

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2167

BARTON RANCH INC
2963 BAIN RD
CAMBRIDGE ID 83610
Telephone Number: (208)257-3466

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-19-06

SIGNATURE: Dale R Barton

Please print your name: Dale R Barton

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 11 2006

08/30/2006

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

RIGHT NUMBER: 67-2167
NAME AND ADDRESS: BARTON RANCH INC
2963 BAIN RD
CAMBRIDGE ID 83610
SOURCE: WESTON SLOUGH TRIBUTARY: WEISER RIVER
QUANTITY: 0.860 CFS
Right Nos. 67-4512 and 67-2167 are limited to a total combined diversion rate of 3.34 cfs.

PRIORITY DATE: 03/18/1937

POINT OF DIVERSION:

T14N R02W S6 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.860 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S01	SWNE	13.00	T14N R03W S01	NESW	15.00
T14N R03W S01	NWSE	15.00			

43 ACRES TOTAL

Right Nos. 67-4512 and 67-2167 are limited to the irrigation of a combined total of 166.8 acres 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: BASIS OF CLAIM - License



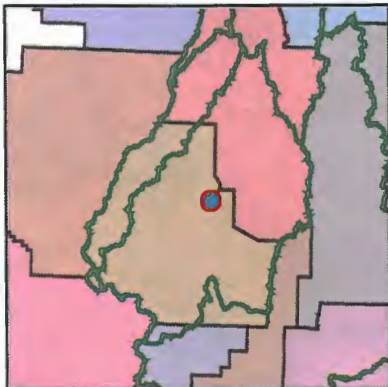
Idaho Department of Water Resources

SRBA Recommendation:

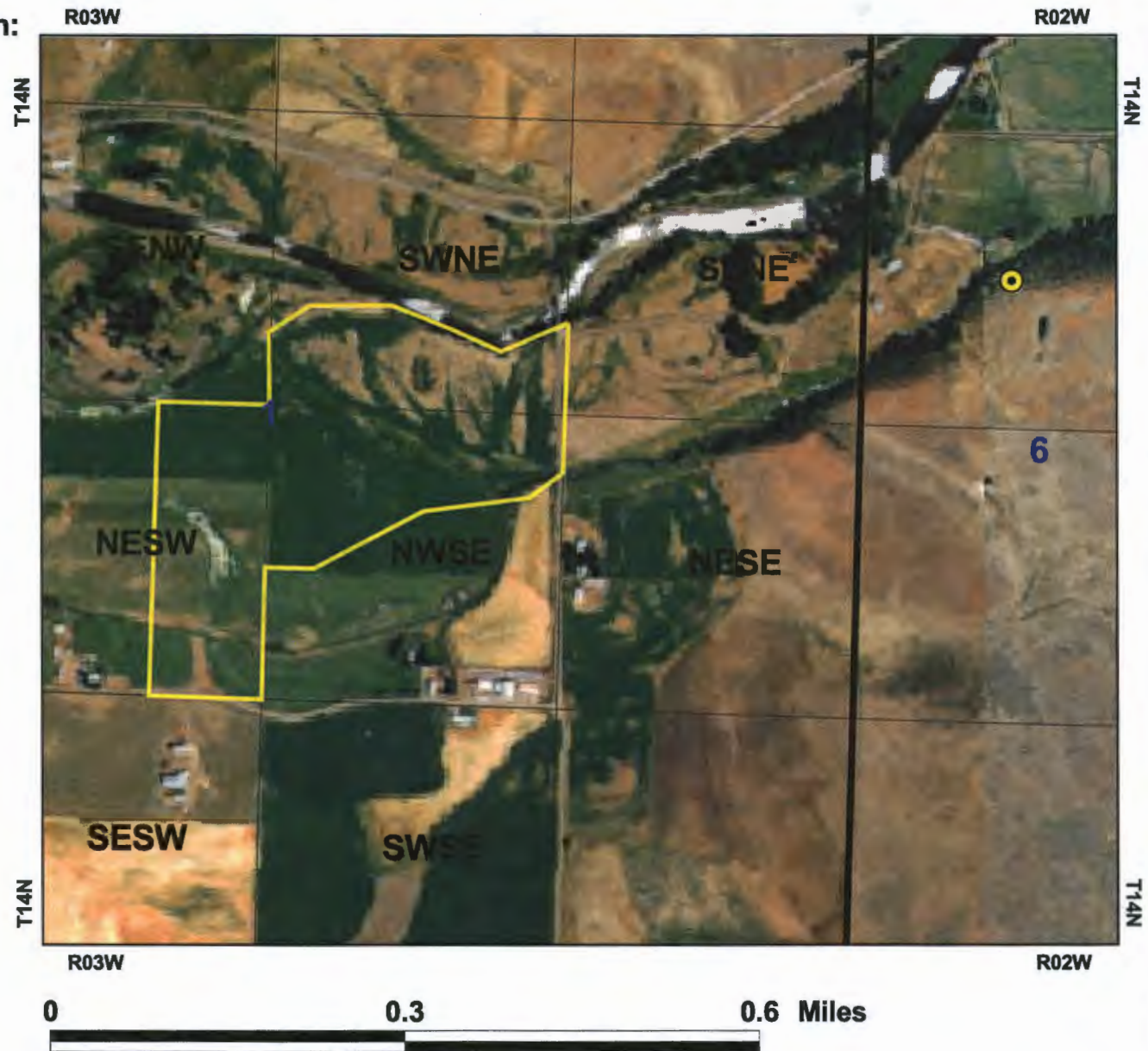
67-2167

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by M. Mount
On Wednesday, August 30, 2006
1987/88 Aerial Photography

67-2167



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: A67-02167
Date Received: 9/25/1989
Receipt No: W6041
Received By: hw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARTON RANCHES, INC. 208-257-3466
Address: C/O DALE BARTON
RT 1, BOX 168
CAMBRIDGE, ID 83610

2. Date of Priority: MAR 18, 1937

3. Source: WESTON SLOUGH Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	02W	6	SW	NW			WASHINGTON

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.860		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	1	SW	NE		IRR	13.0
			NE	SW		IRR	15.0
			NW	SE		IRR	15.0

Section Acres 43.0

A67-02167

Page 1

Date: 09/25/89

SCANNED
MAY 17 2004

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Total Acres 43.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-04512, A67-00081F

14. Remarks:

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am Pres of _____ Title

Barton Ranch Inc., that I have signed the foregoing Organization

document in the space below as Same of _____ Title

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

Dale A. Barton
Signature of Authorized Agent

Barton Ranch Inc.
Title and Organization

9-25-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Sept 19 89

Linda Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1994



RIVER

Cambridge

SALUBRA VALLEY

T 14N
R 30W
Sec 16
AGT 2167

RIVER

OCT 07 1932

Idaho Department of Water Resources

67-2167



500 0 500 1000 1500 2000 Feet



T14N, R 03W, S1



Prepared by Anita L. Warntjes
January 9, 2004
1993/94 True Color Photo

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2167 V1

WATER RIGHT NUMBER: 67-2167 V1

Owner Type Name and Address
Original Owner FRED BARTON JR
RT 1 BOX 168
CAMBRIDGE, ID 83610

Current Owner BARTON RANCH INC
2963 BAIN RD
CAMBRIDGE, ID 83610
(208)257-3466

Priority Date: 03/18/1937

Basis: License

Status:

Source Tributary
WESTON SLOUGH WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	3/15	11/15	0.860 CFS	
<u>Total Diversion:</u>			0.860 CFS	

Location of Point(s) of Diversion

WESTON SLOUGH SW1/4NW1/4 Sec. 6, Twp 14N, Rge 02W, B.M.
WASHINGTON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
14N	03W	1	13.0	15.0	15.0	15.0	43.0

Total Acres: 43

Conditions of Approval:

Remarks:

Comments:

1. awamtje 4/29/2004 POD
Comment: POD license is NWNW and claimed POD is SWNW

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2167 V1

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
POD	4/29/2004 2:26:02 PM	awamtje			
Source	4/29/2004 2:27:40 PM	awamtje			
POU	4/29/2004 2:28:35 PM	awamtje			
Use	4/29/2004 2:28:59 PM	awamtje			
Season	4/29/2004 2:30:26 PM	awamtje			
Quantity	4/29/2004 2:31:13 PM	awamtje			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	4/29/2004 2:26:03 PM	awamtje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD?
Use	4/29/2004 2:29:00 PM	awamtje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
POU	1/9/2004 1:08:26 PM	awamtje	Edited shape boundary
POU	1/9/2004 1:40:11 PM	awamtje	Edited shape boundary
POU	1/9/2004 1:43:27 PM	awamtje	Edited shape boundary

DO NOT SCAN

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2167 V1

Season	4/29/2004 2:30:27 PM	awamtje	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Source	4/29/2004 2:27:41 PM	awamtje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/29/2004 2:28:36 PM	awamtje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Quantity	4/29/2004 2:31:14 PM	awamtje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - .86 cfs
POU	1/9/2004 1:01:54 PM	awamtje	Edited shape boundary
POU	1/9/2004 1:05:17 PM	awamtje	Edited shape boundary
POU	1/9/2004 1:41:56 PM	awamtje	Edited shape boundary
POU	1/9/2004 1:43:59 PM	awamtje	Edited shape boundary