

Idaho Department of Water Resources

T03N, R01W,
S15



Claim No: 63-04655

Prepared By: Kimberly Brown

Date: February 2, 2005



Place of Use



Section Lines

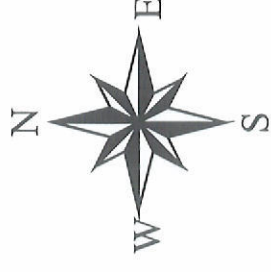


1/4 1/4



Point of Diversion

Acres Irrigated = 1.0



0.02 0 0.02 0.04 Miles



1987 NAPP

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: A63-04655
Date Received: 8/30/1989
Receipt No: W012347
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE B. DAVIS
Address: 3440 DAVIS LANE
MERIDIAN, ID 83642
OR
Name: EARL MARKS 208-888-2886
Address: 3410 DAVIS DR.
MERIDIAN, ID 83642
OR
Name: MARILYN MARKS 208-888-2886
Address: 3410 DAVIS DR.
MERIDIAN, ID 83642

2. Date of Priority: OCT 01, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01W	15	SE	SE			ADA

5. Description of diverting works:
WELL, PUMP & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 7.0 Acre Feet Per Annum.

9. Non-irrigation uses:
2 FAMILIES

A63-04655

Page 1

Date: 05/04/90

MICROFILMED
AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01W	15	SE	SE	IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A STATUTORY CLAIM PREVIOUSLY FILED BY GEORGE DAVIS. UNKNOWNLY-BOTH FAMILIES EACH FILED A SEPARATE WATER RIGHT FOR EACH OF THEIR OWN USES. AT THE TIME THEY WERE RECEIVED, WE GAVE EACH A NEW NUMBER. THEY WERE NUMBER A63-18276-MARKS AND A63-18292-DAVIS. CONSEQUENTLY, BOTH B.U. CLAIMS ARE BEING WITHDRAWN IN THE SRBA IN FAVOR OF A63-04655. SINCE BOTH CLAIMANT'S SUBMITTED \$25.00 W/EACH CLAIM; AN ADDITIONAL \$2.00 HAS BEEN SUBMITTED SO WE CAN MERGE THE OTHER TWO FEES WITH THIS FOR A CORRECT TOTAL. PREVIOUS RECEIPT NO. ARE: A63-18276-W5268 AND A63-18292-W5287 AND THE NEW RECEIPT FOR \$2.00 IS A63-04655-W12347.

15. Basis of Claim: STATUTORY CLAIM

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 _____

MICROFILMED
AUG 20 1992

RECEIVED
MAY 03 1990

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: A63-04655
Date Received: 4/23/1990 8-30-89
Receipt No: W12347
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE B. DAVIS
Address: 3440 DAVIS LANE
MERIDIAN, ID 83642

2. Date of Priority: OCT 01, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01W	15	SE	SE			ADA

5. Description of diverting works:
WELL, PUMP & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
2 FAMILIES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	01W	15	SE	SE		IRR	2.0
Section Acres							2.0

A63-04655

Page 1

Date: 04/23/90

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 1

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): George B. Davis Date: 5-1-90
Earl R. Marks Date: 5-1-90

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of May 19 90

Kathleen A. Rhoades
Notary Public

Seal

Residing at Nampa, Idaho

My Commission Expires 9-9-94

AUG 20 1992

Decree Date - +
00/00/0000

+
|
|
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|
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|
|
|
↑

Field Exam Fee	-
Swan Falls	-
Temporary Right	-
DLE/Carey Act	-
Water District	-
Transfer/Amended	-
Microfilm Roll Number	

AUG 20 1992

06/28/2005

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

RIGHT NUMBER: 63-4655

NAME AND ADDRESS: GEORGE B DAVIS
3440 DAVIS LN
MERIDIAN ID 83642

EARL MARKS
3410 DAVIS DR
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
4.500 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/01/1953

POINT OF DIVERSION:

T03N R01W S15 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.020 CFS 4.50 AFY

Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T03N R01W S15 SESE 1.0

DOMESTIC same as IRRIGATION

1 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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: Beneficial Use

PARCEL NO: S1215449070 & S1215449090.

05/31/2005
RECEIVED
JUN 09 2005
Department of Water Resources

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: July 15, 2005

Water right number: 63-4655

MARILYN MARKS
3410 DAVIS DR
MERIDIAN ID 83642
Telephone Number: (208)888-2886
Deceased

GEORGE B DAVIS
3440 DAVIS LN
MERIDIAN ID 83642

EARL MARKS
3410 DAVIS DR
MERIDIAN ID 83642
Telephone Number: (208)888-2886

RECEIVED
JUN 10 2005
WATER RESOURCES
WESTERN REGION

*I called 6-27-05
Mr. Marks will
send us a copy of
Mrs. Marks' Death
Certificate in order to
remove her name. KB*

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:

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

DATE: 6-7-05 SIGNATURE: Earl Marks

Please print your name: EARL MARKS

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

SCANNED
JUN 09 2005

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

State of Idaho
CERTIFICATE OF DEATH

State File No. 7479
Local Reg. No. _____

TYPE OR
PRINT IN
PERMANENT
BLACK INK
DO NOT USE
FELT TIP PEN

DECEDENT - NAME * MARILYN		MIDDLE JOANNE		LAST MARKS		SEX Female	DATE OF DEATH (Month, Day, Year) * October 25, 2000
SOCIAL SECURITY NUMBER [REDACTED]		AGE - Last Birthday (Yrs) 68	UNDER 1 YEAR MONTHS DAYS 00 00	UNDER 1 DAY HOURS MIN 00 00	DATE OF BIRTH (Month, Day, Year) July 10, 1932		BIRTHPLACE (City and State or Foreign Country) Boise, Idaho
WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No		PLACE OF DEATH (Check only one) * ☐ HOSPITAL (1) ☐ Inpatient ☐ ER/Outpatient (2) ☐ ER/Outpatient (3) ☐ DOA		OTHER ☐ Long-Term Care Facility (4) ☐ Long-Term Care Facility (6) ☐ Other Private Residence ☒ Own Residence (5) ☒ Own Residence (7) ☐ Other (Specify)			
FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number) * 3410 Davis Drive				CITY, TOWN OR LOCATION OF DEATH Meridian		COUNTY OF DEATH * Ada	
MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) Married		SURVIVING SPOUSE (If wife, give maiden name) Earl Raymond Marks		DECEDENT'S USUAL OCCUPATION (Give kind of work done during longest of working life. Do not use retired.) Homemaker		KIND OF BUSINESS / INDUSTRY Own Home	
RESIDENCE STATE Idaho	COUNTY Ada	CITY, TOWN OR LOCATION Meridian		STREET AND NUMBER 1330 Davis Drive		ZIP CODE 83642	
INSIDE CITY LIMITS? ☐ Yes ☒ No		WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes - If yes, specify Cuban, Mexican, Puerto Rican, etc.) ☐ Yes ☒ No		RACE - American Indian, Black, Japanese, White, etc (Specify) White		16. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary/Secondary (0-12) College (1-4 or 5+) 12 College (1-4 or 5+)	
				MOTHER - FULL MAIDEN NAME Clysta LaVaun Mayes		BIRTHPLACE Mountain Home, Idaho	
3. (Street and Number or Rural Route Number, City or Town, State, Zip Code) Davis Drive, Meridian, Idaho 83642							
Name of cemetery, crematory, or other place Cemetery				LOCATION - City or Town, State Meridian, Idaho			
4. (If of Licensee) NAME AND ADDRESS OF FACILITY Accent Funeral Home 1303 E. 1st St., Meridian, Idaho 83642							
5. (If of Coroner) MANNER OF DEATH (Check One) ☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☒ No ☐ Pending Investigation ☐ Could Not Be Determined		Do not enter the mode of dying, such as cardiac or respiratory arrest. Breast Cancer					
						Approximate Interval Between Onset and Death 9 years	
6. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined							
7. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined							
8. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				9. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
10. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				11. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
12. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				13. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
14. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				15. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
16. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				17. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
18. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				19. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
20. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				21. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
22. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				23. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
24. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				25. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
26. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				27. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined			
28. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ No ☐ Pending Investigation ☐ Could Not Be Determined				29. (If of Coroner) MANNER OF DEATH (Check One) ☐ Natural ☐ Homicide <			

519

TO OTHER THAN
NATURAL CAUSES,
THE GORDNER
MUST COMPLETE
AND SIGN THE
CERTIFICATE

TO BE USED
FOR EXTERNAL
CAUSES ONLY

CORONER'S
REVIEW
AREA**REGISTRAR**

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: OCT 30 2000

This copy is not valid unless prepared on engraved border

JANE S. SMITH



CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

OCT 30 2000

State of Idaho CERTIFICATE OF DEATH

State File No. **7479**
Local Reg. No. _____

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR, WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PROOF OF DEATH. EVIDENCE OF THIS DEATH UNDER IDAHO CODE 25-5001 & 25-5002.

TYPE OR PRINT IN PERMANENT BLACK INK. DO NOT USE FELT TIP PEN. NAME OF DECEDENT: For use by physician or institution	DECEDENT — NAME		MOBILE		LAST		SEX	DATE OF DEATH (Month, Day, Year)
	MARILYN		JOANNE		MARKS		Female	October 25, 2000
	SOCIAL SECURITY NUMBER		AGE — Last Birthday (Yr.)		UNDER 1 YEAR		DATE OF BIRTH (Month, Day, Year)	
			68		MONTHS: 7 DAYS: 1		July 10, 1932	
	WAS DECEDENT EVER IN U.S. ARMED FORCES?		PLACE OF DEATH (Check only one)		HOSPITAL		OTHER	
	☐ Yes ☒ No		(1) ☐ Inpatient (2) ☐ ER/Outpatient (3) ☐ DCA		(4) ☐ Long-Term Care Facility (5) ☒ Own Residence		(6) ☐ Other Private Residence (7) ☐ Other (Specify)	
	FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number)				CITY, TOWN OR LOCATION OF DEATH			
	3410 Davis Drive				Meridian			
	COUNTY OF DEATH				CITY, TOWN OR LOCATION OF DEATH			
	Ada				Meridian			
	MARITAL STATUS — Married, Never Married, Widowed, Divorced (Specify)		SURVIVING SPOUSE (If wife, give maiden name)		DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.)		KIND OF BUSINESS / INDUSTRY	
	Married		Earl Raymond Marks		Homemaker		Own Home	
	RESIDENCE STATE		CITY, TOWN OR LOCATION		STREET AND NUMBER		ZIP CODE	
	Idaho		Meridian		3410 Davis Drive		83642	
	INSIDE CITY LIMITS?		WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes — if yes, specify Cuban, Mexican, Puerto Rican, etc.)		RACE — American Indian, Black, Japanese, White, etc. (Specify)		16. DECEDENT'S EDUCATION (Specify only highest grade completed)	
	☐ Yes ☒ No		☐ Yes ☒ No		White		Elementary/Secondary (0-12) 12 College (14 or 15+)	
	FATHER — NAME		BIRTHPLACE		MOTHER — FULL MAIDEN NAME		BIRTHPLACE	
	Loren Elden Gray		Canada		Clysta LaVaun Mayes		Mountain Home, Idaho	
	INFORMANT'S NAME (Type/Print)				MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)			
	Earl Raymond Marks				3410 Davis Drive, Meridian, Idaho 83642			
	METHOD OF DISPOSITION		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)		LOCATION — City or Town, State			
	☒ Burial ☐ Cremation ☐ Removal from Idaho		Meridian Cemetery		Meridian, Idaho			
	☐ Donation ☐ Other (Specify)							
	SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH				LICENSE NUMBER (or Licensee's NAME AND ADDRESS OF FACILITY)			
	<i>[Signature]</i>				M-745 Accent Funeral Home 1303 E. 1st St., Meridian, Idaho 83642			
	TIME OF DEATH		DATE ANNOUNCED DEAD (Month, Day, Year)		WAS CASE REFERRED TO CORONER?		MANNER OF DEATH (Check One)	
	7:30 A.M.		Oct. 25, 2000		☐ Yes ☒ No		☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined	
	27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause in each line.							
	IMMEDIATE CAUSE (Final disease or condition resulting in death)		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH					
	a. Metastatic Breast Cancer		9 years					
	b. DUE TO (or as a consequence of)							
	c. DUE TO (or as a consequence of)							
	d. DUE TO (or as a consequence of)							
	27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.						WAS AN AUTOPSY PERFORMED?	
							☐ Yes ☒ No	
							WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH?	
							☐ Yes ☐ No	
	CERTIFIER (Check only one)							
	☒ PHYSICIAN — To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.							
	☐ CORONER — On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.							
	SIGNATURE AND TITLE OF CERTIFIER				LICENSE NUMBER		DATE SIGNED (Month, Day, Year)	
	<i>[Signature]</i> Dr. Alice Forsythe MD				M-5651		10/26/00	
	NAME AND ADDRESS OF CERTIFIER (Type/Print)							
	Dr. Alice Forsythe, 1055 N. Curtis Rd., Boise, Idaho 83706 367-3131							
	DATE OF INJURY (Mo., Day, Yr.)		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED			
	INJURY AT WORK?		IF TRANSPORTATION ACCIDENT, Specify		PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify)		LOCATION (Street or Route Number, City/Town, or County, and State)	
	☐ Yes ☒ No		☐ Driver ☐ Passenger ☐ Pedestrian					
	☐ Other							
	CORONER'S ACTION				CORONER'S SIGNATURE		DATE SIGNED (Month, Day, Year)	
	I have reviewed and/or amended, and certified.				<i>[Signature]</i>			
	REGISTRAR'S SIGNATURE						DATE FILED (Month, Day, Year)	
	<i>[Signature]</i>						OCT 30 2000	

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: OCT 30 2000

This copy is not valid unless prepared on engraved border

JANE S. SMITH

RECEIVED

JUN 28 2005

WATER RESOURCES
WESTERN REGION

M

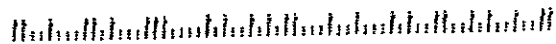
Mr. Earl Marks
3410 Davis Ln
Meridian, ID 83642-6450



State of Idaho
Dept of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Attn: Kimberly Brown

83705-5082



02/02/2005

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

RIGHT NUMBER: 63-4655
NAME AND ADDRESS: MARILYN MARKS
3410 DAVIS DR
MERIDIAN ID 83642

GEORGE B DAVIS
3440 DAVIS LN
MERIDIAN ID 83642

EARL MARKS
3410 DAVIS DR
MERIDIAN ID 83642

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.060 CFS
4.500 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/01/1953

POINT OF DIVERSION:
T03N R01W S15 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.020 CFS 4.50 AFY

Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County
T03N R01W S15 SESE 1.0
DOMESTIC same as IRRIGATION

1 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use
PARCEL NO: S1215449070 & S1215449090.

Idaho Department of Water Resources

T03N, R01W, S15

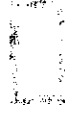
Claim No: 63-04655
Prepared By: Kimberly Brown
Date: February 2, 2005



Place of Use



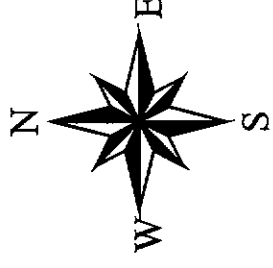
Section Lines



1/4 1/4

● Point of Diversion

Acres Irrigated = 1.0



1987 NAPP



0.02 0 0.02 0.04 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4655

WATER RIGHT NUMBER: 63-4655 ✓

Owner Type Name and Address

Current Owner MARILYN MARKS ✓
3410 DAVIS DR
MERIDIAN, ID 83642
(208)888-2886

Current Owner ~~GEORGE B DAVIS~~ ✓ Cynthia R. Clapper ← not listed in telephone book
3440 DAVIS LN
MERIDIAN, ID 83642

Current Owner EARL MARKS ✓
3410 DAVIS DR
MERIDIAN, ID 83642
(208)888-2886

Priority Date: 10/01/1953 ✓

Basis: ~~Statutory Claim~~ ✓ Beneficial Use

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial UseDOMESTIC ✓
IRRIGATION ✓From To1/01 to 12/31 ✓
~~3/15~~ to 11/15Diversion Rate~~0.100~~ CFS ✓ 0.04
~~0.100~~ CFS ✓ 0.02
Total Diversion: ~~0.200~~ CFS ✓ 0.06Annual Volume4.5 AFA
4.5 AFALocation of Point(s) of Diversion

GROUND WATER

ADA County ✓

SE1/4SE1/4 ✓

Sec. 15, Twp 03N, Rge 01W, B.M. ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	Totals
✓ 03N	01W	15	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	2.0
															1.0
															1.0

Total Acres: ✓ 1.0

DOMESTIC same as IRRIGATION

Conditions of Approval:Remarks:

ADD WB5 - Domestic use is for 2 homes and does not include irrigation of lawn & garden.

ADD N10 & N12 -

.59 AC - Cynthia R. Clapper Earl R. Marks - .68 AC =
ADD - Parcel Nos: S1215449070 & S1215449090 . 1.27 AC total

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4655

1. General

THIS IS A STATUTORY CLAIM PREVIOUSLY FILED BY GEORGE DAVIS. UNKNOWINGLY-BOTH FAMILIES EACH FILED A SEPARATE WATER RIGHT FOR EACH OF THEIR OWN USES. AT THE TIME THEY WERE RECEIVED, WE GAVE EACH A NEW NUMBER. THEY WERE NUMBER A63-18276-MARKS AND A63-18292-DAVIS. CONSEQUENTLY, BOTH B.U. CLAIMS ARE BEING WITHDRAWN IN THE SRBA IN FAVOR OF A63-04655. SINCE BOTH CLAIMANT'S SUBMITTED \$25.00 W/EACH CLAIM; AN ADDITIONAL \$2.00 HAS BEEN SUBMITTED SO WE CAN MERGE THE OTHER TWO FEES WITH THIS FOR A CORRECT TOTAL. PREVIOUS RECEIPT NO. ARE: A63-18276-W5268 AND A63-18292-W5287 AND THE NEW RECEIPT FOR \$2.00 IS A63-04655-W12347.

Comments:

Field Exam Date 2.2.05

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 52.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in SESE, S15.
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A 63- 4655

Owner: Earl / Marilyn Markes & George Davis Phone No. 888-2886 (Markes)

Current Address: 3410 Davis Dr. / 3440 Davis Ln Meridian 83642

- ☒ No change NAME IS THE SAME for Markes @ 3410 Davis Dr.
- ☒ NEW OWNER Cynthia R. Clapper (for 3440 Davis lane)
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date. Earl R. Markes & Emery S. Conner.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is:

10/1/1953

(If priority date, based on your exam, seems questionable, explain below.)

2 Affidavits submitted on 9/4/03 as evidence – from Earl R. Markes & Emery S. Conner. In addition, Ada County Assessor Land Records show that both houses were built in 1953 (enclosed).

Source: Ground Water

Tributary to

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

Well, pump, motor.**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☐ No change☐ Different UsesUse Irrigation From 3/1 To _____ Amount 0.02 CFS 4.5 AFAUse Domestic From _____ To _____ Amount 0.04 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Season of use is 3/1 to 11/15. $1 \text{ AC} \times 0.02 \text{ cfs/acre} = 0.02 \text{ cfs}$

$1 \text{ AC} \times 4.5 \text{ af/acre} = 4.5 \text{ af/annum}$ $(2 \text{ homes} \times 0.02 \text{ internal use} = 0.04 \text{ cfs})$

$\textcircled{v} 0.02 \text{ cfs} \times 1.9835 \times 260 \text{ days} = 10.3 \text{ af/annum}$

TOTAL VOLUME - Groundwater only☒ Incomplete on claim, the total is, Amount 0.06 CFS 4.5 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change

☐ Changes Exam found: Domestic # of homes 2 Stock # _____

Types _____ Additional comments: Domestic use is for 2 homes & does not include irrigation of lawn & garden.

PLACE OF USE:☐ No Change☒ Changes shown below:

According to 2003 Ada County Assessor's Land Records, Parcel No: S1215449070 has 0.59 acre and Parcel No: S1215449090 has 0.68 acre - for a total of 1.27 acres. After subtracting the two domestic homes, 1 acre of irrigable land remains.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1W	15																1	1.0

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: Unknown

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Domestic use is for 2 homes and does not include
irrigation of lawn & garden.

Quantity decreed for domestic use shall not exceed
13,000 gal/day.

Quantity decreed for domestic use is not a determination
of historical beneficial use.

Parcel Nos: S1215449070 & S1215449090.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2.2.05 (in office review)

FIELD EXAMINER: Kimberly Brown



Land Records

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Property Details for Parcel S1215449070

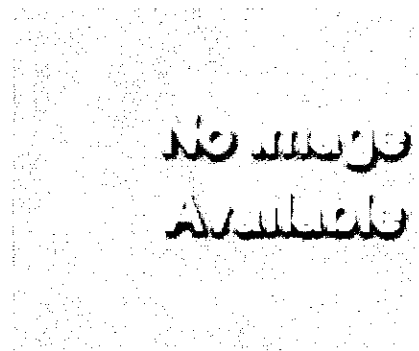
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General Information

Property Acres: 0.590
Zone Code: R1
Primary Code Area: 242 Tax Districts
Group Type: SECT
Subdivision: 3N 1W 15
Section: 3N1W15

Property Description

PAR #9070 OF SE4SE4
 SEC 15 3N 1W



Assessor Links

Property Address
 3440 W DAVIS LN
 MERIDIAN, ID 83642

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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	120-RESIDENTIAL TRACT	0.590	\$110,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$155,800	COST

Total Assessed Value: \$265,800

Parcel Valuation History

Assessed value for year 2004 \$265,800
Assessed value for year 2003 \$229,600
Assessed value for year 2002 \$223,900
Assessed value for year 2001 \$223,900
Assessed value for year 2000 \$205,100

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Property Characteristics

Residential
 Land

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Residential**Land****Residential Characteristics 1 for Parcel "S1215449070"**

Occupancy Date:	No Date Available
Year Built:	1953
Year Remodel:	0
Effective Age:	0
Construction Class:	5
Number of Bedrooms:	3
Number Bathrooms:	2.5
Number of Fireplaces:	2
Air Conditioning:	Y
Car Storage Sq Ft #1:	473
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	656
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	3442
Main Floor Sq Ft:	2461
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	820
Unfinished Lower Floor Sq Ft:	161
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Property Details for Parcel S1215449090

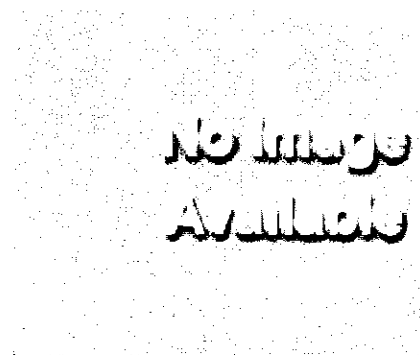
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General Information

Property Acres: 0.680
Zone Code: R1
Primary Code Area: 242 Tax Districts
Group Type: SECT
Subdivision: 3N 1W 15
Section: 3N1W15

Property Description

PAR #9090 OF SE4SE4
 SEC 15 3N 1W

**Assessor Links**

Property Address
 3410 W DAVIS LN
 MERIDIAN, ID 83642

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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	120-RESIDENTIAL TRACT	0.680	\$110,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$113,200	COST

Total Assessed Value: \$223,200

Parcel Valuation History

Assessed value for year 2004 \$223,200
Assessed value for year 2003 \$205,700
Assessed value for year 2002 \$200,300
Assessed value for year 2001 \$200,300
Assessed value for year 2000 \$177,800

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Residential
 Land

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Residential Characteristics 1 for Parcel "S1215449090"

Occupancy Date:	No Date Available
Year Built:	1953
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	2
Number Bathrooms:	1.0
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	576
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	500
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	2058
Main Floor Sq Ft:	2058
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18292

WATER RIGHT NUMBER: 63-18292

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE B DAVIS 3440 DAVIS LN MERIDIAN, ID 83642

Priority Date: 10/01/1953

Basis:

Status: Withdrawn

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.100 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 15, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	15																	X

Conditions of Approval:

Remarks:

- General THIS IS A WITHDRAWN CLAIM BECAUSE THERE IS A STATUTORY CLAIM PREVIOUSLY FILED APPURTENANT TO THIS PROPERTY. ORIGINAL RECEIPT NUMBER FOR THIS WAS W005287.

Comments:

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18276

WATER RIGHT NUMBER: 63-18276

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL MARKS 3410 DAVIS DR MERIDIAN, ID 83642 (208)888-2886

Priority Date: 10/01/1953

Basis:

Status: Withdrawn

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.100 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 15, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	15																	X

Conditions of Approval:

Remarks:

- General THIS IS A WITHDRAWN CLAIM BECAUSE THERE IS A PREVIOUS STATUTORY CLAIM FILED ON THIS PROPERTY. (A63-04655). SEE A63-04655. PREVIOUS RECEIPT NUMBER ON THIS WAS W5268.

Comments:

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4655

02/02/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~4655~~	~~Claim~~	~~03N~~	~~01W~~	~~15~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~2/2~~	~~MARILYN MARKS~~
~~4655~~	~~Water Right~~	~~03N~~	~~01W~~	~~15~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~2/2~~	~~GEORGE B DAVIS~~
29030	Water Right	03N	01W	15	SE	SE	1984	STOCKWATER R 1389330120		HARLEY WHITCOMB III <i>Town Rd.</i>
15723	Water Right	03N	01W	15	SE	SE	1978	DOMESTIC Parcel R 1389330180		HOWARD M MOORE <i>lot 10, Blk 2</i>
17009	Water Right	03N	01W	15	SE	SE	1978	DOMESTIC R 1389330070		STANLEY D BILLS <i>Town Rd.</i>
17041	Water Right	03N	01W	15	SE	SE	1979	DOMESTIC R 1389330060		BILL R HAMMONS <i>Town Rd.</i>
18881	Water Right	03N	01W	15	SE	SE	1983	DOMESTIC R 1389330090		GARY L ALBRIGHT <i>lot 1, Blk 2</i>
26146	Water Right	03N	01W	15	SE	SE	1973	DOMESTIC R 1389330020		GEORGE DILLARD <i>lot 4 Blk 2</i>
~~29030~~	~~Water Right~~	~~03N~~	~~01W~~	~~15~~	~~SE~~	~~SE~~		~~DOMESTIC~~		~~HARLEY WHITCOMB III~~
29717	Water Right	03N	01W	15	SE	SE	1990	DOMESTIC R 13889330140		ROBERTA H LA COSSE <i>lot 6 Blk 2</i>

No overlap - separate POUs

overlap review —

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4655**

02/02/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-4655~~	~~Claim~~	~~03N~~	~~01W~~	~~15~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~MARILYN MARKS~~
63-15723	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	HOWARD M MOORE
63-26146	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	GEORGE DILLARD
63-29030	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	HARLEY WHITCOMB III
63-29717	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	ROBERTA H LA COSSE
63-17009	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	ALBERTA BILLS
63-17041	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	BILL R HAMMONS
63-18276	Claim	03N	01W	15	SE	SE	Withdrawn	GROUND WATER	EARL MARKS
63-18292	Claim	03N	01W	15	SE	SE	Withdrawn	GROUND WATER	GEORGE B DAVIS
63-18881	Claim	03N	01W	15	SE	SE	diff. POA	GROUND WATER	SHARON MC CULLUGH
~~63-4655~~	~~Water Right~~	~~03N~~	~~01W~~	~~15~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~GEORGE B DAVIS~~
63-15723	Water Right	03N	01W	15	SE	SE		GROUND WATER	HOWARD M MOORE
63-26146	Water Right	03N	01W	15	SE	SE		GROUND WATER	GEORGE DILLARD
63-29030	Water Right	03N	01W	15	SE	SE		GROUND WATER	HARLEY WHITCOMB III
63-29717	Water Right	03N	01W	15	SE	SE		GROUND WATER	ROBERTA H LA COSSE
63-17009	Water Right	03N	01W	15	SE	SE		GROUND WATER	STANLEY D BILLS
63-17041	Water Right	03N	01W	15	SE	SE		GROUND WATER	BILL R HAMMONS
63-18881	Water Right	03N	01W	15	SE	SE		GROUND WATER	GARY L ALBRIGHT

No overlap - separate PODs.

Receipt Details for ID W012347

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/4/1990 2:57:56 PM	5/4/1990	Western	\$2.00	Cash
Payer	DAVIS, GEORGE B.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$2.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4655		\$2.00	Claim

Print Report

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-04655

March 2, 2004

Earl Marks called the office. Mr. Marks said that George Davis passed away about 15 years ago. According to Mr. Marks, the lot once owned by George Davis at 3440 Davis Lane is now owned by Cynthia Grouw; but she does not own the 80 acres once claimed by Davis. He also verified that the one well is still serving two houses; which are approximately 1 acre per lot.

I mentioned to Mr. Marks, in the chance that he speaks with Ms. Grouw, that she should file a *Change In Water Right Ownership* form with our department.

Kimberly Brown
Senior Water Resource Agent
Western Region

September 3, 2003

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

SEP 04 2003

WATER RESOURCES
WESTERN REGION

RE: Evidence of Priority, Snake River Basin Claim No(s): A63-4655

Attn: Kimberly L Brown
Water Resource Agent
Adjudication Bureau

As per your letter of August 26, 2003 requesting evidence supporting establishment of date of onset of beneficial use for the water as per claim A63-4655. I am herewith submitting two notarized affidavits which should firmly establish the date when water was first put to beneficial use.

Please advise if further action is required of me.

Sincerely,

Earl R Marks

Earl R. Marks
3410 Davis Lane
Meridian, ID 83642

Enc. (2): Affidavit from Emery S. Conner
Affidavit from Earl R. Marks

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-4655)

State of Idaho)
Ada Canyon)
September 4, 2003)

I, Earl R. Marks, confirmed by telephone with the Ada County Records Office that construction of my house at 3410 Davis Lane Meridian, Idaho, occurred in 1953.

Earl R. Marks
[Signature of affiant]

State of Idaho)
County of Canyon)
Dated: 9/03/03)

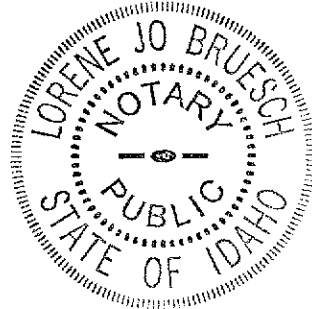
[Signature and seal of notary public]

Subscribed and sworn to before me this 3rd day of September, 2003.

Lorene Jo Bruesch
Notary Public

Residing at Nampa ID

My commission expires: 2/26/09

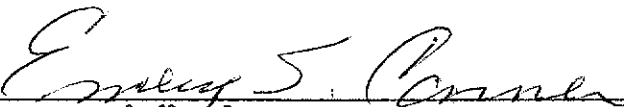


IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-4655)

State of Idaho)
Canyon Canyon)
September 4, 2003)

I, Emery S. Conner, am currently residing at 421 High Street in Nampa, Idaho. I am a retired building contractor. In 1953, in Ada County, Idaho, I contracted to build two houses at what is now called 3410 and 3440 Davis Lane in Meridian, Idaho. These two homes were originally built for George Davis and his mother-in-law, Florence Eggers.

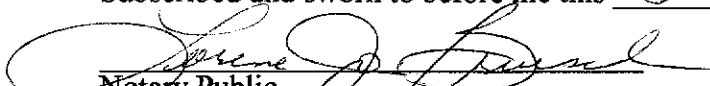
When we started construction, I noted the well to serve these two homes had already been drilled at the behest of George Davis. We were able to utilize water from this well for our construction requirements. My estimate of the time table for the construction was autumn of 1953.


[Signature of affiant]

State of Idaho)
County of Canyon)
Dated: 9/03/03)

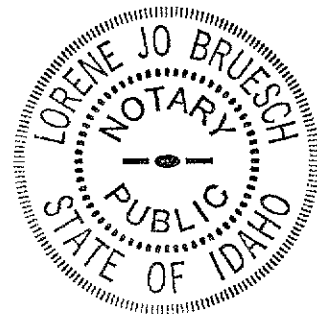
[Signature and seal of notary public]

Subscribed and sworn to before me this 3rd day of September, 2003.


Notary Public

Residing at Nampa ID

My commission expires: 2/26/09





Earl R. Marks
3410 Davis Dr.
Meridian, ID 83642-6450



Kimberly L. Brown, Water Resource Agent
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

EARL & MARILYN MARKS
3410 DAVIS DR
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4655

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by September 23, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



State of Idaho

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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

above.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4655

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

GEORGE B. DAVIS
3440 DAVIS LANE
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4655

Dear Claimant(s),

*3-2-04
According to Mr.
Markus, George Davis
passed away approx-
imately 15 years
ago & Cynthia Brown is
current owner of home.*

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

above.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4655

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

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: 3956
Ident. No.

RECEIVED
MAY 03 1990

Department of Water Resources
Western Regional Office

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

Please type or print clearly:

Name of claimant(s) EARL MARKS
MARILYN MARKS

Mailing Address
(including zip code) 3410 DAVIS DR
MERIDIAN IDAHO 83642

Phone Number (209) 888-2886

MICROFILMED
AUG 20 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

April 23, 1990

George B. Davis
3440 Davis Ln.
Meridian, ID 83642

Dear Mr. Davis:

I am writing in regard to our telephone conversation of this morning. I have found the claim filed by Earl Marks.

Since there is a previous water right, already filed by yourself that covers both of your uses, it is not necessary for each of you to file an individual claim. Therefore, I am sending along a claim withdrawal form which will allow us to delete the individual claim you filed, in favor of A63-04655 (the water right which is for both uses).

Each of you has paid \$25.00 for your claim filing. Since the early water right is for 2 acres of irrigation, I will need an additional \$2.00. This is because the fee for a claim containing irrigation is a flat rate of \$50.00 plus \$1.00 per irrigated acre, for a total of \$52.00. I will take the money you have already paid and put it toward the water right already filed.

Enclosed is a copy of the Notice of Claim to a Water Right, A63-04655, for the two domestic uses and the irrigation. All you need do with this is ensure its accuracy, sign it and have it notarized, and return to me with the additional \$2.00 fee, plus the claim withdrawal form.

If you have questions please feel free to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures
cc: Earl Marks

RECEIVED
MAY 03 1990

Department of Water Resources
Western Regional Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MICROFILMED
AUG 20 1992