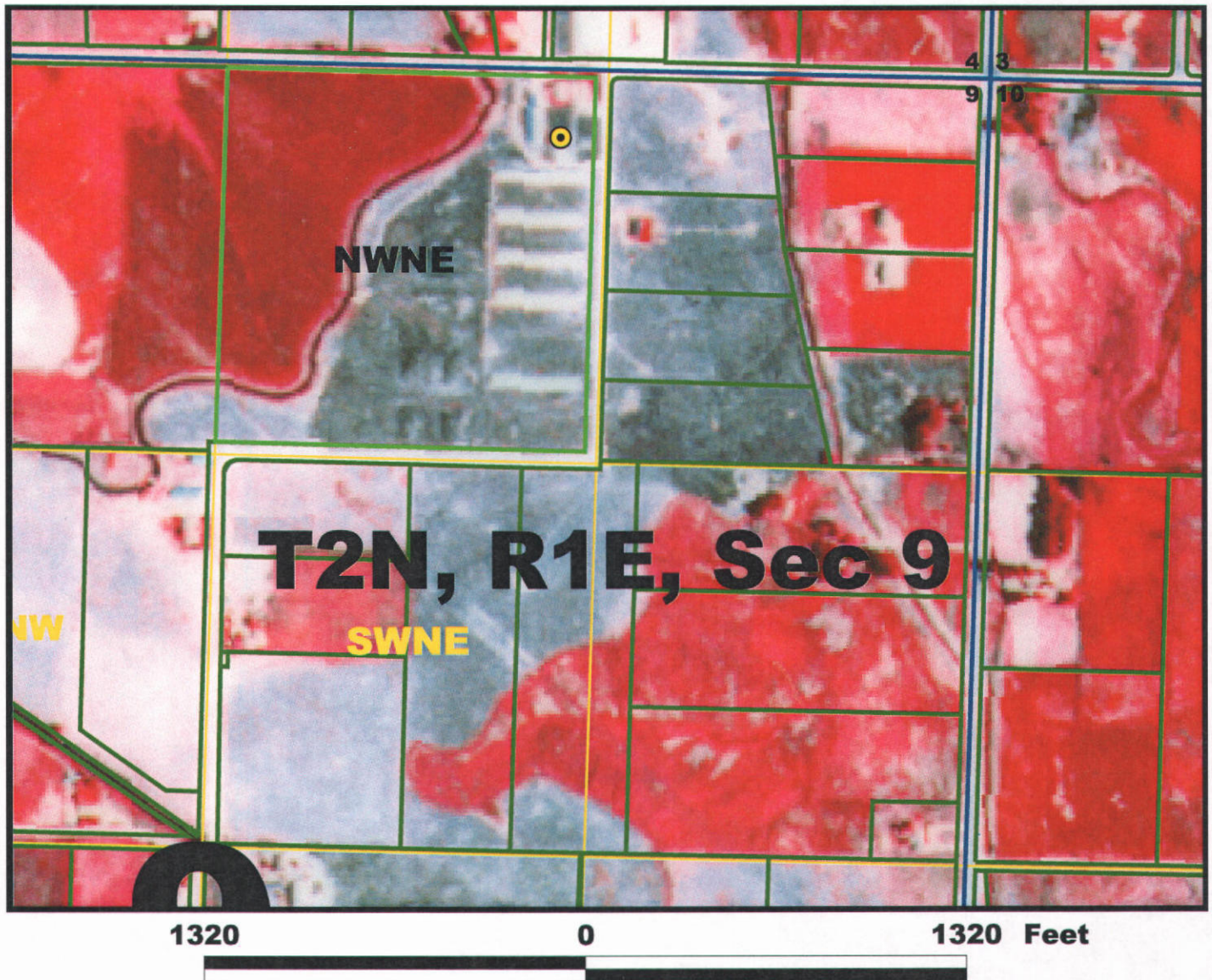




63-05297 POU & POD Claim Map 1987 Photography



● Claimed Point of Diversion

□ Claimed Place of Use

□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: N/A

Initial Review found acres: N/A



Prepared by: C. Saxton
Date: February 2005



63-05297 POU & POD Claim Map 2003 Photography



1320

0

1320

Fe



Claimed Point of Diversion



Claimed Place of Use



Ada County Tax Lot Data



Quarter Quarter Lines



Section Lines

Total Claimed Acres: N/A

Initial Review found acres: N/A



Prepared by: C. Saxton
Date: February 2005

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: A63-05297
Date Received: 9/8/89
Receipt No: 6011412
Received By: Sp

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BAR U INC.
Address: P.O. BOX 27
BOISE, ID

83707

2. Date of Priority: JAN 01, 1958

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	9	NW	NE			ADA

5. Description of diverting works:
WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
INDUSTRIAL	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 HEAD CATTLE, D/3

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01E	9	NW	NE		STOCK	

A63-05297

Page 1

Date: 09/05/89

MICROFILMED

AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01E	9	NW	NE		DOMEST	
			NW	NE		INDUST	

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One Map

For Organizations:

I do solemnly swear or affirm that I am Secretary of Title

Bar -U- Inc., that I have signed the foregoing Organization document in the space below as Secretary of Title

Bar -U- Inc. and that the statements contained in the Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, Bar -U- Inc.
Title and Organization

9-7-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of September 19 89

[Signature]
Notary Public

Seal

Residing at _____ Meridian

My Commission Expires 11-06-91

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Department of Water Resources
Western Regional Office

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 Simplot Industries, Inc.

(Name of Claimant)

P.O. Box 27, Boise, Idaho 83707

(Mailing Address)

Telephone No. 336-2110

(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) 1958

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)

well - ground water tributary to _____

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day) (Mo., Day)	
Quantity	<u>.04 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>.04 cfs</u>	Use <u>stock water</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>.05 cfs</u>	Use <u>light industrial</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

- (4) .11 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NE ¼, Sec. 9 Twp. 2N Rge. 1E B.M., County of Ada

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. 2 1/2 hp pump with 2 inch line suction on 4" casing

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	1E	9		X															

No. of acres _____

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

domestic, livestock water and light industrial water used by fire sprinkler manufacturer

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: _____

(8) Remarks _____

R 1E

X well
X - place
of use

9

T2N

6-11-83

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 Ada } 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 30th day of June, 19 83.

Ronald J. Gross Secretary
(Claimant)
Laurel J. Walker
Notary Public
Residing at Boise, Idaho

My commission expires Lifetime

1-17-84
7-5-83 FOR DEPARTMENT USE ONLY

Received by <u>SLC</u>	Date <u>6/30/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>7-24-83</u>		claimant by:	
\$30.00 fee received by <u>ma</u>	Date <u>7/6/83</u>	<u>26917</u>		
Published in <u>Idaho Statesman</u>				
Dates <u>2/23 + 3/1/84</u>				

02/14/2005

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

RIGHT NUMBER: 63-5297
NAME AND ADDRESS: BAR -U- INC
PO BOX 27
BOISE ID 83707

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1958

POINT OF DIVERSION:
T02N R01E S9 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
Domestic use is for 3 homes.		

PLACE OF USE: DOMESTIC Within ADA County
T02N R01E S09 NWNE
STOCKWATER same as DOMESTIC

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Parcel #: S1409120600

Stockwater use is for 50 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5297 V1

WATER RIGHT NUMBER: 63-5297 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BAR -U- INC PO BOX 27 BOISE, ID 83707 (208)336-2110

Priority Date: 01/01/1958

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 9, Twp 02N, Rge 01E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	01E	9	X				

STOCKWATER same as DOMESTICConditions of Approval:

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.
4. X01 Domestic use is for 3 homes.
5. X02 Stockwater use is for 50 range cattle.

Remarks:

1. Explanatory Parcel #: S1409120600

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5297 V1

Comments:

1. csaxton 2/14/2005 Purpose of Use(1)

Comment: Two letters sent to the claimant on 8/18/03 regarding Evidence of priority and diversion volume calculations for industrial use. No response received. Recommend D + S only and limit to 13,000 gpd.

2. csaxton 2/14/2005 Purpose of Use(2)

Comment: Did not recommend industrial use as no priority evidence was received and this use would not fall under domestic Definition A, because it does not appear to be in conjunction with other D + S uses being that it is for fire sprinkler manufacturing.

3. csaxton 2/14/2005 Random Notes

Comment: This does not make a difference in the recommendation as we look at the water right as it existed in 1987, but I thought I would note, that 1987 photography shows several structures that I assume were used for industrial purposes. However, 2003 photography shows that most of the buildings, short of what looks like homes, are gone, and it now appears irrigated. This is not an accomplished change in purpose of use as if there was a change it took place after 1987. But there does not appear to be industrial use anymore.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	2/14/2005 10:17:44 AM	csaxton			Active
Priority Date	2/14/2005 10:18:56 AM	csaxton			Active
Summary			02/14/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5297 V1

Priority Date	2/14/2005 10:18:56 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 13. Has additional evidence of priority date been submitted? (Yes) 14. Can any portion of the claim be recommended as a valid water right? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - No Evidence provided. Recommend D and S only.
POD	2/14/2005 10:21:34 AM	csaxton	Edited point location
Contacts	2/14/2005 10:17:45 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review.
POU	2/14/2005 10:22:43 AM	csaxton	Edited shape boundary
Summary	2/14/2005 10:27:41 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5297

WATER RIGHT NUMBER: 63-5297

Owner Type Name and Address
 Current Owner BAR -U- INC ✓
 PO BOX 27
 BOISE, ID 83707
 (208)336-2110

Priority Date: 01/01/1958 ✓

Basis: ~~Statutory Claim~~ B-use

Status: Active ✓

Source Tributary
 GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC ✓	1/01 to 12/31 ✓	0.040 CFS ✓	N-code N-code
STOCKWATER ✓	1/01 to 12/31 ✓	0.020 CFS ✓	
~~INDUSTRIAL~~	~~1/01 to 12/31~~	~~0.050 CFS~~	
<u>Total Diversion:</u>		0.110 CFS 0.06 cfs	

Location of Point(s) of Diversion

GROUND WATER ✓ NW1/4NE1/4 Sec. 9, Twp 02N, Rge 01E, B.M.
 ADA County ✓

Place of Use

DOMESTIC ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	01E	9	X				

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	01E	9	X				

~~INDUSTRIAL~~

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	01E	9	X				

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-5297

Conditions of Approval:

C18
xq1: 3 homes
xq2: 50 stock

Remarks:

Parcel # : 51409120600

Comments:

10 - Codes

Dates and Other Information:

Claim Received Date: 9/8/1989
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

**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) none
- ☒ 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 none

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-05297

Owner: _____ Phone No. _____

Current Address: _____

- ☒ 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
- ☐ 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: Priority Evidence Requested and not Received

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

No Priority Evidence Submitted. Recommend as Domestic Def
"B" and limit to 2500 GPD - NO Priority Evidence needed

Source: _____ 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? _____

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
			NE	NE	9	2N	1E	Ada	Digitized

Description of diverting works

POD located from Plat map provided with claim

OVERLAP REVIEW

Other water rights with the same point of diversion: No Overlap

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 Domestic From 1-1 To 12-31 Amount 0.04 CFS N-code AFA

Use Stock From 1-1 To 12-31 Amount 0.02 CFS N-code AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

- No Industrial - No Evidence of Priority Submitted

TOTAL VOLUME – Groundwater only

- ☒ Incomplete on claim, the total is, Amount 0.06 CFS N-code AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

N11 + N13
limit to 13000 GPD

NON-IRRIGATION USES:

- ☐ No change
☐ Changes Exam found: Domestic # of homes 3 Stock # 50

Types _____ Additional comments:

Panel #: 51409120600

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	
2N	1E	9		D+S															D+S

Overlap with other water rights: None

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
Digitized					

FLOW MEASUREMENTS: N/A = D+S

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

- Two letters sent to Claimant requesting Evidence of priority and Diversion Vol Calculations for Industrial use. No Response received. Rec D+S only and limit to 13,000 GPD.
- Did not rec Industrial as cause as no priority Evidence received and would not fall under Domestic Def A, because it doesn't appear to be in conjunction with other D+S uses being it is for fire sprinkler manufacturing.
- In addition, 1987 photography shows several structures that

I assume were used for Industrial purposes. However, 2003 shows that most of the buildings short of what look like homes and it now appears irrigated. This is not an Accomplished A in nature of use as if there was a change, it took place after 1987. But there doesn't appear to be industrial use anymore. Not that it matters because we look at the right as it existed in 1987, but I thought I would note it.

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: 2-14-05

FIELD EXAMINER: Gregory J. Hyatt



63-05297 POU & POD Claim Map 1987 Photography



1320

0

1320 Feet

③ Claimed Point of Diversion

□ Claimed Place of Use

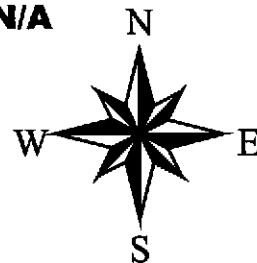
□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: N/A

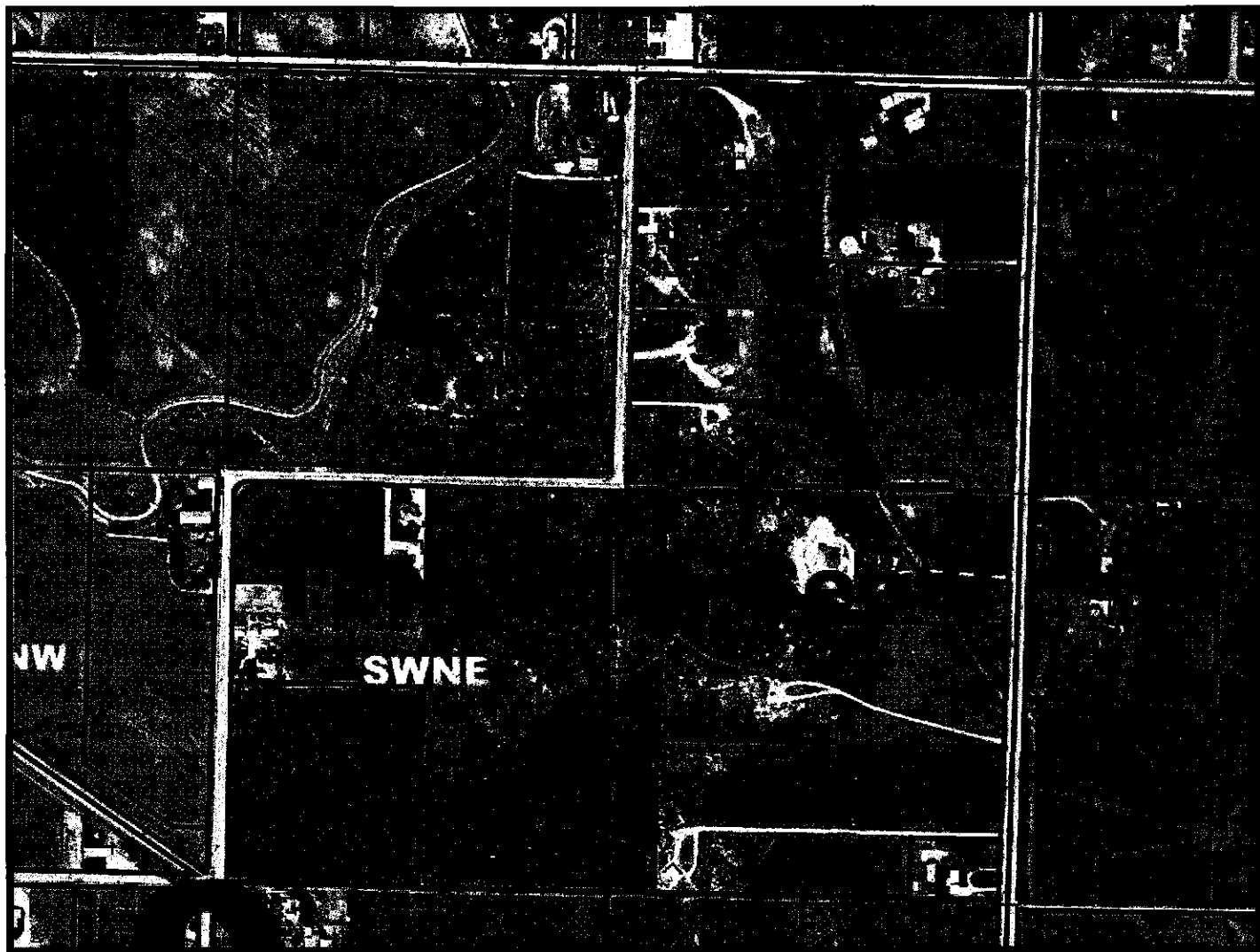
Initial Review found acres: N/A



Prepared by: C. Saxton
Date: February 2005



63-05297 POU & POD Claim Map 2003 Photography



1320

0

1320

Fe

⊙ Claimed Point of Diversion

□ Claimed Place of Use

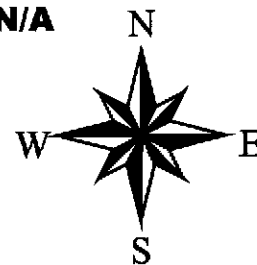
□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: N/A

Initial Review found acres: N/A



Prepared by: C. Saxton
Date: February 2005

7-23-03: Receipt # C011412 for \$55⁰⁰

: Need Evidence of Priority.

: Desktop Review Probably sufficient

: No Well Log

: What is Industrial use - Need to know
to Calculate a diversion Volume



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 18, 2003

63-05297
BAR U INC
PO BOX 27
BOISE ID 83707

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 63. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice 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.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will 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 our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by September 15, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 334-2190.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 63-05297



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 18, 2003

63-05297
BAR U INC
PO BOX 27
BOISE ID 83707

RE: Diversion Volume data for Snake River Basin Adjudication (SRBA) claim 63-05297

Dear Claimant (s):

In order for the Idaho Dept. of Water Resources to make an accurate recommendation on your SRBA claim, we need to understand the diversion system in order to calculate a diversion volume for this claim.

What IDWR needs to determine a yearly diversion volume would be any information regarding your water use for the industrial purposes claimed. Such as:

What is the size of the pump you use and the lift and discharge pressure you pump at?
How many gallons per day do you pump?
How many hours a day do you pump?
How many people work at your facility?
How many toilet's, sinks, and or bathrooms are on the premises?
Do you use the water to wash trucks or equipment, and if so, how often is the water use?

I realize this can get fairly complicated. It would be to your benefit to list any possible use of water you can come up with dating back to the priority date claimed.

Please submit this information along with your the priority date evidence requested.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Water Source:	GROUNDWATER	Tributary to:		Stage:	STATUTORY CLAIM
Point(s) of Diversion:	T02N R01E S09		NUNE	ADA County	

Place of use Legal Description for:																							
NE								NW				SW				SE							
		NENE	NNNE	SWNE	SENE			NNNW	SNW	SENW			NESW	MWSW	SWSW	SESW			NESE	NWSE	SUSE	SESE	
T	R	S	:	Lt	AC	Lt	AC	Lt	AC	Lt	AC	:	Lt	AC	Lt	AC	Lt	AC	:	Lt	AC	Lt	AC
00N	01F	9	:									:							:				
			:	D								:							:				

Non-Irrigation Uses: S/50 HEAD CATTLE, D/3

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-05297
BAR U INC
PO BOX 27

BOISE

ID 83707

Re: Claim No(s). A63-05297

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have 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 the historical use of water for a beneficial 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures