

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2349 V1

WATER RIGHT NUMBER: 29-2349 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RALPH GUNTER 19455 S US HWY 91 DOWNEY, ID 83234 (208)897-5146

Priority Date: 07/13/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.620 CFS	262.50 AF
	<u>Total Diversion:</u>	0.620 CFS	262.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4NW1/4	Sec. 8, Twp 11S, Rge 37E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	8								35.0				40.0					75.0

Total Acres: 75

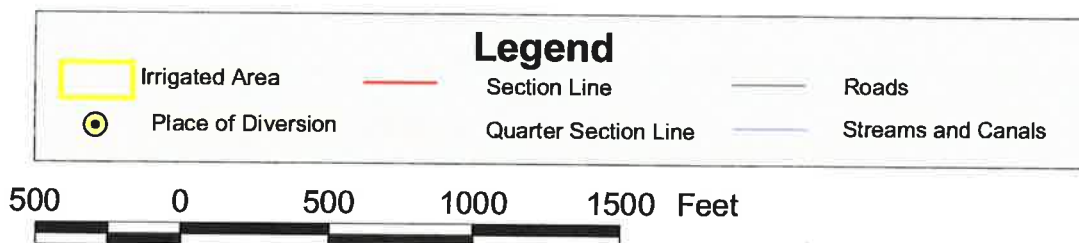
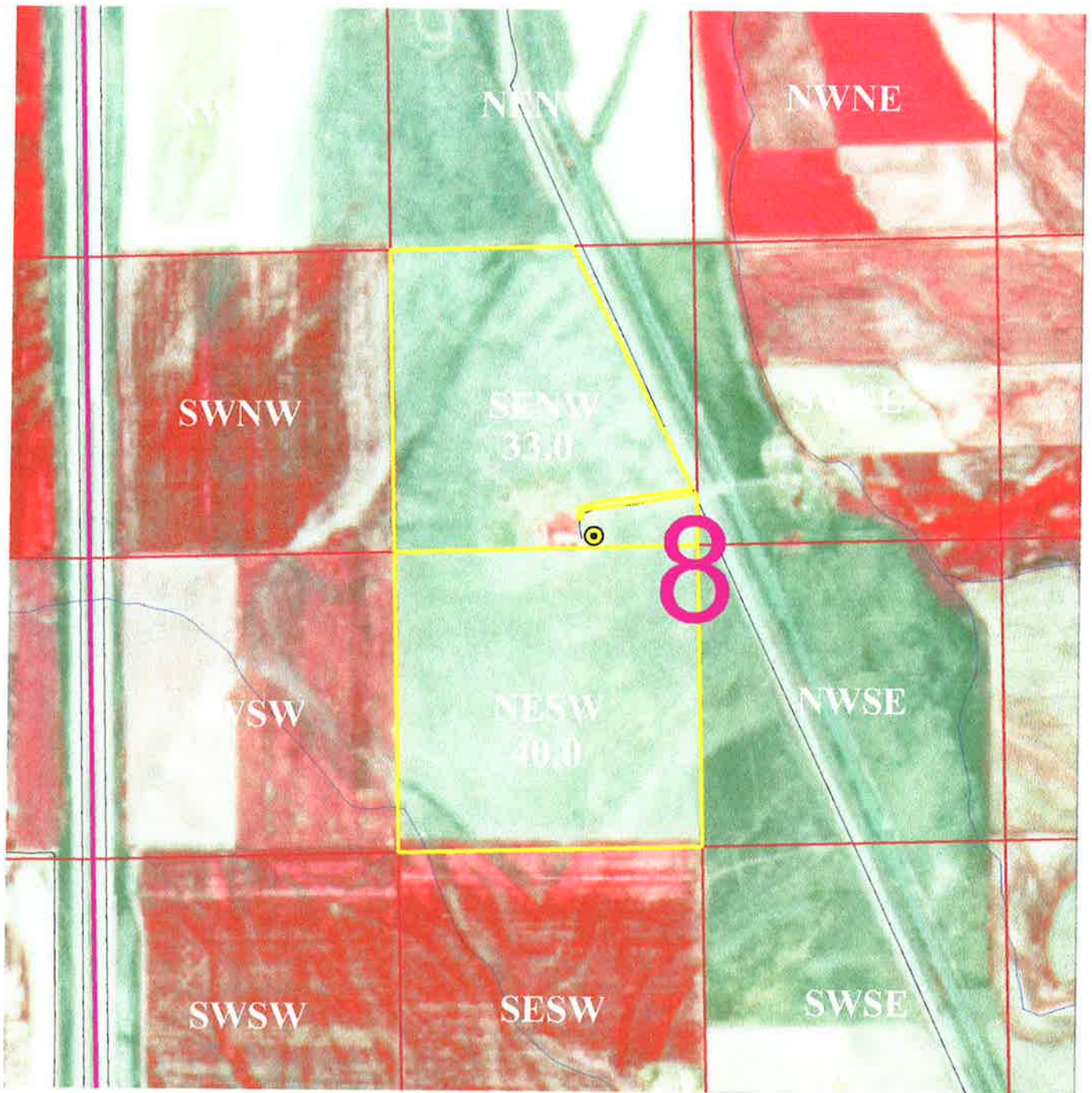
Conditions of Approval:

1. C18 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.

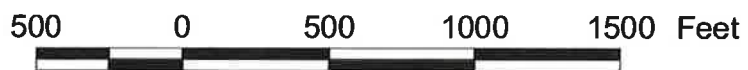
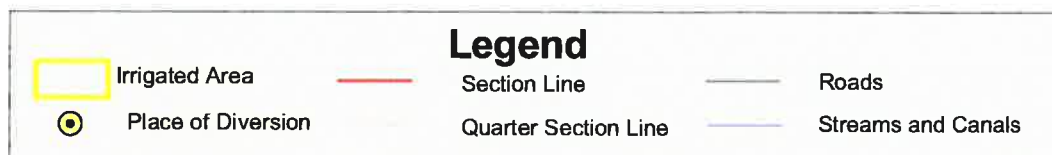
Remarks:

Township , 11S37E

SCANNED
MAY 24 2001



Township , 11S37E



Township , 11S37E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



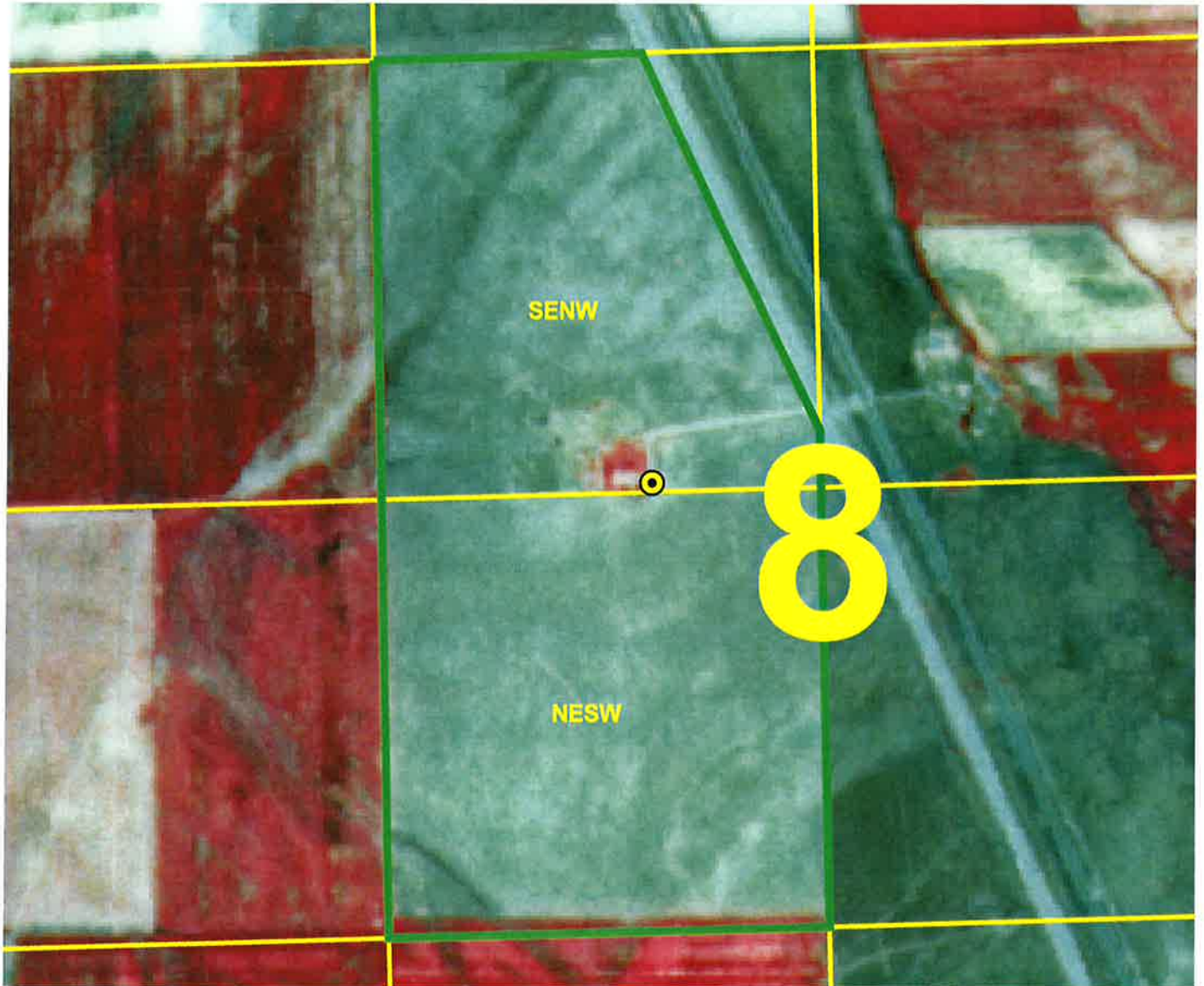
SCANNED

MAY 24 2001

IDAHO DEPARTMENT OF WATER RESOURCES

29-02349

T11S, R37E SEC 8



ACRES IRRIGATED- 75



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

OK JC 1-11-06
RECEIVED

JAN 11 2006

Department of Water Resources
Eastern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 11S Range 37E
Section 8, 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM. AND NESW
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: A29-02349

☐ Name and Address of Former
Owner/Claimant(s)(Seller): DELMER H. BARRETT

19455 Old Hwy 91

Downey RD 83234

☐ New Owner/Claimant
(Purchaser): RALPH GUNTER

☐ New Mailing Address: 19455 Old Hwy 91

Downey RD 83234

☐ New Telephone Number: (208) 897-5146

☐ 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: _____

(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): Ralph Gunter

Date 1/11/06

Date

☐ Signature of Former
Owner/Claimant(s): _____

Date

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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

PROFILED

SCANNED

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

JAN 27 2006

When Recorded Mail To:

U.S. Bancorp Mortgage Company
1246 Yellowstone Avenue, Building C, Suite B
Pocatello, Idaho 83201

GUNTER
Loan Number 30774640

[Space Above This Line For Recording Data]

State of Idaho

DEED OF TRUST

FHA Case No.
121-1295912 703

THIS DEED OF TRUST ("Security Instrument") is made on JANUARY 4, 1993. The Grantor is RALPH M. GUNTER and VALERIE GUNTER, HUSBAND AND WIFE ("Borrower"). The trustee is U.S. BANK OF WASHINGTON, NATIONAL ASSOCIATION ("Trustee"). The beneficiary is U.S. BANCORP MORTGAGE COMPANY, which is organized and existing under the laws of THE STATE OF OREGON, and whose address is 501 SE HAWTHORNE BOULEVARD, PORTLAND, OREGON 97214 ("Lender"). Borrower owes Lender the principal sum of FIFTY-TWO THOUSAND FIVE HUNDRED THIRTY AND 00/100ths Dollars (U.S.\$52,530.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on JANUARY 1, 2023. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications; (b) the payment of all other sums, with interest, advanced under paragraph 6 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in BANNOCK County, Idaho:

THE SOUTH 300 FEET OF THE SE1/4 NW1/4 OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., EXCEPTING THEREFROM, PARCELS DEEDED TO THE STATE OF IDAHO FOR HIGHWAY PURPOSES AS DISCLOSED BY DEEDS RECORDED IN BOOK 95 OF DEEDS, PAGE 346, AND BOOK 105 OF DEEDS, PAGE 431, RECORDS OF BANNOCK COUNTY, IDAHO.

TAX ACCOUNT NO.: R 4433008000

SUBJECT TO AN ACCESS ROAD LYING WITHIN THE BOUNDS OF THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF PROVIDING INGRESS & EGRESS TO LANDS LYING NORTH & SOUTH AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY.

which has the address of 19455 SW OLD HIGHWAY 91, VIRGINIA
Idaho 83234 [Zip Code] ("Property Address");

[Street, City]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and stock and all fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

1. Payment of Principal, Interest and Late Charge. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and late charges due under the Note.

2. Monthly Payments of Taxes, Insurance and Other Charges. Borrower shall include in each monthly payment, together with the principal and interest as set forth in the Note and any late charges, an installment of any (a) taxes and special assessments levied or to be levied against the Property, (b) leasehold payments or ground rents on the Property, and (c) premiums for insurance required by paragraph 4.

Each monthly installment for items (a), (b), and (c) shall equal one-twelfth of the annual amounts, as reasonably estimated by Lender, plus an amount sufficient to maintain an additional balance of not more than one-sixth of the estimated amounts. The full annual amount for each item shall be accumulated by Lender within a period ending one month before an item would become delinquent. Lender shall hold the amounts collected in trust to pay items (a), (b), and (c) before they become delinquent.

If at any time the total of the payments held by Lender for items (a), (b), and (c), together with the future monthly payments for such items payable to Lender prior to the due dates of such items, exceeds by more than one-sixth the estimated amount of payments required to pay such items when due, and if payments on the Note are current, then Lender shall either refund the excess over one-sixth of the estimated payments or credit the excess over one-sixth of the estimated payments to subsequent payments by Borrower, at the option of Borrower. If the total of the payments made by Borrower for item (a), (b), or (c) is insufficient to pay the item when due, then Borrower shall pay to Lender any amount necessary to make up the deficiency on or before the date the item becomes due.

SCANNED

JAN 27 2006

1-59205

REAL ESTATE MORTGAGE

For Value Received,

Ralph M. Gunter and Valerie Gunter

the mortgagors, do hereby grant, bargain, sell and convey unto

Delmer H. Barfuss and Clea Mae B. Barfuss, husband and wife

the mortgagees, the following described premises, in Bannock County, Idaho, to-wit:

THE NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE NE CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 8, RUNNING WEST 270 FEET, MORE OR LESS, TO THE EAST LINE OF THE RIGHT OF WAY OF THE OREGON SHORT LINE RAILROAD, THENCE SOUTH 22 33' EAST ALONG THE EAST LINE OF SAID RIGHT OF WAY 685 FEET, MORE OR LESS, TO A POINT DUE SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 632 FEET TO THE PLACE OF BEGINNING OF THIS EXCEPTION. ALSO EXCEPTING THEREFROM, PARCELS DEEDED TO THE STATE OF IDAHO FOR HIGHWAY PURPOSES AS DISCLOSED BY DEEDS RECORDED IN BOOK 95 OF DEEDS, PAGE 346, AND BOOK 105 OF DEEDS, PAGE 431, RECORDS OF BANNOCK COUNTY, IDAHO. ALSO EXCEPTING THEREFROM THE SOUTH 300 FEET OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO. TOGETHER WITH AN ACCESS EASEMENT TO THE ABOVE DESCRIBED PROPERTY AND LYING WITHIN THE BOUNDS OF THE SOUTH 300 FEET OF THE SE $\frac{1}{4}$ 4NW $\frac{1}{4}$ OF SAID SECTION, TOWNSHIP 8 & RANGE.

RC
JG

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said mortgagees, their heirs and assigns forever.

This conveyance is intended as a mortgage to secure the payment of the sum of 17,000.00

Seventeen thousand dollars and no cents-----DOLLARS with interest, in accordance with the terms of a promissory note of even date herewith, payable to the order of the mortgagee, with final payment due December 24, 1996 and providing for acceleration of the due date of the principal for default in the payment of interest or any installment of principal, and providing for a reasonable attorney's fee in case of suit or action.

The mortgagor covenant and agree with, the mortgagee as follows: That he the owner in fee simple of the above described premises and that they are free from all encumbrances

That he will pay the indebtedness hereby secured promptly, according to the terms of said promissory note. That he will pay all taxes, liens and assessments of any nature hereafter levied or imposed, or becoming payable, upon said premises not later than the twentieth day before delinquency. That he will keep the buildings on said premises insured against loss or damage by fire, by some insurance company acceptable to the mortgagee with loss, if any, payable to the mortgagee as interest may appear, in the sum of at least \$, and deliver such policy or policies of insurance to the mortgagee , until the sums secured by this mortgage are fully paid with interest. The mortgagee may from time to time and whenever it so desires, cause an abstract of title to be continued to the then date or procure a title report from a reputable title company and the mortgagor agree to pay the cost thereof upon demand.

If the mortgagor shall fail to pay any such tax or lien, abstract or title report charge, or fail to maintain such fire insurance, the mortgagee may pay the same or procure said insurance, abstract continuation or title report and pay the cost thereof, and all payments by the mortgagee for any such purpose shall be added to the indebtedness hereby secured, and shall be repayable on demand, with interest at the rate of eight (8) per cent per annum until paid.

For the purpose of further securing said indebtedness and performance of the covenants herein contained, the mortgagor hereby sell and assign to the mortgagee any and all rentals accruing, or to accrue on said premises, during the life of this mortgage.

Now, if the said mortgagor shall pay or cause to be paid all moneys which may become due upon said promissory note and shall otherwise comply with the terms and conditions hereof, this conveyance shall be void; but in case default shall be made in the payment of the indebtedness hereby secured, or any part thereof, principal or interest, or in any of the covenants or agreements herein contained, then the mortgagee or assigns, at his option, may declare the entire indebtedness hereby secured immediately due and payable, and foreclose this mortgage and cause said mortgaged premises to be sold in the manner provided by law, and out of the moneys arising from such sale retain principal and interest together with any sums advanced as provided herein, with interest as aforesaid, together with the costs and charges of such foreclosure suit and sale, including such sum as the court may adjudge reasonable as an attorney's fee to be allowed the plaintiff, and the overplus, if any there be, pay over to the mortgagor , heirs and assigns.

Dated: December 23, 1992

Ralph M. Gunter
Ralph M. Gunter

Valerie Gunter
Valerie Gunter

NOTARY SEAL

STATE OF IDAHO, COUNTY OF Bannock
On this 23rd day of December, 19 92
before me, a Notary Public in and for said State, personally appeared

Ralph M. Gunter
Valerie Gunter

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Quintin D. Cannon
Notary Public,

Residing at Pocatello Idaho.
Comm. Expires 8-20-96

INSTRUMENT No.

SCANNED

JAN 27 2006

SCANNED

MAY 24 2001

Log for claim A29-02349

Spatial Dynamics TWB

5/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	8	SENW	35	33	
11s37e	8	NESW	40	40	
Totals:			75	73	

State of Idaho

License and Certificate of Water Right

29-02349

Water License No. G-25058

Amount .62 c.f.s.

Water District No. _____

Priority July 13, 1954

THIS IS TO CERTIFY that DELMER H. BARFUSS of Downey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 13, 19 54; that Permit No. G-25058 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .62 second feet, was issued thereunder on November 19, 19 57, showing that said works were completed on the 1st day of April, 19 57; and that on the 1st day of April, 19 57, DELMER H. BARFUSS

of Downey, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25058 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6209, on the 19th day of November, 19 57; The right hereby confirmed dates from July 13, 19 54;

The Point of Diversion is located in the SE 1/4 NW 1/4, Sec. 8, Tp. 11 S. R. 37 E., B. M. County Bannock. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .62 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	37 E.	8	SE 1/4 NW 1/4 NE 1/4 SW 1/4	35 40	35 40
Total number of acres irrigated				- - -	75

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

19th day of November, 19 57.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

.62
x 214
1.9833

3.5(75)
262.5

To Appropriates the Subterranean Waters of The State of Idaho

Application No. G- 32881

Permit No. G- 25058

District No.

1. Name of Applicant: **DELMER H. BARFUSS**
Postoffice address: **Downey** County: **Bannock** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **1.5** or Idaho
Miners' inches **75** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean from a well.**
4. Location of point of diversion or well is in the **SE** $\frac{1}{4}$ of the **NW** $\frac{1}{4}$ of Section **8**
Twp. 11 S. , Rge. 37 E. , B.M., County of Bannock
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Driven well and pump**
8. Estimated cost of works: **\$ 2,000.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Two (2)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **1 cubic foot per second**
Portneuf-Marsh Valley
 - (a) **76"** (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: The undersigned applicant is the full owner of described property.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

DELMER H. BARFUSS Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. July 13, 1954

Returned to applicant for correction: July 13, 1954

Corrected application received: July 15, 1954

Approval of State Reclamation Engineer

The number of this permit is G-25058

Recorded in Book 89 Page 25058 Approved July 22, 1954

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 22, 1954 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 22, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 22, 1955

Witness my hand this 22nd day of July, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd day of July, 1954.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
11 S.	37 E.	8		35	40		75
In the Matter of the Reinstatement) of Permit No. G-25058 Under the) Provisions of Section 5594, Idaho) Compiled Statutes.)			STATE OF IDAHO DEPARTMENT OF RECLAMATION ORDER REINSTATING PERMIT				
WHEREAS, Permit No. G-25058 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: July 22, 1956; and, WHEREAS, On the 5th day of October, 1956 notice to show cause why said permit should not be canceled, under the provisions of Section 5594 Compiled Statutes of Idaho, was duly served on the holder of said permit; and, WHEREAS, On the 30th day of October, 1956 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and, WHEREAS, On the 2nd day of April, 1957 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and, that the said works of diversion were completed within the time required in the permit; and, WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-25058, and that the holder has acted in good faith; IT IS, THEREFORE, Hereby Ordered that said Permit No. G-25058 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 23rd day of September, 1957.							
Recorded: September 23, 1957.			/s/ Mark R. Kulp State Reclamation Engineer				

Permit No. G-25058

Certificate of Completion of Works

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that DELMER H. BARFUSS of Downey, County of Bannock, and State of Idaho, the holder of Permit No. G-25058, issued upon Application No. G-32881 bearing date of priority of July 13, 1954, authorizing the diversion of 1.5 second feet of the waters of subterranean flow from a well County of Bannock, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .62 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, Township 11 South, Range 37 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 75 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 11 South, Range 37 East, B.M. Proof of Completion of Works made: April 1, 1957

Witness my hand this 19th day of November, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: April 1, 1957
Certificate of Completion of Works issued: November 19, 1957.

LICENSE ISSUED FOR .62 SEC. FT.
Page - 6209

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 2 3 1957

Department of Reclamation

Delmer H. Barfuss
Downey, Idaho

Permit No. C-25058

Examination for Completion of Works & Beneficial Use

County Bannock

8-11S, -37E,

Q = 1.5 c.f.s.

I = Well

P.D. = SE, NW, Sec. 8, T. 11S, -R. 37E.

Use = Irrigation

Filed = July 13, 1954 ✓

Done = July 22, 1955

Well = 105' 16" casing - 105' 11" 1/2

14" casing

2 1/2" x 10' 10" - 45%

Col. 116' x 6"

Dumping 1 1/2' about 110'

Pump. Layne - Bowler #21418

6" discharge

Pressure gages 51" 75" 100"

Motor GE YLT 1106006 #30
V 220

RPM - 1800

Amp - 742

Demol 0.596' x 40

controls Cutter-Hammer

Water - GE - 28 853 475

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25058

REPORT ON PROOF OF Completion of Works & Beneficial Use

Delmer H. Barfuss, Downey, Idaho

. 62 cfs
max

app. 1.5 cfs
sub 2
avul 75-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 67

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DELMER H BARFUSS	07/13/1954	IRRIGATION	04-15 10-15	0.620 CFS	262.50 AFA
C	CLEA MAE BARFUSS					
	19455 S US HWY 91					
	DOWNNEY ID 83234					
	(208) 897-5538					
				TOTAL DIVERSION:	0.620 CFS	262.50 AFA
				CONSUMPTIVE USE:		187.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R37E S08

SESENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11S	37E	8	:					:					:					:					:	
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POU County: BANNOCK

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/06/92 TAYLOR 06/22/94 COX 03/29/95 POST-STD

Memo.

RE: A29-02349

T.C. from Ken Degen:

Mr. Degen called because his new neighbor has reactivated an irrigation well that to his knowledge has not be used for 30 years. Mr. Degen wants the Department to have the well turned off. The production of his well (A29-02484) has declined and the neighbor should not be allowed to pump.

Mr. Degen info told me the previous owner was Delmer Bayless and the new owner is Jeff Guntow. SRBA records contain claim A29-02349 filed by Delmer Bayless. There is no record of a change of ownership.

Mr. Degen indicated he would send a letter outlining the situation and expects ADWR will follow up.

Note - Degen well is 48' deep. Blue clay situated at 80'.
No water below 80'.

MICROFILMED

APR 12 1994

Memo.

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MICROFILMED
NOV 13 1990

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: A29-02349

Date Received: 11/ 6/1992

Receipt No: EO18072

Received By: H/1

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELMER H. BARFUSS
Address: 19455 S US HWY 91
DOWNEY ID

208-897-5538

83234

AND/OR

Name: CLEA MAE BARFUSS
Address: 19455 S US HWY 91
DOWNEY ID

208-897-5538

83234

A2902349



2. Date of Priority: JUL 13, 1954

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	8	SE	SE	NW		BANNOCK

5. Description of diverting works:

WELL, 150' WITH 30 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.620		262.50

7. Total Quantity Appropriated is:

0.620 C.F.S. (and/or) 262.50 A.F.A.

8. Total consumptive use is 187.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	37E	8	SE	NW		IRR	35.0

10. Place of Use: Continued

Township 11S Range 37E Section 8

1/4 of 1/4 Lot Use Acres
NE SW IRR 40.0
Section Acres 75.0

Total Acres 75.0

11. Place of use in counties:

BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 25058

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read understand the form entitled "How you will receive notice in the Snake Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive 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): Chelmer H. Dargatzis Date: 11/6/92

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of November 19 92

Gregory J. Taylor
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 3/3/98

MICROFILMED
DEC 09 1992

RIGHT NUMBER: 29-2349
NAME AND ADDRESS: CLEA MAE BARFUSS
19455 S US HWY 91
DOWNEY ID 83234

DELMER H BARFUSS
19455 S US HWY 91
DOWNEY ID 83234

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.62 CFS
262.5 AFY

PRIORITY DATE: 07/13/1954

POINT OF DIVERSION:

T11S R37E S8 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.620 CFS
262.50 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R37E S08

SENW

35.0

T11S R37E S08

NESW

40.0

75 ACRES TOTAL

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: License

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02349	11S 37E	8	SE	SE	NW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02349	11S 37E	8	SE	NW				BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 11S	RGE. 37E	SEC. 8	1/4 SE	1/4 SE	1/4 NW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-02349

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	8	SE	NW		BARFUSS, DELMER H	A29-02349 / 35.0	29-02349 / 35.0		1.0	
			SE	NW		PORTNEUF MARSH VALLEY CANAL CO		29-04060 /			
11S	37E	8	NE	SW		BARFUSS, DELMER H	A29-02349 / 40.0	29-02349 / 40.0			
			NE	SW		BARFUSS, DELMER H	A29-11895 /	- /			
			NE	SW		BARFUSS, DELMER H	29-11895 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02349	75.00	75.00	1.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11895	DOMESTIC	BARFUSS, DELMER H	FROM 01-01 TO 12-31	0.040 CFS	
A29-11895	STOCKWATER	BARFUSS, DELMER H	FROM 01-01 TO 12-31	0.040 CFS	
29-11895	DOMESTIC	BARFUSS, DELMER H	FROM 01-01 TO 12-31	0.040 CFS	
29-11895	STOCKWATER	BARFUSS, DELMER H	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

CC

6E R37E

DOWNEY WEST ORTHOPHOTOQUAD
IDAHO

402

403

404 10'

405

406

510 000 FEET 112° 7' 30"
42° 30'

6

Virginia

4803

4

4705

300 000
FEET

Place of
Use

P.D.

4704

4703

4702

MICROFILME
DEC 09 1992