

Idaho Department of Water Resources

T06N R02W

Claims: 65-05312

Prepared by:

RON HOWERTON

Date: 24 AUG 00

 **Place of use**

 **POD**

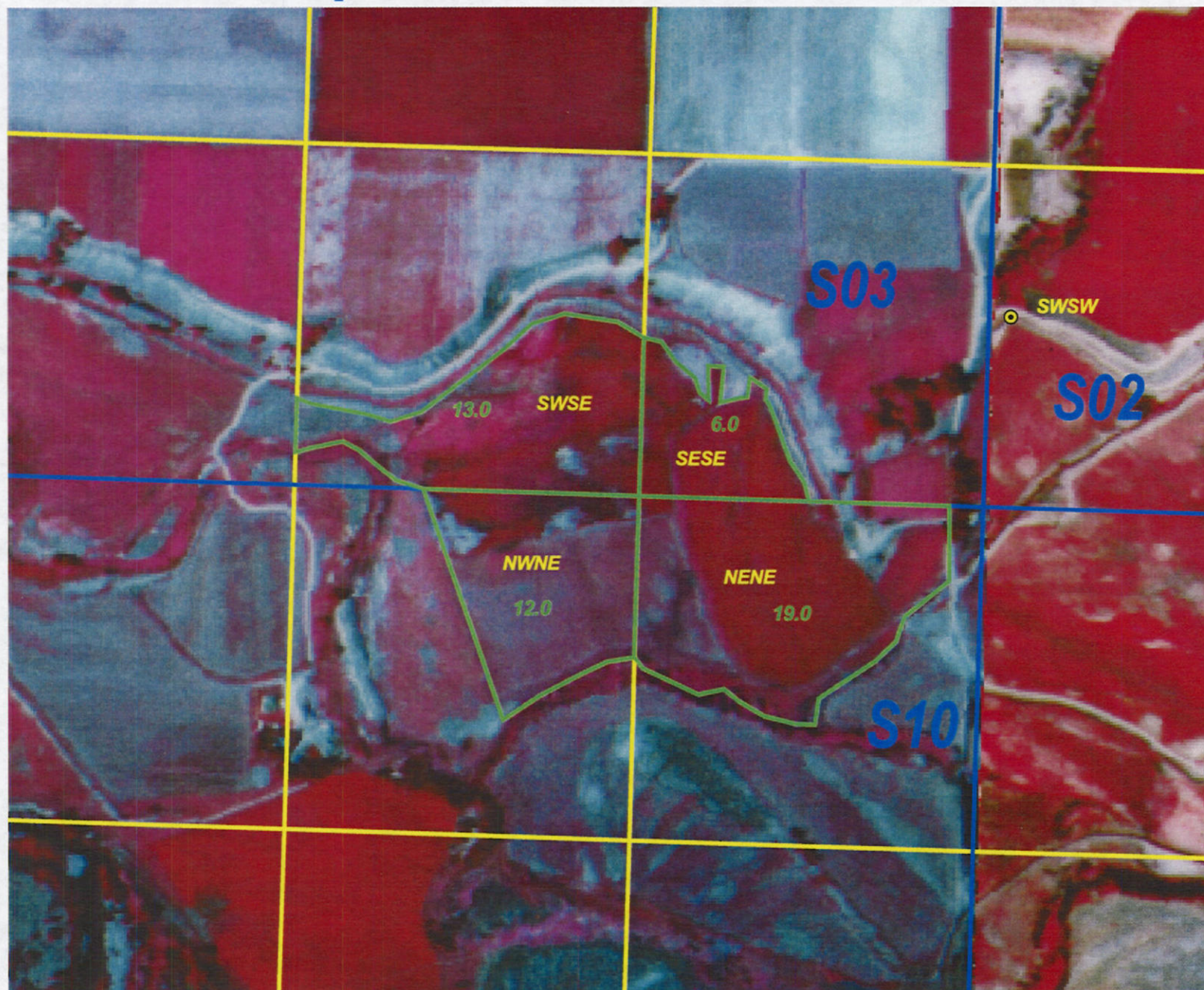
 **SECTION**

 **1/4 1/4**

50 Acres



1987 NAPP



0 0.25 0.5 0.75 Miles

Idaho Department of Water Resources

T06N R02W

Claims: 65-05312

Prepared by:

RON HOWERTON

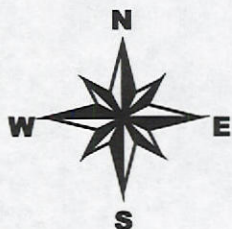
Date: 24 AUG 00

 **Place of use**

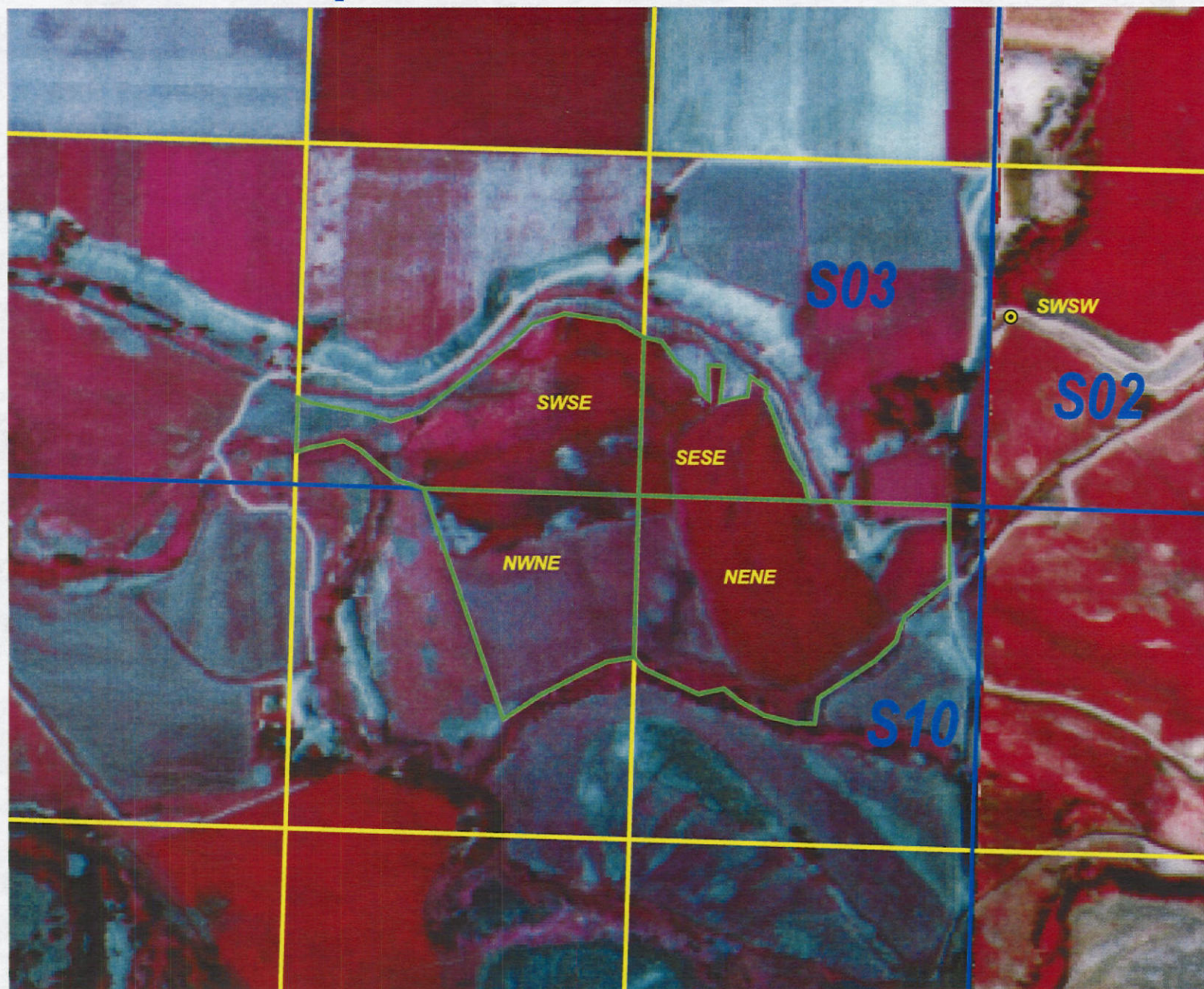
 **POD**

 **SECTION**

 **1/4 1/4**

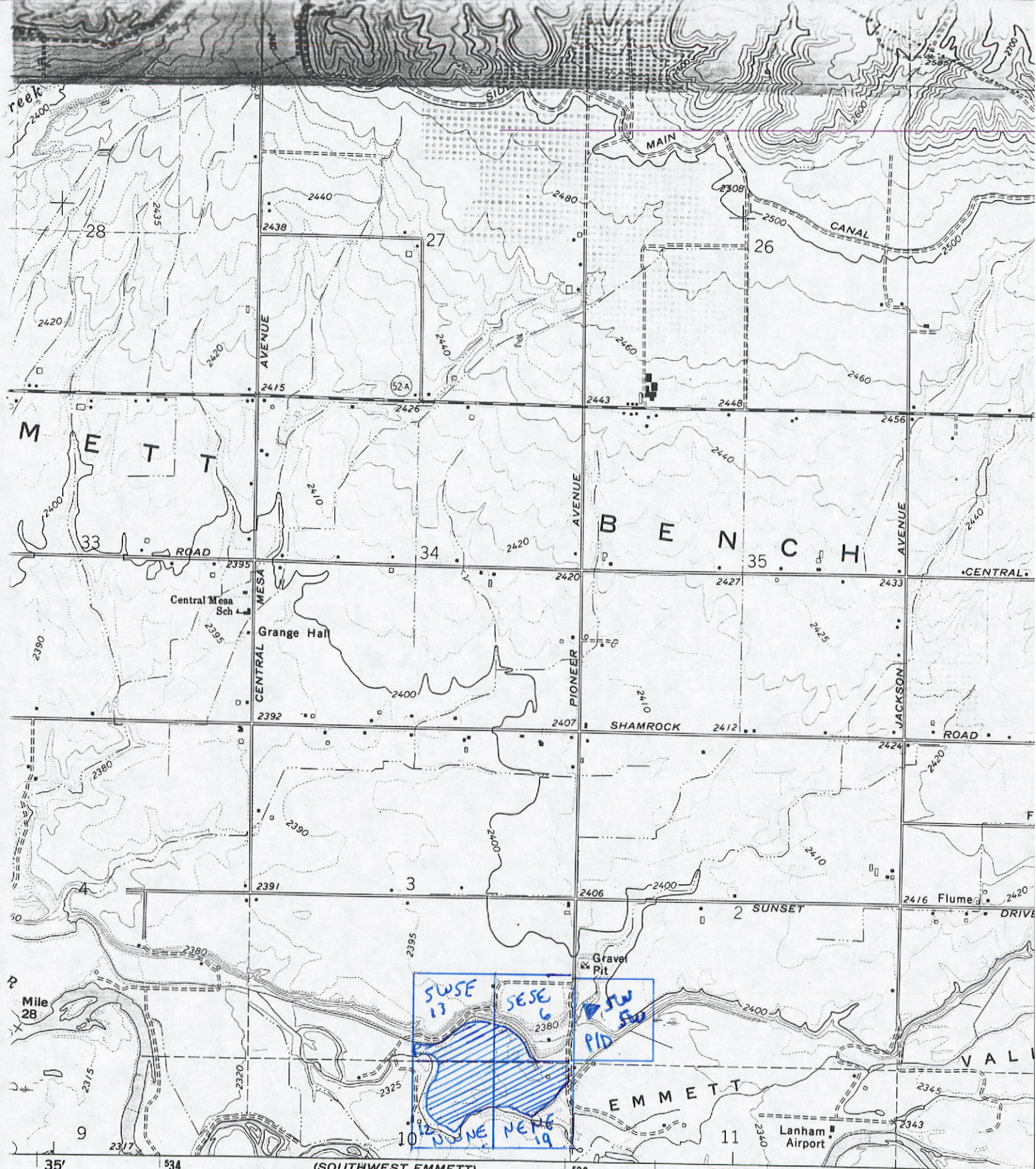


1987 NAPP



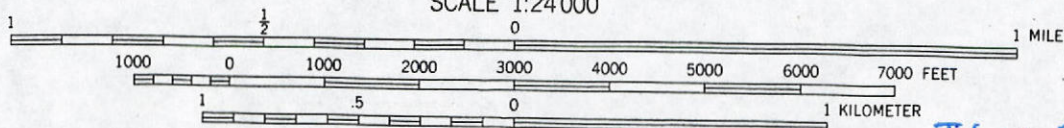
0 0.25 0.5 0.75 Miles





(SOUTHWEST EMMETT)
2671 SE

SCALE 1:24000



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

W6
1971 TOPO

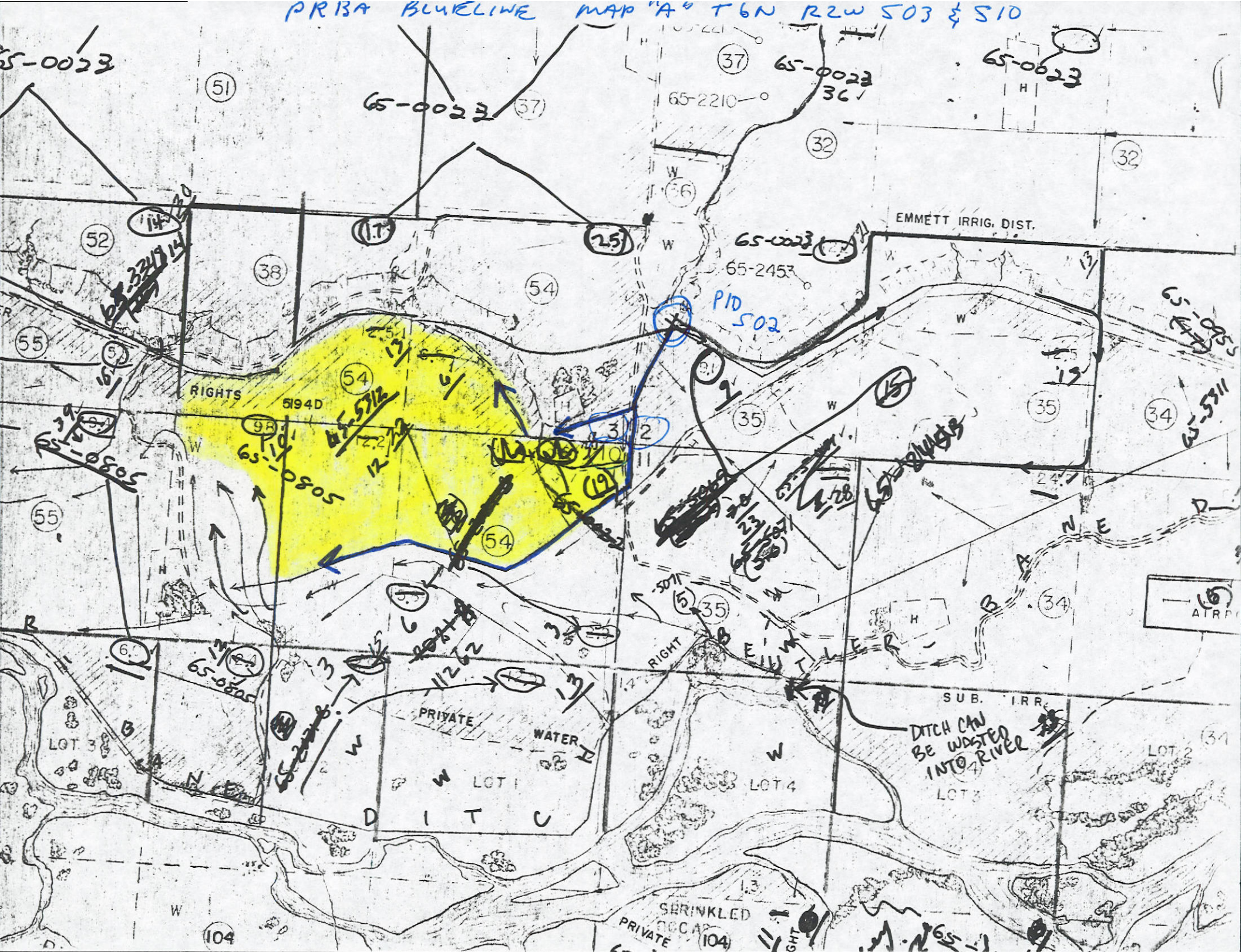
T6N R2W
S02 (PID)
S03 & S10 (POW)

SAME PID
AS
2453

Primar
hard su
Second
hard su



PRISA BLUELINE MAP "A" T6N R2W S03 & S10



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: **A65-05312**
Date Received: 11/ 6/1992
Receipt No: X999999
Received By: _____

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

1. Name: HAROLD BARRETT 208-365-3143
Address: 1466 W. 12TH ST.
EMMETT ID 83617
OR
Name: SHIRLEY BARRETT 208-365-3143
Address: 1466 W. 12TH ST.
EMMETT ID 83617

2. Date of Priority: NOV 27, 1944

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	2	SW	SW	SW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	3	SW	SE		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	3	SE	SE		IRR	6.0
						Section Acres	19.0
		10	NE	NE		IRR	19.0
			NW	NE		IRR	12.0
						Section Acres	31.0
						Total Acres	50.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

POINT OF RE-DIVERSION FROM SILL SLOUGH IN SWSE S. 1, T. 6N,
R. 2W.

POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE S.1, T.6N, R.2W.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree 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: _____

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AUG 03 1994

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 03 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

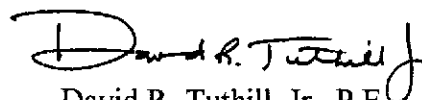
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

03/07/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-5312

SHIRLEY BARRETT
1466 W 12TH ST
EMMETT ID 83617
Telephone Number: (208)365-3143

HAROLD BARRETT
1466 W 12TH ST
EMMETT ID 83617
Telephone Number: (208)365-3143

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-28-01 SIGNATURE: Harold Barrett Shirley Barrett
Please print your name: HAROLD BARRETT Shirley Barrett

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

RECEIVED

APR 03 2001

**WATER RESOURCES
WESTERN REGION**

12/19/2000

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

RIGHT NUMBER: 65-5312

NAME AND ADDRESS: HAROLD BARRETT
SHIRLEY BARRETT
1466 W 12TH ST
EMMETT, ID 83617

SOURCE: WASTEWATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 1 CFS

PRIORITY DATE: 11/27/1944

POINT OF DIVERSION: T06N R02W S2

SWSW

Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3-15 11-15

QUANTITY
1.00 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T06N R02W S10

NENE

19

T06N R02W S10

NWNE

12

T06N R02W S3

SWSE

13

T06N R02W S3

SESE

6

50 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: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-05312

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD BARRETT	11/27/1944	IRRIGATION	03-15 11-15	1.000 CFS	
C	SHIRLEY BARRETT					
	1466 W 12TH ST					
	EMMETT ID 83617					
	(208) 365-3143					
				TOTAL DIVERSION:	1.000 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S02 SWSW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	3	:																	:	19.0
06N	02W	10	:	19		12														:	31.0
																				TOTAL ACRES	50.0

POU County: GEM

Remarks: GEN POINT OF RE-DIVERSION FROM SILL SLOUGH IN SWSE S. 1, T. 6N, R. 2W.
POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE S.1, T.6N, R.2W.

DELETE

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

(DOESN'T MAKE SENSE)
This point would be
upstream, thus,
couldn't be a
redirection, a
possible error
in DATA ENTRY
FROM ORIGINAL
CLAIM, under
SOURCE IN PRBA
CLAIM GILL SLOUGH
IS CROSSED OUT.
SEE COPY
IN FILE.

SAME PID AS 2453

218

WR5809NP
No. 65-05312

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M L MITCHELL	11/27/1944	IRRIGATION	03/15 11/15	1.000 CFS	
C	Q N MITCHELL					
	875 PIONEER AVE			TOTAL DIVERSION:	1.000 CFS	
	EMMETT ID 83617					

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S02

SWSW

GEM 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		
06N	02W	3	:					:					:					:			13	06	:	19.0
06N	02W	10	:	19		12		:					:					:					:	31.0
																						TOTAL ACRES		50.0

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-02453 65-10994

Other Water Rights Listing Overlapping Place(s) of use:
65-00805 65-11262

Remarks: GEN Point of re-diversion is from Gill Slough in SWSE S01, T06N,
R02W.

Dates:	App. Received:	Priority Date:	11/27/1944
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 10/20/92 MILLER 10/30/92 MILLER
11/02/92 MILLER

Idaho Department of Water Resources

T06N R02W

Claims: 65-05312

Prepared by:

RON HOWERTON

Date: 24 AUG 00

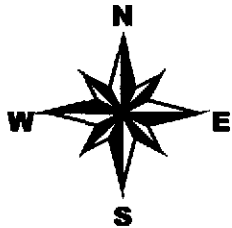
 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

50 Acres



1987 NAPP



Idaho Department of Water Resources

T06N R02W

Claims: 65-05312

Prepared by:

RON HOWERTON

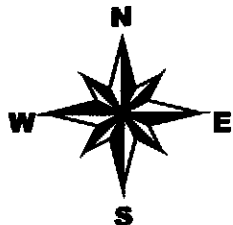
Date: 24 AUG 00

 **Place of use**

 **POD**

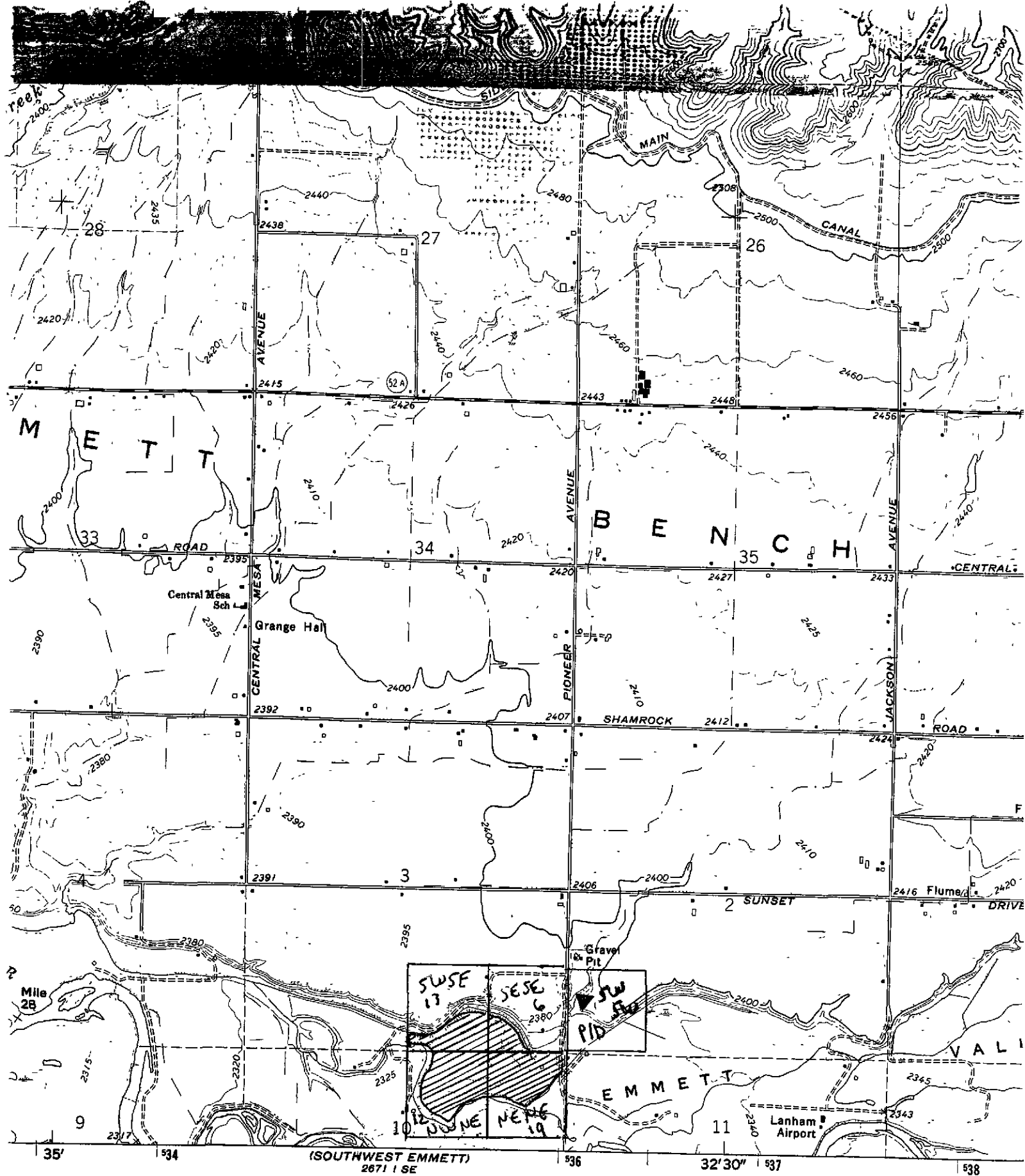
 **SECTION**

 **1/4 1/4**

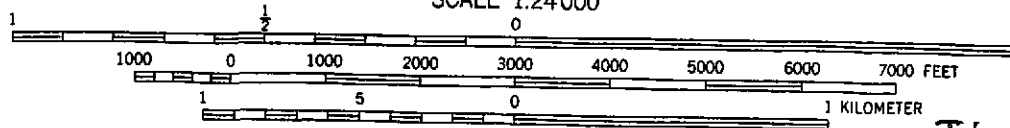


1987 NAPP





SCALE 1:24 000



CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

W6
 1971 TOPO

T6N R2W
 S02 (P10)
 S03 & S10 (P04)

SAME PID
 AS
 2453

Primar
 hard st
 Second
 hard st

TO: (65-2453) # 46 5217

FROM: D2T (6 2 1)

An interesting situation arises with two claims.

They consist of some 66 acres of ground irrigated from a wastewater source. The date of priority originally claimed were

5061: 1/1/53 & 5312: 11-2-1963 and the license,

which covers 78 acres in the same general area is O.C.P.: 11-27-1944

To obtain a perfectly accurate solution to this situation I would need to select two claims - one each from Redfield and Mitchell on their respective portions of the license. I would also have to recommend portions of 5061 & 5312 to supplement these licensed rights since the licensed flow is only 1.56 cfs.

Another option is to call Redfield's claim 65-2453, and bring Mitchell's right to the same date of priority. This would

- (1) Recognize current practice of sharing the wastewater (Same O.C.P.)
- (2) Recognize the licensed right
- (3) Be clearcut for the watermaster's purposes
- (4) Not adversely affect any other rights.

I have selected the latter option for the listed reasons. D2T

RECEIVED

NOV 06 1992

Department of Water Resources

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. No.

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

Please type or print clearly:

Name of Claimant(s) Harold &/or Shirley Barrett

Mailing Address 1466 W 12th St.
(include Zip Code) Emmett, Id 83617

Phone Number (208) 365-3143

MICROFILMED

AUG 03 1994

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: A65-05312
Date Received: / /
Receipt No: _____
Received By: _____

RECEIVED

NOV 06 1992

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Q. N. MITCHELL
Address: 875 PIONEER AVE.
EMMETT ID

83617

Name: M. L. MITCHELL
Address: 875 PIONEER AVE.
EMMETT ID

83617

2. Date of Priority: NOV 27, 1944

3. Source: WASTE WATER

Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	2	SW	SW	SW		GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:
1.000 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
06N	02W	3	SW	SE		IRR	13.0

A65-05312

Page

1

Date: 11/03/92

MICROFILMED

AUG 03 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	3	SE	SE		IRR	6.0
						Section Acres	19.0
		10	NE	NE		IRR	19.0
			NW	NE		IRR	12.0
						Section Acres	31.0
						Total Acres	50.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

POINT OF RE-DIVERSION FROM SILL SLOUGH IN SWSE S. 1, T. 6N, R. 2W.

POINT OF RE-DIVERSION FROM GILL SLOUGH IN SWSE S.1, T.6N, R.2W.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Harold Barrett Date: 11-5-92
Date: _____

State of Idaho)
County of Gem) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of November 19 92 Sharla R. Curtis
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 10-6-96

5/89

Date Received _____

RECEIVED

approved

State of Idaho

Department of Water Resources

RECEIVED

NOV 06 1992

NOV 10 1992 REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant Harold & or Shirley Barrett209 365-3143
Phone NumberMailing Address 1466 W. 12th St.Emmett
CityId
State83617
ZipCounty(s) where place of use is located CemDate claim originally due ?Identify water right(s) for which extension is requested
65-05312

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Assumed that water right was transferred in sale, bought
property in 1989 - former owner evidently never filed
the claim

Claimant requests an extension to 11/6, 19 92Signature Harold Barrett Date of request 11/6/92, 19 92

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:and if granted the filing deadline is extended to Nov 6, 19 92Signed this 9 day of November, 19 92

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N Orchard St.
Boise, ID 83706

MICROFILMED

AUG 03 1994