

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 COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-15943

Date Received: 10/4/11

Receipt No: NO28224

Received By: Rae

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Patsy and/or Philip BARNhart Phone () 208 683-2029

Mailing Address 485 Kripple Creek Athol ID, ZIP 83801
Street or Box City State

2. Date of Priority (Only one (1) per claim) 12-31-1946
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Careywood Creek
which is tributary to (b) goes underground

4. a. Location of Point of Diversion is: Township 54N, Range 2W, Section 15,
NE, 1/4 of S.W., 1/4 Govt. Lot _____, BM., County of Bonner

Parcel (PIN) no. 3602 R

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township 54N, Range 2W, Section 15, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township 54N, Range 2W, Section 15, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Small Dam Direct 2" plastic pipe to

Western and Downhill 600 Fti to Dwelling at which it produces 80-100
gallon per/minute used to irrigate 5 Acres, stock water,
and Domestic use, cistern is 4' Foot Round and 10' tall,

SCANNED
OCT - 4 2011

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov 15 amount .15 or _____

For Stock purposes from Jan 1st to Dec 31 amount .02 or _____

For Domestic purposes from Jan 1st to Dec 31 amount .04 or _____

For _____ purposes from _____ to _____ amount . or _____

7. Total quantity claimed (a) .21 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 1 Home, 10 Head of Stock

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>SW</u>	<u>24</u>	<u>15</u>									<u>5</u>								<u>5</u>

Parcel (PIN) no(s) _____

Total number of acres irrigated 5

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

11. Do you own the property listed above as place of use? Yes (☒) No (☐)

If your 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.

ground water or None (☐)

13. Remarks: _____

Last Name BARNHART Identification No. _____

RECEIVED
OCT - 4 2011

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 notices in the Coeur d'Alene-Spokane 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/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) Philip Barnhart Date: 10-4-11

Date: _____

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

Title of _____ 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:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

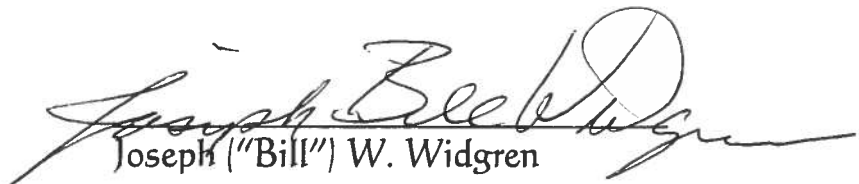
SCANNED
OCT - 4 2011

Testimony of Residence

I, Joseph ("Bill") Widgren of 51 Widgren Way Clark Fork, Idaho 83811, do hereby testify:

- 1) That I have been a resident of Bonner County, Idaho, from Nineteen Hundred Fifty-Four (1954) to present;
- 2) That I have known Phillip and Patsy Barnhart to be in residence on the upper parts of Careywood Creek, Sunset Road, Careywood, Idaho since the latter part of the 1960's; and
- 3) That I know that Phillip and Patsy Barnhart have used the local waters on their residence for domestic and agricultural uses.

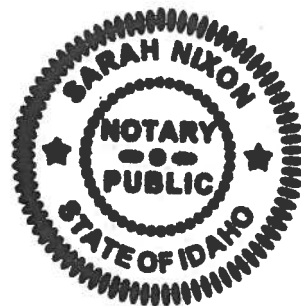
DATED this ____ day of October, 2005.


Joseph ("Bill") W. Widgren

County of Bonner)
)ss.
State of Idaho)

DATED this 8 day of October, 2005.

 02/08/11
Notary Public



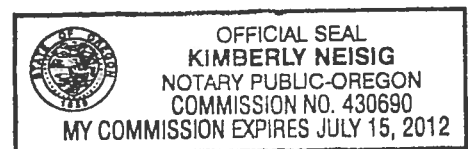
TO WHOM IT MAY CONCERN

I, the undersigned, Madeline Ewen Jewett, state that the 200 acre parcel of land, located at the end of Careywood Road, part of Sec. 15, Township 54 N., Range 2 W. in Bonner County, Idaho was purchased by my husband's parents, Merle J. Jewett and Agnes Rorebeck Jewett in 1940 or 1941.

Careywood Creek flowed through this land and down the hill to the valley below. Water was taken from this creek to supply the needs of households, gardens, lawns and livestock. My husband, Edwin R. Jewett, who I married Sept 15, 1944, operated a logging and sawmilling venture on the premises during the years of 1946 to 1949. Water was used as needed for this work. Agnes Jewett died in August of 1951, Merle J. Jewett continued to live there for a number of years before selling the property to the Barnhart family. Mr. Philip Barnhart, a son, purchased the property from his father, and currently resides there with his family.

Signed Madeline Ewen Jewett

Notary Kimberly Neisig





POD