

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: A37-10211
Date Received: 6/22/1988
Receipt No: 5000505
Received By: ADL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARINDA BARNEY 208-886-7535
Address: 275 4 MILE ROAD
SHOSHONE, ID 83352

AND/OR

Name: TONY F. BARNEY
Address: 268 4 MILE ROAD
SHOSHONE, ID 83352

2. Date of Priority: DEC 31, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	17E	8	SE	SE	SW		LINCOLN

5. Description of diverting works:
6" X 238' WELL WITH 3/4 H.P. SUBMERSIBLE 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		
STOCKWATER	01/01	12/31	0.070		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE S/ 85 DAIRY C/ 3 STALL DAIRY WITH BULK TANK 30 HEAD/D

A37-10211

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Date: 06/22/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	17E	8			STOCK	
			SE	SW	COMMER	
					DOMEST	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
ORIGINAL WELL ABANDONED IN 1964 WHEN REPLACEMENT WELL DRILLED.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: _____

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): X Guy F. Barney Date: 6-22-1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Garding Id
My Commission Expires 10/16/1992

05/02/2002

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

RIGHT NUMBER: 37-10211

NAME AND ADDRESS: TONY F BARNEY
268 4 MILE RD
SHOSHONE ID 83352

CLARINDA BARNEY
275 4 MILE RD
SHOSHONE ID 83352

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1915

POINT OF DIVERSION:

T05S R17E S8 SESESW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.070 CFS

PLACE OF USE: DOMESTIC Within LINCOLN County

T05S R17E S08 SESW

STOCKWATER Within LINCOLN County

T05S R17E S08 SESW

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

37-10211
T5S R17E S8
DE MINIMIS USES.

SESW

SWSW



POI

7 8

18 17

5-2-02
SCL



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-10211
TONY F BARNEY
268 4 MILE RD
SHOSHONE, ID 83352

March 4, 2002

Re: Evidence of Priority Date for SRBA Claim

RESPONSE DEADLINE
MARCH 29, 2002

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice as **claimed** if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

A handwritten signature in black ink that reads "Steve Clelland". The signature is written in a cursive, flowing style.

Steve Clelland
Water Resource Agent, Sr.

Enclosures



State of Idaho

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