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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: A77-04060
Date Received: 6/23/1988
Receipt No: N000323
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARY JOSEPHINE MOLTZEN 208-842-2362
Address: RED RIVER RANGER STATION
ELK CITY, ID 83525

2. Date of Priority: JUN 27, 1969

3. Source: SPRING Trib. to: CROOKED CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	08E	34	SE	SW	SW		IDAHO

5. Description of diverting works:
SPRING BOX 2'X3'X1'; RESERVOIR 35 GALLONS, PL PIPELINE 1" X 300'

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	08E	34	SW	SW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

NONE

14. Remarks:

RECORD OF PAST AND PRESENT USE IS ON FILE WITH THE USDA FOREST SERVICE, RED RIVER RANGER STATION, ELK CITY, ID 83525, BECAUSE THE SPRING BOX-RESERVOIR-PIPELINE ARE ON OR CROSS FEDERAL LAND REQ S.U. PERMIT

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 _____

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
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CIVIL CASE NUMBER: 39576

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NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED
JUN 24 1988

Department of Water Resources
Northern District Office

Please type or print clearly

1. Name of Claimant (s) Mary Josephine Moltzen Phone (208) 842-2362Mailing Address Red River Ranger Station, Elk City, ID Zip 835252. Date of Priority (Only one (1) per claim) June 27, 19693. Source of water supply (a) spring
which is tributary to (b) Crooked Creek4. Location of point of diversion is: Township 26N Range 8ESection 34, SE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,County of Idaho

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Spring box 2' x 3' x 1';
reservoir 35 gallons; plastic pipeline 1" x 300'

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

(Both dates are inclusive) (cfs)
For Domestic purposes from 1/1 to 12/31 amount 0.04

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) 1 Domestic

MICROFILMED

Copies: White-State, Yellow-Claimant

OCT 05 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

[illegible]

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

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

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

14. Remarks: Record of past and present use is on file with the USDA Forest Service, Red River Ranger Station, Elk City, Idaho 83525, because the spring box-reservoir-pipeline are on or cross federal land req S.U. Permit.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 77-4060

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 X do not ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) Mary Josephine Maltzen Date June 21, 1988
Date _____

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

of _____, Title _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent

Title and Organization	Date
------------------------	------

State of ~~Idaho~~/or Washington)
County of Spokane) SS.

Subscribed and sworn (or affirmed) before me this 21st day of June 19 88

SEAL

Notary Public *Deanna D. Sindler*

Residing at Spokane

My Commission Expires 6/15/91

Last Name MOLTZEN Ident No. A77-04060 Chapman State Univ. Claimant **MICROFILMED**

MICROFILMED

OCT 05 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

08/28/2000

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

RIGHT NUMBER: 77-4060

NAME AND ADDRESS: MARY JOSEPHINE MOLTZEN
776 N VERMONT ST
ARLINGTON, VA 22203

SOURCE: SPRING TRIBUTARY: Crooked Creek

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/27/1969

POINT OF DIVERSION: T26N R08E S34 SESWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC Within IDAHO County
T26N R08E S34 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 77-04060

RECEIVED

AUG 28 2000

WATER RESOURCES
WESTERN REGION

NAME AND ADDRESS: MARY JOSEPHINE MOLTZEN
~~RED RIVER RANGER STATION~~ 776 N. Vermont St.
~~ELK CITY, ID 83525~~ Arlington VA 22203

SOURCE: SPRING TRIBUTARY: CROOKED CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/27/1969

POINT OF DIVERSION: T26N R08E S34 SESWS Within Idaho County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Domestic 1 HOME 01-01 TO 12-31 0.04 CFS

PLACE OF USE: Domestic T26N R08E S34 SWS Within Idaho County

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B Wood
Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

To Whom It May Concern:

mailing
My address has changed. I am requesting that
you either send me the proper form for an
address change or that you correct your records
(see above).

Mary Jo Moltzen
8/22/00



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 28, 2000

MARY JOSEPHINE MOLTZEN
776 N VERMONT ST
ARLINGTON VA 22203

Re: Notice of Claim To A Water Right No. 77-04060

Dear Claimant:

Enclosed is a copy of the above referenced water right, which reflects your change in address.

Thank you for your patience in this process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Regional Office

DB:db

Enclosures

AJ0749NP
No. R77-04060

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

DATE: 12/02/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY JOSEPHINE MOLTZEN RED RIVER RANGER STATION ELK CITY ID 83525 (208) 842-2362	06/27/1969	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: CROOKED CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T26N R08E S34 SESWSW

IDAHO 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
26N	08E 34	:				:				:				:			
		:				:				:				:			

POU County: IDAHO

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. RP26N08E346310A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SPECIAL USE PERMIT FROM FOREST SERVICE.

Audit: 12/02/98 CWALKER

AJ5809NP
No. R77-04060

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY JOSEPHINE MOLTZEN RED RIVER RANGER STATION ELK CITY ID 83525 (208) 842-2362	06/27/1969	DOMESTIC	01-01 12-31	0.04 CFS	0.04 CFS
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: CROOKED CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T26N R08E S34

SESWSW

IDAHO 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	: 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 Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
26N	08E	34	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: IDAHO

Non-Irrigation Uses: DOMESTIC, 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: GEN PARCEL NO. RP26N08E346310A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SPECIAL USE PERMIT FROM FOREST SERVICE.

Audit: 12/01/93 DUNN1 03/30/95 POST-STD 11/08/98 AJU3-JSH



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dear Claimant:

We hereby acknowledge receipt of your Claim to a Water Right in the Snake River Basin Adjudication. It has been assigned the identification number listed on the enclosed receipt. Please refer to this number in any future correspondence.

You should have retained a copy of the claim for your records. If not, please notify this office.

Sincerely,

PATRICIA M. STYPA
Secretary/Office Coordinator

Enc. - Receipt

P.S. We note that you asked to receive copies of the docket sheet. In order to receive these copies, there is a fee of \$7.50 per year. If you still wish to receive docket sheets, please remit a fee of \$7.50.

MICROFILMED

OCT 05 1992



MICROFILMED
OCT 24 1996

WATER RIGHT NUMBER - A77-04060

PREFIX TRANSLATION: ADJUDICATION CLAIM

-----COMMENTS-----
NO COMMENTS FOUND

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

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 05/16/1986	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 06/23/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- N000323	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 26N08E346310 A

DATA ENTRY

ENTERED 12-1-93

CHECKED 3-31-94

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
DWR Records

VERIFIED

SEP 13 1992

CERTIFIED
MAR 29 1993
WATER EXAMINER

MICROFILMED
OCT 24 1996