

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: A37-00199B

Date Received:

Receipt No: 1001673

Received By: ADW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD BARTON 208-823-4419
Address: P.O. BOX 91
CAREY, ID 83320

AND/OR

Name: MILDRED BARTON 208-823-4419
Address: P.O. BOX 91
CAREY, ID 83320

2. Date of Priority: MAY 01, 1893

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	21E	30	NW	SW	SE		BLAINE
01S	21E	5	SE	NE	SW	R	BLAINE

5. Description of diverting works:
VIA EAST CANAL TO DITCH TO PUMP SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.940		

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

8. Total consumptive use is 981.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
FEB 22 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	4	SW	SE		IRR	6.0
			Section Acres				6.0
		9	NE	NE		IRR	12.0
			NW	NE		IRR	25.9
			SW	NE		IRR	20.6
			SE	NE		IRR	32.2
			NE	NW		IRR	40.0
			SE	NW		IRR	27.6
			NE	SE		IRR	8.6
			NW	SE		IRR	40.0
			Section Acres				206.9
		10	NE	NW		IRR	30.0
			NW	NW		IRR	40.0
			SW	NW		IRR	31.7
			SE	NW		IRR	14.0
			NE	SW		IRR	35.0
			NW	SW		IRR	20.8
			NW	SE		IRR	8.0
			Section Acres				179.5
			Total Acres				392.4

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-00197C, A37-00199B, A37-01138 & SHARES LWCC & LWID

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A37-00199B

Page

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Date: 10/20/88

MICROFILMED
FEB 22 1993

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: SEE MAP A37-00197C

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): [Signature] Date: 10-20-88
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Oct. 19 88 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JUNE 10, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JIM BARTON
BARTON RD
CAREY ID 83320

RE: REQUEST FOR 2ND COPY OF REPORTS

Dear Mr. Barton,

You called and requested a second copy of the rights sent out for claims 37-197C, 37-199B & 37-1138. Enclosed are those copies for you review.

If you have further questions on this water right, please feel free to call me at our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland', is written over a series of horizontal lines.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

06/10/2004

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

RIGHT NUMBER: 37-199B
NAME AND ADDRESS: MILDRED BARTON
PO BOX 91
CAREY ID 83320

BOYD BARTON
PO BOX 91
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.690 CFS
PRIORITY DATE: 05/01/1893
POINT OF DIVERSION:

T01N R21E S30 NWSWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.690 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S03	SWSW	0.9	T01S R21E S04	SWSE	5.0
T01S R21E S09	NENE	15.0	T01S R21E S09	NWNE	40.0
T01S R21E S09	SWNE	13.0	T01S R21E S09	SENE	25.0
T01S R21E S09	NENW	40.0	T01S R21E S09	SENW	29.0
T01S R21E S09	NESE	7.8	T01S R21E S09	NWSE	40.0
T01S R21E S10	NENW	18.0	T01S R21E S10	NWNW	36.0
T01S R21E S10	SWNW	38.0	T01S R21E S10	SENW	15.0
T01S R21E S10	NESW	26.0	T01S R21E S10	NWSW	14.0
T01S R21E S10	NWSE	3.7			

366.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-197C & 37-1138.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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: Decreed

06/10/2004

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

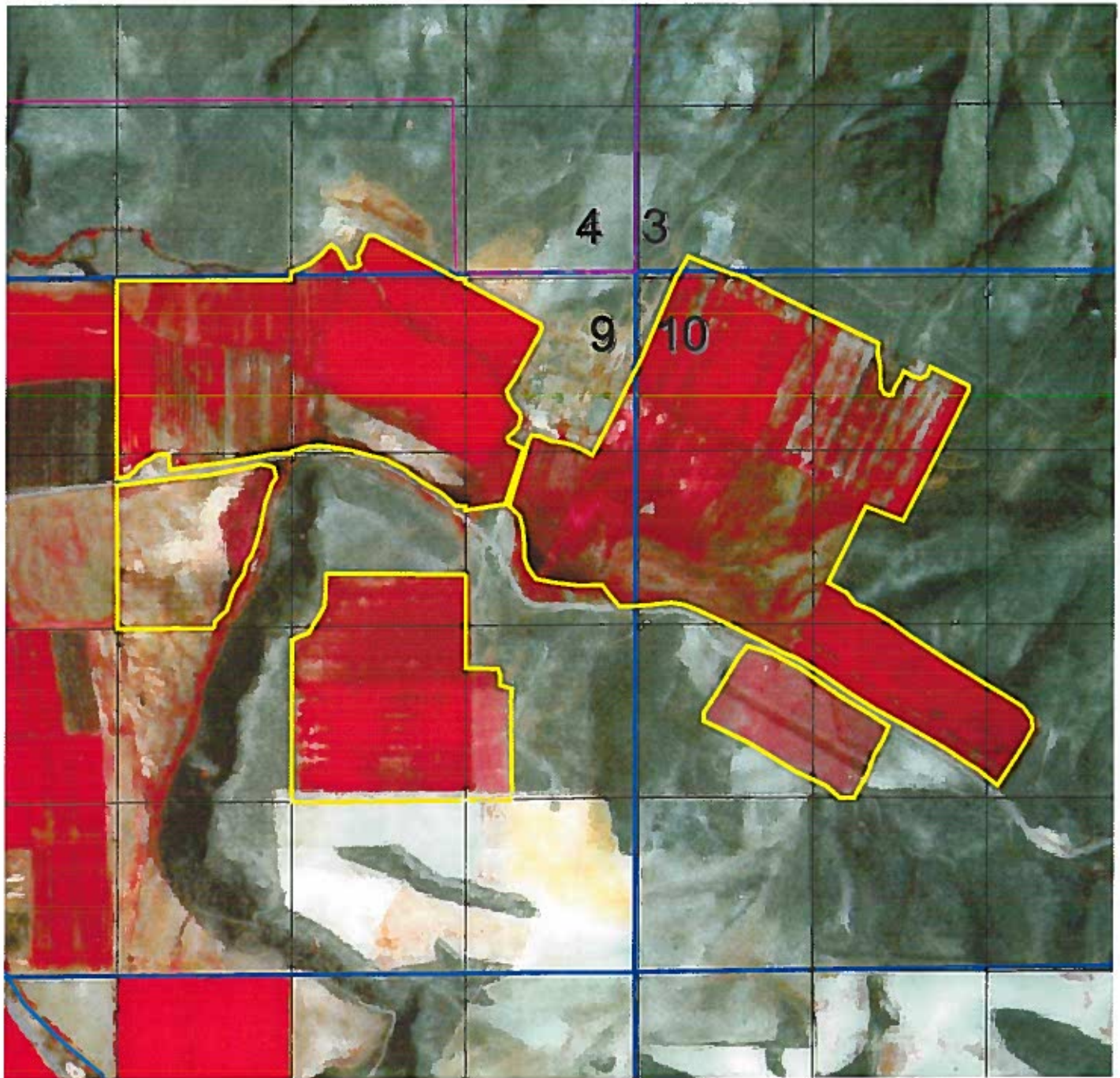
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH EAST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
IRRIGATION DIST.

IDAHO DEPT OF WATER RESOURCES

37-197C 37-199B 37-1138



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 21E
SEC. 3, 4, 9 & 10



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 11, 2004

37-197C

(BARTON)

2/27/04
SCC

37-199B

37-1138

POU: GIS Acres = 365.4 ac.

claim = 392.4

decree rights overlap w/ LWID water. (SIZ)

POD: EAST CANAL

Splits on -197 and -199 do not appear to be fully claimed (see WR proofs)

6/10/04
SCC

Claimant ~~does not~~ ^{SENU} owns decree land under ^(overlaps w/ -1138) right 37-197... ~~must prove ownership.~~

Claimant owns all 160 Acres of right 37-1138.

Claimant owns $\frac{1}{3}$ or 40 acres under 37-199 = 0.69 cfs
(- overlaps w/ 37-1138)

* Best approach is to allow a PPU across the POU.
- Combined Acre limits will apply

-199B	40 AC	} 160 AC. Limit
-197C	40 AC	
-1138	160 AC	

Q: reduce -197C to 0.32 cfs pro rata share.
reduce -199B to 0.69 cfs " " "

IDWR, Southern Region

Fax

To: Robert Struthers**From:** Steve Clelland *sc***Fax:** 208-788-2375**Date:** September 22, 2000**Phone:** 208-720-4920**Pages:** 9 + cover**Re:** Fax info**CC:**☐ **Urgent**☐ **For Review****Please Comment**☐ **Please Reply**☐ **Please Recycle****•Comments:**

Rob, Here are the results of the query on the legals you gave to me earlier. I searched both the Adjudication records and the Water Right records and here is a breakdown of the ones you received.

37-1138, 37-00197C & 37-00199B are all AJ claim records.

37-12278 & 37-11878 are both Director's Reports to the SRBA court for D & S claims; soon to be Partially Decreed by the court.

37-00198 & 37-1136 are the WR records for the legals given.

Legals you gave me to query: T1N, R21E, S34 & T1S, R21E, S09 & 10.

I only pulled the AJ rights in the name of Jim or Boyd Barton.

09/22 09:15
912087882375-540044
00:02:15
10
OK
STANDARD
ECM

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

TIME : 09/22/2000 09:17
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-199

WATER RIGHT NUMBER: 37-199

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SARAH ANN EVANS EDWARDS
	, ID

Priority Date: 05/01/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	2.300 CFS	5
	Total Diversion:		2.300 CFS	

Location of Point(s) of Diversion
LITTLE WOOD RIVER

Place of Use
IRRIGATION

[illegible]

Conditions of Approval:

Claimant owns $\frac{1}{3}$ of decreed lands...
(40 Ac) = 0.69 cfs

Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 120 AC.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-199