

**T07N R04W
S12 & S13**

Idaho Department of Water Resources

**Claims: 65-04891B
Prepared by:
RON HOWERTON
Modified: 3-29-01**

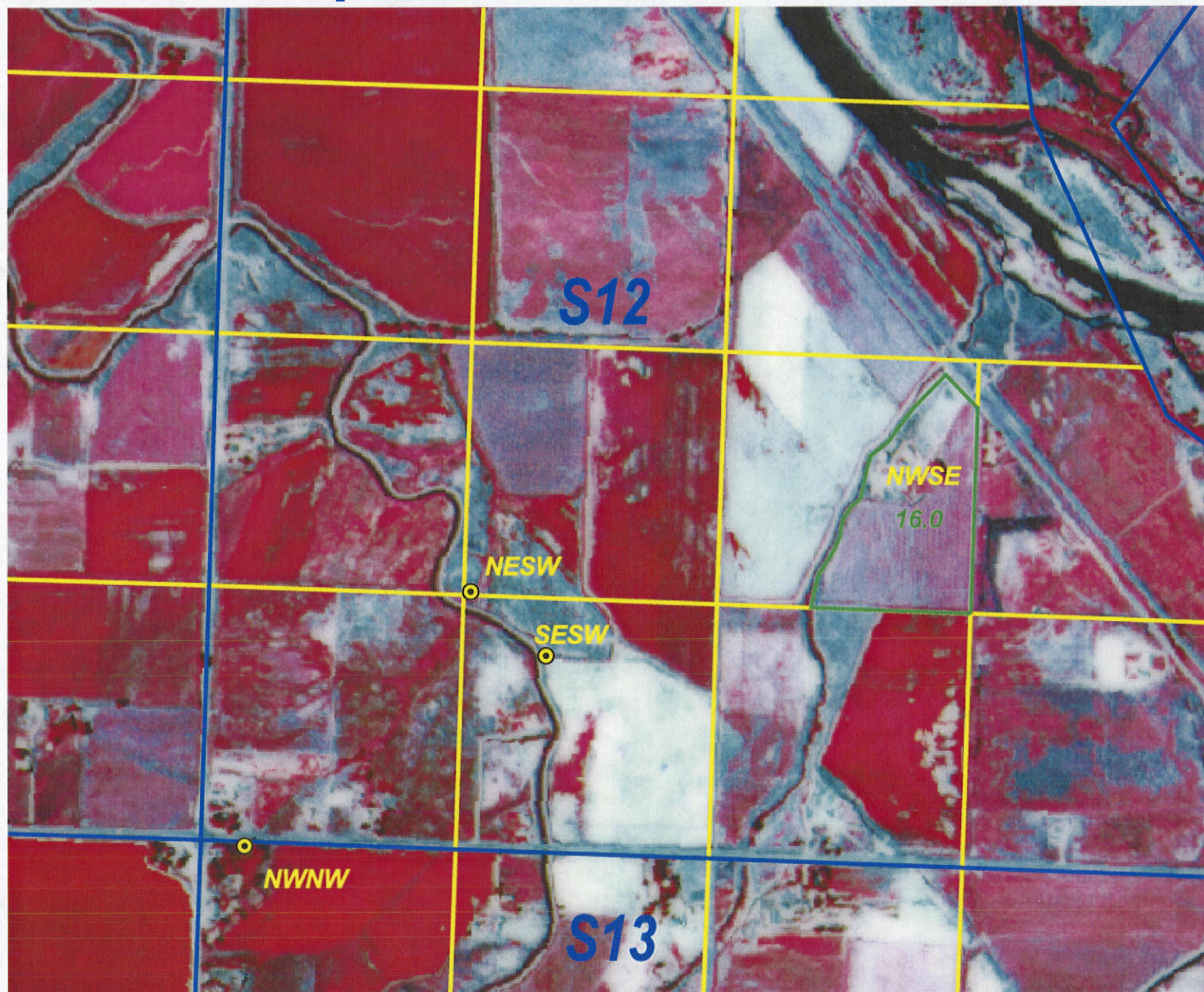
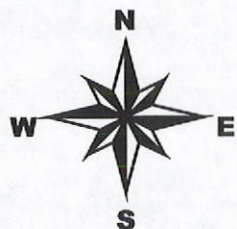
 **Place of use**

 **POD**

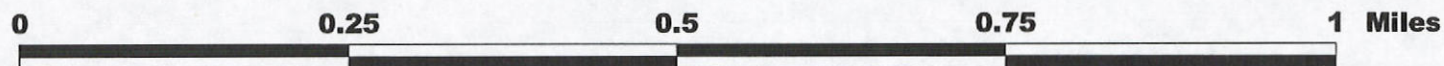
 **SECTION**

 **1/4 1/4**

16.0 Acres



1987 NAPP



**T07N R04W
S12 & S13**

Idaho Department of Water Resources

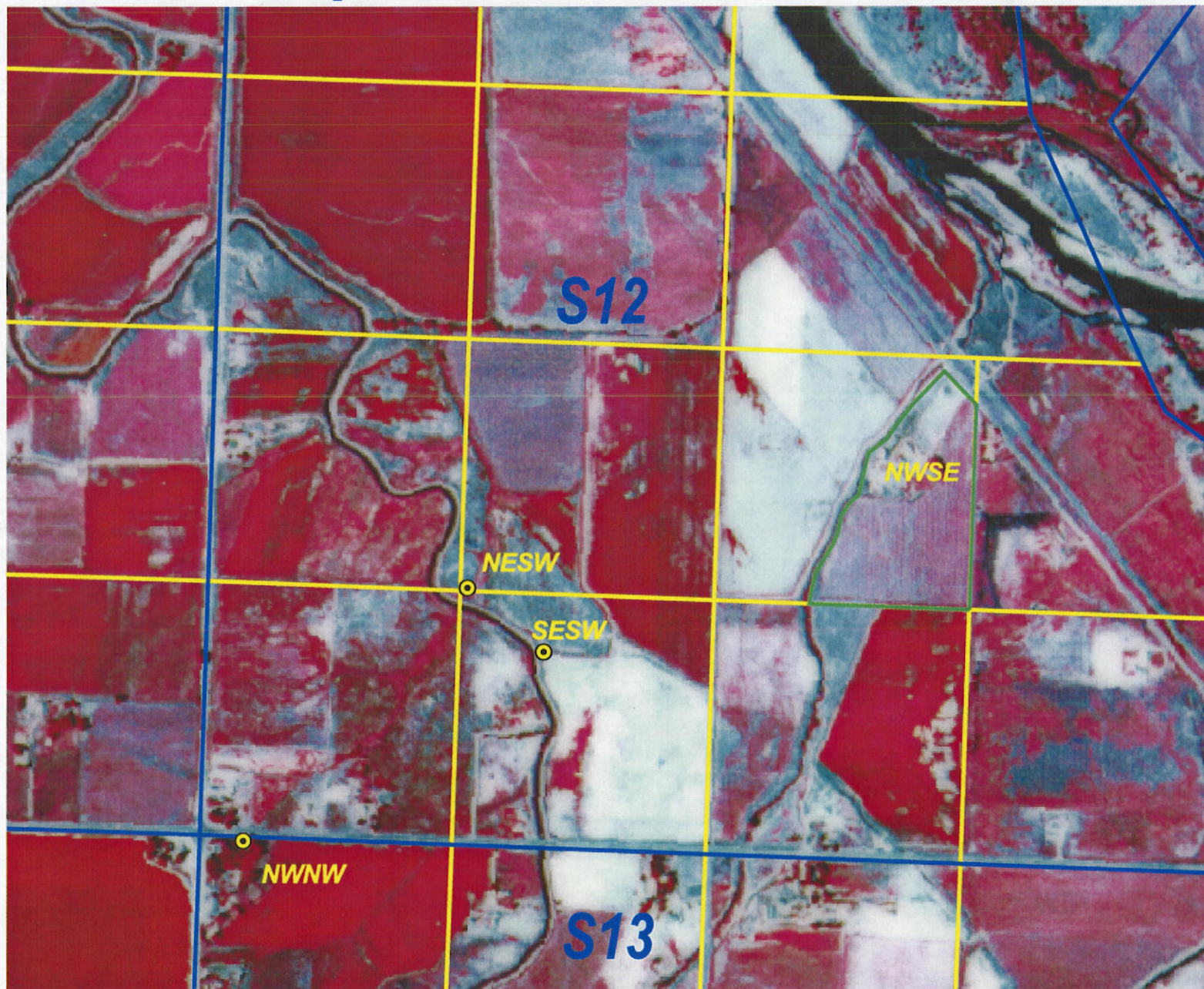
**Claims: 65-04891B
Prepared by:
RON HOWERTON
Modified: 3-29-01**

 **Place of use**

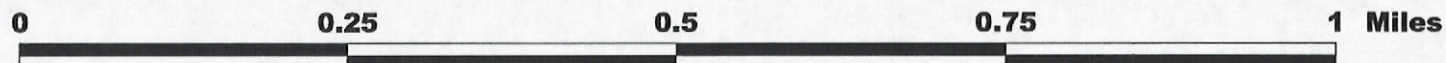
 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-4891

SUSAN M MARGRAVE

5807 SE 1ST AV

NEW PLYMOUTH ID 83655

Telephone Number: (208)278-3714

LEE F MARGRAVE

5807 SE 1ST AV

NEW PLYMOUTH ID 83655

Telephone Number: (208)278-3714

RECEIVED

MAR 28 2001

WATER RESOURCES
WESTERN REGION

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

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

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

*see attached map - highlighted (in yellow) section
only our property in the NWSE section*

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

DATE: 3/26/2001

SIGNATURE: Susan Margrave

Please print your name: Susan Margrave

Idaho Department of Water Resources

RECEIVED

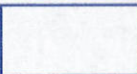
MAR 28 2001

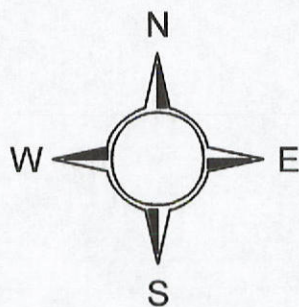
WATER RESOURCES
WESTERN REGION

Claim Number: 65-04891

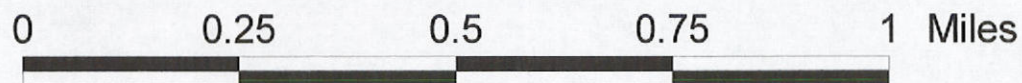
Legal: T07N, R04W, S12

Reviewed By: SCOTT VAN HOFF

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

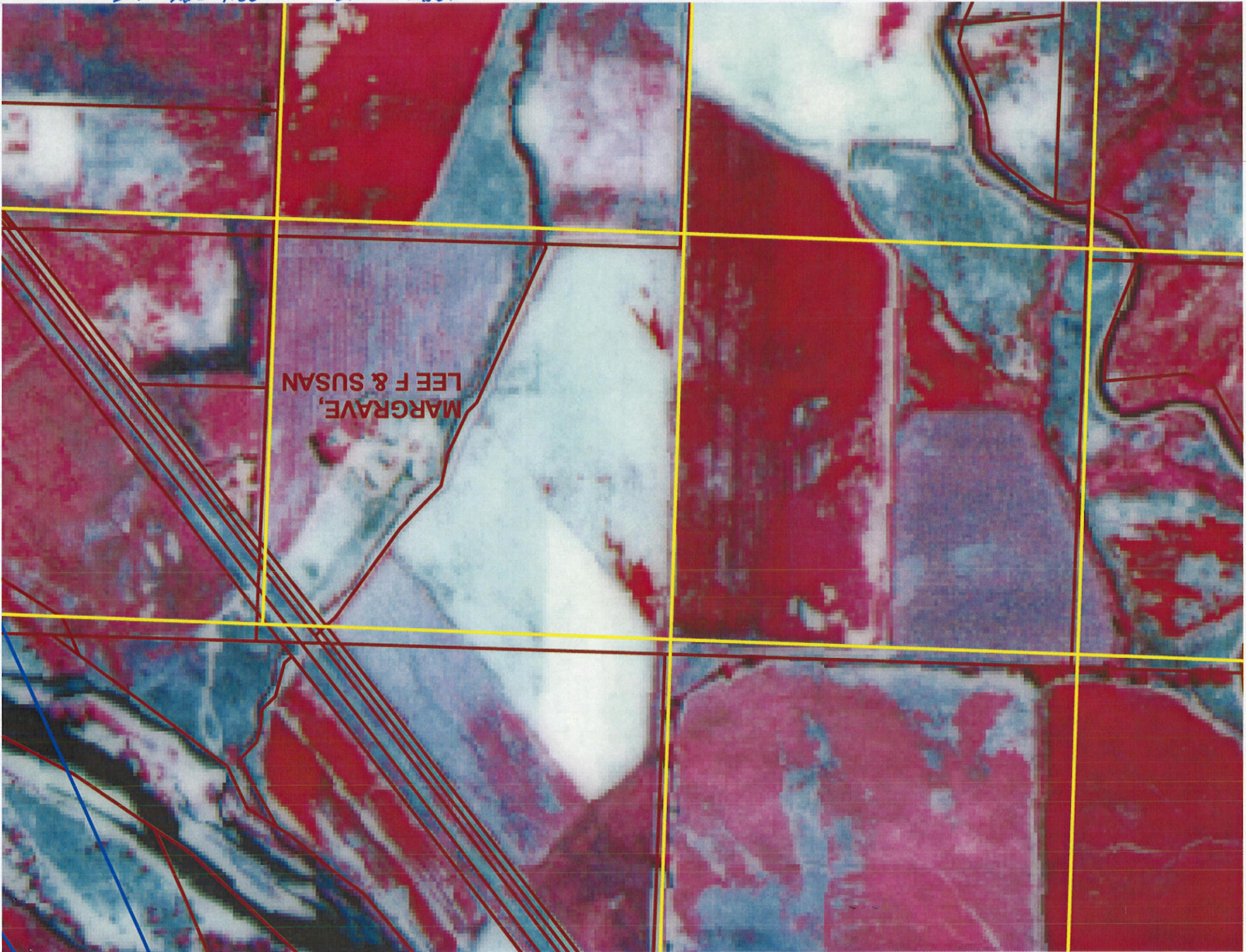


1987 Napp Photo



1987 MAP 1994 TAX INFO

MARGRAVE,
LEE F & SUSAN



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: **A65-04891**
Date Received: 4/12/1990
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LEE F MARGRAVE
Address: 5807 SE 1ST AV
NEW PLYMOUTH ID

208-278-3714

83655

AND

Name: SUSAN M MARGRAVE
Address: 5807 SE 1ST AV
NEW PLYMOUTH ID

208-278-3714

83655

2. Date of Priority: APR 1, 1903

3. Source: WASTE WATER

Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	04W	12	NE	SW			PAYETTE
			SE	SW			PAYETTE
		13	NW	NW			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.080		

7. Total Quantity Appropriated is:
1.080 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	04W	12	SW		NE	2	IRR	24.0
			NE		SW		IRR	33.0
			NW		SW		IRR	2.0
			SE		SW		IRR	3.0
			NW		SE		IRR	38.0

Section Acres 100.0

Total Acres 100.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGE BY DB 4/14/98.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant



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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

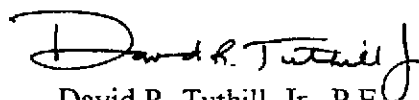
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim

- 1 You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right
- 2 You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

**T07N R04W
S12 & S13**

Idaho Department of Water Resources

Claims: 65-04891B

Prepared by:

RON HOWERTON

Modified: 3-29-01

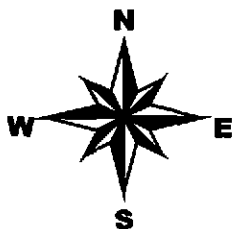
 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

16.0 Acres



1987 NAPP



**T07N R04W
S12 & S13**

Idaho Department of Water Resources

Claims: 65-04891B

Prepared by:

RON HOWERTON

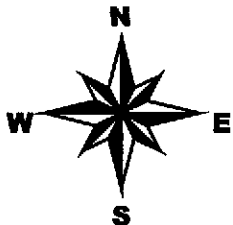
Modified: 3-29-01

 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



SEE ORIGINAL
CLAIM FILE
DOCUMENTS IN
CLAIM

NO. A65-04891

05/22/2001

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

RIGHT NUMBER: 65-4891B

NAME AND ADDRESS: LEE F MARGRAVE
SUSAN M MARGRAVE
5807 SE 1ST AVE
NW PLYMOUTH, ID 83655

SOURCE: WASTE WATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.17 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE
DITCH CO., LTD. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

PRIORITY DATE: 04/01/1903

POINT OF DIVERSION:	T07N R04W S12	NESW	Within PAYETTE County
	T07N R04W S12	SESW	Within PAYETTE County
	T07N R04W S13	NWNW	Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.17 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>		
T07N R04W S12	NWSE	16

16 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PARCEL NO. 612000

MARGRAVE SPLIT "B"

WR0749NP

No. 65-04891

B SPLIT

IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHT PROFILE REPORT

DATE: 03/10/00

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD H. LIDDELL	04/01/1903	IRRIGATION	03/15 11/15	1.080 CFS	
C	BLANCHE A. LIDDELL					
	ROUTE 2					
	NEW PLYMOUTH ID 83655					
TOTAL DIVERSION:					1.080 CFS	.17 cfs

MARGRAVE

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R04W S12 NESW SESW PAYETTE County
S13 NWNW PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
07N	04W	12														
			02-24					33	02	03		30				100.0
TOTAL ACRES																100-0 16

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-05797 65-05990 65-08031 65-09222 65-11013

Other Water Rights Listing Overlapping Place(s) of use:

65-00066 65-00403X 65-13373

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1903
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

ADD: CONDITION
C18

ADD: EXP Rmk:
(NO CODE)

PARCEL NO. 612000

SPLIT TREE

CLAIM: 65-04891

AGENT: Ron Howerton

Date: 3-29-01

FACTOR = CFS 1.08/ ACRES 100 = 0.0108

SPLIT A = FACTOR x N acres 84 = CFS 0.91

SPLIT B = FACTOR x N acres 16 = CFS 0.17

TOTALS 100 1.08

NAME: LIDDELL

RIGHT: 65-04891

CFS: 1.08

ACRES: 100

TRACT(S): SEE RIGHT

NAME: LIDDELL

SPLIT: 65-04891 A

CFS: 0.91

ACRES: 84

TRACT(S): SEE RIGHT

NAME: MARGRAVE

SPLIT: 65-04891 B

CFS: 0.17

ACRES: 16

TRACT(S): NWSE (16)

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
APR 14 1998
WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: 65-04892 AND A65-04891
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Don and Blanche Liddell
5742 Hwy 52 New Plymouth Id. 83655
4. New Owner/Claimant(s): Lee F. and Susan M. Margrave
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address: 5807 S.E. 1st. Ave
City, State and ZIP Code: New Plymouth, Id. 83655
New Telephone Number: (208) 278-3714
5. Date you acquired the property: May 29th, 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate 7 Number and type of stock 5 horses
Diversion rate in CFS _____ Number of homes 1 Other uses crop irrigation
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Lee F. and Susan M. Margrave
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-4891

SUSAN M MARGRAVE
5807 SE 1ST AV
NEW PLYMOUTH ID 83655
Telephone Number: (208)278-3714

LEE F MARGRAVE
5807 SE 1ST AV
NEW PLYMOUTH ID 83655
Telephone Number: (208)278-3714

RECEIVED

MAR 28 2001

**WATER RESOURCES
WESTERN REGION**

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

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

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

*on attached map - high lighted (in yellow) section
on our property in the NWSE section*

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

DATE: 3/26/2001 SIGNATURE: Susan Margrave
Please print your name: Susan Margrave

Idaho Department of Water Resources

RECEIVED

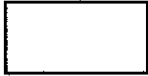
MAR 28 2001

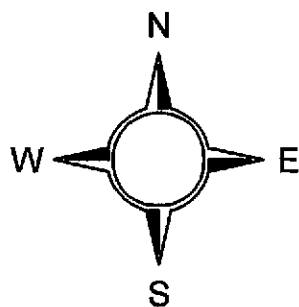
WATER RESOURCES
WESTERN REGION

Claim Number: 65-04891

Legal: T07N, R04W, S12

Reviewed By: SCOTT VAN HOFF

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



WARRANTY DEED

For Value Received

DONALD H. LIDDELL and BLANCHE A. LIDDELL, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
 LEE F. MARGRAVE and SUSAN MARGRAVE, husband and wife,

the grantees, whose current address is 6250 Blaine Rd., New Plymouth, ID

the following described premises, in

PAYETTE

County Idaho, to-wit:

See exhibit "A" attached hereto.

6/2
17.11

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 5-24-96

Donald H. Liddell
 DONALD H. LIDDELL

Blanche A. Liddell
 BLANCHE A. LIDDELL

STATE OF IDAHO, COUNTY OF PAYETTE
 On this 24th day of May, 1996,
 before me, Notary Public for the said State, personally appeared

DONALD H. LIDDELL and
 BLANCHE A. LIDDELL

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged to
 me that they executed the same.

Richard Johnston
 Notary Public
 Residing at Payette, Idaho
 Comm. Expires 12-1-98

STATE OF IDAHO, COUNTY OF *payette*
 I hereby certify that this instrument was filed for record at
 the request of Land Title Insurance Company
 at 20 minutes past 3:00 o'clock P.M.
 this 30th day of May, 1996,
 in my office, and duly recorded in Book
 of Deeds at Page 261876

LAURA L. STIGILE

Ex-Officio Recorder

Daisy Dalton
 Deputy.

Fees \$ 6.00
 Mail to:

INSTRUMENT No. 261876

6478-17.

261876

EXHIBIT "A"

Land in Twp. 7 N., R. 4, W., B.M., Payette County, Idaho:

④ In Sec. 12: A parcel of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as follows:
Beginning at the Southeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence N. 89°54'25" W. along the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 882.99 feet to a point in the centerline of an existing drain ditch;
thence traversing said centerline as follows:
N. 10°05'14" W. a distance of 13.03 feet;
N. 22°27'49" E. a distance of 547.31 feet;
N. 42°38'44" E. a distance of 43.80 feet;
N. 23°27'33" E. a distance of 148.62 feet; - 108
N. 10°48'55" E. a distance of 108.22 feet;
N. 42°19'31" E. a distance of 193.14 feet;
N. 34°11'26" E. a distance of 357.57 feet;
N. 46°12'17" E. a distance of 85.83 feet to a point on the Southwesterly right-of-way boundary for the Union Pacific Railroad;
thence S. 39°26'12" E. along the said right-of-way a distance of 294.16 feet to a point on the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence S. 0°41'16" W. along said East boundary a distance of 1065.76 feet to the Point of Beginning. ④

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining, including six (6) shares in the Noble Ditch Company, Ltd.

612-1
out of 612

370

13

1987 WAP 1994 FAX INFO

