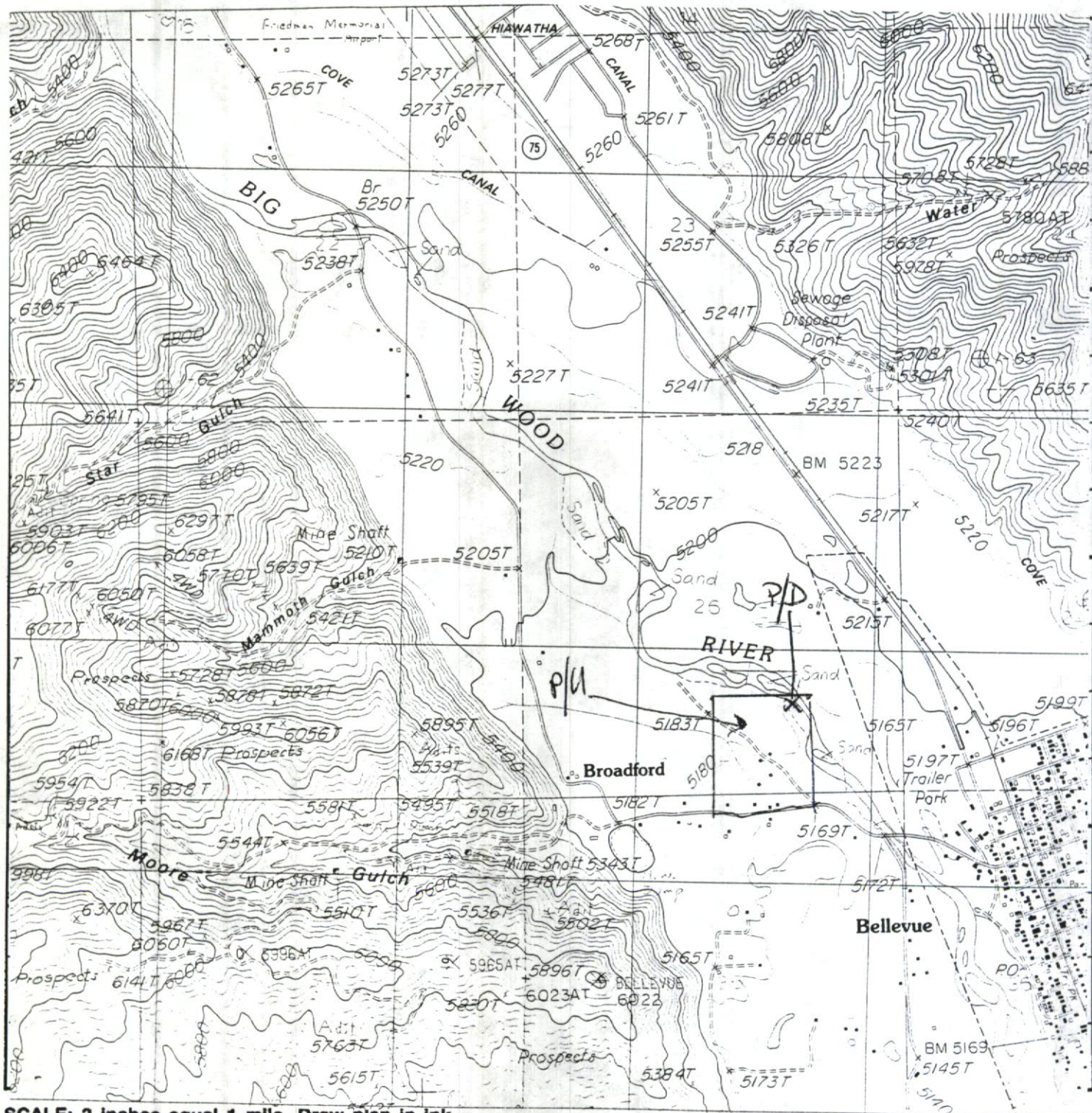


8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



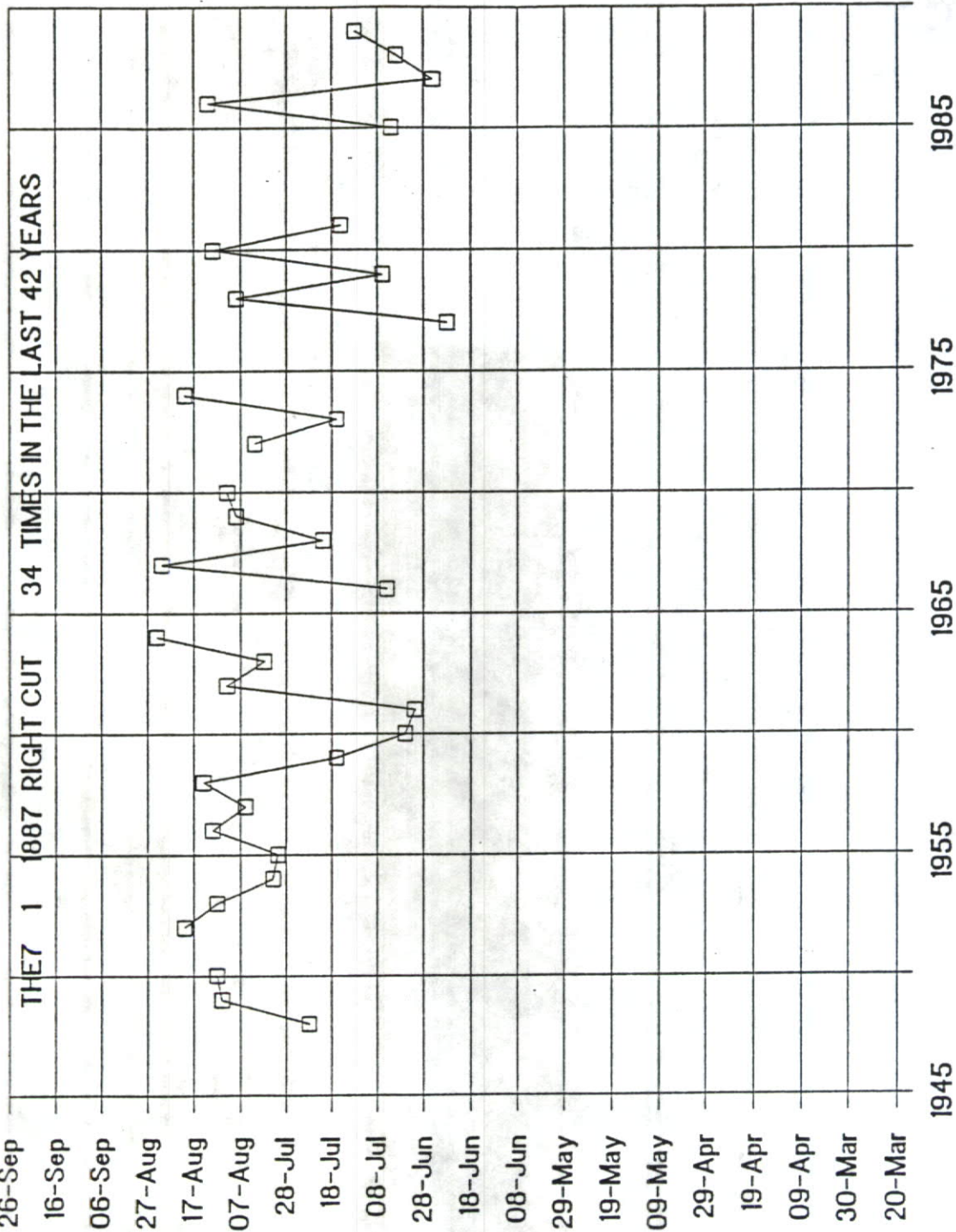
SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

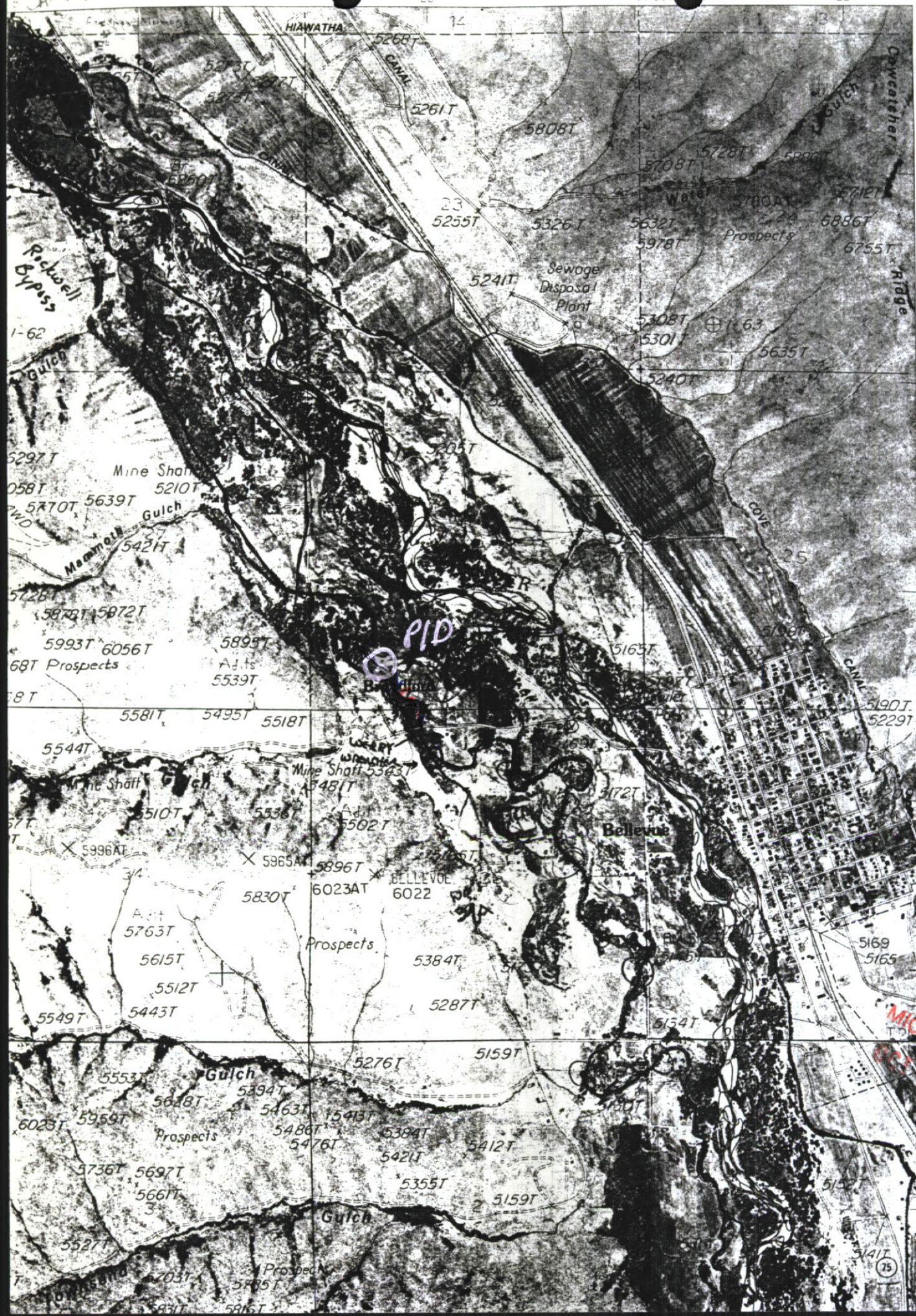
MAY 16 2002

BIG WOOD RIVER WATER RIGHTS

CUTOFF DATES FOR JULY 1, 1887 RIGHT



DATE OF PRIORITY CUT
MAY 16 2002



RECEIVED
AUG 03 1995

Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

On this 2 day of Aug, in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 26 day of July, 1995, and the date of the last publication was on the 2 day of Aug, 1995.

Daniel J. Gorham
Subscribed and sworn to before me this 2nd day of Aug, 1995.
(SEAL)

Roberta Meyerker
NOTARY PUBLIC

9695
WOOD RIVER JOURNAL
Hailey, Idaho

OK
MB
8/7/95

COST OF PUBLICATION
Number of Picas per Line 11.5
Number of Lines in Notice 58,933
Number of Insertions 2
Lines tabular at 58,933 6¢ / Pica
Lines straight at 33,887 5¢ / Pica
Subsequent lines at 27,109 4¢ / Pica
TOTAL COST +5 \$66.00

MICROFILMED
OCT 19 2001

COPY OF NOTICE
(Paste Here)

Extension of Time 37-00332
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
ID Dept. Water Res.
BILL TO

Application for extension of time

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

Notice is hereby given that **BARRIE FAMILY PARTNERS, PO BOX 793; BELLEVUE ID 83313** have applied to the Department of Water Resources for an extension of time to avoid forfeiture of Decreed Water Right No. 37-00332.

The extension is requested to avoid loss of the water right due to non-use while repairs are being made to delivery system. Water Right No. 37-00332

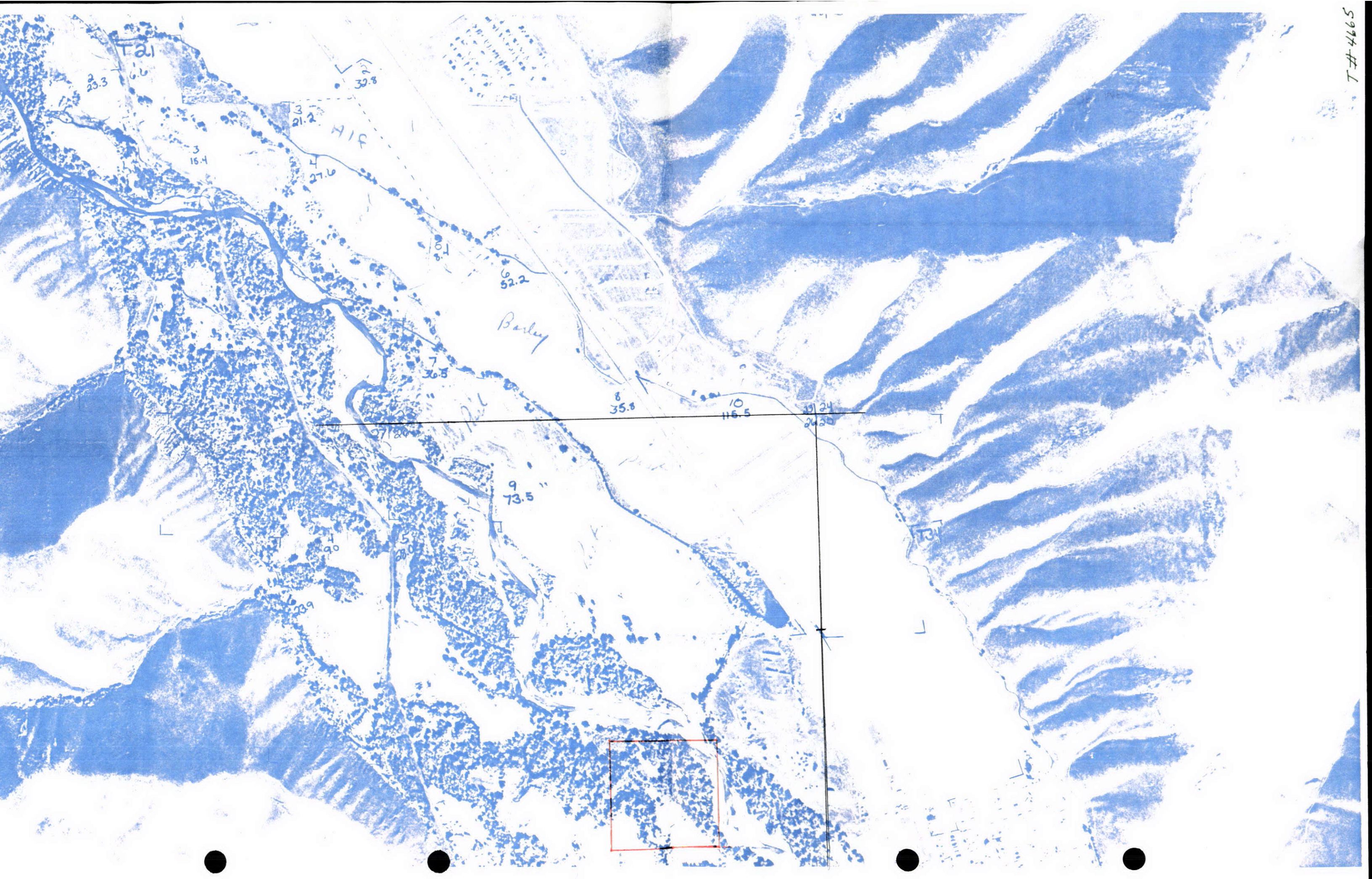
Priority Date: 7/1/1887
Name: Decreed to Idaho Consolidated Mines in case of S.C. Frost, et al vs Alturas Water Co., et al dated 12/13/1909 in Fourth District Court, Blaine County.

Source: Big Wood River tributary to Malad River
Use: irrigation (1.0 cfs)
Point(s) of Diversion: SW1/4SE1/4, S26, T2N, R18E; Blaine County.
Place of Use: Unspecified acres within SW1/4SE1/4, S26, T2N, R18E.

A claim has been filed in the Snake River Basin Adjudication. Any protest against the approval of the above proposed and Described request must be filed with the the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 14, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Wood River Journal on 7/26 & 8/2/95



T#4665

RECEIVED

AUG 03 1995

Department of Water Resources

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

On this 2 day of Aug., in the year 1995, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 26 day of July, 1995, and the date of the last publication was on the 2 day of Aug, 1995.

Daniel J. Gorham
Subscribed and sworn to before me this 2nd day of Aug., 1995.
(SEAL)

Robert M. Ketcher
NOTARY PUBLIC

#9694

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 74.100
Number of Insertions 2
Lines tabular at 74.100 6c / Pica
Lines straight at 42.608 5c / Pica
Subsequent lines at 34.086 4c / Pica
TOTAL COST +5 \$81.69

OCT 19 2001

COPY OF NOTICE
(Paste Here)

Prop. change 37-00332
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Proposed change of water right

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
Notice is hereby given that BARRIE FAMILY PARTNERS, PO BOX 793, BELLEVUE ID 83313 has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4665.

The purpose of this application is to change the Point of Diversion. Applicant wishes to divert from the Broadford Slough rather than the Big Wood River.

WATER RIGHT AS RECORDED:

Water Right No. 37-00332

Basis: Decreed to Idaho Consolidated Mines Co. in case of S.C. Frost et al vs Alturas Water Co. et al dated 12/13/1909 in Fourth District Court, Lincoln County.

Date of Priority: 7/1/1887

Amount: 1.0 cfs

Source: Big Wood River tributary to Malad River
Use: irrigation

Point of Diversion: SW1/4SE1/4, S26, T2N, R18E (#40-P Pump); Blaine County.

Place of Use: Unspecified acres within SW1/4SE1/4, S26, T2N, R18E.

A claim has been filed in the Snake River Basin Adjudication. CHANGES AS FOLLOWS:

Source: Broadford Slough tributary to Big Wood River

Point of Diversion: SE1/4SW1/4SW1/4, S26, T2N, R18E; Blaine County.

Place of Use: 25 acres within SW1/4SE1/4, S26, T2N, R18E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 14, 1995. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director

Published in the Wood River Journal on 7/26 & 8/2/95.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

JUN - 8 2001

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-07 IN THE)
NAME OF BARRIE FAMILY)
PARTNERS)

ORDER AUTHORIZING
TEMPORARY CHANGE

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on June 1, 2001 Barrie Family Partners ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no. 37-332 is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change

approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Right 37-332 is limited to the irrigation of a total of 30 acres in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The watermaster of Water District No. 37 is authorized to administer the temporary change approval.
10. This temporary change approval expires on October 31, 2001 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 4th day of June, 2001.



Southern Region Manager

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION**

Ident. No. _____
RECEIVED
JUN 05 2001
Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Barrie Family Partners Phone (208) 726-4421

Post Office Address C/O James P. Speck 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 purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Applicant is unable to get the water to her property this season. Michael A. Harris, a water right user in the District 45 Canal, needs additional water due to the extreme low water conditions this season.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00332</u>	<u>July 1, 1887</u>	<u>1.0 CFS</u>	<u>irrigation</u>	<u>April 1 to November 1</u>
				to
				to
				to

2. Total amount of water being transferred 1.0 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Wood River tributary to The Malad River

4. Point(s) of Diversion:

Ident No.	Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
			SW	NW	36	2N	18E	Blaine	District 45 Canal

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	25														30			30

Total Acres 30

MICROFILMED
OCT 19 2001

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right verbal agreement
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
No effect as it is not now irrigated by this water right
- d. Has the water right sought to be transferred been used this year? No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? It would not be used
- f. Describe other water rights used for the same purpose.
37-13371 and 13372
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and 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: Christine M. Barrie

(Signature of applicant)

Christine Barrie

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee _____

Received _____ # _____ Recommend: _____ approve _____ deny _____

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

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

Witness my hand this _____ day of _____

For the Director _____

MICROFILMED

OCT 13 2001

Form 42-222A
12/99

Ident. No.

TC-37-07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TEMPORARY CHANGE APPLICATION

JUN 01 2001

Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Barrie Family Partners Phone (208) 726-4421Post Office Address C/O James P. Speck 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 purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Applicant is unable to get the water to her property this season. Michael A. Harris, a water right user in the District 45 Canal, needs additional water due to the extreme low water conditions this season.

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 |
|-----------------|---------------------|--------------------|-------------------|------------------------------|
| <u>37-00332</u> | <u>July 1, 1887</u> | <u>1.0 CFS</u> | <u>irrigation</u> | <u>April 1 to November 1</u> |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred 1.0 cubic feet per second and/or acre-feet per annum.

3. Source of water Big Wood River tributary to The Malad River

4. Point(s) of Diversion:

Ident No.	Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
			SW	NW	36	2N	18E	Blaine	District 45 Canal

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	25														30			30

Total Acres 30

MICROFILMED

OCT 19 2001

JUN-01-2001 FRI 02:53 PM SPECK & AANESTAD

FAX NO. 12087260752

P. 04/04

Jun-01-01 09:26 C. Barrie
JUN-01-2001 FRI 10:27 AM SPECK & AANESTAD

208 B 9263
FAX NO. 12087260752

P. 01
P. 03

RECEIVED

JUN 01 2001

6. General Information:

- a. Who owns the water right to be changed? Applicant Department of Water Resources
Southern Region
- b. Describe the arrangement allowing use of the right verbal agreement
- c. Describe the effect on the land now irrigated if the change is approved pursuant to this application;
No effect as it is not now irrigated by this water right
- d. Has the water right sought to be transferred been used this year? No If yes, explain _____
- e. Absent the changes, how would the right be used for the remainder of the year? It would not be used
- f. Describe other water rights used for the same purpose.
32-13371 not for water
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-212A, Idaho Code, and agree 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 misrepresentation made in this application may result in voiding its approval.

Barric Family Partners

By: Christine M. Barric

(Signature of Applicant)

Christine Barric

FOR DEPARTMENT USE ONLY

Received by AD Date 6/4/01 Fee 50⁰⁰
Receipted AD # 5024006 Recommend: ☒ approve ☐ deny
Watermaster recommendation 6/4/01 OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. 7C-37-07

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

See Attached Order
dated 6/4/01

Witness my hand this 4th day of June 2001.

Chris Martin
For the Director

MICROFILMED

OCT 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

RECEIVED
JUN 04 2001
Department of Water Resources
Southern RegionName of Applicant Barrie Family Partners Phone (208) 726-4421Post Office Address C/O James P. Speck 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 purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof
- Applicant is unable to get the water to her property this season. Michael A. Harrie, a water right user in the District 45 Canal, needs additional water due to the extreme low water conditions this season.

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 |
|--------------|-----------------------------|--------------------|---------------|-----------------------|
| 37-00332 | July 1 st , 1887 | 1.0 CFS | irrigation | April 1 to November 1 |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred
- 1.0
- cubic feet per second and/or
-
- acre-feet per annum.

3. Source of water
- Big Wood River
- tributary to
- The Malad River

4. Point(s) of Diversion:

Ident No.	Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
			SW	NW	36	2N	18E	Blaine	District 45 Canal

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	25														30			30

MICROFILMED

Total Acres 30

OCT 19 2001

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right verbal agreement
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
No affect as it is not now irrigated by this water right
- d. Has the water right sought to be transferred been used this year? No If yes, explain _____
- e. Absent the changes, how would the right be used for the remainder of the year? It would not be used
- f. Describe other water rights used for the same purpose.
37-13371 water right
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and attest 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: Christine Barrie

(Signature of applicant)

Christine Barrie

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee _____

Received _____ \$ _____ Recommend: _____ approve _____ deny _____

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

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

Witness my hand this _____ day of _____

For the Director

MICROFILMED

OCT 19 2001

RECEIVED
JUN 05 2001
Department of Water Resources
Southern Region

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
120 EAST AVENUE
P. O. BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

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

TO: Allen Merritt

DATE: 6-4-01

RE: Barrie Family Partners
Temporary Change
Application

Enclosure: ORIGINAL Application

- | | | | |
|-------------------------------------|---|--------------------------|---|
| ☐ | For your information | ☐ | Please file and return a conformed copy in the enclosed envelope |
| ☐ | For your signature | ☐ | Please record. This firm's check in the amount of \$_____ is enclosed |
| ☐ | For payment | ☐ | Please review and contact me with your comments |
| ☒ | Per our conversation | ☐ | Please review and call for an appointment to execute the originals |
| ☐ | See remarks below | | |
| ☐ | Please present to the Judge for his consideration | | |

Remarks: _____

Thank you.

SPECK & AANESTAD
A Professional Corporation

By: 

Idaho Department of Water Resources Receipt

Receipt ID S024006

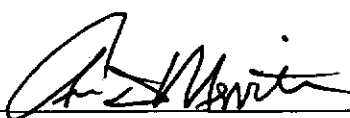
Payment Amount	\$50.00	Date Received	6/4/2001 12:41:20 PM	Region	Southern	Status
Payment Type	Check	Check Number	30809			

Payer SPECK & AANESTAD

Comment For Barrie Family Partners TC-37-07

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	TRANSFERS	0229	21	64106	1155



Signature Line (Dept. Representative)

MICROFILMED
OCT 19 2001



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

June 5, 2001

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: Temporary Change Application No. TC-37-07

Dear Mr. Speck:

The Temporary Change Application on behalf of Barrie Family Partners as referenced above has been granted. Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

MICROFILMED
OCT 19 2001



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

June 5, 2001

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Temporary Change Application No. TC-37-07

Dear Mr. Peterson:

The Temporary Change Application filed in the name of Barrie Family Partners as referenced above has been granted. Please find a copy of the ORDER AUTHORIZING TEMPORARY CHANGE enclosed.

The Department acknowledges receipt of your recommendation concerning Water Right No. 37-00332. Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

MICROFILMED

OCT 19 2001

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

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

June 1, 2001

RECEIVED
JUN 04 2001
Department of Water Resources
Southern Region

VIA FACSIMILE - (208) 736-3037
ORIGINAL WILL FOLLOW

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

RE: Change Application-Barrie Family Partners-Water Right No.: 37-00332

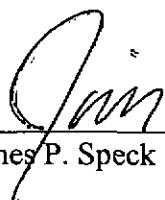
Dear Allen:

Enclosed, you will find the original and one copy of the above-described Temporary Change Application together with my firm's check payable to the Department of Water Resources in the amount of \$50.00 for the filing fee. My client will certainly appreciate you doing everything you can to expedite the processing of this Application. Please have your office receipt date stamp the enclosed copy and return it to me in the self-addressed and postage prepaid envelope that I have included for that purpose.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:adc
cc: Client (via fax w/ enclosure)
Lee Peterson (via fax w/ enclosure)

P.S. Original Temporary Change Application with signature will be sent
on Monday. JPS

MICROFILMED
OCT 19 2001

RECEIVED
JUN 04 2001
Department of Water Resource
Southern Region

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

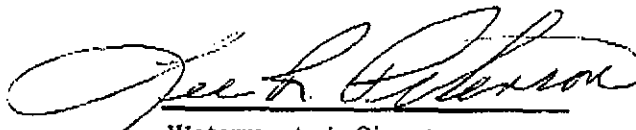
Application No: Temporary Water Right No(s): 37-00332
Applicant's Name: Barrie Family Partners

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows.
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☒ Additional Comment: Due to water shortage this year I approve trying to help others as much as possible.

Dated this 4th day of June, 20 01.

Water District No. 37


Watermaster's Signature

MICROFILMED
OCT 19 2001

06/01/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 37-332

Owner Type Name and Address
Current Owner IDAHO CONSOLIDATE MINES CO

Priority Date: 07/01/1887
Basis: Decreed
Status: Active

Source Tributary to
BIG WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	1 CFS		
Total Diversion			1 CFS		

Location of Point(s) of Diversion:

BIG WOOD RIVER SWSE Sec. 26 Township 02N Range 18E BLAINE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	18E	26		SWSE										

Remarks:

1. General P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
 P/U INCOMPLETE. SEE FILE.
 AC. IRRIG. NOT SPECIFIED. FARM = 25 AC.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
VAULT	9/7/1995		

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OCT 19 2001

06/01/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-332

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARRIE FAMILY PARTNERS PO BOX 793 BELLEVUE, ID 83313 (208)788-3933
Original Owner	IDAHO CONSOLIDATE MINES CO N, ID
Original Owner	SOUTHERN IDAHO DIST ASSEMBLIES OF GOD 1311 12TH AVE S NAMPA, ID 83651 (208)466-8101
Original Owner	BELLEVUE BIBLE CAMP SOUTHERN IDAHO DISTRICT ASSEMBLIES OF GOD 1311 12TH AVE S NAMPA, ID 83651

Priority Date: 07/01/1887
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	1 CFS		
Total Diversion			1 CFS	90 AFA	

Location of Point(s) of Diversion:

BIG WOOD RIVER	SWSE	Sec. 26	Township 02N	Range 18E	BLAINE County
----------------	------	---------	--------------	-----------	---------------

IRRIGATION Use:
Acre Limit: 30

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	18E	26		SWSE	27									
		35		NWNE	3									

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Total Acres: 30

Remarks:

1. General

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U INCOMPLETE. SEE FILE.
AC. IRRIG. NOT SPECIFIED. FARM = 25 AC.
PLACE OF USE IS THE BELLEVUE BIBLE CAMP.
*****8 OWNERSHIP CHANGE MADE 6/16/95 BY TLB. ASSEMBLIES OF GOD-FORMER OWNER,
BARRIE-NEW OWNER. WARRANTY DEED INCLUDED.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
TBACKLUN	6/16/199 5	COPIED FROM REMARKS	P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER. P/U INCOMPLETE. SEE FILE. AC. IRRIG. NOT SPECIFIED. FARM = 25 AC. PLACE OF USE IS THE BELLEVUE BIBLE CAMP. *****8 OWNERSHIP CHANGE MADE 6/16/95 BY TLB. ASSEMBLIES OF GOD-FORMER OWNER, BARRIE-NEW OWNER. WARRANTY DEED INCLUDED.

Dates:

Licensed Date:
Claim Received Date: 08/01/1991
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 12/13/1909
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C021384
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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06/01/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-13371

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARRIE FAMILY PARTNERS PO BOX 793 BELLEVUE, ID 83313 (208)788-3933
Original Owner	SOUTHERN IDAHO DIST ASSEMBLIES OF GOD 1311 12TH AVE S NAMPA, ID 83651 (208)466-8101
Original Owner	BELLEVUE BIBLE CAMP ASSEMBLIES OF GOD SOUTH IDAHO DISTRICT 1311 12TH AVE S NAMPA, ID 83651 (208)466-8101
Original Owner	BELLEVUE BIBLE CAMP SOUTHERN IDAHO DISTRICT ASSEMBLIES OF GOD 1311 12TH AVE S NAMPA, ID 83651

Priority Date: 12/31/1975
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.15 CFS		
Total Diversion			0.15 CFS		

Location of Point(s) of Diversion:

GROUND WATER	SESWSE	Sec. 26	Township 02N	Range 18E	BLAINE County
--------------	--------	---------	--------------	-----------	---------------

IRRIGATION Use:
Acre Limit: 5

Place(s) of use:

Place of Use Legal Description: IRRIGATION	BLAINE County
--	---------------

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	18E	26		SWSE	5									

Total Acres: 5

Remarks:

1. General OWNERSHIP CHANGE MADE 6/16/95 TLB

Comments:

Author	Date	Subject	Comment
CLELLAND	7/3/1990	PERMIT REQUIRED	PERMIT IS REQUIRED FOR IRRIGATION USE DEVELOPED IN 1975.
BAUMHOFF	8/1/1991	AMENDED CLAIM - CHANGED NAME	CLAIM WAS AMENDED TO READ - "ASSEMBLIES OF GOD" SO. ID. DIST.
TBACKLUN	6/16/1995	COPIED FROM REMARKS	OWNERSHIP CHANGE MADE 6/16/95 TLB

Dates:

Licensed Date:
 Claim Received Date: 03/08/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s): S011434
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag: NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

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BARRIE FAMILY PARTNERS
Post Office Box 793
Bellevue, Idaho 83313

August 24, 1995

State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Attention: James E. Stanton

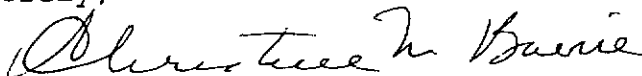
Re: Withdrawal of application No. 4665 (37-00332)

Dear Mr. Stanton:

Please withdraw the application of the water rights for the Barrie Family Partners upon receipt of this fax. The hard copy of this letter will follow in the mail.

We were of the understanding that the transfer of water rights was to be to the White Slough and not the Broadford Slough.

Sincerely,



Christine Barrie
General Partner
Barrie Family Partners

CB/jn

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RECEIVED

JAN 24 1955

STATE OF IDAHO

437-00332
Water Right No. 37-00332

Department of Water Resources
Southern Region

DEPARTMENT OF WATER RESOURCES

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder Barne Partners
Post office address P.O. Box 793, Bellvue, ID 83313
2. The right was obtained or is evidenced by:
a. Decree to Alaska Consolidated Mines in Case of SC Frost, et al
(Name)
vs. Alturas Water Co. et al Dated 12-13-1909 in Fourth District
(Name of Court)
Court, County of Blaine. Fully describe decree _____
- b. License No. _____ issued by the Department of Water Resources.
- c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water Big Wood River tributary to Maled River
(Name of stream or source)
4. Date of priority of right 7-1-1887
5. Amount of water a. 1.0 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from _____ to _____
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SW 1/4 SE 1/4 of Section 26
Township 2N, Range 18E, B.M., in Blaine County;
Additional points of diversion, if any _____

8. 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	26															X		

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* 20m = 25 acres

Total number of acres irrigated _____

9. Give last date when water was applied to beneficial use 1989
Length of extension of time requested 5 years, or until 1999
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use We are filing a transfer application to change the point of diversion. We do not want to forfeit our right during the transfer process. We also need to complete improvements to the delivery system.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Christine M. Davis
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of January, 1995.

General Partner
(Notary Public)

My commission expires 7/18/95

Residing at Twin Falls ID 83301

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons.

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

(Director)

For Department Use Only

Received by MTS Date 1-24-95 Time 12:20 Preliminary check by J
Fee \$ 100 Receipted by MTS Date 1-24-95 Publication prepared by MB
Published in Wood River Journal Dates 7/26 + 8/2/95
Publication approved by MB Date 8/7/95 Protests filed by: _____

Copies of protests forwarded by _____ hearing held by _____ Date _____
Recommended for // Approval // Denial by ADM

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OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2002

James P. Speck
SPECK & AANESTAD
120 E. Ave
P.O. Box 987
Ketchum, ID 83340

**RE: APPLICATION TO LEASE WATER RIGHT NO. 37-00332 TO THE WATER
SUPPLY BANK**

Dear Mr. Speck:

The department has reviewed the Application to Sell or Lease a Water Right to the Water Supply Bank that you submitted to this office in the name of Barrie Family Partners. Please consider that the offered water right is accepted into the bank.

Several items to keep in mind in connection with the lease of the right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not confirm the validity of the right or any elements of the water right.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

MICROFILMED

MAY 16 2002

c: Allen Merritt
✓37-00332

RECEIVED

APR 18 2002

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

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

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

April 17, 2002

Mr. L. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

**Re: Application to Sell or Lease a Water Right
to the Water Supply Bank - Water Right No. 37-00332
Barrie Family Parters
Our File No.: 010067**

Dear Glen:

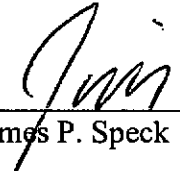
Enclosed please find an original and one copy of the Application to Sell or Lease a Water Right to the Water Supply Bank for Water Right No. 37-00332, together with the attached Exhibits. Please have the Department date stamp the original, conform the copy and return it to me in the enclosed postage paid envelope.

Please call me right away if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 

James P. Speck

JPS:sgg
Enclosures
cc: Client (w/encls.)

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MAY 16 2002

RECEIVED

APR 18 2002

Form No. 42-1781
3-82

Department of Water Resources

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor Barrie Family Partners Phone (208) 788-3933

Post office address Post Office Box 793, Bellevue ID 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 37-332 Decreed to Idaho Consolidated Mines Co.
(Name)

in case of S.C. Frost et al. vs Alturus Water Company et al.

dated 12/13/1909 in District Court county of Lincoln
(Name of court)

b. License No. _____ Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Big Wood River tributary to Malad River

3. Date of priority July 1, 1887

4. Water is used for the following purposes:

amount 1.0 cfs for irrigation purposes from April 1 to November 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 1.0 cubic feet per second
&/or
b. _____ acre feet per annum

6. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26

Township 2N Range 18 E. B.M. in Blaine County

Additional points of diversion, if any _____

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7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	26																	27
2N	18E	35		3															3

Total number of acres to be irrigated 30

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Water right was purchased with property. See Notice of Change of Water Right
Ownership and related deeds attached as Exhibit A.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

The main flow of the Big Wood River has moved over into a new channel and spring
flows have deepened the channel adjacent to the existing point of diversion so that
it is almost impossible to deliver the water. However, last summer the water
right was used pursuant to a temporary change application approved by the Department.
Copies of the documents relating to this approval are attached as Exhibit B.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

Attached as Exhibit C is a graph depicting the dates this right was cut for
priority during the period of 1945 to 1990

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

None

5. If the water right is a permit, describe the work accomplished toward developing the right.

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

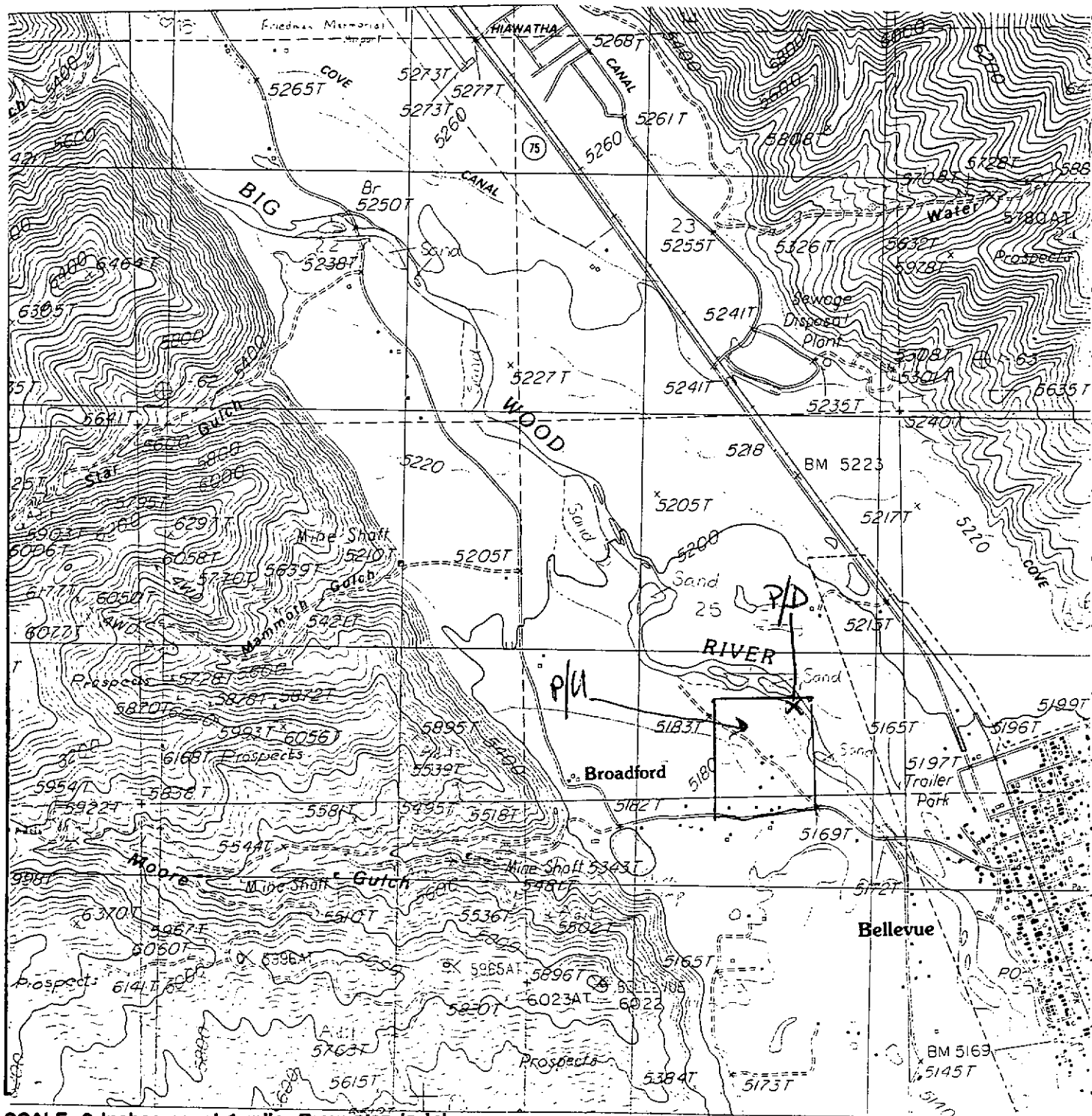
See Exhibit D attached hereto.

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3

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8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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MAY 16 2002

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

XX For lease for period from indefinite to _____
(year) (year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

the going rate

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

4/12/02
(Date)

[Signature]
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by MS Date 4-18-02 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

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MAY 16 2002



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): Barrie 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): Chadwick M. Barrie Date 1/24/95
General Partner Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ 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: 5/16/95 By: HL

Claim Numbers of Split, if any:

MICROFILMED

JAN 24 1995

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

MAY 16 2002

EXHIBIT A

Order No. 16745

CORPORATION WARRANTY DEED

THIS INDENTURE is made this 21st day of November, 1991, between SOUTHERN IDAHO DISTRICT COUNCIL ASSEMBLIES OF GOD, INC., an Idaho Corporation, the Grantor, and THE BARRIE FAMILY PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP HAVING AS ITS MANAGING GENERAL PARTNER CAROLINA W. BARRIE, whose mailing address is 1 Wilshire Boulevard, Suite 2000, Los Angeles, California 90017, the Grantee.

WITNESSETH, that the Grantor having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to Grantee's assigns forever, all the following described property in the County of Blaine, State of Idaho, to-wit:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

A tract of land lying within the SW1/4SE1/4 of Section 26 and the NW1/4NE1/4 and NE1/4NE1/4 of Section 35, more particularly described as follows:

Beginning at a point 717.40 feet due West of the Northeast corner of SW1/4SE1/4 of Section 26; thence S. 28°45' E., 795.00 feet; thence S. 37°23' E., 554.00 feet to the line between SW1/4SE1/4 and SE1/4SE1/4 of said Section 26; thence S. 184.00 feet on said line to the Southeast corner of SW1/4SE1/4 of said Section 26; thence East on the line dividing SE1/4SE1/4 Section 26, and the NE1/4NE1/4 Section 35, 162.80 feet; thence S. 62°25' E., 40.00 feet; thence S. 18°08' W., 108.60 feet to a point on the North side of the Bellevue-Broadford Road; thence along said road N. 86°30' W., 58.00 feet; thence S. 61°22' W., 185.00 feet; thence N. 89°38' W., 590.00 feet to a point on the West side of Mabee Slough or White Creek; thence along the West bank of said slough or creek N. 22°45' W., 140.00 feet; thence N. 49°00' W., 150.00 feet; thence N. 57°45' W., 200.00 feet; thence N. 06°00' W., 205.00 feet; thence N. 46°30' W., 240.00 feet; thence S. 43°15' W., 210.00 feet, more or less, to a point on the North and South

BLAINE CO. REQUEST

MAY 16 2002

OF Sawtooth Title Co. INC. MICROFILMED

1991 NOV 21 P 2:00

NOV 30 1991

900 MARY GREEN, CLERK MP
FEES \$

Reed

line of said Section 26, 346.00 feet, more or less, North of the quarter section corner common to Sections 26 and 35; thence Northerly along said center line 974.00 feet, more or less, to the Northwest corner of SW1/4SE1/4 of Section 26; thence East along the North line of the SW1/4SE1/4 Section 26, 602.60 feet, more or less, to the POINT OF BEGINNING.

AND

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26:

BEGINNING at a point 184.00 feet due North of the Southeast corner of SW1/4SE1/4 of Section 26; thence N. 37°23' W., 554.00 feet; thence N. 28°45' W., 795.00 feet to the North line of the SW1/4SE1/4 of Section 26; thence due East 717.40 feet along said North line to the Northeast corner of the SW1/4SE1/4 of Section 26; thence due South 1136.00 feet to the PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

1. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
2. A forty foot right of way in favor of Blaine County, Idaho, recorded October 29, 1986, as Instrument No. 278200.
3. Any interest of the State of Idaho in and to that portion of said land lying below the high water mark of the Big Wood River.
4. Overhead Power Line Easement, Underground Gas and Telephone Easement along the South line of said property.
5. Overhead Power Line Easement along a portion of the Westerly bank of the Big Wood River.

TOGETHER with the tenements, hereditaments and all water rights and appurtenances thereunto belonging or in anywise appertaining, any reversions, any remainders, rents, issues and

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NOV 22 1995

2 - CORPORATION WARRANTY DEED MAY 16 2002

profits therefrom, and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has set its corporate name by its duly authorized officer.

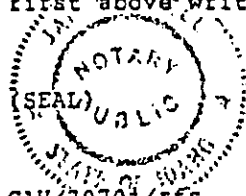
SOUTH IDAHO DISTRICT COUNCIL
ASSEMBLIES OF GOD, INC.

By: Dorene C. Buckler
Its: President
Doyle Gulcher
Secretary

STATE OF IDAHO)
County of Blaine) ss.

On this 21st day of November, 1991, before me, the undersigned, a Notary Public in and for said state, personally appeared Dorene C. Buckler & Doyle Gulcher known or identified to me to be the President & Secretary, of the corporation that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



CAH/30701/rfs

Ann L. Brunell
Notary Public for Idaho
Residing at Hailey
My Commission Expires: 11/1/92

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MAY 16 2002

3 - CORPORATION WARRANTY DEED

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NOV 22 1996

Order No. 16745

QUITCLAIM DEED

FOR VALUE RECEIVED

Southern Idaho District Council Assemblies of God, Inc., an Idaho corporation

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

The Barrie Family Partners, a California General Partnership

whose address is: 1707 San Vicente Blvd., Santa Monica, CA 90402-2306

the following described premises situated in Blaine County, Idaho, to wit:

All water and water rights including but not limited to the following:

50.00 inches of water of the Big Wood River with priority date of July 1, 1887 as identified under adjudication no. A37-00332.

CLERK'S REQUEST

for Bowditch Title Co., Inc.

1991 NOV 21 P 2:01

335609

MARY GREEN, CLERK

FEES \$

3⁰⁰

MP

Deed

together with their appurtenances.

Dated: November 18, 1991

Southern Idaho District Council Assemblies of God, Inc.

Duane E. Buehler, Sr.

By: Doyle Gulker Secretary

State of Idaho
County of Blaine

On this November 21, 1991, before me, a notary public in and for said State, personally appeared Duane E. Buehler and Doyle Gulker personally known or identified to me to be the person(s) who executed the within instrument as President and Secretary, on behalf of Southern Idaho District Council Assemblies of God, Inc. the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Xan K. [Signature]
Notary Public

Residing at Hailey
Commission Expires MAY 18 2002



Form 42-222A
12/99Ident. No. TC-37-07STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TEMPORARY CHANGE APPLICATION

JUN 01 2001

Department of Water Resource
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Barrie Family Partners Phone (208) 726-4421Post Office Address C/O James P. Speck, 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 purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Applicant is unable to get the water to her property this season. Michael A. Harris, a water right user in the District 45 Canal, needs additional water due to the extreme low water conditions this season.

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
<u>37-00332</u>	<u>July 1, 1887</u>	<u>1.0 CFS</u>	<u>irrigation</u>	<u>April 1 to November 1</u>
				to
				to
				to

2. Total amount of water being transferred 1.0 cubic feet per second and/or acre-feet per annum.

3. Source of water Big Wood River tributary to The Malad River

4. Point(s) of Diversion:

Ident No.	Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
			SW	NW	36	2N	18E	Blaine	District 45 Canal

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	25														30			30

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Total Acres 30

EXHIBIT B

RECEIVED

JUN 01 2001

6. General Information:

- a. Who owns the water right to be changed? Applicant Department of Water Resource
Southern Region
- b. Describe the arrangement allowing use of the right verbal agreement
- c. Describe the effect on the land now irrigated if the change is approved pursuant to this application:
No effect as it is not now irrigated by this water right
- d. Has the water right sought to be transferred been used this year? No If yes, explain _____
- e. Absent the changes, how would the right be used for the remainder of the year? It would not be used
- f. Describe other water rights used for the same purpose.
37-13371
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-212A, Idaho Code, and attest 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: Christine M. Barrie

(Signature of applicant)

Christine Barrie

FOR DEPARTMENT USE ONLY

Received by AD Date 6/4/01 Fee 50⁰⁰

Received AD # 5024006 Recommend ☒ approve ☐ deny

Watermaster recommendation 6/4/01 OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-07And said application is hereby Approved subject to the following limitations and conditions:

See Attached Order
dated 6/4/01

Witness my hand this 4th day of June, 2001.

Christine M. Barrie
For the Director

MICROFILMED

MAY 16 2002



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
GovernorKARL J. DREHER
Director

June 5, 2001

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: Temporary Change Application No. TC-37-07

Dear Mr. Speck:

The Temporary Change Application on behalf of Barrie Family Partners as referenced above has been granted. Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

MICROFILMED

MAY 16 2002

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-07 IN THE)
NAME OF BARRIE FAMILY)
PARTNERS)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on June 1, 2001 Barrie Family Partners ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no. 37-332 is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change

ORDER - Pg 1

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MAY 16 2002

approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

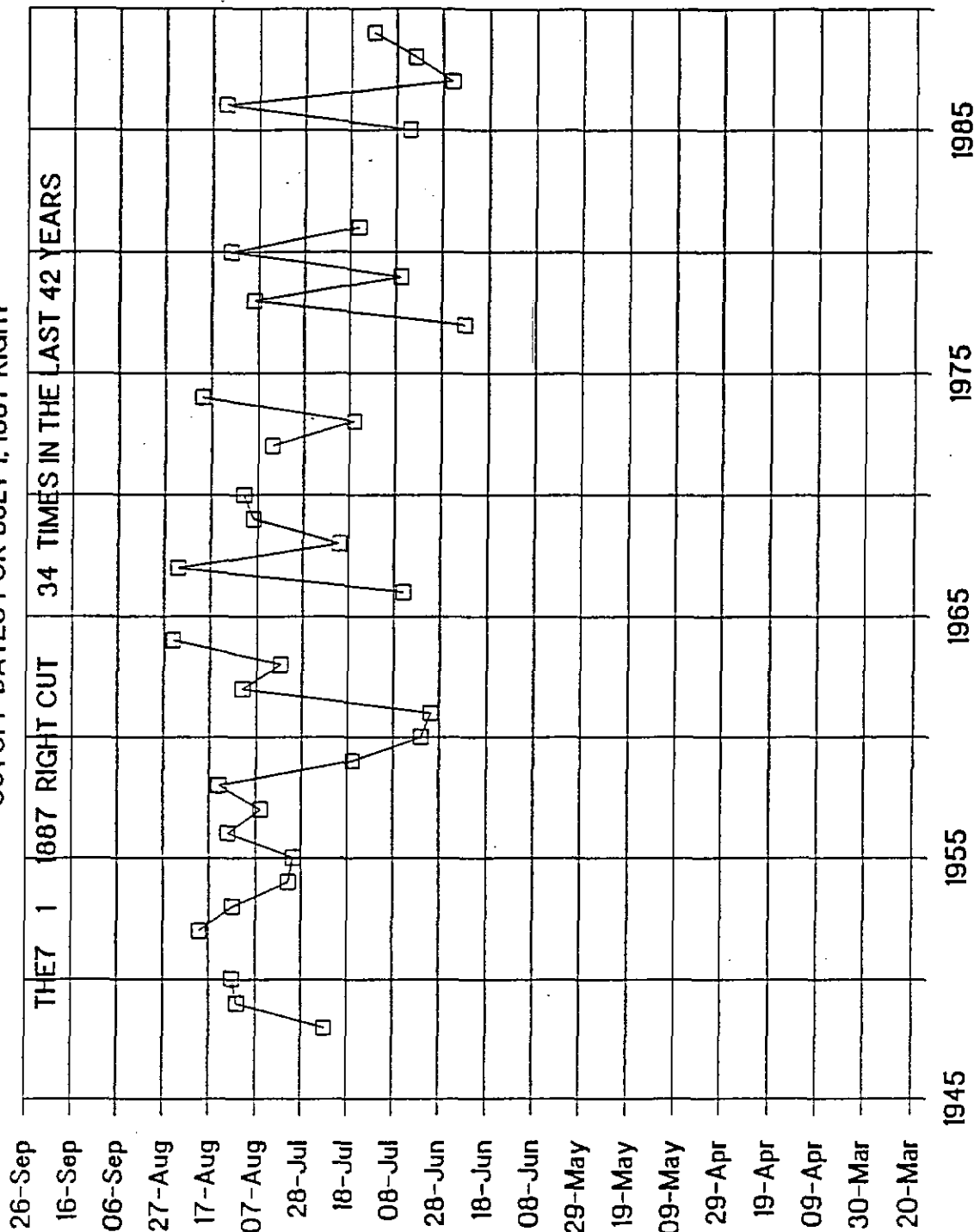
4. Right 37-332 is limited to the irrigation of a total of 30 acres in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The watermaster of Water District No. 37 is authorized to administer the temporary change approval.
10. This temporary change approval expires on October 31, 2001 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 4th day of June, 2001.


Southern Region Manager

BIG WOOD RIVER WATER RIGHTS

CUTOFF DATES FOR JULY 1, 1887 RIGHT



DATE OF PRIORITY CUTTING
MAY 16 2002

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: A37-00332
Date Received: 8/ 1/1991
Receipt No: C021384
Received By: CIT 747

~~COPY FOR~~
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR~~
YOUR FILES

1. Name: BARRIE FAMILY PARTNERS
Address: PO BOX 793
BELLEVUE ID

208-788-3933

83313

2. Date of Priority: JUL 1, 1887

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

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

5. Description of diverting works:
#40-P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 90.00 A.F.A.

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	26	SW	SE		IRR	27.0

Section Acres 27.0

MICROFILMED 35

NW NE

IRR

3.0

A37-00332

MAY 16 2002

Page 1

Date: 06/16/95

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	30.0

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:
A37-13371

14. Remarks:

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U INCOMPLETE. SEE FILE.
AC. IRRIG. NOT SPECIFIED. FARM = 25 AC.
PLACE OF USE IS THE BELLEVUE BIBLE CAMP.
*****8
OWNERSHIP CHANGE MADE 6/16/95 BY TLB. ASSEMBLIES OF GOD-FORMER
OWNER, BARRIE-NEW OWNER. WARRANTY DEED INCLUDED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

MICROFILMED
JUN 12 1996

July 19, 1995

CHRISTINE M BARRIE GEN PARTNER
BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

Re: Application for Extension of Time To Avoid Forfeiture, No. 37-00332

Dear Applicants:

The Department of Water Resources acknowledges receipt of your application for extension of time to avoid forfeiture as referenced above.

This office has scheduled advertising the application in the Wood River Journal for 7/26 & 8/2/95.

The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest.

The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED
OCT 19 2001

July 19, 1995

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Extension of Time To Avoid Forfeiture of Water
Right No. 37-00332 (Barrie Family Partners)

Dear Mr. Peterson:

Enclosed is a copy of an Application for Extension of Time To Avoid Forfeiture of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

MICROFILMED
OCT 19 2001

RECEIVED

1 7
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 24 1995
Transfer No. 4665

JAN 24 1995

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
AUG 30 1995

Department of Water Resources
Southern Region

PART 1

Department of Water Resources

Name of applicant Barrie Partners Phone 788-3933
Post Office address P.O. Box 793, Bellevue, ID. 83313.

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 Improve the efficiency of the delivery system by diverting from the Bradford Slough rather than the Big Wood River. It is almost impossible to use the old system and too expensive to upgrade.

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
<u>37-00332</u>	<u>7-1-88</u>	<u>1.0</u>	<u>Drugstore</u>	<u>4-15 to 10-15</u>
				to
				to
				to

2. Total amount of water being transferred 1.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Bradford Slough tributary to Big Wood River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SE</u>	<u>SW</u>	<u>SW</u>	<u>26</u>	<u>2N</u>	<u>18E</u>	<u>Blaine</u>	

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	
<u>2N</u>	<u>18E</u>	<u>26</u>															<u>25</u>		<u>25</u>

MICROFILMED
OCT 19 2001

Total acres 25

PART 1

6. General Information:

a. Description of diversion system Pump in slough to sprinkler 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 ☒ 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:

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:

WITHDRAWN

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

OCT 19 2001

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. 37-00332 Decreed to Idaho Consolidated Mines Co.
in case of S.C. Frost ET AL vs. Alturas Water Co. ET AL
dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00332 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 Q.C. Deed

3. Source of water Big Wood River tributary to Malad. River

4. Date or priority 7-1-1887

5. Water is used for the following purpose:

amount 1.0 cfs for Irrigation purposes from _____ to _____
(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 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>SW</u>	<u>SE</u>	<u>26</u>	<u>2N</u>	<u>18E</u>	<u>Blaine</u>
								<u>#40-P Pump</u>

8. 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	
<u>2N</u>	<u>18E</u>	<u>26</u>																<u>X</u>	

Total acres _____

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe Was last used in 1989 - see pending extension of time to avoid forfeiture

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

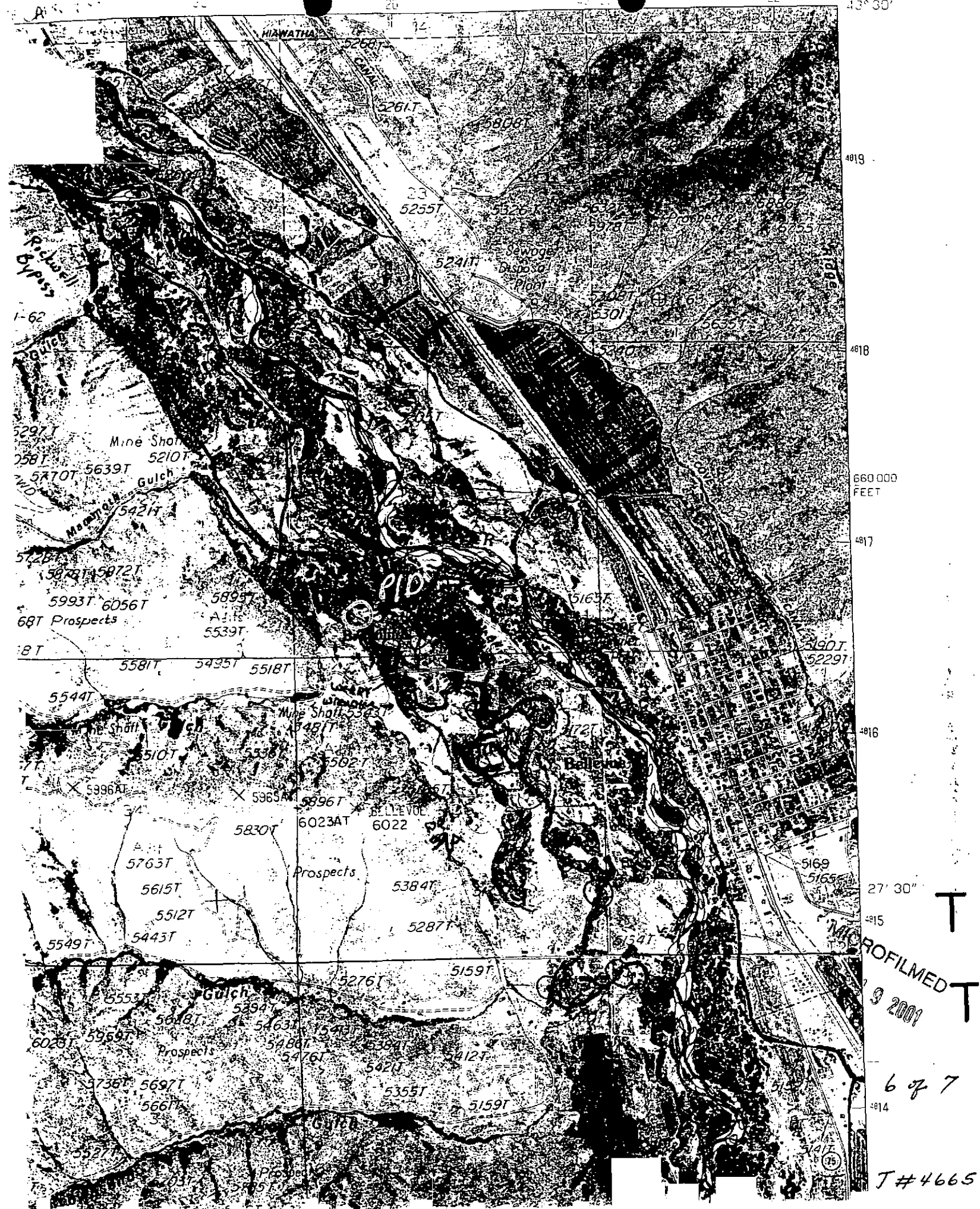
3. Lands irrigated or place of use:

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	

MICROFILMED
OCT 9 2001

Total acres _____

43° 30'



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached OPQ map

MICROFILMED

OCT 19 2001

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:

WITHDRAWN

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.

Subscribed and sworn to before me this 24th day of January 19 95

Christine M. Fair
(Signature of Applicant)

Gordon E. Simmons
(Notary Public)

My commission expires July 18, 1995

Twin Falls ID 83301

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 2 attachments

Received by MTS Date 1-24-95 Protest filed by _____

Prelim. check by J. E. Stanton Fee \$100 5017701

Receipted by MTS Date 1-24-95

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 7/26 + 8/2/95 Hearing held by _____ Date _____

Watermaster recommendation requested on 7/13/95 Recommended for ☐ approval ☐ denial

_____ rec'd. 7/21/95 by _____

Copy of transfer sent to lien holder _____

RECEIVED**JAN 24 1995****MICROFILMED****OCT 19 2001****Department of Water Resources
Southern Region**

Order No. 16745

QUITCLAIM DEED

FOR VALUE RECEIVED

Southern Idaho District Council Assemblies of God, Inc., an Idaho corporation

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

The Barrie Family Partners, a California General Partnership

whose address is: 1707 San Vicente Blvd., Santa Monica, CA 90402-2306

the following described premises situated in Blaine County, Idaho, to wit:

All water and water rights including but not limited to the following:

50.00 inches of water of the Big Wood River with priority date of July 1, 1887 as identified under adjudication no. A37-00332.

BLAINE CO. REQUEST

Southern Idaho Co. Inc.

1991 NOV 21 P 2:01

335609

MARY GREEN, CLERK

FEES \$

3⁰⁰

MP

Deed

together with their appurtenances.

Dated: November 18, 1991

Southern Idaho District Council Assemblies of God, Inc.

By: Duane E. Buhler, Esq.
Doyle Fulker Secretary

State of Idaho
County of Blaine

On this November 21, 1991, before me, a notary public in and for said State, personally appeared Duane E. Buhler and Doyle Fulker personally known or identified to me to be the person(s) who executed the within instrument as President and Secretary, on behalf of Southern Idaho District Council Assemblies of God the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Xan K. Gurnell

Notary Public

Residing at Halley

Commission Expires: 2-18-92

MICROFILMED

DEC 19 2001



T # 4665

Order No. 16745

CORPORATION WARRANTY DEED

THIS INDENTURE is made this 21st day of November, 1991, between SOUTHERN IDAHO DISTRICT COUNCIL ASSEMBLIES OF GOD, INC., an Idaho Corporation, the Grantor, and THE BARRIE FAMILY PARTNERS, A CALIFORNIA GENERAL PARTNERSHIP HAVING AS ITS MANAGING GENERAL PARTNER CAROLINA W. BARRIE, whose mailing address is 1 Wilshire Boulevard, Suite 2000, Los Angeles, California 90017, the Grantee.

WITNESSETH, that the Grantor having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to Grantee's assigns forever, all the following described property in the County of Blaine, State of Idaho, to-wit:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

A tract of land lying within the SW1/4SE1/4 of Section 26 and the NW1/4NE1/4 and NE1/4NE1/4 of Section 35, more particularly described as follows:

Beginning at a point 717.40 feet due West of the Northeast corner of SW1/4SE1/4 of Section 26; thence S. 28°45' E., 795.00 feet; thence S. 37°23' E., 554.00 feet to the line between SW1/4SE1/4 and SE1/4SE1/4 of said Section 26; thence S. 184.00 feet on said line to the Southeast corner of SW1/4SE1/4 of said Section 26; thence East on the line dividing SE1/4SE1/4 Section 26, and the NE1/4NE1/4 Section 35, 162.80 feet; thence S. 62°25' E., 40.00 feet; thence S. 18°08' W., 108.60 feet to a point on the North side of the Bellevue-Broadford Road; thence along said road N. 86°30' W., 58.00 feet; thence S. 61°22' W., 185.00 feet; thence N. 89°38' W., 590.00 feet to a point on the West side of Mabee Slough or White Creek; thence along the West bank of said slough or creek N. 22°45' W., 140.00 feet; thence N. 49°00' W., 150.00 feet; thence N. 57°45' W., 200.00 feet; thence N. 06°00' W., 205.00 feet; thence N. 46°30' W., 240.00 feet; thence S. 43°15' W., 210.00 feet, more or less, to a point on the North and South center

MICROFILMED

OCT 19 2001

BLAINE CO. REQUEST

OF Sawtooth Title Co., Inc.

1991 NOV 21 P 2:00

335607

900 MARY GREEN, CLERK MP
FFES S

Reed

line of said Section 26, 346.00 feet, more or less, North of the quarter section corner common to Sections 26 and 35; thence Northerly along said center line 974.00 feet, more or less, to the Northwest corner of SW1/4SE1/4 of Section 26; thence East along the North line of the SW1/4SE1/4 Section 26, 602.60 feet, more or less, to the POINT OF BEGINNING.

AND

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26:

BEGINNING at a point 184.00 feet due North of the Southeast corner of SW1/4SE1/4 of Section 26; thence N. 37°23' W., 554.00 feet; thence N. 28°45' W., 795.00 feet to the North line of the SW1/4SE1/4 of Section 26; thence due East 717.40 feet along said North line to the Northeast corner of the SW1/4SE1/4 of Section 26; thence due South 1136.00 feet to the PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

1. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
2. A forty foot right of way in favor of Blaine County, Idaho, recorded October 29, 1986, as Instrument No. 278200.
3. Any interest of the State of Idaho in and to that portion of said land lying below the high water mark of the Big Wood River.
4. Overhead Power Line Easement, Underground Gas and Telephone Easement along the South line of said property.
5. Overhead Power Line Easement along a portion of the Westerly bank of the Big Wood River.

TOGETHER with the tenements, hereditaments and all water rights and appurtenances thereunto belonging or in anywise appertaining, any reversions, any remainders, rents, issues and

MICROFILMED

OCT 19 2001

profits therefrom, and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has set its corporate name by its duly authorized officer.

SOUTH IDAHO DISTRICT COUNCIL
ASSEMBLIES OF GOD, INC.

By: Diane C. Buckler

Its: President
Doyle C. Buckler
Secretary

STATE OF IDAHO)
County of Blaine) ss.

On this 21st day of November, 1991, before me, the undersigned, a Notary Public in and for said state, personally appeared Diane Buckler & Doyle C. Buckler known or identified to me to be the President & Secretary, of the corporation that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



CAH/30701/rfs

Dan L. Brunell
Notary Public for Idaho
Residing at Hailey
My Commission Expires: 2-18-92

MICROFILMED

OCT 19 2001

Order No. 16745

CORPORATION WARRANTY DEED

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WITNESSETH, that the Grantor having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to Grantee's assigns forever, all the following described property in the County of Blaine, State of Idaho, to-wit:

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OCT 19 2001

BLAINE CO. REQUEST

OF Sawtooth Hills Co., Inc.

1991 NOV 21 P 2:00

335607

900 MARY GREEN, CLERK MP
FEES \$

Deed

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AND

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4. Overhead Power Line Easement, Underground Gas and Telephone Easement along the South line of said property.
5. Overhead Power Line Easement along a portion of the Westerly bank of the Big Wood River.

TOGETHER with the tenements, hereditaments and all water rights and appurtenances thereunto belonging or in anywise appertaining, any reversions, any remainders, rents, issues and

MICROFILMED

OCT 19 2001

profits therefrom, and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has set its corporate name by its duly authorized officer.

SOUTH IDAHO DISTRICT COUNCIL
ASSEMBLIES OF GOD, INC.

By: Dwaine C. Buehler
Its: P. Res. Light
Doyle Pulkes
Secretary

STATE OF IDAHO)
County of Blaine) ss.

On this 21st day of November, 1991, before me, the undersigned, a Notary Public in and for said state, personally appeared Dwaine Buehler & Doyle Pulkes known or identified to me to be the President & Secretary, of the corporation that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Ann L. Burrell
Notary Public for Idaho
Residing at Hailey
My Commission Expires: 2-18-92

MICROFILMED

OCT 19 2001

Order No. 16745

QUITCLAIM DEED

FOR VALUE RECEIVED

Southern Idaho District Council Assemblies of God, Inc., an Idaho corporation

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

The Barrie Family Partners, a California General Partnership

whose address is: 1707 San Vicente Blvd., Santa Monica, CA 90402-2306

the following described premises situated in Blaine County, Idaho, to wit:

All water and water rights including but not limited to the following:

50.00 inches of water of the Big Wood River with priority date of July 1, 1887 as identified under adjudication no. A37-00332.

BLAINE CO. REQUEST

Southern Idaho Co., Inc.

1991 NOV 21 P 2:01

335609

MARY GREEN, CLERK
FEES \$

3⁰⁰ MP

Deed

together with their appurtenances.

Dated: November 18, 1991

Southern Idaho District Council Assemblies of God, Inc.

By Duane E. Butler, Esq.
Doyle Gulker Secretary

State of Idaho
County of Blaine

On this November 21, 1991, before me, a notary public in and for said State, personally appeared Duane E. Butler and Doyle Gulker personally known or identified to me to be the person(s) who executed the within instrument as President and Secretary, on behalf of Southern Idaho District Council Assemblies of God, Inc. the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Xan L. Currier
Notary Public
Residing at Halley
Commission Expires: 2-18-92

MICROFILMED

OCT 19 2001



EXTENSION OF TIME TO AVOID FORFEITURE
ANALYSIS SHEET

1. INITIAL REVIEW BY: J. E. Stanta
2. RIGHT NUMBER 37-00332 APPLICANT Barrie Family Partners
3. TYPE OF RIGHT: ☒ Decree ☐ License ☐ Claim
4. Is reason for request extension given on application?
✓ Yes No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) Description of Point(s) of Diversion
(c) Description of Place of Use
(d) Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

- (a) ✓ Copy of Tax Notice, Deed, or other
in file.
- (b) County Assessor records. Date Contacted
7. Is the right in a Watermaster District? ✓ Yes No Dist. 37
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by AD

- (a) Is Application published correctly? Yes No
- (b) Protest Received? Yes X No

RECOMMENDED ACTION

~~Approve~~
X Deny

(Watermaster recommends extension
not be granted)

Conditions:

Forfeited

RECEIVED

AUG 03 1995
Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } ss.

On this 2 day of Aug, in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 26 day of July, 1995, and the date of the last publication was on the 2 day of Aug, 1995.

Daniel J. Gorham
Subscribed and sworn to before me this 2nd day of Aug, 1995.
(SEAL)

Roberta Meyerkercher
NOTARY PUBLIC

9695
WOOD RIVER JOURNAL
Hailey, Idaho

OK
NB
8/7/95

COST OF PUBLICATION
Number of Picas per Line 11.5
Number of Lines in Notice 58,933
Number of Insertions 2
Lines tabular at 58,933 6¢ / Pica
Lines straight at 33,887 5¢ / Pica
Subsequent lines at 27,109 4¢ / Pica
TOTAL COST +5 \$66.00

MICROFILMED

OCT 19 2001

COPY OF NOTICE
(Paste Here)

Extension of Time 37-00332
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Application for
extension of time

NOTICE OF APPLICATION
FOR EXTENSION OF TIME
TO AVOID FORFEITURE

Notice is hereby given that **BARRIE FAMILY PARTNERS, PO BOX 793; BELLEVUE ID 83313** have applied to the Department of Water Resources for an extension of time to avoid forfeiture of Decreed Water Right No. 37-00332.

The extension is requested to avoid loss of the water right due to non-use while repairs are being made to delivery system. Water Right No. 37-00332

Priority Date: 7/1/1887

Name: Decreed to Idaho Consolidated Mines in case of S.C. Frost, et al vs Alturas Water Co., et al dated 12/13/1909 in Fourth District Court, Blaine County.

Source: Big Wood River tributary to Malad River

Use: irrigation (1.0 cfs)

Point(s) of Diversion: SW1/4SE1/4, S26, T2N, R18E; Blaine County.

Place of Use: Unspecified acres within SW1/4SE1/4, S26, T2N, R18E.

A claim has been filed in the Snake River Basin Adjudication. Any protest against the approval of the above proposed and Described request must be filed with the the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 14, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Wood River
Journal on 7/26 & 8/2/95

Extension
APPLICATION FOR ~~TRANSFER~~ OF WATER RIGHT
NO. A37-00332 37-00332

RECEIVED
JUL 21 1995
Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

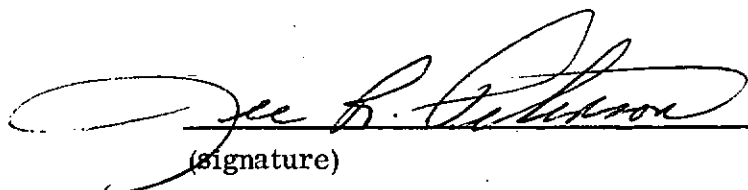
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
Barrie Family Partners, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

Extension
B. I do not endorse approval of the above numbered Application for ~~Transfer~~ as re-
quested for the following reasons: The last recorded use of this water right
was 1986, lack of maintenance and upkeep of the system is the
observed reason for extension.

Dated at Shoshone, Idaho, this 20th day of July 1995.


(signature)

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OCT 19 2001

**NOTICE OF APPLICATION
FOR EXTENSION OF TIME
TO AVOID FORFEITURE**

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Karl J. Dreher, Director

Published in Wood River Journal on 7/26 & 8/2/95

MICROFILMED

OCT 19 2001



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

July 17, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

OCT 19 2001

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

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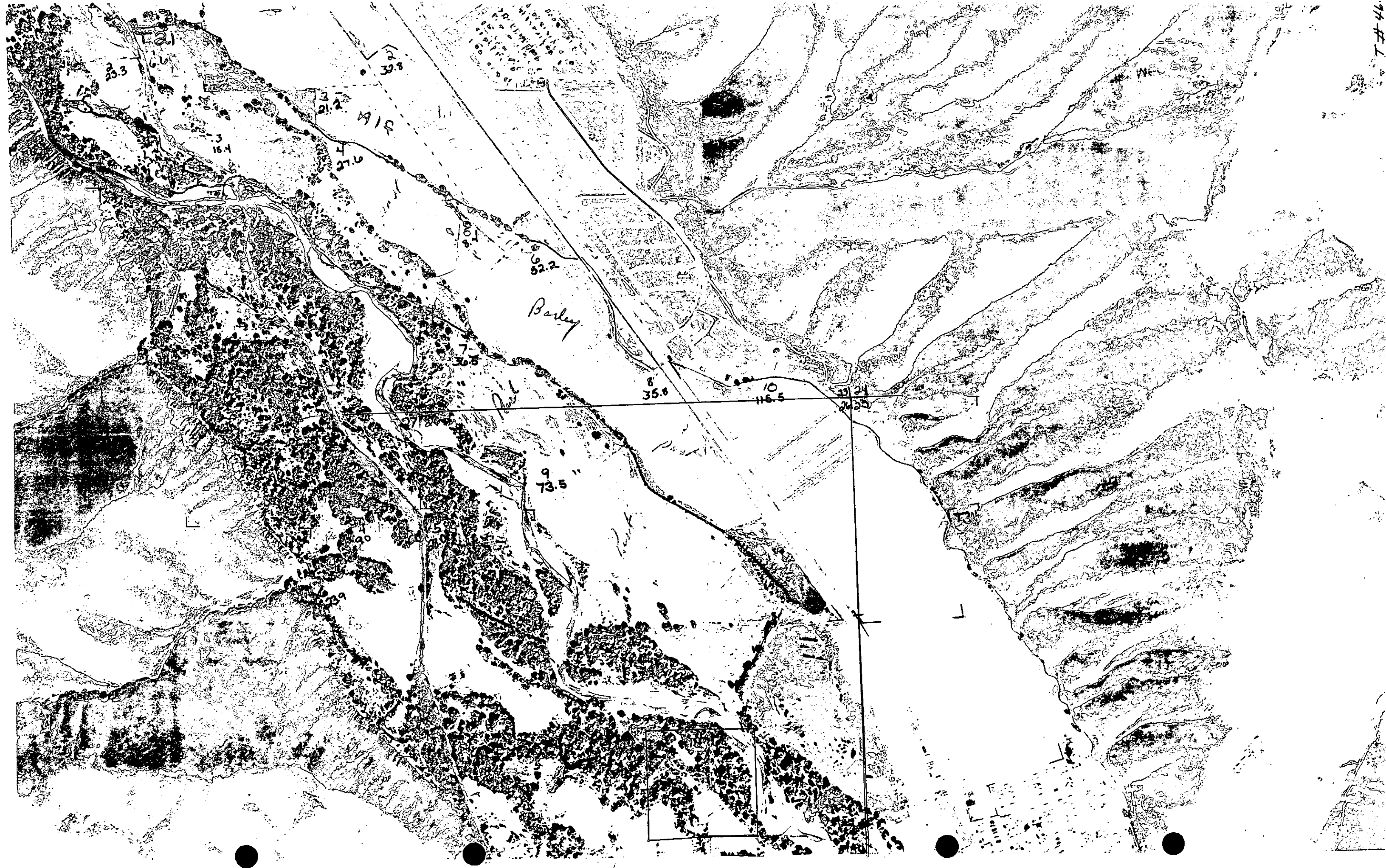
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Karl J. Dreher, Director

Published in Wood River Journal on 7/26 & 8/2/95

MICROFILMED
OCT 13 2001



JS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. F. Stanton

1. Right number 37-00332 Applicant Barrie Family Partners

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use Not decreed

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments See Attached memo

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) —

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 37

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By _____ Date _____

RECEIVED

AUG 25 1995

BARRIE FAMILY PARTNERS
Post Office Box 793
Bellevue, Idaho 83313

Department of Water Resources
Southern Region

August 24, 1995

State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Attention: James E. Stanton

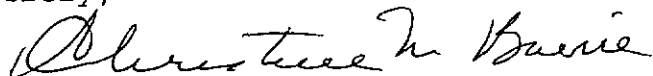
Re: Withdrawal of application No. 4665 (37-00332)

Dear Mr. Stanton:

Please withdraw the application of the water rights for the Barrie Family Partners upon receipt of this fax. The hard copy of this letter will follow in the mail.

We were of the understanding that the transfer of water rights was to be to the White Slough and not the Broadford Slough.

Sincerely,



Christine Barrie
General Partner
Barrie Family Partners

CB/jn

MICROFILMED

OCT 19 2001

AUG-24-95 THU 14:11

S. V. EXECUTIVE SERVICES

FAX NO. 2087264686

P.01

 Sun Valley Executive Services, Inc.

340 Second Street
Post Office Box 386 • Sun Valley, Idaho 83353
208•726•5739 208•726•4686 FAX

RECEIVED

AUG 24 1995

Department of Water Resources
Southern Region

Fax Number: (208) ~~726-4686~~ 788-9263 - Barrie Family Partners
Sharp FO-3300 - 24-hour/automatic/plain paper fax machine

DATE: August 24, 1995

TO: James E. Stanton

State of Idaho Department of Water Resources

FAX #: 208/736-3037

FROM: Barrie Family Partners

REMARKS:

2

Number of pages including this transmittal page: _____

Please call (208) 726-5739 if you did not receive all transmitted pages or if you have any questions.

MICROFILMED

OCT 19 2001

RECEIVED

BARRIE FAMILY PARTNERS
Post Office Box 793
Bellevue, Idaho 83313

AUG 24 1995

Department of Water Resources
Southern Region

August 24, 1995

State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Attention: James E. Stanton

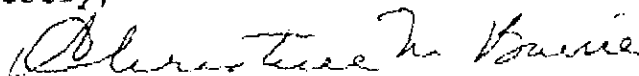
Re: Withdrawal of application No. 4665 (37-00332)

Dear Mr. Stanton:

Please withdraw the application of the water rights for the Barrie Family Partners upon receipt of this fax. The hard copy of this letter will follow in the mail.

We were of the understanding that the transfer of water rights was to be to the White Slough and not the Broadford Slough.

Sincerely,



Christine Barrie
General Partner
Barrie Family Partners

CB/jn

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OCT 19 2001

RECEIVED

AUG 03 1995

Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

State of Idaho,

County of Blaine

} SS.

On this 2 day of Aug., in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 26 day of July, 1995, and the date of the last publication was on the 2 day of Aug, 1995.

Subscribed and sworn to before me this 2nd day of Aug, 1995.
(SEAL)

NOTARY PUBLIC

#9694

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 74.100
Number of Insertions 2
Lines tabular at 74.100 6c / Pica
Lines straight at 42.608 5c / Pica
Subsequent lines at 34.086 4c / Pica
TOTAL COST +5 \$81.69 MICROFILMED

OCT 19 2001

COPY OF NOTICE

(Paste Here)

Prop. change 37-00332
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

**Proposed change
of water right**

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

Notice is hereby given that BARRIE FAMILY PARTNERS, PO BOX 793, BELLEVUE ID 83313 has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4665.

The purpose of this application is to change the Point of Diversion. Applicant wishes to divert from the Broadford Slough rather than the Big Wood River.

**WATER RIGHT AS
RECORDED:**

Water Right No. 37-00332

Basis: Decreed to Idaho Consolidated Mines Co. in case of S.C. Frost et al vs Alturas Water Co. et al dated 12/13/1909 in Fourth District Court, Lincoln County.

Date of Priority: 7/1/1887

Amount: 1.0 cfs

Source: Big Wood River tributary to Malad River

Use: irrigation

Point of Diversion: SW1/4SE1/4, S26, T2N, R18E (#40-P Pump); Blaine County.

Place of Use: Unspecified acres within SW1/4SE1/4, S26, T2N, R18E.

A claim has been filed in the Snake River Basin Adjudication.

CHANGES AS FOLLOWS:

Source: Broadford Slough tributary to Big Wood River

Point of Diversion: SE1/4SW1/4SW1/4, S26, T2N, R18E; Blaine County.

Place of Use: 25 acres within SW1/4SE1/4, S26, T2N, R18E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 14, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 7/26 & 8/2/95.

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 21 1995

NO. 4665

Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

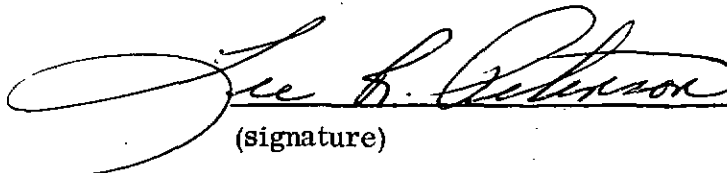
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No. 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
Barrie Family Partners, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: _____

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: The last recorded use of this water right
was 1986, lack of maintenance and upkeep of old delivery system is
the only observed reason for transfer.

Dated at Shoshone, Idaho, this 20th day of July 19 95.


(signature)

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OCT 19 2001

Please use reverse side if needed.

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Karl J. Dreher, Director

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OCT 19 2001



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

July 17, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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OCT 19 2001

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

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Karl J. Dreher, Director

Published in the Wood River Journal on 7/26 & 8/2/95.

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OCT 19 2001



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

July 19, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

CHRISTINE BARRIE GEN PARTNER
BARRIE FAMILY PARTNERS
PO BOX 793
BELLEVUE ID 83313

Re: Application for Transfer No. 4665 (37-00332)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Wood River Journal for 7/26 and 8/2/95. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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OCT 13 2004 Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



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

July 19, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right No. 37-00332 (T# 4665,
Barrie Family Partners)

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right
within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must
be advised of proposed changes in water rights in the water district
and must notify the Department of his recommendation on the
application.

Please complete the enclosed recommendation form and return it to
this office.

Processing of the application can be completed in 20 days, therefore,
your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this
office or the applicant.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

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OCT 19 2001

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Barrie Family Partners

FROM: Jim Stanton

DATE: 1-25-95

Today I spoke with Watermaster Lee Peterson on Rt. 37-00332. He told me that this right has not been used since at least 1988. He went back in his records to 1989, but found no delivery back that far. So the right has not been used for at least the last 6 years. Under Sec. 42-222, this right has therefore been forfeited. Both the pending Extension of Time to Avoid Forfeiture and the Application for Transfer of Water Right should therefore be denied. Lee told me that the subject property has a high water table, and probably sub irrigates early in the season. With the diversion system in disrepair (according to the owner), it does not appear that a field visit would yield any significant additional information; I therefore do not plan a site visit. Aerial photo shows about 9 acres that may have been irrigated; the rest is trees and river bottom.

☒ For your information


signature

☐ Response required

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OCT 19 2001

T # 4665