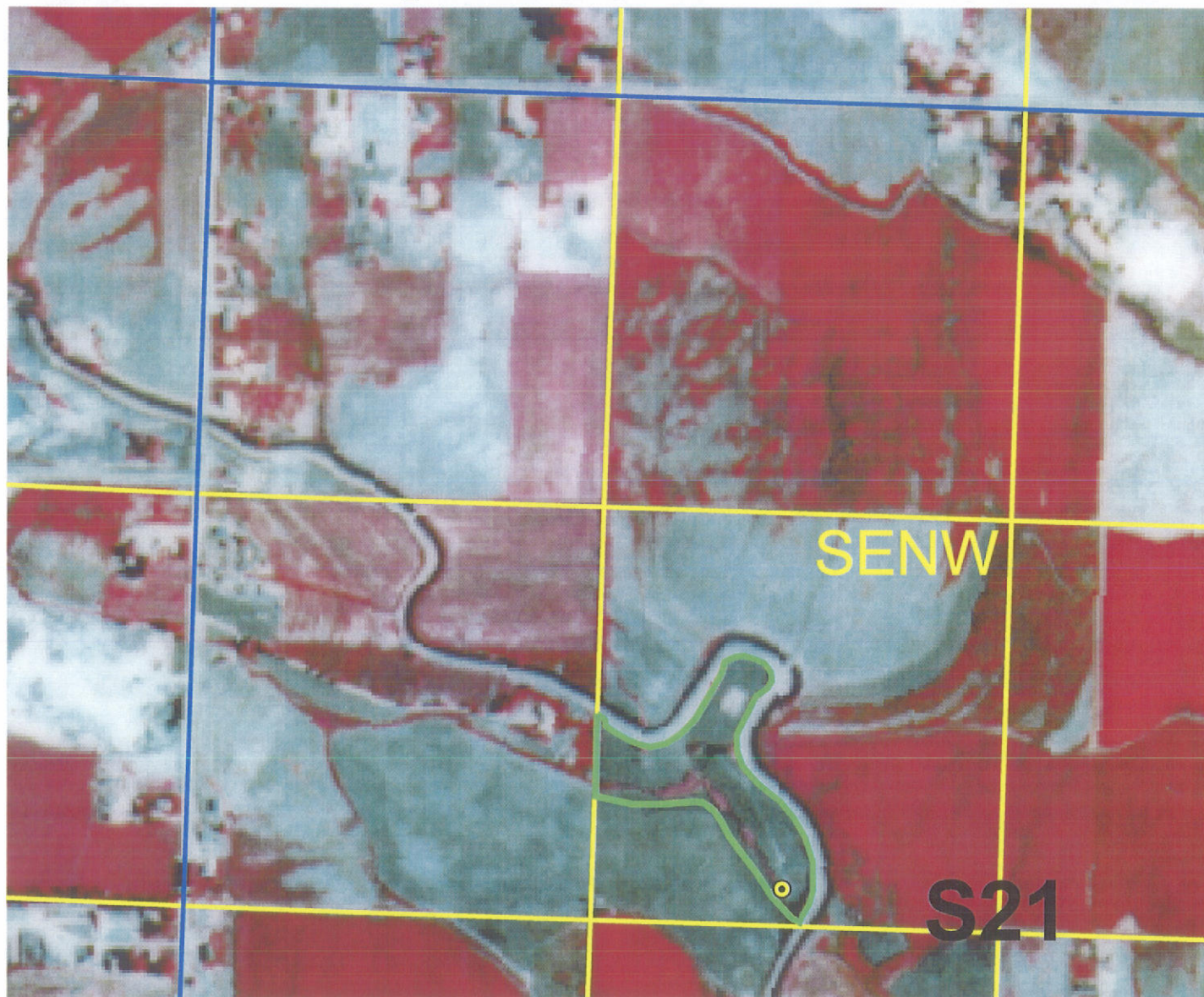


Idaho Department of Water Resources

**T03N, R01W,
S21**

Claim No: 63-4848
Prepared By: Kimberly Brown
Date: August 4, 2005



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Acres Irrigated = 5.0

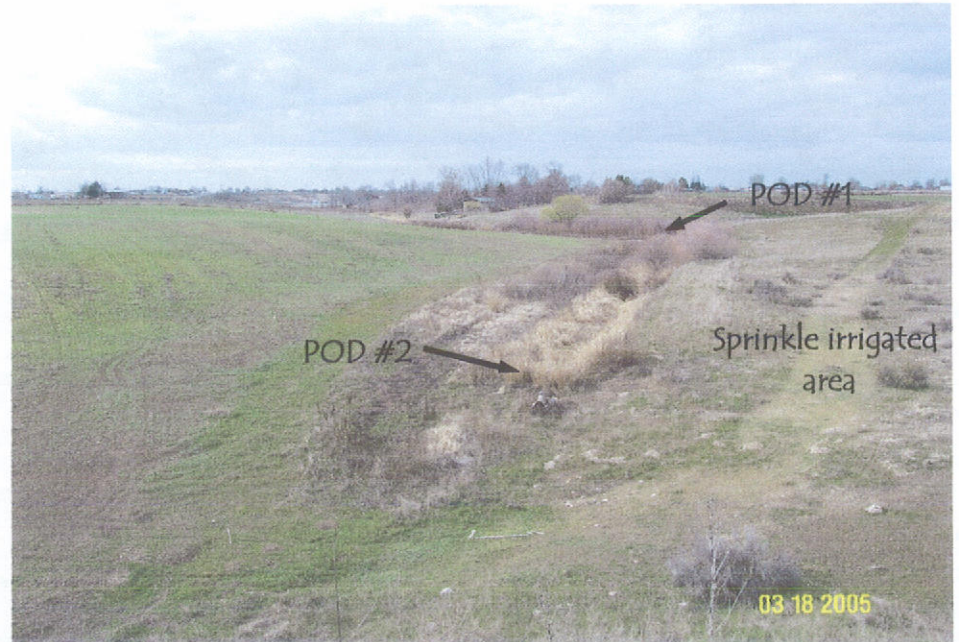


300 0 300 600 Feet


1987 NAPP



Looking West from Canal Bank



Looking Northeast from canal bank

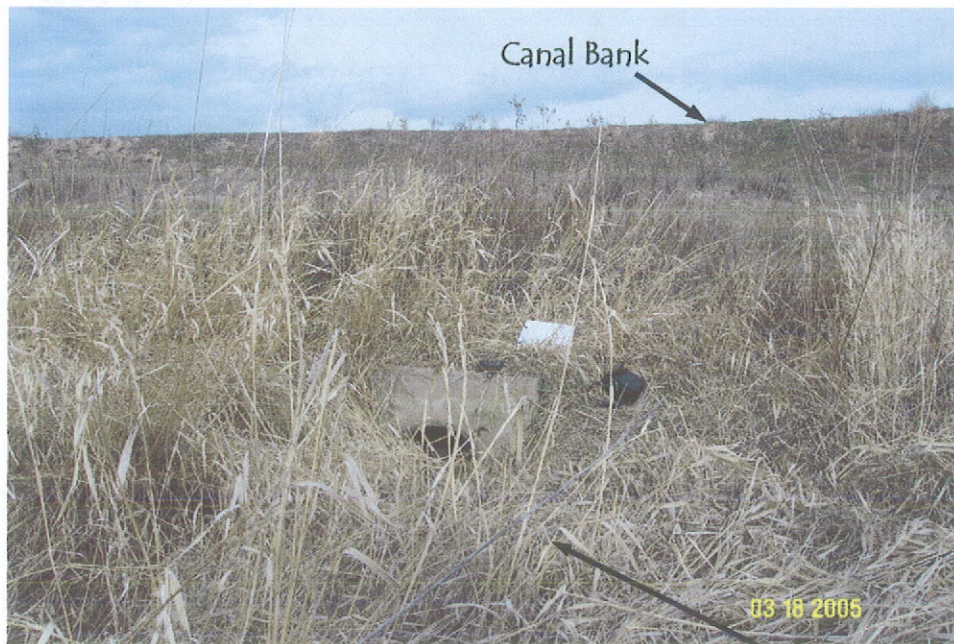
Barson
63-4848

From Canal Bank looking Southeast



Looking East from Canal Bank





Near POD #2 Looking East

Barson
63-4848

Looking West from POD #2



Looking Northeast from POD #2



Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-04848

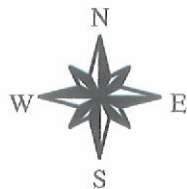
Legal: T3N, R1W, S21

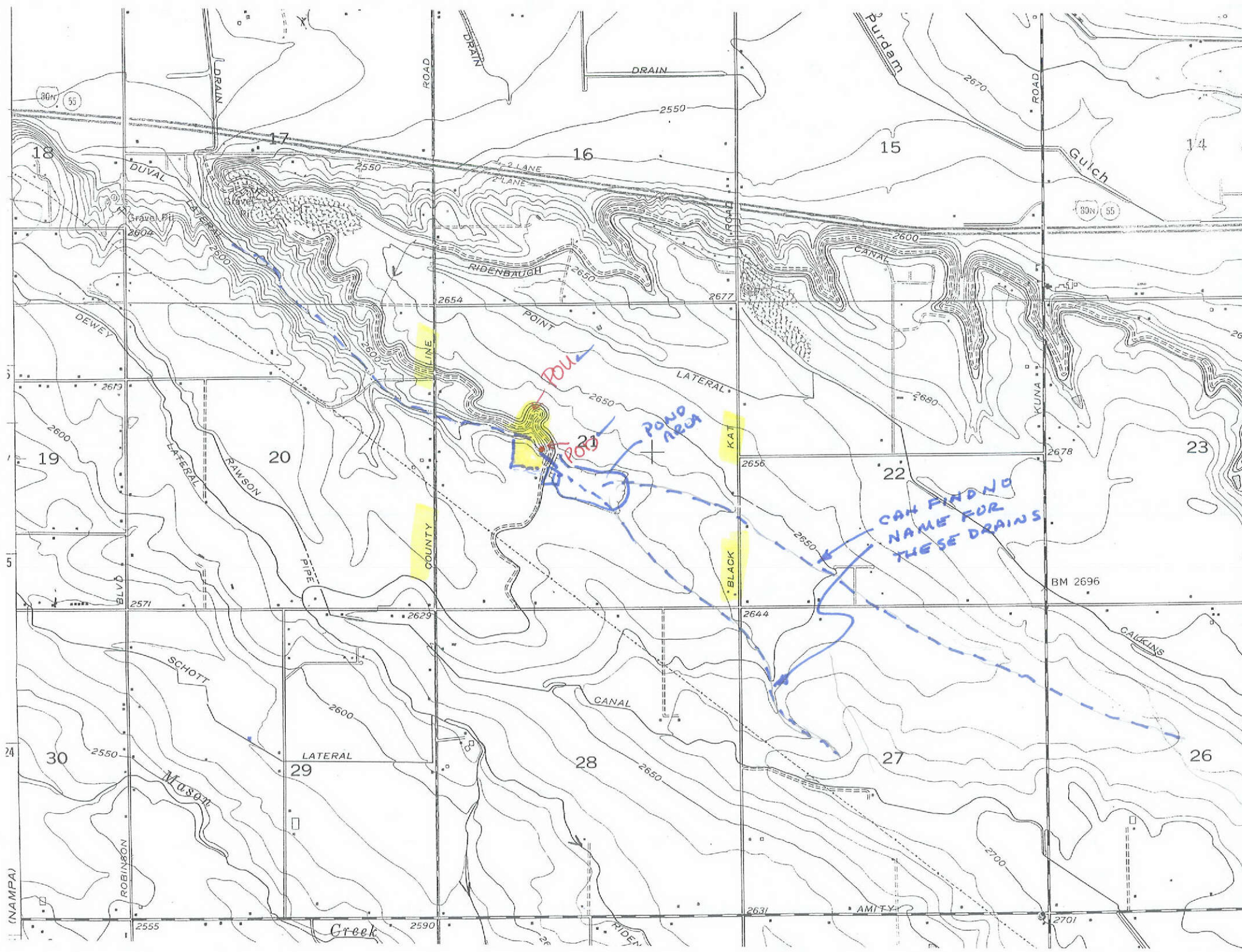
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

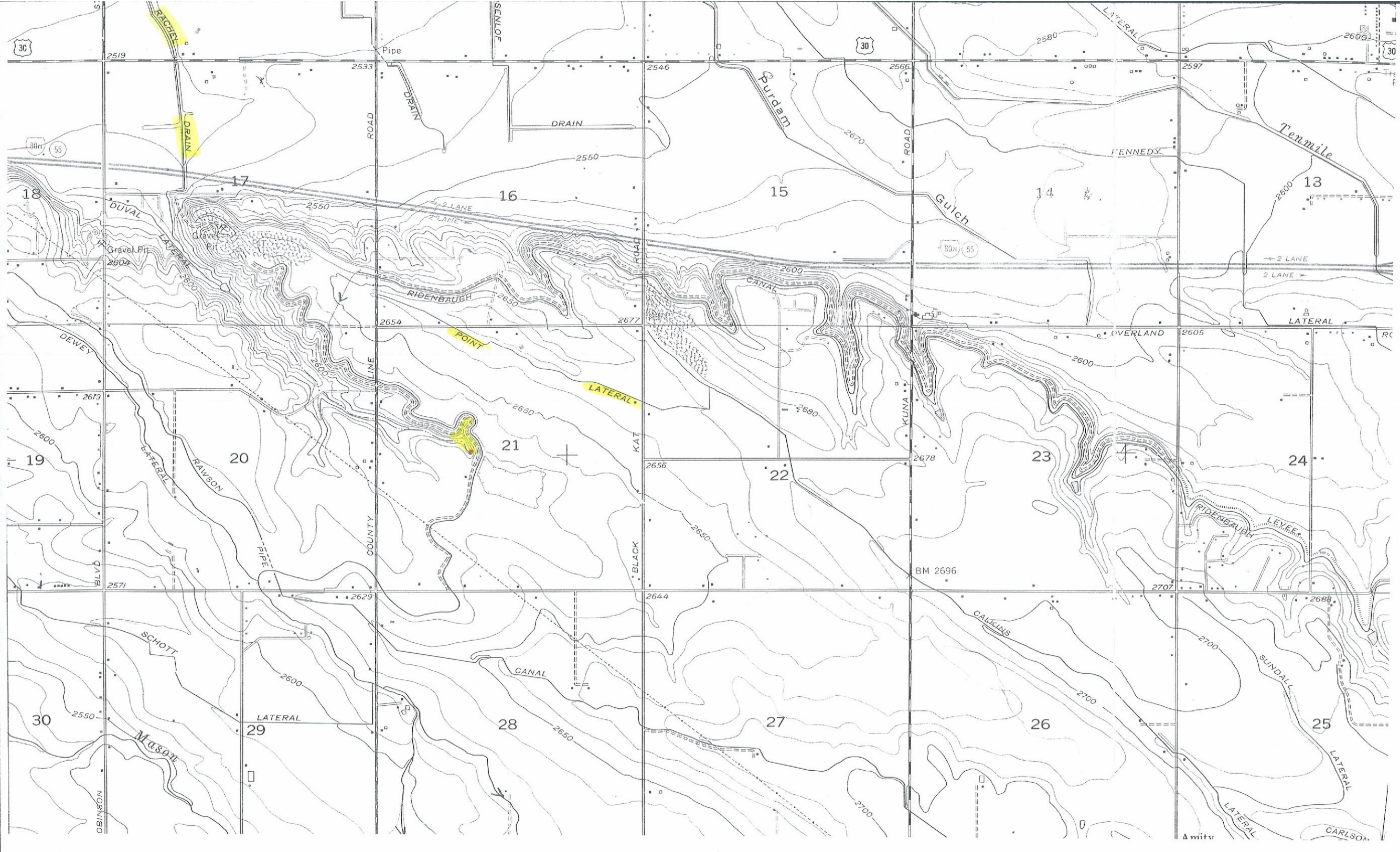


0 0.25 0.5 Miles









Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-04848

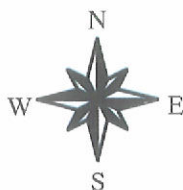
Legal: T3N, R1W, S21

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 Miles



RECEIVED

7. 21 503
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 SRBA)

A. Subcase 63-4848

(Insert water right no.)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NAMPA & MERIDIAN IRRIGATION DISTRICT

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: 208-466-7861

Name & Address of Attorney, if any:

Daniel V. Steenson
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: Barson Farms

Address: 5545 W. Overland
Meridian, Idaho 83642

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X This water right should not exist.

 ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION (S): This claimed water right is within the boundaries of Nampa & Meridian Irrigation District ("NMID") and the source of said claim is a drain which was constructed or enlarged by or for NMID. Said drain is owned, operated, maintained and controlled by NMID and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by NMID. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

VERIFICATION (must be completed)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

S. Bryce Farris

Notary Public for Idaho
Residing at: Bowl, Idaho
My Commission Expires: 2/28/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: Barson Farms

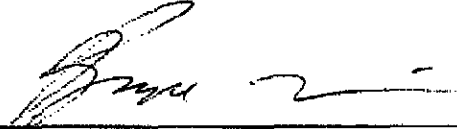
Address: 5545 W. Overland
Meridian, Idaho 83642

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

08/04/2005

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

RIGHT NUMBER: 63-4848

NAME AND ADDRESS: BARSON FARMS
5545 W OVERLAND
MERIDIAN ID 83642

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 08/01/1949

POINT OF DIVERSION:

T03N R01W S21 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS

PLACE OF USE: IRRIGATION Within ADA County

T03N R01W S21 SENW 5.0

5 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 - Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

Idaho Department of Water Resources

**T03N, R01W,
S21**

Claim No: 63-4848

Prepared By: Kimberly Brown

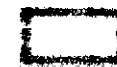
Date: August 4, 2005



Place of Use



Section Lines

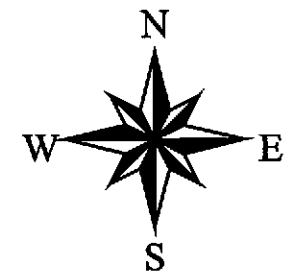


1/4 1/4



Point of Diversion

Acres Irrigated = 5.0



300 0 300 600 Feet



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4848

WATER RIGHT NUMBER: 63-4848

Owner Type Name and Address
 Current Owner BARSON FARMS
 5545 W OVERLAND
 MERIDIAN, ID 83642
 (208)466-6834

Vaughn P. and Gertrude M. Barson

Priority Date: 08/01/1949

Basis: ~~Statutory Claim~~ Beneficial Use

Status: Active

Source
 UNNAMED ~~RACHEL DRAIN~~

Tributary
 BOISE RIVER

Beneficial Use

IRRIGATION

Change to From To
 3/15 to 11/15
 3/1 - 11/15

Diversion Rate0.1 ~~0.120 CFS~~Annual VolumeTotal Diversion: ~~0.120 CFS~~

0.1

surface - no AF ant.

Location of Point(s) of Diversion

RACHEL DRAIN

SE1/4NW1/4

Sec. 21, Twp 03N, Rge 01W, B.M.

ADA 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	
03N	01W	21								5.0									5.0

Total Acres: 6

Conditions of Approval:Remarks:

- Season of use is 3/1 to 11/15.

Comments:

ADD W

- Use of right combined with Nampa-Meridian Irrigation District water.

Dates and Other Information:

Parcel No: a portion of 81221120770. (119.1 AC)

(in office)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$56.⁰⁰
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant Rec'd. Affidavit 8-29-03

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-4848
 Owner: Barson Farms → Vaughn P. & Gertrude H. Barson
 Phone No. (208) 466-6834
 Current Address: 5545 W. Overland, Meridian 83642

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary (8.29.03)
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

*Affidavit signed by
Vaughn Barson.*

Priority date, per claimant, is: August 1, 1949

(If priority date, based on your exam, seems questionable, explain below.)

Source: Rachel Drain Tributary to Boise River

- ☐ No Change – SAME SOURCE
- ☒ Source found is different than claimed: Unnamed Drain

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

pump at drain to pipeline - See Field Report.

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

see POD overlap review sheet (enclosed)

WATER USES

Season of use is 3/1 to 11/15 per new IDWR standard.

☒ No change☐ Different UsesUse Irrigation From 3/1 To 11/15 Amount 0.1 CFS Ø AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS Ø AFA☒ Changes found, the new total is, Amount 0.1 CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

Parcel No: a portion of S1221120770.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										5.0									6.0

Overlap with other water rights: _____

Wanapa-Meridian Irr. Dist.

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no - see POU overlap review sheet.

Delivery System Narrative:

irrigation

pipeline to sprinkler and/or flood

** See Field Report.*

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

N/A - See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(COVER)

Season of use is 3/1 to 11/15.

Use of this right is combined with water from Nampa-Meridian
Irrigation District.

Parcel No: a portion of S122112 0770.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU N/A
- ☐ GPS readings N/A
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: _____

(in office)

FIELD EXAMINER: _____

Kimberly Brown

Field Exam Date 3/18/05

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-4848

Owner: BARSON FARMS Phone No. 466-6834

Current Address: 5547 W. OVERLAND RD.

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: VAUGHN BARSON

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: UNKNOWN NAME DRAIN Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

SITETAG NOT PLACED (NO PLACE TO PUT ITEM)

GPS #1 2300834 #65
OLD 1378863

GPS #2 2300888 #66
NEW 1378776

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
OLD 1		SW	SE	NW	21	3N	1W	ADA	GPS'D
NEW 2		"	"	"	"	"	"	"	"

Description of diverting works

PRESENTLY THERE ARE NO PUMPS OR OTHER EQUIPMENT IN PLACE. IN THE PAST HE HAS USED PORTABLE PUMPING EQUIPMENT AND SPRINKLER MAINLINE + LATERALS. (SEE NARRATIVE)

OVERLAP REVIEW

Other water rights with the same point of diversion: NAMPA - MERIDIAN

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☒ No change

☐ Different Uses

Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA
Use	From	To	Amount	CFS	AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1W	21								6									6

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: _____

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

P.O.D. WHEN MR BARSON WAS IRRIGATING THIS AREA TO BEGIN WITH HE HAD PUMPING EQUIPMENT SETUP @ POD #1- HE EVENTUALLY RELOCATED IT TO POD #2. HE HAS NOT IRRIGATED THIS AREA CONSISTENTLY FOR SEVERAL YEARS ONLY. DUE TO HEALTH & AGE HE HAS NOT USED THIS ROUGH AREA OF HIS FARM. HE NOW LEASES THE FARM TO A PERSON WHO DOES NOT WANT TO "MESS WITH IT". THE CANAL CO ENLARGED THE CANAL AND DESTROYED MUCH OF HIS FENCING, SO HE CANNOT PASTURE THE ROUGH AREA.

DRAINAGE

THE WATER WHICH COMES INTO THIS DRAINAGE IS IRRIGATION WASTE WATER FROM ALL THE FARM LAND WITHIN THE DRAINAGE. IT IS DEFINITELY AN INTERMITTENT STREAM. I COULD NOT FIND A NAME FOR IT ON ANY MAP. THE FARMER DID NOT KNOW OF ANY NAME FOR IT. ON THE UPSTREAM SIDE OF THE CANAL, THERE IS A FAIRLY LARGE POND FORMED BY THE CANAL BANK AS A DAM. IT HAS A CONTROL STRUCTURE AND CONNECTS TO THE PIPELINE UNDER THE CANAL. THE LAND OWNERS ABOVE THE CANAL PUMP FROM THIS POND TO IRRIGATED SMALL ACRES.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3/18/05 4/8/05

FIELD EXAMINER: Bruce H. Schuler



Looking West from Canal Bank



Looking Northeast from canal bank

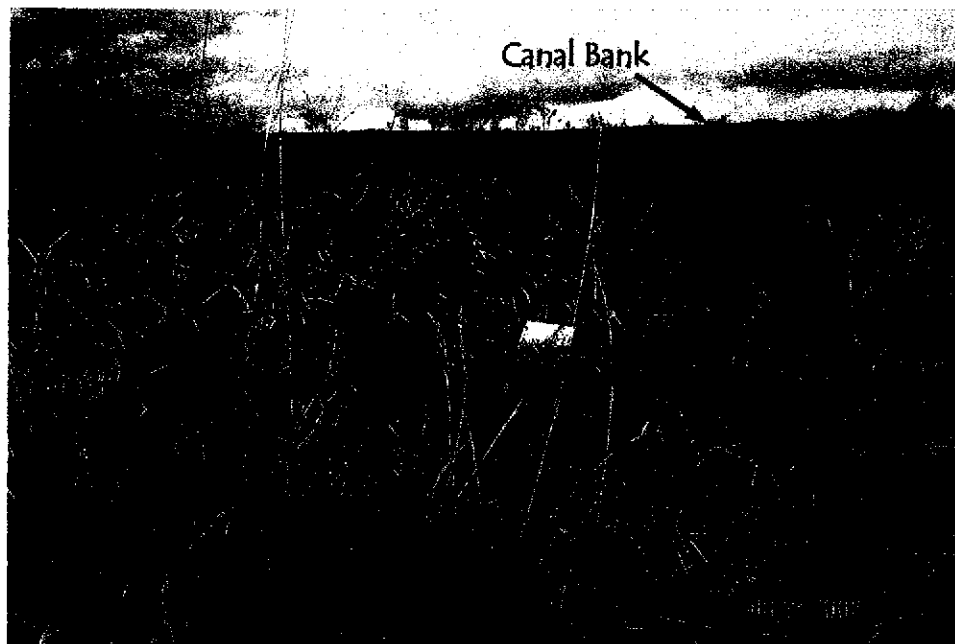
Barson
63-4848

From Canal Bank looking Southeast



Looking East from Canal Bank

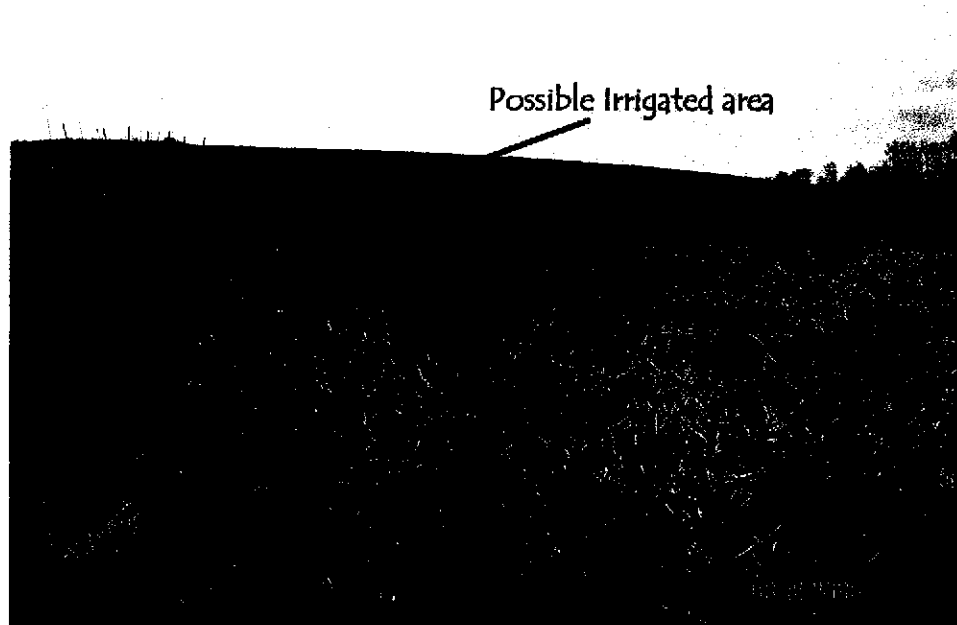




Near POD #2 Looking East

Barson
63-4848

Looking West from POD #2



Looking Northeast from POD #2



FIELD EXAM REQUEST

RE: Snake River Basin Adjudication Water Right No. A63-4848
Barson Farms

September, 2004

Location: 5547 W. Overland (Near Overland and McDermott – near the Ada/Canyon Co. line)

Contact: Vaughn Barson - #466-6834 (He has Fridays off from 10-2 p.m.)

2 specific requests only : *this exam **does not** require any measurements

#1.) - Determine whether or not the claimed source, the "Rachel Drain," is:

1.) a man-made drain (that flows year round)

2.) **OR** an intermittent stream (as the map depicts; does not flow year round) **THIS IS IT**

COULD NOT DETERMINE
IF THIS IS THE NAME
FROM ANY OF THE
MAPS I COULD FIND

this is
all that is
required:

#2.) - Make sure there is a point of diversion. (Please GPS, photograph, and pin-point on the attached map)

OLD
POD

GPS 2300834 #65
1378863

NEW GPS 2300888 #66
1378776

*RECOMMENDED

this the
coordinate
to use

Kimberly Brown
Senior Water Resource Agent

Idaho Department of Water Resources

Claim Number: 63-04848

Legal: T3N, R1W, S21

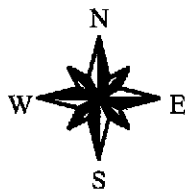
Reviewed By:

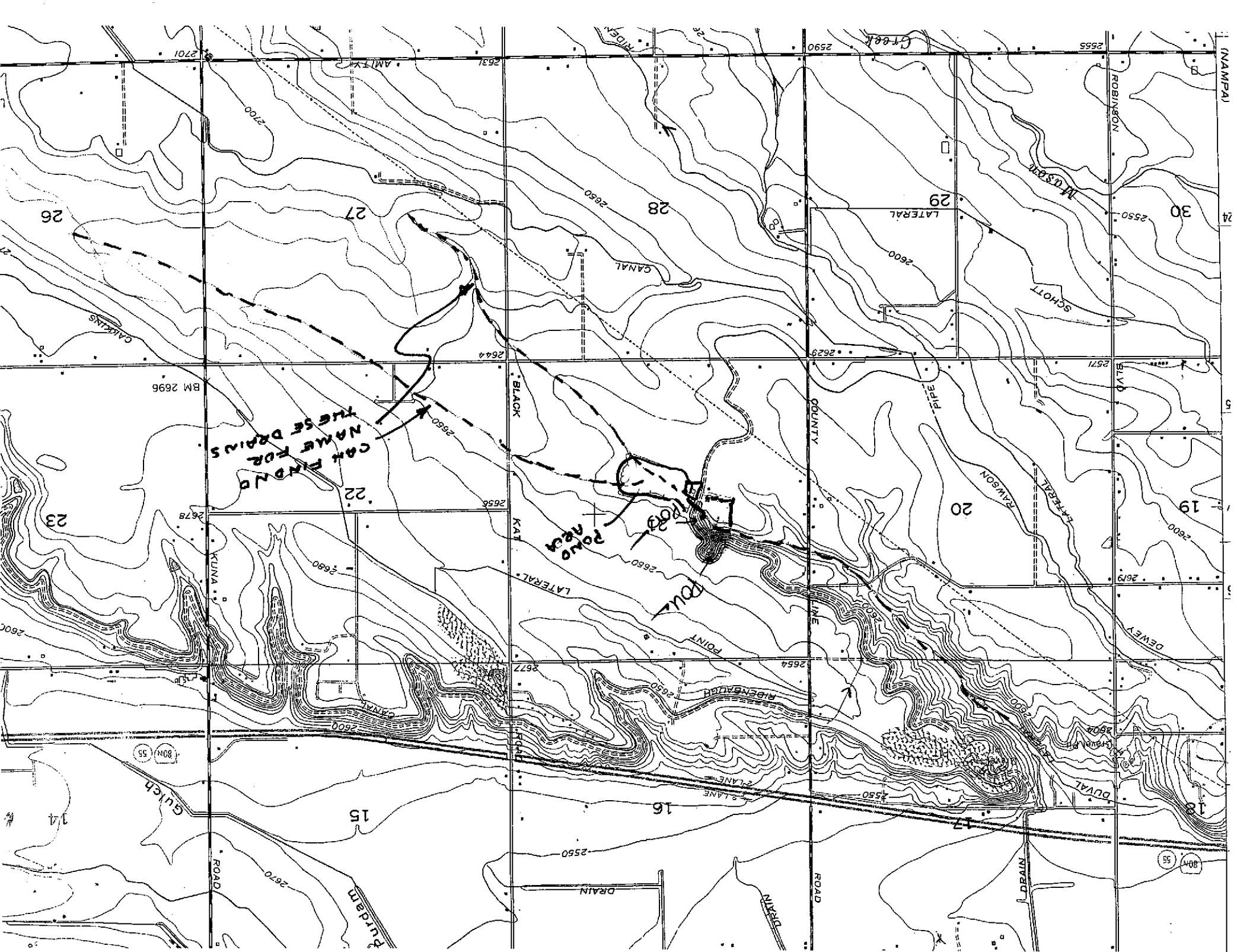
1987 Napp Photo

- ⊙ Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 Miles

A horizontal scale bar with markings at 0, 0.25, and 0.5 miles.





MICROFILMED

AUG 20 1992

77

FIELD EXAM REQUEST

**RE: Snake River Basin Adjudication Water Right No. A63-4848
Barson Farms**

September, 2004

Location: 5547 W. Overland (Near Overland and McDermott – near the Ada/Canyon Co. line)

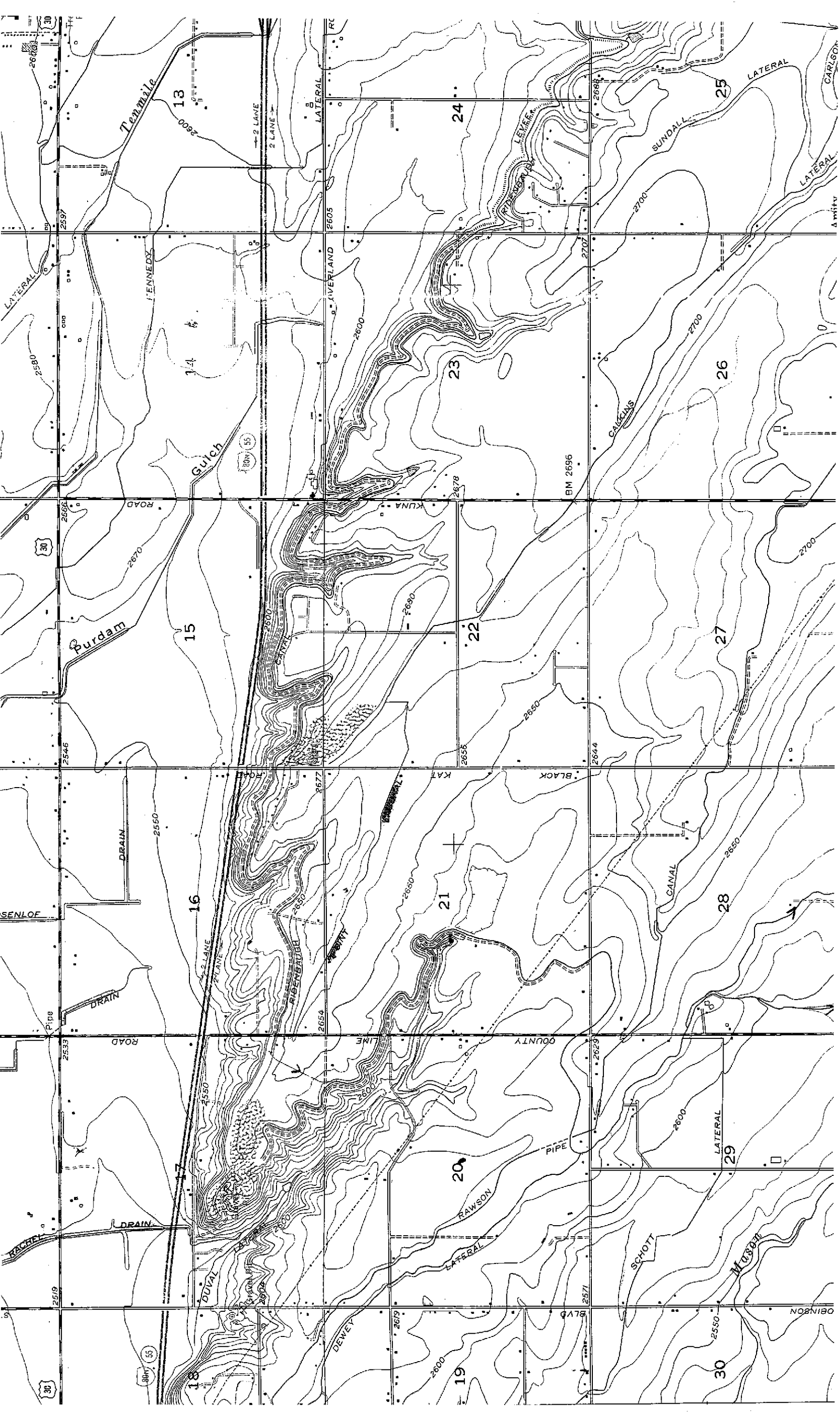
Contact: Vaughn Barson - #466-6834 (He has Fridays off from 10-2 p.m.)

2 specific requests only : *this exam **does not** require any measurements

- Determine whether or not the claimed source, the “Rachel Drain,” is:
 - 1.) a man-made drain (that flows year round)
 - 2.) **OR** an intermittent stream (as the map depicts; does not flow year round).

- Make sure there is a point of diversion. (Please GPS, photograph, and pin-point on the attached map)

Kimberly Brown
Senior Water Resource Agent



overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4848

08/04/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-4848	Claim	03N	01W	21	SE	NW		RACHEL DRAIN BOISE RIVER	BARSON FARMS
63-4848	Water Right	03N	01W	21	SE	NW		RACHEL DRAIN BOISE RIVER	BARSON FARMS

no overlap

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4848

08/04/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4848	Claim	03N	04W	21	SE	NW		IRRIGATION	6/6	BARSON FARMS
4848	Water Right	03N	01W	21	SE	NW		IRRIGATION	6/6	BARSON FARMS

no overlap

overlap review

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4838 V1

WATER RIGHT NUMBER: 63-4838 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARSON FARMS 5545 W OVERLAND MERIDIAN, ID 83642 (208)466-6834

Priority Date: 08/01/1940
Basis: Beneficial Use
Status: Closed

<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>
STOCKWATER	1/01 to 12/31	0.130 CFS	
DOMESTIC	1/01 to 12/31	0.080 CFS	
	<u>Total Diversion:</u>	0.210 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 21, Twp 03N, Rge 01W, B.M.
ADA County		
GROUND WATER	NW1/4NE1/4	Sec. 21, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	01W	21		X			X												

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	01W	21		X			X												

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4838 V1

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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 150 DAIRY CATTLE PARCEL NO. RP S1221120770
2. Point of Diversion 2 POINTS OF DIVERSION LOCATED IN T03N, R01W, S21, NWNE.

Comments:

1. CORR1 2/18/1997 COPIED FROM REMARKS
Comment: 1 P/D IN NENW, SECTION 21. TWO WELLS FIRST PUT TO USE IN 1940, NOT 1949 AS ORIGINALLY CLAIMED. CLAIMANT STATES THAT PRIORITY DATE OF 1949 WAS USED SINCE THAT WAS THE DATE THAT HE FIRST USED WELLS. THE WELLS WERE FIRST PUT TO USE IN 1940. ORIGINAL CLAIM LISTED 2 POINTS OF DIVERSION IN THE NWNE OF SECTION 21. ACTUALLY THERE IS ONE WELL IN THE NWNE AND ONE WELL IN THE NENW OF SECTION 21 THAT WAS FIRST USED IN 1940. A SUPPLEMENTAL WELL WAS DRILLED AND USED IN 1957 LOCATED IN THE NENW OF SECTION 21. ELR

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 08/29/03
Time: 12:19:14

Rec/No - W002916 AR/No -
From: - BARSON FARMS

Receipt Type - CK Doc/No - 4484
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 05/22/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		176.00

Total Due - 176.00

WR/No
A6304838

WR Fee
50.00

WR/No
A6304848

WR Fee
56.00

WR/No
A6315438

WR Fee
70.00

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-04848

May 24, 2004

After speaking with the Boise Project Board of Control, I called the District 2 Office (#342-5086) to speak with the Water Master. Dennis answered the telephone and found that all of the weirs (#311, #312, & #465) are located on the Point Lateral only.

Kimberly Brown
Water Resource Agent
Western Region

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-04848

May 24, 2004

After speaking with the Nampa-Meridian Irrigation District, I called the Boise Project Board of Control (#344-1141) in order to glean more information regarding Mr. Barson's water use and find out how many individuals are included in his tap. The woman who answered the telephone found 3 different taps for Vaughn Barson and the 157.5 project acres. According to the Board's information, these 3 taps have 3 different delivery points along the Point Lateral:

- 311 Weir (delivered to Barson only)
- 312 Weir (delivered to Barson only)
- 465 Weir (delivered to Barson only)

[Based on this information, Mr. Barson is the only individual in his tap.]

When I asked if the Board had the specific location of the weirs, it was suggested that I call the Division 2 Office (#342-5086) in order to speak to the Water Master. The woman helping me mentioned that Dennis would probably answer the telephone and that he would also be able to help me, since he was the former Water Master of the area in question.

Kimberly Brown
Water Resource Agent
Western Region

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-04848

May 24, 2004

When claimant, Mr. Vaughn Barson, supplied an affidavit as evidence of priority, he also submitted a copy of a 1990 Agreement entered between the Nampa & Meridian Irrigation District, the Boise Project Board of Control, and Mr. Barson (see file).

During the process of reviewing this claim, I called the Nampa-Meridian Irrigation District (#466-0663 Shop) in order to answer a few questions regarding the Agreement and whether or not the Rachel Drain is part of the District's system. After checking a list, the woman who answered the telephone stated that the Rachel Drain is on their list and is, therefore, part of the District's system. She then stated, "Yes, it's our water, but the Board of Control delivers it because we can't." She then checked her computer database and found that the Board of Control delivers 98.44 miner's inches for 157.5 project acres to Vaughn Barson. She said that the 157.5 project acres could be the total acres on Mr. Barson's tap that could conceivably include just himself or up to 50 people, for example.

In order to find out how many individuals are included in Mr. Barson's tap, it was suggested that I call the Boise Board of Control at #344-1141 for more information. The woman helping me then gave me Mr. Barson's Assessment Number, which is #1471, to help the investigative process while talking to the Board.

Kimberly Brown
Water Resource Agent
Western Region

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-4848 & -15438

August 4, 2003

I spoke with Mrs. Gertrude Barson regarding evidence of priority. According to Mrs. Barson, the previous owner is deceased; but the Barsons took possession of the property in 1949. Therefore, the Barsons have the personal knowledge to supply evidence of priority.

In respect to claim #63-15437, Mrs. Barson mentioned that they do not have a well; but that they use Nampa Meridian Irrigation District water to irrigate the land.

Regarding #63-4848, she said that they do irrigate from the Rachel drain. In addition, she also informed me that when the size of the Riddenbaugh Canal was increased, that it decreased their acreage for this area from 9 acres to 6 acres. She also mentioned that the "upper terrain is extremely rocky."

May 19, 2004

I spoke with Mr. Vaughn Barson who also verified that they do not have a well (in association with #63-15438). He stated that they have no ground water, that the source for 63-15438 is Nampa-Meridian Ditch Co. water, and he agreed that it should be disallowed. Concerning 63-4848, Mr. Barson also said that they use water from the Rachel drain to sprinkler/flood irrigate this pasture land; but added that the "upper terrain is extremely rocky." Mr. Barson informed me that this water 'only runs when irrigation water comes down the drain.'

June 10, 2005

Regarding the new lessee of the land and Burke Scholer's comments in the 63-4848 *Field Report* (3/18/05), Mr. Barson said that the water will continue to be used in the future (see Narrative/Remarks/Comments).

Kimberly Brown
Senior Water Resource Agent
Western Region

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

AG3-04848)
)
)

State of Idaho)
County of Ada)

AFFIDAVIT

Vaughn Barson being first duly sworn,

deposes and says: I, Vaughn Barson, present owner
of property at 5547 W. Overland Rd, Meridian, Id.
83642 (Legal description, Township 3N, Range 1W
Section 21, SE 1/4 NW 1/4, County of Ada) attest that
irrigation from this drain began prior to August
1, 1949. My family moved to this property and
began farming in August 1949 and the pumping
facility was used prior to that date.

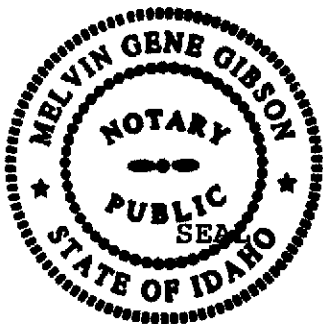
Vaughn Barson
(Signature)

Subscribed and sworn to before me this
day 29th of August, 2003.

Melvin Gene Gibson
(Notary Public)

Residing at _____

My Commission Expires _____



Nampa Meridian - #466-7861

#466-0663 (shop)

AGREEMENT

THIS AGREEMENT made and entered into this 31 day of May, 1990, by and between VAUGHN BARSON, Meridian, Idaho, hereinafter referred to as the Party of the First Part, NAMPA & MERIDIAN IRRIGATION DISTRICT, hereinafter referred to as the District, and the BOISE PROJECT BOARD OF CONTROL, hereinafter referred to as the Board,

W I T N E S S E T H:

WHEREAS, First Party is the owner of 12.40 acres lying in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, ^{app. 9 AC} Section 21, T 3 N, R 1 W, BM, and 6.30 acres lying within NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Section 21, T 3 N, R 1 W, BM, all of which lands are within the boundaries of the District and are subject to assessment by the District but are too high to be conveniently irrigated from its irrigation system, which lands may, however, be irrigated more easily from the irrigation system operated by the Board; and

WHEREAS, the parties hereto desire to enter into an agreement whereby the Board will deliver water to the above described land, 18.7 acres, of First Party for the purpose of irrigating the same,

NOW, THEREFORE, In consideration of the mutual promises and agreements of each of the parties hereto, it is understood and agreed as follows:

The Board will deliver water to the above described lands of First Party out of the Point Lateral operated by it in the same quantities and on the same basis as the Board delivers water to lands in the Boise Federal Reclamation Project, subject, however, to available capacity of the Point Lateral. The obligation of the

Board to deliver water shall be limited to delivery at the present points of diversion from the Point Lateral and to make deliveries in the same manner as it delivers water to lands within the Boise Federal Reclamation Project, subject only to available capacity of the Point Lateral.

The assessments on account of the water delivered to the above-described lands shall be processed in the same manner as provided in the 1926 contract between the United States and the Nampa & Meridian Irrigation District for the delivery of water to lands lying within the Nampa & Meridian Irrigation District and are delivered by the Boise Project Board of Control.

VAUGHN BARSON

Vaughn Barson
First Party

NAMPA & MERIDIAN IRRIGATION
DISTRICT

J. Bob Williams
President

BOISE PROJECT BOARD OF
CONTROL

Kenny Henry
Manager

Is Rachel Drain part of your system? Nampa Meridian

Yes, Rachel Drain Is on their list
Board of Control - 98.44 m.i. (1,9688 cfs)
157.56 project acres

It's our water (Nampa-Meridian)
but Board of Control delivers cause we can't.
344-1141
Assessment # 1471
which Acres?
could be total acres on his
tip -> could if person
report could be 50 people.
5.24.04
Sec. 21
3N 1W



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

above.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4848

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

BARSON FARMS
5547 W. OVERLAND
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4848

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by September 23, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: A63-04848

Date: 3-27-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	1W	21								6									6
GIS											9									9
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 6

Overlapping POU Claim #'s:

Total GIS Acres: 9

COMMENTS:

Per claim map.

Idaho Department of Water Resources

Claim Number: 63-04848

Legal: T3N, R1W, S21

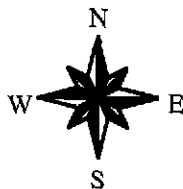
Reviewed By:

1987 Napp Photo

- ⊙ Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 0.5 Miles



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: A63-04848
Date Received: 5/22/1989
Receipt No: W002916
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARSON FARMS 208-466-6834
Address: 5547 W. OVERLAND
MERIDIAN, ID 83642

2. Date of Priority: AUG 01, 1949

3. Source: RACHEL DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	21	SE	NW			ADA

5. Description of diverting works:

PUMP AT DRAIN TO PIPELINE TO SPRINKLER AND/OR FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	21	SE	NW		IRR	6.0
Section Acres							6.0

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

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): William E. Carson Date: May 22, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of May 19 89

Elda Housh
Notary Public

Seal

Residing at _____

My Commission Expires Edon L. Roush

Residing at Boise, Idaho
My Commission Expires September 8, 1994
Date: 05/22/89

AUG 20 1992

HR4001NP
(00-21)IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USEDATE: 01/07/89
PAGE: 1119

TRP	RNG	SECT	TRACT 1 4 1 4	LOT ACRES	WATER-USE CODE	WATER RIGHT NO.	LAST NAME	Q	STG	PRIORITY DATE	WATER SOURCE
03N	J1W	18	NE SE NE SE		43 43	63-04668 63-04687	PAPPAS BLACK BLACK	C C C	S S C	01/01/1949 09/01/1953	GROUNDWATER GROUNDWATER
		19	NW NE		01 04.43	63-02388 63-04578	U.S. DEPT. OF INTE PENNINGTON PENNINGTON	C C C	I S C	08/18/1924 06/01/1952	BOISE RIVER GROUNDWATER
			SW NE SE NE NE NW NE NW NW NW SW NW	7.0 8.0	01.43 01.43 04.43 43 43 43	63-10390 63-10390 63-05085 63-07367 63-04909 63-04673	SHERVIK SHERVIK THOMPSON STRINGER SWANK JOHNSON JOHNSON	C C C C C C C	P P S L S S	11/06/1986 11/06/1986 01/01/1957 09/03/1970 06/01/1940 06/01/1962	GROUNDWATER GROUNDWATER GROUNDWATER GROUNDWATER GROUNDWATER GROUNDWATER
			NW SE	1.0	01.04.43	63-10195	GRAHAM GRAHAM	C C	P C	07/01/1983	GROUNDWATER
		20	NE NE	1.0	01.04.43	63-02388 63-04339	U.S. DEPT. OF INTE DENKE DENKE	C C C	L S C	08/18/1924 06/01/1935	BOISE RIVER GROUNDWATER
		21	NW NE NE NW SE NW NW SE	6.0	01 04.43 04.43 01 43	63-02388 63-04838 63-04838 63-04848 63-07964	U.S. DEPT. OF INTE BARSON FARMS BARSON FARMS BARSON FARMS PHILLIPS	C C C C C	L S S S L	08/18/1924 08/01/1949 08/01/1949 08/01/1949 04/11/1974	BOISE RIVER GROUNDWATER GROUNDWATER RACHEL DRAIN GROUNDWATER
		22 23	NW SE NE SE NE SE		01 01 04.43 04.43	63-02388 63-02388 63-04250 63-07920	U.S. DEPT. OF INTE U.S. DEPT. OF INTE GRIAT GRIAT GRIAT	C C C C C	L L S L C	08/18/1924 08/18/1924 04/01/1930	BOISE RIVER BOISE RIVER GROUNDWATER
			NE SE		04.43	63-07920	GRIAT	C	L	01/28/1974	GROUNDWATER
			NE SE		43	63-07922	MURGOIT10 MURGOIT10	C C	L C	01/28/1974	GROUNDWATER
		24	NW NE		01 04.10	63-02388 63-04780	U.S. DEPT. OF INTE SCOTT SCOTT	C C C	L S C	08/18/1924 01/01/1941	BOISE RIVER GROUNDWATER
			NW NE		04.43	63-09724	SCOTT SCOTT	C C	L C	04/27/1981	GROUNDWATER
			SW NE NE NW NE NW	16.0 3.0 8.0	01.43 01 43.04.01	63-02230 63-03543 63-09342	WITHERS STEWART STREIB STREIB	C C C C	L L L C	11/25/1913 09/19/1966 02/12/1980	PURDUM GULCH GROUNDWATER GROUNDWATER
			NW NW SW NW SE NW NW SW	11.0 39.0 34.0 1.0	01 01 01 01.43	63-03543 63-03543 63-03543 63-04305	STEWART STEWART STEWART BLATTNER BLATTNER	C C C C C	L L L S C	09/19/1966 09/19/1966 09/19/1966 03/15/1971	GROUNDWATER GROUNDWATER GROUNDWATER GROUNDWATER
			SW SW SE SW	2.0	01.43 43	63-10264 63-04778	MODEL FARM COMMUNI CRITELL CRITELL	C C C	L S C	09/09/1984 01/01/1951	GROUNDWATER GROUNDWATER
			NE SE		43	63-09380	TOHLIN	C	L	05/21/1980	GROUNDWATER

MICROFILMED

AUG 20 1992