

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 22-13201
Date Received: 10/23/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

RICHARD & SUSAN JACOBSEN FAMILY TRUST Phone: (650)493-5310
3201 ASH ST
PALO ALTO CA 94306

2. Date of Priority: 04/01/1934

3. Source: DRAKE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	45E	7	SE SW	TETON	

5. Description of diverting works:

DIKE AND POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
FISH PROPAGATION	01/01	12/31		1.5
RECREATION	01/01	12/31		1.5
AESTHETIC	01/01	12/31		1.5

7. Total Quantity Appropriated is:
1.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	45E	7	SE SW	RECREATION	

A2213201



11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

SMALL POND USED FOR RECREATION AESTHETICS AND FISH PROPAGATION

NEIGHBORS INDICATE THE POND WAS ALSO USED AT ONE TIME TO PROVIDE IRRIGATION WATER THROUGH A WOODEN PIPELINE, BUT THAT IS NO LONGER EXISTENT AND IRRIGATION CEASED MANY YEARS AGO.

15. Basis of Claim: Beneficial Use

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Small pond used for recreation, aesthetics and fish propagation

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	45E	7												R					

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
_____ or None (☒)

14. Remarks:

Neighbors indicate the pond was also used at one time to provide irrigation water through a wooden pipeline, but that is no longer existent and irrigation ceased many years ago.

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice _____ Permit _____ Decree _____ License _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date 12/16/1910

Plaintiff vs Defendant _____

16. Signature(s)

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

Signature of Claimant(s) _____ Date _____

_____ Date _____

Last Name Jacobsen Ident. Number _____

For Organizations: I do solemnly swear or affirm that I am Trustee _____
(Title)

Richard & Susan Jacobsen Family Trust _____, that I have signed the foregoing document
in the space below as (Organization)

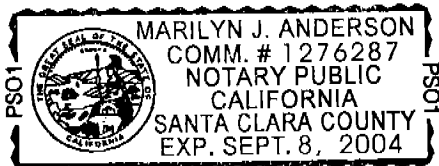
Trustee _____ of Richard & Susan Jacobsen Family Trust and that the statements contained in the
(Title) (Organization)
foregoing document are true and correct.

Signature of Authorized Agent *Richard M. Jacobsen* TRUSTEE
Richard M. Jacobsen

Title and Organization Trustee, Richard and Susan Jacobsen Family Trust Date 21 SEP 01

State of California)
) SS.
County of Santa Clara)

Subscribed and sworn (or affirmed) before me this 21st day of September, 2001.



Notary Public *Marilyn J. Anderson*
Residing at *San Jose California*
My Commission Expires *September 8, 2004*

17. Notice of Appearance:

Notice is hereby given that I, KENT W. FOSTER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *Kent W. Foster*
Address PO Box 50130 IDAHO FALLS, ID 83405
Date 10/1/01

Last Name Jacobsen Ident. Number _____

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER
SHAN B. PERRY
AMELIA A. SHEETS

US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
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E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

October 16, 2001

RECEIVED

OCT 22 2001

Department of Water Resources
Eastern Region

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Ladies and Gentleman:

We are enclosing with this letter a late Notice of Claim to a Water Right Acquired under State Law on behalf of the Richard and Susan Jacobsen family trust. This is a claim relating to a small pond which impounds water in Drake Creek for recreation, aesthetics, and some fish propagation. We have also enclosed our check in the amount of \$ 101.00 for the filing fee and some affidavits we have obtained from those who have some knowledge of the pond and why it was constructed. Thank you for your kind attention to this matter.

Very truly yours,



Kent W. Foster

Enclosures

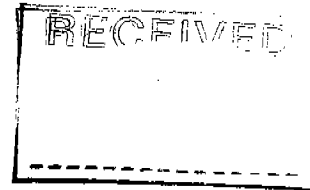
RECEIVED

OCT 22 2001

Department of Water Resources
Eastern Region

October 3, 2001

Richard Jacobsen
3201 Ash Street
Palo Alto, CA 94306



Dear Dick,

This letter is in response to your request concerning the pond and dam on the property formerly owned by Marion and Katherine Weeks and adjacent to the property formerly owned by the Boyle family.

To the best of my knowledge, the dam was built before I was born. I am now 64 years old and it has been in place as long as I can remember. My grandfather, Fred J. Drake, built the dam for irrigation purposes.

I hope this information helps you. If I can be of further service, please let me know.

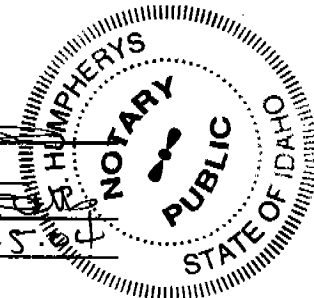
Sincerely,

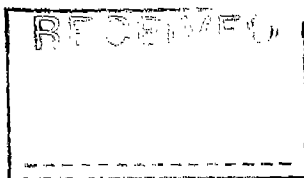
Don L. Boyle
Don L. Boyle

STATE OF IDAHO }
 } ss.
COUNTY OF BONNEVILLE }

On October 3, 2001, before me, the undersigned, a Notary Public for this State, personally appeared Don L. Boyle, personally know to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument. IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year above written.

[Signature]
Notary Public of Idaho
Residing at: [Address]
My Commission Expires: 05-04





RECEIVED

OCT 22 2001

Department of Water Resources
Eastern Region

Dad built it in ^{about} 1927 used it to irrigate.

Dad went to St Anthony with wagon and brought back some fish which ~~he~~ he put some in ^{the} pond. George would shovel the snow off to ice skate, my brothers and I would swim horses accross it, my kids would try to swim in it, but it was damned cold. ~~After that~~
When George's brothers would come up they would fly fish on it.
Eva Letham

The above statement is from my mother.

as for myself I don't remember much. One time my brother and I tried to build a raft around 1950 I would guess. I do remember fishing on it several times. I hope this will help

State of Idaho
County of Teton

Rodney L. Taylor

Rodney Taylor appeared before me and signed
This document on this date -

