

Form No. 42-1409 (2) b 6/89

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 29-13653

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

Joe Holbrook

1. Name of Claimant (s) Todd Holbrook Phone (208) 648-7851 (Todd)Mailing Address 21N. 4th E Soda Springs Zip 832762. Date of Priority (Only one per claim) 7-6-1921 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) Spring
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township T6S Range R39E
Section 24 SE 1/4 of SE 1/4 of NE 1/4, Govt Lot _____ BM. (Pt of Basin)
County of CaribouAdditional points of diversion if any: SUNENE Sec 24 (Ending) (NW 1/4 NW Sec 24) all in T pt of Basin5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. in stream stock

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

For Stock purposes from 5/1 Month/Day to 10/1 Month/Day amount 0.02 (cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 150 head of Range Cows

10. Place of use is: Township 6S Range 39E
Section 24 E 1/2 1/4 of NE 1/4, Govt. Lot _____, B.M. NE NW Sec. 24
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication" (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 4

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct

Signature of Claimant (s) Joe Holbrook Date 9-26-2003
John Holbrook Date 9-26-2003

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization: _____

State of Idaho/or _____)

County of Bannock) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn to before me this 26th day of September 19 2003

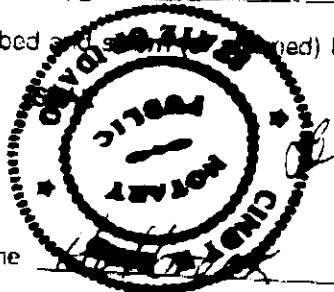
Notary Public Candy C. Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Ident No. _____

Copies: White-State, Yellow-Claimant



Last Name _____

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHOROGER BURDICK
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121SRBA CHAMBERS
P.O. BOX 2787
TWIN FALLS, IDAHO 83303-2787TO: Don

DATE: _____

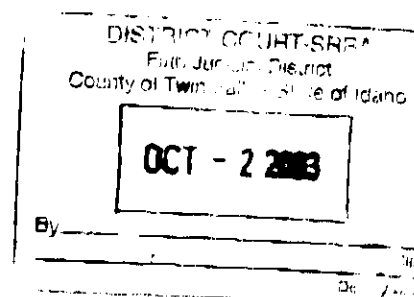
RE: _____

FAX: _____

OF PAGES INCLUDING THIS COVER SHEET _____

MESSAGE: I need a
purchase #

This facsimile may contain confidential information that is protected by the Idaho Court Administrative Rules. It is intended to the use of the individual(s) named above. If you are not the named recipient or an employee responsible for delivering the facsimile, you are instructed not to deliver, distribute or copy this facsimile, nor should you disclose its contents or take any action in reliance on the information it contains. If you have received this facsimile in error, please notify the Court immediately by telephone to arrange the return of the transmitted documents to us. Thank you.



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

In Re SRBA)

Subcase _____

(Insert water right number)

Case 39576)

STANDARD FORM 4**MOTION TO FILE:**☒ **LATE NOTICE OF CLAIM**☐ **AMENDED NOTICE OF CLAIM**

INSTRUCTIONS

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

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

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1986), Section 4, which may be consulted for further information.

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

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

My name is Todd Holbrook

My address is 1477 Ten Mile Pass Rd
Bancroft, ID. 83217-0127

My phone number is: Work 547 - 7858 Home 208 648 7851

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

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

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

We forget about our stock water ~~source~~
source for our mountain range.

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

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

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ \$50-.

Follow these instructions regarding the hearing on this motion.

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

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

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

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



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

I have attached:

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

☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Bannock

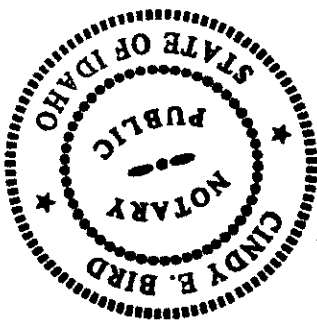
Todd Holbrook, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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

Todd Holbrook
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on September 26, 2003.
(Insert Date)



Cindy E Bird
Notary Public for Cindy E Bird
Residing at: Lava Hot Springs
My Commission expires: May 1, 2007

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on 1 October 2003, 199____, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

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

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

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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

Identification No. _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Joe Holbrook
Todd Holbrook Phone (208) 648-7851 (Todd)
- Mailing Address 21 N. 4th E. Soda Springs Zip 83276
2. Date of Priority (Only one per claim) 7-6-1921 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Spring
Name or kind of source
which is tributary to (b) _____
4. Location of point of diversion is: Township T6S Range R39E
Section 24, SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM. (Pt of Beg
County of Caribou
Additional points of diversion if any: SUNENE sec. 24, (Ending) All in T (NW 1/4 NW Sec. 24, pt of Beg
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. in stream stock
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Stock purposes from 5/1 Month/Day to 10/1 Month/Day amount 0.02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.02 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 150 head of Range Cows

10. Place of use is: Township: 6S Range 39E
Section 24, E 1/2 1/4 of NE 1/4, Govt. Lot _____, B.M., NE NW Sec. 2
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 4

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 9-26-2003
[Signature] Date 9-26-2003

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)

County of Bannock)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn to (affirmed) before me this 26th day of September 19 2003

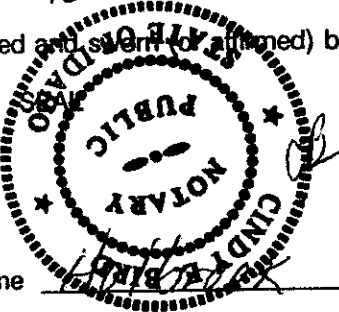
Notary Public Cindy E. Bird

Residing at Lava Hot Springs

My Commission Expires May 1, 2007

Last Name [Signature] Ident No. _____

Copies: White-State, Yellow-Claimant



CARIBOU COUNTY 1993

TAX NOTICE AND RECEIPT

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

TAXING DISTRICT

DATE
RATE

AMOUNT
AMOUNT

RECEIPT
RECEIPT

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
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13827	04	12410	RL 12410
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LOT 1, NE1/4NW1/4, W1/2E1/2,
SE1/4SW1/4, 278.76 AC
SEC 19 T6S-R40E

NET
13,827

HOLBROOK, JOSEPH L
% HOLBROOK, LAKE
2993 CHESTERFIELD ROAD
BANCROFT, ID 83217

DELINQUENT YEAR

COUNTY
SCHOOL DIST#150
FAIRVIEW CEM.

.5230998%	72.34
.5726454%	79.18
.0150433%	2.08

TOTAL TAXES 1.1107885% 153.60

FOREST PROTECTION 31.50
FOREST PRAC ADMIN 3.50

TOTAL DUE

12/17/93

6-21-94
15188.60

FULL PAYMENT

TAX 188.60
PEN.
INT.

COST
TOT.

1ST INSTALLMENT

TAX 94.30
PEN.
INT.
COST
TOT.

2ND INSTALLMENT

TAX 94.30
PEN.
INT.
COST
TOT.

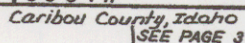
CARIBOU COUNTY
PAID
TAX COLLECTOR

CARIBOU COUNTY
PAID
TAX COLLECTOR

Please advise if you have a change of address.



SEE PAGE 56



The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Blanche Holbrook

has been established and duly consummated, in conformity to law, for the southeast quarter of the southeast quarter and the northeast quarter of the southeast quarter of Section thirteen, the east half of the northeast quarter, the east half of the northwest quarter, the southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter of Section twenty-four, the southeast quarter of the northeast quarter of Section twenty-three in Township six south of Range thirty-nine east and the lot one, the northeast quarter of the northwest quarter, the west half of the northeast quarter, the west half of the southeast quarter, and the southeast quarter of the southwest quarter of Section nineteen in Township six south of Range forty east of the Boise Meridian, Idaho, containing six hundred thirty-eight acres and seventy-six hundredths of an acre,

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the SIXTH

day of JULY In the year of our Lord one thousand

nine hundred and THIRTY-ONE and of the Independence of the

United States the one hundred and FIFTY-SIXTH

By the President: *Herbert Hoover*

By *Leafe O. Dutz*, Secretary.

Emmald L. Warren
Recorder of the General Land Office.