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Documents
In File

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: A65-10601
Date Received: 4/17/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF MARIE BABCOCK 208-342-3563
Address: DON JAVES, PERSONAL REP.
737 N. 7
BOISE, ID 83702

2. Date of Priority: OCT 01, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	26	NE	NW			BOISE

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 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
09N	04E	26	NE	NW		DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MAIN

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. No. A65-10601

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

Please type or print clearly:

Name of Claimant(s) ESTATE OF MARIE BABCOCK
Don Javes Personal Representative
(Craig Marcus Attorney)

Mailing Address 737 N. 7
(include Zip Code) Boise Idaho 83702

Phone Number (208) 342-3563

MICROFILMED
SEP 24 1992

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: 65-10601
DATE RECEIVED: 4-17-89
RECEIPT NO: X999999
RECEIVED BY:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: BEN L. BABCOCK
ADDRESS: P. O. BOX 74
GARDEN VALLEY, ID 83622

NAME: MARIE BABCOCK
ADDRESS: P. O. BOX 74
GARDEN VALLEY, ID 83622

2. DATE OF PRIORITY: OCT 01, 1966

3. SOURCE: GROUNDWATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
09N	04E	26	NE		NW		BOISE

5. DESCRIPTION OF DIVERTING WORKS: WELL

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. TOTAL QUANTITY APPROPRIATED IS:

0.040 C.F.S. (AND/OR) 1.20 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
09N	04E	26	NE NW		DOMEST	

11. PLACE OF USE IN COUNTIES: BOISE, BOISE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

VS A & C CORP., ET AL.
DECREE DEFENDANT

MICROFILMED

SEP 24 1992

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND 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: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Donald S. Jones Per Rep DATE: 4/13/89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Personal Representative of Estate OF

TITLE

Estate of Marie Babcock, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION

DOCUMENT IN THE SPACE BELOW AS Personal Representative OF

TITLE

Estate of Marie Babcock AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Donald S. Jones
SIGNATURE OF AUTHORIZED AGENT
Personal Representative of Estate
of TITLE AND ORGANIZATION
Marie Babcock
April 13, 1989
DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 13 DAY
OF April 19 89

Craig B. Marston
NOTARY PUBLIC

SEAL

RESIDING AT Boise
MY COMMISSION EXPIRES Perpetual

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Babcock

CLAIM IDENT. NO.

A65-10601

DATE RECEIVED

4-17-89

CK #

AMOUNT \$

Exempt

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☐ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☐ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☐ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by: hltDate: 4-18-89

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)Receipt Prepared by: unaDate: 4-17-89Claim data entered by: OPDate: 4-17-89Sent to claimant by: OPChecked by: OPDate: 4-17-89

Comments:

Poyetto decreed - needs X99 \$ date; address change

MICROFILMED

SEP 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 12, 1998

KARL J. DREHER
DIRECTOR

LARRY S, ROLLY E &
ARDIS BRIGGS
PO BOX 550
GARDEN VALLEY ID 83622

RE: Snake River Basin Adjudication (SRBA)
Water Rights #65-10601 & 65-10602

Dear Water Right Holders:

We have been advised by Craig Marcus you may be the owners of the property with the water rights referenced above.

Before we can modify our records to reflect your ownership of the property and water rights referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. Please send the completed form with warranty deed copy and map to our Boise Region office by June 12, 1998:

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)
cc: Craig Marcus

CLAUDE V. MARCUS
CRAIG MARCUS
BARRY MARCUS*
GALE M. MERRICK
GARY L. MONTGOMERY
MICHAEL CHRISTIAN†
JENIFER MARCUS†
TRENT MARCUS
DANIEL R. HARDEE

*Also Admitted to the California State Bar
† Also Admitted to the Washington State Bar

LAW OFFICES
MARCUS, MERRICK & MONTGOMERY, LLP
THE MARCUS LAW BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702-5595

TELEPHONE
(208) 342-3563
TELEFAX
(208) 342-2170

RECEIVED

MAY 6 7 1998

May 6, 1998

Department of Water Resources

Karl Dreher, Director
State of Idaho - Dept. of Water Resources
1301 North Orchard
Post Office Box No. 83720
Boise, Idaho 83720-0098

Re: Water Rights

Dear Mr. Dreher:

In 1989 I filed, on behalf of the Estate of Marie Babcock for Don Javes the Personal Representative, two Notice of Claim to a Water Right in the general adjudication of water rights pending in district court in Twin Falls, civil number 39576. Those two claims were given identification numbers 65-10601 and 65-10602. The estate which owned the property and the water rights has been fully probated and through the years, title to that property has transferred so that I understand it is now owned by Larry S. Briggs, Rolly E. Briggs, and Ardis Briggs, Post Office Box No. 550, Garden Valley, Idaho 83622. I would appreciate it if you would cause the appropriate records to be modified so that future mailings pertaining to those water rights are sent directly to the Briggs. I have forwarded to them your mailings pertaining to those claims of water right which mailings are dated April 6, 1998 and will send a copy of this letter to them so that they are fully advised.

Thank you for your assistance concerning this matter.

Best personal regards.

Very truly yours,



Craig Marcus

CM:dcw
cc: Larry S. Briggs
Rolly E. Briggs
Ardis Briggs

AJ0749NP
No. R65-10601

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/16/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF MARIE BABCOCK DON JAVES PERSONAL REP 737 N 7 BOISE ID 83702 (208) 342-3563	10/01/1966	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
TOTAL DIVERSION:					0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R04E S26

NENW

BOISE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
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	:
09N	04E	26	:													:									:							:
			:													:									:							:
			:													:									:							:

POU County: BOISE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP 09N04E262905 A

Dates: Exam Made Date: Verified Date: 02/16/1998 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 02/16/98 CWALKER

AJ5809NP
No. R65-10601

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/23/98
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF MARIE BABCOCK DON JAVES PERSONAL REP 737 N 7 BOISE ID 83702 (208) 342-3563	10/01/1966	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
				TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R04E S26 NENW

BOISE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: Lt Ac	NENW	NWNW	SWNW	SENW	: Lt Ac	NESW	NWSW	SWSW	SESW	: Lt Ac	NESE	NWSE	SWSE	SESE	:
09N	04E	26	:					:	D				:					:					:

POU County: BOISE

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP 09N04E262905 A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Audit: 03/07/97 CORR3

WR5809NP
No. 65-10601

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/22/98
PAGE: 16

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEN L. BABCOCK	10/01/1966	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	MARIE BABCOCK					
	P. O. BOX 74					
	GARDEN VALLEY ID 83622					
				TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T09N R04E S26

NENW

BOISE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
09N	04E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: BOISE

Dates:	App. Received:	Priority Date:	10/01/1966
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc:	Water District Number: 65	Field Exam Fee:
-------	---------------------------	-----------------

[illegible]

WATER RIGHT NUMBER - A65-10601

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +

NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +
STATE OF IDAHO

+ - - - - DECREE DEFENDANT - - - +
A & C CORP., ET AL.

+ - DECREE DATE - +
01/21/1986

+ - - AUDIT FIELDS - 07/26/89 HARRINGT

+ - - - - COMMENTS - - - - - +

NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 04/17/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLAG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - X999999
POU OWNERSHIP FLAG - Y
NAME CONNECTOR -

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT - 65
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

RP 09N04E 26 2905 A

DATA ENTRY

ENTERED

CHECKED

24 J-10

Verified By
Topo Map/Ortho-PO
A&C Map
Watermaster Records
MAFP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

JUL 15 1992

CERTIFIED

JAN 27 1993

WATER EXAMINER