

RECEIVED

APR 18 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
APR 17 2013
By _____ Clerk Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Right Claim: 63-33730

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On January 4, 2013, David J. and Angela S. Barber filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on April 16, 2013. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: April 17, 2013.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on April 17, 2013, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ANGELA S BARBER
DAVID J BARBER
5207 W ELMER ST
BOISE, ID 83703
Phone: 208-861-7514

ORDER

Page 1 4/17/13

FILE COPY FOR 02388

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

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
RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number
Date Received:
Receipt No.:
Received By:

63-33730
1/3/2013
W040788
SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) David J. Barber and Angela S. Barber Phone (208) 861-7514
Mailing Address 5207 West Elmer Street Boise, Idaho Zip 83703
Street or Box City State
2. Date of Priority: (Only one per claim) 10/15/1990
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water ☒ of Other ☐ (a) _____
which is tributary to (b) _____
4. Location of Point of Diversion is: Township 04N, Range 02E, Section 19
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, or Govt. Lot _____ BM, County of Ada
Parcel (PIN) no. R4737730160
Additional points of diversion if any: Not Applicable
If available, GPS coordinates: Not Applicable
5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including
the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed, and as enlarged and the depth of each well.
Well with 6 inch casing and a depth of 33 feet
6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See
page of the instructions.) Month/Day Month/Day cfs ☒ or AFY ☐
For DOMESTIC purposes from 3/1 to 11/15 amount 0.04
7. Total Quantity claimed 0.04 cfs ☒ AFY ☐
8. Non-irrigation uses: Describe fully. (e.g. Domestic: give number of household served
if single ownership; Stockwater and Number of livestock) one household
9. Location of Place of Use is: Township 04N, Range 02E, Section 19
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____ BM. Parcel (PIN) no. R4737730160
For (Check One) Domestic ☒ Stock ☐ Domestic and Stock ☐
Additional places of use, if any Not Applicable
10. In which count (ies) are land listed above as place of use located? ADA
11. Do you own the property listed as above place of use? Yes ☒ No ☐
If the answer is No, describe in Remarks below the authority you have to claim this water
right.
12. Describe any other water rights used at the same place and for the same purposes as
described above. None ☒
13. Remarks: _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐ Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number _____

15. 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 ☐ wish to receive do not ☐ and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: six

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

David J. Barber Date: 01/03/2013
Angela Barber Date: 01/03/2013

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am _____ of _____

Title _____ Organization _____
that I have signed the foregoing document in the space below as _____
Title _____ of _____ Organization _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance: David J. Barber will be acting as attorney
Notice is hereby given that I, David J. Barber at law on behalf of the claimant signing above, and that all notices required by law to be mailed
by the director to the claimant signing above should be mailed to me at the address listed below.

Signature David J. Barber Date 01/03/2013

Address 5207 West Elmer St. Boise, ID 83703

Last name Barber Identification No. 2597

Idaho Department of Water Resources Receipt

Receipt ID: W040788

Payment Amount \$25.00 Date Received 1/3/2013 1:28 PM Region WESTERN
Payment Type Check Check Number 3893
Payer BARBER, DAVID J/ANGELA S BARBER
Comments NOTICE OF ADJUDICATION CLAIM FOR DAVID BARBER
 63-33730

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FILING FEE	42503	0337			1155

Water Rights

Basin	Sequence	Split Suffix
63	33730	

JA

Signature Line (Department Representative)

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>DAVID BARBER</u> Address <u>8207 W. ELMER</u> <u>BOISE, ID 83703</u> Owner's Permit No. <u>163-90-Z-200</u>		7. WATER LEVEL Static water level <u>15</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below.																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Baller ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>50</u></td><td><u>20'</u></td><td><u>2</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>50</u>	<u>20'</u>	<u>2</u>																										
Discharge G.P.M.	Pumping Level	Hours Pumped																																	
<u>50</u>	<u>20'</u>	<u>2</u>																																	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>9"</td><td>0</td><td>5</td><td>Top Soil</td><td></td><td>☒</td></tr><tr><td>9"</td><td>5</td><td>20</td><td>BROWN CLAY</td><td></td><td>☒</td></tr><tr><td>6"</td><td>20</td><td>33</td><td>SAND + GRAVEL</td><td>☒</td><td></td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	9"	0	5	Top Soil		☒	9"	5	20	BROWN CLAY		☒	6"	20	33	SAND + GRAVEL	☒					
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9"	5	20	BROWN CLAY		☒																														
6"	20	33	SAND + GRAVEL	☒																															
4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		RECEIVED MAR 05 1991 Department of Water Resources Western Regional Office RECEIVED MAR 04 1991 Department of Water Resources																																	
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>.250</u> Inches</td><td><u>6</u> inches</td><td><u>1</u> feet</td><td><u>33</u> feet</td></tr><tr><td>_____ Inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ Inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ Inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20'</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____				Thickness	Diameter	From	To	<u>.250</u> Inches	<u>6</u> inches	<u>1</u> feet	<u>33</u> feet	_____ Inches	_____ inches	_____ feet	_____ feet	_____ Inches	_____ inches	_____ feet	_____ feet	_____ Inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet
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_____ perforations	_____ feet	_____ feet																																	
6. LOCATION OF WELL Sketch map location must agree with _____ location. <table border="1"><tr><td>N</td><td></td><td></td></tr><tr><td>W</td><td>19</td><td>E</td></tr><tr><td></td><td></td><td></td></tr><tr><td>S</td><td></td><td></td></tr></table> County <u>Ada</u> Subdivision Name _____ Lot No. _____ Block No. _____ SE ¼ SE ¼ Sec. <u>19</u> , T. <u>4</u> N. R. <u>2</u> E. W. <u>2</u>		N			W	19	E				S			10. Work started <u>9-19-90</u> finished <u>9-20-90</u>																					
N																																			
W	19	E																																	
S																																			
11. DRILLERS CERTIFICATION <u>see</u> I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SOS Well Drilling</u> Firm No. <u>212</u> Address <u>4145 N. Blackcat Rd.</u> Date <u>9-20-90</u> Signed by (Firm Official) _____ and (Operator) _____																																			

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

ATTACHMENT III

WARRANTY DEED
(CORPORATE FORM)

STATEWIDE CONST., INC. , a corporation
organized and existing under the laws of the State of Idaho, with its principal office at BOISE
of County of ADA , State of Idaho,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO

DAVID J. BARBER AND ANGELA S. BARBER, HUSBAND AND WIFE

of 5207 E. ELMER STREET, BOISE, IDAHO 83703 grantee
for the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATION----- DOLLARS,
the following described tract(s) of land in ADA County,
State of Idaho:

LOT 13 IN BLOCK 13 IN JORDAN'S LANDING UNIT NO.5C SUBDIVISION, ACCORDING TO THE
PLAT THEREOF, FILED IN BOOK 57 OF PLATS AT PAGES 5287 AND 5288, RECORDS OF ADA
COUNTY, IDAHO.

Location of above described property _____
House No. Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized
under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a
quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers
this 30TH day of AUGUST , A.D. 1990

(CORPORATE SEAL)

STATEWIDE CONST., INC. (CORPORATE NAME)
By Walter R. Wanner
WALTER R. WANNER PRESIDENT
Attest: _____
SECRETARY

ACKNOWLEDGMENT - Corporate

STATE OF IDAHO

County of ADA, ss.

On this 30th day of AUGUST, 1990, before me, HANST L. HALL, notary public,
personally appeared WALTER R. WANNER, known or
identified to me to be the PRESIDENT of the corporation that executed
the instrument or the person who executed the instru-
ment on behalf of said corporation, and acknowledged to
me that such corporation executed the same.

Notary Public: _____
Residing at: BOISE, ID
EXPIRATION DATE: 9/13/91

9047072

ADA COUNTY IDAHO CO.
PIONEER TITLE CO.
FOR _____

'90 AUG 31 PM 1 31
JOHN BASTIDA, RECORDER
BY John Bastida
310



PIONEER TITLE
OF ADA CO.

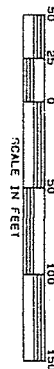
821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700

JORDAN'S LANDING UNIT NO. 5C SUBDIVISION

PORTIONS OF THE SW1/4 OF SECTION 20 AND THE SE1/4 OF SECTION 19, T.4N., R.2E., B.M. BOISE CITY, ADA COUNTY, IDAHO

A CAPITAL DEVELOPMENT CORPORATION SUBDIVISION

JOHNSON ENGINEERING 1989



- LEGEND
- LAND CORNER
 - ▲ 2"x36" PIPE
 - 5/8"x30" PIN
 - 1/2"x24" PIN
 - ① LOT NUMBER
 - ② BLOCK NUMBER
 - UTILITY/EASEMENT

NOTES

RESTRICTIVE COVENANTS
BUILDING AND OCCUPANCY SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE RESTRICTIVE COVENANTS AS FILED IN BOOK _____ AT PAGE _____ RECORDS OF ADA COUNTY, IDAHO.

BUILDING SETBACKS
BUILDING SETBACKS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF BOISE CITY.

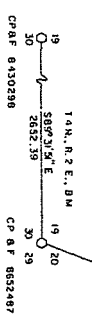
RESUBDIVISION
ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION.

EASEMENTS
ALL LOTS HAVE A 10 FOOT WIDE EASEMENT CONTIGUOUS TO ALL STREETS AND REAR LOT LINES FOR PUBLIC UTILITIES OR HIGHWAYS. THE EASEMENT SHALL BE 10 FEET WIDE AND SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF BOISE CITY.

IRREGULARITY RIGHTS
THIS SUBDIVISION IS SUBJECT TO IDAHO CODE 31-2-305 PERTAINING TO IRREGULARITY RIGHTS IN PARCELS WITHIN CHALK, EMULSION DISTRICT, AND IS SUBJECT TO ANY AND ALL ASSESSMENTS. THE DEVELOPER HAS NOT MADE PROVISIONS THAT ALL WATER RIGHTS HAVE BEEN TRANSFERRED TO OTHER LANDS.

FIRE DEPARTMENT
NO BUILDING PERMIT WILL BE ISSUED ON ANY LOT IN THIS SUBDIVISION UNTIL THE PROVISIONS OF RECORD INSTRUMENT NO. 983720 HAVE BEEN FULFILLED AS DETERMINED BY THE CITY OF BOISE.

CHANCE	BEARING	DISTANCE	ANCH	TANGENT	CHORD	CHORD BEG
1	N 30° 00' 00" E	100.00	13.00	7.82	15.50	S 50° 28' 13" E
2	S 20° 00' 00" E	40.00	24.50	18.15	52.50	S 11° 29' 54" E
3	S 60° 00' 00" E	60.00	35.00	18.15	52.50	S 11° 29' 54" E
4	S 20° 00' 00" E	40.00	24.50	18.15	52.50	S 11° 29' 54" E
5	S 60° 00' 00" E	60.00	35.00	18.15	52.50	S 11° 29' 54" E
6	S 20° 00' 00" E	40.00	24.50	18.15	52.50	S 11° 29' 54" E
7	S 60° 00' 00" E	60.00	35.00	18.15	52.50	S 11° 29' 54" E
8	S 20° 00' 00" E	40.00	24.50	18.15	52.50	S 11° 29' 54" E
9	S 60° 00' 00" E	60.00	35.00	18.15	52.50	S 11° 29' 54" E
10	S 20° 00' 00" E	40.00	24.50	18.15	52.50	S 11° 29' 54" E
11	S 60° 00' 00" E	60.00	35.00	18.15	52.50	S 11° 29' 54" E





ATTACHMENT VI