

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: **A37-00353**
Date Received: 9/20/1988
Receipt No: S002332
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JUDITH P GRIGSBY 208-788-4454
Address: PO BOX 254
BELLEVUE ID 83313

2. Date of Priority: JUN 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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITSCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.300		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	NE	NE		IRR	10.0
			NE	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

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:
WELL PERMIT #37-8012

14. Remarks:

SPLIT INTO 37-0353A & 37-0353B BY TRANS. 2948.
IDWR NOTE:STOCKWATER P/U OVERLAPS ACRES WITH A37-08012 CLAIM.

OWNERSHIP CHANGE MADE 2-28-95 BY TLB, PETERSON-OLD OWNER,
BICK-NEW OWNER. BOTH SIGNATURES AND QUITCLAIM DEED INCLUDED.

3/7/2000 TF; OWNERSHIP CHANGED BICK TO GRIGSBY PER 1409(6) AND
DEEDS REC'D 2/11/2000.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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

RECEIVED
FEB 11 2000
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page
 Incomplete forms will be returned.

1. Water Right Number(s) _____
 Adjudication Claim Number(s) A37-00353, A37-08012
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former J. Karl Bick and Judith G. Bick
 Owner/Claimants _____
4. New Owner/Claimant(s) Judith P. Grigsby
 Name connector (check one): [] AND, [] OR, [] AND/OR
 New Mailing Address Post Office Box 254
 City, State and ZIP Code Bellevue, Idaho 83313
 New Telephone Number (208) 788-4454
5. Date you acquired the property April 17, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Judith P. Grigsby Date 9 Feb 2000
 Owner/Claimant(s) _____
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), of Idaho Code. Section 42-248 requires certain property holders to notify the Department of water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right. During an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed Claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believe there are Water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190
IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033
IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450
IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

READ AND APPROVED 

Order No. 24148

WARRANTY DEED

FOR VALUE RECEIVED

J. KARL BICK, an unmarried man

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

JUDITH P. GRIGSBY, an unmarried woman

GRANTEE(s) whose address is: P.O. Box 254, Bellevue, ID 83313

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

AN UNDIVIDED 1/2 INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

Lot 8B in Block 1 of DEAN RANCH SUBDIVISION, LOT 8 AMENDED, 1979, according to the official plat thereof, recorded as Instrument No. 197927, records of Blaine County, Idaho.

SUBJECT TO: Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.

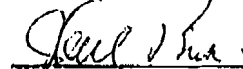
Underground Power Line Easement in favor of Idaho Power Company, recorded October 5, 1981, as Instrument No. 219921.

Underground Power Line Easement in favor of Idaho Power Company, recorded October 5, 1981, as Instrument No. 219922.

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: April 17, 1998


J. KARL BICK

State of Idaho

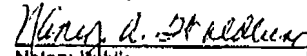
}

County of Blaine

}ss.

On this 17th day of April, in the year 1998, before me, the undersigned, personally appeared J. KARL BICK, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Nancy A. Woldberg
Notary Public
Commission Expires: 9-7-99

J:\scrowl\forms\wd

QUITCLAIM DEED

1. Wavelength/Orbitals

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: A37-08012
Date Received: 9/18/1988
Receipt No: S002329
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. PETERSON 200-788-4367
Address: BOX 1702
HAILEY, ID 83333

AND

Name: JOYCE M. PETERSON 200-788-4367
Address: BOX 1702
HAILEY, ID 83333

2. Date of Priority: JUN 02, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	24	NE	NE	NE		BLAINE

5. Description of diverting works:
WELL--145' DEEP, WITH PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.170		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

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

9. Non-irrigation uses:
D/1 HOUSE, S/5 HORSES.

A37-08012

Page 1

Date: 01/31/89

Accepted and Approved

Accepted and Approved

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	10E	24	NE	NE		IRR	5.0
			NE	NE		DOMEST	
			NE	NE		STOCK	

Section Acres 5.0

Total Acres 5.0

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:

20" OF BIG WOOD RIVER WATER, DOP OF 06/12/86.

14. Remarks:

15. Basis of Claim: PERMIT

Accepted and Approved

Accepted and Approved

COPY
DO NOT RETURN

Exhibit A to Quit Claim Deed-Order #24148

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: A37-00353
Date Received: 9/20/1980
Receipt No: S002332
Received By: R. V. JV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. PETERSON 208-788-4367
Address: P.O. BOX 1702,
HAILEY, ID 03333

2. Date of Priority: JUN 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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.300		
STOCKWATER	01/01	12/31	0.190		

0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/S HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	NE	NE		IRR	10.0
			NE	NE		STOCK	

Section Acres . 10.0

A37-00353

Page 1

Date: 01/31/89

Accepted and Approved

Accepted and Approved

10. Place of Use: Continued

Total Acres . 10.0

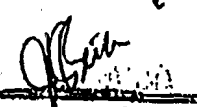
11. Place of use in counties: BLAINE

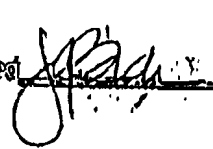
12. Do you own the property listed above as place of use? YES

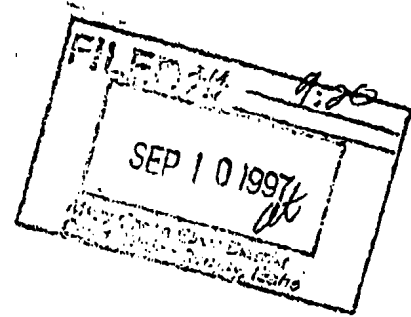
13. Other Water Rights Used:
WELL PERMIT #37-8012

14. Remarks:
SPLIT INTO 37-0353A & 37-0353B BY TRANS. 2940.
IDWR NOTE: STOCKWATER P/U OVERLAPS ACRES WITH A37-00012 CLAIM.

15. Basis of Claim:

Accepted and Approved 

Accepted and Approved 

COPY**LUBOVISKI, WYGLE, FALLOWFIELD
& WILLIAMSON**Suite 205, The Station
460 Sun Valley Road
P.O. Box 1172
Ketchum, Idaho 83340
Tel: 208/726-8219
Fax: 208/726-3750

Attorneys for Plaintiff

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

MAGISTRATE DIVISION

JUDITH G. BICK,

Plaintiff,

v.

J. KARL BICK,

Defendant.

Case No. CV-97-3881

DECREE OF DIVORCE

THIS CAUSE coming on regularly to be heard this 10 day of September, 1997,
the Plaintiff appearing with her attorney of record, Janet C. Wygle of Luboviski, Wygle,
Fallowfield & Williamson, P.A., Ketchum, Idaho, and the Defendant not appearing by
counsel or otherwise, and it further appearing to the Court that the Defendant is not in the
Armed Services of the United States and is over the age of majority and is a fully
competent person, and the Court having considered the Stipulation of the parties, and the
Plaintiff having been sworn and examined, finds and concludes as follows:

DECREE OF DIVORCE/1

LUBOVISKI, WYGLE,
FALLOWFIELD &
WILLIAMSON, P.A.
ATTORNEYS AT LAW
P.O. BOX 1172
KETCHUM, ID 83340-1172

1. The Court, being fully apprised in the premises, finds that the Plaintiff and Defendant are husband and wife, and that Plaintiff and Defendant are bona fide residents of the State of Idaho, and have been for more than six (6) weeks prior to the filing of this action.

2. The Court further finds that during the marriage of the parties irreconcilable differences have arisen which establish sufficient grounds for dissolving the marriage.

3. The Court further finds that there are no children of this marriage and that the Plaintiff is not now pregnant.

4. The Court further finds that the Plaintiff and the Defendant have entered into a mutually satisfactory Marital Settlement Agreement dated September 9, 1997, a copy of which is attached hereto as Exhibit "A". The Marital Settlement Agreement, Exhibit "A" hereto, is fair and equitable and is hereby approved by this Court.

NOW, THEREFORE, on motion of Janet C. Wygle, attorney for Plaintiff, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. That the bonds of matrimony now existing between the Plaintiff and Defendant are dissolved and held for naught; that the Plaintiff is relieved from the obligations thereof; and that the Plaintiff is absolutely divorced from the Defendant.

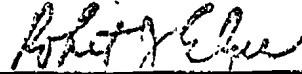
2. All of the provisions of the Marital Settlement Agreement attached hereto as Exhibit "A" are hereby approved. The terms and conditions of the Marital Settlement Agreement are incorporated into and merged with this Decree of Divorce and the Court shall retain the power and authority to enforce the provisions of this Agreement.

LUBOVISKI, WYGLE,
FALLOWFIELD &
WILLIAMSON, P.A.
ATTORNEYS AT LAW
P.O. BOX 1172
KETCHUM, ID 83340-1172

DECREE OF DIVORCE/2

3. The Plaintiff shall hereafter be entitled to use the name JUDITH GRIGSBY as her legal name for all purposes.

DATED this 10 day of September, 1997.


Robert J. Elgeel
Magistrate Judge

STATE OF IDAHO } ss
County of Blaine }

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, duly filed for record.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

this 10 day of Sept 19 97

MARY GREEN DA Journ
Clerk District Court Debut

LUBOVISKI, WYGLE,
FALLOWFIELD &
WILLIAMSON, P.A.
ATTORNEYS AT LAW
PO. BOX 1172
KETCHUM, ID 83340-1172

DECREE OF DIVORCE/3

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: **A37-00353**
Date Received: 9/20/1988
Receipt No: S002332
Received By: _____

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

1. Name: J KARL BICK
Address: PO BOX 2014
SUN VALLEY ID 83353

AND/OR

Name: JUDITH G BICK
Address: PO BOX 2014
SUN VALLEY ID 83353

2. Date of Priority: JUN 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 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITSCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.300		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES

UNRECORDED
NOV 22 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	24	NE	NE	IRR	10.0
			NE	NE	STOCK	
					Section Acres	10.0
					Total Acres	10.0

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:
WELL PERMIT #37-8012

14. Remarks:
SPLIT INTO 37-0353A & 37-0353B BY TRANS. 2948.
IDWR NOTE:STOCKWATER P/U OVERLAPS ACRES WITH A37-08012 CLAIM.

OWNERSHIP CHANGE MADE 2-28-95 BY TLB, PETERSON-OLD OWNER,
BICK-NEW OWNER. BOTH SIGNATURES AND QUITCLAIM DEED INCLUDED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

VS

Decree 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 do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

MICROFILMED
NOV 22 1996

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

NOV 22 1996

Date: 03/01/95

QUITCLAIM DEED

FOR VALUE RECEIVED

John R. Peterson and Joyce M. Peterson, husband and wife

do(es) hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

J. Karl Bick and Judith G. Bick, husband and wife

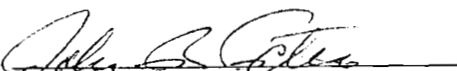
whose address is: P. O. Box 2014, Sun Valley, ID 83353

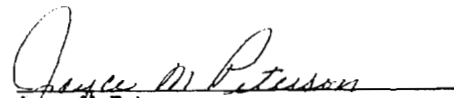
the following described premises situated in Blaine County, Idaho, to wit:

The Snake River Basin Adjudication of Rights Under Identification Nos. 37-00353 and 37-08012 a copy of which is attached hereto as Exhibit "A" and made a part hereof.

together with their appurtenances.

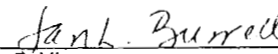
Dated: November 3, 1993

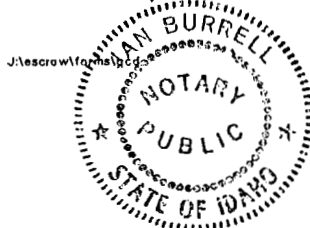

John R. Peterson


Joyce M. Peterson

State of Idaho
County of Blaine

On this November 4, 1993, before me, a notary public in and for said State, personally appeared **John R. Peterson and Joyce M. Peterson** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public
Residing at Halley
Commission Expires: 2-18-98



MICROFILMED
NOV 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

NOV 08 1993

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot 8B, Block, 1, Subdivision/Townsite Dean Ranch.

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A37-08012 and A37-00353

☐ Name and Address of Former
Owner/Claimant(s)(Seller): John R. Peterson and Joyce M. Peterson

P. O. Box 1702

Hailey, ID 83333

☐ New Owner/Claimant
(Purchaser): J. Karl Bick and Judith G. Bick

☐ New Mailing Address: P. O. Box 2014
Sun Valley, ID 83353

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s) J. Karl Bick Date 11-4-93

Judith G. Bick Date 11-4-93

☐ Signature of Former
Owner/Claimant(s): John R. Peterson Date 11-4-93

Joyce M. Peterson Date 11-4-93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 2-1-95 By: HLB

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date 3-1-95 By: HLB

Claim Numbers of Split, if any:

MICROFILMED

NOV 22 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



November 5, 1993

State of Idaho
Department of Water Resources
1301 North Orchard - Statehouse Mail
Boise, ID 83720-9000

RECEIVED
NOV 10 1993
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Re: Order No. 19228

Lot 8B Block 1 Dean Ranch Subdivision Lot 8 Amended
Bick/Peterson

Dear Ladies,

In connection with the above mentioned order please find attached copies/originals of the following documents:

<u> x </u>	Notice of Change of Water Right Ownership. ORIGINAL
<u> x </u>	Quitclaim Deed.

If you have any questions, please feel free to call me.

Sincerely,

SAWTOOTH TITLE COMPANY


Jan L. Burrell
Vice President

JLB/nls

Attachment(s)

MICROFILMED
NOV 22 1993

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: A37-00353
Date Received: 9/20/1988
Receipt No: S002332
Received By: R. V. JV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. PETERSON 208-788-4367
Address: P.O. BOX 1702,
HAILEY, ID 83333

2. Date of Priority: JUN 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
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITSCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.300		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	NE	NE		IRR	10.0
			NE	NE		STOCK	

Section Acres 10.0

A37-00353

Page 1

Date: 01/31/89

MICROFILMED
NOV 22 1996

10. Place of Use: Continued

Total Acres 10.0

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:

WELL PERMIT #37-8012

14. Remarks:

SPLIT INTO 37-0353A & 37-0353B BY TRANS. 2948.

IDWR NOTE: STOCKWATER P/U OVERLAPS ACRES WITH A37-08012 CLAIM.

15. Basis of Claim:

MICROFILMED
NOV 22 1996

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: A37-08012

Date Received: 9/18/1988

Receipt No: S002329

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. PETERSON 208-788-4367
Address: BOX 1702
HAILEY, ID 83333
AND
Name: JOYCE M. PETERSON 208-788-4367
Address: BOX 1702
HAILEY, ID 83333

2. Date of Priority: JUN 02, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	24	NE	NE	NE		BLAINE

5. Description of diverting works:
WELL--145' DEEP, WITH PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.170		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 HORSES.

A37-08012

Page 1

Date: 01/31/89

MICROFILMED
NOV 22 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	18E	24	NE		NE		IRR	5.0
			NE		NE		DOMEST	
			NE		NE		STOCK	
							Section Acres	5.0
							Total Acres	5.0

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:

20" OF BIG WOOD RIVER WATER, DOP OF 06/12/86.

14. Remarks:

15. Basis of Claim: PERMIT

Copy
DO NOT RETURN

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: A37-00353
Date Received: 9/20/1988
Receipt No: S002332
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R. PETERSON 208-788-4367
Address: P.O. BOX 1702,
HAILEY, ID 83333

2. Date of Priority: JUN 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 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITSCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.300		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	24	NE	NE		IRR	10.0
			NE	NE		STOCK	

Section Acres 10.0

A37-00353

Page 1

Date: 01/31/89

MICROFILMED
FEB 22 1989

10. Place of Use: Continued

Total Acres 10.0

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:
WELL PERMIT #37-8012

14. Remarks:
SPLIT INTO 37-0353A & 37-0353B BY TRANS. 2948.
IDWR NOTE:STOCKWATER P/U OVERLAPS ACRES WITH A37-08012 CLAIM.

15. Basis of Claim:

MICROFILMED
FEB 22 1993

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
FEB 22 1993

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: 39356
Ident. Number A37-00353
Date Received 9-13-88
Receipt Number 5002332

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) John R. & Joyce M. Peterson Phone (208) 788-4367

Mailing Address P.O. Box 1702, Hailey, Idaho 83333 Zip _____

2. Date of Priority (Only one (1) per claim) June 12, 1886

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 2 N Range 18 E Section 36,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Blaine

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., 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. Wood River Irrigation District -
headgate, canal, unnamed lateral ditch

MICROFILMED
FEB 22 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct. 1 amount 0.3 or _____

For Stockwater purposes from Jan 1 to Dec 31 amount 0.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.8 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 5 horses

10. 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	18E	24	10																10

Total number of acres irrigated 10

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

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.

Well permit #37-8012

or None ()

14. Remarks:

MICROFILMED
FEB 22 1993

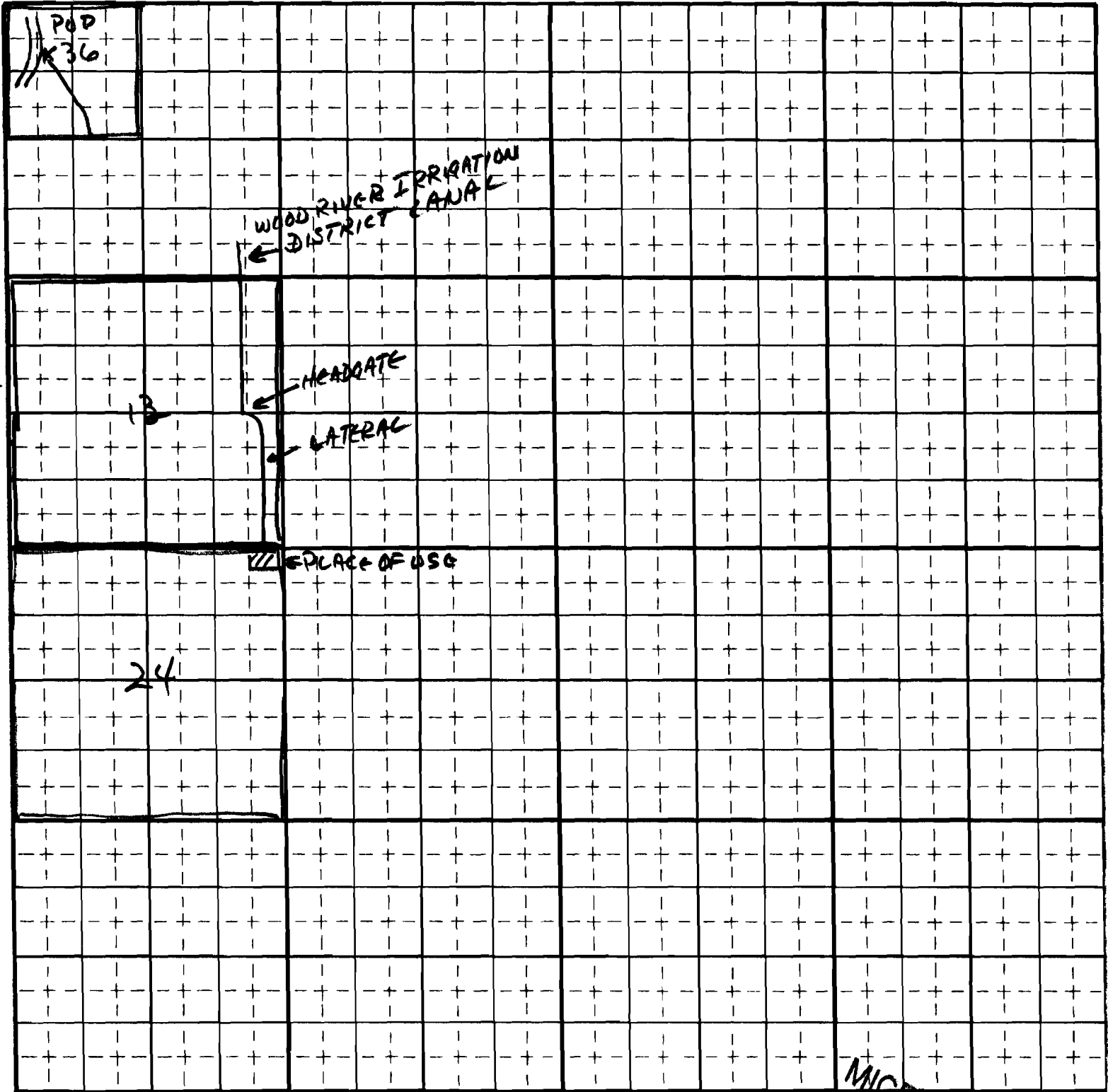
Last Name Peterson Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 18 E



MICROFILMED
FEB 22 1993

Last Name Peterson Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-0353
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant Frost Decree

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

Signature of Claimant (s) John R. Soter Date 9/12/88
James M. Peterson Date 9-12-88

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, 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 _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 12th day of SEPTEMBER 19 88

SEAL

Notary Public Daniel P. Cropper

Residing at Hailey

My Commission Expires 7/30/92

Please Print Name

17. 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 _____

MICROFILMED
FEB 22 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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

This right is a portion of former Right 37-353.

11/20/2006

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

RIGHT NUMBER: 37-353

NAME AND ADDRESS: JUDITH P GRIGSBY
PO BOX 254
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESEWN Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/15	0.020 CFS
IRRIGATION	04/15 10/15	0.400 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NENE 6.90

STOCKWATER in BLAINE County

T01N R18E S24 NENE

6.9 ACRES TOTAL

Rights 37-353 and 37-8012 when combined shall not exceed the irrigation of 6.9 acres.

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

The place of use is further described as Lot 8B of the Dean Ranch Subdivision.

This right is a portion of former Right 37-353.



Idaho Department of Water Resources

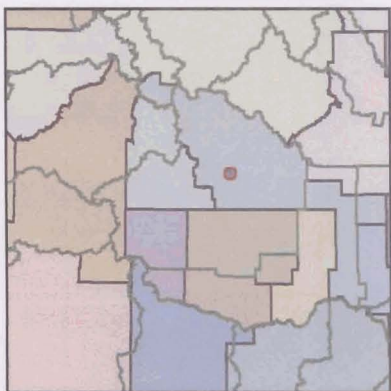
SRBA Recommendation:

37-353

(Irrigation & Stockwater)

Legend

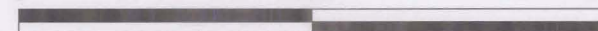
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Owner: Judith P Grigsby

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

Prepared by J. Stanton
On Monday, November 20, 2006
2004 Aerial Photography



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

March 7, 2000

KARL J. DREHER
DIRECTOR

JUDITH P GRIGSBY
PO BOX 254
BELLEVUE ID 83313

RE: SRBA Claim(s) A37-00353, A37-08012

Dear Ms. Grigsby:

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 record 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,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

cc: James P. Speck

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

February 10, 2000

RECEIVED

FEB 11 2000

**Department of Water Resources
Southern Region**

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**Re: Notice of Change of Water Right Ownership
A37-08012 and A37-00353**

Dear Allen:

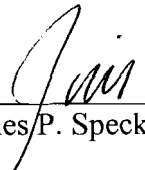
I represent Judy Grigsby in the above-referenced water right claims. Enclosed you will find a Notice of Change of Water Right Ownership for Water Right No. A37-08012 and A37-00353 together with attachments. Please call me if you have any questions about this Notice. If not, kindly send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

JPS:jal
enclosures
cc: Client (w/encls.)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1999

Lee Peterson, Watermaster
Water District 37
P.O. Box P
Shoshone, Idaho 83352

RECEIVED
DEC 28 1999
Department of Water Resources
Southern Region

Re: Assessment of Claims to Right No. 37-00353 (Frost Decree – James Johnson)

Dear Lee:

You have requested guidance from the Department of Water Resources on which claimants to parts of Right No. 37-00353 should be included in the Water District 37 "Decree Book." Claims to various parts of the right have been filed in the Snake River Basin Adjudication. The claims, in total, exceed the decreed amount of the right. Some of the new claimants were not previously identified in the Water District records as having an ownership interest in the water right and have not been previously assessed by the Water District. Some of the claimants not previously identified in the Water District's records have called for water delivery based upon their claims. It is my understanding that the right is delivered by the Water District to the head of the District 45 canal along which most of the claimants are located. Because the Water District does not control delivery from the canal, your records do not verify use of water under the rights by the claimants.

Based upon this understanding Water District 37 should include in its Decree Book each of the water users claiming a part of Right No. 37-00353 that have demonstrated a probable ownership. Those having a probable ownership in the right include:

a. Water users listed in the Water District Records as having an ownership interest. These include:

1. Gardner	180 inches
2. Fosnot	20 inches
3. Grigsby (formerly Bick)	20 inches
4. Kantenwein	10 inches
5. Oppenheimer	20 inches
6. Stricker	20 inches
7. Driever	10 inches

Lee Peterson, Watermaster
December 20, 1999
Page 2

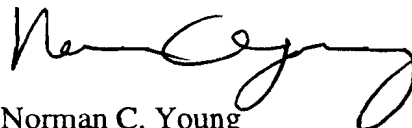
It is my understanding that the Water District Records also at one time listed Robert Keirstad as the owner of 40 miners inches. Because Mr. Keirstad has not filed a claim in the SRBA, the county records cast doubt on his continued ownership of any of the right, and he has not called for water for many years, I suggest that Mr. Keirstad not be listed in the Decree Book until these issues are resolved.

b. Claimants not previously listed in the Water District records which have now filed a claim in the SRBA and for which IDWR has entered a preliminary order in response to a petition for distribution by the watermaster. Olsen Livestock Consulting falls into this category.

Other claimants who have not demonstrated a probable ownership to a part of the right, even though they have claims pending in the SRBA, should not be include in the Decree Book until such time as the court confirms their right or IDWR has entered a preliminary order recognizing, at least for the interim period prior to action by the court, that a probable ownership exists by the claimant. The claims filed by Ziker, Price, and Goicoechea are in this category. Ziker has a pending petition calling for distribution of water and has supplied some ownership information. If an order to deliver results from the petition, Ziker should then be included in the Decree Book.

At this time the claimants calling for water that have demonstrated a probable ownership in the right do not exceed the amount of the right. It is easy to see that this will not be the case if all existing claimants call for delivery of water. The preliminary order entered in response to the Olsen Livestock Consulting petition indicates that the amount of water would be prorated among all the claimants if others demonstrate probable ownership to the amounts they are claiming. It is important that all claimants be advised of petitions calling for water under the new claims to allow them to participate in administrative actions. IDWR will provide copies of all preliminary orders to all claimants. Action to resolve the matter in the SRBA is still off in the future because the preliminary Director's Report for Basin 37 is scheduled to be available in December 2002.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman C. Young', with a stylized, flowing script.

Norman C. Young
Administrator
Water Management Division

~~A37-00353~~	BICK, J KARL	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	BICK, JUDITH G	C				4 STOCK
A37-00353A	SPLIT RIGHT,	C	06/12/1886	/Z	BIG WOOD RIVER	1 IRR
					SPL IT RI GHT	
A37-00353B	STRICKER, EDWARD W	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	STRICKER, JEANNINE	C				4 STOCK
A37-00353C	SPLIT RIGHT,	C	06/12/1886	/Z	BIG WOOD RIVER	1 IRR
					SPL IT RI GHT	
A37-00353D	GARDNER, ROBERT	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	GARDNER, KATHRYN	C				
A37-00353E	OPPENHEIMER JR, HARRY	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353F	ZIKER TRUSTEE, RICHARD	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	ZIKER TRUSTEE, PAULA	C				
A37-00353G	DRIEVER, DOUGLAS	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353H	KANTENWEIN, REID	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353J	OLSEN LIVESTOCK CONSUL	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353K	PRICE, SHERRY	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	PRICE, BRUCE	C				
A37-00353L	GOICOECHEA, TOM	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	GOICOECHEA, ANNETTE	C				

Claimants Name:

Judy Grigsby
P.O. Box 254
Bellevue, ID 83313

RECEIVED

JUL 15 1998

Department of
Southern Region

Attorney Name & Address:

James P. Speck
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752

**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

)
)
) **NOTICE OF APPEARANCE**
)
)
)

DESCRIPTIVE SUMMARY

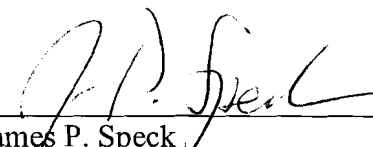
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation hereby enters its appearance on behalf of Claimant, Judy Grigsby, for the following water right claims which are not the subject of any Subcases: A37-08012 and ~~37-00353~~.

DATED this 14th day of July, 1998.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of July, 1998, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

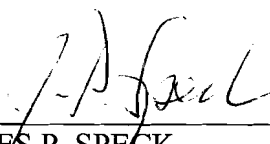
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Environmental and Natural Resources
Division
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JAMES P. SPECK

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

July 14, 1998

RECEIVED
JUL 15 1998
Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

Re: Notice of Appearance - Water Right Nos. A37-08012 and A37-00353

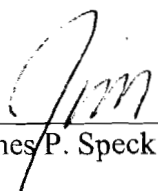
Dear Allen:

I represent Judy Grigsby In the above-referenced water right claims. Enclosed you will find a Notice of Appearance from my firm as attorney of record in the SRBA for Judy Grigsby. Please call me if you have any questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosure
cc: Natural Resources Division, w/encl.
The US Dept. of Justice, w/encl.
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TRANSMITTAL COVER SHEET

TO: RANDI @ SPECK'S OFFICE

fax 726-0752

TOTAL PAGES SENT: 15

(including cover sheet)

DOCUMENT DESCRIPTION: SRBA CLAIM A37-13063 (ORIGINAL CLAIM)

AND A37-00353 (ORIGINAL CLAIM) ALONG WITH 07/22/97

ORDER REGARDING DELIVERY OF WATER RIGHT 37-00353
FROM:

IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

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SENDER:

Corey Skinner

COMMENTS:

TIME : 10/09/1998 08:36
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

TRANSMISSION VERIFICATION REPORT

10/09 08:31
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00:05:09
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STANDARD
ECM

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

A37-00353

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

JUL 24 1997
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF A CALL FOR)
DELIVERY OF WATER RIGHT NO.)
37-0353 TO OLSEN LIVESTOCK)
CONSULTANTS, INC.)
_____)

PRELIMINARY ORDER

Scott Campbell, an attorney representing Olsen Livestock Consultants, Inc., requested delivery of 0.40 cfs (20 miners inches) of water from the Big Wood River under water right No. 37-0353. After reviewing the files and records of the Department, Water District 37, and Blaine County, the Department of Water Resources enters the following Findings of Fact, Conclusions of Law, and Preliminary Order.

FINDINGS OF FACT

1. Water Right No. 37-0353 was decreed to James Johnson in the case of S. C. Frost, et al vs. Alturas Water Co., et al. The right is for 6.4 cfs to be diverted from the Big Wood River for irrigation of the E1/2SE1/4 of Section 13 and the E1/2NE1/4, Section 24, T1N R18E, B.M., Blaine County (approximately 160 acres). The water right has been diverted into the Wood River Valley Irrigation District No. 45 canal located within the SW1/4NW1/4, Section 36, T2N, R18E, for delivery to users of the water. The priority of right No. 37-0353 is June 12, 1886.

2. The decreed place of use for right No. 37-0353 was divided in the early 1970's into an 18 lot subdivision known as the Dean Ranch Subdivision. The records of the Department and Water District 37 indicate that right No. 37-0353 was appurtenant to and used upon the decreed place of use up to the time the land was subdivided and on some of the subdivision lots and other land each year thereafter. Lot 2, Block 1 of the subdivision has not been irrigated for more than 10 years as evidenced by a review of aerial photographs and other information available to the department.

3. Olsen Livestock Consultants, Inc. claims ownership of Lot 2, Block 1, Dean Ranch Subdivision. The deeds in the chain of title filed with Blaine County for this lot from the creation of the subdivision to the present are summarized as follows:

- a. M.D. and Katherine Dean deeded Lot 1 (approximately 8 acres) and Lot 2 (approximately 10 acres) with appurtenances to Charles A. and Debra Anne Curtis on November 1, 1974. Appurtenant water rights were not specifically described.

- b. Charles A. and D. Anne Curtis deeded Lot 1 with appurtenances to Robert E. Fosnot on October 19, 1978. Appurtenant water rights were not specifically described.
 - c. Charles A. and Debra Anne Curtis deeded Lot 2 with appurtenances to Dean R. and Judene Call on December 5, 1978. A water right with an 1887 priority date for 20 inches was specifically included.
 - d. Dean R. and Judene Call deeded Lot 2 with appurtenances to Robert D. and Sharyl M. Head on August 5, 1991. A water right with an 1887 priority date for 20 inches was specifically included.
 - e. Robert D. and Sharyl M. Head deeded Lot 2 with appurtenances to Olsen Livestock Consultants, Inc. on September 25, 1996. Appurtenant water rights were not specifically described.
4. Blaine County does not have any record of deeds transferring title of any part of Water Right No. 37-0353 separately from the appurtenant land during the time period of December 15, 1969 (date land was deeded to M. D. Dean) to November 1, 1974 (the date of the initial sale of Lot 1 and 2).
5. Water District 37 records list the following as the current owners of water right No. 37-0353:
- a. Harry L. Oppenheimer (20 miners inches) based upon a letter dated October 27, 1977 from M. D. Dean confirming the sale of the water to Jerry Lee Johnson, a February 16, 1978 warranty deed from Jerry Lee Johnson to Marvin Lotspeich, and a 1980 warranty deed from Marvin Lotspeich to Harry L. Oppenheimer.
 - b. Robert Kierstad (40 miners inches) based upon an October 28, 1977 letter from M. D. Dean confirming sale of water to Mr. Kierstad.
 - c. Ed Stricker (20 miners inches) based upon an October 29, 1977, letter from M. D. Dean confirming sale of the water to Mr. Stricker.
 - d. Gus Chek (10 miners inches) based upon a November 1, 1977, letter confirming sale of 20 inches of water to Mr. Chek. Mr. Chek subsequently sold 10 inches to Douglas Driever.
 - e. Douglas Driever (10 miners inches) based upon an October 4, 1991 letter from Gus Chek confirming sale of the water and Transfer No. 3679 approved by the department.

- f. Robert Gardner (180 miners inches) based upon a June 25, 1982 letter from M. D. Dean confirming sale of the water to Mr. Gardner.
- g. J Karl Bick (20 miners inches) based upon a June 25, 1982 letter from M. D. Dean to John Peterson and a quit claim deed dated November 3, 1993 from John Peterson to J Karl Bick.
- h. Robert Fosnot (20 miners inches) based upon Transfer No. 2948 approved by the department.

6. The records of Water District 37 list a current owner for all 6.4 cfs (320 miners inches) of right No. 37-0353. Olsen Livestock Consultants, Inc. is not listed as a current owner by the water district. The watermaster records indicate that an assessment has not been paid for delivery of water for use on Lot 2, Block 1, Dean Ranch Subdivision since 1982 or earlier.

7. The following have claimed portions of right 37-0353 in the Snake River Basin Adjudication (SRBA):

- a. A37-0353 J. Karl & Judith G. Bick 20 miners inches
(This claim was originally filed by John Peterson.)
- b. A37-0353B Edward & Jeannine Stricker 20 miners inches
- c. A37-0353D Robert & Kathryn Gardner 180 miners inches
- d. A37-0353E Harry L. Oppenheimer, Jr. 20 miners inches
- e. A37-0353F William R. Long 10 miners inches
- f. A37-0353G Douglas Drierer 10 miners inches
(This is one half of claim A37-0353C filed by Gus Chek.)
- g. A37-0353H Reid Kantenwein 10 miners inches
(This is one half of claim A37-0353C filed by Gus Chek.)
- h. A37-0353J Tom Olsen 13.5 miners inches
- i. A37-11688 Paul R. & Robert E. Fosnot 20 miners inches
(This claim is based upon water right No. 37-0353.)

8. The SRBA claims on file total 303.5 miners inches.

9. The Water District 37 records show that Wood River Valley Irrigation District No. 45 has paid the Water District 37 assessments for 1997 for Gus Chek and for 1996 and 1997 for Robert Kierstad.

10. The Department, Water District 37, and Blaine County records do not show the transfer of an 1887 water right to Lot 2, Block 1, Dean Ranch Subdivision.

11. Water District 37 has been active each year since 1974 and earlier.

12. Rule 104 of the "Rules of Procedure of the Idaho Department of Water Resources", IDAPA 37.01.01, authorize the department to initiate a formal proceeding by issuing an informal determination that will become final in the absence of further action by the person(s) to whom the document is addressed.

CONCLUSIONS OF LAW

1. Water right No. 37-0353 has not been forfeited as evidenced by the Water District 37 records of delivery and use, although use has not occurred on Lot 2, Block 1 Dean Ranch Subdivision for many years.

2. Lot 2, Block 1 Dean Ranch Subdivision was included in the decreed place of use of water right No. 37-0353. Unless a change in place of use was made in accordance with a valid transfer procedure, water right No. 37-0353 is prorated uniformly to the place of use; i.e., 2 miners inches to each acre of the place of use, Crow v. Carlson, 107 Idaho 461 (1984).

3. A water right is an appurtenance to the land and passes by conveyance of the land unless it was specifically reserved in the deed or it can be clearly shown that it was known to both parties that the water right was not intended to be conveyed. Russell v. Irish, 20 Idaho 194, 118 P. 501 (1911). Because the 1974 deed from M. D. and Katherine Dean to Charles A. and Debra Anne Curtis did not specifically reserve water rights from the sale, a proportionate share of water right 37-0353 remained appurtenant to the parcel. Deeds and letters confirming the sale of portions of the decreed water right issued by M. D. Dean subsequent to the 1974 deed to Curtis purporting to convey water rights could not have moved the water right from Lot 2.

4. The reference to an "1887" water right in the chain of title to Lot 2, Block 1, Dean Ranch Subdivision, appears to be a typographical error in describing the appurtenant May 12, 1886 priority water right because documentation has not been found to associate an 1887 priority water right with Lot 2, Block 1, Dean Ranch Subdivision. The inclusion of this reference to a water right in the deed to Mr. Call indicates that Mr. Curtis understood that a water right was appurtenant to Lot 2, Block 1, Dean Ranch Subdivision.

5. Section 42-607, Idaho Code, provides that a water user can not adversely possess the water rights of another user in an active water district.

6. The information available to the department indicates that a proportionate share of water right No. 37-0353 is appurtenant to Lot 2, Block 1, Dean Ranch Subdivision owned by Olsen Livestock Consultants, Inc. The watermaster of Water District 37 should be instructed to deliver the water to the authorized point of diversion for delivery and irrigation use.

7. The department is not able with the information presently available to determine which of the persons presently listed in the Water District 37 records as owning a portion of water right No. 37-0353 are not entitled to the full amount attributed to them. This matter is left for further determination by the department or the district court. Because some of the persons listed as owning part of the right are not calling for delivery under the right and have not done so for several years, the watermaster can satisfy the Olsen Livestock Consultant, Inc. call without otherwise changing the delivery to those entitled to use the water. If calls for water by those entitled to receive the water exceed the total amount of the right, delivery to each user will be proportionately reduced until the ownership issue is resolved.

ORDER

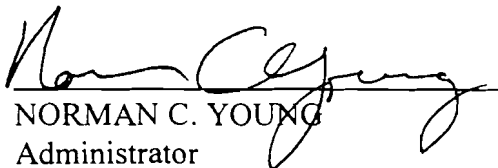
IT IS, THEREFORE, HEREBY ORDERED:

1. The watermaster of Water District 37 is instructed to deliver 0.20 cfs of water right 37-0353 with a June 12, 1886 priority date to the Wood River Valley Irrigation District No. 45 headgate in the SW1/4NW1/4, Section 36, T2N, R18E for use by Olsen Livestock Consultants, Inc. Prior to delivery of the water under this order, Olsen Livestock Consultants, Inc. shall have paid any applicable Water District 37 assessments.

2. This Order does not constitute a determination that Olsen Livestock Consultants, Inc. has a right-of-way, easement, or other necessary authorities and approvals needed to convey water through the Wood River Valley Irrigation District headgate and canal system.

3. This Order is a preliminary determination subject to revision if additional information is submitted indicating that water right No. 37-0353 is no longer appurtenant to Lot 2, Block 1, Dean Ranch Subdivision. All persons receiving this order and others using or claiming the use of water under right No. 37-0353 have the opportunity to seek reconsideration or file exceptions in accordance with Rule 730 of the "Rules of Procedure of the Department of Water Resources," IDAPA 37.01.01.

Signed at Boise, Idaho, this 22ND day of July, 1997.


NORMAN C. YOUNG
Administrator
Water Management Division

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1997, I served a true and correct copy of the foregoing document on the following person(s) by mailing in the U.S. mail, first class, with the correct postage affixed thereto:

Scott Campbell
Elam & Burke
PO Box 1539
Boise, Idaho 83701

J Karl and Judith G. Bick
PO Box 2014
Sun Valley, Idaho 83353

Gus Chek
PO Box 1984
Hailey, Idaho 83333

Robert and Kathryn Gardner
PO Box 470
Bellevue, Idaho 83313

William R. Long
11710 Mayfield Avenue
Los Angeles, California 90049

Robert Earl Fosnot
PO Box 290
Bellevue, Idaho 83313

E. Lee Schlender
PO Box 296
Hailey, Idaho 83333

Edward and Jeannine Sticker
10767 State Highway 75
Bellevue, Idaho 83313

Douglas Driever
PO Box 2072
Hailey, Idaho 83333

Harry L. Oppenheimer, Jr.
246 Summit Drive
Corde Madera, California 93925

Reid Kantenwein
PO Box 1525
Hailey, Idaho 83333

Paul R. Fosnot
837 Laurel Avenue
Pomona, California 91767


DEBORAH DREW-ELLIS
Legal Secretary

Water Right Number - R37-00353

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BICK

J KARL

1 - PO BOX 2014

2 -

3 -

City- SUN VALLEY

State- ID Zip- 83353

Phone - 208-000-0000

BICK

JUDITH G

1 - PO BOX 2014

2 -

3 -

City- SUN VALLEY

State- ID Zip- 83353

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
PETERSON

JOHN R.

1 - P.O. BOX 1702,

2 -

3 -

City- HAILEY

State- ID Zip- 83333

Phone - 208-788-4367

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/12/1886 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 36 NE SW NW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/01 0.300
04 - STOCKWATER 01/01 12/31 0.100+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 18E 24 NE NE 10.0 01 IRRIGATION (13) BLAINE
01N 18E 24 NE NE 04 STOCKWATER (13) BLAINE

Total Acres: 10.0

- Diversion Means - WOOD RIVER IRR. DIST., HEADGATE, CANAL, UNNAMED LATERAL DITSCH

- Non-Irrigation Use - S/5 HORSES

NOV 22 1996
MICROFILMED

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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/20/1988	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

RECORDED
MAY 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~ Phil Bott
Governor

R. KEITH HIGGINSON
Director

March 1, 1995

J KARL & JUDITH BICK
PO BOX 2014
SUN VALLEY, ID 83353

RE: SRBA CLAIM: A37-08012 & A37-00353

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. THIS COPY IS FOR YOUR RECORDS. PLEASE REVIEW THE RECORDS(S) FOR ACURACY.

YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED

NOV 22 1996

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Peters n

CLAI IDENT. NO.

A37-00353

DATE RECEIVED

9-13-88

CK #

1961

AMOUNT \$

40.00

YES

NO

1. Is the name and address complete with zip code?

✓

2. Is priority date entered?

✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

✓

3. (a) Is a source entered?

✓

(b) Is a tributary to entered? (if required)

✓

4. Is the legal description of the p.d. complete?

✓

5. Is there a description of the diverting works?

✓

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.

✓

Is the period of use included?

✓

Is a quantity claimed for each use?

✓

7. Is a total quantity claimed entered?

✓

8. Is the consumptive use correct?

 ✓

If required is a consumptive use entered?

✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

✓

10. Is (are) the place(s) of use entered?

✓

11. Is (are) the county(ies) entered?

✓

12. Is the ownership of p.u. checked?

✓

13. Are other water rights listed or "none" checked?

✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

✓

15. Is the basis of the claim checked?

✓

16. Is the claim signed by the claimant?

✓

Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

✓

Has the claim been signed, sealed, and dated by a notary?

✓

Is the fee enclosed correct?

✓

If this claim is based on an existing water right, has the identification number been entered?

N/A

✓

Should this claim be receipted and data entered?

✓

Claim checked by:

MICROFILMED
FEB 22 1993

Comments: stockwater p/u is not entered may overlap acres with A37-08012