



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

December 13, 2000

KARL J. DREHER
DIRECTOR

JOSEPH BARRETT
2197 RODOCKER LN
MALTA ID 83342

RE; CHANGE OF OWNERSHIP FOR 43-323B, 43-323C, 43-4105C, 43-4105D, AND 43-4105E

Dear Mr Barrett

Enclosed is the change of ownership form, for the above rights. I have also enclosed a map with some of the locations identified as we discussed. This map does not represent the final recommendation for all of the above rights although it does represent the basic relationship between the various parcels. I am planning on renumbering one of the 43-4105 series claims to reflect the 1982 domestic use.

The Cassia Creek rights did not list the actual location of the diversion from Cassia Creek. I have identified a point of diversion as shown on the map. I believe that location to be your point of diversion. Would you confirm this location or identify the correct point of diversion please?

Please note that the warranty deed is required for the ownership change.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

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: **A43-04105C**
Date Received: 6/12/1989
Receipt No: S007969
Received By: _____

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

1. Name: JOSEPH W. BARRETT 208-645-2520
Address: HC72 BOX 2024
MALTA ID 83342

Name: MARY LUANA BARRETT 208-645-2520
Address: HC72 BOX 2024
MALTA ID 82024

2. Date of Priority: APR 1, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	26E	24		SE	NW		CASSIA

5. Description of diverting works:
WELL, PUMP, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	1.220		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	24			DOMEST	
			SW	NE	IRR	30.0
			SE	NW	IRR	31.0
					Section Acres	61.0
					Total Acres	61.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04105D, 04105E, 00323A

14. Remarks:
WELL SPLIT. USED FOR 3 DOMESTIC HOUSES AND ALSO A SEPERATE
5 ACRES.
TRANS 2541
BASED ON WR 43-04105A

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 Rive Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pa 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): _____ 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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 5-15-1990

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A43-00322B, A43-04105C
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): Lawrence Barnett
4201 Old Gate Rd.
Lake Oswego, OR 97034
- ☐ New Owner/Claimant
(Purchaser): Joseph W. &/or Mary Luana Barnett
- ☐ New Mailing Address: HC 72, Box 2024
Malta, ID
83342
- ☐ New Telephone Number: () 645 - 2520
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of
ownership, describe
proof attached: Agreement

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New
Owner/Claimant(s) Joseph W. Barnett Date 21 Jan 1992

Date _____
- ☐ Signature of Former
Owner/Claimant(s): _____

Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/24/92 By: tk

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11-11-92 By: tk

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

MAR 05 1993

AGREEMENT

THIS AGREEMENT MADE AND ENTERED INTO THIS FIFTEENTH DAY OF MAY, 1990, BY AND BETWEEN EDNA B. HARTSHORN, A WIDOW, OF MALTA, COUNTY OF CASSIA, STATE OF IDAHO, HEREIN FOR CONVENIENCE REFERRED TO AS "SELLER", PARTY OF THE FIRST PART, AND JOSEPH W. AND MARY LUANA BARRETT, HUSBAND AND WIFE, OF MALTA, COUNTY OF CASSIA, STATE OF IDAHO, HEREIN FOR CONVENIENCE REFERRED TO AS "BUYERS", PARTIES OF THE SECOND PART,

WITNESSETH:

FOR AND IN CONSIDERATION OF THE PAYMENT BY THE BUYERS TO THE SELLER OF THE SUM OF \$14,000.00 IN LAWFUL MONEY OF THE UNITED STATES IN THE MANNER AND AT THE TIMES REFERRED TO HEREIN AND THE COMPLETING, OBSERVING AND PERFORMING OF THE OTHER COVENANTS AND AGREEMENTS CONTAINED HEREIN, THE SELLER DOES HEREBY SELL TO THE BUYERS THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN CASSIA COUNTY, STATE OF IDAHO, DESCRIBED PARTICULARLY AS FOLLOWS:

TOWNSHIP THIRTEEN (13) SOUTH, RANGE 26 EAST, BOISE MERIDIAN:
SECTION 24: SE1/4NW1/4, MORE FULLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF HIGHWAY 30, 40 FEET EAST OF THE NORTHWEST CORNER OF THE SE1/4NW1/4 OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN; THENCE SOUTH 165.10 FEET; THENCE N 89 DEGREES 52'18" E FOR 109 FEET TO A 1/2" REBAR; THENCE S 0 DEGREES 07'42" E FOR 37 FEET TO A 1/2" REBAR; THENCE N 89 DEGREES 10'25" E FOR 148 FEET TO A 1/2" REBAR; THENCE S 0 DEGREES 07'42" E FOR 1118.03 FEET TO A 1/2" REBAR ON THE 1/4 SECTION LINE; THENCE EAST ALONG THE 1/4 SECTION LINE FOR 2013.01 FEET; THENCE NORTH 1320 FEET TO THE NORTH SECTION LINE OF SE1/4NW1/4 OF SAID SECTION 24; THENCE WEST 2270 FEET TO POINT OF BEGINNING.

LESS A STRIP OF LAND 40 FEET WIDE, BEING 40 FEET ON THE EASTERLY SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF THE HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE RAFT RIVER (N.R.H. 131-E HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO, AND LYING OVER AND ACROSS THE SE1/4NW1/4 OF SAID SECTION 24, DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 1919-60 OF SAID HIGHWAY SURVEY, WHICH STATION IS APPROXIMATELY 1320 FEET SOUTH AND 1320 FEET EAST FROM THE NORTHWEST CORNER OF SAID SECTION 24, THENCE RUNNING SOUTH 1320 FEET TO STATION 1932-80 OF SAID SURVEY, WHICH STATION IS APPROXIMATELY 1320 FEET EAST FROM THE WEST QUARTER CORNER OF SAID SECTION, EXCEPTING THE PORTION ALREADY DEDICATED BY PUBLIC USE AS A PUBLIC ROAD.

ALSO LESS PART OF THE SE1/4NW1/4 DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 24 FEET NORTH AND 40 FEET EAST OF THE SOUTHWEST CORNER OF THE SE1/4NW1/4 OF SAID SECTION 24, SAID POINT IS ON THE EAST BOUNDARY LINE OF U.S. HIGHWAY #30 S. THENCE EAST 86 FEET; THENCE NORTH 686 FEET; THENCE WEST 86 FEET TO THE EAST BOUNDARY LINE OF SAID HIGHWAY, THENCE SOUTH 686 FEET TO THE POINT OF BEGINNING.

MICROFILM

MAY 05 1990

TOGETHER WITH ALL AND SINGULAR THE TENEMENTS, HEREDITAMENTS, IMPROVEMENTS AND APPURTENANCES THEREUNTO BELONGING, AND SUBJECT TO THE EASEMENTS AND RESTRICTIONS FOR RIGHT-OF-WAY AND UTILITY LINES NOW OF RECORD; AND SUBJECT ALSO TO AN ASSIGNMENT OF MINERAL, OIL AND GAS AND/OR GEOTHERMAL RESOURCE LEASE(S), IF ANY, TO BRIDGER ENERGY ASSOCIATES, DATED NOVEMBER 24, 1981, BY STEVEN W. DAVIS AND KAREN M. DAVIS, HUSBAND AND WIFE, RECORDED MARCH 11, 1982, AS INSTRUMENT NO. 141700, ON FILM NO 148, RECORDS OF CASSIA COUNTY, IDAHO.

PAYMENT OF PURCHASE PRICE

THE PURCHASE PRICE OF \$14,000.00 SHALL BE PAID WITHOUT INTEREST IN MONTHLY INSTALLMENTS OF \$200.00 PER MONTH, COMMENCING THE 15TH DAY OF MAY, 1990, AND CONTINUING ON THE 15TH DAY OF EACH MONTH THEREAFTER UNTIL THE FULL PURCHASE PRICE IS PAID.

INTEREST CHARGE ON THE ABOVE PRINCIPAL SUM IS WAIVED BY THE SELLER IN CONSIDERATION FOR THE MENIAL SERVICES AND ASSISTANCE PROVIDED BY THE BUYERS TO THE SELLER IN HER DAY-TO-DAY LIFE.

IN THE EVENT THE SELLER SHOULD DIE PRIOR TO THE PAYMENT OF THE ENTIRE PURCHASE PRICE BY THE BUYERS, ANY OF THE PURCHASE PRICE REMAINING SHALL CONTINUE TO BE PAID BY THE BUYERS IN THE SAME INSTALLMENT (\$200 A MONTH) UNTIL FULL PURCHASE PRICE IS PAID. PAYMENT TO BE MADE TO SELLER'S ESTATE OR PERSONAL REPRESENTATIVE OF SELLER; WHEN FULL PAYMENT IS MADE THE PERSONAL REPRESENTATIVE OF THE SELLER SHALL GRANT UNTO THE BUYER A DEED TO THE ABOVE DESCRIBED PROPERTY UPON THE BUYERS' DEMAND.

PROVISION AGAINST ASSIGNMENT

NEITHER THE BUYERS NOR THE SELLER SHALL SELL OR ASSIGN THIS CONTRACT DURING THE TERM OF THIS AGREEMENT WITHOUT PROVIDING THE OTHER OF THEM, OR THE NONSELLING PARTY, A FIRST RIGHT TO PURCHASE THE INTEREST OF THE SELLING PARTY. IN THE EVENT A SALE OR ASSIGNMENT OF THE CONTRACT IS EFFECTED THE SAME PROVISIONS SHALL APPLY AS STATED ABOVE AND REMAIN IN FULL FORCE AND EFFECT TO ANY TRANSFEREE OR ASSIGNEE OF THE PARTIES.

TITLE INSURANCE AND TAXES

THE SELLER SHALL PAY ALL THE TAXES TAXED, LEVIED OR ASSESSED AGAINST THE ABOVE DESCRIBED PROPERTY FOR THE YEAR 1989 AND PRIOR THERETO. THE BUYERS SHALL PAY ALL TAXES TAXED, LEVIED OR ASSESSED AGAINST THIS PROPERTY DURING THE YEAR 1990 AND THEREAFTER DURING THIS AGREEMENT. IT IS UNDERSTOOD AND AGREED THAT DURING THE TERM OF THIS AGREEMENT THE SELLER SHALL HAVE FULL, COMPLETE, AND UNINTERFERED WITH USE OF A RESIDENCE HOUSE LOCATED ON THE ABOVE DESCRIBED PROPERTY AND THAT DURING THE TERM OF THIS AGREEMENT THE SELLER SHALL KEEP AND MAINTAIN UPON THE IMPROVEMENTS OCCUPIED BY HER A STANDARD POLICY OR POLICIES OF INSURANCE INSURING SAID PROPERTY AGAINST LOSS DUE TO FIRE,

MICROFILM
MAY 11 5 199

WINDSTORM, OR COMPREHENSIVE INJURY, VANDALISM, EARTHQUAKE (PROVIDING IT IS A STANDARD PROVISION) OR FLOOD. IN THE EVENT OF ANY LOSS RESULTING FROM ANY EVENT COVERED UNDER SAID POLICY OR POLICIES OF INSURANCE, THE PROCEEDS OF THE INSURANCE COVERAGE SHALL BE FIRST APPLIED TO THE RESTORATION OF THE IMPROVEMENTS DAMAGED BY THE INSURED EVENT AND ANY BALANCE REMAINING SHALL BE APPLIED TO THE REDUCTION OF THE PURCHASE PRICE DURING THE LIFE OF THE SELLER.

DEED WARRANTING TITLE

UPON THE FULL PAYMENT OF THE PURCHASE PRICE AS HEREIN PROVIDED, THE SELLER OR HER PERSONAL REPRESENTATIVE, AS THE CASE MAY BE, SHALL DELIVER TO THE BUYERS OR THEIR SUCCESSORS, AS THE CASE MAY BE, A DEED WARRANTING THE TITLE TO THE SAID PROPERTY TO BE FREE AND CLEAR OF ANY LIEN OR ENCUMBRANCE SUFFERED OR INCURRED BY THE SELLER OR ANY PERSON OTHER THAN THE BUYERS PRIOR TO THE 15TH OF MAY 1990.

EVENT OF A DEFAULT

IN THE EVENT THE BUYERS OR THEIR SUCCESSORS, AS THE CASE MAY BE, SHOULD DEFAULT ON THE PAYMENT OF THE PURCHASE PRICE AS HEREIN SET FORTH, THE SELLER SHALL GIVE THE BUYERS 90 DAYS NOTICE OF DEFAULT BY CERTIFIED MAIL ADDRESSED TO THE BUYERS AT THEIR ADDRESS AT MALTA, IDAHO. THE BUYERS SHALL HAVE 90 DAYS IN WHICH TO CORRECT SAID DEFAULT AND IN THE EVENT THEY FAIL TO DO SO, THIS CONTRACT SHALL TERMINATE AND ALL RIGHTS, EQUITIES, TITLE OR INTEREST OF THE BUYERS SHALL BE FORFEIT TO THE SELLER PROVIDING, HOWEVER, THAT IF THE EQUITY OF THE BUYERS IS IN EXCESS OF FORTY PER CENT (40%) OF THE TRUE VALUE OF THE PROPERTY THEN AND IN THAT EVENT THE REMEDY OF THE SELLER SHALL BE RESTRICTED.

BINDING EFFECT OF THE AGREEMENT

THIS AGREEMENT SHALL BE BINDING UPON THE HEIRS, SUCCESSORS, DEVISEES, PERSONAL REPRESENTATIVES, AND ASSIGNEES OF THE PARTIES.

IN WITNESS WHEREOF THE PARTIES HAVE AFFIXED THEIR HAND AND SEAL THIS 2nd DAY OF May 1990.

Edna Hartshorn
EDNA B. HARTSHORN

Joseph W. Barrett
JOSEPH W. BARRETT

Mary Luana Barrett
Mary Luana Barrett
MARY LUANA BARRETT

MICROFILM

MAR 05 1991

STATE OF IDAHO)
) SS.
COUNTY OF CASSIA)

ON THIS 2nd DAY OF May
1990, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE,
PERSONALLY APPEARED EDNA B. HARTSHORN, AND KNOWN TO ME TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND
ACKNOWLEDGE TO ME THAT SHE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
MY OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

(SEAL)

Rosella Deddo
NOTARY PUBLIC FOR IDAHO
RESIDING AT MALTA, IDAHO
MY COMMISSION EXPIRES 04/06/93

STATE OF IDAHO)
) SS.
COUNTY OF CASSIA)

ON THIS 2nd DAY OF May
1990, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE,
PERSONALLY APPEARED JOSEPH W. BARRETT AND MARY LUANA BARRETT,
HUSBAND AND WIFE, AND KNOWN TO ME TO BE THE PERSONS WHOSE NAMES
ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME
THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
MY OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

(SEAL)

Rosella Deddo
NOTARY PUBLIC FOR IDAHO
RESIDING AT MALTA, IDAHO
MY COMMISSION EXPIRES: 04/06/93

MICROFILME
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Aug-1992 10:55

JOSEPH W. &/OR MARY LUANA BARRETT
HC 72 BOX 2024
MALTA ID 83342

RE: CHANGE OF ADJUDICATION WATER RIGHT OWNERSHIP A43-00323B &
A43-04105C

Dear Mr. & Mrs. Barrett:

Thank you for submitting the above-listed change of ownership form, however, I do have a few questions. The Agreement that you submitted with the Change of Ownership form, is between Edna B. Hartshorn, as seller, and Joseph W. and Mary Luana Barrett, you folks as buyers.

I do need:

Some kind of a document, copy of a Warranty Deed, or something of strong evidence of a mutual intent, that has Larence Barrett's name on it in order to transfer the name on the Adjudicated water right to your name. The original Claim was filed in Larence's name, or

Larence Barrett needs to sign as Former Owner/Claimant. This would eliminate the need of a legal Deed.

Should there be a problem with this request, please feel free to call me or Allen Merritt, my Supervisor, at 736-3033 in Twin Falls.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg
Encloseures

MICROFILM
MAR 05 1993

Malta, Idaho
17 Aug 1992

RECEIVED

AUG 28 1992

State of Idaho
Department of Water Resources
Judy Givens
Adjudication Secretary
Dear Judy Givens,

Department of Water Resources
Southern Region Office

In answer to your letter of 14 Aug I am enclosing a Quit Claim Deed signed by Larence Barrett and his wife, Eldora P. Barrett transferring title to the property to Edna B. Hartshorn. Also attached is the contract between Edna Hartshorn and myself, Joseph W Barrett and my wife, Mary Luana Barrett which is still in force. I hope this will explain the change in ownership of the property.

My brother, Larence Barrett, is not available to sign the change of ownership papers but can be contacted in Oregon if necessary. The change of ownership is recorded in Burley in the county court house.

Sincerely,

Joseph W. Barrett
HC 72 Box 2024
Malta, Idaho 83342

QUITCLAIM DEED

RECEIVED

AUG 28 1992

For Value Received Larence and Eldora Barrett, husband and wife,
 Department of Water Resources
 Southern Region Office

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto Edna B. Hartshorn, a widow,

Hereinafter called the grantee, the following described premises, in _____ County, Idaho
 to-wit:

TOWNSHIP THIRTEEN (13) SOUTH, RANGE 26 EAST, BOISE MERIDIAN:

Section 24: SE $\frac{1}{4}$ NW $\frac{1}{4}$, and that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more fully described as follows:

Part of SWNW
 Beginning at the center of Section 24, thence East 60 rods; thence North 80 rods; thence West 60 rods; thence South 80 rods to the place of beginning, excepting all right-of-way thereon.

LESS A strip of land 40 feet wide, being 40 feet on the easterly side of the following described center line of the highway as surveyed and shown on the official plat of the Raft River (N.R.H. 131-E) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying over and across the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24, described as follows:

Beginning at Station 1919-60 of said Highway Survey, which station is approximately 1320 feet South and 1320 feet East from the Northwest corner of said Section 24, thence running South 1320 feet to Station 1932-80 of said survey, which station is approximately 1320 feet East from the West Quarter corner of said Section, excepting the portion already dedicated by public use as a public road.

ALSO LESS part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:

Beginning at a point 24 feet North and 40 feet East of the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24, said point is on the East boundary line of U. S. Highway #30 S. thence East 86 feet; thence North 686 feet; thence West 86 feet to the East Boundary line of said highway, thence South 686 feet to the point of beginning.

(Continued on Attached Sheet)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: *Feb 2, 1990*

Larence J. Barrett
Eldora J. Barrett

Instrument No.

TOGETHER WITH ALL And singular the tenements, hereditaments and appurtenances thereunto belonging, and SUBJECT TO the easements and restrictions for right-of-way and utility lines now of record; SUBJECT ALSO To an assignment of Mineral, Oil and gas and/or Geothermal Resource Lease(s) , if any, to Bridger Energy Associates, dated November 24, 1981, by Steven W. Davis and Karen M. Davis, husband and wife, recorded March 11, 1982, as Instrument No. 141700, on Film No. 148, records of Cassia County, Idaho.

MICROFILMED

MAR 05 1993

SD-0604-2 Township: 13S Range: 26E Section: 24			Tract: SENW Lot:							
S	L	STATE	O	S	Max # Records	146				
E	O	Water	Name	W	T	Priority				
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---		A43-04105C	BARRETT, LARENCE	C	S	04/01/1925	43	DOMEST	01	IRR
---		A43-04105D	BARRETT, JOSEPH	C	S	04/01/1925	43	DOMEST	01	IRR
---			BARRETT, MARY LUANA	C						
---	SEW	A43-10518	GARDINER, BARBARA	C	J	06/01/1943	43	DOMEST	04	STOCK
---			GARDINER, GOLDEN	C						
---	SEW	A43-10518	GARDINER, BARBARA	C	J	06/01/1943	43	DOMEST	04	STOCK
---			GARDINER, GOLDEN	C						
---	SEW	A43-04105E	HARTSHORN, EDNA	C	S	04/01/1925	43	DOMEST		
---	SEW	A43-00323C	BARRETT, JOSEPH	C	5	D	04/01/1912	01	IRR	
---			BARRETT, MARY LUANA	C						
---	SEW	R43-10518	GARDINER, BARBARA	C	J	06/01/1943	43	DOMEST	04	STOCK
---			GARDINER, GOLDEN	C						
---	SEW	R43-10518	GARDINER, BARBARA	C	J	06/01/1943	43	DOMEST	04	STOCK
---			GARDINER, GOLDEN	C						
---	SEW	A43-00323B	BARRETT, LARENCE	C	31	D	04/01/1912	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 05 1993

SD-0604-2 Township: 13S Range: 26E Section: 24				Tract:		Lot:				
S	L	STATE	O	S	Max # Records	146				
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	SWNE		A43-02455	CHAPMAN, SHERL L.	R		L	02/08/1957		
---	SWNE		A43-04105A	BARRETT, LARENCE J.	O	30		04/01/1925	01	IRR
---				SPLIT RIGHT	C					
---	SWNE		A43-00323A	RODOCKER, S. N.	C	10	D	04/01/1912	01	IRR
---				RODOCKER, DONNA	C					
---	SWNE		A43-00323B	BARRETT, LARENCE	C	30	D	04/01/1912	01	IRR
---	SWNE		A43-04105C	BARRETT, LARENCE	C	30	S	04/01/1925	43	DOMEST
---									01	IRR
---	SENE		A43-04211	KUNAU, GLEN R.	C	32	S	08/07/1940	01	IRR
---	SENE		A43-10454	KUNAU, GLEN R.	C		J	06/06/1946	04	STOCK
---									43	DOMEST
---	SENE		A43-10452	KUNAU, GLEN R.	C		J	11/12/1968	04	STOCK
---	SENE		A43-04209	KUNAU, GLEN R.	C	6	S	08/07/1940	01	IRR
---	SENE		A43-04210	KUNAU, GLEN R.	C	6	S	04/01/1970	01	IRR
---	SENE		A43-02455	PIERCE, A. D.	O		L	02/08/1957	01	IRR
---				PIERCE, BEULAH	O				04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 05 1993

SD-33	Last Name: BARRETT		STATE				
S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Desc

BARRETT							
SHIRLEY	O	A43-02395	06/01/1953	GROUNDWATER	2.900	01	IRR
						04	STOCK
JOSEPH W.	O	A43-02405	03/19/1954	GROUNDWATER	2.880	01	IRR
LARENCE J.	O	A43-04105A	04/01/1925	GROUNDWATER	1.400	01	IRR
				SPLIT RIGHT			
LARENCE	C	A43-04105C	04/01/1925	GROUNDWATER	1.260	43	DOMEST
						01	IRR
JOSEPH	C	A43-04105D	04/01/1925	GROUNDWATER	0.140	43	DOMEST
						01	IRR
LARENCE	C	A43-00323B	04/01/1912	CASSIA CREE	0.600	01	IRR
JOSEPH	C	A43-00323C	04/01/1912	CASSIA CREE	0.100	01	IRR
MARY LUANA	C	A43-00323C	04/01/1912	CASSIA CREE	0.100	01	IRR
MARY LUANA	C	A43-04105D	04/01/1925	GROUNDWATER	0.140	43	DOMEST
						01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 05 1993

SD-0604-2 Township: 13S Range: 26E Section: 24 Tract: SENW Lot:									
S	L	STATE	O	S	Max # Records	146			
E	O	Water	Name	W	T	Priority Use			
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	-----	-----	---	---	---	-----	---	-----
---	SENW	A43-04105A	BARRETT, LARENCE J.	O	40		04/01/1925	01	IRR
---			SPLIT RIGHT	C					
---	SENW	A43-04105C	BARRETT, LARENCE	C	31	S	04/01/1925	43	DOMEST
---								01	IRR
---	SENW	A43-04105D	BARRETT, JOSEPH	C	5	S	04/01/1925	43	DOMEST
---			BARRETT, MARY LUANA	C				01	IRR
---	SENW	R43-04105E	HARTSHORN, EDNA	C		J	04/01/1925	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0604-2 Township: 13S Range: 26E Section: 24			Tract:		Lot:		
S	L	STATE	O	S	Max # Records	146	
E	O	Water	W	T	Priority	Use	
L	Tract T	Right No.	N	AC	G	Date	Code Desc
---	---	-----	---	---	---	-----	---
---		A43-04105C	BARRETT, LARENCE	C		S 04/01/1925	43 DOMEST 01 IRR
---		A43-04105D	BARRETT, JOSEPH	C		S 04/01/1925	43 DOMEST 01 IRR
---			BARRETT, MARY LUANA	C			01 IRR
---	NENE	A43-04211	KUNAU, GLEN R.	C	35	S 08/07/1940	01 IRR
---	NENE	A43-02455	PIERCE, A. D.	O		L 02/08/1957	01 IRR
---			PIERCE, BEULAH	O			04 STOCK
---			PIERCE, JACK A.	C			
---			CHAPMAN, SHERL L.	R			
---	NWNE	A43-02491	WIGHT, BLAINE	C	40	L 02/19/1960	01 IRR
---			WIGHT, VIOLA	C			04 STOCK
---			HIGLEY, TED	C			
---			HIGLEY, BETTY ANN	C			
---			UDY, JERRY	C			
---			UDY, DELMA	C			
---			HARPER, JOSEPH	O			

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Sep-1992 08:37

JOSEPH W. &/OR MARY LUANA BARRETT
HC72 BOX 2024
MALTA ID 83342

RE: CHANGE OF OWNERSHIP ON A43-00323B & A43-04105C - LARENCE BARRETT

Dear Mr. & Mrs. Barrett:

Thank you for submitting the QuitClaim Deed copy, that was the information that I needed. Our computer system has been changed accordingly, please find enclosed a copy(s) of the claim(s).

Should you have any questions, please call me or my Supervisor, Allen Merritt at 736-3033 in Twin Falls.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c. Larence Barrett

MICROFILMED

MAR 05 1993

Water Right Number - R43-04105C

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BARRETT

JOSEPH W.

1 - HC72 BOX 2024
2 -
3 -

State- ID Zip- 83342

BARRETT

MARY LUANA

City- MALTA
Phone - 208-645-2520
1 - HC72 BOX 2024
2 -
3 -

State- ID Zip- 82024

*** O - ORIGINAL OWNER ***
BARRETT

LARENCE

1 - 4201 OLD GATE RD
2 -
3 -
City- LAKE OSWEGO
Phone - 208-000-0000

State- OR Zip- 97034

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1925 ERROR IN REGION D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

13S 26E 24 SE NW (31) CASSIA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume +
43 - DOMESTIC 01/01 12/31 0.040
01 - IRRIGATION 03/15 11/15 1.220+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.260 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
13S 26E 24 SW NE 30.0 01 IRRIGATION (31) CASSIA
13S 26E 24 SE NW 31.0 01 IRRIGATION (31) CASSIA
13S 26E 24 43 DOMESTIC (31) CASSIA

Total Acres: 61.0

+ - - Diversion Means - WELL, PUMP, GRAVITY IRRIG.

MICROFILMED
MAR 05 1993

Water right number - R43-04105C

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - D/1 HOUSE

+ - - Other Rights for Same Use - A43-04105D, 04105E, 00323A

REMARKS
WELL SPLIT. USED FOR 3 DOMESTIC HOUSES AND ALSO A SEPERATE
5 ACRES.
TRANS 2541
BASED ON WR 43-04105A

+ - - 4304105A - - - - - Old Water Right Numbers - - - - -

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - - Decree Date - - +
00/00/0000

Comments- - - - -
Date: 08/31/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 1/21/92 ORIGINAL OWNER LARENCE AND ELDORA BARRETT, NEW OWNER EDNA B. HARTSHORN. MRS. HARTSHORN SOLD
TO JOSEPH W. AND MARY LUANA BARRETT. COPY OF AGREEMENT AND QUIT CLAIM DEED SUBMITTED WITH FORM.

+ - - Audit Fields - - +
08/31/92 GIVENS

Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007969	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
MAR 05 1993

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: A43-04105C
Date Received: 6/12/1989
Receipt No: S007969
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARENCE BARRETT
Address: 4201 OLD GATE RD
LAKE OSWEGO, OR

97034

2. Date of Priority: APR 01, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	24		SE	NW		CASSIA

5. Description of diverting works:
WELL, PUMP, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31			0.040
IRRIGATION	03/15	11/15			1.220

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24				DOMEST	
			SW	NE		IRR	30.0

A43-04105C

Page 1

Date: 06/12/89

MICROFILMED

MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24	SE	NW		IRR	31.0
Section Acres							61.0
Total Acres							61.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04105D, 04105E, 00323A

14. Remarks:
WELL SPLIT. USED FOR 3 DOMESTIC HOUSES AND ALSO A SEPERATE
5 ACRES.
TRANS 2541
BASED ON WR 43-04105A

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): Larance J. Barrett Date: 8/7/89
Eldorado P. Barrett Date: 8/7/89

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of August 19 89 Rosella Redden
Notary Public

Seal

Residing at Malta, Idaho
My Commission Expires April 6, 1993

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: A43-04105C
Date Received: 5/31/1989
Receipt No: 5007969
Received By: AD

RECEIVED

JUN 7 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARENCE BARRETT
Address: ~~1401~~ OLD GATE RD 4201
LAKE OSWEGO, OR 97034

2. Date of Priority: APR 01, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	24		SE	NW		CASSIA

5. Description of diverting works:
WELL, PUMP, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	1.220		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24				DOMEST	
			SW	NE		IRR	30.0

A43-04105C

Page 1

Date: 05/31/89

MICROFILMED

MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24	SE	NW		IRR	31.0

Section Acres 61.0

Total Acres 61.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A43-04105D, 04105E, 00323A

14. Remarks:

WELL SPLIT. USED FOR 3 DOMESTIC HOUSES AND ALSO A SEPERATE
5 ACRES.

TRANS 2541

BASED ON WR 43-04105A

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): Larson & Barnett Date: June 5, 1989
Eldora P. Barnett Date: June 5, 1989

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of June 19 89

Virginia L. Redd
Notary Public

Seal

Residing at 9815 SW Walnut Pl #22
Tigard, OR 97223
My Commission Expires 4-17-93



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 17, 1989

Re: A43-04105C
A43-00323B

Larence Barrett
4201 Old Gate Rd
Lake Oswego, Ore 97034

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 05 1993

RUPERT, IDAHO
15 JAN 1992

TO WHOM IT MAY CONCERN

I HAVE PERSONAL KNOWLEDGE OF THE BENEFICAL USE OF WATER FROM
A WELL USED TO IRRIGATE PROPERTY IN MALTA, IDAHO T 13S R 26E S 24
1/4 OF 1/4 SW OF NE 30 ACRES SE OF NW 31 ACRES.

I PERSONALLY HELPED DIG AND OPERATE THIS WELL IN THE YEAR 1927
THIS PROPERTY. THIS SHOULD SERVE AS A PRIORITY DATE FOR WATER ON

RECEIVED

JAN 21 1992

Department of Water Resources
Southern Region Office

WITNESSES

Zester Tracy

Linda Petzel

January 15, 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

RECEIVED

KEITH HIGGINSON
Director

A43-04105C
LARENCE BARRETT
4201 OLD GATE RD

LAKE OSWEGO

OR 97034

JAN 21 1992

Department of Water Resources
Southern Region Office

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

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

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

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

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 05 1993

**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: June 15, 2001

Water right number: 43-4105C

JOSEPH W BARRETT
HC 72 BOX 2024
MALTA ID 83342
Telephone Number: (208)645-2520

MARY LUANA BARRETT
HC 72 BOX 2024
MALTA ID 83342
Telephone Number: (208)645-2520

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: 5/31/01

SIGNATURE: _____

Please print your name: _____

Joseph E. Barrett

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

RUPERT, IDAHO
15 JAN 1992

TO WHOM IT MAY CONCERN

I HAVE PERSONAL KNOWLEDGE OF THE BENEFICIAL USE OF WATER FROM
A WELL USED TO IRRIGATE PROPERTY IN MALTA, IDAHO T 13S R 26E S 24
1/4 OF 1/4 SW OF NE 30 ACRES SE OF NW 31 ACRES.

I PERSONALLY HELPED DIG AND OPERATE THIS WELL IN THE YEAR 1927

THIS PROPERTY. THIS SHOULD SERVE AS A PRIORITY DATE FOR WATER ON

WITNESSES

Lester Tracy

Linda Petzel

January 15, 1992

01/23/2001

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

RIGHT NUMBER: 43-4105C

NAME AND ADDRESS: JOSEPH W BARRETT
MARY LUANA BARRETT
HC72 BOX 2024
MALTA, ID 83342

SOURCE: GROUND WATER

VERIFIED BY KKC

QUANTITY: 0.07 CFS
5 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/31/1927

POINT OF DIVERSION:	T13S R26E S24	NWSENW	Within CASSIA County
	T13S R26E S24	NWSENW	Within CASSIA County
	T13S R26E S24	SWSENW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.03 CFS
		4.40 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
		0.60 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>	
T13S R26E S24	SENW 1.1
<u>DOMESTIC Within CASSIA County</u>	
T13S R26E S24	
SENW	

1.1 ACRES TOTAL

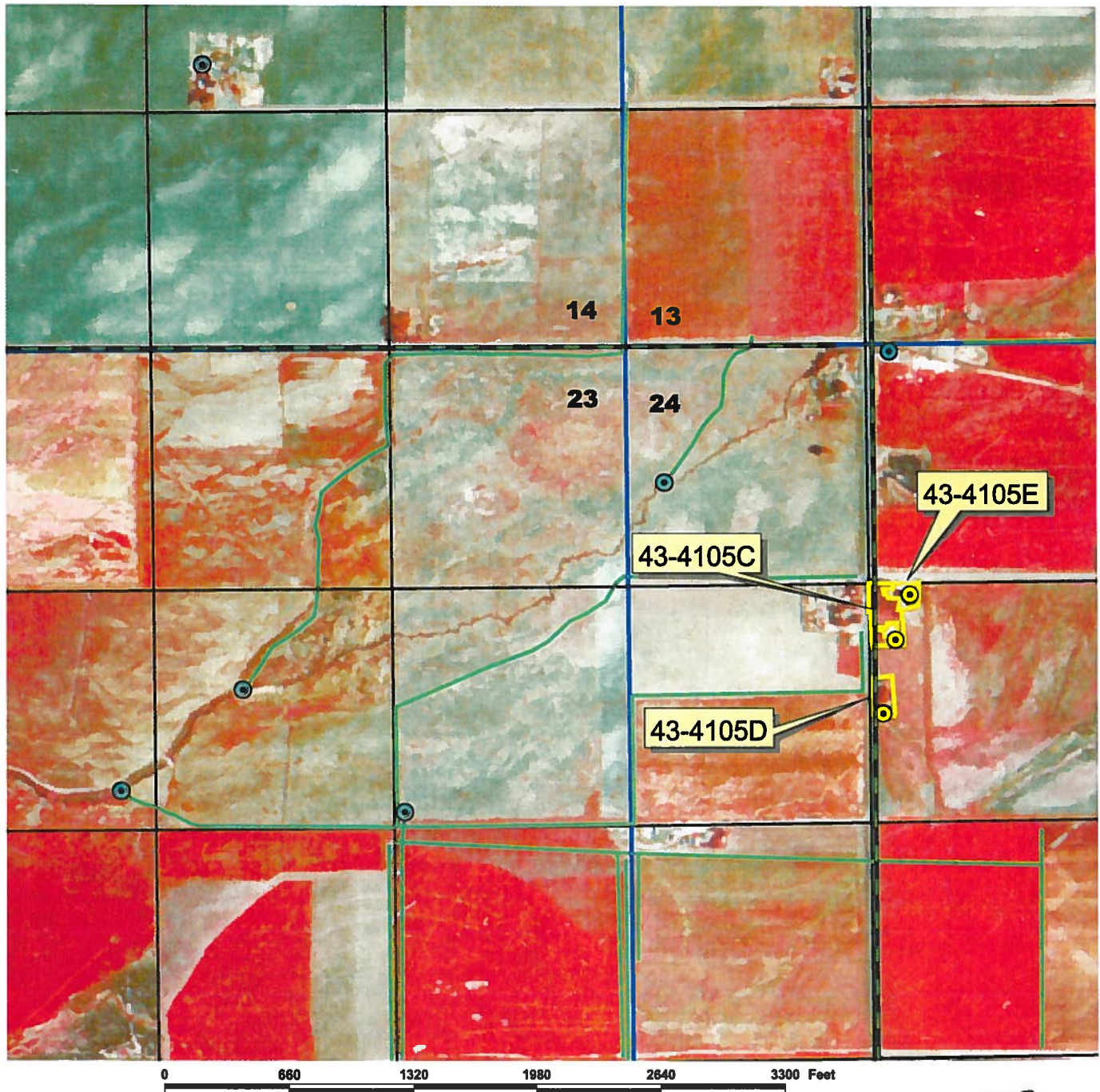
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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

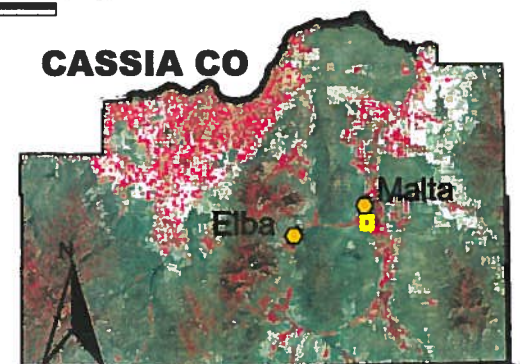
RECOMMENDED PLACE OF USE FOR 43-4105C, AND 43-4105D



PLACE OF USE
TWP 13S, RNG 26E, SEC 24
Data entry on January 23, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



Idaho Dept of Water Resources
Claims review notes and narrative

Date: 12-12-2000

File: 43-4105c barrett

Prepared by Kelly K Christensen

SYSTEM REVIEW FOR BARRETT
43-323B, 43-323C, 43-4105C AND 43-4105D

SURFACE WATER CLAIMS

The decreed right claims are both for portions of the decreed place of use acquired at different times. They are contiguous. There is a third claim against the decreed right filed by Montoya for 10 acres along the eastern side of the decreed place of use. The decreed right has been claimed in full and proportionally through the three claims.

GROUNDWATER CLAIMS

There are 4 claims against statutory claim 43-4105A and/or 43-04105B. The original statutory claim was split through T-2541.

CLAIMS AGAINST 43-4105A

There are three claims against this right.

<u>Claim</u>	<u>use</u>	<u>rate</u>	<u>non irr use/acres</u>	<u>Claimant</u>	<u>Comments</u>
43-4105C	dom	0.04	1 home	Barrett	Property description in warranty deed identifies approx. 62 acres
	irr	1.22	61 acres		
43-4105D	dom	0.04	1 house	Barrett	Property identified by arcview
	irr	0.10	5 acres		indicates approximately 7 acres
43-4105E	dom	0.04	1 home	Hartshorn	Location not clear from claim.

I called the county assessor on 12-12-2000 and she indicated that there are three homes under the Barrett ownership. Golden Gardner has a rental trailer on the 80 ft by 686 ft parcel listed as an exclusion in the Barrett warranty deed. There needs to be a change of ownership completed for 43-4105E, Hartshorn to Barrett. The assessor indicated that the property is now listed in a trust name.

I called Joseph Barrett (son to original claimant) and he indicated that he now owns the property. He indicated that the Hartshorn farmstead is located in the northwest corner of the SENW and has been there since the early 1900's. This property is identified under 43-4105E. This right has been decreed as a domestic use only.

The farmstead just south of that domestic use is where his parents live. He indicated that that use has been in existence since 1982. I am recognizing this use under 43-4105C and am including 1.1 acres of irrigation. I am recognizing the domestic use as an unrecorded transfer, changing the irrigation use for the ground where the home was built to domestic use year round.

The third domestic use is along the western border of the SENW and roughly in the middle of the quarter/quarter. This system has also been in since the early 1900s. I am recommending this use under 43-4105D as domestic use only as it appears that the farmstead area is approximately ½ acre in size.

He said that all three farms share the original well but that there is an additional well at the Hartshorn and his parent's homes. He stated that all wells are tied into a common mainline for backup purposes. I told him that I would recommend each home with three points of diversion. He confirmed that the original well is only used for the domestic homes and maybe 2 acres of lawn irrigation between the three homes.

CLAIMS AGAINST 43-4105B

43-4105B	irr	0.20	10 acres	Montoya	Only claim against the B portion.
----------	-----	------	----------	---------	-----------------------------------

Called Assessor 12-12-00

to ck on # of homes in 13S 26E Sec 24 SE NW

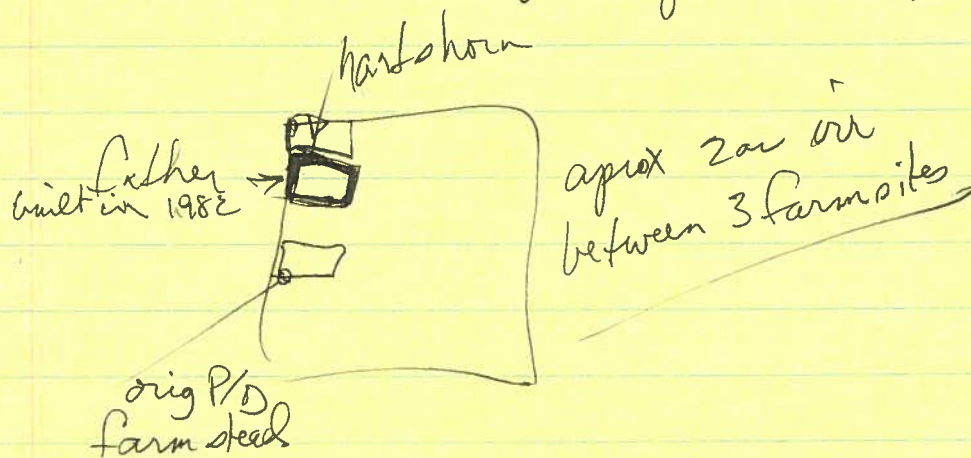
3 homes owned by Joseph Barrett
actually Barrett Fam trust.

+ one home owned by Golden Gardiner. - 86 by 686

Called Joseph Barrett 645-2497 (son)
" W " 645-2520 (father)
2197 Rodocker Ln
Malta 83342

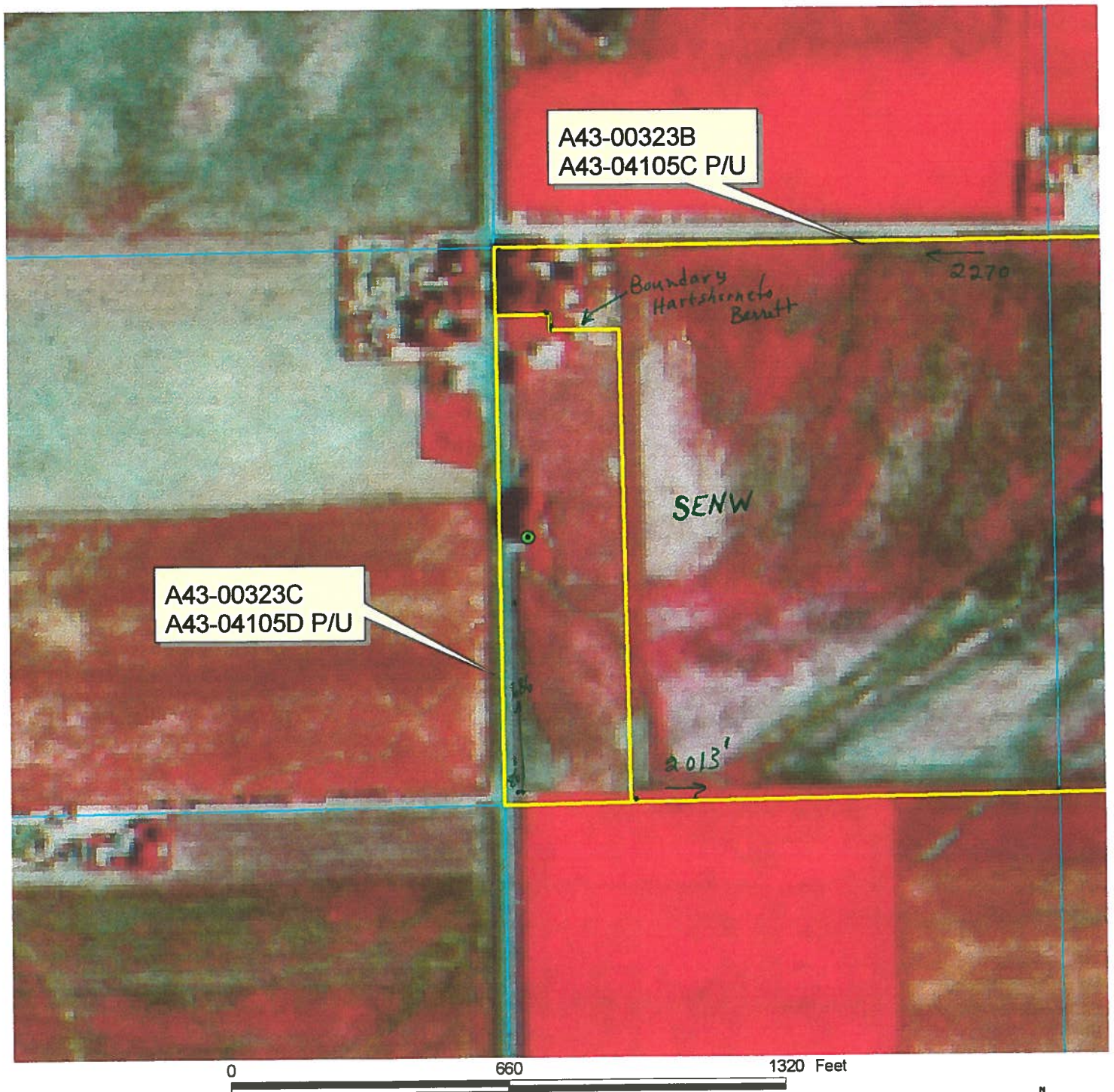
3 wells exist

orig well center of Q/Q on Western boarder.
one each for the farmsteads in NW corner.
all wells tied together for backup purposes.



IDAHO DEPARTMENT OF WATER RESOURCES

43-00323C & 43-04105D
CLAIMED
PLACE OF USE LAYOUT



- CLAIMED POINT OF DIVERSION
- CLAIMED PLACE OF USE
- SECTION LINES
- QUARTER QUARTER LINES

FIELD EXAM DATE

AGENT



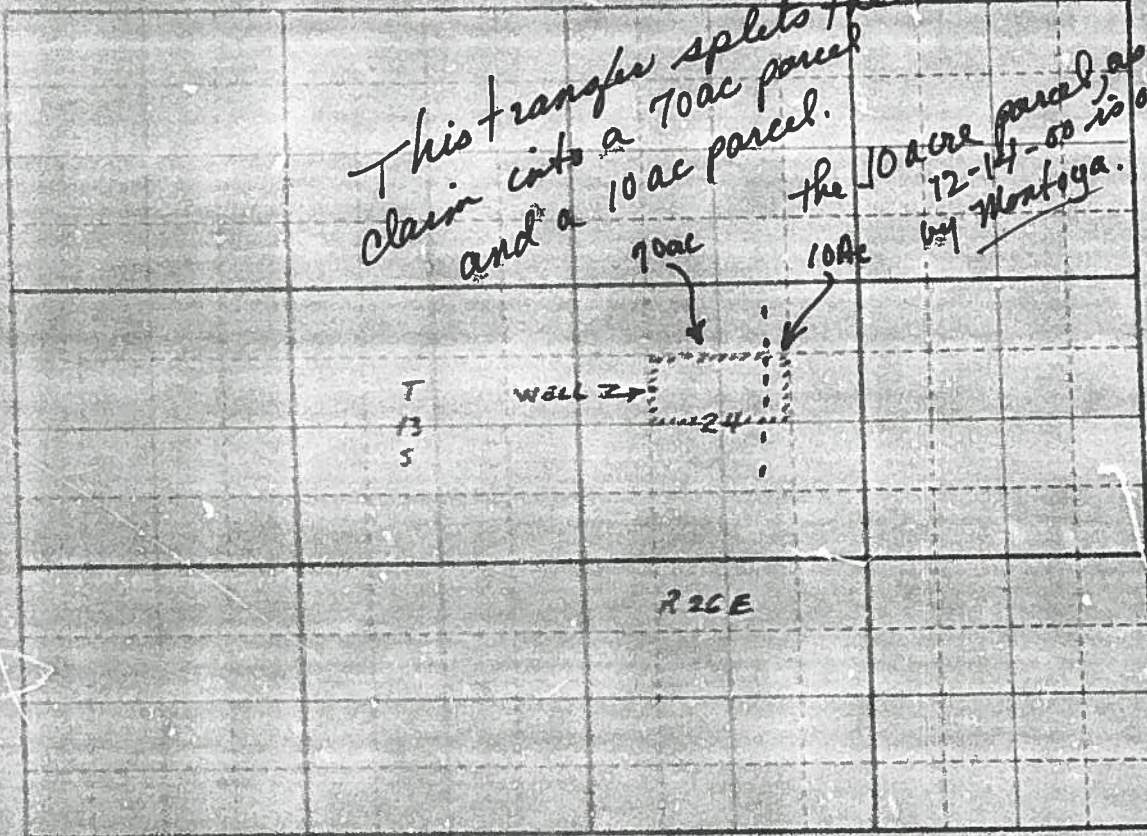
GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

JPEG LAYOUT Created ✓

Groundwater has been co-mingled with Cassia Creek water for use on some of the land.

T-2541

This transfer splits the claim into a 70 ac parcel and a 10 ac parcel. the 10 acre parcel, as of 12-14-80 is owned by Montoya.



original statutory claimed P/U.

Twin Falls

For a further description of the underlying water rights, please refer to the original claim and the original statutory claim. The original claim is a water right in the form of a water right, and the original statutory claim is a water right in the form of a water right.

3rd March

1981

Loren O. Halmer
Twin Falls, ID

Life

FOR DEPARTMENT USE ONLY

Received by: 24

Date: 3-3-81

Examination by:

Forwarded by:

Date:

130-24

Date: 3-3-81

Examination by:

To Change the Point of Diversion and or the Place of Use

Phone 645-2566

DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:-

a. Decree to

in case of

55

dated

12

county of

{Name of court}

b. License No.

issued by the Idaho Department of Water Resources

c. Claim No.

43-4105

on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Thru purchase, see attached copy of Warranty Deed.

3. Source of water Groundwater tributary to

4. Date of priority April 1, 1925

5. Water is used for the following purposes:

amount 1.60 for irrigation purposes from Mar. 15 to Nov. 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

(month/day - both dates inclusive)

6. Total amount of water under right: a. 1.60 cubic feet per second
b. & or
acre feet per annum

7. Location of original point of diversion is SE 1/4 of SW 1/4 of Section 21,
Township 13S, Range 26E, B.M. in Cassia County

Additional points of diversion, if any

8. Lands irrigated or place of use:

[illegible]

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

Decreed rights from Cassia Creek with priority of 1912

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water a. 0.20 cubic feet per second
&/or
b. acre feet per annum
2. Point of diversion SE 1/4 NW 1/4 Section 24 Township 13S
Range 26E B.M. Cassia County
Additional points

3. Place of use

TWP	RANGE	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	
13S	26E	24			10														10

.20 CFS
10 AC

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 0.20 c.f.s. &/or acre feet
- b. Point(s) of diversion SW 1/4 NE 1/4 Section 24 Township 13S
Range 26E B.M. Cassia County
Additional points
- c. Description of diverting works Well, pump & sprinklers.
- d. Describe the reasons for applying for a change in the point(s) of diversion
To have the well on the applicants property since ownership of original right has been split.

2. Change in place of use NO CHANGE

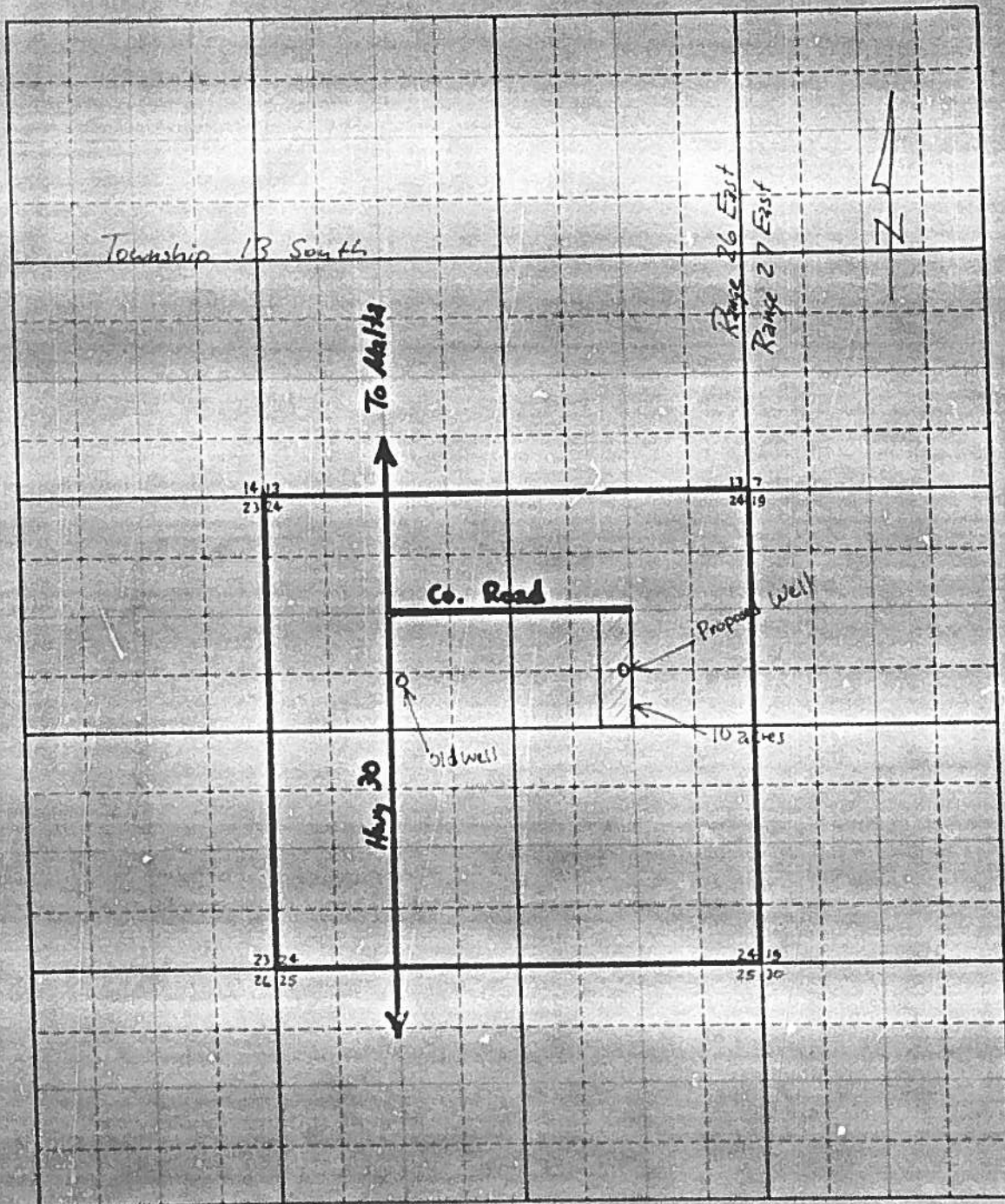
- a. Describe the lands or place of use to which the right will be transferred:

TWP	RANGE	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	

unchanged
4605A
1.40 CFS
70 AC

Total number of acres to be irrigated

- 3 Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks

I hereby assert that no one will be injured by such change and 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.

Mike Decker
(Signature of applicant)

Subscribed and sworn to before me this 22 day of June, 19 81.

[Signature]
(Notary public)

My commission expires 12/31/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4105 and said application is hereby approved, subject to the following limitations and conditions:

Approval of this transfer in no way validates Claim No. 43-4105.

Witness my hand this

24th day of

June

19 81

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADM Date 3/30/81

Protest filed by None

Prepaid check by AD Fee \$30.00

Received by ADM Date 3/30/81 #16932

Published in Santa Idaho Press

Copies of protest forwarded by

Pub. dates May 12 & 19, 1981

Hearing held by Date

Watermaster recommendation requested on N/A

Recommended for approval denial

rec'd.

by AD

MEMORANDUM

To: File
From: Cindy E. Bird
Date: July 19, 2000

Reference: phone conversation with Joseph Barrett
A43-04105C

Scott King and I spent most of June in the Raft River area doing follow-up fieldwork on basin 43 statutory claims. Joe Barrett and I spoke June 6th regarding A43-04105C. Mr. Barrett has owned the property since 1982. The well during that time would not produce enough water to irrigate the land. The well currently supports three domestic homes and outside watering.

Joseph Barrett also informed me that he sold the property to his son about 2 years ago.

A43-61105C

February 10, 2000

Second Notice

BARRETT, JOSEPH & MARY LUANA
HC 72 BOX 2024
MALTA ID 83342

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

Sincerely,

Scott King

Enclosures