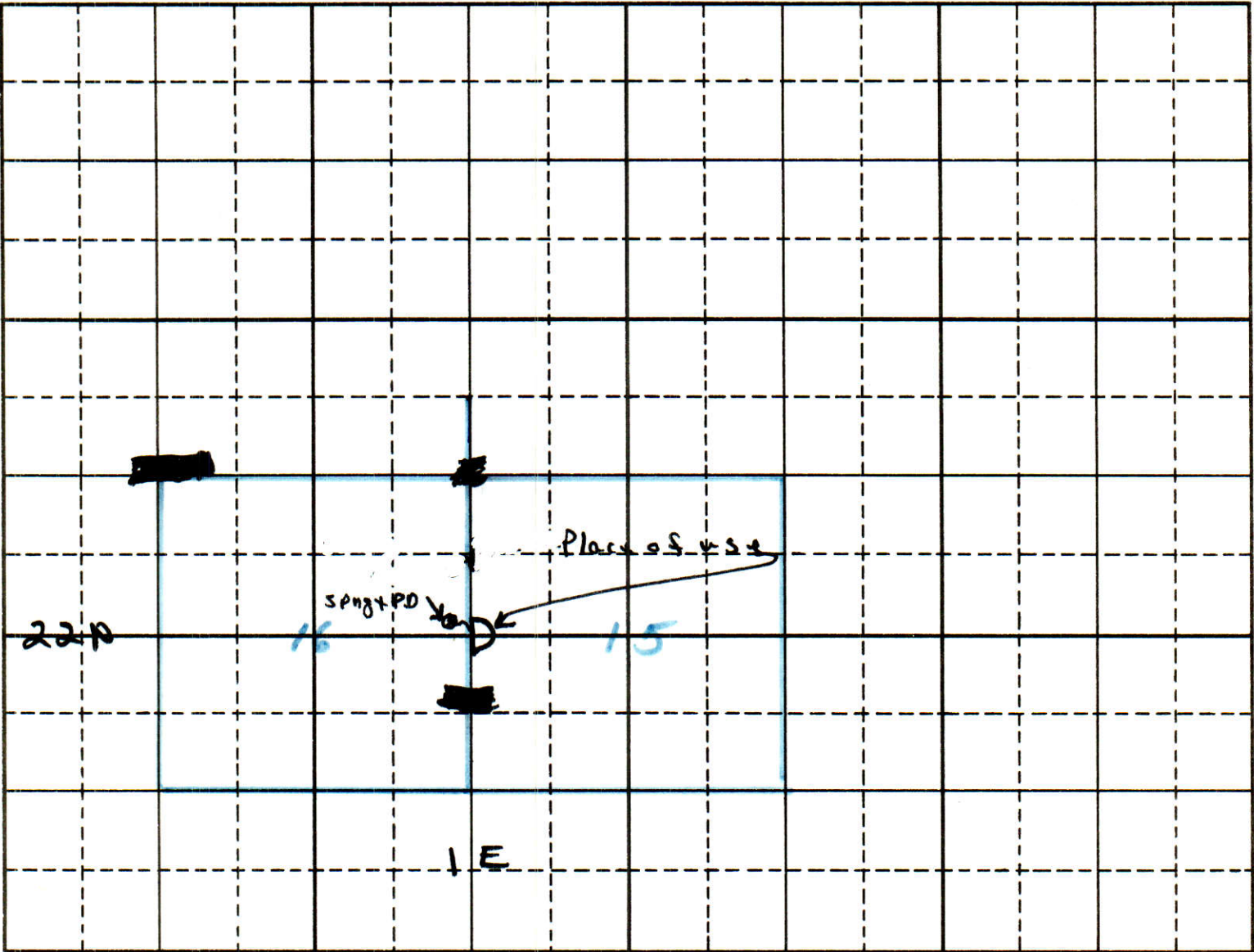


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 16th day of September 19 75.

James D. Barton
(Claimant)

Cathy L. Shaw
Notary Public
Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>cls</u>	Date <u>9/16/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>22B</u>	Date <u>9/16/75</u>		claimant by:	
\$10.00 fee received by <u>cls</u>	Date <u>9/16/75</u>	#1317		
Approved for publication by <u>dlh 10-6-75 ck</u>				
Published in <u>Adams County Leader</u>				
Dates <u>Sept 25 & Oct 2</u>				

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claim to

No. 78-4061 as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated September 25, 1975

and the last in the issue dated October 2, 1975 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 2ND

day of October, 1975

Paul Brown

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 78-4061

Notice is hereby given that FORREST D. &/or MAUDE A. BARTON Pollock, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from unnamed spring with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 22 N, R. 1 E, B.M. Adams County.

The water is claimed to be used from April 1 to Oct. 31 for Irrigation of 1.0 acres with a priority of April 1, 1890; the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 22 N, R. 1 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council on Sept. 2, 1975 and Oct. 2, 1975.

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Forrest D. &/or Maude A. Barton
(name of claimant)
of Pollock, ID 83547, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring
tributary to,

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>0.02</u>	Use <u>Irrigation</u>	Period of Use: From <u>4-1</u> To <u>10-31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: 0.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 4-1-1890

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 16 Twp. 22 N Rge. 1 E B. M. County of Adams
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. spring box into gravity ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

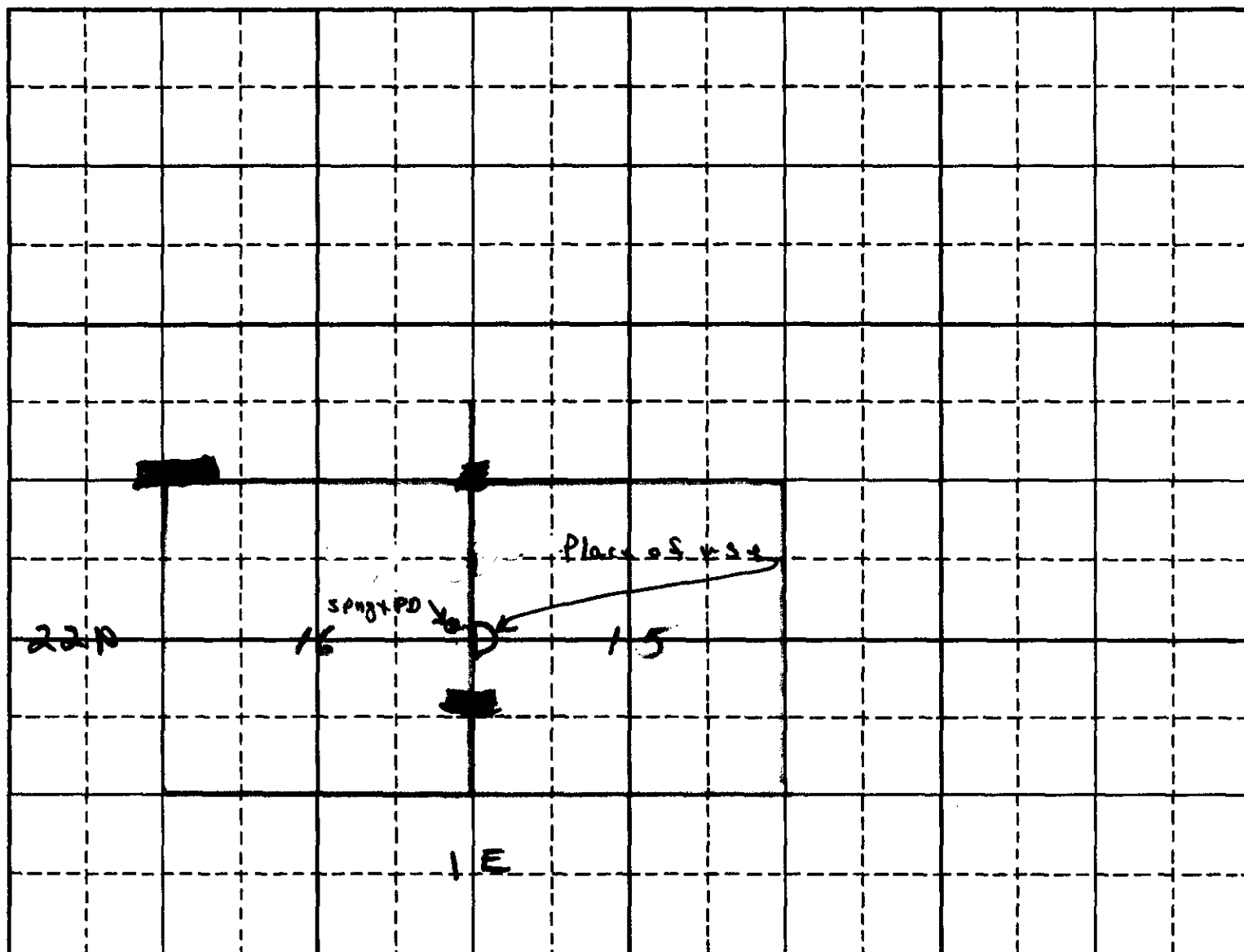
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22N	1E	15							.5				.5						1.0

Total No. of acres 1.0

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 16th day of September, 19 75.

James D. Barton
(Claimant)

Garry L. Shaw
Notary Public
Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>C/S</u>	Date <u>9/16/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CRB</u>	Date <u>9/16/75</u>		claimant by:	
\$10.00 fee received by <u>C/S</u>	Date <u>9/16/75</u>	#1317		
Approved for publication by <u>XXX 10-6-75</u>				
Published in <u>Adams County Trader</u>				
Dates <u>Sept 25 & Oct 2</u>				

AFFIDAVIT IN SUPPORT OF CLAIM TO WATER RIGHT

STATE OF IDAHO)
County of Lemhi): ss.

FRED W. HARDIN, being first duly sworn, on his oath deposes and says:

I

That I currently reside at 931 11th Avenue N, Nampa, Idaho.

II

That I am a former resident of Adams County, State of Idaho, residing therein from 1925 until 1957.

III

That from the year 1925 until July, 1957, I was the owner of certain real property located in the SW-1/4 and NW-1/4 of Section 15, Township 22N, Range 1 E, B.M., Adams County, Idaho, now owned by Forest D. Barton and Maude Barton.

IV

That during the above mentioned period of time I diverted a sufficient quantity of water by gravity ditch from an unnamed spring located in the SE-1/4, NE-1/4, Section 16, Township 22N, Range 1 E., B.M., each and every year during the normal irrigation season for the purpose of irrigating approximately one (1) acre of my said property.

V

That in July of 1957 I and my wife conveyed all our interest in the above mentioned property to Vernie Adamson.

Fred W Hardin

Fred W. Hardin

SUBSCRIBED AND SWORN to before me on this 30th day of August, 1977.

Camille M. Beaubien
Notary Public in and for the State
of Idaho, residing at Nampa

AHERIN & RICE
ATTORNEYS AT LAW
LEWISTON, IDAHO

AFFIDAVIT IN SUPPORT OF CLAIM TO WATER RIGHT

STATE OF IDAHO)
County of Idaho): ss.

VERNIE ADAMSON, being first duly sworn, on his
oath deposes and says:

I

That I currently reside at Riggins, Idaho.

II

That I am a former resident of Adams County, State
of Idaho, residing therein from 1957 until 1968.

III

That from the year 1957 until 1968, I was the
owner of certain real property located in the SW-1/4 and NW-
1/4 of Section 15, Township 22N, Range 1 E, B.M., Adams
County, Idaho, now owned by Forest D. Barton and Maude Barton.

IV

That during the above mentioned period of time I
diverted a sufficient quantity of water by gravity ditch
from an unnamed spring located in the SE-1/4, NE-1/4, Section
16, Township 22N, Range 1 E., B.M., each and every year
during the normal irrigation season for the purpose of
irrigating approximately one (1) acre of my said property.

V

That in 1968 I conveyed all my interest in the
above mentioned property to Forest and Maude Barton.

Vernie Adamson
Vernie Adamson

SUBSCRIBED AND SWORN to before me on this 29th day
of August, 1977.

Norma Bradley
Notary Public in and for the State
of Idaho, residing at Riggins.

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim to

No. 78-4061

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated September 25, 1975

and the last in the issue dated October 2, 1975 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this 2ND

day of October, 1975

Paul J. Blum
Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 78-4061

Notice is hereby given that FORREST D. AND MARION A. BARTON, 1011 E. 1st St., Boise, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from unnamed spring with the point of diversion in the SE 1/4 NE 1/4, Sec. 16, T. 22 N, R. 1 E, B.M. Adams County.

The water is claimed to be used from April 1 to Oct. 31 for Irrigation of 1.0 acres with a priority of April 1, 1890; the place of use is within the SW 1/4 NW 1/4, Sec. 16, T. 22 N, R. 1 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council on Sept. 2, 1975 and Oct. 2, 1975.

Sept 27 & 28
Saturday & Sunday
Neely and Yvonne Kilman, G
at various religious... Ted
JAMES CHURCH SUPERVISOR
Sept 25 & 26
Thursday & Friday
NORTH OF COUNCIL IDAHO
1975

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim to a Water Right "

No. 78-4061 as per clipping
hereto attached, was published in the regular and entire issue
of said newspaper, and not in any supplement thereof, for
two (2) consecutive weeks, the first publication of the
same being made in the issue dated September 25, 1975

and the last in the issue dated October 2, 1975
that said newspaper is of general circulation in Adams County
Idaho, printed and published weekly at Council therein and
that said newspaper has been continuously and uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this 2ND

day of October, 1975

Paul Brown
Notary Public for Idaho,
Residing at Council, Idaho

10-6-75
JHR
JHR

10-6-75

ACT

ION

N OWNER LAST NAME - HARTON

N OWNER LAST NAME - HARTON

N

N SOURCE - SPRING

N STAGE - STAIRY CLM

N DIVERSION POINT - SENE 16 22N 01E

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

N USE - IRRIGATION

N REMARKS - AC. IRR.=1.

FIRST NAME - FORREST D.

FIRST NAME - WAUDE A.

CITY - POLLOCK

STATE - ID ZIP CODE - 83547

PRIORITY - 04-01-1890 COUNTRY - ADAMS

TOTAL DIV. PAID - .0200CFS

USE DIV. RATE - .0200CFS

PLACE OF USE - TOWN 22N RING 01E SEC 15 TRACT SENE

AC 01 TRACT NWSW AC 01

3/79

IDENT. NO. 78-4061

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 78-4061
Old No. New No.

Record

1. Original Owner: Forrest D. & Maudie A. Barton

Present Owner: _____

2. Address:

3. City: Collock State: ID Zip: 83547

4. A. Source of Water: spring

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-1-1890

D. County: 03

E. Total Diversion Rate: .02

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NE</u>	<u>16</u>	<u>22 N</u>	<u>1 E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-31 for A purposes. Amount .02
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

10379

22N

B. Decree Date:

B.
C.
D.
E.

12. Other Rights for Same Use:

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

October 14, 1975

Forrest D. Barton
Pollock, ID 83547

RE: Claim to a Water Right No. 78-4061
78-4062
78-4063

Dear Mr. Barton:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SUTTON, P.E.
Western District Engineer

LGS:cls

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

Sept. 19, 1975

Adams County Leader
Council, ID 83612

Re: Claim to a Water Right 78-4061, Forrest D. &/or Maude A. Barton
78-4062, Forrest D. &/or Maude A. Barton
78-4063, Forrest C. &/or Maude A. Barton

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

*Bill submitted
10-6-75
dlw*

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4061

Notice is hereby given that FORREST D. &/or MAUDE A. BARTON
Pollock, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~acres feet~~ of water
from unnamed spring
with the point of diversion in the SE 1/4, Sec. 16, T. 22 N, R. 1 E,
B.M. Adams County.

The water is claimed to be used from April 1 to Oct. 31
for Irrigation of 1.0 acres

with a priority of April 1, 1890;
the place of use is within the SW 1/4, NW 1/4, Sec. 15, T. 22 N, R. 1 E,
B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader. Council
on Sept. 25, 1975 and Oct. 2, 1975.