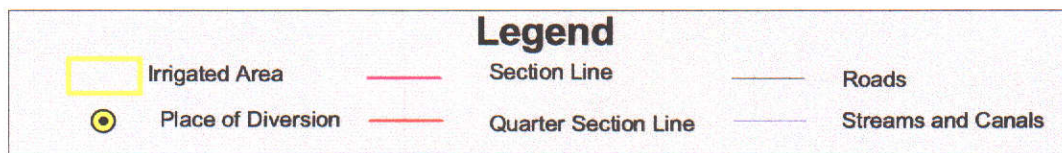


Water Right Claim Number 47-04198
Township , 10S13E

03/21/2001

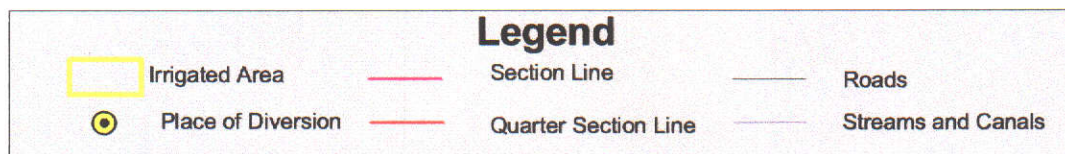


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04198
Township , 10S13E

03/21/2001





 Irrigated Area

 Section Line

 Roads

 Place of Diversion

 Quarter Section Line

 Streams and Canals

Legend



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: A47-04198
Date Received: 7/26/1988
Receipt No: S001106
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARILYN R. BARINAGA 208-537-6645
Address: RT. 1
CASTLEFORD, ID 83321

2. Date of Priority: JUN 01, 1949

3. Source: WASTE WATER Trib. to: SALMON FALLS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	25	SW	SE			TWIN FALLS

5. Description of diverting works:
PUMP, 2" PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	13E	25	SW	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

A47-04198

Page 1

Date: 07/26/88

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MAR 11 1993

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

AC. IRRIG. = 1.5.

15. Basis of Claim: STATUTORY CLAIM

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): Marilyn R Bauriaga Date: 7-26-88
Date:

State of Idaho)

County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of July 19 88

Lois White
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95

AFFIDAVIT

In the matter of claim #A47-04198

The 1.5 acres of land which is irrigated by the waste water filed for in this "Claim to a Water Right" is in the SW1/4, SE1/4, Sec 25, Twp. 10S, Rge. 13E. B.M. This waste water was first used to irrigate this 1.5 acres in 1950 when my late husband, Jose Barinaga, and I built our home on this piece of property. The property was purchased from my parents, Albert E. Heller and Laura Y. Heller on 01 June, 1949 and was irrigated by Twin Falls Canal Company water shares prior to that time.

The waste water being filed on comes from the field across the road to the south (located in the NE1/4, NW1/4 Sec36, Twp.10S, Rge. 13 E.B.M.) which was owned by my parents from before 1940 and was transferred to me with the rest of their property in 1967.

Marilyn R. Barinaga
Signature
Marilyn R. Barinaga

STATE OF IDAHO,
COUNTY OF Twin Falls

On this 14 day of March, in the year 1995, before me Patsy L. Kenyon, a notary public in and for said State of Idaho, personally appeared Marilyn Barinaga known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

RECEIVED

MAR 14 1995

Department of Water Resources
Southern Region

Patsy L. Kenyon
Notary Public for Idaho
Residing at Castelford Idaho
Commission expires Aug. 2000
MICROFILMED
NOV 29 1996

GOVERNOR PHILIP E. BATT
Governor PHILIP E. BATTA. KEITH HIGGINSON
Director

January 10, 1995

A47-04198

MARILYN R. BARINAGA

854 E 3600 N

CASTLEFORD

ID 83321

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. 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 the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

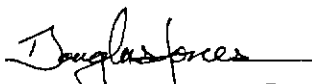
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

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NOV 29 1996

Log for claim 47-04198

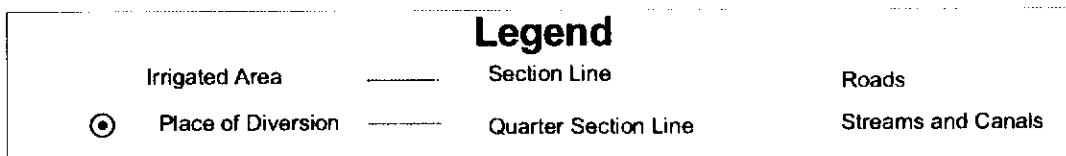
Spatial Dynamics BTD

3/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s13e	25	SWSE	2	2.3	
Totals:			2	2.3	

Water Right Claim Number 47-04198
Township , 10S13E

03/21/2001



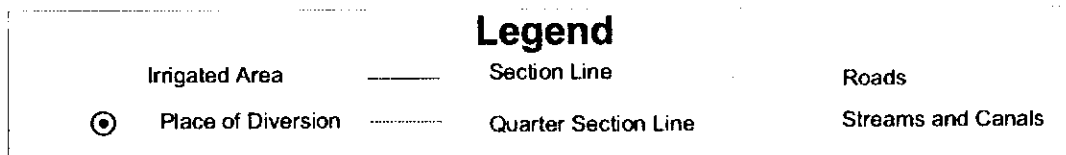
400 0 400 800 Feet



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DYNAMICS

Water Right Claim Number 47-04198
Township , 10S13E

03/21/2001



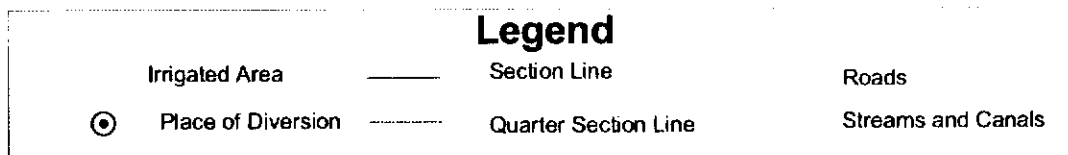
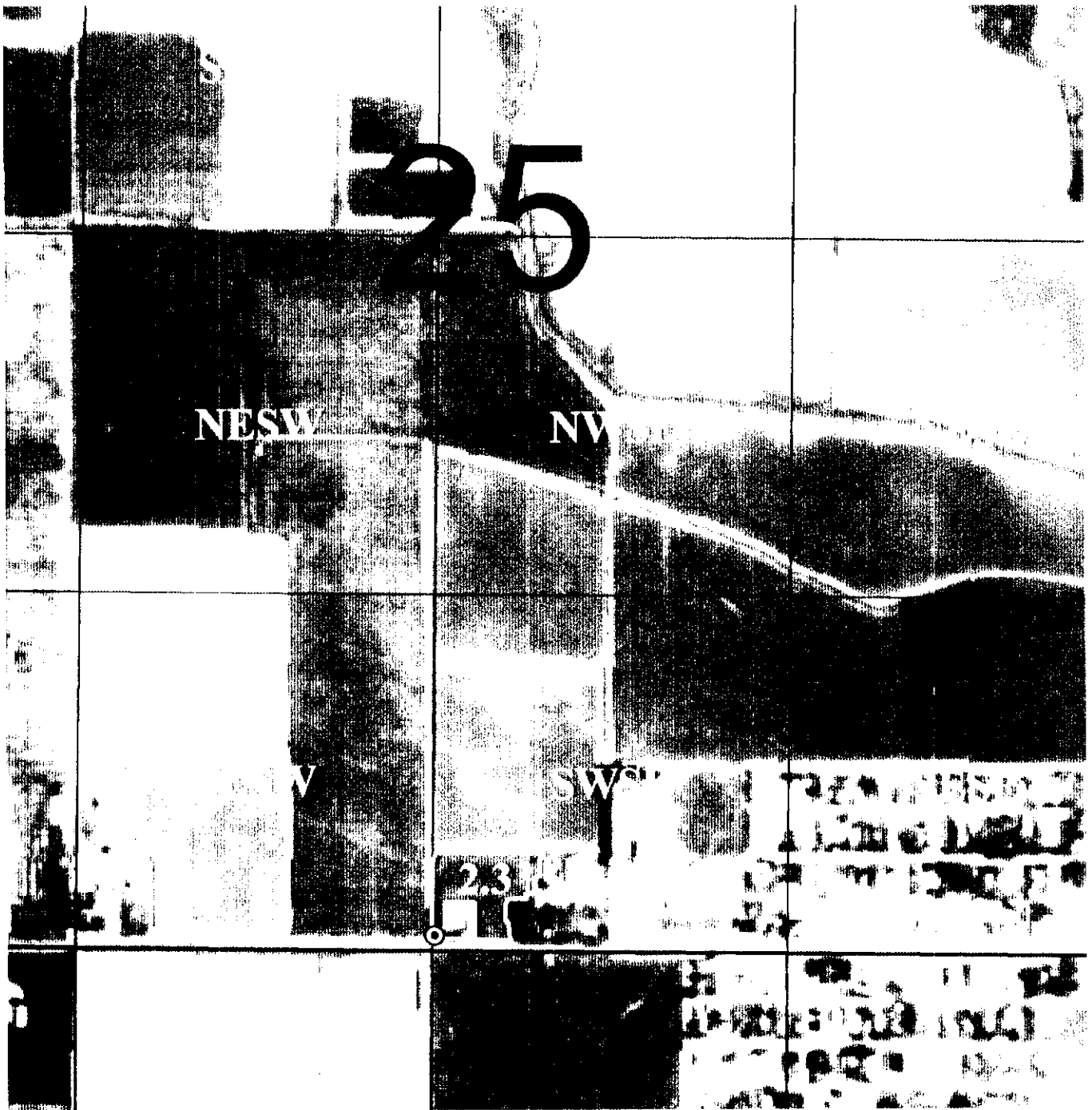
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04198
Township , 10S13E

03/21/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-04198

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 128

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARILYN R BARINAGA 854 E 3600 N CASTLEFORD ID 83321 (208) 537-6645	06/01/1949	IRRIGATION	03-15 11-15	0.200 CFS	
TOTAL DIVERSION:					0.200 CFS	

Water Source: WASTE WATER

Tributary to: SALMON FALLS CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R13E S25 SWSE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
10S	13E	25	:					:					:					:						:		
																							02	:	2.0	
TOTAL ACRES																								:	2.0	

POU County: TWIN FALLS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-04438 A47-04438

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020921

Remarks: GEN AC. IRRIG. = 1.5.

Dates: Exam Made Date: Verified Date: 03/07/1986 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 07/26/88 WHITE 10/26/88 BLAU 03/30/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Jose Barinaga
(Name of Claimant)
Route #1, Castleford, Id 83321 Telephone No. 537-6645
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June / August 1, 1949

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Wastewater tributary to Salmon Falls Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.20 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
(4)	<u>0.20 cfs</u>	TOTAL QUANTITY USED.		
	(cfs, gpd, AFA)			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 25 Twp. 10S Rge. 13E B.M., County of Twin Falls
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
3 hp pump w/2" line from ditch to lawn around home

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
10S	13E	25															1.5		1.5

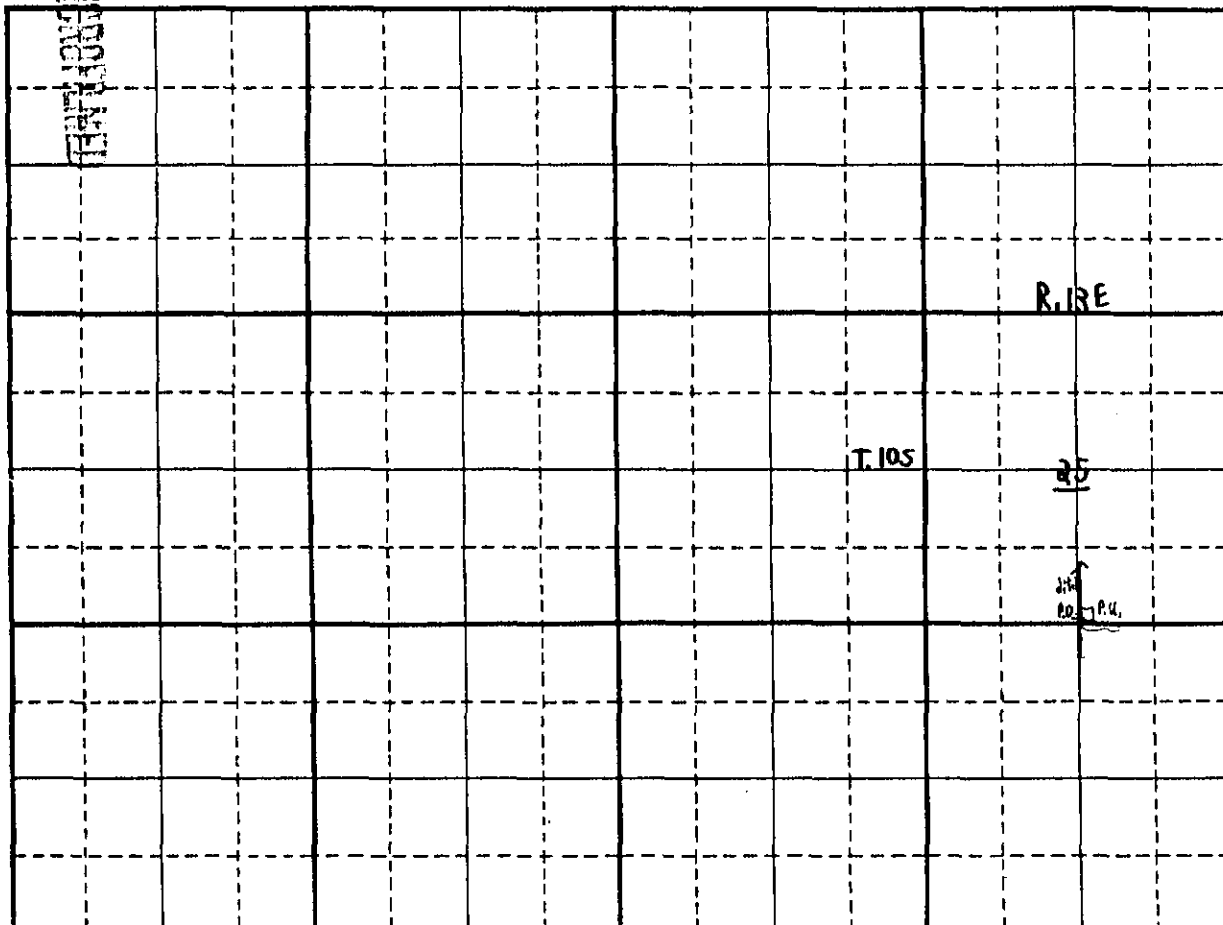
No. of acres 1.5

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

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Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2nd day of December, 1980.

Jose Basimoya
(Claimant)

Mary A. Hill
Notary Public
Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. F. Stanton Date 12-2-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 12-4-80 claimant by: _____
\$0.00 fee received by Mary A. Hill Date 12/2/80 #16699
Published in Twin Falls Tribune
Dates P/R + P/25/80