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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 83-11972
Date Received: 4/19/2010
Receipt No: C091397
Received By:

25%

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK MAREK Phone: (208)289-4891

716 THREE BEAR RD
KENDRICK ID USA 83537

GAYLE MAREK Phone: (208)289-4891

716 THREE BEAR RD
KENDRICK ID USA 83537

RECEIVED
NOV 08 2010
DEPARTMENT OF
WATER RESOURCES

2. Date of Priority: 07/31/1891

3. Source: SPRING Trib. to: FREEMAN CREEK
SPRING CRABB CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
37N	01W	1	NE	NE		CLEARWATER	
37N	01E	6	NW	NW		CLEARWATER	
37N	01E	31	SW	SW		CLEARWATER	
37N	01E	31	NE	SW		CLEARWATER	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.05	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 105 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
37N	01W	1	SW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	NE	1 STOCKWATER	
			NW	NE	2 STOCKWATER	

11. Place of use in counties: CLEARWATER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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 X 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frank R. [Signature] Date: 6/20/10
Gayle Marek Date: _____

To Craig Saxton:

On the map I have numbered the 40 ac. Tracts 1-4 and will explain each one.

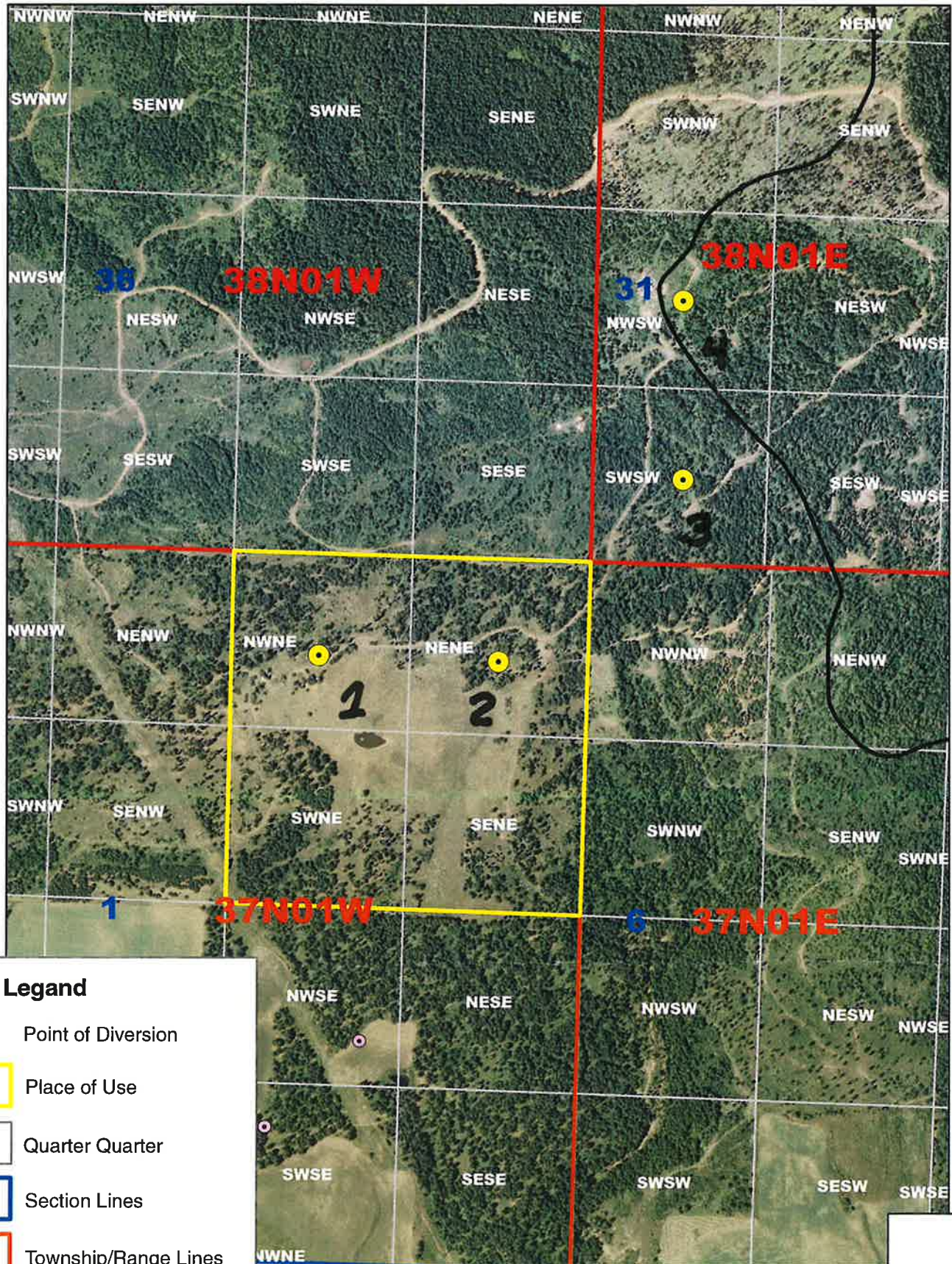
#1 is a pond which collects spring water year round. It has a 8" culvert for overflow and is a tributary to Louse creek

#2 is a pond which collects spring water year round. It has a 8" culvert for overflow and is a tributary to Freeman creek

3&4 are similar year round spring fed ponds with 8" over flow and are tributaries to Crabb creek

The reason for the different tributaries is this is on a mountain with a lot of water sources and we can avoid over pasturing by moving salt and minerals from place to place during pasturing season.

83-11972 Late Claim Reference Map 2009 Imagery



Legend

-  Point of Diversion
-  Place of Use
-  Quarter Quarter
-  Section Lines
-  Township/Range Lines
-  Basin Boundary

Point of diversion locations shown on map are intended to identify the 40 acre tract they are claimed in and not the actual location of the springs.





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 28, 2010

FRANK MAREK
GAYLE MAREK
716 THREE BEAR RD
KENDRICK ID 83537

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim 83-11972

Dear Mr. and Ms. Marek,

Initial review of SRBA claim 83-11972 has resulted in some questions. The claim appears to claim 4 springs as points of diversion (POD). Each spring falls within a separate 40 acre tract:

Township	Range	Section	Gov. Lot	QQ
37N	1W	1		NENE
		6		NWNW
		31		SWSW
		31		NESW

The claimed place of use (POU) indicates that the spring water is diverted and used for stockwatering purposes in 4 separate 40 acre tracts:

Township	Range	Section	Gov. Lot	QQ
37N	1W	1		SWNE
		1		SENE
		1	1	NENE
		1	2	NWNE

For your reference, I have attached a copy of claim 83-11972 and a map that displays the claimed POD's and POU.

As you can see, the POD and POU locations do not entirely match. First of all, I just want to confirm with that this is what you intended to claim. If it is, then I need to understand how the spring water is diverted and delivered to each place of use.

On the enclosed map, please indicate the location of each spring, and how the water is delivered to each place of use by drawing in ditches, pipelines, troughs, etc. Any detail you can add to help me understand how the spring water is delivered to the place of use and put to beneficial use will be helpful.

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 83-11972
Date Received: 4/19/2010
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**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

FRANK MAREK Phone: (208)289-4891
716 THREE BEAR RD
KENDRICK ID USA 83537

GAYLE MAREK Phone: (208)289-4891
716 THREE BEAR RD
KENDRICK ID USA 83537

2. Date of Priority: 07/31/1891

3. Source: SPRING Trib. to: FREEMAN CREEK
SPRING CRABB CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
37N	01W	1	NE NE	CLEARWATER	
37N	01E	6	NW NW	CLEARWATER	
37N	01E	31	SW SW	CLEARWATER	
37N	01E	31	NE SW	CLEARWATER	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)
A.F.A STOCKWATER	01/01	12/31	0.05	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 105 Range Cattle

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
37N	01W	1	SW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	NE	1	STOCKWATER	
			NW	NE	2	STOCKWATER	

11. Place of use in counties: CLEARWATER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

Form No.42-1409 (2)a (Internet)

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

Date Received:

Receipt No:

Received By:

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 19 2010

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Frank R (Tom) + Gayle Marek Phone 208 289 4891
Mailing Address 716 Three Bay Road Kendrick Id ZIP 83537
Street or Box City State
2. Date of Priority (Only one (1) per claim) July 31 1891
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) See Attached
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township _____, Range _____, Section _____,
See Attached 1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Clearwater

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4 of

_____, 1/4 Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

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JUL 22 2010

Last Name _____ Ident No. _____

6. Water is claimed for the following purposes: 84

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Stock water purposes from Jan 1 to Dec 31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .05 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 105 Range

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? Clear water

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

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: Owners Crabb-Stage-Adamson-Marek

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JUL 22 2010

Last Name _____ Ident No. _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____ Decree _____

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jay R. Mark Date: _____

Jay Mark Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

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

Signature _____

Address _____

Date _____

SCANNED

JUL 22 2010

Last Name _____ Ident No. _____

<u>SOURCE</u>	<u>TRIB</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
SPRING	FREEMAN (37N		1W	1 NENE
SPRING	FREEMAN (37N		1E	6 NWNW
SPRING	CRABB CRE 37N		1E	31 SWSW
SPRING	CRABB CRE 37N		1E	31 NESW

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JUL 22 2010

Accession/Serial #: IDIDAA 025978 **BLM Serial #:** IDIDAA 025978

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: GEORGE W CRABB

Survey

State: IDAHO

Acres: 159.8

Metes/Bounds: No

Title Transfer

Issue Date: 7/31/1896

Land Office: Idaho

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead Entry Original (12 Stat. 392)

Document Numbers

Document Nr.: 1498

Accession/Serial Nr.: IDIDAA 025978

BLM Serial Nr.: IDIDAA 025978

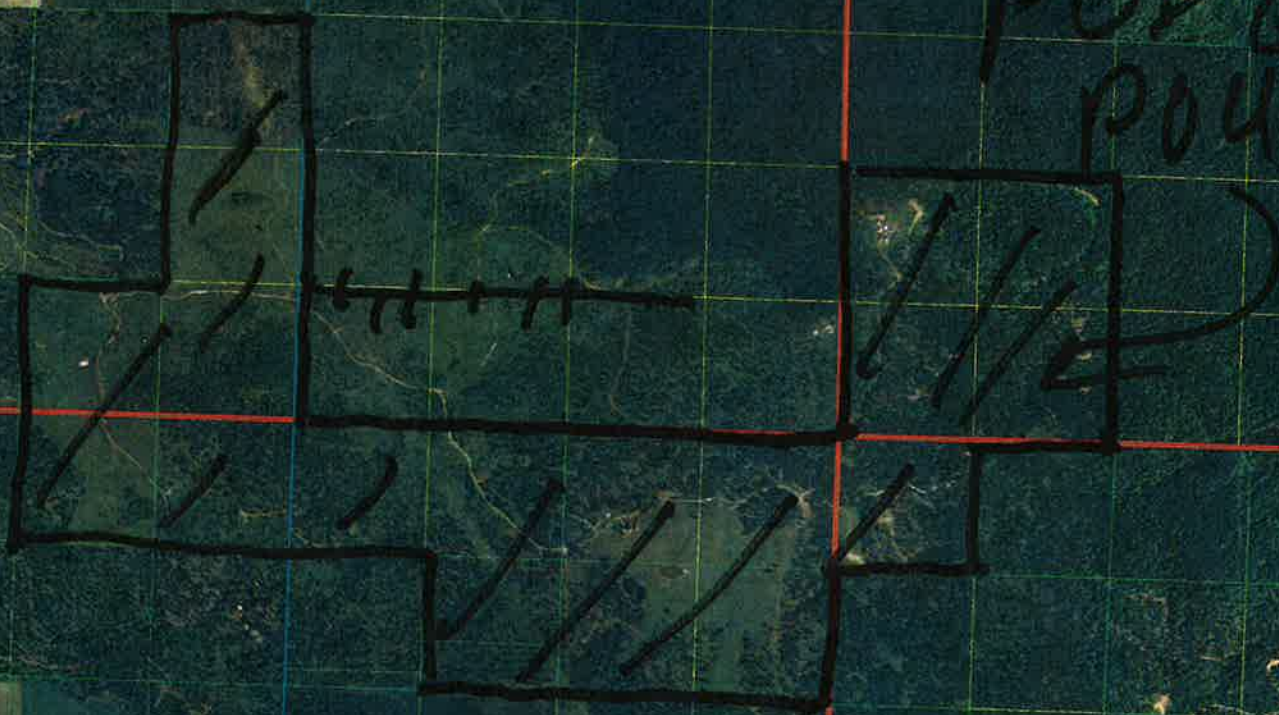
Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
S½NE	1/	37-N	1-W	No	Boise	ID	Clearwater	
1	1/	37-N	1-W	No	Boise	ID	Clearwater	
Remarks: LOT 1 OR NENE QUARTER								
2	1/	37-N	1-W	No	Boise	ID	Clearwater	
Remarks: LOT 2 OR NWNE QUARTER								

SCANNED

JUL 22 2010

SCANNED
JUN 22 2010

POD 8
POU



RECEIVED
JUL 22 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 21 2010	
By _____	Clerk _____
	Deputy Clerk _____

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

Subcases: 83-11972,
86-11988, 86-11989 & 86-11990

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIMS

On April 19, 2010, Frank R. (Tom) and Gayle Marek filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on July 20, 2010. These *Motions* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: July 21, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

SCANNED
JUL 22 2010

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIMS was mailed on July 21,
2010, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

FRANK R (TOM) MAREK
GAYLE MAREK
716 THREE BEAR RD
KENDRICK, ID 83537
Phone: 208-289-4891

SCANNED

JUL 22 2010

ORDER

Page 1 7/21/10

FILE COPY FOR 00051

Deputy Clerk

Julie Murphy

7-20-10

Hearing

RECEIVED

APR 19 2010

DEPARTMENT OF
WATER RESOURCES

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

Subcase 83-11972

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

SCANNED

APR 21 2010

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Frank R (Tom)/Gayle Marek

My address is 716 Three Bear Rd
Kendrick, Idaho 83537

My phone number is: 289-4891 Work same Home 289 4891

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

Deferred Water Right

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

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APR 21 2010

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

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APR 21 2010

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

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APR 21 2010

VERIFICATION (Must be completed)

State of IDAHO

County of KOOTENAI

FRANK MAREK & GAYLE MAREK, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

WE ARE IES S
That ~~I am~~ the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant^{IES} filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

[Signature]

Signature of person filing motion

[Signature]

Attorney signing in representative capacity

Subscribed and sworn to before me on MARCH 11, 2010
(Insert Date)



S Cooley-Denney

Notary Public for IDAHO

Residing at: COEUR D'ALENE, IDAHO

My Commission expires: 7-22-2014

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

SCANNED
APR 21 2010

CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

SCANNED
APR 21 2010

Signature of person or attorney mailing the form

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

88-11972

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Frank R (Tom) + Gayle Marek Phone 208 289 4891

Mailing Address 716 Three Bear Road Kendrick Id ZIP 83537
Street or Box City State

2. Date of Priority (Only one (1) per claim) July 31 1891
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) See Attached
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township _____, Range _____, Section _____,
_____, 1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Clearwater

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of

_____, 1/4 Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

Last Name _____ Ident No. _____

SCANNED
APR 21 2010

6. Water is claimed for the following purposes:

87

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Stock water purposes from Jan 1 to Dec 31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .05 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 105 Range

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? Clear water

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

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: Owners Crabb-Stage-Adamsen-Marek

SCANNED
APR 21 2010

Last Name _____ Ident No. _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____ Decree _____

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jenna R. [Signature] Date: _____

Dayle [Signature] Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

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

Signature _____

Address _____

Date _____

SCANNED

APR 21 2010

Last Name _____ Ident No. _____

<u>SOURCE</u>	<u>TRIB</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
SPRING	FREEMAN	137N	1W	1 NENE
SPRING	FREEMAN	137N	1E	6 NWNW
SPRING	CRABB CRE	37N	1E	31 SWSW
SPRING	CRABB CRE	37N	1E	31 NESW

SCANNED
APR 21 2010

Accession/Serial #: IDIDAA 025978 **BLM Serial #:** IDIDAA 025978

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: GEORGE W CRABB

Survey

State: IDAHO

Acres: 159.8

Metes/Bounds: No

Title Transfer

Issue Date: 7/31/1896

Land Office: Idaho

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead Entry Original (12 Stat. 392)

Document Numbers

Document Nr.: 1498

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BLM Serial Nr.: IDIDAA 025978

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
S½NE	1/	37-N	1-W	No	Boise	ID	Clearwater	
1	1/	37-N	1-W	No	Boise	ID	Clearwater	
Remarks: LOT 1 OR NENE QUARTER								
2	1/	37-N	1-W	No	Boise	ID	Clearwater	
Remarks: LOT 2 OR NWNE QUARTER								

SCANNED

APR 21 2010

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, April 27, 2010 7:56 AM
To: Fritschle, Carter; Courtney, Andrea; Kelly, Vicki
Subject: RE: Motion to File Late claim 83-11972

Gotchya. I know I had seen it both ways. One claim is just fine with me then. Thanks for helping with that Carter.

So we just need them to define the POU.

c

From: Fritschle, Carter
Sent: Tuesday, April 27, 2010 7:46 AM
To: Saxton, Craig; Courtney, Andrea; Kelly, Vicki
Subject: RE: Motion to File Late claim 83-11972

Craig,

We allowed multiple springs on a single claim if the springs supplied a "common pasture unit." Of course, we never really defined a common pasture unit, but as long as the person owned all the land for the PODs and POUs, we were not too concerned about it.

Carter

From: Saxton, Craig
Sent: Monday, April 26, 2010 2:11 PM
To: Courtney, Andrea; Kelly, Vicki
Cc: Fritschle, Carter
Subject: Motion to File Late claim 83-11972

Hello Everyone,

This e-mail is meant to provide additional information about this claim at the time the motion is heard by the court.

This claim appears to be a de minimus stockwater claim from springs. There are 4 points of diversions identified (assumed that means 4 springs). Unless the 4 springs are connected into a common system, there should be a separate claim for each spring.

However, I would love to hear if you agree with that Carter.

Thanks,
Craig

Saxton, Craig

From: Courtney, Andrea
Sent: Tuesday, April 27, 2010 7:51 AM
To: Saxton, Craig; Kelly, Vicki
Cc: Fritschle, Carter; Harris, Lori
Subject: RE: Motion to File Late claim 83-11972

Good options. I'll inquire at the hearing on the late claim(s) and keep you posted. Thx!

From: Saxton, Craig
Sent: Tuesday, April 27, 2010 7:49 AM
To: Courtney, Andrea; Kelly, Vicki
Cc: Fritschle, Carter; Harris, Lori
Subject: RE: Motion to File Late claim 83-11972

In addition, the POU is not defined on the claim. The claimant submitted an attachment that appears to describe certain parcels (perhaps BLM grazing lease), but it is not clear if the attachment is intended to describe the POU or if the POU is the same as the POD's.

This claim is incomplete.

Suggestions:

- 1) If this is a common system with 4 points of diversion, then the court could conditionally grant the motion on the condition that the claimant send the Department a revised completed claim.
- 2) If these are 4 separate springs with separate systems, this motion be denied and the application resubmit new motions with completed claims. Each claim should describe only one system.

Craig

From: Saxton, Craig
Sent: Monday, April 26, 2010 2:11 PM
To: Courtney, Andrea; Kelly, Vicki
Cc: Fritschle, Carter
Subject: Motion to File Late claim 83-11972

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Craig