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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-11395

WATER RIGHT NUMBER: 22-11395

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MAURIE BARTON 1686 WEST 1750 NORTH REXBURG, ID 83440 (208)356-3110
Current Owner	BRECK BARTON 1686 WEST 1750 NORTH REXBURG, ID 83440 (208)356-3110

Priority Date: 06/01/1981

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.030 CFS	
DOMESTIC	01/01 to 12/31	0.240 CFS	
	<u>Total Diversion:</u>	0.240 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4NW1/4	Sec. 13, Twp 06N, Rge 39E, B.M.
MADISON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	39E	13					X												

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	39E	13					X												

MICROFILMED

- 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 22-11395

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 60 HEAD PARCEL NO. RP OJ & MS0000060 PROPERTY ALSO KNOWN AS J & M SUB, 1ST AMENDED, LOT 6

Dates and Other Information:

Licensed Date:
Decreed Date: 8/9/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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OCT 13 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2002

MAURIE BARTON
BRECK BARTON
1686 WEST 1750 NORTH
REXBURG, ID 83440

RE: Partial Abandonment of Water Right 22-11395

Dear Mr. and Mrs. Barton:

The Department of Water Resources received your notice that you are abandoning part of Water Right 22-11395 to reduce the authorized diversion rate from 0.28 cfs to 0.24 cfs. Your water right record has been modified so that the diversion rate for domestic purposes, which was 0.25 cfs, is now 0.24 cfs. Also, the total diversion rate, which was 0.28 cfs, is now 0.24 cfs. I have enclosed a printout for your records.

Please note that your diversion under Water Right 22-11395 is limited to 0.24 cfs. Diversion in excess of the authorized rate could result in penalties as provided in §42-351 and §42-1701B, *Idaho Code*.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

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AUG 29 2002



*BRECK BARTON
& ASSOCIATES, P.A.
LAW OFFICES*

*70 North Center, Suite 2
P.O. Box 100
Rexburg, ID 83440*

*(208) 356-4880
FAX (208) 356-4882*

Breck H. Barton, J.D.

August 13, 2002

State of Idaho
Department of Water Resources
Attn: Shelly Keen
1301 N. Orchard
Boise, ID 83706

RECEIVED

AUG 16 2002

Department of Water Resources

Re: Water right claim #22-11395

Dear Shelly:

I am the owner of the above water right claim which matured into a decree for .25CFS for domestic use. I desire to petition to reduce the domestic use right to .24CFS which will not require that I report under water district reporting standards.

Please consider this letter as a petition or, in the alternative, if there is a particular form that I need to file, please provide such form to me. It is impossible to measure the water use from my home well which also provides stock water and water to our large yard. Thank you for your courtesies.

Very truly yours,

Breck Barton

BB/kd

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