

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: A41-04007
Date Received: 2/21/1990
Receipt No: S011261
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES BARNARD 208-548-2643
Address: P.O. BOX 305
ROCKLAND, ID 83271

2. Date of Priority: JAN 15, 1915

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	16	SE	NE			POWER

5. Description of diverting works:
DAM & TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.009		
DOMESTIC	01/01	12/31	0.004		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 BEEF STOCK, D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	16	NE	NE		STOCK	
			NE	NW		STOCK	

A41-04007

Page 1

Date: 02/21/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	16	NW	NW		STOCK	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
A41-00020B

14. Remarks:
TRANS. 2848.
APPROVAL OF THIS TRANS. DOES NOT CONFIRM THE USE CLAIMED.

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): Charles Brannard Date: 2/21/90

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Feb 19 90 Lois Wente
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

Transfer No. 2848Water Right No. 41-4007

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT 1983

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

Name of applicant Ernest C. Barnard Phone 548-2643Post Office address Box 305 Rockland, ID. 83271

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. 41-4007 on file with the Idaho Department of Water Resources2. 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 Applicant is original claimant3. Source of water Spring tributary to sinks4. Date of priority Jan. 15, 1915

5. Water is used for the following purposes:

amount 0.00433 for Domestic purposes from 1-1 to 12-31amount 0.00866 for stock purposes from 1-1 to 12-31amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 0.013 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16Township 10 S Range 31 E, B.M., in Power County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	31E	16	X			X													

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above None

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

of nonuse? NO If yes, describe in item D, REMARKS.

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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. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 0.013 c.f.s. &/or _____ acre feet
- b. Description of diverting works Diversion dam with gravel filter to 1'14" pipeline to stock trough and home when necessary
- c. Describe the reasons for the proposed changes I am changing the place of use of my stock troughs

2. Change in point of diversion NO CHANGE

Point of diversion SE 1 $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16 Township 10S
Range 31E, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No ☒. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

None

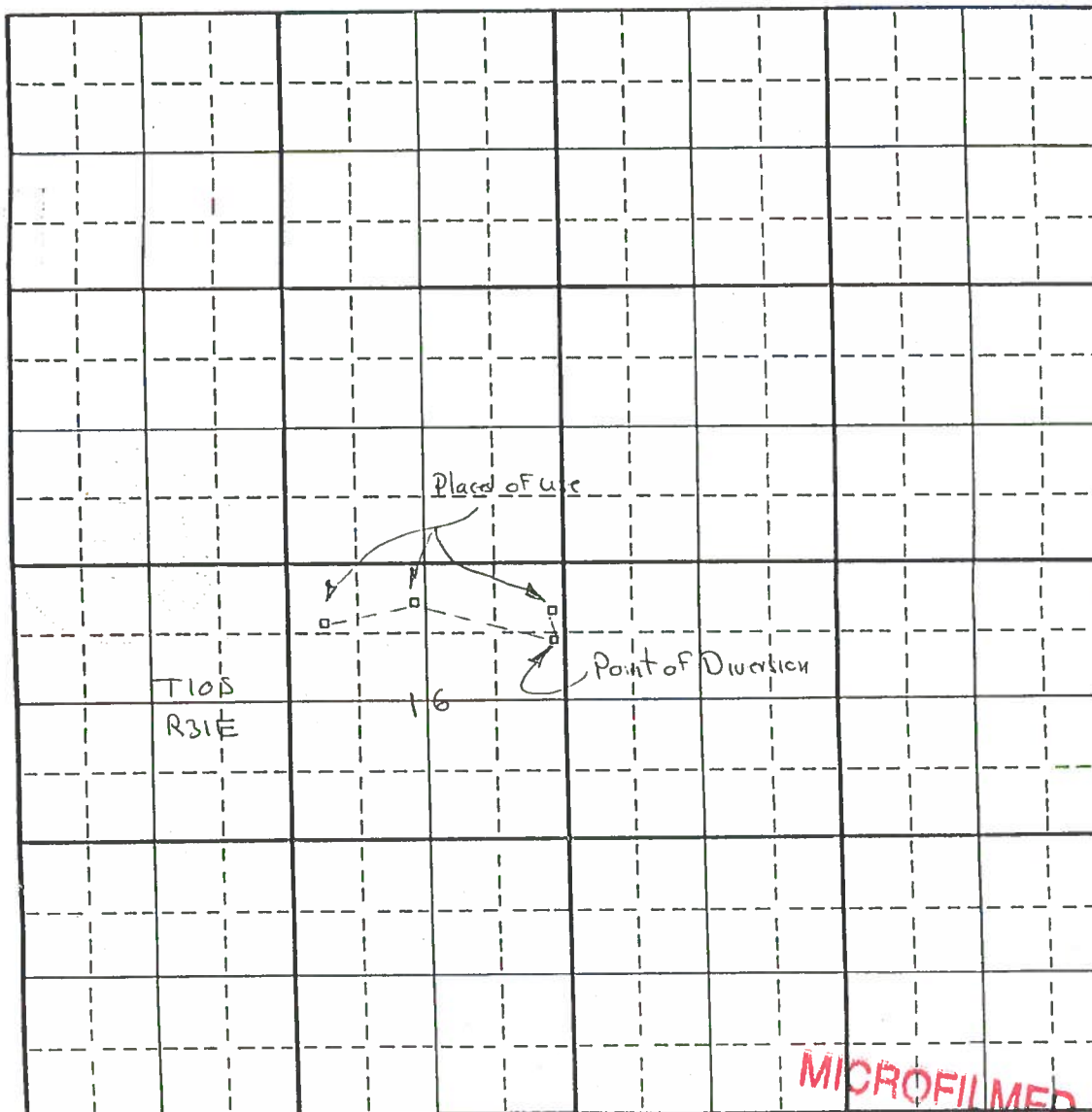
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c. Describe the land or place of use to which the right will be transferred:

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	
10S	31E	16	Home X				X	X											

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. None
5. 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.

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D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Emmet C. Bennett
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of April, 19 83

Walter W. Dyer
(Notary Public)

My commission expires 10-24-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 41-4007
and said application is hereby APPROVED, subject to the following limitations and conditions:

Approval of this transfer does not confirm the use claimed under Claim No. 41-4007.

Witness my hand this 28th day of November, 1983

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Protest filed by None
Prelim. check by IB Fee \$30.00
Receipted by merge Date 4/26/83 #27261
Published in Peavine Co. News
Pub. dates 1/6/85 + 1/22/83
Watermaster recommendation requested on 7/18/83
_____ rec'd. 7/12/83
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADM

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 41-04007

NAME & ADDRESS: CHARLES BARNARD
PO BOX 305
ROCKLAND ID 83271

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.013 CFS

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

PRIORITY DATE: 01/15/1915

POINT OF DIVERSION: T10S R31E S15 NWSWNW Within POWER County

PURPOSE AND PERIOD OF USE:		PERIOD OF USE		QUANTITY	
	PURPOSE OF USE				
	STOCKWATER	01-01	12-31	0.01	CFS
	DOMESTIC 1 HOME	01-01	12-31	0.01	CFS

PLACE OF USE:	STOCKWATER	Within POWER County		
	T10S R31E S16	NENE	NENW	NWNW
	DOMESTIC	Within POWER County		
	T10S R31E S16	SENE		

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
S/50 BEEF STOCK, D/1 HOUSE

Decreed: 7/24/98

DATE: 07/15/97
PAGE: 59

DIVERSION RATE

10. CFS

0.01 CFS

Stage: ~~STATUTORY CLAIM~~
POWER County

	SESE	:
NWSE	SWSSE	:
Ac	Ac	:

...

only one facet!

~~015 - See remarks for additional conditions of approval.~~

Comm

Objection Filed Date:

Field Inspection Flag:

03/30/95 POST-STD

9/23/97

claims file w/ sec

DIVERSION
VOLUME

0.01 CFS
0.01 CFS

0.01 CFS

Stage: BENEFICIAL USE

POWER County

• **CECE**

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SE ..
AC ..
-- ..
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222

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SE :
Ac :
.. :
.. :
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Other Rights: 41-000208

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Exam: 7/20/94 sw

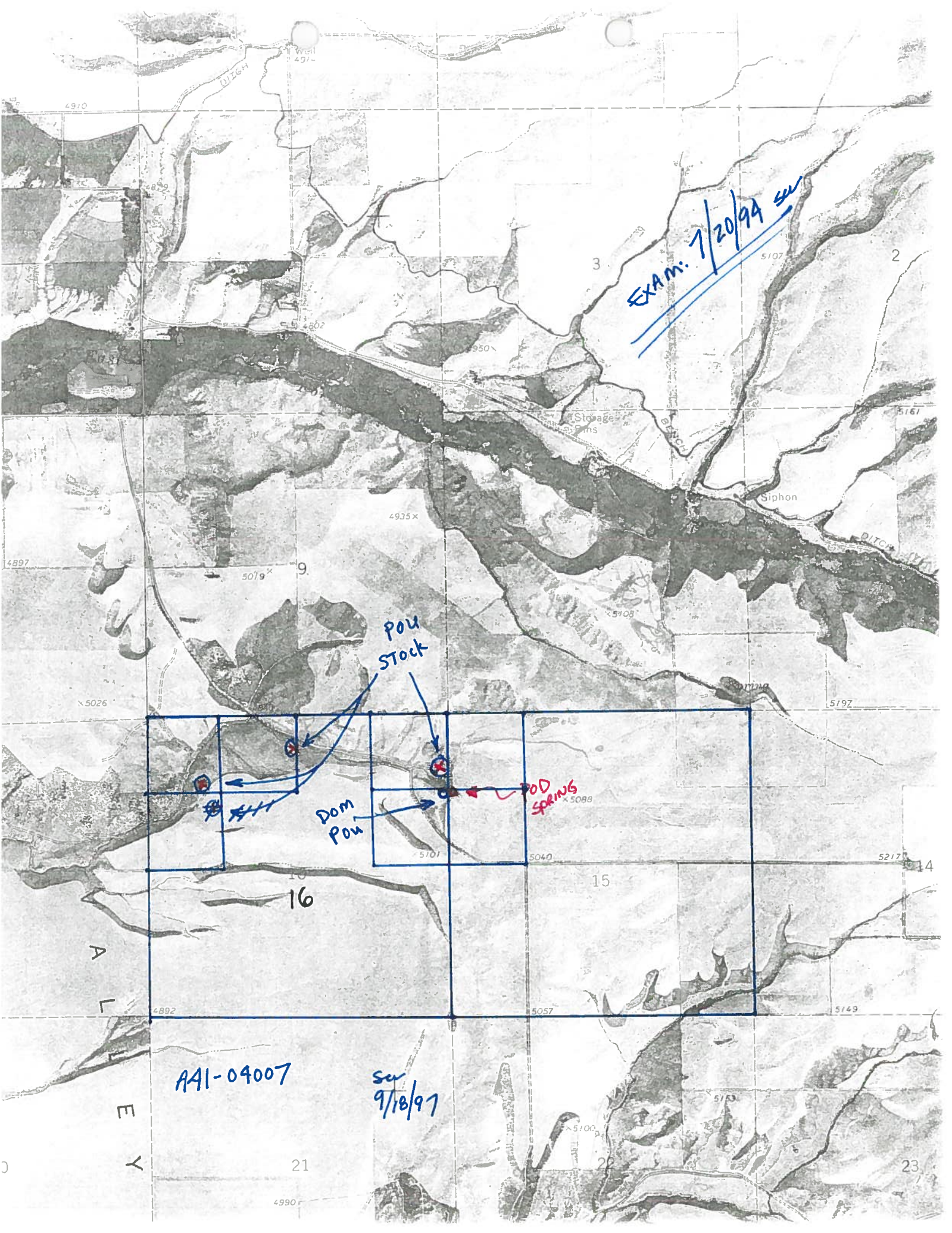
Pou
Stock

Dom
Pou

POD
SPRINGS

AAI-04007

sw
9/18/97



CLAIM NO. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME: _____
☐ NEW OWNER: _____
☒ No Change ADDRESS: _____
☐ NEW ADDRESS: _____
☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
 (if the priority date, based on your exam, seems questionable, explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☐ No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim
 New P/D: Twp. 10s, Rge. 31E, Sec. 15, NW 1/4 SW 1/4 NW 1/4

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
 HP of pump _____ Static water level _____ Well depth _____
 Casing size _____ Pumping water level _____ Gravity flow _____
 Method of irr. _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).

** amounts listed won't show on Data Base*

Use _____	From _____	To _____	Amount <u>0.01</u> cfs	_____ af
Use _____	From <u>AP</u>	To _____	Amount <u>0.01</u> cfs	_____ af
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
 Domestic - No. of homes _____ Stockwater - No. of head _____
 Other: _____
☒ DATA ENTRY STANDARDS (correct to..)



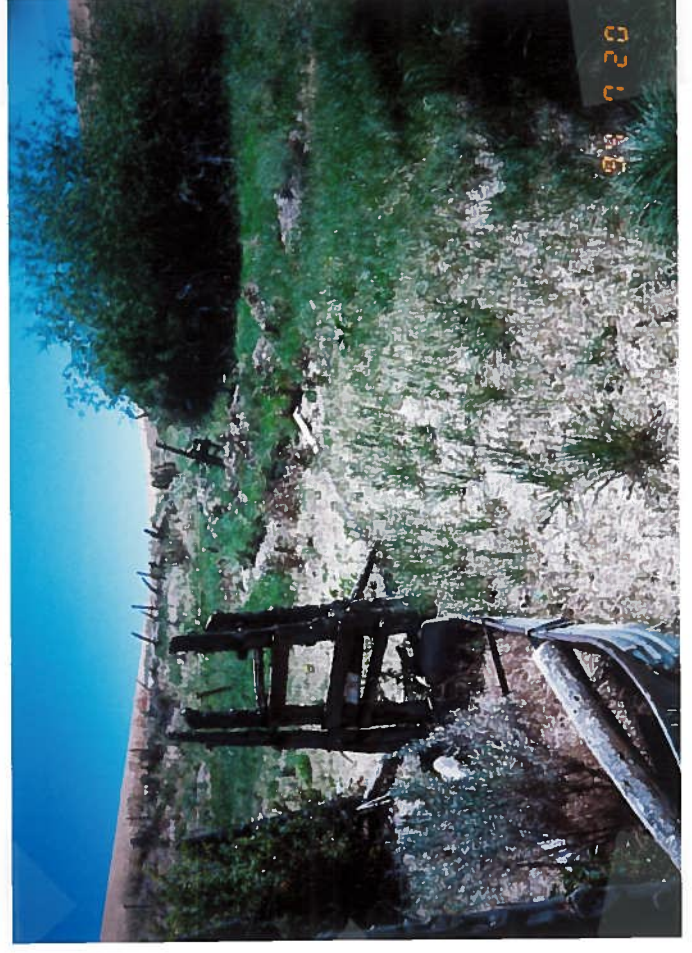
SPRING DIVERSION.

PHOTO:
R41-13
my SCC
7-20-94

A41-04007



SPRING & OLD HOMESTEAD IN BACK.



A41-04007

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

Use Twp. Rge. Sec. 1/4, 1/4, 1/4
Stock - OK
Dom 16 SE NE

11. ☐ Checked: N/A

12. ☐ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
CHANGE: _____

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

7/20/94 Met w/ Burton Anderson @ Spring - (he is a relative)
He explained the pipeline to the tanks below, system
developed by SCS.

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

DATE EXAM CONDUCTED: 7-20-94

FIELD EXAMINER: STEVE CHELLAND

Signature

Steve Chelland

REVIEWED BY/DATE:

SCC 9/18/97

DATA ENTRY BY/DATE:

" "

VERIFICATION BY/DATE:

Water Right Number - A41-04007

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BARNARD

CHARLES

1 - P.O. BOX 305
2 -
3 -City- ROCKLAND
Phone - 208-548-2643

State- ID Zip- 83271

+ - - Priority Date - - +
01/15/1915+ - - - - Region - - - +
17 SOUTHERN+ - - - - Stage - - - +
S - STATUTORY CLAIM

+ - - - - Status - - - +

+ - - - - Source - - - - - +
SPRING+ - - - - Tributary - - - - - +
SINKS

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

10S	31E	16	SE NE			(77)	POWER	
-----	-----	----	-------	--	--	------	-------	--

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

04 - STOCKWATER		01/01	12/31	0.009		
43 - DOMESTIC		01/01	12/31	0.004		

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - Kw Usage - +

+ - - Non-Irrigation Use - S/50 BEEF STOCK, D/1 HOUSE
+ - - Other Rights for Same Use - A41-00020B+ - - - - Remarks - - - - - +
TRANS. 2848.
APPROVAL OF THIS TRANS. DOES NOT CONFIRM THE USE CLAIMED.
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

Prefix Translation: ADJUDICATION CLAIM

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/21/90 WHITE

+ - - - - Comments - - - - -
No Comments Found

+-----Adjudication Rights Dates and Flags Area-----+

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	59560
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	01/28/1986	Old Judicial District	-	
Claim Received Date	-	02/21/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	S011261	Federal/State Indicator	-	S
Claims Tape Error Flag	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Free Exempt Flag	-		Name Connector	-			-	