

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 37-21335  
Date Received: 8/17/2004  
Receipt No: S026975  
Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CALVARY BIBLE CHURCH INC Phone: (208) 788-9174  
PO BOX 1676  
HAILEY ID USA 83333

2. Date of Priority: 04/02/1988

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 18E   | 32      | SE SE SE              | BLAINE |      |

5. Description of diverting works:

wells, pump and pipeline providing culinary water to church building.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) A.F.A |
|----------|-------|-------|--------|------------|
| DOMESTIC | 01/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.04 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 |
|----------|-------|---------|----------------|----------|-------|
| 03N      | 18E   | 32      | SE SE          | DOMESTIC |       |

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:

domestic/culinary use in church building does not exceed 2500 gallons per day.  
This qualifies for the Domestic purpose exemption under I. C. 42-111(1)(b).

15. Basis of Claim: Beneficial Use

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AUG 16 2004

Form No. 42-1409 (2) b 9/88 (Internet Version)

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

Department of Water Resources  
Southern Region

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

CIVIL CASE NUMBER: 39576

Identification No. \_\_\_\_\_

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

# NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

ORIGINAL IN RED

Please type or print clearly

1. Name of Claimant (s) Calvary Bible Church, Inc. Phone (208) 788-9174Mailing Address P.O. Box 1676, Hailey, ID Zip 833332. Date of Priority (Only one per claim) April 02, 1988 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township 3N Range 18ESection 32 SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.,County of BlaineAdditional points of diversion if any: None.

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Wells, pump and pipeline providing culinary water to church building.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from January 1 <sup>Month/Day</sup> to December 1 <sup>Month/Day</sup> amount 0.04 <sup>(cfs)</sup> cfs

(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 cfs (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic/culinary use in church building does not exceed 2500  
gallons per day.

10. Place of use is: Township: 3N Range 18E  
Section 32, SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, B.M.,  
County of Blaine for (Circle One) Domestic Stock Domestic and Stock  
Additional places of use, if any \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes XX 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.  
None.

14. Remarks: This use qualifies for the Domestic Purpose Exemption under I.C. § 42-111(1)(b).

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am Chairman of the Elder Board

of Calvary Bible Church, Inc., that I have signed the foregoing

document in the space below as Chairman of the Elder Board of Calvary Bible Church, Inc.

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Robert H. Fuller Date 7-23-04

Title and Organization Chairman of Elder Board, Calvary Bible Church, Inc.

State of Idaho/or Idaho )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 23<sup>rd</sup> day of July 19 2004

Notary Public Jeanne Farnea

Residing at Shoshone, Idaho

My Commission Expires 05-05-09

Last Name: Calvary Bible Church, Inc. Ident No. \_\_\_\_\_



## WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT



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.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 17, 2004

SPECK & AANSTAD  
120 EAST AVE  
PO BOX 987  
KETCHUM ID 83340

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 37-21335

Dear Jim

Enclosed is the data entered claim and the receipt for the Calvary Bible Church Inc. Please review the claim to confirm that the data entries are correct.

If you have any questions please give me a call.

Sincerely

Kelly K Christensen  
Sr Water Resource Agent  
E-mail address: [kchrste@idwr.state.id.us](mailto:kchrste@idwr.state.id.us)

Enclosures

**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

August 12, 2004

**RECEIVED**

**AUG 16 2004**

Department of Water Resources  
Southern Region

Mr. Kelly K. Christensen  
Idaho Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, Idaho 83301

**Re: *Calvary Bible Church, Inc.;***  
***SRBA Domestic Water Right Claim***  
***Our File No.: 1337/030147***

Dear Kelly:

Enclosed you will find the original and one copy of a Notice of Claim to a Water Right for domestic purposes for culinary use in the Applicant's church building in Blaine County, Idaho. Also enclosed is my firm's check for the \$25 filing fee.

My client specifically requests that the late filing fee be waived as the requirement for filing this claim was only recently made known to us through the interdepartmental memorandum you sent me a little while ago.

Please call me right away if you have any questions about this filing. Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By: \_\_\_\_\_

  
James P. Speck

JPS/jef  
Enclosure  
cc: Client w/encl.

**Claimants Name:**  
Calvary Bible Church, Inc.

RECEIVED

AUG 23 2004

Department of ...  
Southern Region

ORIGINAL IN RED

**Attorney Name & Address:**  
James P. Speck  
Speck & Aanestad  
A Professional Corporation  
120 East Avenue  
P. O. Box 987  
Ketchum, Idaho 93340  
(208) 726-4421  
FAX: (208) 726-0752

**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

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**NOTICE OF APPEARANCE**

**DESCRIPTIVE SUMMARY**

This is a notice of appearance by counsel on behalf of the claimant of the water right claims identified below.

**NOTICE OF APPEARANCE**

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Calvary Bible Church, Inc. for the following claimed water right which is not the subject of any subcase: 37-21335

DATED this 19 day of August, 2004.

SPECK & AANESTAD  
A Professional Corporation

By   
James P. Speck

### CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of August, 2004, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE 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

August 19, 2004

RECEIVED

AUG 23 2004

Department of Water Resources  
Southern Region

Mr. Kelly K. Christensen  
Idaho Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, Idaho 83301

**Re: Notice of Appearance/Calvary Bible Church, Inc.;**  
**SRBA Water Right No.: 37-21335;**  
**Our File No.: 1337/030147**

Dear Kelly:

Enclosed you will find the original and one copy of a Notice of Appearance for the above-referenced matter. Please file the original, file-stamp the copy and return it to my office in the envelope provided for that purpose.

Please call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By: \_\_\_\_\_

James P. Speck

JPS/jef

Enclosure

cc: Office of the Attorney General w/encl.  
U.S. Dept. of Justice w/encl.  
Idaho Dept. Of Water Resources, Boise, w/encl.

11/01/2006

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

RIGHT NUMBER: 37-21335

NAME AND ADDRESS: CALVARY BIBLE CHURCH INC  
PO BOX 1676  
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/02/1988

POINT OF DIVERSION:

T03N R18E S32 SESESE 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 Within BLAINE County

T03N R18E S32

SESE

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

domestic/culinary use in church building does not exceed 2500 gallons per day. This qualifies for the Domestic purpose exemption under I. C. 42-111(1)(b).

## **Tuthill, Dave**

---

**From:** Anders, Matthew  
**Sent:** Tuesday, December 12, 2006 1:42 PM  
**To:** Tuthill, Dave  
**Subject:** 37-21335

Dave,

Les Cameron called today inquiring about 37-21335 for Calvary Baptist Church. He is concerned about the 2500 gal/day limit because they also have a house on the site. I didn't have the file, so I was uncertain about the details. He requested that you give him a call.

His number:

|          |      |
|----------|------|
| 788-4112 | work |
| 788-2141 | home |
| 720-6895 | cell |

Thanks!

Matt

11/21/2006

NOTICE OF ERROR  
REPLY

RECEIVED

JAN 04 2007

DEPARTMENT OF  
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006**

Water right number: 37-21335

CALVARY BIBLE CHURCH INC

PO BOX 1676

HAILEY ID 83333

Telephone Number: (208)788-9174

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/29/06

SIGNATURE:

Leslie H. Cameron (Elder of Calvary Bible Church)

Please print your name:

Leslie H. Cameron

IDWR Regional Office, 322 E Front St  
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 04 2007