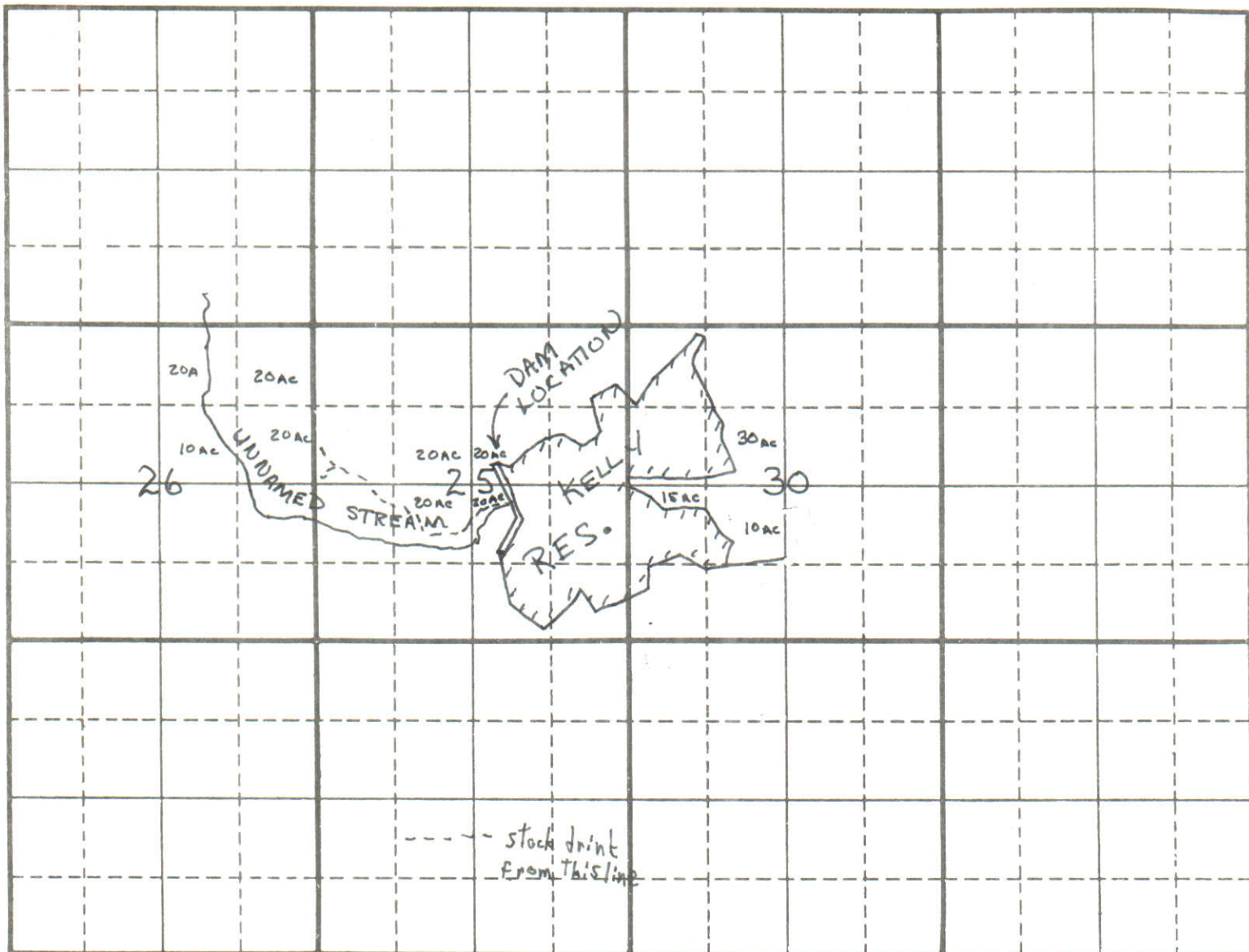


(8) Remarks This claim is filed to identify the additional storage capacity that was developed when dam was constructed in 1911 under Lic Rt. 37-2218 - this rt identified only 250 acre feet storage. SEE ATTACHED MAP.



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 affiant's knowledge.

Barr H Baiz Inc.
x Gordon J Edmund
(Claimant)

Sworn to before me this 17TH day of MARCH, 19 83.

Joni Johnson
Notary Public
Residing at Bonnie Rd.

My commission expires life

Received by marya J.S. Date 3/17/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JS Date 3-28-83 claimant by: _____
\$30.00 fee received by marya Date 3/24/83 # 26108
Published in Gooding Co. Leader
Dates 4/3 & 4/30/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

Bar H Bar Inc. c/o Gordon. G. Schmidt

(Name of Claimant)

83327

Telephone No. 764-2534

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 8-9-1911

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

UNNAMED STREAM tributary to RYAN CREEK

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

		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
(Mo., Day)		(Mo., Day)		(Mo., Day)	
Quantity	475 AF	Use	IRRIGATION FROM	Period of Use From	4-1 To 11-1
Quantity	475 AF	Use	STORAGE FOR IRRIGATION	Period of Use From	1-1 To 12-31
Quantity	4 AF	Use	STOCKWATER FROM STORAGE	Period of Use From	1-1 To 12-31
Quantity	4 AF	Use	STORAGE FOR STOCKWATER	Period of Use From	1-1 To 12-31
Quantity		Use		Period of Use From	To

(4) 475 AF TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 25 Twp. 1S Rge. 1SE B.M., County of CAMAS

Additional points of diversion: SW NE S 2S T1S R 15E

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. Describe any changes in the system and give the date of the change. EARTH DAM 8' ft high x 800' CREST LENGTH

(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.

[illegible]

No. of acres 205

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

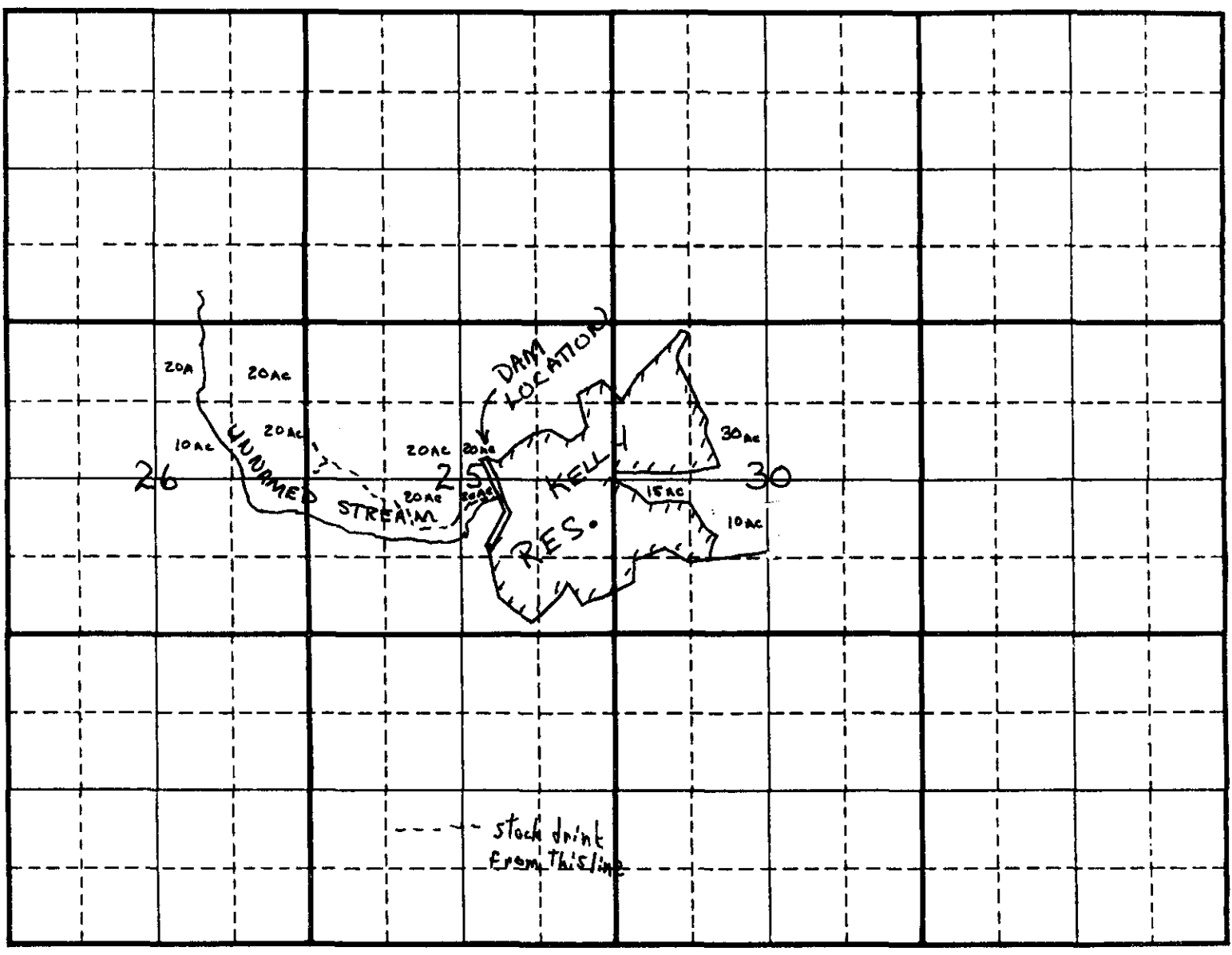
200 HEAD RANGE CATTLE

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization: N/A

N/A

(8) Remarks This claim is filed to identify the additional storage capacity that was developed when dam was constructed in 1911 under Lic Rt. 37-2218 - This rt identified only 250 acre feet storage. SEE ATTACHED MAP.



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 affiant's knowledge.

Bar H Dair Inc.
[Signature]
(Claimant)

Sworn to before me this 17TH day of MARCH, 19 83.

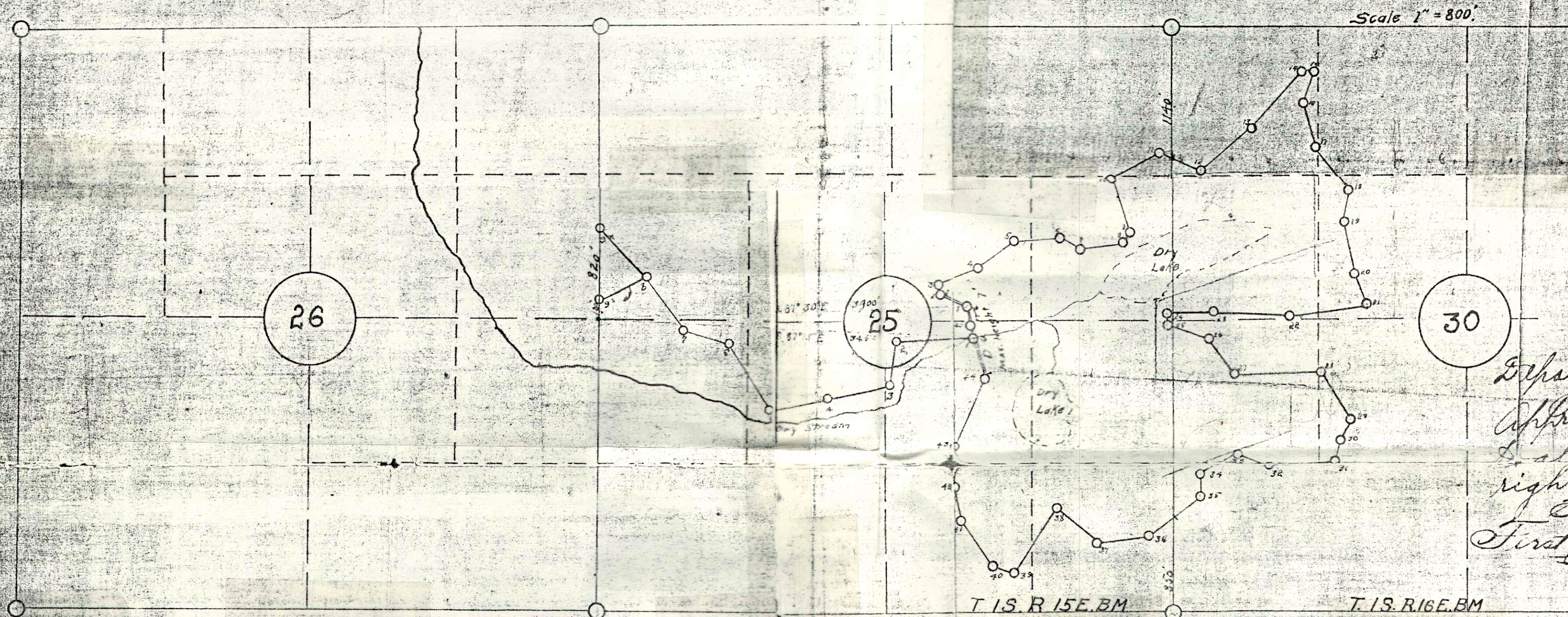
[Signature]
Notary Public
Residing at Bonnie Rd.

My commission expires life

RECORDED		<u>3/23/83</u>	
Received by <u>J.S.</u>		FOR DEPARTMENT USE ONLY	
Prelim. check by <u>[Signature]</u>	Date <u>3/17/83</u>	Exception filed by:	Date
\$30.00 fee received by <u>marya</u>	Date <u>3-28-83</u>	Forwarded to claimant by:	Date
Published in <u>Gooding Co. Recorder</u>	Date <u>4/13/83</u>		
Dates <u>4/13</u> <u>4/30/83</u>			

MAP OF MICHEAL KELLY'S PROPOSED RESERVOIR AND DITCH BLAINE CO. IDAHO.

I hereby certify that un-
patented land is affected
by this R.R. application
p. Jones
Register



Department of the Interior
June 1, 1911
Approved subject
of all valid existing
rights
Samuel Adams
First Asst. Secretary

State of Idaho } ss.
County of Blaine }

Chas. H. Perkins, being duly sworn, says he is the person employed to make the survey by Michael Kelly, that the survey of Reservoir and Ditch described as follows: the initial point in the water line, contour of the reservoir marked "1" on the map, is N 87° 30' E 3400 ft. from the east 1/4 corner of Sec. 26, T. 15. R. 15E. BM, having an area of 241.7 acres and a capacity of 725 acre ft. The initial point of the ditch marked "2" on the map, is S. 87° 15' E 3450 ft. from the east 1/4 corner of Sec. 26, T. 15. R. 15E. BM, extending thence through surveyed land a distance of 4349 ft. with a width of 4 ft. at the water line to Sta. 95 and 96 terminal points which are 180 and 820 north of the east 1/4 Cor. Sec. 26, T. 15. R. 15E. That said survey was made by him the surveyor employed by said Michael Kelly, and under his authority, and was commenced on July 11, 1910 and ended July 13, 1910 and that survey of said ditch accurately represents a proper grade line for the flow of water, and said reservoir also represents a level line which is the proposed water line of said reservoir, and that said survey is accurately represented on this map and by the accompanying field notes, and that no lake or lake bed, stream or stream bed is used for said reservoir and ditch except as shown on this map. And further says that his residence and Post Office is Soldier, Idaho.

Chas. H. Perkins
Engineer

Subscribed and sworn to before me this 6th day of June, 1911.

H. L. Shields
Notary Public

State of Idaho } ss.
County of Blaine }

I, Michael Kelly, do hereby certify that Chas. H. Perkins, who subscribed, the accompanying affidavit was employed to make the survey by me; that the survey of Reservoir and Ditch as accurately represented upon this map and by the accompanying field notes, was made under my authority and was adopted by me on the 13th day of July 1910, as the definite location of said Reservoir and Ditch described as follows: - The initial point in the water line contour of the Reservoir marked "1" on the map, is N. 87° 30' E 3400 ft. from the east 1/4 Cor. of Sec. 26, T. 15. R. 15E. and has an area of 241.7 acres and a capacity of 725 acre ft. The initial point of the Ditch marked "2" on the map is S. 87° 15' E 3450 ft. from the east 1/4 Cor. Sec. 26, T. 15. R. 15E. BM extending thence through surveyed land a distance of 4349 ft. with width of 4 ft. at the water line to Sta. 95 and 96 terminal points which are 180 ft and 820 north of the east 1/4 Cor. Sec. 26, T. 15. R. 15E. BM. And that no lake or lake bed, stream bed is used for said Reservoir and Ditch except as shown on this map, and that the map has been prepared to be filed with the Secretary of the Interior in order that I may obtain the benefits of Secs. 18-21 inclusive of the Act of Congress approved Mar. 3rd 1891 entitled "An Act to repeal Timber culture laws, and for other purposes," and Sec. 2 of the Act approved May 11th 1893; and I further certify that the right of way herein described is desired for the main purpose of irrigation.

Michael Kelly

Applicant

Subscribed and sworn to before me this 6th day of June, 1911.

H. L. Shields
Notary Public

H09245

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Harry Shook, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13 day of April 19 83, and the date of the last publication was on the 20 day of April, 19 83.

Subscribed and sworn to before me this 20 day of April, 19 83.
(SEAL)

Cindy Dains
NOTARY PUBLIC
GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice.. 224
Number of Insertions. 2
Lines tabular at 42'
224 Lines straight at 32' 71.68
224 Subsequent lines at 21' 47.04
Total Cost 118.72

COPY OF NOTICE (Paste Here)

Artificial Claims
TITLE OF NOTICE
to Water Right

PLAINTIFF ATTORNEY
#D 36-4175, 36-4176
36-4177, 37-4280,
DEFENDANT
37-4281, 37-4282
37-4283, 37-4284
PLAINTIFF
37-4285, 37-4286, 37-4287
37-4290, 37-4291, 37-429
BRIEF TO
Dept. of Water 37-42

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 32'
7 pt. per line, tabular 42'
7 pt. per line, successive
insertions 21'

No. 370

TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

36-4175
LESNESKI, PAUL R.
RT. 2, BOX 297, WENDELL,
ID 83356

Source: GROUNDWATER
Priority Date: 03/15/1960
Diversion Pt: NENE Sec 29
T08S R15E
Use: IRRIGATION (0.76
CFS)
In: NENE Sec 29 T 08S R
15E FOR 38 ACRES

36-4176
HESS, PHILLIP H.
RT. 1 BOX 300, HAGER-
MAN, ID 83332
Source: GROUNDWATER
Priority Date: 05/05/1959
Diversion Pt: SWNE Sec 20
T07S R14E
Use: IRRIGATION (6.40
CFS)
In: NENE NWNE SWNE
SENE NENW NWNW SE-
NW NESE Sec 20 T 07S R
14E FOR 320 ACRES

36-4177
HESS, PHILLIP H.
RT. 1, BOX 300, HAGER-
MAN, ID 83332
Source: POND
Priority Date: 03/03/1966
Diversion Pt: SENW Sec 17
T08S R15E
Use: IRRIGATION (4.00
CFS)
In: NWNW SWNW SENW
NESW NWSW Sec 17 T 08S R
15E FOR 200 ACRES
Source: POND trib. to
SINKS

37-4280
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: SENE Sec 13
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: SENE Sec 13 T 01N R
14E

37-4281
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: SESW Sec 13 T
01N R14E
Use: STOCKWATER (0.02
CFS)
In: SESW Sec 13 T 01N R 14E

37-4282
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
LITTLE DEER CREEK
Priority Date: 01/01/1910
Diversion Pt: NWSE Sec 13
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: NWSE Sec 13 T 01N R
14E

37-4283
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
LITTLE DEER CREEK
Priority Date: 01/01/1910
Diversion Pt: SWNE Sec 13
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: SWNE Sec 13 T 01N R
14E

37-4284
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: NWNW Sec 13
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: NWNW Sec 13 T 01N R
14E

37-4285
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: NWSW Sec 13
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: NWSW Sec 13 T 01N R
14E

37-4286
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: NWNE Sec 24
T01N R14E
Use: STOCKWATER (0.02
CFS)
In: NWNE Sec 24 T 01N R
14E

37-4287
KRAHN, EDWARD O.
FAIRFIELD, ID 83327
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1910
Diversion Pt: SWSW Sec 18
T01N R15E
Use: STOCKWATER (0.02
CFS)
In: SWSW Sec 18 T 01N R
15E

37-4288
BUTLER, HAROLD S.
808 9TH AVE. EAST, GOOD-
ING, ID 83330
Source: GROUNDWATER
Priority Date: 06/02/1947
Diversion Pt: SWSW Sec 05
T06S R13E
Use: COMMERCIAL (0.02
CFS) DOMESTIC (0.02 CFS)
In: SWSW Sec 05 T 06S R 13E

37-4291
HOBDEY, LEO
STAR RT. BOX 85, BLISS,
ID 83314
Source: GROUNDWATER
Priority Date: 01/01/1944
Diversion Pt: NESE Sec 34
T06S R12E
Use: DOMESTIC (0.04 CFS)
In: NESE Sec 34 T 06S R 12E

37-4292
MILLER, ILENE
STAR RT. BOX 86, BLISS,
ID 83314
Source: GROUNDWATER
Priority Date: 07/01/1924
Diversion Pt: SENE Sec 34
T06S R12E
Use: DOMESTIC (0.04 CFS)
In: SENE Sec 34 T 06S R 12E

37-4297
BARTON, INC.
C/O GORDON G. SCHMIDT,
R.F.D., FAIRFIELD, ID
83327
Source: UNNAMED
STREAM trib. to RYAN
CREEK
Priority Date: 08/09/1911
Diversion Pt: NWSE SWNE
Sec 25 T 01S R15E
Use: IRRIGATION STOR-
AGE (475.0 AF)
IRRIGATION FROM STOR-
AGE (475.0 AF) STOCK-
WATER STORAGE (4.0 AF)
STOCKWATER FROM
STORAGE (4.0 AF)
In: SWNE SENW NESW
NWSE Sec 25 T 01S R 15E
NENE NWNE SWNE SENE
Sec 26 T 01S R 15E SENW
NESW NWSW Sec 30 T 01S
R 16E SWNW NESW NWSW
NWSE Sec 25 T 01S R 15E
FOR 205 ACRES

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301.

A. KENNETH DUNN
Director

Pub: 4-13, 20, 1963

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 6, 1983

BAR H BAR, INC.
C/O GORDON G. SCHMIDT
R.F.D.
FAIRFIELD

ID 83327

RE: Claim No. 37-4297

Dear Claimant:

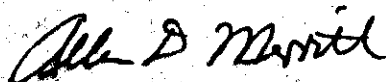
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

RECEIVED
MAY 10 1983

NOT. OF CLAIMS TO WATER RIGHT.

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

37-4297-

BAR H BAR, INC.

C/O GORDON G. SCHMIDT, R.F.D., FAIRFIELD, ID 83327

Source: UNNAMED STREAM trib. to RYAN CREEK

Priority Date: 08/09/1911

Diversion Pt: NWSE SWNE Sec 25 T 01S R 15E

Use: IRRIGATION STORAGE	(475.0 AF)
IRRIGATION FROM STORAGE	(475.0 AF)
STOCKWATER STORAGE	(4.0 AF)
STOCKWATER FROM STORAGE	(4.0 AF)

In: SWNE SENW NESW NWSE Sec 25 T 01S R 15E NENE NWNE SWNE SENE
Sec 26 T 01S R 15E SENW NESW NWSW Sec 30 T 01S R 16E SWNW NESW NWSW NWSE
Sec 25 T 01S R 15E FOR 205 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 4/13 & 4/20/83.



37-4297

BAR H BAR, INC.
C/O GORDON G. SCHMIDT,
R.F.D., FAIRFIELD, ID
83327

Source: UNNAMED
STREAM trib. to RYAN
CREEK

Priority Date: 08/09/1911
Diversion Pt: NWSE SWNE
Sec 25 T 01S R 15E

Use: IRRIGATION STOR-
AGE (475.0 AF)

IRRIGATION FROM STOR-
AGE (475.0 AF) STOCK-
WATER STORAGE (4.0 AF)

STOCKWATER FROM
STORAGE (4.0 AF)

In: SWNE SENW NESW
NWSE Sec 25 T 01S R 15E
NENE NWNE SWNE SENE
Sec 26 T 01S R 15E SENW
NESW NWSW Sec 30 T 01S
R 16E SWNW NESW NWSW
NWSE Sec 25 T 01S R 15E
FOR 205 ACRES

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes
Blvd. North, Twin Falls,
Idaho 83301.

A. KENNETH DUNN
Director

Pub: 4-13. 20. 1983

sb
mayer
4/13/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

APRIL 6, 1983

Gooding County Leader
P.O. Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 2, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 37-4297 Applicant BAR H BAR, INC. %Gordon G. Schmidt

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADm Date 5/2/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 5/17/83

MICROFILMED

RECEIVED
MAY 19 1983
Department of Water Resources