

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-01833
Date Received: 8/22/1990
Receipt No: C018111
Received By: _____

RECEIVED

DEC - 3 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIO AND RITA F. BARBIERI REVOCABLE LIV 208-768-2720
Address: P.O. BOX 19
LEMHI, ID 83465

2. Date of Priority: AUG 22, 1913

3. Source: REESE CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	24E	13	SE	NW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	24E	13	SE	NW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=2.8.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am secretary of

Title

said property, that I have signed the foregoing

Organization

document in the space below as owner of

Title

said property and that the statements contained in the

Organization

foregoing document are true and correct.

Marcel Bouber
Signature of Authorized Agent

Title and Organization

Nov. 28-90
Date

California

State of ~~Idaho~~

County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 28 day

of November 19 90

Lori A. Volpi
Notary Public

Seal



Residing at First Interstate Bank

My Commission Expires 9-16-94

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 01833Ident. Number 39576Date Received 7/4-10266Receipt Number 6018111

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 22 1990

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) MARIO and RITA F. BARBIERI Phone (208) 762 2720
Mailing Address REVOCABLE LIVING TRUST DATED 3-25-80
P.O. Box 19, LEMHI, IDAHO Zip 83465
- Date of Priority (Only one (1) per claim) APRIL - April 1978
- Source of water supply (a) REESE CREEK
which is tributary to (b) LEMHI RIVER
- a. Location of existing point of diversion is: Township 17 NORTH Range 24 E Section East Boise Meridian
SOUTH 1/4 of REESE CREEK LEMHI COUNTY
1/4 of 1/4 of 1/4, Govt. Lot, B.M., County of IDAHO
- Additional points of diversion if any: NONE
- If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. By Ditch

DEMEASUREMENTS: (approx) of Ditch 1 Foot By 1 Foot

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6. Wafer is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation ^{HAY field} purposes from April 1st to Oct. 1st amount _____ or 3 acres

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) April 1st (cfs) and/or (b) to Oct. 1st (acre feet)

8. Total consumptive use claimed is 10 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? LEMMING County

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

14. Remarks:

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Last Name Barber

Ident No. 94-6493389

Copies: White - State, Yellow - Claimant

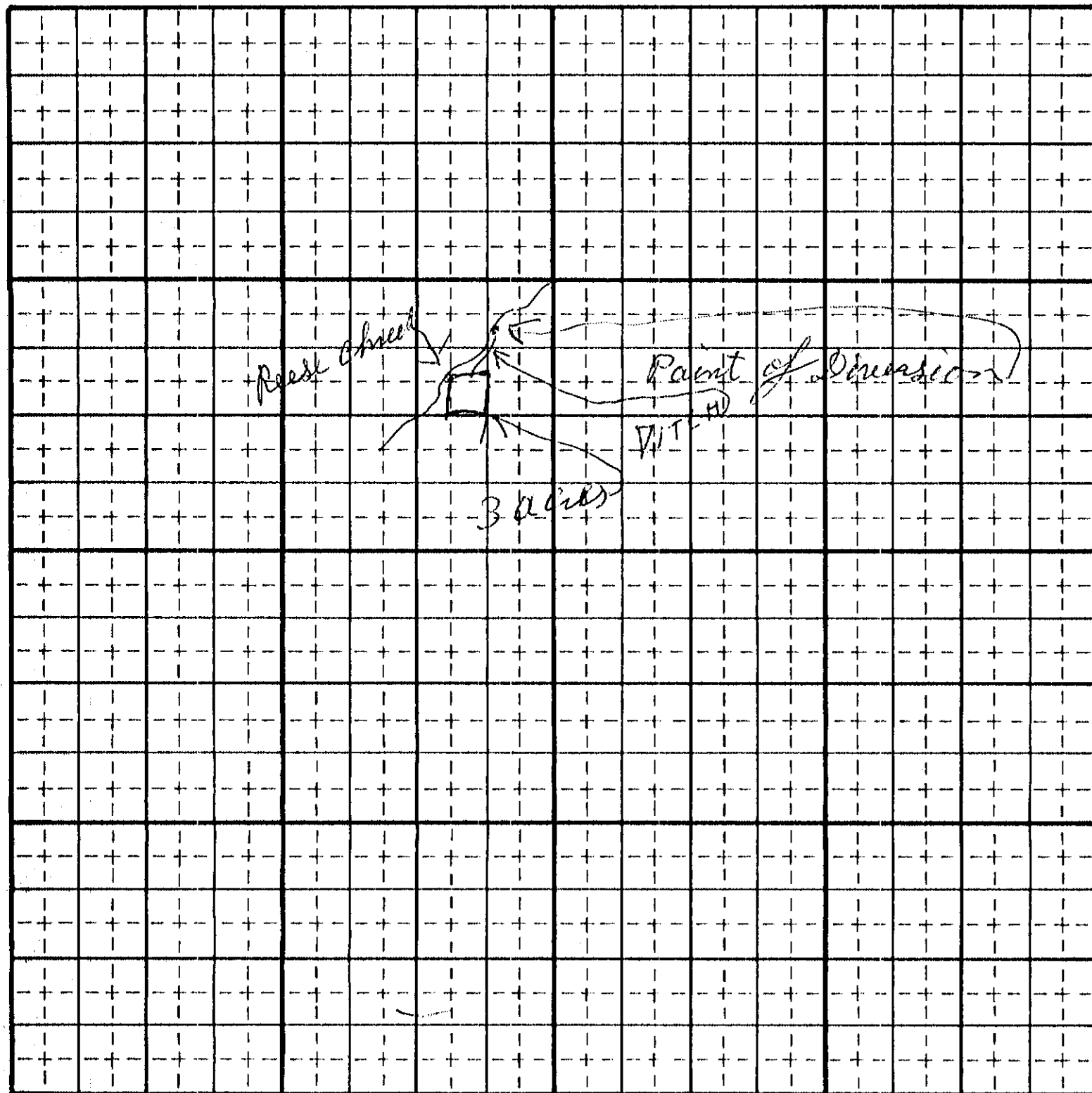
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

13

17 North

24 EAST



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Last Name Mario Barbieri Ident No. 94-6493389

Copies: White-State, Yellow-Claimant

#15 Please Notice

Basis of Claim

Basis of Claim for our water rights is virtue of purchase contract guaranteed at time of purchase by seller and Safeco Title Insurance Company of Idaho. DEC 14 1992

License _____ Permit _____

Decree Date _____

I understand the form entitled
We do _____ do not ☒ sheet.

The foregoing document are true

Date Aug. 20 - 1990

Date Aug. 20 - 1990

Title

that I have signed the foregoing

Organization

Signature of Authorized Agent Micro Doc

Title and Organization

OR their SUCCESSORS AS TRUSTEE
REVOCABLE LIVING TRUST
DATED 3-25-80

Date 8-20-90

CALIFORNIA

State of California)
County of SANTA CLARA) SS.

Subscribed and sworn (or affirmed) before me this 20th day of August 19 90



Notary Public Joanne Kavalaris

Residing at 146 Main St. Los Altos, CA 94022

My Commission Expires OCT. 2, 1990

Please Print Name Joanne Kavalaris

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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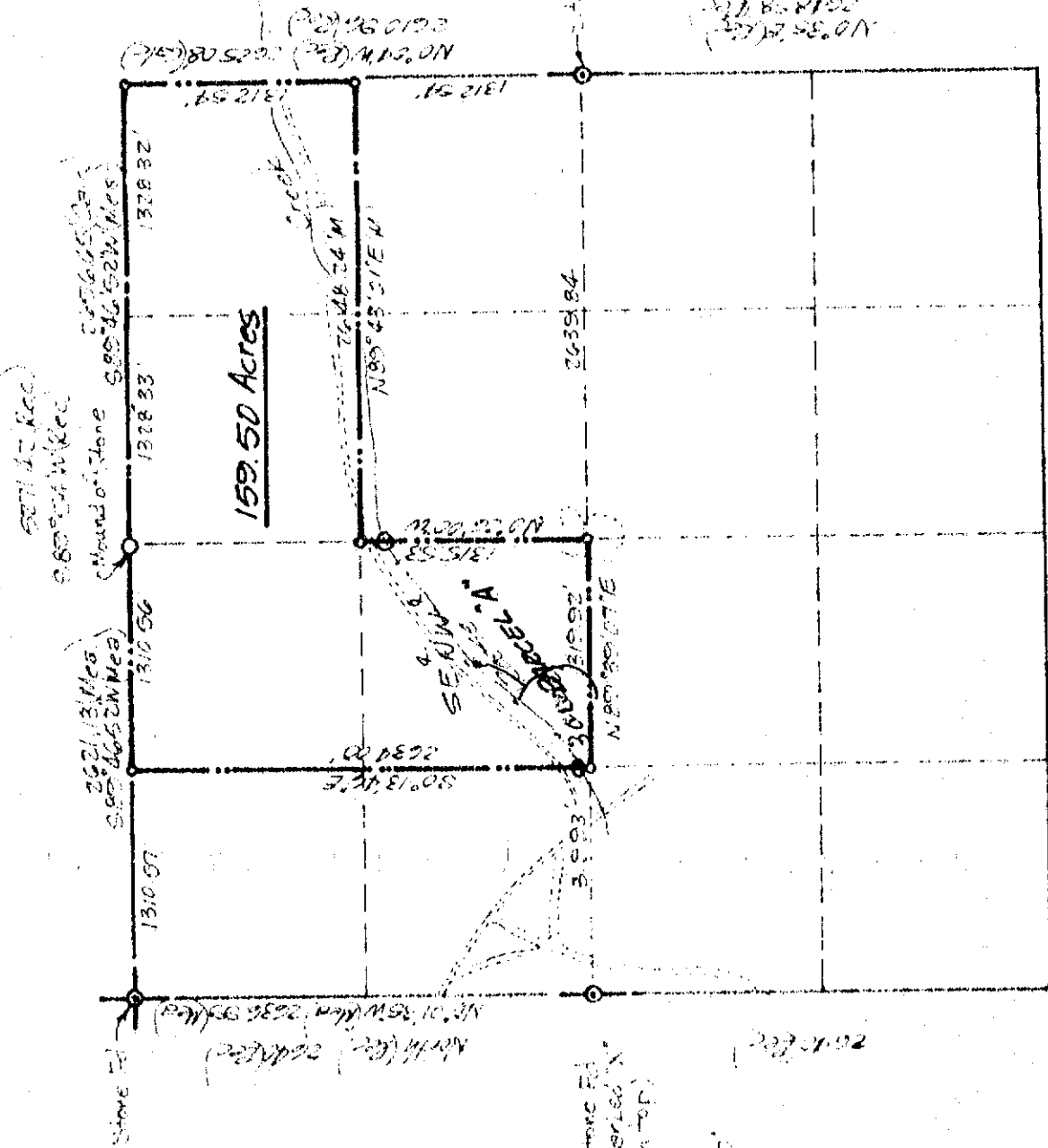
DEC 14 1992

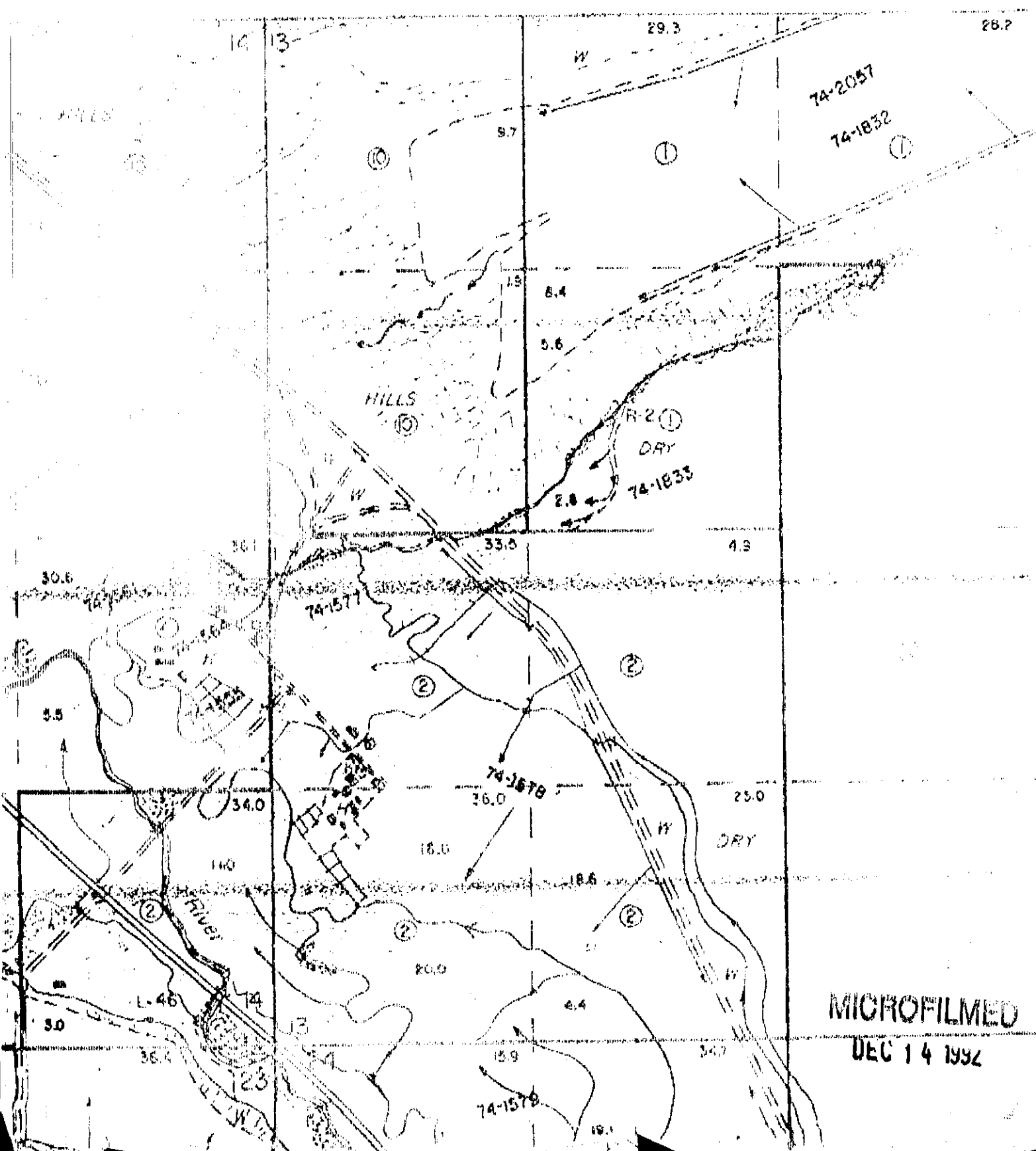
Last Name Baker Ident. Number 94-6493389

Copies White-State, Yellow-Claimant



johnston · couch
engineers · surveyors
salmon · idaho





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DEC 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 9, 1998

TERRY & JESSICA MCNELLIS FAMILY TRUST
19951 ELFIN FOREST LN
ESCONDIDO CA 92029

RE: CHANGE IN OWNERSHIP FOR A74-01832, A74-01833, A74-02057

Dear Mr. & Mrs. McNellis:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

NOV 13 1996

DATE OF CLOSING: 10-11-96

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 24 E.B. Department of Water Resources
Section 1/4 of 1/4 of 1/4 Govt. Lot BM. Eastern District Office
Lot Block Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) 74-2057, 74-1832 AND 74-1833
Assigned by IDWR:

☒ Name and Address of Former Owner/Claimant(s)(Seller): Lemon S. Wallace

HCRI Box 61

☒ New Owner/Claimant (Purchaser): Lincoln, Kansas 67455

Terry and Jessica McNellis Family Trust

☒ New Mailing Address: 19951 Elfin Forest Lane
Escondido, California 92029

☒ New Telephone Number: (619) 591 - 4181

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe SEE ATTACHED WARRANTY DEED (INSTRUMENT NO. 231426)
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Terry A. McNellis TTEE Date 10/7/96

Jessica A. McNellis TTEE Date 10-8-96

☒ Signature of Former Owner/Claimant(s) Lemon S. Wallace Date 10/11/96

Patsy R. Wallace by Lemon S. Wallace Date 10/11/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

3667
Date 12/18/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

MARIO AND RITA F. BARBIERI
PO BOX 19
LEMHI, ID 83465

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR# A74-01833 12/10/90 25.00	25.00	
TOTAL						25.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

DEC 14 1992

Date

Head of Agency or Institution

State Auditor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 14, 1990

Mr. & Mrs. Mario Barbieri
P.O. Box 19
Lemhi, ID 83465

RE: Snake River Basin Adjudication (SRBA)
Lemhi County - #A74-01833
Receipt #C018111, \$25.00

Dear Mr. & Mrs. Barbieri:

Your Request for Extension of Time was granted, and the filing fees you paid on the above-referenced claim will be refunded. The refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:east

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DEC 14 1992

REFUND REQUEST

Hold Until _____ To Fiscal 12-14-90

TO: Debbie Allen

THRU: Don Shaff

Approved [Signature] 12/12/90 0

FROM: John Carlson

Approved JAC 12/10/90

RE: Payor

Address

Mario & Rita F. Barbieri
PO Box 19
Lemhi Id 83465

Claimant if NOT Payor _____

Receipt # C010111 Attached ☒Logged 12-10-90 refAmount \$ 25⁰⁰

Claim Location _____

W/R #(s) A74-01833Extension Filed? ☒ Y/N NACopy Attached? ☒ Y/N NARefund Generated By EMCLate Fees Paid? ☒ Y/N NANot Refunded as of 12-11-90

On Receipt # _____

Reason for Refund Lemhi Adj. ClaimDate of Last Correspondence 11/20/90

Data Base Modified? Y/N NA By _____ Date _____

REMARKS:

Extension requested received 5/12/90. Approved for 8/31/90. Am 5/10/90
Claim received 8/22/90. with \$25⁰⁰.
Lemhi River claim, no fee required.
OK to refund \$25⁰⁰. JAC 12/10/90.

09/20/90

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RECEIVED
DEC 07 1990

Department of Water Resources

INTER-DEPARTMENT MEMORANDUM

TO: Debbie Allen, Manager Fiscal Department
through Don Shaff, Manager Technical Support

FROM: Ernest Carlsen, Adjudications Supervisor

DATE: December 6, 1990

REFUND TYPE: Overpayment

Claimant's Name: Mario and Rita F. Barbieri

Address: P.O. Box 19
Lemhi, ID 83465

Receipt Number: C018111

Water Right Number: A74-01833

Uses Claimed: Irrigation

Fees Submitted: \$25.00

Notice of Claim A74-01833 was part of the LEMHI ADJUDICATION.
No filing fee was due. Claimant, therefore, is due a refund
of \$25.00. See letter from claimant for explanation and
refund request.

Ernest Carlsen/Brenda Bloom

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DEC 14 1992

Date Received May 18 1990

**State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

DEC - 3 1990

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant Mario + Rita Barbieri (208) 768 2720
Phone Number

Mailing Address P.O. Box 19 Lemhi Idaho 83465
City State Zip

County(s) where place of use is located Lemhi, Idaho Date claim originally due May 10, 1990

Identify water right(s) for which extension is requested SE 4 - NW 4 section 13 - township 17 North - Range 24 - E. Boise Meridian - Lemhi County
S. REESE CRE.

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We are on a extended vacation out of state and planning to return
to Idaho sometime in the middle of June. Our papers are
All in Idaho. We are enclosing the copy of the paper of
description which we always carry with us.

Claimant requests an extension to June 30 19 90

Signature Mario Barbieri Rita Barbieri Date of request May 14 19 90

Title Husband and Wife

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Notice was not mailed to this address.

and if granted the filing deadline is extended to August 31 19 90

Signed this 11 day of August 19 90

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW MICROFILMED

DEC 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 20, 1990

MARIO AND RITA F BARBIERI
PO BOX 19
LEMHI ID 83465

RE: Notice of Claim A74-01833

Dear Mr. and Mrs. Barbieri:

Please find enclosed a Notice of Claim prepared with information from your original Notice and water right 74-01833 decreed in the Lemhi Adjudication.

Though the legislature waived the filing fees for Notices describing water rights decreed in the Lemhi Adjudication, these Notices were still subject to a late filing fee if they were not timely filed. May 10, 1990 was the last day a Notice from Lemhi County could be received and/or posted without being subject to a late-filing fee. Your Notice was received August 22, 1990. For it to be acceptable, you must either be granted an extension of time to file or pay a late fee of \$50.00. You have already paid \$25.00. Therefore, the balance due would be \$25.00.

You may be granted an extension if extenuating circumstances prevented you from filing on time. The enclosed "Request for Extension of Time" form can be submitted to the State Office (address is at bottom of form) for consideration by the Department. If you submit the request, keep the Notice until the request is returned to you showing whether or not the extension was granted. Return the Notice with a copy of the extension and the appropriate fee(s) to this office.

Review the Notice for accuracy. Should you determine certain items need to be changed, make the necessary changes on this form and initial beside each change. Since the Notice of Claim must be returned to the Department, when you are satisfied the Notice correctly describes the water usage, sign the Notice in the presence of a Notary Public and return after you have heard from Boise on the extension.

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Dear Mr. Carlson,

As per our telephone conversation, I am enclosing a copy of request for extension of time which I had mailed to Idaho Dept. of Water Resources at 1301 N. Orchard St., Boise, Ida. 83706 on the 14th of May, 1990.

As you can see, the request was granted and extended to Aug. 31, 1990. By Aug. 20, 1990, notice of claim to water rights was filled out and mailed along with \$25.00 filing fee.

Like you told me, the name was never changed from Melton to Lawson to Barbieri, but the water rights was described on grant deed when the property was sold to us as it was for Lawson when he bought from Melton.

Therefore, we should be refunded \$25.00 for we had the extension right. We will be at this address in Calif. for a month so please continue to mail future letters (if any) to Calif. If you need to talk to us, our phone is 415 - 9675992.

Hope this clears up soon.

Mavis and Rita Barbieri

Mario and Rita F. Barbieri
Page - 2 -

If you have any questions or objections regarding your
Notice, please contact this office (525-7161).

Respectfully submitted,



Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

File: TIC

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Water Right Number - 74-01833

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***

MELTON

JAMES L.

1 - P.O. BOX 322

2 -

3 -

City- SALMON

Phone -

1 - P.O. BOX 322

2 -

3 -

City- SALMON

Phone -

State- ID Zip- 83467

State- ID Zip- 83467

MELTON

Priority Date - 08/22/1913

Region - 15

Stage - D - DECREED

Status -

Source - REESE CREEK

Tributary - LENHI RIVER

TwN Rng Sec Tract Lot Rflg County Point of Diversion

17N 24E 13 SE NW (59) LENHI

Stream Index (Blank for no Index Code)

Description -

Period From -

Water Use -

Diversion Rate -

Diversion Volume -

01 - IRRIGATION

03/15

11/15

1.000

Total Div. Rate - 0.100

Total Div. Volume -

Total Div. Capacity -

Total Consumptive Use -

KW Usage -

TwN Rng Sec

Tract

Lot

Acres

Place of Use -

Description -

County -

17N 24E 13 SE NW

3.0

01 IRRIGATION

(59) LENHI

Total Acres: 3.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

AC. IRR.=2.8.

Remarks -

Old Water Right Numbers -

No Old Water Right Numbers found.

Microfilm Roll Number -

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C018111

COPY

Date: 8/22/1990
Time:

DO NOT FILM

Received

From: BARBIERI, MARIO/ RITA F.

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	410162 9337 6490	125.00
Total		\$25.00

CHECK 3

Region: STATE

Signature:

SD-56 XXXXX

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION MAILING DATA ENTRY SCREEN

DATE: 08/22/90
TIME: 15:12:43

COUNTY NO: 59 COUNTY NAME: LEMHI

LAST: BARBIERI

ADDRESS: REVOCABLE LIVING TRUST
654 SPRINGER TERRACE

FIRST: MARIO

CITY: LOS ALTOS

STATE: CA

ZIP CODE: 94022

SOURCE CT

Y COMMENCEMENT

WATER USER HANDBOOK

SHORT CLAIM FORM

APPLICATION

DOCKET SHEET

WATER LAW HANDBOOK

FEDERAL CLAIM FORM

MONTHLY STATUS REPORT

LONG CLAIM FORM

MISCELLANEOUS

EXPIRED YEAR:

FORM MAIL DATE:

MAIL AGAIN:

ROUND #1 MAIL DATE:

2/12/90

ROUND #2 MAIL DATE:

ROUND #1 DEADLINE:

5/13/1990

ROUND #2 DEADLINE:

CERTIFIED NUMBER:

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD3=DELETE) (GOLD7=NAME SEARCH) (GOLD8=EXIT)

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