

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: **A37-02639D**

Date Received: 10/ 2/1990

Receipt No: X777777

Received By: _____

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

1. Name: BARRIE FAMILY PARTNERS 208-726-4421
Address: C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

2. Date of Priority: JUL 25, 1966

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, SPRINKLER IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.020		3.20

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 3.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	35	NW	NE		IRR	0.9

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.9
					Total Acres	0.9

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:

PURSUANT TO APPROVED TRANSFER NO. 4154:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
2. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.
3. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
4. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE

Water Right Number: 33024

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: _____

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 JUN 12 AM 10 36

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

SUBCASE NO. 37-332, 37-2639D
37-13370, 37-13371

AMENDED
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

6/10/09



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6-11, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

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

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Barrie Family Partners
PO Box 793
Bellevue ID 83313

James P Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

Hobdey & Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

05/28/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-332

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 07/01/1887

POINT OF
DIVERSION:

T02N R18E S26 SENESW 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	1.000 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S26 SWSE 5.60	T02N R18E S35 NWNE	2.70
	8.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

05/28/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2639D

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
PO BOX 793
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
3.20 AFY

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.

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/25/1966

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	0.020 CFS 3.20 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 NWNE 0.90

0.9 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.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

05/28/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-13370

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 12/31/1975

POINT OF
DIVERSION:

T02N R18E S26 SESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC in BLAINE County

T02N R18E S26

SWSE

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

05/28/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-13371

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
26.40 AFY

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
<u>PLACE OF USE: IRRIGATION in BLAINE County</u>		
T02N R18E S26 SWSE 4.70	T02N R18E S35 NWNE	2.70
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.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

June 10, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-332, 37-2639D, 37-13370, 37-13371

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: James P. Speck, Speck & Aanestad
Barker Rosholt & Simpson
Hobdey & Hobdey

02/09/2007

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

RIGHT NUMBER: 37-2639D

NAME AND ADDRESS: BARRIE FAMILY PARTNERS
C/O JAMES P SPECK ESQ
PO BOX 793
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
3.200 AFY

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.

This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/25/1966

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	0.020 CFS 3.20 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 NWNE 0.90

0.9 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.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

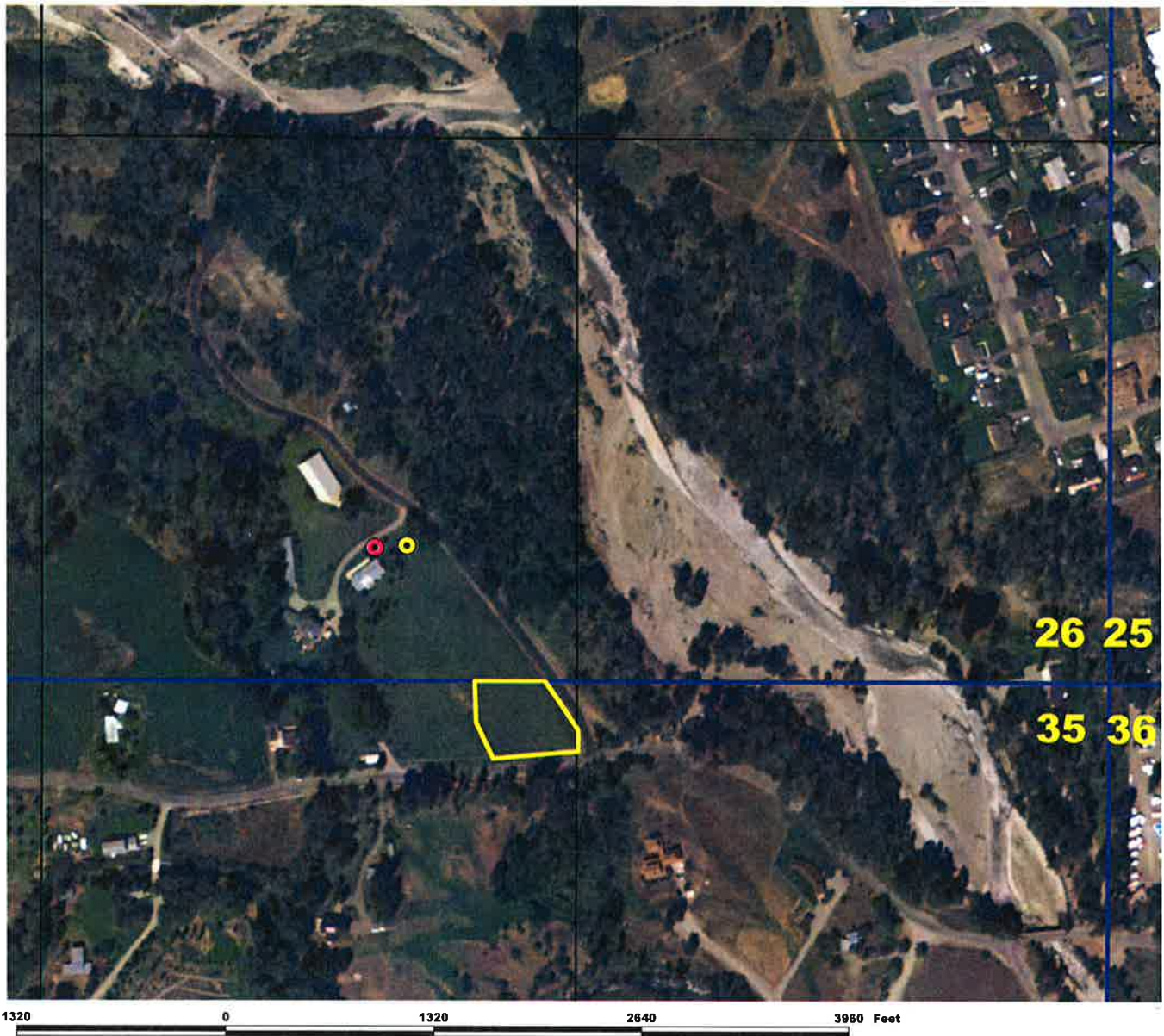
Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR
37-2639D



PLACE OF USE
TWP 2N, RNG 18E, SEC 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



RECEIVED

Date Sent to S.O.

AUG 10 2000

AUG 11 2000

Department of Water Resources

T-5755 adjudication review

SD-0607-2 Prefix: A Basin: 37 Starting Water Right: 02639

STATE

Prepared by Kelly K Christensen

KKC

8-8-2000

File: T-5755 ai review split tree

Water Right No.	Name Last, First	W N	Priority Date	Stg/ Sts	Use Source	Code Desc
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A37-02639 SPLIT RIGHT, C 07/25/1966 /Z GROUNDWATER 01 IRR
SPLIT RIGHT

A37-02639A SPLIT RIGHT-RENUMBERED C 07/25/1966 /Z GROUNDWATER 01 IRR

A37-02639B BROADFORD POLO SUBDIVI C 07/25/1966 L/ GROUNDWATER 01 IRR

A37-02639C SPLIT RIGHT-RENUMBERED C 07/25/1966 /Z GROUNDWATER 01 IRR

A37-02639D BARRIE FAMILY PARTNERS C 07/25/1966 L/ GROUNDWATER 01 IRR

A37-02639E SPLIT RIGHT - SEE G & C 07/25/1966 /Z GROUNDWATER 01 IRR

A37-02639F SENAUSKY, LUBOFF C 07/25/1966 L/ GROUNDWATER 01 IRR

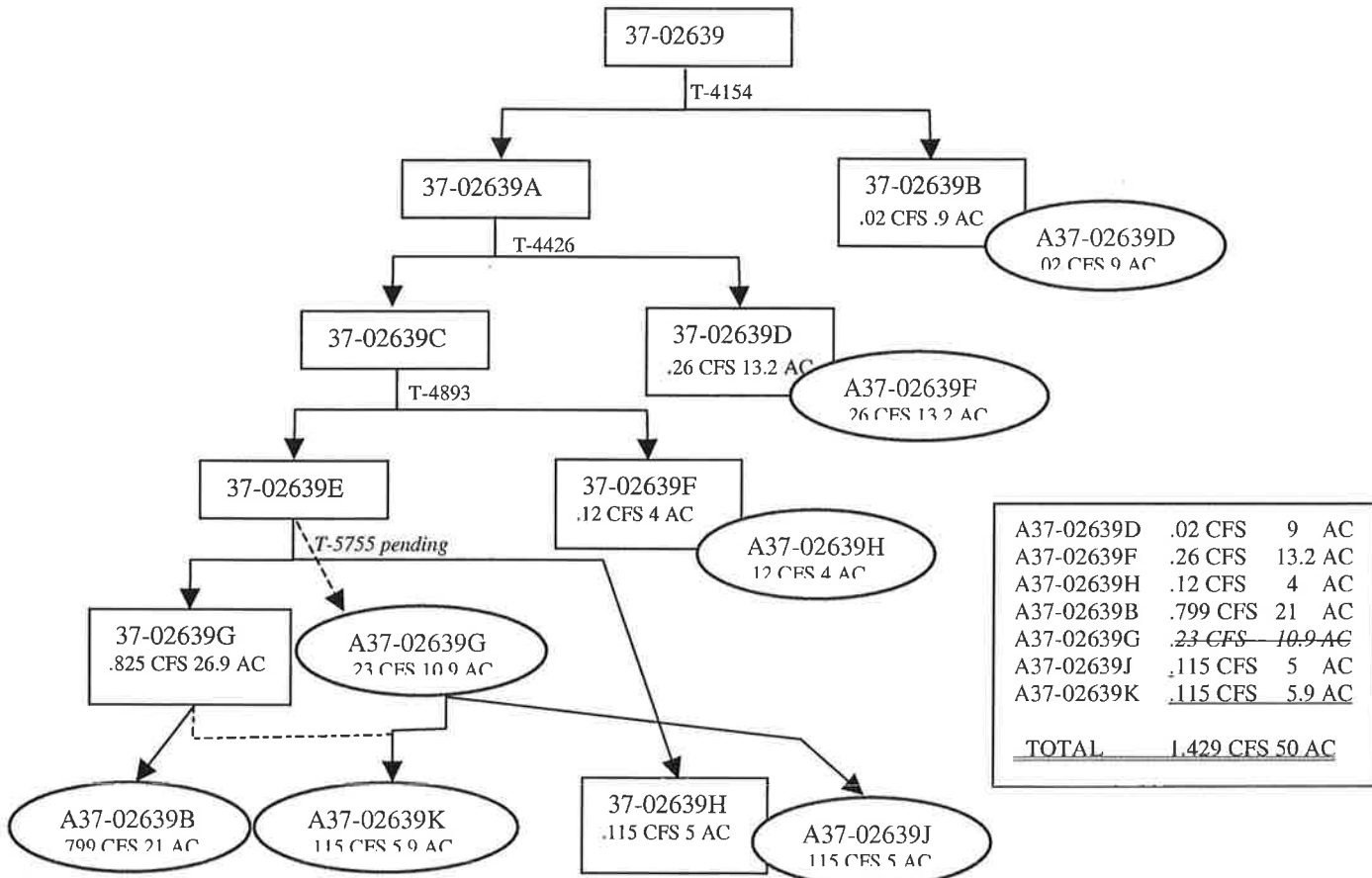
FLOYD, CHARLES TIMOTHY C

A37-02639G TIDWELL, LESLIE ANNE C 07/25/1966 L/ GROUNDWATER 01 IRR

TIDWELL, BRUCE C

A37-02639H HORNOCKER, MAURICE C 07/25/1966 L/ GROUNDWATER 01 IRR

HORNOCKER, LESLIE C



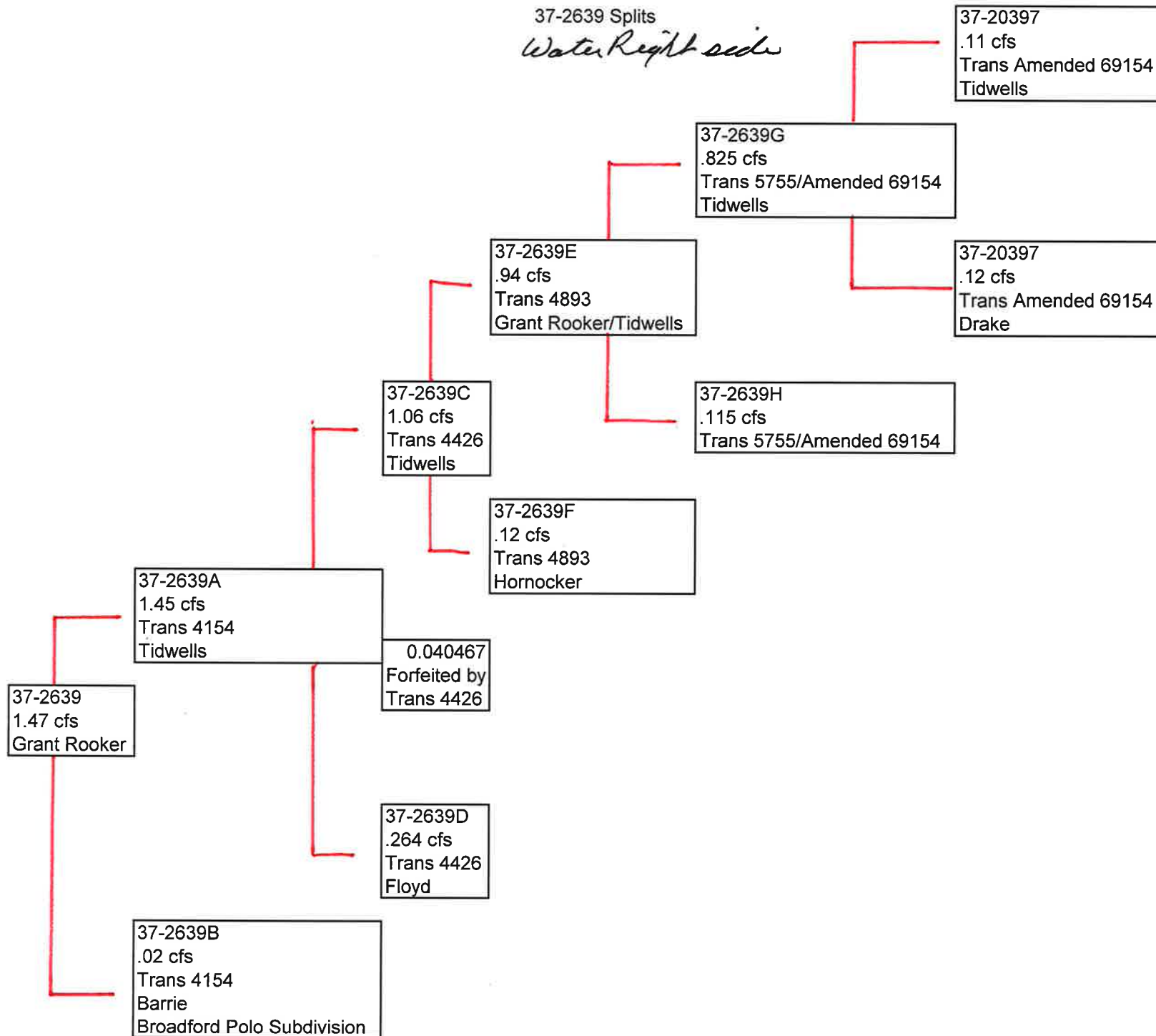
Adjudication claims A37-02639B and A37-02639G do not have a matching water right based upon an existing transfer. They are considered to be claimed against the base right, or that portion of the original right identified as unchanged. This transfer proposes to split A37-02639G which is claimed against the base water right 37-02639E. As the adjudication claims stand, the total of all claims do not exceed the original decreed right. At this point I do not see any adjudication conflicts regarding this transfer.

MICROFILMED

JUN 01 2001

37-2639 Splits

Water Right side



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33024/37-2639 Priority July 25, 1966 Amount 1.47 cfs

THIS IS TO CERTIFY, that GRANT ROOKER

of Bellevue, Idaho, has complied with the terms and conditions of Permit No. 33024/37-2639 issued pursuant to Application for Permit dated July 25, 1966, and has submitted proof to the Department of Water Resources on May 24, 1971, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.31 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.47</u> cfs and	<u>150 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.47 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 150 acre feet per year, said waters to be diverted within the NE¹/₄NE¹/₄ of Sec. 35,
Twp. 2 N, Rge. 18 E, B.M. in the County of Blaine

Description and location of place of use:

Twp.	Range	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	
2 N	18 E	35	12			38													50

Total number of acres irrigated 50

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

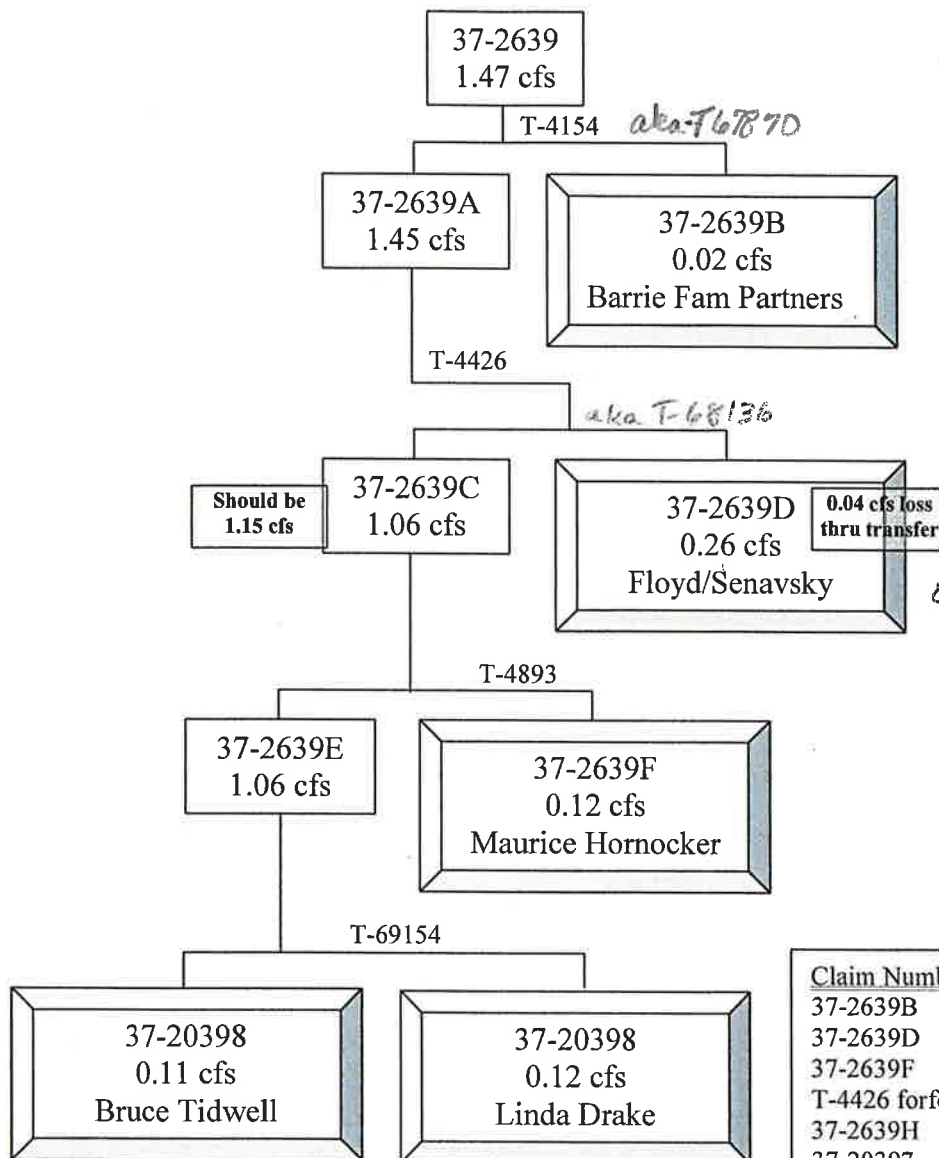
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of May, 19 75.

Director

SCANNED
JUN 08 2006

MICROFILMED



Copied fm remarks

Adjudication Claim Report **37-2639G** A37-02639A WHICH WAS SPLIT INTO PARTS C AND D PURSUANT TO APPROVED TRANSFER NO. 4154. THIS C PART WAS THEN SPLIT INTO PARTS E AND F AS A RESULT OF APPROVED TRANSFER NO. 4426. (.04 CFS WAS FORFEITED IN THE TRANSFER PROCESS). jr

THIS CLAIM IS A PORTION OF A37-02639E WHICH WAS SPLIT INTO PARTS G AND H PURSUANT TO APPROVED TRANSFER NO. 4893.

Claim Number	Rate	Associated with WR
37-2639B	0.80 cfs	37-2639E (roughly associated)
37-2639D	0.02 cfs	37-2639B
37-2639F	0.26 cfs	37-2639D
T-4426 forfeited	0.04 cfs	
37-2639H	0.12 cfs	37-2639F
37-20397	0.11 cfs	37-20397
37-20398	0.12 cfs	37-20398
total	1.47 cfs	

Allocations split tree does not track well as far as the diversion rate splits, however the combined claimed rates total to the original licensed rate. This total recognizes the 0.04 cfs forfeited through T-4426.



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

JAMES E RISCH
GOVERNOR

KARL J DREHER
DIRECTOR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Rate(cfs)</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Version</u>
37	2639 B			0.8 IRRIGATION	BROADFORD POLO SUBDIVISION OWNERS ASSN	
37	2639 D			0.02 IRRIGATION	BARRIE FAMILY PARTNERS	
37	2639 F		<u>.04</u>	0.26 IRRIGATION	FLOYD, CHARLES TIMOTHY ; SENAVSKY, LUBOFF	
37	2639 H			0.12 IRRIGATION	HORNOCKER, LESLIE ; HORNOCKER, MAURICE	
37	20397			0.11 IRRIGATION	TIDWELL, BRUCE S ; TIDWELL, LESLIE A	
37	20398			0.12 IRRIGATION	DRAKE, LINDA O	
			1.43			
			<u>.04</u>			
			<u>1.47</u>			

If you have additional questions you can reach me at the number listed above.

Sincerely

37- 2639F claim amended to

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

enclosures

37-2639
1.47cb 50ac
irrigation only

A
1.45cb
49.1ac

B
.02cb .9ac
Barrie Fam.

T-4154

T-4426

2639C
1.15cb
35.9ac

(2639D
.26cb 13.2ac
.04 forfeited)

4893

E
.94cb

F
.12cb
4ac

G
10.9ac
.23cb

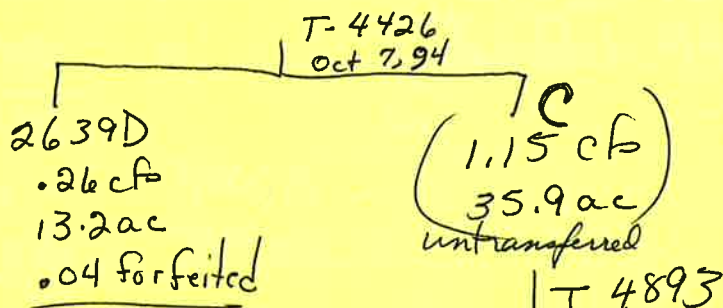
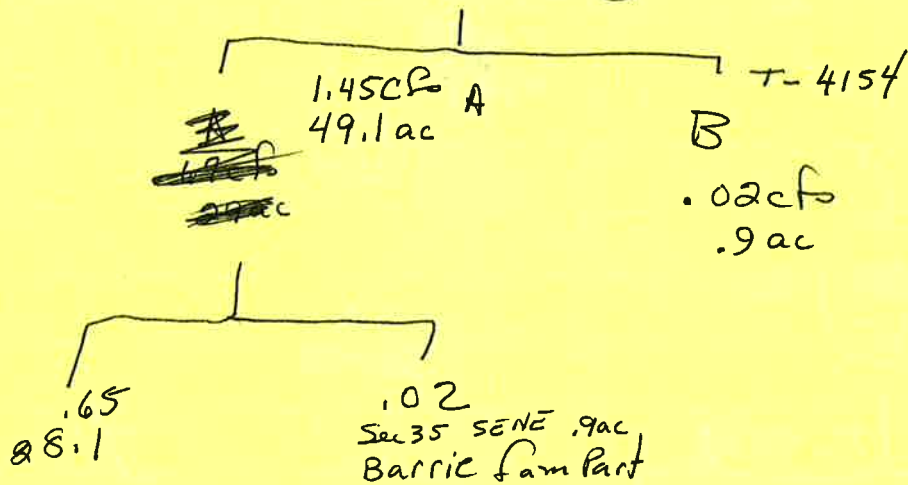
H
.12cb
4ac

20397
.11cb 4.6

20398
.12cb 4.3ac

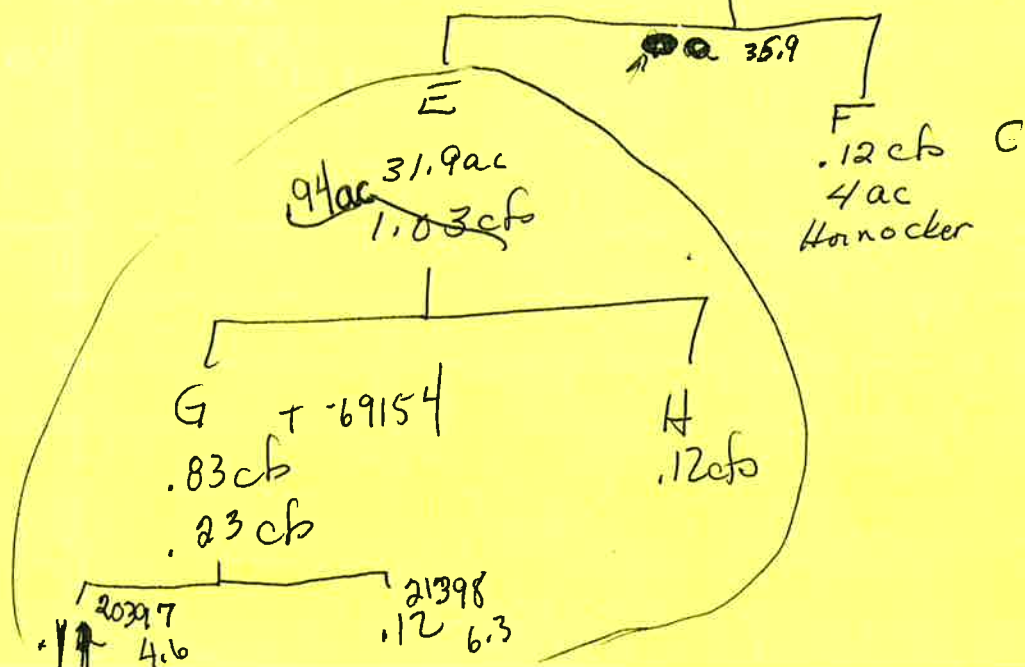
37-2639

1.47 cfb (50 ac)
irrigation only



T 4893

E - H



A37-2639A

.671 cb

29 ac

Per T-~~4426~~

4,54

2639B

.79 cb

21 ac

C

28.1 ac

.65

.02

Barrie

T-4426

Lic = 1.47 cb

E

(.35 cb
14.9 ac)

F

Floyd

26 (13.2 ac)
(with .04 cb forfeited)

B .80 cb 21 ac

D .02 cb .9 ac
(.04 forfeited)

F .26 13.2 ac

4 .12 cb 4 ac

1.20 cb

20397 .11 cb 4.6 ac

20398 .12 cb 6.3 ac

1.43 cb
.04 forfeited

1.47 50 ac

RECEIVED

MAY 04 1994

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4154
WATER RIGHT NO. 37-02639B

A37-02639D

✓ Carter
✓ Bob
— Southern AJ

This is to certify that: **BARRIE FAMILY PARTNERS**
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.02 CFS	3.2 AF

SOURCE

GROUNDWATER

Priority: 07/25/1966

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 26, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	35	NWNE	0.9		0.9
Total number of acres irrigated:						0.9

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4154
WATER RIGHT NO. 37-02639B

CONDITIONS/REMARKS:

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 21st day of April, 1994.

A. Glen Saylor
Chief, Water Alloc. Bureau

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

FEB 26 1993

MAR 10 1993

JUL 19 1993

Department of Water Resources

Department of Water Resources Southern Region Office

Phone (208) 726-4421

Department of Water Resources BARRIE FAMILY PARTNERSPost Office address C/O JAMES P. SPECK, HOGUE, SPECK & AANESTAD, P.O. BOX 987, KETCHUM, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes APPLICANT DESIRES TO PURCHASE PORTION OF WATER RIGHT AND MOVE IT TO ITS LAND

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-------------------|------------------|--------------------|-------------------|---|
| <u>37-02639B</u> | <u>7/25/1966</u> | <u>0.02 cfs</u> | <u>IRRIGATION</u> | <u>APRIL 15</u> to <u>NOV. 1</u> ¹⁰⁻¹⁵ |
| <u>A37-02639A</u> | <u>7/25/1966</u> | <u>0.02 cfs</u> | <u>IRRIGATION</u> | <u>APRIL 15</u> to <u>NOV. 1</u> ¹⁰⁻¹⁵ |
| | | | | to _____ |
| | | | | to _____ |
2. Total amount of water being transferred 0.02 cfs cubic feet per second and/or 3.2 acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	26	2N	18E	BLAINE	N/A

5. Lands irrigated or place of use:

Twp.	Rge.	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	
2N	18E	35			0.9														0.9

Total acres 0.9

PART 1

6. General Information:

a. Description of diversion system WELL, PUMP AND SPRINKLER IRRIGATION SYSTEM.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

0.9A WILL NO LONGER BE IRRIGATED.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

RECEIVED
APR 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02639 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other PURCHASE AGREEMENT

3. Source of water GROUND WATER tributary to _____

4. Date or priority 7/25/1966

5. Water is used for the following purpose:

amount 1.47 for IRRIGATION purposes from APRIL 15 to NOV. 1 / 0-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.47 cubic feet per second and/or 150 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	35	2N	18E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	35	12			38													50

APR 26 1994 Total acres 50

9. Describe any other water rights used for the same purpose as described above

37-00687994

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-02639

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.47 CFS	150.0 AF

SOURCE

GROUNDWATER

Priority: 07/25/1966

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 35, Township 02N, Range 18E
BLAINE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 18E 35	NENE 12	SENE 38		50
Total number of acres irrigated:				50

CONDITIONS/REMARKS:RECORDED
APR 26 1994

PART 2

Transfer No. 4154

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.02 for IRRIGATION purposes from APRIL 1 to NOV. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	35	2N	18E	BLAINE	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
2N	18E	35				0.9													0.9

Total acres 0.9

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.45 for IRRIGATION purposes from APRIL 1 to NOV. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	35	2N	18E	BLAINE	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
2N	18E	35	12			37.1													49.1

Total acres 49.1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
JUL 19 1993

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ Department of Water Resources
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02639A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other PURCHASE AGREEMENT

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 7/25/1966

5. Water is used for the following purpose:

amount 0.67 for IRRIGATION purposes from ARRIL 1 to NOV. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.67 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NE	35	2N	18E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	35				29													29

APR 26 1994

Total acres 29

9. Describe any other water rights used for the same purpose as described above A37-00687

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 NO _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.02 for IRRIGATION purposes from APRIL 1 to NOV. 1
 (cfs/acre)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NE	35	2N	18E	BLAINE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	35				0.9													0.9

Total acres 0.9**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.65 for IRRIGATION purposes from APRIL 1 to NOV. 1
 (cfs/acre)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NE	35	2N	18E	BLAINE	

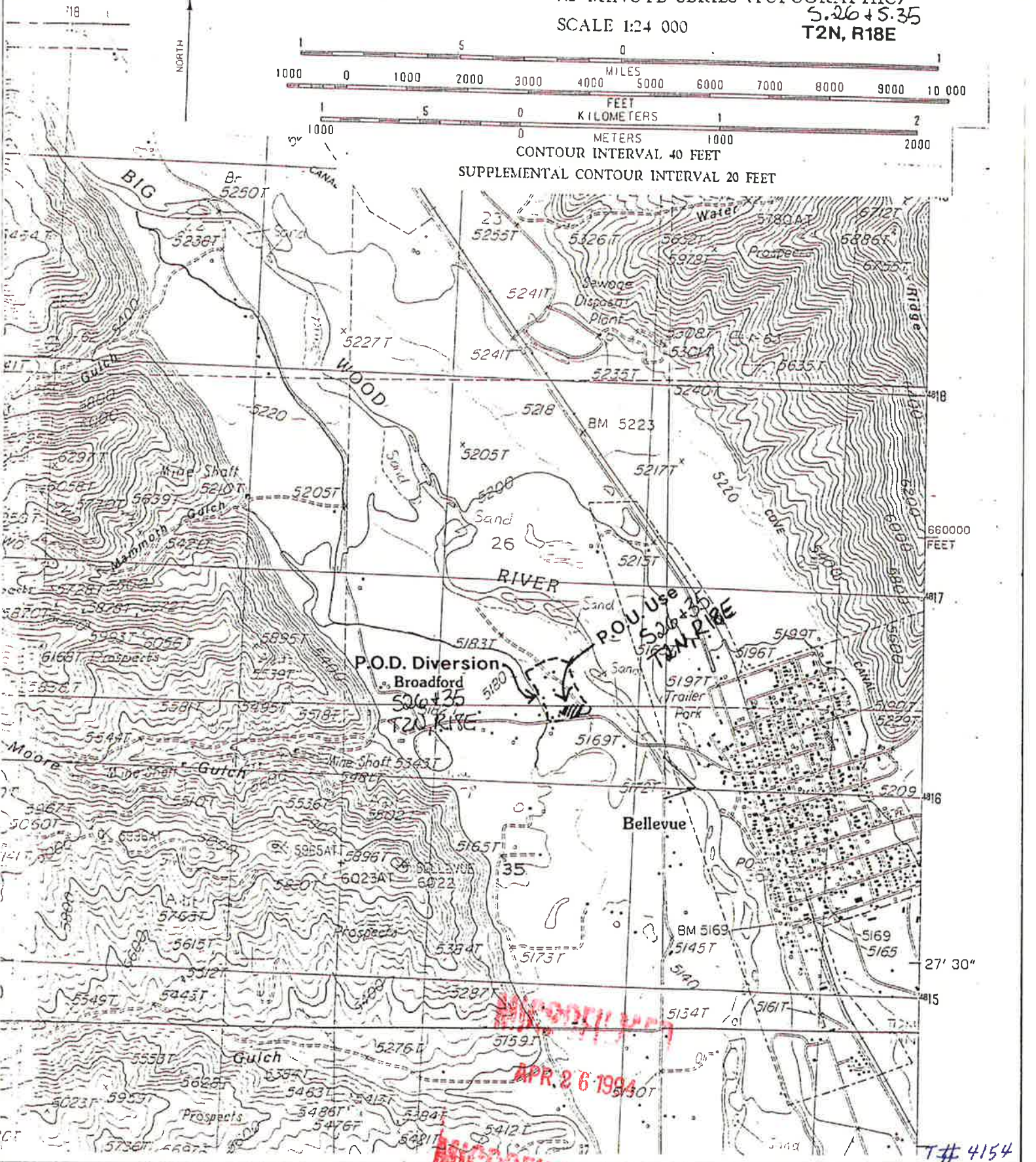
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	18E	35				28.1													28.1

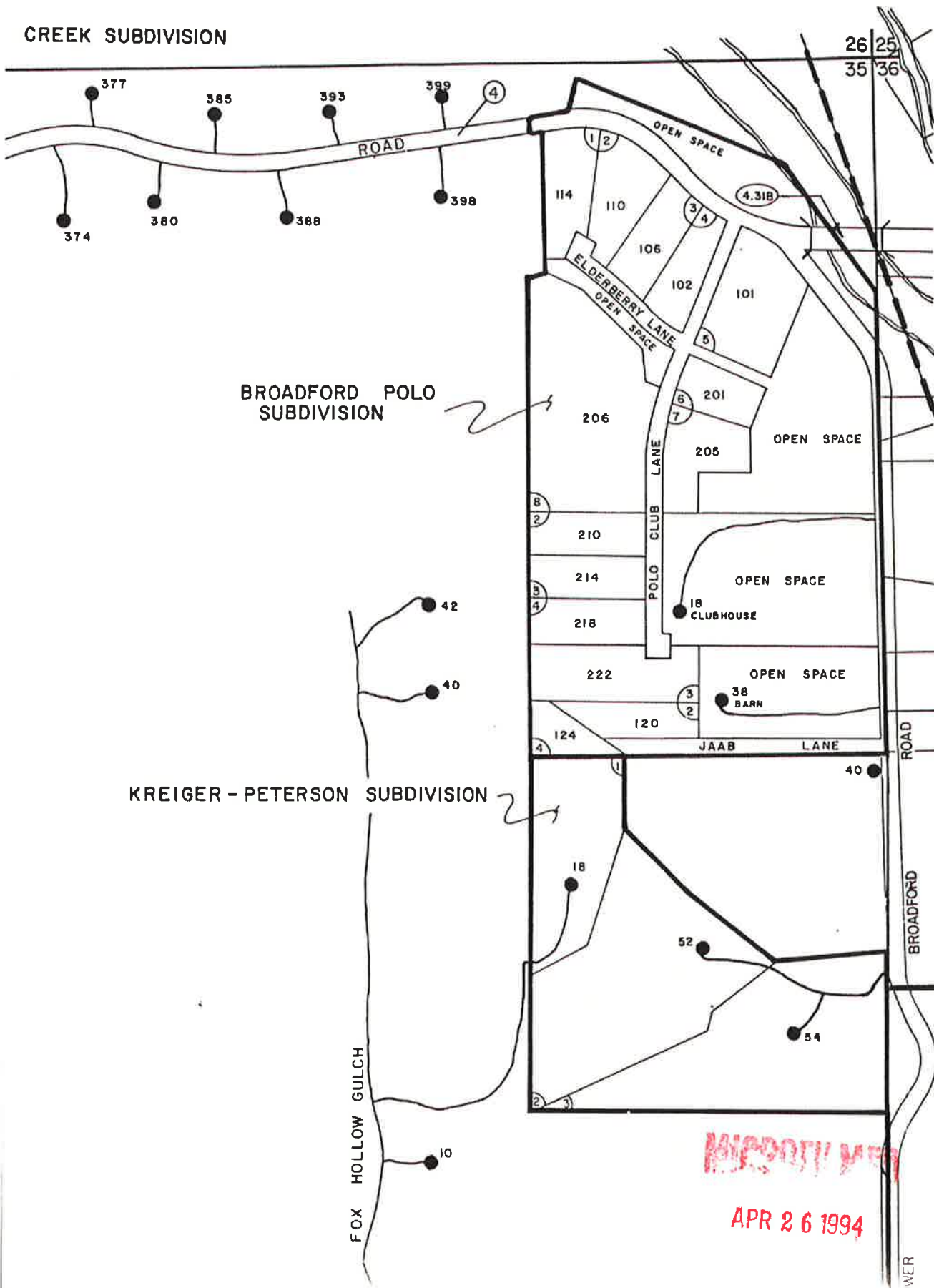
Total acres 28.1

NATOOTS

BELLEVUE QUADRANGLE
IDAHO-BLAINE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SCALE 1:24 000
S.26 + S.35
T2N, R18E



CREEK SUBDIVISION



RECORDED

APR 26 1994

T# 4154



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

BARRIE FAMILY PARTNERS

By: [Signature]

(Signature of Applicant)

Subscribed and sworn to before me this

27th

day of

November, 19 92[Signature]

(Notary Public)

My commission expires

November, 1997**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 1 attachmentsReceived by [Signature]Date 2-26-93

Protest filed by

Prelim. check by [Signature]Fee \$30.00 5015477Receipted by [Signature]Date 3-10-93Published in Wood River Journal

Copies of protest forwarded by

Pub. dates 6/2 & 6/9/93

Hearing held by Date

Watermaster recommendation requested on 5/24/93Recommended for ☒ approval ☐ denial

rec'd.

6/1/93by [Signature]

Copy of transfer sent to lien holder

APR 26 1994

WR

37-02639

↓ Rooker
T4154

A

Rooker

↓
T4426

B

Barrie Fam. Partners

.02 cfs
.9 Ac.

C

Rooker
1.06 cfs
35.9 Ac.

D

Floyd/Senavsky
.26 cfs
13.2 Ac.

AJ

A37-02639

1.47 cfs
50 Ac.

A

Tidwell

.67 cfs
29 Ac.

B

Broadford Polo
Subdivision

.799 cfs
21 Ac.

↓
T4154

C

Tidwell

.65 cfs
28.1 Ac.

D

Barrie Fam. Partners

.02 cfs
.9 Ac.

↓
T4426

E

Tidwell
.35 cfs 14.9 Ac.

F

Floyd/Senavsky
.26 cfs 13.2 Ac.

← .04 cfs
forfeited



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 23, 1994

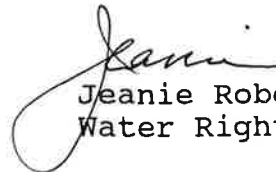
JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

RE: AMENDED CLAIMS - ADJUDICATION CLAIM NO. A37-02639D, A37-02639E
TIDWELL/BARRIE FAMILY PARTNERS/FLOYD-SENAVSKY

Mr. Speck;

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), please find enclosed copies of the claims which I have amended pursuant to approved Transfer Nos. 4154 and 4426. I have also included a copy of the split tree I used to split the claims. If you have any questions or feel this is not what was intended, feel free to contact me at the office.

Sincerely,


Jeanie Robertson
Water Right Agent

/jr