

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 37-21267
Date Received: 2/11/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NOEL BRIGGS Phone: (208) 720-4578
PO BOX 2226
TWIN FALLS ID 83330

DAN ARRINGTON Phone: (208) 720-4578
PO BOX 2226
TWIN FALLS ID 83330

2. Date of Priority: 06/15/1891

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	18E	24	NE	NE		IRRIGATION	10
			SE	NE		IRRIGATION	10
						Section Acres	20
						Total Acres	20

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF DECREEED RIGHT 37-480 DEEDED TO STRICKER FROM HURST IN 1978. PLACE OF USE KNOWN AS LOTS 4,5, 6 OF DEAN RANCH SUBDIVISION.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2004

NOEL BRIGGS
DAN ARRINGTON
PO BOX 2226
TWIN FALLS ID 83303

Re: SRBA Claim(s) 37-353B, 37-7310, 37-21267

Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,



Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 20 2004

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-353B	37-353B	—			—
37-7310	37-7310	—			—
37-21267	37-21267	—			—
		—			—
		—			—

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts. *N/A per Jeanie @ T.F. office*
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Jeanne F. Stricker
10467 State Hwy. 75, Bellevue, ID 83313
4. New Owner/Claimant(s) Noel Briggs and Dan Arrington
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 200 E. 3000 S. P.O. 22286
- City, State and ZIP Code Wendell, ID. 83355 T.F. Id 83303
- New Telephone Number (208) 720-4578
5. Date you acquired the property 2.18.04

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Don Armstrong
(include title if applicable) Noel Briggs

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

Order No. 53664

WARRANTY DEED

FOR VALUE RECEIVED

JEANNINE STRICKER, as personal representative of the estate of **EDWARD W. STRICKER**, Deceased, and **JEANNINE STRICKER**, an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

NOEL BRIGGS, a married man as his sole and separate property and **DAN ARRINGTON**, a married man as his sole and separate property

GRANTEE(s) whose address is: **2050 E. 3000 S., Wendell, ID 83355**

the following described real property in **Blaine** County, Idaho, to wit:

Lots 4, 5 & 6 in Block 1 of DEAN RANCH SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 169670, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 11, 2004

Jeannine F. Stricker
JEANNINE STRICKER

Jeannine F. Stricker
as personal rep for
Edward W. Stricker

State of Idaho
County of Blaine

}
}ss.
}

On this 17th day of February, in the year 2004, before me, the undersigned, personally appeared **JEANNINE STRICKER**, known or identified to me to be the person whose name is subscribed to the within instrument as personal representative of the estate of **EDWARD W. STRICKER**, and acknowledged to me that she executed the same as such personal representative.

WITNESS my hand and official seal.

Melanie L. Holmes

Notary Public

Commission Expires: ~~4/3/2009~~ 2.25.08



State of Idaho
County of Blaine

}
}ss.
}

On this 17th day of February, in the year 2004, before me, the undersigned, personally appeared **JEANNINE STRICKER** known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

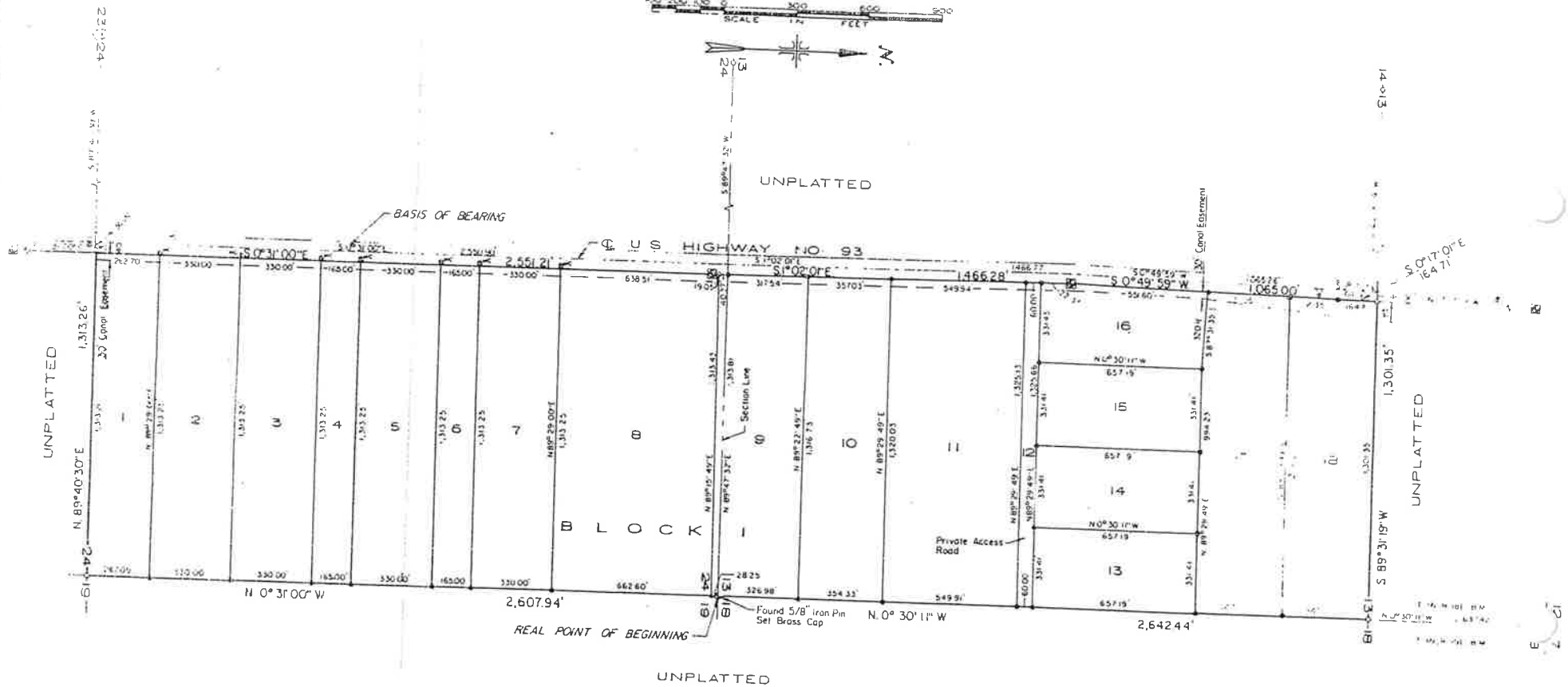
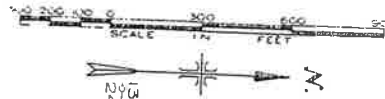
Melanie L. Holmes

Notary Public

Commission Expires: ~~4/3/2009~~ 2.25.08



PLAT SHOWING
DEAN RANCH SUBDIVISION
PORTIONS OF
THE E1/2 SE1/4, SECTION 13, AND E1/2 NE1/4, SECTION 24, T1N, R1BE, B.M.
BLAINE COUNTY, IDAHO
1975



LEGEND

- ⊙ Brass Cap
- Found Stone Monument
- ⊞ Found Highway R/W Monument
- 5/8" Found Iron Pin
- 5/8" x 30" Set Iron Pin
- Set 5/8" x 30" Iron Pin, Witness Corner 1000' West of Property Corner

STATE OF IDAHO) ss
COUNTY OF ADA)

I, Harold J. Cox, being first duly sworn, deposes and says that he is a professional engineer, licensed to practice by the State of Idaho, that he has compared the above copy with the original plat and that the same is a true and exact copy of said plat.

Subscribed and sworn before me this 23rd day of November, 1975.

Notary Public for Idaho My Commission Expires 2/1/79

J-U-B ENGINEERS, INC.
Engineers Planners
Boise, Idaho

SANTOBA TITLE CO., INC.
While this is a photographic reproduction of the recorded plat, this Company assumes no liability for variations, if any, with a re-survey.

RECEIVED

FEB 11 2004

Department of Water Resources
Southern Region

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 37-21267
Date Received: 2/11/2004
Receipt No: 5026474
Received By: DJ

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

1. Name of Claimant(s)

JEANNINE F STRICKER Phone: (208)788-6255
10767 STATE HWY 75
BELLEVUE ID USA 83313

2. Date of Priority: 06/15/1891

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01N	18E	24	NE NE	IRRIGATION	10
			SE NE	IRRIGATION	10
Section Acres					20
Total Acres					20

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF DECREEED RIGHT 37-480 DEEDED TO STRICKER FROM HURST IN 1978. PLACE OF USE KNOWN AS LOTS 4,5, 6 OF DEAN RANCH SUBDIVISION.

15. Basis of Claim: Decreed

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

Signature of Claimant(s): Jeannine J. Stricker Date: 2-11-04

_____ Date:

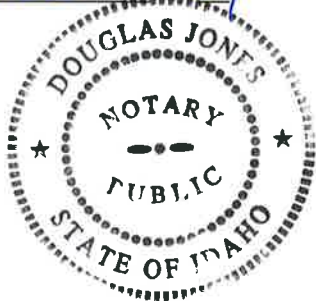
State of Idaho)
County of Twin Falls) SS.

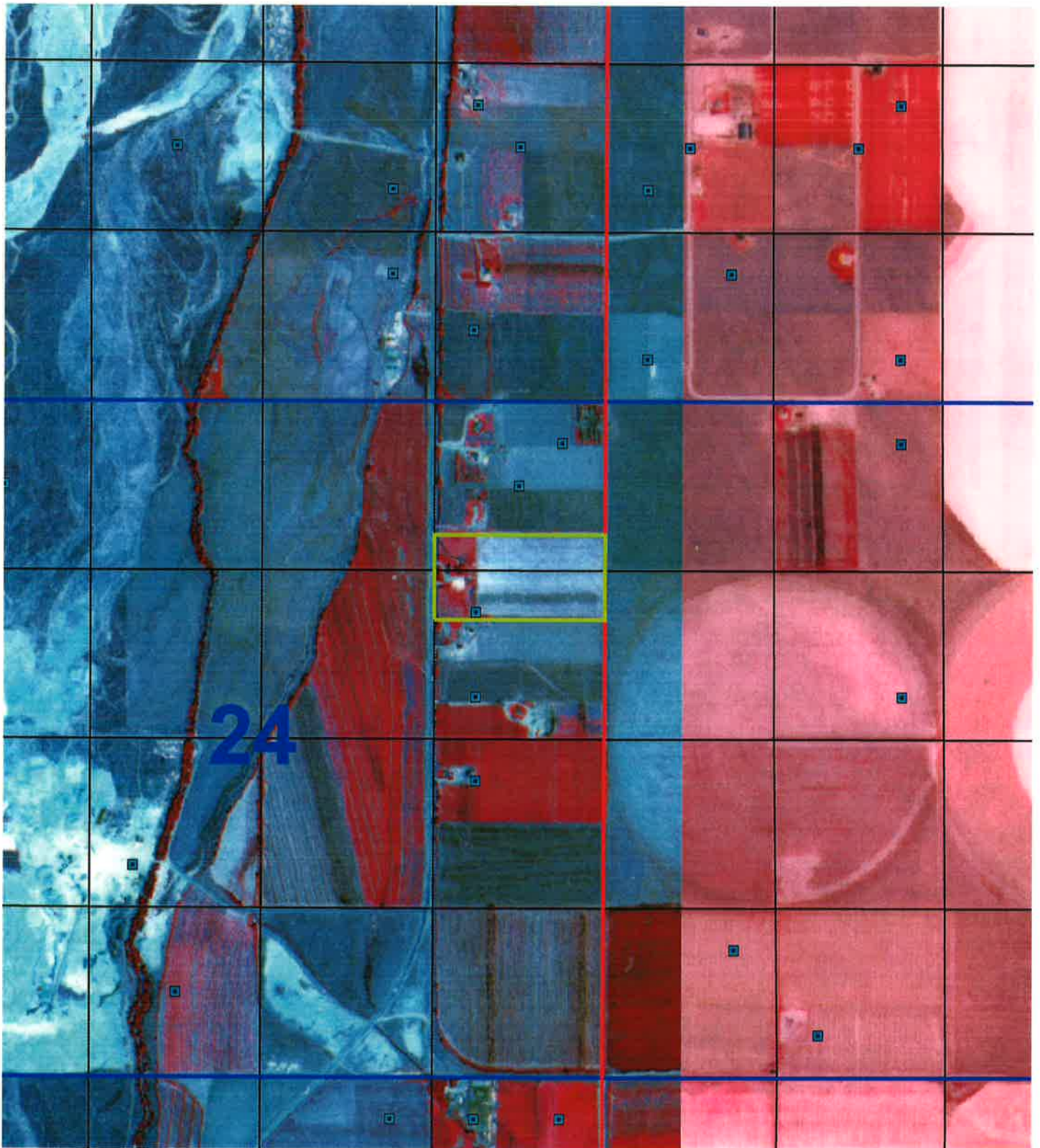
Subscribed and sworn (or affirmed) before me this 11th
of Feb 2004

Douglas Jones
Notary Public

Residing at 8/8/2007

My commission Expires Buhl ID





2640 0 2640 Feet



37-21267

2/2004
D. Jones

QUITCLAIM DEED

For Value Received LEONARD L. HURST, JR. and NINA J. HURST, husband and wife, Grantors,

do hereby convey, release, remise and forever quit claim unto EDWARD W. STRICKER and

BARBARA JEANINE STRICKER, husband and wife, Grantees, whose address is Route 1, Box 130, Bellevue, Idaho,

the following described premises situated in Blaine County, Idaho, to-wit:

Seventy-five (75) inches of the waters of Big Wood River, with date of priority of June 15, 1891, formerly appurtenant to lands owned by the Grantors in Section 1, Township 1 North, Range 18 East, B.M., to be appurtenant to lands owned by Grantees in Section 24, Township 1 North, Range 18 East, B.M., Blaine County, Idaho.

together with their appurtenances.

Dated:

Leonard L. Hurst, Jr.
Leonard L. Hurst, Jr.

Nina J. Hurst
Nina J. Hurst

STATE OF IDAHO, COUNTY OF BLAINE

On this 19th day of May, 1978, before me a Notary Public in and for said State, personally appeared LEONARD L. HURST, JR. and NINA J. HURST, husband and wife.

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

J. D. [Signature]
Notary Public

Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF BLAINE

I hereby certify that this instrument was filed for record at the request of *Steve Bollen*

at 50 minutes past 1:00 o'clock P.M., this 20 day of June 1978, in my office, and duly recorded in Book of Deeds at page

MARIE MEILYA
Ex-Officio Recorder

By *Mary [Signature]* Deputy.

Fees \$ *1.50*

Mail to:

Instrument No. 184168

12/11/2006

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

RIGHT NUMBER: 37-21267
NAME AND ADDRESS: NOEL BRIGGS
2050 E 3000 S
WENDELL ID 83355
DAN ARRINGTON
2998 APRIL DRIVE
TWIN FALLS ID 83301

REVISED

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.500 CFS

An undetermined portion of this right is allowed for conveyance loss in the District Canal.

PRIORITY DATE: 06/15/1891

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.500 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S24	NENE	0.30	T01N R18E S24	SENE	0.10
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0.4 ACRES TOTAL

Right Nos. 37-353B and 37-21267 are limited to the irrigation of a combined total of 0.4 acres in a single irrigation season.

The place of use is a portion of the lawn and trees located on the west end of Lot 5 of the Dean Ranch Subdivision.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a portion of former Right 37-480.



Idaho Department of Water Resources

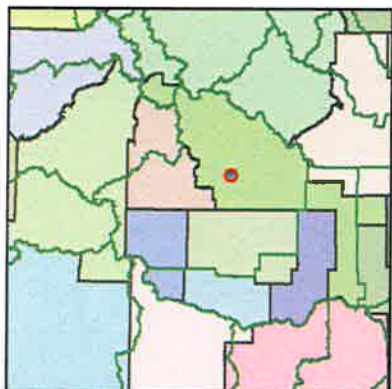
SRBA Recommendation:

37-353b, 37-21267

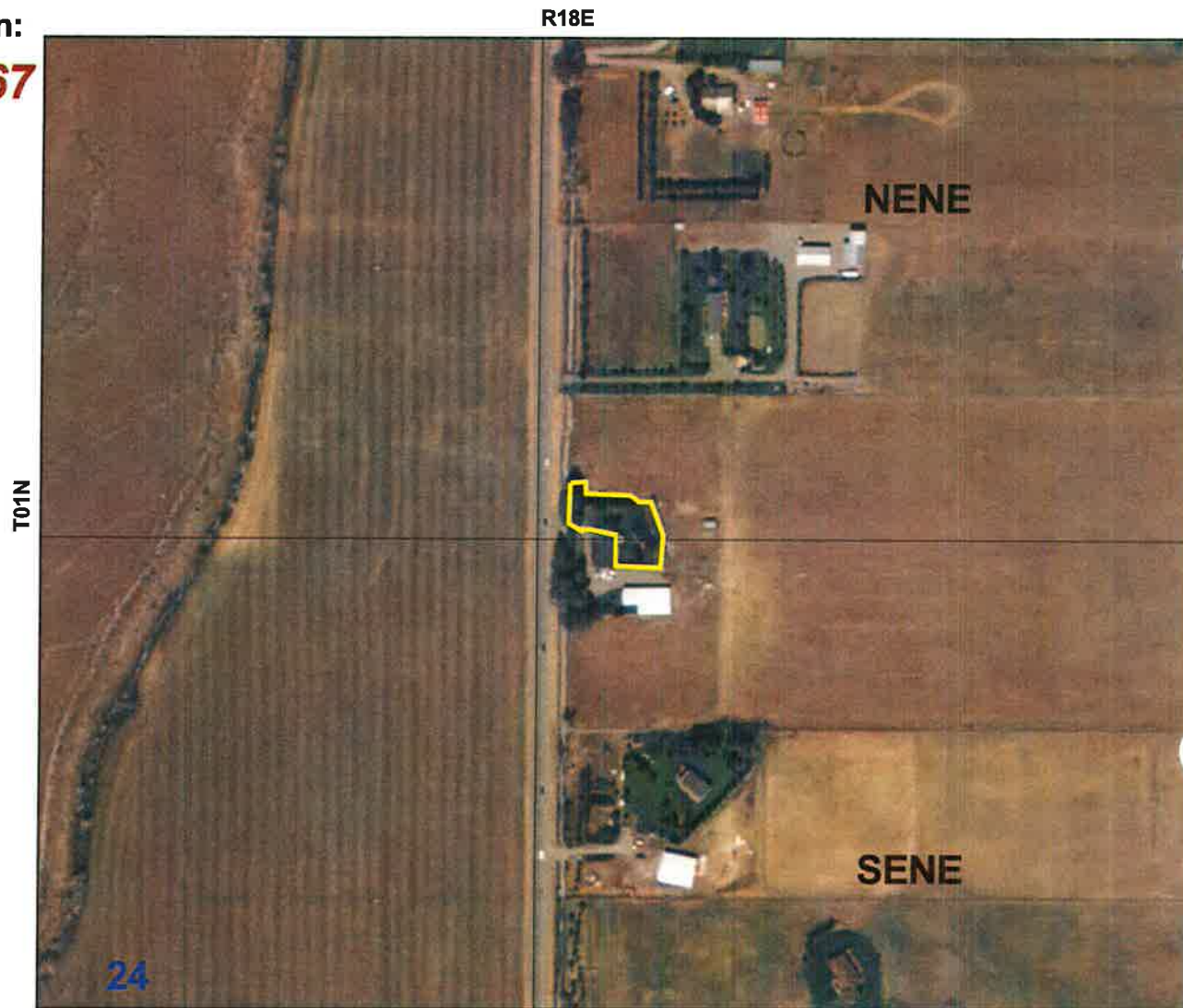
(Irrigation)

Legend

-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by J. Stanton
On Monday, December 11, 2006
2004 Aerial Photography

Owner: Noel Briggs/Dan Arrington

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

11/21/2006

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: 12/13/2006

Water right number: 37-21267

NOEL BRIGGS

~~2998 APRIL DRIVE~~

~~TWIN FALLS ID 83330~~

Telephone Number: (208) ~~720-4578~~

DAN ARRINGTON

2998 APRIL DRIVE

TWIN FALLS ID 83301

Telephone Number: (208) ~~720-4578~~

2050 E. 3000 S.
Wendell, ID. 83355

536-2985
Cell 539-2985

733-4494
Cell 539-4495

RECEIVED

DEC 07 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

NO BENEFICIAL USE

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

BENEFICIAL USE

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

This water right represents 75 inches of water from the Big Wood River with
A June 15, 1891 priority date. This is also recognized by Water district No. 37, 37M, and 45
They send a water bill each year, thus having it on record.

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

DATE: 11/30/06

SIGNATURE:

Dan Arrington

Please print your name:

DAN ARRINGTON

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Jim

SCANNED

DEC - 5 2006

11/20/2006

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

RIGHT NUMBER: 37-21267
NAME AND ADDRESS: NOEL BRIGGS
2998 APRIL DRIVE
TWIN FALLS ID 83330

DAN ARRINGTON
2998 APRIL DRIVE
TWIN FALLS ID 83301

DISALLOWED

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 1.500 CFS
PRIORITY DATE: 06/15/1891
POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24	NENE	10.00	T01N R18E S24	SENE	10.00
---------------	------	-------	---------------	------	-------

20 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM -

This claim is a portion of former Right 37-480.

No beneficial use found.