

Barker
Since 1885
Dow Barker 208-221-4546
355 South 2nd East
Soda Springs, ID 83276
dow@dangerboydracing.net

RECEIVED

JUL 08 2026

IDWR/Preston

July 8, 2026

Idaho Department of Water Resources
Jacob Morris
325 East 600 South
Suite 300
Preston, ID 83263-4921
208-232-6101

Dear Jacob

Thank you for your time helping us with Claim No. 11-4308.

HISTORY

I have attached a picture of the Sulfur canyon stream from 1947 year (Picture 1). This picture shows the stream in Sulfur Canyon and the lower dam on the stream. I have also attached a picture of the upper dam which is actually in the Caribou National Forest 1947 year (Picture 2). As you can see in these photos the stream, we use to water stock has always been active previous to our purchase of the property in 1959. The biggest reason the water flow has been curtailed is because sometime in the 1970's the government breached the upper dam (Picture 3). Picture 2 shows water storage in upper dam area and Picture 3 shows the breach and the depletion of the upper water storage. I think the original diversion was claimed in the Caribou National Forest and the owner of our property at that time claimed the water in the 1920's. He built the upper dam. There is record of this diversion. Previous to our purchase the lower dam was constructed and there was storage water there also. Our neighbor Ezra Lakey talked about fishing in this reservoir in the 1930's. Ezra claimed the lower dam washed out sometime in the late 1930's. In the 1956 the Lloyd family (Prior Owner) drained the sulfur canyon area with cement tile (Picture 4). This was a government project to bring water to the homestead and irrigate the wind break trees on the homestead. These trees are still growing on the farm today. This is when the current cistern was constructed (Picture 5). Several years ago, we experienced several earthquakes in the Sulfur canyon area. This broke several cement tiles which feed the cistern in the canyon (Picture 6).

CONSTRUCTION

In October 2024, we started to replace the cement tile with plastic (Picture 7). We are still in the process of completing this project (Picture 8). We are about 50 % complete. This year we mowed all of the sage brush that surround the cistern (Picture 9). This has enabled us to once again rent this area to a rancher. Over the last 67 years there has been several ranchers rent this area for fall pasture. This year Slickhorn Ranch LLC purchased electric virtual collars for their stock. This enables them to pasture the sulfur canyon area without the old barbed wire fences. The cattle water directly out of the stream. We do not use any water troughs. We have watered stock and cattle for 67 years in this manner.

I think the point you refer to is the cement cistern. The cistern is where the stream we have used to water stock and irrigate starts. The water in Sulfur Canyon has always rose and fallen on our property. The cistern is in the red circled area on (Picture 10). The drain system we are currently restoring attached to the cistern, starts in the upper 40 acres on the map. The stream originates in the center 40 acres in red and flows down through the lower 40 acres on the map. All three 40 acres will be used to graze cattle. The cattle access the water directly, out of the stream all through the Sulfur Canyon area. The cattle will be watering on all of these parcels where the stream flows (Picture 10).

SCANNED

Sincerely,

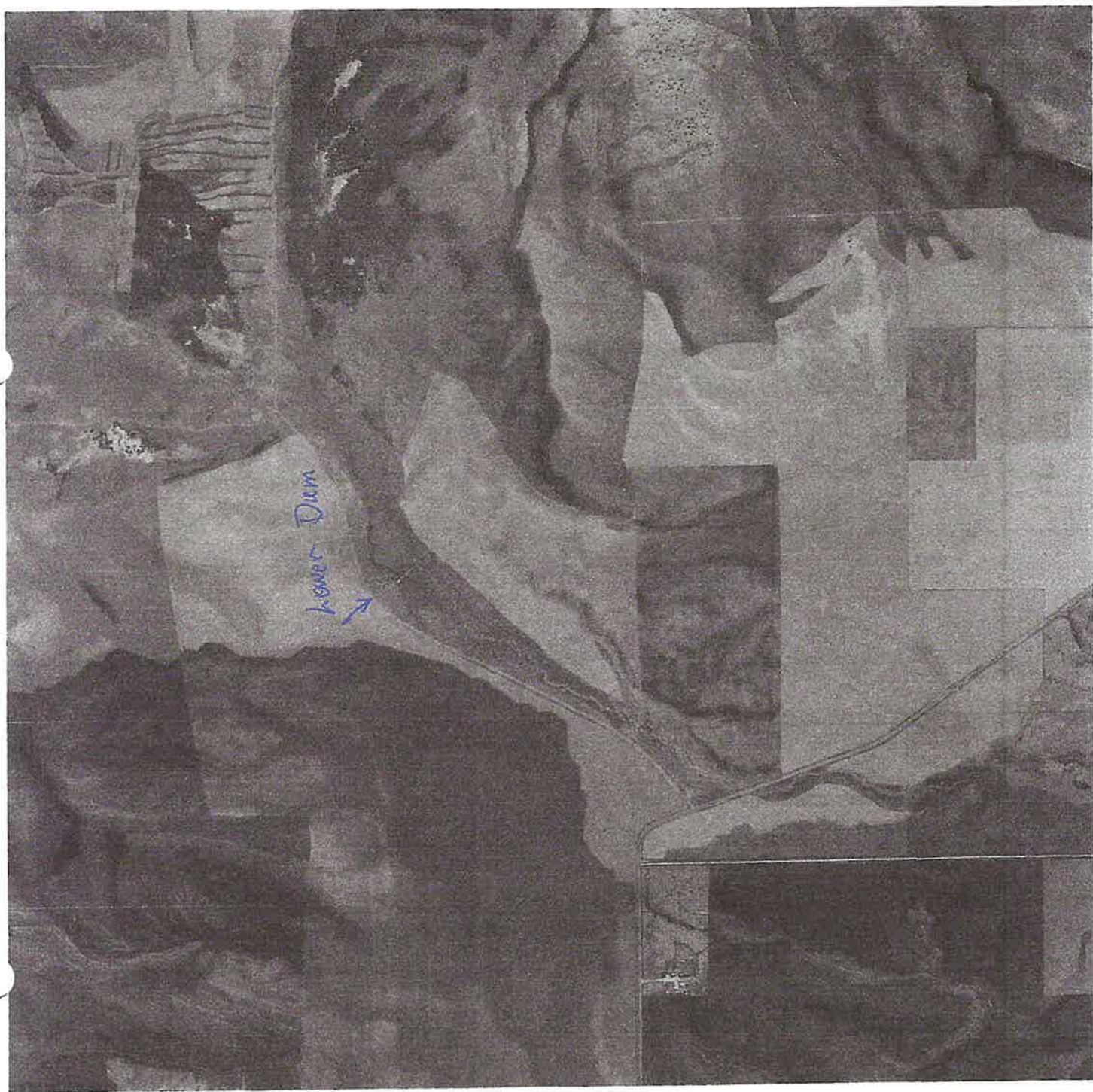
Dow Barker Generation Five Inc.

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1947

Sulfur Canyon

Picture ①
Lower Dam
and Sulfur-
Canyon Stream



1947

Sulfer Canyon

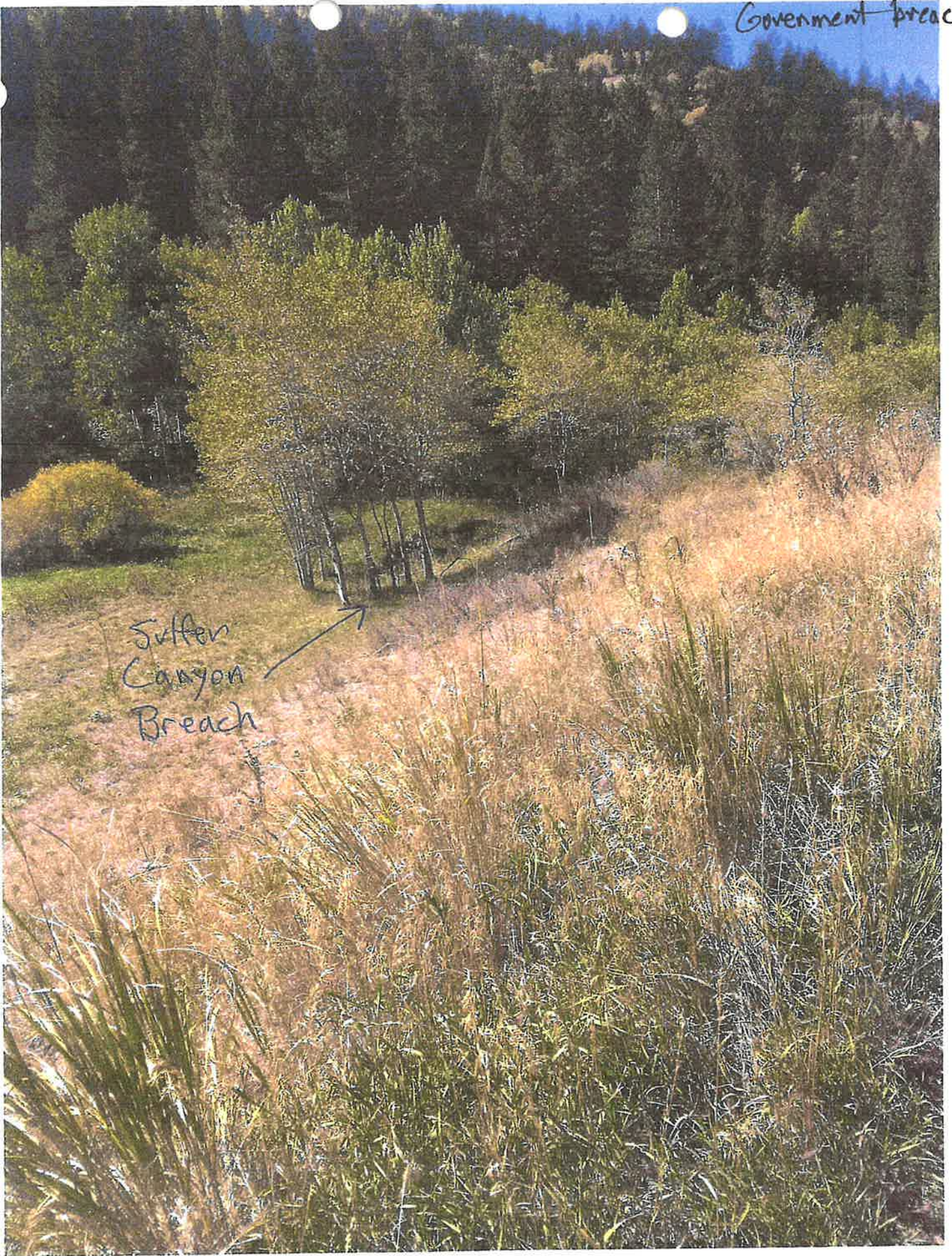
Acture (2)

Upper Dam
Water Storage



Government breach

Sutton
Canyon
Breach



Adure ④

Drain Construction
1956

South Salt Lake

X

Cistern

Picture ⑤
Cistern





Picture ⑥

Tile broken

Acture 7
Restore file





Picture 8

Plastic

into listern

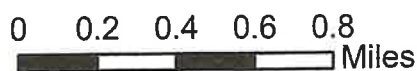
Picture ⑨

Mowed sage brush





Map displaying the following layers: POD - Water Rights, POU - Water Rights, Idaho Boundary.



Legend

POD - Water Rights

● POD - Water Rights

POU - Water Rights

■ All Other POU (non-provider)

■ Irrigation Providers and Municipal Service Areas

■ Municipal or Irrigation Provider (LPOU ≠ 1) in BRBA

Idaho Boundary

Idaho Boundary

Active (10)

11-4308
3 places on Map

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IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

June 17th, 2026

Dow Barker
355 E 2nd S
Soda Spring, ID 83276

Response Requested By:
July 20, 2026

SUBJECT: Bear River Basin Adjudication (BRBA) Claim No. 11-4308

Dear Claimant,

The Idaho Department of Water Resources has reviewed your claim to a water right #11-4308 and the following issue(s) need to be addressed:

Point of Diversion:

The point of diversion (POD) claimed on this water right is for the legal description of 09S42E14 in the County of Caribou and is currently mapped on tax parcel number "09S42E140001." However, the claim form provided list the POD on parcel numbers "09S42E126601, 09S42E13001, 09S42E14001, 09S42E15541, 09S42E155401".

1. Can you please provide more detailed information as to the locations of the POD from the natural channel to the developed system.

Place of Use:

The place of use (POU) claimed on this water right is for the legal description of 09S42E14SENE, 09S42E14NESE & 09S42E14SWSE in the County of Caribou and the map provided with your claim has the POU as 09S42E14SENE, 09S42E14NWSE & 09S42E14SESW with a use point in the center of a forty-acre parcel area.

1. Can you please provide more detailed information as to the location and description of use such as stock troughs?

If you would like to contact us, my telephone number is (208) 701-7203 and my email is jacob.morris@idwr.idaho.gov. Your claim to this water right may be recommended to the Court as disallowed until these issues are resolved.

Sincerely,



Jacob Morris
Water Resource Agent

Enclosed: Notice of Claim 11-4308