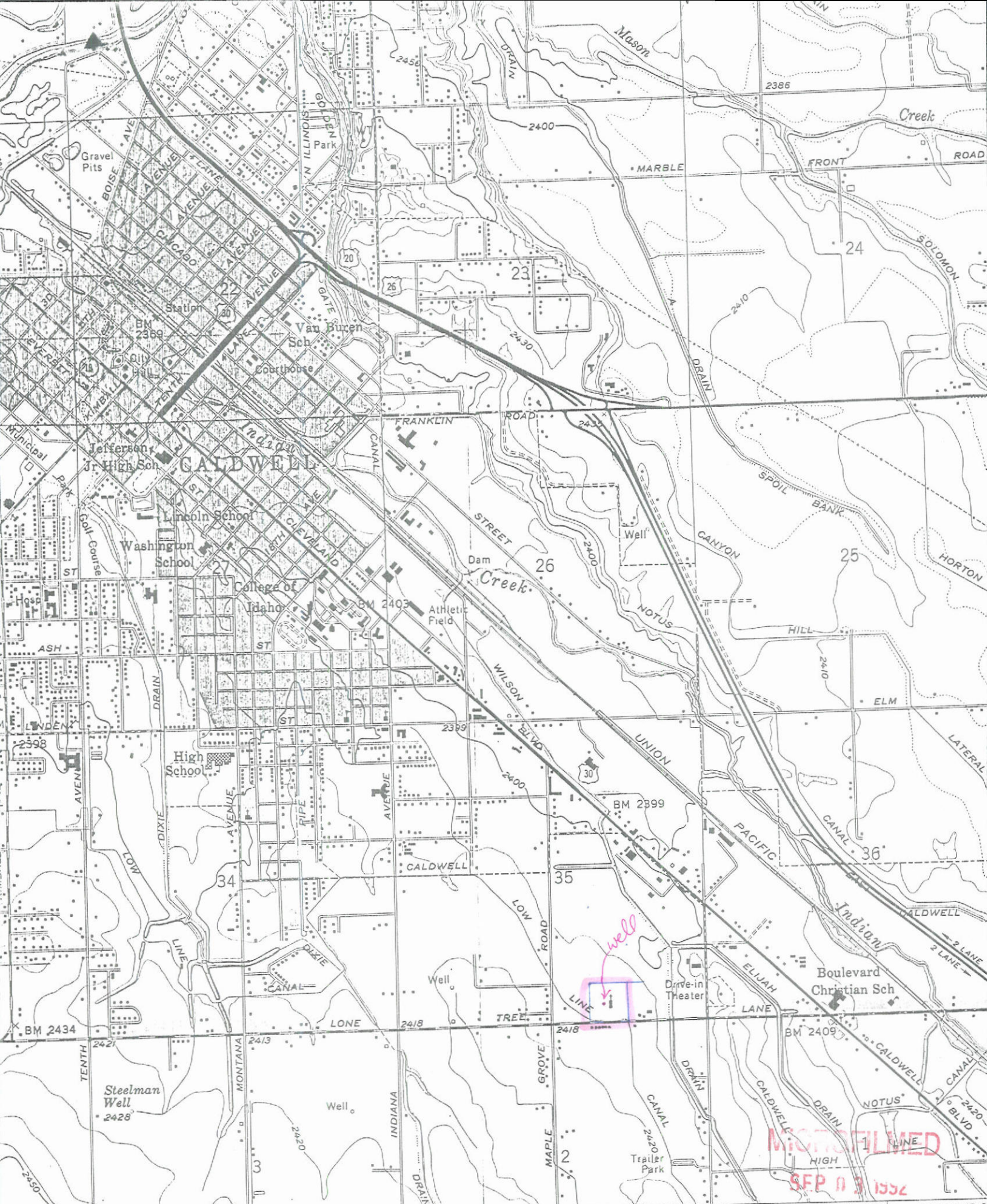




(LAKE LOWELL)
2671 II SW
SCALE 1:24 000

A03-21536

1 MILE

T4N 3W Sec. 35

NOT REFILED
SEP 13 1952

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1972
NAMPA (P.O. BOX 15) BOISE IDAHO 83720

ROAD CLASSIFICATION

RECEIVED

FEB 26 1999

Department of Water Resources

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: A63-21536
Date Received: ~~3/15/1998~~ 2-24-99
Receipt No: C044690
Received By: CF

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BIBLE MISSIONARY CHURCH NORTHWEST DIST 208-454-8435
Address: 3223 E USTICK
CALDWELL ID 83605

2. Date of Priority: JUN 1, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	35	SE	SW	SE		CANYON

5. Description of diverting works:
WELL, BETWEEN 200-400' DEEP, 8" CASING, 2 PUMPS-1&1/2 HP JET

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	35	SW	SE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
DITCH WATER USED FOR IRRIGATION

14. Remarks:
THE DOMESTIC USES ARE AS FOLLOWS:
2 RESIDENCES; 2 CHURCH BUILDINGS AND A CAMPGROUND WHICH HAS
THE FOLLOWING FACILITIES: 2 BATH HOUSES (WITH APPROX. 20
SHOWERS); 35 RV HOOK-UPS; DINING HALL/KITCHEN; 3 CABINS WITH
PRIVATE BATH; CONCESSION STAND.

15. Basis of Claim: BENEFICIAL USE

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 District Moderator of
Northwest District Bible Missionary Church Title
Organization that I have signed the foregoing
document in the space below as District Moderator of
Northwest District Bible Missionary Church Title
Organization and that the statements contained in the
foregoing document are true and correct.

Larry L. Roberts
Signature of Authorized Agent

District Moderator - NW Dist. B.M.C.
Title and Organization

2-19-99
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of February 19 99

Charla R. Curtis
Notary Public

Seal

Residing at Emmett, Id

My Commission Expires 10-6-2006

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: A63-21536
Date Received: 3/15/1990
Receipt No: 0015576
Received By: ada

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIBLE MISSIONARY CHURCH, NORTHWEST DIST. 208-454-8435
Address: 3223 E. USTICK
CALDWELL, ID 83605

2. Date of Priority: JUN 01, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	35	SE	SW	SE		CANYON

5. Description of diverting works:
WELL, BETWEEN 200-400' DEEP, 8" CASING, 2 PUMPS-1&1/2 HP JET

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	35	SW	SE		DOMEST	

11. Place of use in counties: CANYON

A63-21536

Page 1

Date: 03/15/90

MICROFILMED

SEP 03 1992

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

13. Other Water Rights Used:
DITCH WATER USED FOR IRRIGATION

14. Remarks:

THE DOMESTIC USES ARE AS FOLLOWS:

2 RESIDENCES; 2 CHURCH BUILDINGS AND A CAMPGROUND WHICH HAS THE FOLLOWING FACILITIES: 2 BATH HOUSES (WITH APPROX. 20 SHOWERS); 35 RV HOOK-UPS; DINING HALL/KITCHEN; 3 CABINS WITH PRIVATE BATH; CONCESSION STAND.

15. Basis of Claim: BENEFICIAL USE

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: 1

For Organizations:

I do solemnly swear or affirm that I am District Moderator of Bible Missionary Church, NW Dist. that I have signed the foregoing document in the space below as District Moderator of Bible Missionary Church, NW Dist. and that the statements contained in the foregoing document are true and correct.

Rev. Larry L. Robert
Signature of Authorized Agent
District Moderator
Bible Missionary Church, NW Dist.
Title and Organization

3-15-90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day of March 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994
Date: 03/15/90

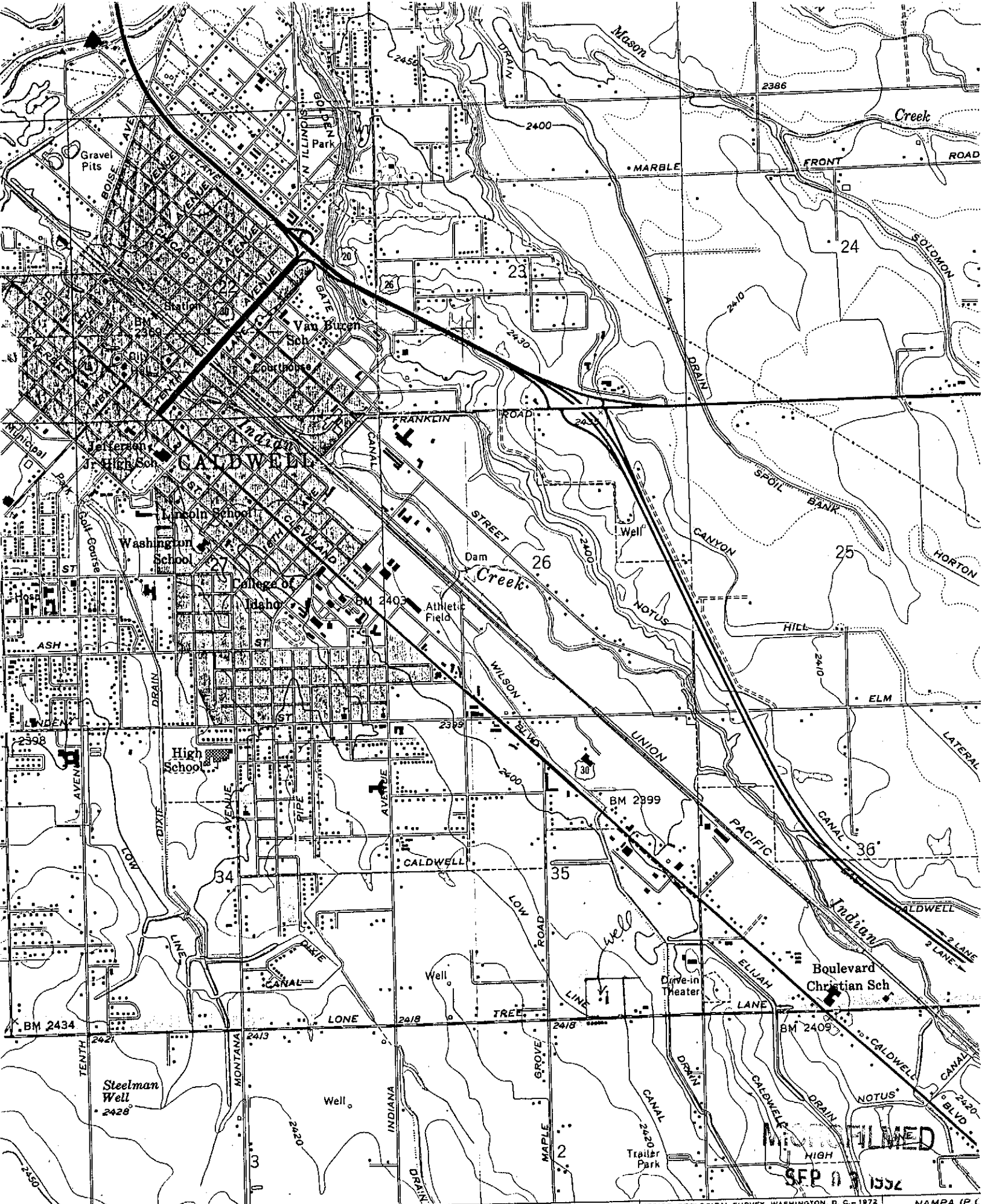
A63-21536

Page

2

MICROFILMED

SEP 03 1992



(LAKE LOWELL)
2671 II SW
SCALE 1:24 000

A03-21536

40' 1/2"

1 MILE

T4N 3W Sec. 35

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1972
528000m.E.
NAMPA (P.C.)
BOISE (STATE CAPITOL)

ROAD CLASSIFIC

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



BRIGETTE BILYEU
SPECIAL MASTER
(208) 736-3011
FAX (208) 736-2121

COPY

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

February 23, 1999

RECEIVED

FEB 26 1999

Department of Water Resources

Bible Missionary Church Northwest Dist.
3223 E. Ustick
Caldwell, ID 83605

Atten: Larry & Barbara Roberts

RE: Water Right 63-21536

Dear Mr. & Mrs. Roberts:

I have forwarded your *Motion to File Amended Notice of Claim* and your accompanying check for \$48.00 to the Idaho Department of Water Resources.

I spoke with Carter Fritschle at the Idaho Department of Water Resources this morning. Because your water right does not have an objection filed, we can streamline the proceedings for you and save you the time of a hearing.

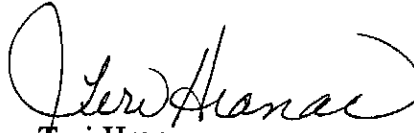
The only water rights reported for basin 63 at this time are the *de minimis* claims for domestic and stockwater rights. The *Director's Report* for irrigation and other rights will be filed at a later time. Your *Motion to File Amended Notice of Claim* seeks to increase the quantity of water where the water right would no longer be considered *de minimis* (less than 13,000 gallons per day). With your claim amendment, your water right would fall under the category of irrigation and other rights and would need to be reported in the *Director's Report for Basin 63 Irrigation and Other Rights*.

We propose proceeding by having the Idaho Department of Water Resources withdraw its current recommendation for water right 63-21536 with the proviso that it be reported in the *Director's Report for Basin 63 Irrigation and Other Rights* at a later time. By proceeding in this manner, the changes to your water right can be done through IDWR, without causing you the time and expense of a court hearing.

Letter to: Mr. & Mrs. Roberts
Page Two
February 23, 1999

Please do not hesitate to contact me if you have any questions. You may also feel free to contact Carter Fritschle at IDWR. He can explain their process regarding your claim amendment and answer questions you may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teri Hranac". The signature is written in dark ink and is positioned above the printed name.

Teri Hranac

Case Assistant to Special Masters

cc: Carter Fritschle/with enclosures
IDWR
PO Box 83720
Boise, ID 83720-0098

RECEIVED

MAR 19 1999

WATER RESOURCES
WESTERN REGION

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

In Re SRBA

Case No. 39576

A Subcase 63-21536
(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
OBJECTION**

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: Bible Missionary Church Northwest Dist

Address: 3223 E Ustick
Caldwell ID 83605

Daytime Phone: (208)

Name & Address of Attorney, if any:

C CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Bible Missionary Church Northwest Dist

Address: 3223 E Ustick
Caldwell ID 83605

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: greater than 2,500 gallons per day
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E REASONS SUPPORTING OBJECTION(S): Use more water than

what was recommended



VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of CANYON)

LARRY L. ROBERTS, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Larry L. Roberts
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 2/19/99

Sharla L. Curtis
Notary Public for Idaho
Residing at: Emmett, Id
My Commission Expires: 10-6-2006

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G

CERTIFICATE OF MAILING

I certify that on 2-19, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

FEB 26 1999

Department of Water Resources

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

In Re SRBA	)	Subcase <u>63-21536</u>
	)	(Insert water right number)
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	☐ LATE NOTICE OF CLAIM
	)	☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

Larry Roberts

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is LARRY L. ROBERTS

My address is 3223 E USTICK RD
CALDWELL, ID 83605

My phone number is: Work Same Home 208-454-8435

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 48⁰⁰.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Filed claim as a small domestic right. Claim
should be filed as a large domestic right.

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

☒ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Canyon

Larry L. Roberts
(Insert name of person filing form)

, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Larry L. Roberts
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 2-19-99
(Insert Date)

Sharla L. Curtis
Notary Public for Idaho
Residing at: Emmett, Id
My Commission expires: 10-6-2006

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 2-19, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

DATE: 06/29/98
PAGE: 1

PAGE: 1

Comments: Date: 08/27/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
THE DOMESTIC USES ARE AS FOLLOWS:
2 RESIDENCES; 2 CHURCH BUILDINGS AND A CAMPGROUND WHICH HAS
THE FOLLOWING FACILITIES: 2 BATH HOUSES (WITH APPROX. 20

AJ0749NP
No. R63-21536

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/29/98
PAGE: 2

Comments: Date: 08/27/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SHOWERS); 35 RV HOOK-UPS; DINING HALL/KITCHEN; 3 CABINS WITH
PRIVATE BATH; CONCESSION STAND.

Date: 06/29/1998 User-ID: CWALKER Subject: COPIED FROM REMARKS
RECEIPT C015576 - \$25.00

Audit: 06/29/98 CWALKER

WATER RIGHT NUMBER - A63-21536 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BIBLE MISSIONARY CHURCH, NORTHWEST DIST.
1 - 3223 E. USTICK
2 -
3 -
CITY- CALDWELL
PHONE - 208-454-8435
STATE- ID ZIP- 83605

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - +
06/01/1957 14 WESTERN J - BENEFICIAL USE
+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - - +

+ - - - - RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - - - - -
TWN 04N 03W 35 SE SW SE (27) CANYON STREAM INDEX (BLANK IF NO INDEX CODE)

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.230

+ - - - - TOTAL DIV. RATE - - - + + - - - - TOTAL DIV. VOLUME - - - + + - - - - TOTAL DIV. CAPACITY - - - + + - - - - TOTAL CONSUMPTIVE USE - - - + + - - - - KW USAGE - - - +
0.230

+ - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY
04N 03W 35 SW SE (27) CANYON

+ - - - - DIVERSION MEANS - WELL, BETWEEN 200-400' DEEP, 8" CASING, 2 PUMPS-1&1/2 HP JET
+ - - - - NON-IRRIGATION USE - DOMESTIC - SEE REMARKS
+ - - - - OTHER RIGHTS FOR SAME USE - DITCH WATER USED FOR IRRIGATION

+ - - - - REMARKS - - - - -
THE DOMESTIC USES ARE AS FOLLOWS:
2 RESIDENCES; 2 CHURCH BUILDINGS AND A CAMPGROUND WHICH HAS
THE FOLLOWING FACILITIES: 2 BATH HOUSES (WITH APPROX. 20
SHOWERS); 35 RV HOOK-UPS; DINING HALL/KITCHEN; 3 CABINS WITH
PRIVATE BATH; CONCESSION STAND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED
OCT 09 1996

+ - DECREE DATE - +
00/00/0000

NO COMMENTS FOUND

[illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

4 R 27440 05020

ENTERED 8-29-93
CHECKED

"Verified By"
Topic Map/Ortho-PQ
ASCG Map
Vaccination Records
NAEP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Finger Records
DNR Records

VERIFIED
JUL 18 1993

MICROFILMED
OCT 09 1976