

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 37-13371
Date Received: 3/8/1990
Receipt No: S011434
S024561
Received By: D. JONES

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BARRIE FAMILY PARTNERS Phone: (208)788-3933

PO BOX 793
BELLEVUE ID 83313

2. Date of Priority: 04/01/1938

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	26	SE SW SE	BLAINE	

5. Description of diverting works:

WELL, PUMP, SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.16	

7. Total Quantity Appropriated is:
0.16 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	26	SW	SE	IRRIGATION	5.6
					Section Acres	5.6
02N	18E	35	NE	NW	IRRIGATION	2.4
					Section Acres	2.4
					Total Acres	8

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

1/23/2002, DJ: CLAIM AMENDED TO SPECIFY EARLIER PRIORITY DATE AND 3 ADDITIONAL ACRES OF IRRIGATION. RIGHT 37-332 ALSO USED ON PLACE OF USE. AFFIDAVIT SUBMITTED TO SUPPORT PRIORITY DATE.

APPROX. 5 ACRES OF SPRINKLER IRRIGATION.
OWNERSHIP CHANGE MADE 6/16/95 BY TLB. ASSEMBLIES OF GOD-FORMER OWNER, BARRIE-NEW OWNER. WARRANTY DEED INCLUDED.

15. Basis of Claim: Beneficial Use

Barrie Family Partners

James P. Speck, ISB#2067
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752

In Re SRBA

Case No. 39576

**AFFIDAVIT OF OTIS (TINKER)
DISBENNETT**

DESCRIPTIVE SUMMARY

This is an affidavit in support of the claimed priority date for a beneficial use water right claim filed Barrie Family Partners.

AFFIDAVIT

STATE OF IDAHO)
)ss.
County of Blaine)

OTIS (TINKER) DISBENNETT, being first duly sworn upon oath deposes and states as follows:

1. I am 73 years old and a life long resident of Blaine County, Idaho.
2. I worked as a deputy watermaster for Water District 37 and 37M for approximately

23 years and am familiar with the delivery and use of water for irrigation in Blaine County.

3. Approximately 63 years ago I first went on to property now owned by Barrie Family Partners along Broadford Road in Blaine County, Idaho. There was a ^{O.D.} ~~hand~~ dug well on the property with a pump in it which the then owner, Mr. Rockwell, used to irrigate the property. I specifically recall this because there were fish in this hand dug, open well which we used to catch!

FURTHER, YOUR AFFIANT SAYETH NOT.

Dated this 20 day of November, 2001.

Otis Tinker Disbennett
OTIS (TINKER) DISBENNETT

SUBSCRIBED AND SWORN TO before me this 20 day of November, 2001.



Jean A. Latham
NOTARY PUBLIC for Idaho
Residing in: Blaine Co
My Commission Expires: 1-25-07

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of November, 2001, I served a true and correct copy of the foregoing AFFIDAVIT OF OTIS (TINKER) DISBENNETT on the following persons in the manner designated below:

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

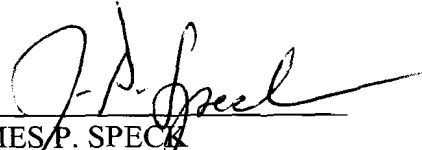
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

January 22, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED
JAN 23 2002
Department of Water Resources
Southern Region

**Re: Barrie Family Partners - SRBA Claim A37-13371
Our File No. 010067**

Dear Allen:

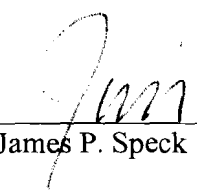
Enclosed, you will find the original and one copy of an Amended Notice of Claim for the above-referenced water right together with my firm's check payable to the Department in the amount of \$3.00 representing the additional filing fee required by the Claim to irrigate three additional acres. Also enclosed is the original and one copy of the Affidavit of Otis (Tinker) Disbennett which is submitted in support of the claimed priority date.

Please receipt date stamp the copies of the Amended Notice of Claim and Affidavit and return them to me in the self-addressed and postage prepaid envelope I have included for that purpose. Please call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jgm
enclosures
cc: Client (w/enclosures)
Natural Resources Division (w/ enclosure)
U.S. Dept. of Justice Environmental (w/enclosures)
IDWR Document Depository (w/enclosures)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

29-Oct-1991

R. KEITH HIGGINSON
Director

Mike McHan
VIA FAX
726-0757

Re: SRBA claims 37-13370, ~~37-13371~~

Dear Mr. McHan:

The above claims, filed in the name of the Southern Idaho Dist. Assemblies of God, are not backed by water rights established through statutory process or beneficial use commenced prior to March 25, 1963.

Since 1963, the only method by which a valid right to appropriate groundwater may be established, is to follow the statutory process of obtaining a permit and perfecting it to license.

Since the claims indicate that beneficial use started in 1975, the claims cannot be recommended as valid in the Snake River Basin Adjudication.

I can only recommend at this point that applications for permit be filed with this office as soon as possible.

The Big Wood River Groundwater Management Area designation does not mean that applications will be automatically denied, but creates a strong presumption that diversion of groundwater will affect surface flows already appropriated under senior water rights.

If there are further questions regarding this matter, please contact us.

Sincerely,

Loren O. Holmes, P. E.
Southern Region Manager

MESSAGE CONFIRMATION
TRANSMISSION

OCT-29-'91 TUE 09:52

TERM ID: IDWR SOUTHERN
TEL NO.: 1-208-736-3037

P-9999

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	APPROV
421	10-29	09:51	00:00:46		208 726 0757		OK 11/01/91

MICROFILMED

MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

MICROFILMED

MAR 01 1993

Water Right Number - R37-13371 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - -

*** C - CURRENT OWNER ***
ASSEMBLIES OF GOD SOUTHERN IDAHO DIST. 1 - 1311 12TH AVE. S.
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone - 208-466-8101

*** O - ORIGINAL OWNER ***
BELLEVUE BIBLE CAMP 1 - ASSEMBLIES OF GOD
2 - SOUTH IDAHO DISTRICT
3 - 1311 12TH AVE. S.
City- NAMPA State- ID Zip- 83651
Phone - 208-466-8101

*** K - ALSO KNOWN AS ***
BELLEVUE BIBLE CAMP 1 - SOUTHERN IDAHO DISTRICT
2 - ASSEMBLIES OF GOD
3 - 1311 12TH AVE. S.
City- NAMPA State- ID Zip- 83651
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/31/1975 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 26 SE SW SE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.150

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.150 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 18E 26 SW SE 5.0 01 IRRIGATION (13) BLAINE

Total Acres: 5.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

[illegible]

```
+ - - - - - Old Water Right Numbers
      No Old Water Right Numbers Found
```

+ - - - - - Conditions of Approval - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
------------------------------------	------------------------------------	-----------------------------------

[illegible]

+ - - Audit Fields - - +
08/01/91 BAUMHOFF

+ ~ ~ ~ ~ ~ Adjudication Rights Dates and Flags Area ~ ~ ~ ~ ~ +									
--	--	--	--	--	--	--	--	--	--

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	03/08/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	F000000	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	

Water Right Number - R37-13371

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BARRIE FAMILY PARTNERS

1 - PO BOX 793
2 -
3 -
City- BELLEVUE State- ID Zip- 83313
Phone - 208-788-3933

*** O - ORIGINAL OWNER ***
BELLEVUE BIBLE CAMP

1 - ASSEMBLIES OF GOD
2 - SOUTH IDAHO DISTRICT
3 - 1311 12TH AVE S
City- NAMPA State- ID Zip- 83651
Phone - 208-466-8101

ASSEMBLIES OF GOD

SOUTHERN IDAHO DIST

1 - 1311 12TH AVE S
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone - 208-466-8101

BELLEVUE BIBLE CAMP

1 - SOUTHERN IDAHO DISTRICT
2 - ASSEMBLIES OF GOD
3 - 1311 12TH AVE S
City- NAMPA State- ID Zip- 83651
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1975 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 18E 26 SE SW SE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.150

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.150 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 18E 26 SW SE 5.0 01 IRRIGATION (13) BLAINE

Total Acres: 5.0

+ - - Diversion Means - WELL & PUMP

NOV 28 1995

Prefix Translation: RESEARCH

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

NOV 28 1956

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

CIVIL CASE NUMBER: 39576

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

Ident Number A37-13371

Date Received 1/23/2002

Receipt Number 5024561

T Jones

AMENDED
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Barrie Family Partners
Phone: 1-208-788-3933
Mailing Address: P.O. Box 793
Bellevue, ID 83313

2. Date of Priority: April 1, 1938

3. Source of water supply (a) ground water
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
2N	18E	26	SE	SW	SE		Blaine

Additional points of diversion if any:

5. Description of existing diversion works: Well, pump, sprinkler irrigation.

RECEIVED
JAN 23 2002
Department of Water Resources
Southern Region

COPY

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
irrigation	April 1	November 1	0.16 cfs

7. Total Quantity Claimed: 0.16 cfs

8. Non-irrigation uses:

9. Place of use:

	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
2N	18E	26															5.6		5.6
2N	18E	35			2.4														2.4
TOTALS																			8.0

10. Place of use is located in Blaine County.

11. Do you own the property listed above as place of use? Yes.

12. Describe any other water rights used at the same place and for the same purposes as described above?
37-00332.

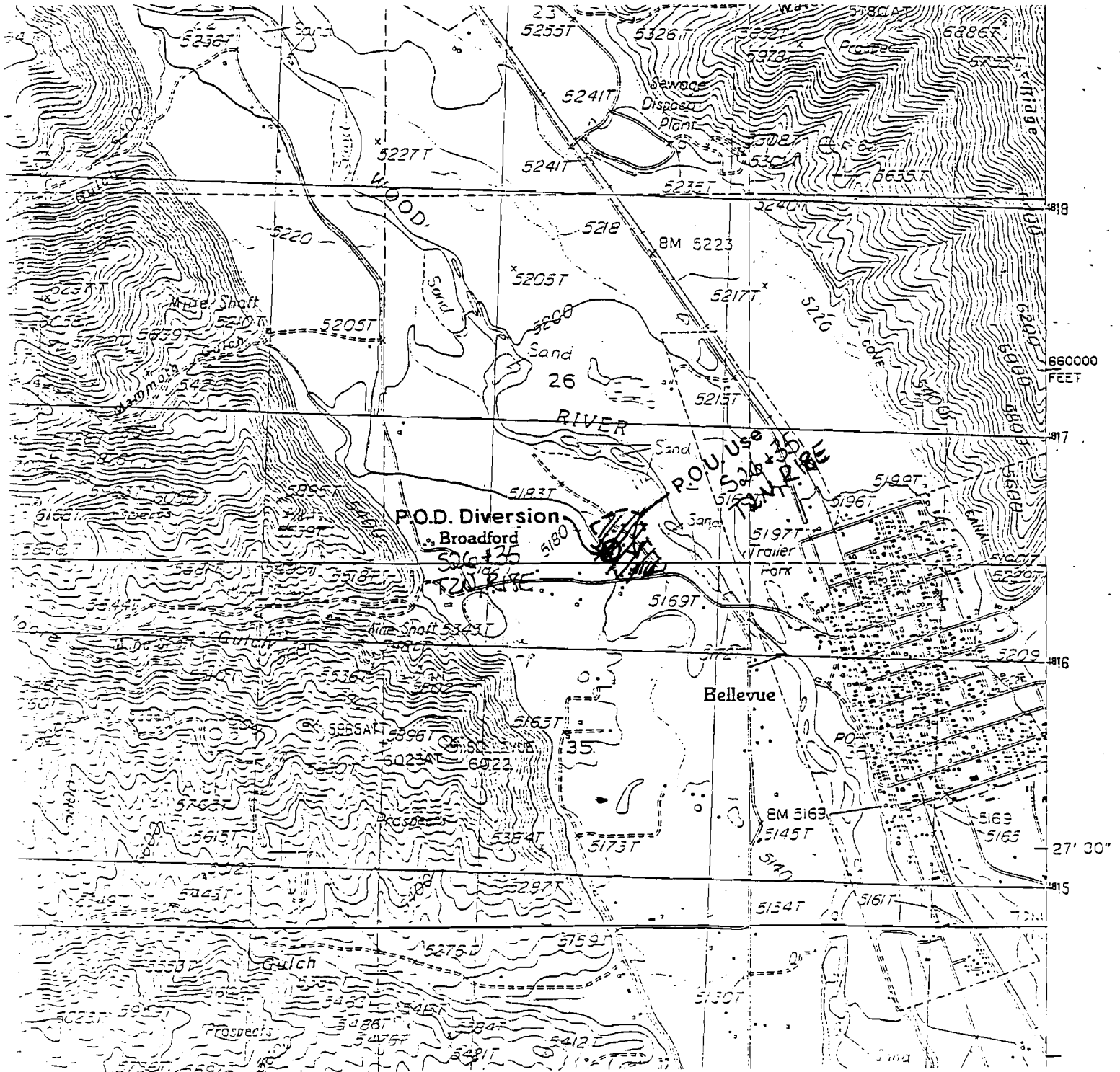
13. Remarks: The Affidavit of Otis (Tinker) Disbennett is attached hereto as further support for this beneficial use claim.

Copy

MAP OF PROJECT

(Show clearly the point of diversion, place of use, section number, township and range number)

Scale: 2 inches equals 1 mile



Last Name: Barrie Family Partners

H:\WPDATA\JIM\BARRIE\Amended Notice Of Claim.37.13371.wpd

COPY

Ident No. A37-13371

1/9/02

14. Basis of Claim: Beneficial use

IDWR Water Right Number:

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant:

15. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - one (1)

[For organizations] I do solemnly swear or affirm that I am the general partner of Barrie Family Partners, that I have signed the foregoing document in the space below in such capacity on behalf of the partnership and that the statements contained in the foregoing document are true and correct.

BARRIE FAMILY PARTNERS

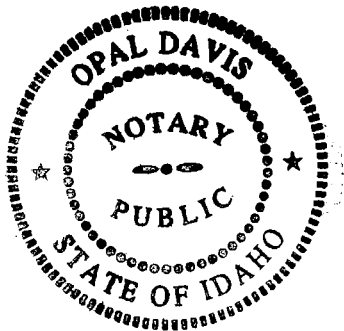
Signature of Claimant(s)

By: Christine M. Barrie Date 1/18/04
general partner

State of Idaho)
) ss.

County of Blaine)

Subscribed and sworn before me this 18th day of January, 2002.



Opal Davis
Notary Public for Idaho
Residing at Rt 1, Box 1210, Fairfield ID
Commission Expires 6/20/07

Last Name: Barrie Family Partners

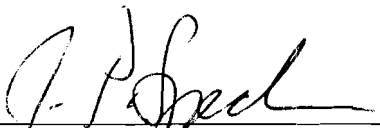
F:\WPDATA\JIM\Barrie\Amended Notice Of Claim.37.13371.wpd

Ident No. A37-13371

1/16/02

16. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: 
James P. Speck, Esq., ISB # 2067
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
Telephone (208) 726-4421
Facsimile (208) 726-0752

Date: *January 16*, 2002.

COPY

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: A37-13371
Date Received: 3/ 8/1990
Receipt No: S011434
Received By: O/C FFB

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: BARRIE FAMILY PARTNERS 208-788-3933
Address: PO BOX 793
BELLEVUE ID 83313

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	26	SE	SW	SE		BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

7. Total Quantity Appropriated is:
0.150 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 of	Lot	Use	Acres
02N	18E	26	SW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

APPROX. 5 ACRES OF SPRINKLER IRRIGATION.
OWNERSHIP CHANGE MADE 6/16/95 BY TLB. ASSEMBLIES OF GOD-FORMER
OWNER, BARRIE-NEW OWNER. WARRANTY DEED INCLUDED.

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 18E
Section 26, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
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)
Assigned by IDWR: A37-00332, A37-13370, A37-13371
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Assemblies of God
1311 72nd Ave So.
Thompson, ID 83651
- ☐ New Owner/Claimant (Purchaser): Barney Partners
- ☐ New Mailing Address: P.O. Box 793
Bellvue, ID 83313
- ☐ New Telephone Number: (208) 788 - 3933
- ☐ 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 proof attached: Corporation Warranty Deed + Quit Claim Deed
(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) Barney Partners Date 1/24/95
- ☐ Signature of Former Owner/Claimant(s) _____ Date _____

(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: 6/16/95 By: MB

Claim Numbers of Split, if any:

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

NOV 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 16, 1995

BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE, ID 83313

RE: SRBA CLAIMS A37-00332, A37-13370, & A37-13371
ASSEMBLIES OF GOD

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script, reading "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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: A37-13371
Date Received: 3/ 8/1990
Receipt No: S011434
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SOUTHERN IDAHO DIST. ASSEMBLIES OF GOD 208-466-8101
Address: 1311 12TH AVE. S.
NAMPA, ID 83651

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	SE	SW	SE		BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

7. Total Quantity Appropriated is:
0.150 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
02N	18E	26	SW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
APPROX. 5 ACRES OF SPRINKLER IRRIGATION.

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 Superintendent of
Southern Idaho District Title
Assemblies of God Organization, that I have signed the foregoing
document in the space below as Superintendent of
Southern Idaho Dist Title
Assemblies of God Organization and that the statements contained in the
foregoing document are true and correct.

Deane E. Buckler
Signature of Authorized Agent
Southern Sup. A.
Southern Idaho Dist. Assemblies of God
Title and Organization
Aug 1, 1991
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of August 19 91

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

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: A37-13371
Date Received: 3/08/1990
Receipt No: 5011434
Received By: Q. D. Z.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BELLEVUE BIBLE CAMP, ASSEMBLIES OF GOD 208-466-8101
Address: SO. IDAHO DISTRICT
1311 12TH AVE SOUTH
NAMPA, ID 83651

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	SE	SW	SE		BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

7. Total Quantity Appropriated is:
0.150 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
02N	18E	26	SW	SE		IRR	5.0
Section Acres							5.0

A37-13371

Page 1

Date: 03/08/90

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
 NONE

14. Remarks:
 APPROX. 5 ACRES OF SPRINKLER IRRIGATION.

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 Sup of _____ Title

Belleuve Bible Camp Dist ^{So Id}, that I have signed the foregoing Organization document in the space below as Sup of _____ Title

Belleuve Bible Camp Dist ^{So Id} and that the statements contained in the Organization foregoing document are true and correct.

Deane E. Buehly
Signature of Authorized Agent
Belleuve Bible Camp
Sup. So Idaho District A/6
Title and Organization

March 8, 1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of March 1990

Robert V. Horstelt
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 15, 1995

12/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-13371

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340

KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

The rights listed below are limited to a total combined diversion rate of 0.15 cfs and to a total combined annual diversion volume of 26.4 AF. Combined Right Nos.: 37-2639D, & 37-13371.

PRIORITY DATE: 12/31/1975

POINT OF DIVERSION:

T02N R18E S26 SESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.150 CFS 26.40 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S26	SWSE	4.70	T02N R18E S35	NWNE	2.70
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7.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.3 acres in a single irrigation season. Combined Right Nos.: 37-332, 37-2639D, & 37-13371.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The rights listed below are limited to the irrigation of a combined total of 7.4 acres in a single irrigation season. Combined Right Nos.: 37-2639D, & 37-13371.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-13371**



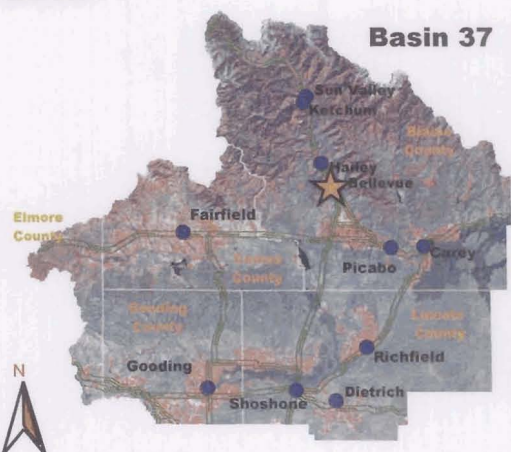
PLACE OF USE
TWP 2N, RNG 18E, SEC 26 & 35
Data entry on December 20, 2006

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **TOWNSHIP LINES**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Jones, Doug

From: Jim Speck [jimspeck@cox-internet.com]
Sent: Tuesday, May 31, 2005 4:35 PM
To: 'Mr. Doug Jones'
Cc: 'Christine Barrie'
Subject: Re: Barrie Family Partners/Water Rights - 37-13370 & 13371 Priority Evidence

Doug,

Confirming our telephone conversation the other day, the SRBA claim file for 37-13371 should include the affidavit of Otis (Tinker) Disbennett to document the claimed priority date. 37-13370 does not qualify with its claimed priority of 1975 for anything other than domestic use under 42-111, so no further evidence will be submitted unless requested for that purpose. Thanks again for all your help on these matters.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures