does he reside?

8 years 2 miles South of Malta

Ques. 3. Have you read or heard said Permit No. G 31139 read, and are you familiar
with its provisions and conditions: Yes ✓ No. _____

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

NE 1/4 NE 1/4 Section 26, Twp 13 South Range 26 East B.

Describe works for conveying water to place of use: Two ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 33 sec Ft How much water have you seen being so
conveyed? 3 sec Ft

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

35 Acres SW 1/4 NW 1/4 Sec. 24, 35 Acres NE 1/4 SE 1/4 Sec. 23

37 Acres NE 1/4 SW 1/4 Sec. 24

30 Acres NW 1/4 SW 1/4 Sec. 24 Twp 13 South Range 26 East B.

30 Acres NW 1/4 SE 1/4 Sec. 24

31139

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

2 1/4 Acre feet

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? 1955

Other times you have seen such use: every year since

(Signed):

Loyal T. Hill

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in albion

 , County of Cassia, State of Idaho, on this 26th day of May, A. D. 1967

Jay F. Hilsen

Notary Public for the State of Idaho

Residing albion, Idaho

My commission expires June 10, 1967

31139

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. _____

RECEIVED
MAY 29 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Afton D. Mye age 52. residing at Malta, Ida.
Occupation farming, postoffice address Malta, Ida.

Ques. 2 Are you acquainted with Golden F. Gardiner, the holder of

Permit No. 93139? ^{yes} How long have you known him and where does he reside?

I have known him for forty yrs. resides at Malta, Ida

Ques. 3. Have you read or heard said Permit No. yes read, and are you familiar

with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26 Twp. 13 South Range 26 ERM

Describe works for conveying water to place of use: Ditch Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 3 sec ft. How much water have you seen being so

conveyed? 3 sec ft.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving

full legal description:

35 A SW $\frac{1}{4}$ 37 NE $\frac{1}{4}$ 30 NW $\frac{1}{4}$ Twp 13 S 26 E Sec 24

35 A in 13 S 26 E Sec 23

30 A in 13 S 26 E Sec 24

31139

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

I would estimate that it would require about
2.25 A. feet per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? 1955
Other times you have seen such use: Every year

(Signed):

A. D. Myer

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in albion

 , County of Cassia, State of Idaho, on
this 26th day of May, A. D. 1967

Jay S. Nielsen
Notary Public for the State of Idaho
Residing albion, Idaho

My commission expires June 10, 1967

31139

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) SS:
STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated April 24, 1967 and

ending with the issue dated May 13, 1967.

Subscribed and sworn to before me this

17th day of May, 1967

Burt Chambers Notary Public

My Commission Expires Feb. 18, 1969

Cost of Publication _____

Notary fee _____

Total Cost _____

67-116

NOTICE OF PROOF OF COMPLETION OF WORK

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 26th day of May 1967, at 2:00 p.m., the State of Idaho, by its Department of Reclamation, will be surveyed of the completion of work for the diversion of 3.0 cubic feet per second of underground water from a well and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 6-21139, hereinafter issued by the Department of Reclamation of the State of Idaho.

1. The name and address of the person or persons holding said permit is: Edgard J. Gardiner, Malta, Idaho, 83512.

2. Said work of diversion will be fully completed on and date for such completion and the amount of water which said work is capable of conveying to the place of use is 3.0 cubic feet per second.

3. The use to which said water has been applied for beneficial purposes and the amount applied to beneficial use is 3.0 cubic feet per second.

4. The point of diversion of said water is NE 1/4 Sec. 24, T. 26 S., R. 26 E., M.

5. The place where said water is used is NE 1/4 Sec. 24, T. 26 S., R. 26 E., M.

6. The date of proof which said user is prepared to establish is May 22, 1967.

R. KEITH BRIDGEMAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin April 24, May 8, 15, 1967.

RECEIVED
MAY 29 1967

Department of Reclamation

31139

Malta, Idaho
May 26, 1967

Dept. of Reclamation
Room 107 Statehouse
Boise, Idaho 83701

RECEIVED
MAY 29 1967
Department of Reclamation

Dear Sirs:

Enclosed please find the executed
papers for proof of completion of works
and application of water to beneficial use.

Sincerely
Golden F. Gardiner

31139

April 17, 1967

Re: Permit No. G-31139

Mr. Golden F. Gardiner
Malta, Idaho 83342

Dear Mr. Gardiner:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-31139. The proofs are to be made ~~at XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ on the 26th day of May, 19 67, before J. Neilson, Albion, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Burley Herald-Bulletin, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

DWM:dj

Donald W. McEldowney
Water Rights Clerk

Encl.

cc: Notary

31139

April 17, 1967

Re: Permit No. G-31139

Burley Herald-Bulletin
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 26, 1967. The expense of the publication is to be paid by Golden F. Gardiner, Malta, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking prior to the first publication.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosures

31139

31139

RECEIVED
APR 14 1967

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

NOTICE is hereby given that at _____ M., on the _____ day of _____
19____, at _____, County of _____, State of Idaho, before
_____, Notary Public, at (address) _____
_____, proof will be submitted of the completion of works for the diversion of
3 cubic feet per second of the waters of _____
_____, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 31139, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Golden F. Gardiner, Malta, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
3 cubic feet per second.

3. The use to which said water has been applied is irrigation
_____ purposes, and the amount applied to beneficial use is 3 cubic
feet per second.

4. The point of diversion of said water is NE 1/4 NE 1/4 Sec 26 T. 13 S. R. 26 E.

5. The place where said water is used is NE 1/4 SE 1/4 Sec. 23, N 1/2 SW 1/4 NW 1/4 SE 1/4
SW 1/4 NW 1/4 Sec. 24, T. 13 South, Range 26 E. B. M.
Total 200 acres

6. The date of priority which said user is prepared to establish is May 1963

State Reclamation Engineer

31139

RECEIVED
APR 14 1967

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at _____ M., on the 26 day of May
1967, at Albion, County of Cassia, State of Idaho, before
J. Neilson, Notary Public, at (address) Albion Idaho
_____, proof will be submitted of the completion of works for the diversion of
3 cubic feet per second of the waters of _____
_____, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No 631139, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is: Golden F. Gardiner, Malta, Idaho

2. Said works of diversion will be fully completed on the date set for such completion
and the amount of water which said works are capable of conveying to the place of use is
3 cubic feet per second.

3. The use to which said water has been applied is irrigation
_____ purposes, and the amount applied to beneficial use is 3 cubic
feet per second.

4. The point of diversion of said water is NE 1/4 NE 1/4 Sec. 26, T.13S, R.26E B

5. The place where said water is used is NE 1/4 SE 1/4, Sec. 23, N 1/2 SW 1/4, NW 1/4 SW 1/4 NW 1/4 Sec. 24 T.13 South Range 26 E B M.

_____ Total 200 acres

6. The date of priority which said user is prepared to establish is May, 1963

OK Change to
form 36

State Reclamation Engineer

D 31139

RECEIVED
APR 14 1967
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 4-11-67

(P. O.) Malta, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Barley Herald-Bulletin of
Barley Published in
the county in which the works are situated.

Golden F. Gardner

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

31139

October 6, 1966

RE: Permit No. 31139

Mr. Golden Gardiner
Malta, Idaho

Dear Golden:

Please find enclosed the necessary forms for you to make
final proof on your well.

Very truly yours,

Loy H. Johnson
Field Investigator

LFJ:nw

31139

May 31, 1963

Re: Permit No. G-31139

Mr. Golden F. Gardiner,
Malta, Idaho.

Dear Mr. Gardiner:

We enclose Permit No. G-31139 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7902 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit.

Very truly yours,

~~Edna P. Rule~~

State Reclamation Engineer

By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

31139

Gordon F Gardiner

Range 26E

23

24

To 13S

Well x

26

25

Permit No. 31139

As Approved

MAY 24 1900

Public Works Engineer

Office copy