

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 37-22043
Date Received: 8/5/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

JAMES R SUPER Phone: (208)788-7731
PO BOX 598
BELLEVUE ID 83313

JANET A SUPER Phone: (208)788-7731
PO BOX 598
BELLEVUE ID 83313

2. Date of Priority: 06/12/1886

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:

DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.25	

7. Total Quantity Appropriated is:
0.25 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	SE	IRRIGATION	17.3
					Section Acres	17.3
					Total Acres	17.3

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:

COPIED FROM REMARKS CLAIM 37-11688:
OTHER WATER RIGHTS USED - 37-11689. THIS THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-353.

8/05/2003: CLAIM 37-11688 WAS SPLIT BY OWNERSHIP INTO 37-21145 (FOSNOT) AND 37-21146 (GOWEN). NOTE THAT THERE ARE 2.7 ACRES IN THE NWNESE SEC 24 THAT ARE NOT OWNED BY FOSNOT BUT INCLUDED IN THIS CLAIM. CURRENT OWNER OF 2.7 ACRES IS MARK SWENKE PO BOX 3630 HAILEY. SEE 37-11689B AND WDEED WITH THAT CLAIM. - VH

This right is a split from former right 37-21145.

15. Basis of Claim: Decreed

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

RECEIVED**DEC 11 2006**

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

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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
	37-31145	✓			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) Robert Earl Fosnot & Paul Fosnot
Hailey, ID & Pomona, CA
4. New Owner/Claimant(s) James A & Janet A Super
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 598
- City, State and ZIP Code Bellevue, ID 83316
- New Telephone Number () 788-7731
5. Date you acquired the property 8-23-2002

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 _____

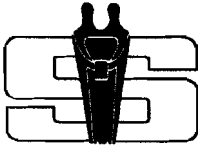
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) John R. Sney
(include title if applicable)

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 <u>JS</u>	Date <u>12-4-06</u>	Fee <u>-</u>
Receipted by <u>-</u>	Date <u>-</u>	Receipt No. <u>-</u>
Processed by <u> </u>	AJ Date <u> </u>	WR <u> </u> Date <u> </u>



Instrument # 469668

HAILEY, BLAINE, IDAHO

2002-08-23

04:16:00 No. of Pages: 2

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

RECEIVED

DEC 03 2003

Department of Water Resources
Southern Region

WARRANTY DEED

For Value Received **ROBERT E. FOSNOT and LEANORA LEIGH FOSNOT, husband and wife**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **JAMES R. SUPER and JANET A. SUPER, husband and wife**

the Grantee whose current address is: **10783 HWY 75, BELLEVUE, ID 83313**

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

Parcel Number: **01N18024075AA**

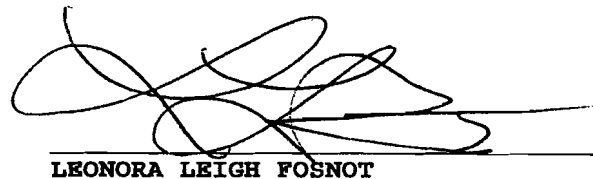
SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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

Dated: **August 22, 2002**



ROBERT E. FOSNOT



LEANORA LEIGH FOSNOT

State of **IDAHO**

ss.

County of **BLAINE**

On this 23rd day of August, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT E. FOSNOT and LEANORA LEIGH FOSNOT

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument

LEGAL DESCRIPTION

Order Number: 02011064

Township 1 North, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 24: A parcel of land more particularly described as follows:

Commencing at an iron pin marking the East 1/4 corner of said Section 24;
which is also the REAL POINT OF BEGINNING;

Thence South 0°31'00" East, 664.5 feet along the East boundary of said Section 24 to an iron pin;

Thence South 89° 43'23" West, 1313.3 feet to a point on the East boundary of U.S. Highway No. 93;

Thence North 0° 31'00" West, 305.68 feet along said East boundary of U.S. Highway No. 93;

Thence North 89°29'00" East, 327.85 feet to an iron pin;

Thence North 1°38'00" East, 357.94 feet to an iron pin;

Thence North 89°40'30" East, 971.93 feet to the TRUE POINT OF BEGINNING

12/26/2006

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

RIGHT NUMBER: 37-22043

NAME AND ADDRESS: JAMES R SUPER
PO BOX 598
BELLEVUE ID 83313

JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.250 CFS

PRIORITY DATE: 06/12/1886

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	0.250 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NESE 16.00

16 ACRES TOTAL

Right Nos. 37-21147 and 37-22043 are limited to the irrigation of a combined total of 16 acres in a single irrigation season.

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 split from former right 37-353 and former claim 37-21145.



Idaho Department of Water Resources

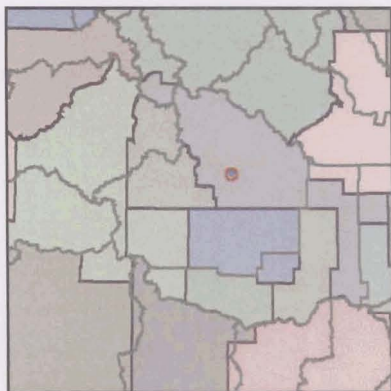
SRBA Recommendation:

37-22043

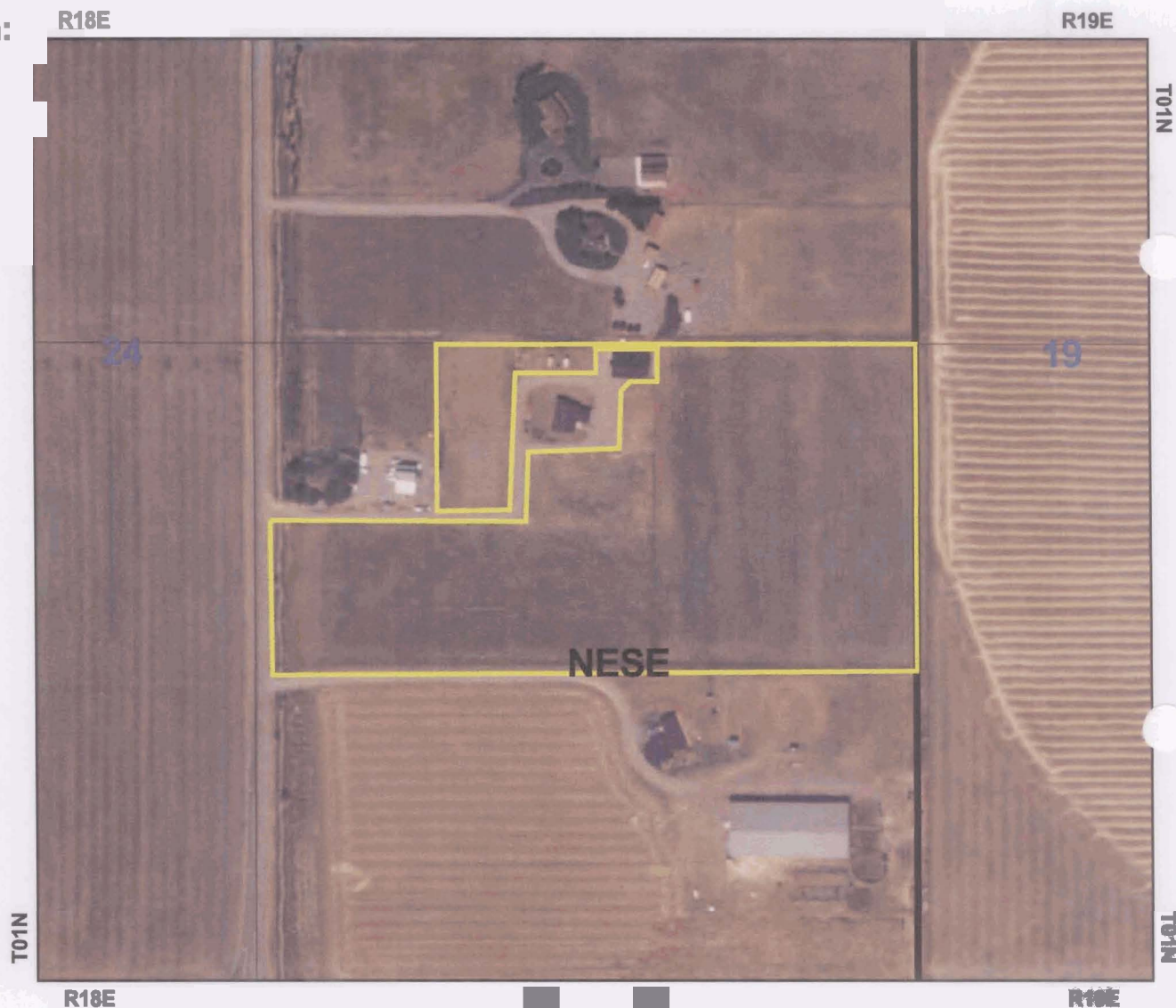
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by J. Stanton
On Tuesday, December 26, 2006
2004 Aerial Photography

Owner: James R Super

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