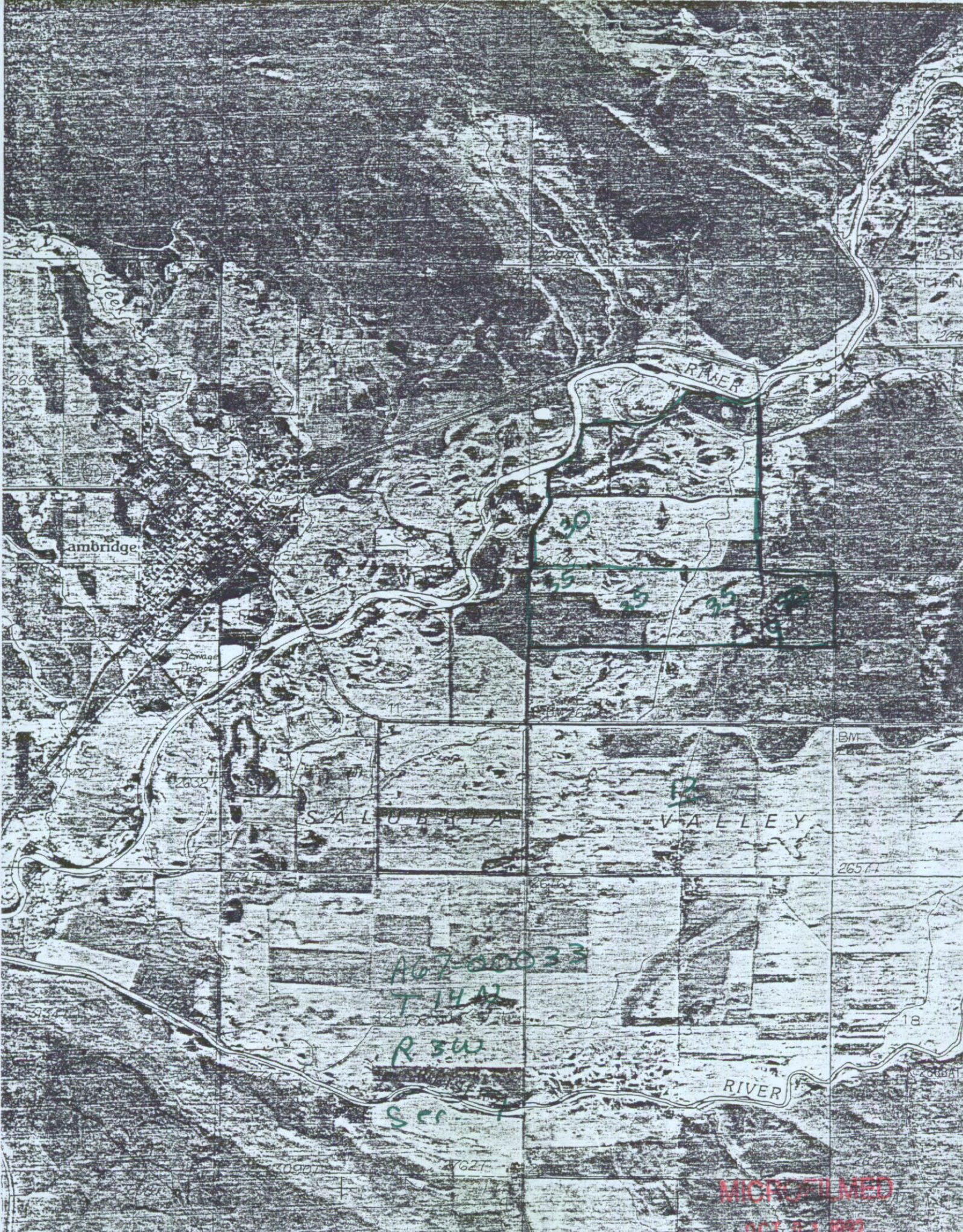


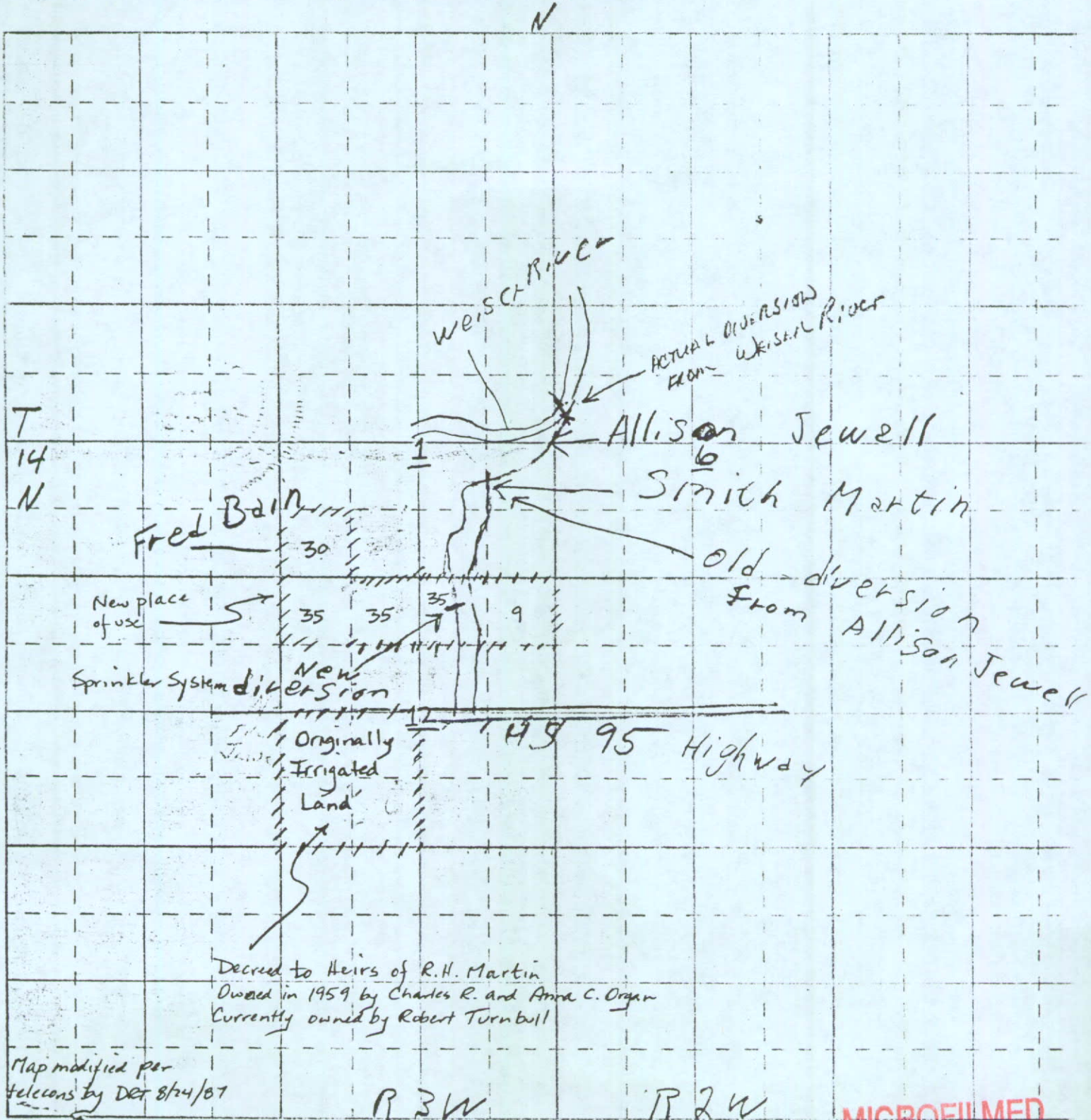


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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

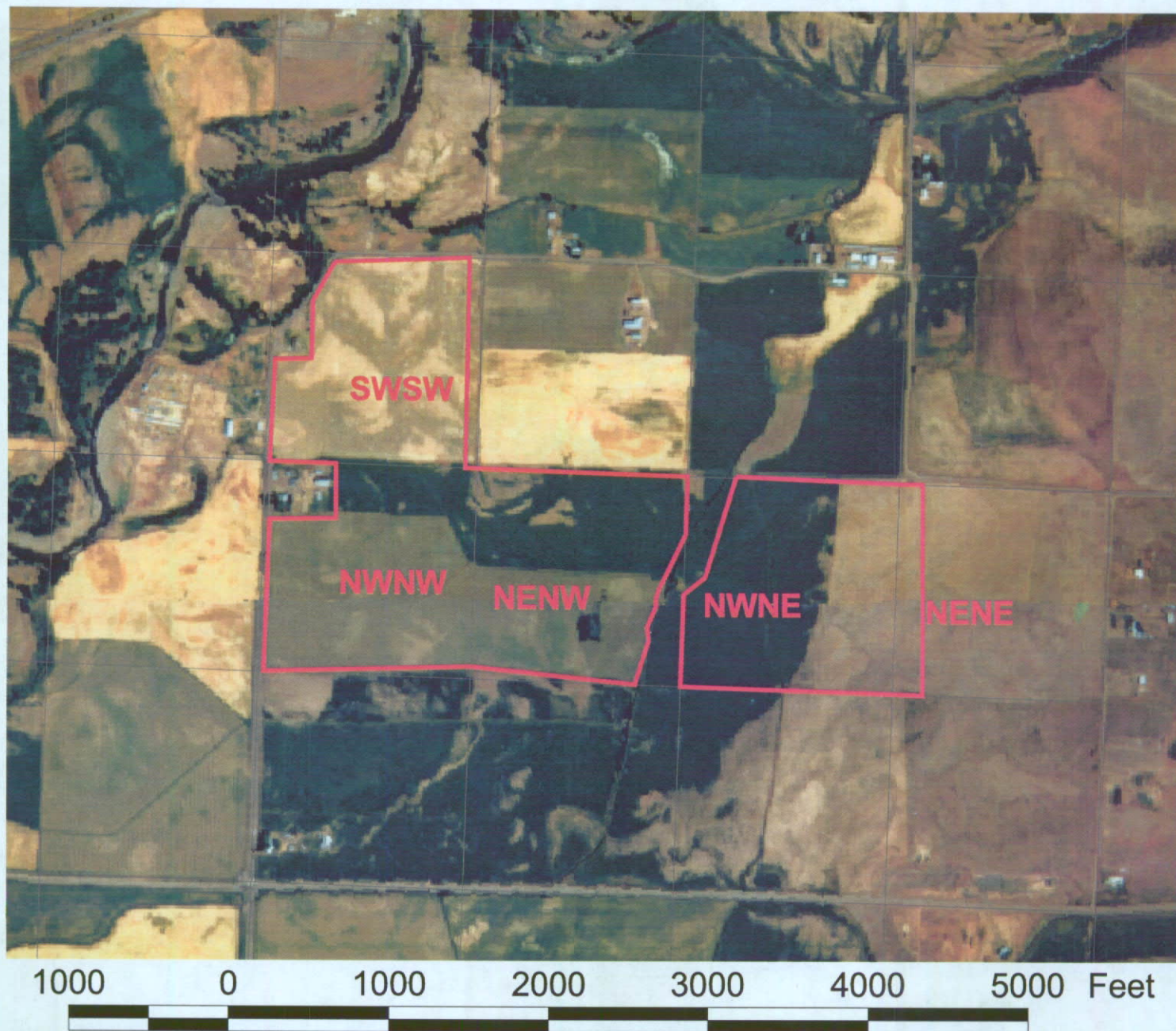
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

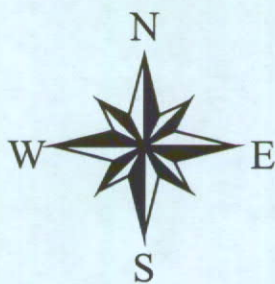


Idaho Department of Water Resources

67-33



T14N, R03W, S12



Prepared by Anita L. Warntjes
March 29, 2004
1993/94 True Color Photo

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: A67-00033
Date Received: 9/25/1989
Receipt No: WC 041
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARTON RANCH, INC. 208-257-3466
Address: C/O DALE BARTON
RT 1, BOX 168
CAMBRIDGE, ID 83610
2. Date of Priority: JUL 04, 1886
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 14N | 02W | 6 | SW | | NW | | WASHINGTON |
5. Description of diverting works:
DAM, HEADGATE, WEIR
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.800 | | |
7. Total Quantity Appropriated is:
1.800 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
14N	03W	1	SW	SW		IRR	30.0
Section Acres							30.0

A67-00033

Page 1

Date: 09/25/89

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OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	12	NE	NE		IRR	9.0
			NW	NE		IRR	35.0
			NE	NW		IRR	35.0
			NW	NW		IRR	35.0

Section Acres 114.0

Total Acres 144.0

11. Place of use in counties: WASHINGTON

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: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

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 Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

Barton Ranch Inc. that I have signed the foregoing Organization

document in the space below as Same of Title

Same and that the statements contained in the Organization foregoing document are true and correct.

Linda A. Werner
Signature of Authorized Agent

Barton Ranch Inc.
Title and Organization

9-25-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Sept 19 89

Linda A. Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



STATE OF IDAHO

JUL 21 1987

Transfer No

67-0035

3342

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Fred Bain Phone 257-3838

Post Office address RT 1 Cambridge, Idaho 83610

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes 90 inches of water purchased
from Ernest & Charles Ogden in 1959 was not trans-
ferred and recorded with Dept of Water Resources.
(see Attached Warranty Deed)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
67-0033	4-Jul-1886	1.800	Irrigation	April 1, 1917 to Nov 1, 1917

2. Total amount of water being transferred 1.8 (90 inches) cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Weiser River tributary to Snake River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: (see descript. on attached Water Right Deed)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14 N	3 W	12	9	35			35	35											114
		1										30							30
			Acres added per telecon with Dale Barton, renter and prospective																
			buyer of the Fred Bain property, on 8/24/1987 DR																

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Total Acres ~~0 1 1997~~ 44

PART 1

6. General Information:

a. Description of diversion system Allison Jewell diversion dam on Weir River conveyed by Allison Jewell canal to project then diverted to Bain private ditch.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0033

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

30th

day of

September

, 19 87

J. New Sayton

Chief, Operations Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 67-0033 Decreed to HEIRS OF R. H. MARTIN
in case of Muir vs. Allison
dated June 20, 1921 in Dist Court (7th Dist) county of Washington
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Weiser River tributary to Saite River

4. Date or priority 4 July 1886

5. Water is used for the following purpose:

amount 1.8 cfs for Irrigation purposes from April to Nov 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.8 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>5</u>		<u>SW</u>	<u>NW</u>	<u>06</u>	<u>14N</u>	<u>02W</u>	<u>Washington</u>	<u>Allison Jewell Ditch</u>

8. Lands irrigated or place of use: (see attached Warranty Deed.)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>14N</u>	<u>3W</u>	<u>12</u>									X	X	X	X					<u>144</u>
			This place of use is described in the decree. The number of acres irrigated is not specified in the decree but was computed by dividing the 90 miners inches decreed by 5/8ths of a miners inch per acre, which is the amount of irrigation water allowed in the Muir v. Allison decree.																
			DRI 8/24/1987																

Total acres 144

9. Describe any other water rights used for the same purpose as described above

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N/A

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

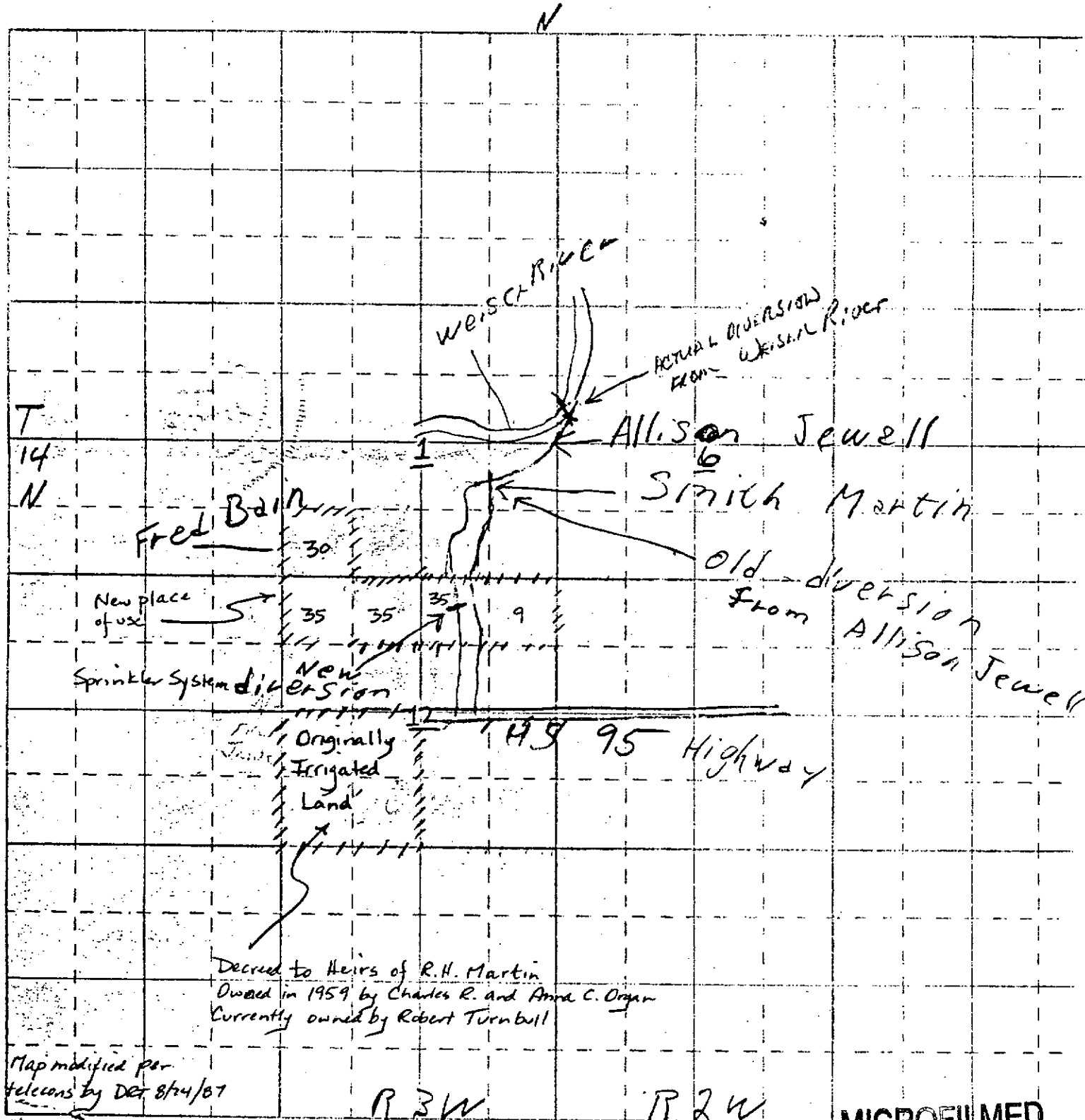
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Fred B. B. B.
(Signature of Applicant)

Subscribed and sworn to before me this 20TH day of JULY, 19 87.

B. G. Soules
(Notary Public)

My commission expires 8-21-91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and - attachments

Received by nl Date 7-23-87 Protest filed by _____

Prelim. check by [Signature] Fee 50.00 # 43899

Received by [Signature] Date 7-25-87

Published in Watermaster News Reporter Copies of protest forwarded by _____

Pub. dates 9/3 & 9/10/87 Hearing held by _____ Date _____

Watermaster recommendation requested on 9/2/87 Recommended for ☒ approval ☐ denial

_____ rec'd. 9/11/87 by DET Jim S.S.

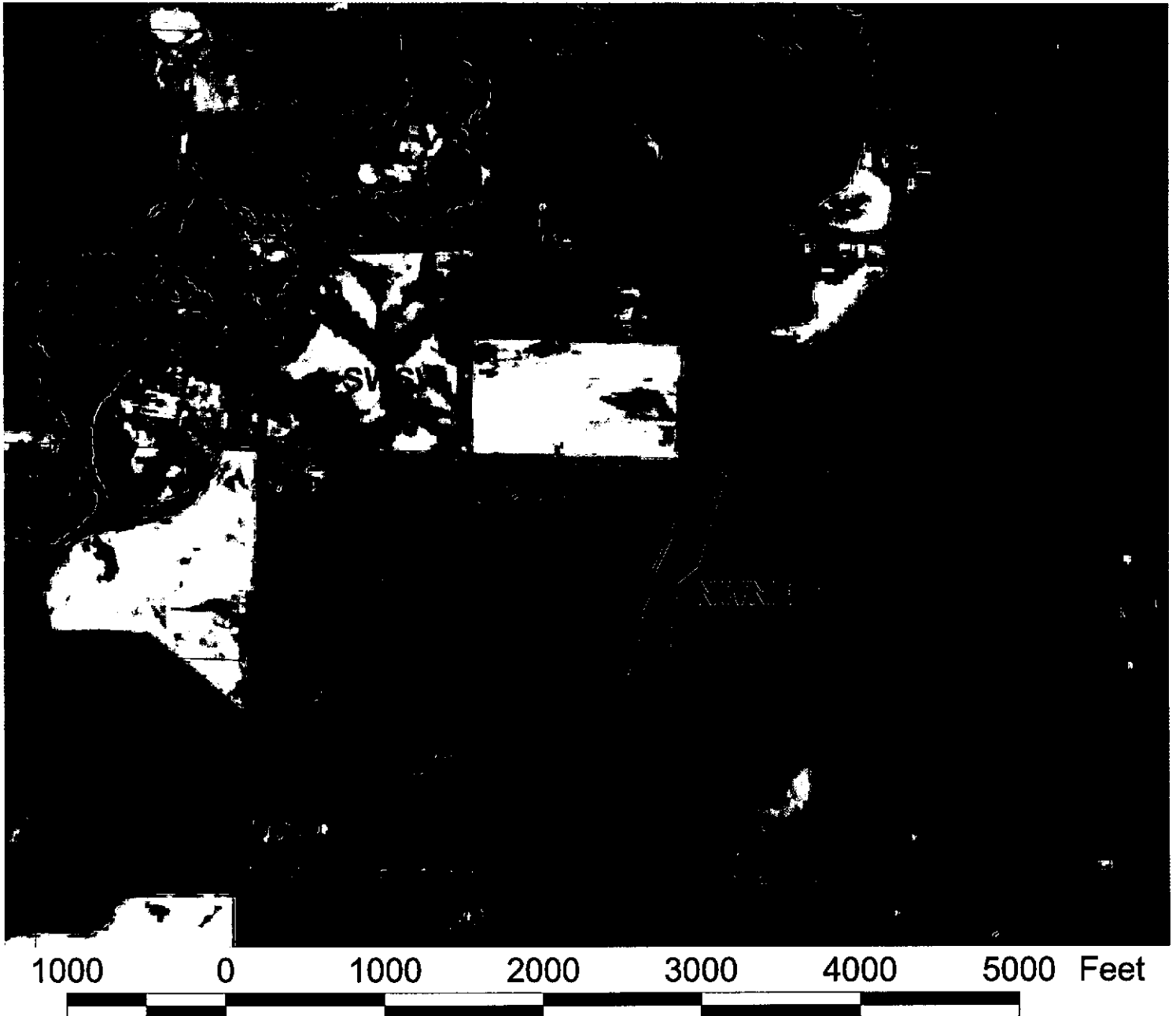
Copy of transfer sent to lien holder _____

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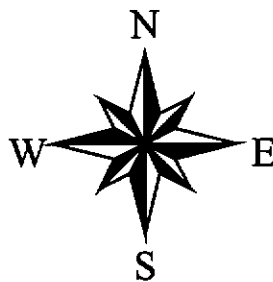
OCT 01 1992

Idaho Department of Water Resources

67-33



T14N, R03W, S12



Prepared by Anita L. Warntjes
March 29, 2004
1993/94 True Color Photo