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WATER RESOURCES
WESTERN REGION

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

Renumbered to A67-14155

Ident. Number: A65-18591

Date Received: 4/18/1990

Receipt No: W012170

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD H BARKER
Address: 11435 HWY 95
PAYETTE ID

83661

208-642-6146

AND/OR

Name: ALICE M BARKER
Address: 11435 HWY 95
PAYETTE ID

83661

208-642-6146

2. Date of Priority: JAN 1, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	05W	14	NE	NE	NW		PAYETTE

5. Description of diverting works:
WELL AND PUMP

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		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	14	NE	NW		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 4/25/94.
CHG OF ADDRESS 3/24/98 DMS

15. Basis of Claim: BENEFICIAL USE

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
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CIVIL CASE NUMBER: 39576

Ident. Number: **A65-18591**
Date Received: 4/18/1990
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Received By: _____

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

1. Name: RICHARD H BARKER 208-256-4425
Address: 926 GRAYS CREEK RD
INDIAN VALLEY ID 83632
AND/OR
Name: ALICE M BARKER 208-256-4425
Address: 926 GRAYS CREEK RD
INDIAN VALLEY ID 83632

2. Date of Priority: JAN 1, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	14	NE	NE	NW		PAYETTE

5. Description of diverting works:
WELL AND PUMP

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	14	NE	NW		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 4/25/94.

15. Basis of Claim: BENEFICIAL USE

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): _____ 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 _____

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Water Right Number - A65-18591

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
NUMBER CHANGE1 -
2 -
3 -
City- 0 State- ID Zip- X
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
UPTON

ART A

1 - 11433 N 95
2 -
3 -
City- PAYETTE State- ID Zip- 83661
Phone - 208-642-7180

BARKER

ALICE M

1 - 11435 HWY 95
2 -
3 -
City- PAYETTE State- ID Zip- 83661
Phone - 208-642-6146

BARKER

RICHARD H

1 - 11435 HWY 95
2 -
3 -
City- PAYETTE State- ID Zip- 83661
Phone - 208-642-6146+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1985 14 WESTERN Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
NUMBER CHANGE SEE REMARKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09N 05W 14 NE NE NW (75) PAYETTE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09N 05W 14 NE NW 43 DOMESTIC (75) PAYETTE

Total Acres:

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	-	04/18/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	X777777	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	AND/OR	Presumption Flag	-	
						Notice of Error Flag	-	



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 21 1994

DATE OF CLOSING: _____

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 9N Range 5W
Section 14, 1/4 of NE 1/4 of NW 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: A65-19632 & A65-18591

☐ Name and Address of Former
Owner/Claimant(s)(Seller): Art A. Upton
11435 N 95

☐ New Owner/Claimant
(Purchaser): Payette ID 83661
Richard H. &/or Alice M. Barker

☐ New Mailing Address: 9216 Grays Creek Rd.
Indian Valley ID 83632

☐ New Telephone Number: (208) 256-4425

☐ 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: Warranty Deed

(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): Richard H. & Alice M. Barker Date 4-20-94

☐ Signature of Former
Owner/Claimant(s): _____ 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 4-25-94 By: AD

Further Action Needed:

Further Action Taken

Date _____ By: _____

Final Review and Data-Entry

Date 4-25-94 By: AD

Claim Numbers of Split, if any:

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

WARRANTY DEED

For Value Received

WANDA L. UPTON, A Widow

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the grantor , do es hereby grant, bargain, sell and convey unto

APR 21 1994

RICHARD H. BARKER AND ALICE M. BARKER, Husband and Wife

WATER RESOURCES
WESTERN REGION

the grantee S , whose current address is

11435 Highway 94, Payette, ID 83661

the following described premises, in Payette

County, Idaho, to-wit:

See Attached Exhibit "A" for legal description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , that S he the owner in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing.

and that S he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 4, 1994

Wanda L. Upton
WANDA L. UPTON

STATE OF ~~IDAHO~~ *North Dakota*COUNTY OF ~~Stutsman~~ *Stutsman* ss

On this 6th day of April, in the year 19 94, before me, a Notary Public, personally appeared Wanda L. Upton known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that She executed the same.

Marlene E. Humphrey
Notary Public
Residing at *Jameson, ND 58401*

MARLENE E. HUMPHREY
Notary Public, STATE OF NORTH DAKOTA
My Commission Expires MAR. 10, 1996.

STATE OF IDAHO, COUNTY OF *Payette*I hereby certify that this instrument was filed for record at the request of **FIRST AMERICAN TITLE CO.**

at 58 minutes past 3:00 o'clock P.M.,
this 7 day of April, 1994, in my office, and duly recorded in Book 48
of Deeds at page 249171

LAURA L. STIGILE

Ex-Officio Recorder

By *Laura L. Stigile*

Deputy.

Fees \$ 6.00
Mail to:

INSTRUMENT No.

249171



First American Title



249171

Exhibit "A"

In ASSESSOR'S WOODSPUR TRACT as per Plat in Book 1, Page 44, Plat Records, Payette County, Idaho:

A tract of land in Blocks 17, 18 and 22, situated in the NW $\frac{1}{4}$ of Sec. 14, Twp. 9 N., R. 5 W., B.M. and being more particularly described as follows:

All that portion of said Blocks 17, 18 and 22 lying West of U.S. Highway No. 95 right-of-way as conveyed to the State of Idaho by deed recorded July 27, 1936, Fee No. 38461, November 21, 1937, Fee No. 41130, and October 13, 1964, Fee No. 121757 Deed Records of Payette County, Idaho and lying Easterly of the Union Pacific Railroad right-of-way;

Excepting therefrom that portion conveyed to the Lower payette Ditch Company by Deed recorded october 4, 1935 fee No. 36647, Deed Records of Payette County, Idaho;

Further excepting that portion lying North of the following described line:

Commencing at the Northeast corner of the NW $\frac{1}{4}$ of Sec. 14;
thence S. 89°29' W. along the North boundary thereof 1470.30 feet to the Easterly right of way boundary of the Union Pacific Railroad;
thence S. 21°02' W. along said Easterly boundary 1147 feet to the Point of Beginning;
thence N 89°29' E. 775.03 feet to the westerly right of way boundary of U.S. Highway 95 and Point of Termination.

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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: A65-18591
Date Received: ~~5/29/1990~~ 11-18-90
Receipt No: W012170
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ART A. UPTON 208-642-7180
Address: 11433 N. 95
PAYETTE, ID 83661

2. Date of Priority: JAN 01, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	14	NE	NE	NW		PAYETTE

5. Description of diverting works:
WELL AND PUMP

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	05W	14	NE	NW		DOMEST	

11. Place of use in counties: PAYETTE

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: BENEFICIAL USE

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): _____ 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 _____

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

Identification No. A65

Date Received _____

Receipt Number _____

B07

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
APR 18 1990

RECEIVED
APR 23 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ART A UPTON Phone (208) 642-7150

Mailing Address 11433 N 95 - Payette, Id Zip 83661

2. Date of Priority (Only one per claim) 1/1/85 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 9 N Range 5 W

Section 14 NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Payette

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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 Pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-12-1 to 12-1 amount 124 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 124 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) household 1 hd

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SEP 29 1992

10. Place of use is: Township: 9 N Range 5 W
Section 14, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Payette

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a) By signing below, I/We acknowledge that I/We have received, read and understood 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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct

Signature of Claimant (s) [Signature] Date 4-12-90
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 12 day of April 1990

SEAL

Notary Public [Signature]

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant
MICROFILMED
SEP 29 1992