

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/10/2019

**Water Right 43-2390A**  
**Water Right Report AFTER Ownership Change Split**

| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                              |
|--------------------------|---------------------------------------------------------------------------------------------|
| Current Owner            | DEBRA BARNES<br>390 E 300 S<br>BURLEY, ID 83318<br>(208) 431-0700                           |
| Original Owner           | BARNES BROTHERS<br>C/O PAUL D BARNES<br>HC 72 BOX 2244<br>MALTA, ID 83342<br>(208) 645-2473 |
| Original Owner           | BARNES BROTHERS<br>C/O DEL RAY BARNES<br>RT 1 BOX 125<br>RUPERT, ID 83350<br>(208) 436-0538 |
| Previous Owner           | BIG B RANCH<br>390 E 300 S<br>BURLEY, ID 83318<br>(208) 678-2651                            |

**Priority Date:** 4/10/1953

**Basis:** Decreed

**Status:** Active

**Source**

GROUND WATER

**Tributary**

**Beneficial Use**

IRRIGATION

**From**      **To**

04/01      10/31

**Diversion Rate**

0.790 CFS

**Volume**

335.5 AF

**Total Diversion**

0.790 CFS

335.5 AF

**Source and Point(s) of Diversion**

|              |            |                                          |
|--------------|------------|------------------------------------------|
| GROUND WATER | NWNESE     | Sec. 31, Twp 14S, Rge 27E, CASSIA County |
| GROUND WATER | L2(SWNWNE) | Sec. 6, Twp 15S, Rge 27E, CASSIA County  |
| GROUND WATER | SESENE     | Sec. 6, Twp 15S, Rge 27E, CASSIA County  |

**Place Of Use**

IRRIGATION within CASSIA County

| Twp | Rng | Sec | NE        |            |    |    | NW |    |    |    | SW |    |    |    | SE |      |      |    | Totals |
|-----|-----|-----|-----------|------------|----|----|----|----|----|----|----|----|----|----|----|------|------|----|--------|
|     |     |     | NE        | NW         | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW   | SW   | SE |        |
| 14S | 27E | 31  |           |            |    |    |    |    |    |    |    |    |    |    |    | 19.5 | 31.7 |    | 51.2   |
| 15S | 27E | 6   | 1.7<br>L1 | 39.0<br>L2 |    |    |    |    |    |    |    |    |    |    |    |      |      |    | 40.7   |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/10/2019

Right Acre Limit: 91.8

POU Total Acres: 91.9

**Conditions of Approval:**

1. B09 THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.
2. 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.
3. RIGHT NOS. A43-02390A AND A43-02397A ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 367.2 AF.
4. RIGHT NOS. A43-2104, A43-02390A AND A43-02397A ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 91.8 ACRES IN A SINGLE IRRIGATION SEASON.
5. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

**Comments:**

1. FHITCHCO 7/10/1995 OWNERSHIP CHANGE  
OWNERSHIP CHANGE MADE 11-08-1994 BY FH AND NOT NOTED IN R RECORD.  
OWNERSHIP CHANGE MADE 07-10-1995 BY FH AS A RESULT OF SITE VISIT.
2. TFAWCETT 2/23/1998 COPIED FROM REMARKS  
\*\*\*\*\*DWR NOTE\*\*\*\*\* THIS CLAIMANT IS THE OWNER OF P/U  
LISTED. AMENDED CLAIM / TRANSFER CLAIM AMENDED PURSUANT TO APPROVED  
TRANSFER 4673.
3. jbitzenburg 12/10/2019 Split Right  
Split into 43-13865 and 43-13866.
4. jbitzenburg 12/10/2019 POU  
Updated Shape

**Dates and Other Information**

Decreed Date: 6/28/2002  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 143  
Swan Falls Trust or Nontrust: T  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>        | <u>Volume</u> | <u>Acres</u> |
|--------------------|---------------|--------------|
| 4.650              | 1,332.0       | 333.0        |
| 43-2390A ,43-2397A |               |              |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/10/2019

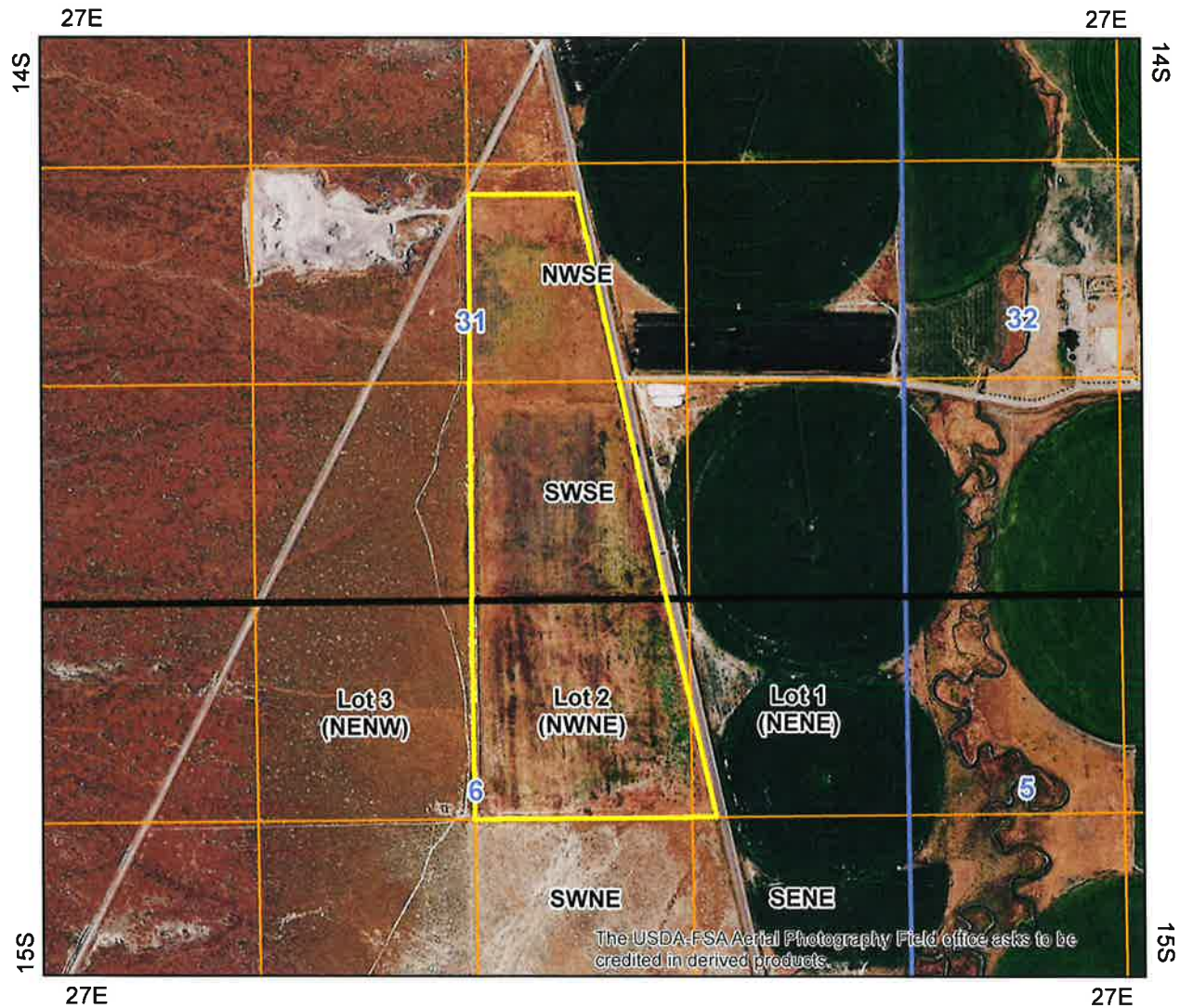
| <u>Rate</u>                 | <u>Volume</u> | <u>Acres</u> |
|-----------------------------|---------------|--------------|
| 43-2104 ,43-2390A ,43-2397A |               | 333.0        |

SubCase:  
N/A

Water Supply Bank:  
N/A

State of Idaho  
Department of Water Resources

# Water Rights 43-2390A and 43-2397A Map AFTER Ownership Change Split



0 0.125 0.25 0.5 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**  
**Water Right 43-2390A**  
**WR Report BEFORE Ownership Change Split**

12/3/2019

|                          |                                                                                             |
|--------------------------|---------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                              |
| Current Owner            | DEBRA BARNES<br>390 E 300 S<br>BURLEY, ID 83318<br>(208) 431-0700                           |
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| Previous Owner           | BIG B RANCH<br>390 E 300 S<br>BURLEY, ID 83318<br>(208) 678-2651                            |

**Priority Date:** 4/10/1953

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 04/01                         | 10/31            | 2.880 CFS                    | 1,216.8 AF           |
|                              | <b><u>Total Diversion</u></b> |                  | 2.880 CFS                    | 1,216.8 AF           |

**Source and Point(s) of Diversion**

|              |            |                            |               |
|--------------|------------|----------------------------|---------------|
| GROUND WATER | NWNESE     | Sec. 31, Twp 14S, Rge 27E, | CASSIA County |
| GROUND WATER | L2(SWNWNE) | Sec. 6, Twp 15S, Rge 27E,  | CASSIA County |
| GROUND WATER | SESENE     | Sec. 6, Twp 15S, Rge 27E,  | CASSIA County |

**Place Of Use**

IRRIGATION within CASSIA County

|     |     |     | NE   |    |      |      | NW |    |    |    | SW |    |     |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|----|------|------|----|----|----|----|----|----|-----|----|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW | SW   | SE   | NE | NW | SW | SE | NE | NW | SW  | SE | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 31  | 14.0 |    | 22.0 | 37.0 |    |    |    |    |    |    |     |    | 40.0 | 34.0 | 37.0 | 40.0 | 224.0  |
| 14S | 27E | 32  |      |    |      |      |    |    |    |    |    |    | 7.0 |    |      |      |      |      | 7.0    |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**  
**Water Right 43-2390A**  
**WR Report BEFORE Ownership Change Split**

12/3/2019

|     |     |   |      |      |  |      |  |     |     |  |  |  |  |  |  |  |  |      |
|-----|-----|---|------|------|--|------|--|-----|-----|--|--|--|--|--|--|--|--|------|
| 15S | 27E | 5 |      |      |  |      |  | 4.0 | 3.3 |  |  |  |  |  |  |  |  | 7.3  |
|     |     |   |      |      |  |      |  | L4  |     |  |  |  |  |  |  |  |  |      |
| 15S | 27E | 6 | 38.0 | 39.0 |  | 18.0 |  |     |     |  |  |  |  |  |  |  |  | 95.0 |
|     |     |   | L1   | L2   |  |      |  |     |     |  |  |  |  |  |  |  |  |      |

Right Acre Limit: 333.0

POU Total Acres: 333.3

**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.
2. RIGHT NOS. A43-02390A AND A43-02397A ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.65 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1332.0 AF.
3. RIGHT NOS. A43-2104, A43-02390A AND A43-02397A ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 333.0 ACRES IN A SINGLE IRRIGATION SEASON.
4. B09 THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.
5. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

**Comments:**

1. FHITCHCO 7/10/1995 OWNERSHIP CHANGE  
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\*\*\*\*\*DWR NOTE\*\*\*\*\* THIS CLAIMANT IS THE OWNER OF P/U LISTED. AMENDED CLAIM / TRANSFER CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4673.

**Dates and Other Information**

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Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: OR  
Water District Number: 143  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|-------------|---------------|--------------|

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report  
Water Right 43-2390A  
WR Report BEFORE Ownership Change Split

12/3/2019

|                             |               |              |
|-----------------------------|---------------|--------------|
| 43-2104 ,43-2390A ,43-2397A |               | 333.0        |
| <u>Rate</u>                 | <u>Volume</u> | <u>Acres</u> |
| 4.650                       | 1,332.0       | 333.0        |
| 43-2390A ,43-2397A          |               |              |

SubCase:

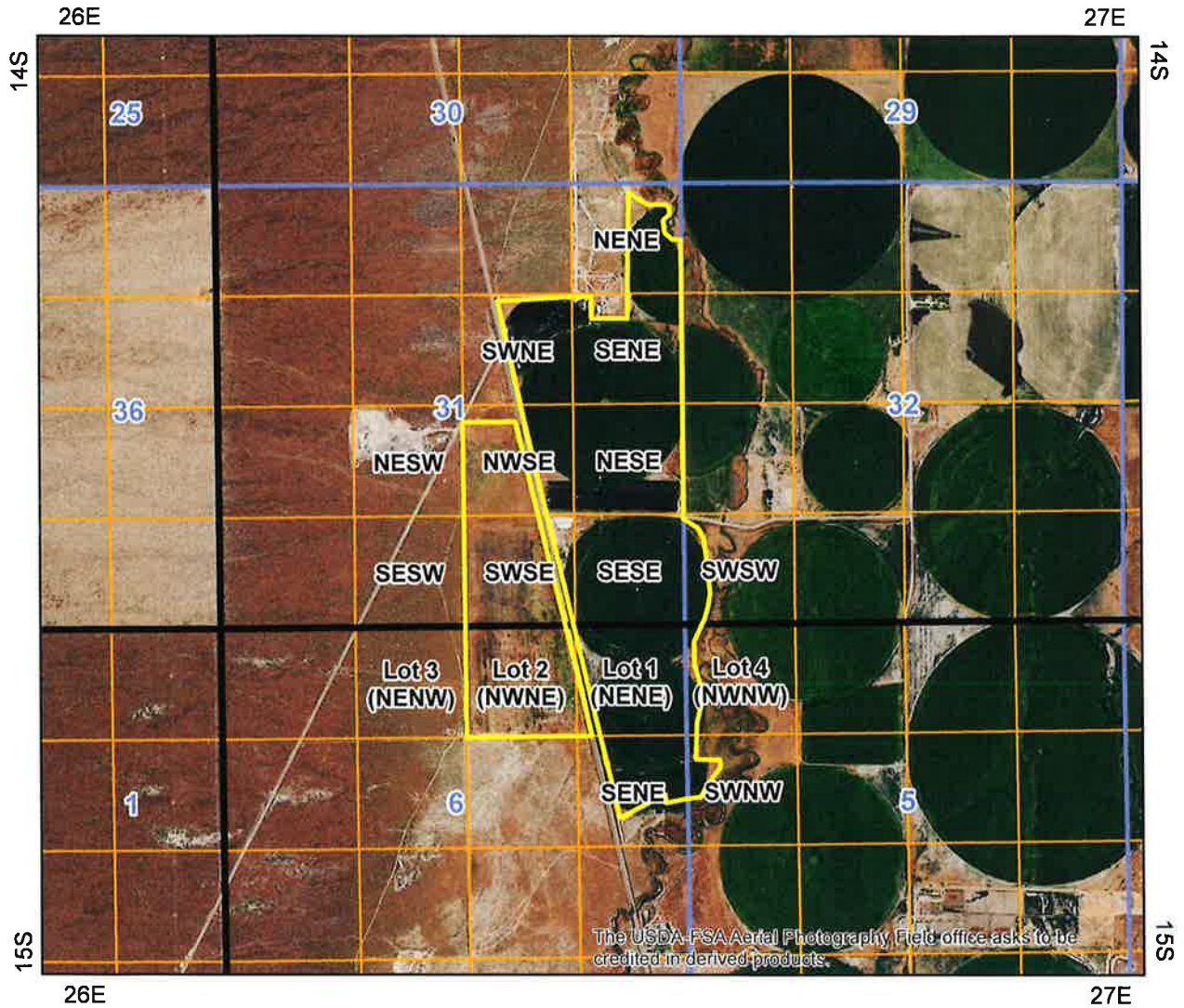
N/A

Water Supply Bank:

N/A

State of Idaho  
Department of Water Resources

# Water Right 43-2390A and 43-2397A Map BEFORE Ownership Change Splits



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.25 0.5 1 Miles

