

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 37-21148
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)

MARK ALLEN GOWER Phone:
P O BOX 912
BELLEVUE ID USA 83313

BETTE WILL GOWER Phone:
P O BOX 912
BELLEVUE ID USA 83313

2. Date of Priority: 10/15/1884

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	0.272	

7. Total Quantity Appropriated is:
0.272 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	SE NE	IRRIGATION	7.9
Section Acres					7.9
Total Acres					7.9

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:

8/05/2003: CLAIM 37-11689A WAS SPLIT BY OWNERSHIP INTO 37-21147 (FOSNOT) AND 37-21148 (GOWEN). - VH

COPIED FROM REMARKS CLAIM 37-11689:
OTHER WATER RIGHTS USED - 37-11688. THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-665.

15. Basis of Claim: Decreed

Form 92-147(12-1999) July 2000

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

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
1 RR A 37-11688					
RR 37-353B					
37-011685					
WR PAS SRBA DCR					

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 E. Fosnott and Paul R. Fosnott
PO Box 290, Bellevue ID 83313
4. New Owner/Claimant(s) Mark Allen Gower and Bette Will Gower
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
PO Box 912
Bellevue ID 83313
 New Mailing Address
 City, State and ZIP Code
 New Telephone Number () _____
7/31/03
5. Date you acquired the property _____

RECEIVED**AUG 04 2000**Department of Water Resources
Southern Region

Form 92-24842-14/PS(0) July, 2000

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)
(include title if applicable)

Robert Allen Harris
Bette Will Gower

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 _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

ROBERT E. FOSNOT, a married man, as his sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

MARK ALLEN GOWER AND BETTE WILL GOWER, husband and wife

the grantees, whose current address is **PO Box 912**
Bellevue, ID 83313

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

Lot 1 of DEAN RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, as Instrument No. 169670, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he 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: July 15, 2003

Robert E. Fosnot
Robert E. Fosnot

State of: MT

County of: MADISON

On this 21st day of July, 2003, Before me a Notary Public in and for said State, personally appeared Robert E. Fosnot known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Debra Ann Kelly
Notary Public

Residing at 90415

Comm. Expires 10-22-2006

IN 18E
SE 10E
Sec 24

AGGREGATE ACRES
SUBDIVISION

DEAN RANCH SUBDIVISION

HIGHWAY

STATE

75

13 18
24 19

10785

10783

10773

10769

10767

10759

10755

10749

10739

10737

8b
8a

7
6

5
4

3
2

1

See TAX lot GIS
Work for more
Recent divisions
D. Swartz
DH

0 2500

R. 18 E.
R. 19 E.

2514

2500

PERO

ROAD 24 19

ROAD 5

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: ~~A37-11689A~~
Date Received: 10/17/1988
Receipt No: X777777
Received By: *ownership change* 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT EARL FOSNOT 208-788-3642
Address: PO BOX 290
BELLEVUE ID 83313
OR
Name: PAUL R FOSNOT 714-622-3475
Address: 837 LAUREL AVE
POMONA CA 91767

2. Date of Priority: OCT 15, 1884

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:
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	0.862		

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

8. Total consumptive use is 62.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	SE	NE		IRR	7.9
			NE	SE		IRR	17.2
Section Acres							25.1
Total Acres							25.1

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:

A37-11688

14. Remarks:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665

This is a portion of A37-11689 which was split as a result of an ownership change of 2.75 acres and 6.875 inches of water. This is the remainder of original claim. jr 5/11/95

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
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: _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 4.25.95

MAY 11 1995

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ Southern Region
Lot _____, Block _____, Subdivision/Townsite _____
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: A37-11689

☐ Name and Address of Former Owner/Claimant(s)(Seller): Robert Fosnot

☐ New Owner/Claimant (Purchaser): Maurice D. Miller Jr & Shelley R. Miller

☐ New Mailing Address: P.O. Box 2007
HAILEY, ID 83333

☐ New Telephone Number: (208) 788-9548

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ 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: warranty deed

(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): Shelley R. Miller Date 5.11.95
Maurice D. Miller Jr Date 5-11-95

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5/11/95 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A37-11689A & B

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

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: A37-11689
Date Received: 10/17/1988
Receipt No: M001608
Received By: GG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT EARL FOSNOT 208-788-3642
Address: P.O. BOX 290
BELLEVUE, ID 83313
OR
Name: PAUL R. FOSNOT 714-622-3475
Address: 837 LAUREL AVE
POMONA, CA 91767

2. Date of Priority: OCT 15, 1884

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:
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	1.000		

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

8. Total consumptive use is 69.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-11689

Page 1

Date: 10/17/88

COPY

MICROFILMED

FEB 26 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	24	SE	NE		IRR	7.9
			NE	SE		IRR	20.0
						Section Acres	27.9
						Total Acres	27.9

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:
A37-11688

14. Remarks:
THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

vs

ALTURAS WATER CO., ET AL
Decree Defendant

COPY

MICROFILMED

FEB 25 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): ☒ R. E. Traut Date: ☒ 10/17/88
Date: _____

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Oct 19 88

M. Gene Gibson
Notary Public

Seal

Residing at Bonnie, 2d
My Commission Expires 9-2-1994

COPY

T2N R18E
SECTION 36

NE SW NW

4817

4816

4815

T2N
T1N

4814

MICROFILMED
FEB 25 1993



03/10/2010

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

RIGHT NUMBER: 37-21148

NAME AND ADDRESS: BETTE GOWER
P O BOX 912
BELLEVUE ID 83313

MARK GOWER
P O BOX 912
BELLEVUE ID 83313

VERIFIED BY KKC
3-12-10
MRR revised 6-9-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.270 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use described for this water right.

PRIORITY DATE: 10/15/1884

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	0.270 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 SENE 6.20

6.20 ACRES TOTAL

This right is limited to the irrigation of 4.7 acres within the place of use described above in a single irrigation season.

Rights 37-21146 and 37-21148 when combined shall not exceed the irrigation of 6.20 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

This right is a split from former right 37-665B.

Property is also known as Lot 1 of the Dean Ranch Subdivision.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/10/2010

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

RIGHT NUMBER: 37-21147

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

VERIFIED BY: KKS
3-10-10

JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.590 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use described for this water right.

PRIORITY DATE: 10/15/1884

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County
Water diverted from Headgate #45 delivered through District Canal.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.590 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NESE 16.00

16 ACRES TOTAL

This right is limited to the irrigation of 12.3 acres within the place of use in a single irrigation season.

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 37-665.

03/10/2010

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

RIGHT NUMBER: 37-11689B

NAME AND ADDRESS: MARK J SWENKE
PO BOX 3630
HAILEY ID 83333

VERIFIED BY KKC
3-10-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.137 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use described for this water right.

PRIORITY DATE: 10/15/1884

POINT OF
DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.137 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S24

NESE 2.00

2 ACRES TOTAL

This right is limited to the irrigation of 1.5 acres within the place of use in a single irrigation season.

Rights 37-22042 and 37-11689B when combined shall not exceed the irrigation of 2 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

This claim is a split from former right 37-665.

T-2948	0.4 cfs	5.5 ac
T-2949	1 cfs	18.5 ac
		<u>24</u>

Recommended POU

Gower	6.20 ac
Swenke	2.00 ac
Super	16.00 ac
	<u>24.20 ac</u>

Against 353	Ac Limit	Recom	Rate
21146 Gower	1.41 ac	1.4 ac	0.11 cfs
22042 Swenke	0.45 ac	0.5 ac	0.04 cfs
22043 Super	3.64 ac	3.6 ac	0.25 cfs
	<u>5.50 ac</u>	<u>5.5 ac</u>	<u>0.4 cfs</u>

Against 665			Rate
11689B Swenke <i>done</i>	1.53 ac	1.50 ac	0.14 cfs
21147 Super	12.23 ac	12.30 ac	0.59 cfs
21148 Gower	4.74 ac	4.70 ac	0.27 cfs
	<u>18.50 ac</u>	<u>18.50 ac</u>	<u>1.00 cfs</u>

Between the two transfers 24 acres can be irrigated. A proportional split was made in relationship to each base right to determine the acre limit to be associated with each of the six rights. The acre limits are shown in the Recom column D rows 13 through 21.

The recommended diversion rates were established through the initial transfers and subsequently split through a combination of rates specified in the property sales or through a proportional split based upon acreage identified in the warranty deeds.

353

RecPPU limit

21146 Gower 6.2 1.4

4.7

6.1

22042 Swenke 2ac .5

~~disallowed~~ (1.5) 2

22043 Super 16ac 3.6

12.2

15.8ac

24.2ac 5.5ac Diff = 18.7ac

1.08 cfb to 18.5ac

665

21148 Gower 6.2

4.73

4.8 (5.2)

on transfer

18.5ac

11689B Swenke 2

15.3 disallowed.

4.7

21147 Super 16

12.23 13.3

1.5

24.2 18.26

12.2

18.4

21148

11689B

21147

6.2
24.2

11689 1.00 cfb

11689A .86 cfb

11689B .14
2.7

21147 .59 cfb
16ac

21148 .27 cfb
7.9ac

Total claim PPU
26.6

Rec 24.2ac

SYSTEM REVIEW FOR 37-11689B, 21147, 21148, 21146, 22042, AND 22043

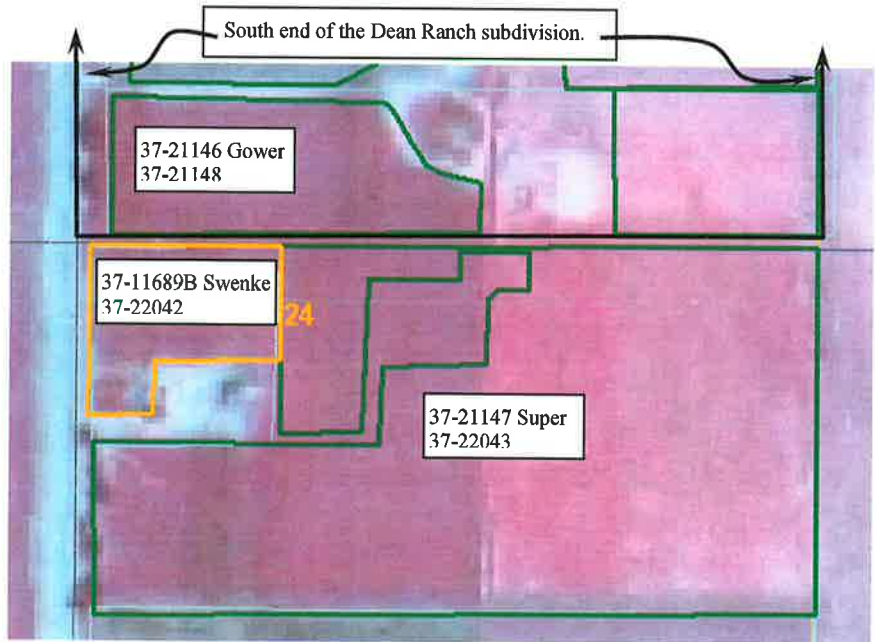
Claims associated with 37-353 are based upon T-2948 which established 0.40 cfs on 5.5 acres within Lot 1 of the Dean Ranch Subdivision.

Claims associated with 37-665 are based upon T-2949 which established 1.00 cfs on 18.5 acres within Sec 24 N½NESE. That ground was not a part of the Dean Ranch Subdivision or a part of the historical decreed POU for 37-353.

Both transfers were approved on April 3, 1984.

Fosnot filed claims 37-11688 and 37-11689 for 27.9 acres associated with the ground shown to the right.

37-11688 was filed against base right 37-353. That right was subsequently split through ownership changes as shown in the pedigree tree below.



37-11689 was filed against base right 37-665. 37-11689 was split into 37-11689A and 37-11689B through an ownership change and subsequently 37-11689A was split into 37-21147 and 37-21148.

Claim No	Claimant	Priority dt	base Rt Acres	Claim Acres	Recom Rate	Claim Rate	Recom	Accelimit
37-21148	Gower	10-15-1884	37-665	7.9 ac	5.5 ac	0.272 cfs	0.27 cfs	Obj
37-21146		06-12-1886	37-353	7.9 ac	5.5 ac	0.11 cfs	0.11 cfs	Obj 1.6 ac
37-11689B	Swenke	10-15-1884	37-665	2.7 ac	2.0 ac	0.137 cfs	0.137 cfs	No Obj
37-22042		06-12-1886	37-353	2.7 ac	- 0 -	0.04 cfs	- 0 -	No Obj Disallow
37-21147	Super	10-15-1884	37-665	17.2	16 ac	0.59 cfs	0.59 cfs	No Obj
37-22043		06-12-1886	37-353	17.3 ac	16 ac	0.25 cfs	0.25 cfs	No Obj

All rights are subject to their respective transfers and the transfer elements. The argument is that there were unrecorded transfers accomplished prior to the commencement of the SRBA. The recommendations should reflect this factor. There should be individual acreage limits for each right plus combined rights acreage limits based upon the proportional share of the transferred acreage.



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

December 12, 2006

Mark Gower
PO Box 912
Bellevue, ID 83313

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RE: SRBA Recommendations 37-21146 & 37-21148

Dear Mr. Gower;

We have received your comments on the SRBA recommendations that were recently mailed to you for the irrigation rights on your property. I have checked the 1987, 2004 and 2006 aerial photos on our database, and found that the irrigated land appears to be the same on all three. The land that was irrigated in 1987, and that is still irrigated, is what was recommended. A copy of the 2006 photo is enclosed for your information.

I believe that the recommendations are correct, so I do not plan to change them. The Director's Report to the SRBA Court for your area will be issued on January 8. You can file a formal objection to the recommendations from then until November of 2007 if you so desire.

Regards,

James E. Stanton
Sr. Water Resource Agent

11/29/2006

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: 12/15/2006

Water right number: 37-21148

BETTE GOWER
P O BOX 912
BELLEVUE ID 83313
Telephone Number: (208)788-0839

MARK GOWER
P O BOX 912
BELLEVUE ID 83313
Telephone Number: (208)788-0839

RECEIVED

DEC 12 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):

Place of Use: ... Rights 37-21146 and 37-21148 when combined shall not exceed the irrigation of 5.5 acres.

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

Rights 37-21146 and 37-21148 when combined shall not exceed the irrigation of 7.9 acres.

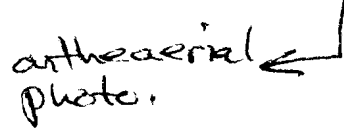
3. Give a brief explanation as to why you disagree with these portions: This is/was the claim I bought in 2003. It is for 7.9 acres not 5.5 ac. Even subtracting the home site and buildings the 5.5 acre estimate is off by at least 1.25 acres. The eastern field has been "rehabbed" and is larger than the outlined area.

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

The actual water rights are fine, Just not where I can use them.
antheaerial photo. 

SCANNED
DEC 13 2006



Idaho Department of Water Resources

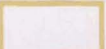
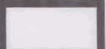
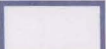
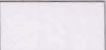
SCANNED
DEC 08 2006
R19E

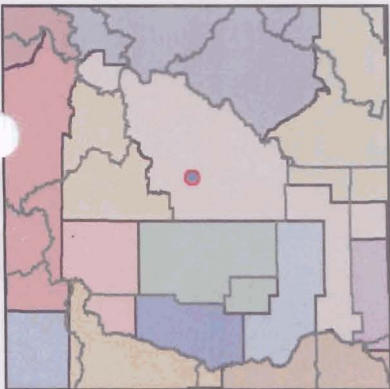
SRBA Recommendation:

37-21148

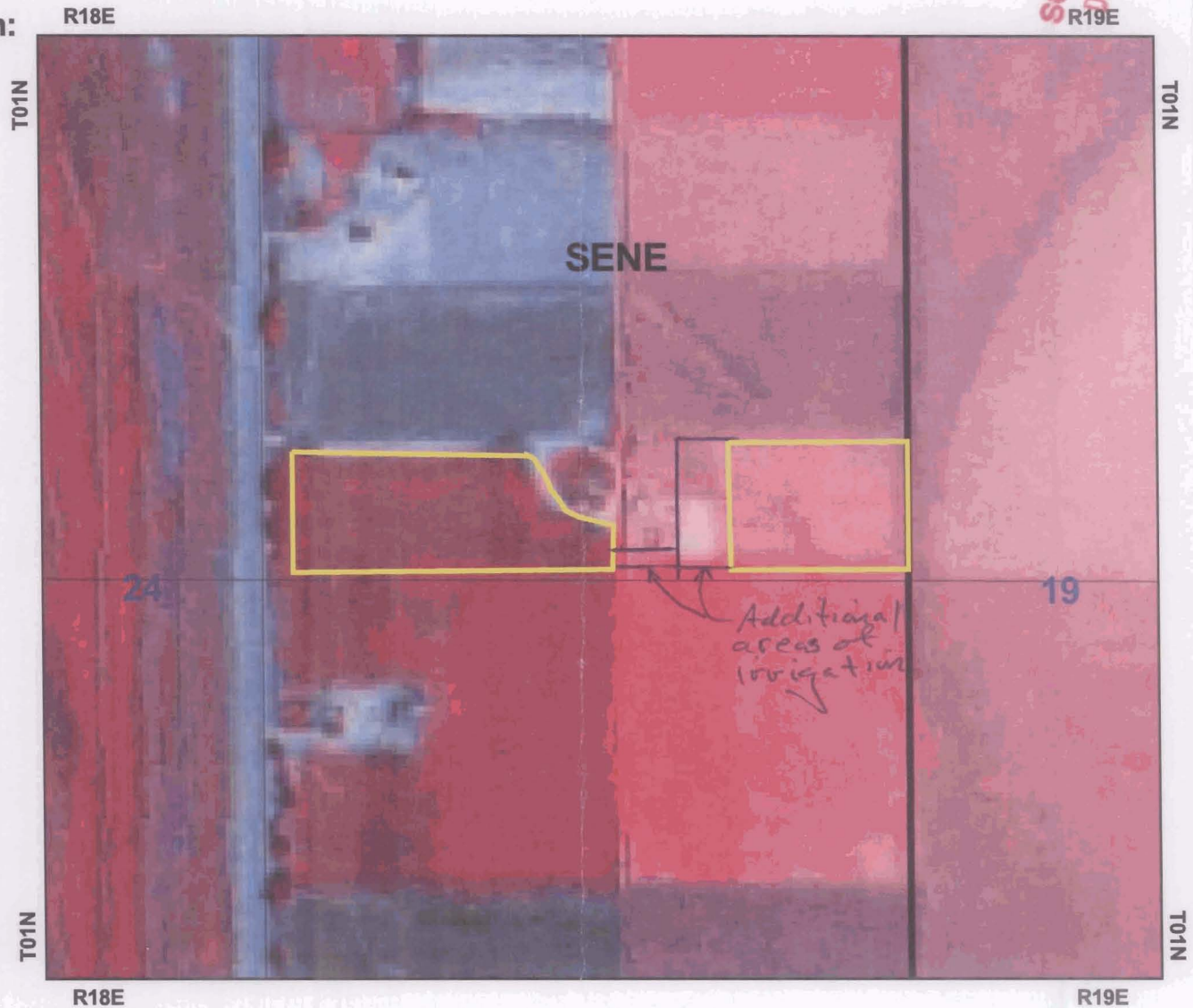
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Wednesday, November 29, 2006
1987/88 Aerial Photography

12/01/2006

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

RIGHT NUMBER: 37-21148

NAME AND ADDRESS: BETTE GOWER
P O BOX 912
BELLEVUE ID 83313

MARK GOWER
P O BOX 912
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 10/15/1884

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	0.270 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 SENE 5.50

5.5 ACRES TOTAL

Rights 37-21146 and 37-21148 when combined shall not exceed the
irrigation of 5.5 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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

This right is a portion of former Right 37-665B.

The place of use is also known as Lot 1 of the Dean Ranch Subdivision.

11/18/2006

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

RIGHT NUMBER: 37-21148

NAME AND ADDRESS: BETTE GOWER
P O BOX 912
BELLEVUE ID 83313

MARK GOWER
P O BOX 912
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 10/15/1884

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.270 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 SENE 5.50

5.5 ACRES TOTAL

Rights 37-21146 and 37-21148 when combined shall not exceed the
irrigation of 5.5 acres.

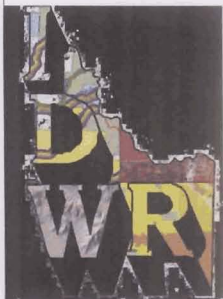
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

The place of use is also known as Lot 1 of the Dean Ranch Subdivision.



Idaho Department of Water Resources

SRBA Recommendation:

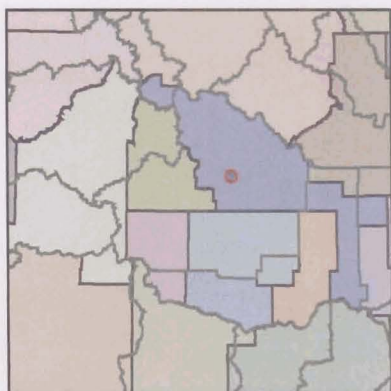
37-21146

37-21148

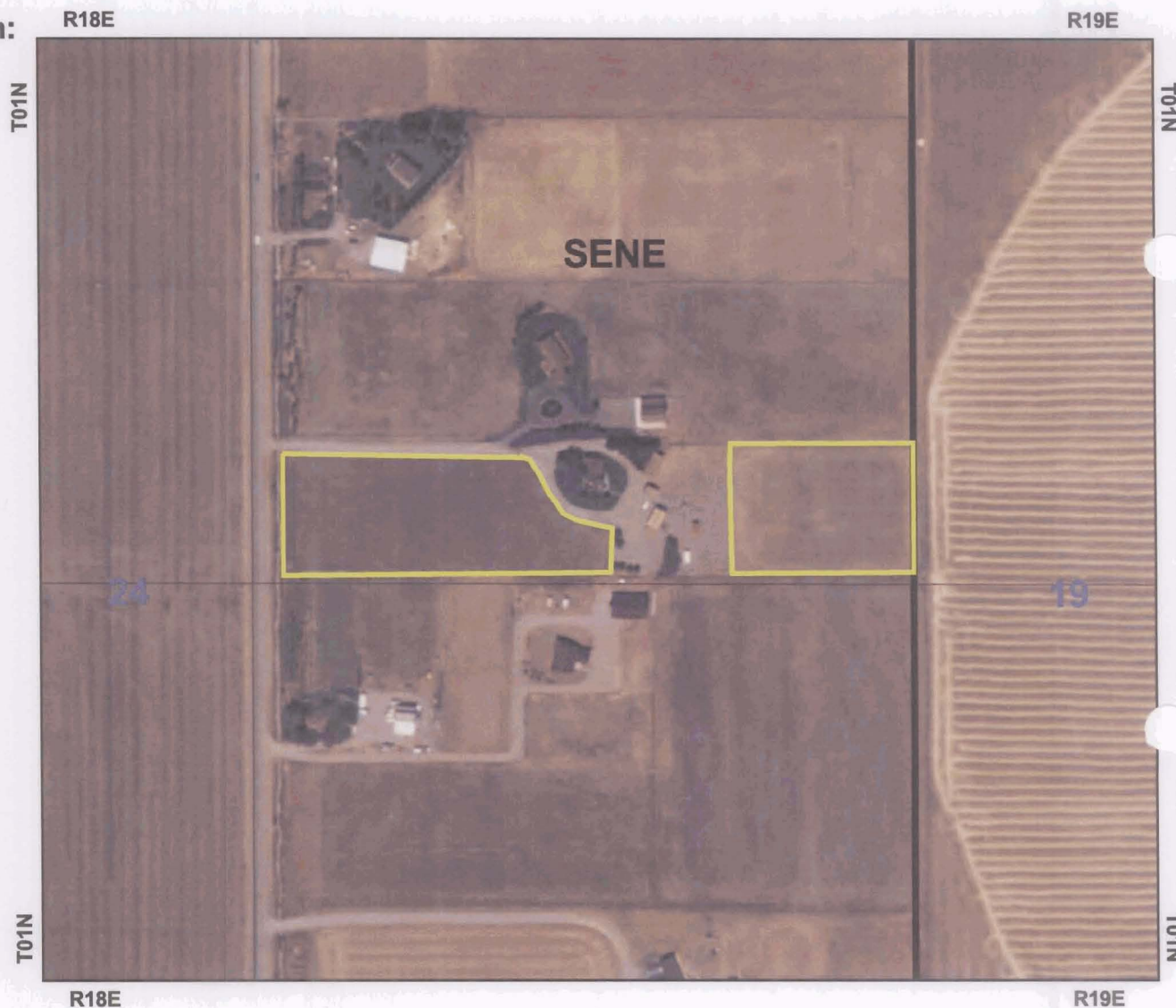
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Owner: Bette Gower

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

Prepared by J. Stanton
On Saturday, November 18, 2006
2004 Aerial Photography

37-665 water rights place of use.

WR P/U in yellow

718
1817

37-11810

Gower Claims

37-21146

37-21148

37-11686-dec down

665 K

ALLOCATIONS
665C

11689
665L

665R

665N

1156

665Q

665P

665P

665H

Base

37-665

665G

11543

37-11689
1.00cfs

37-11689A
.86cfs

37-11689B
.14

37-21147
.588cfs

37-21148
.272

as of 8-11-05 it appears
that 37-655 is under
claimed. No Significant
Problems noted R.T.T.

Contacts Data Entry Form

Claim(s): 37-21148

Don 37-300

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information: An irrigation right based on part of decreed right 37-665. The diversion system needs to be determined. Determine the irrigated place of use.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no vertical margin lines or other markings present. The paper appears to be a standard notebook page.

Reviewer: _____

Date: _____

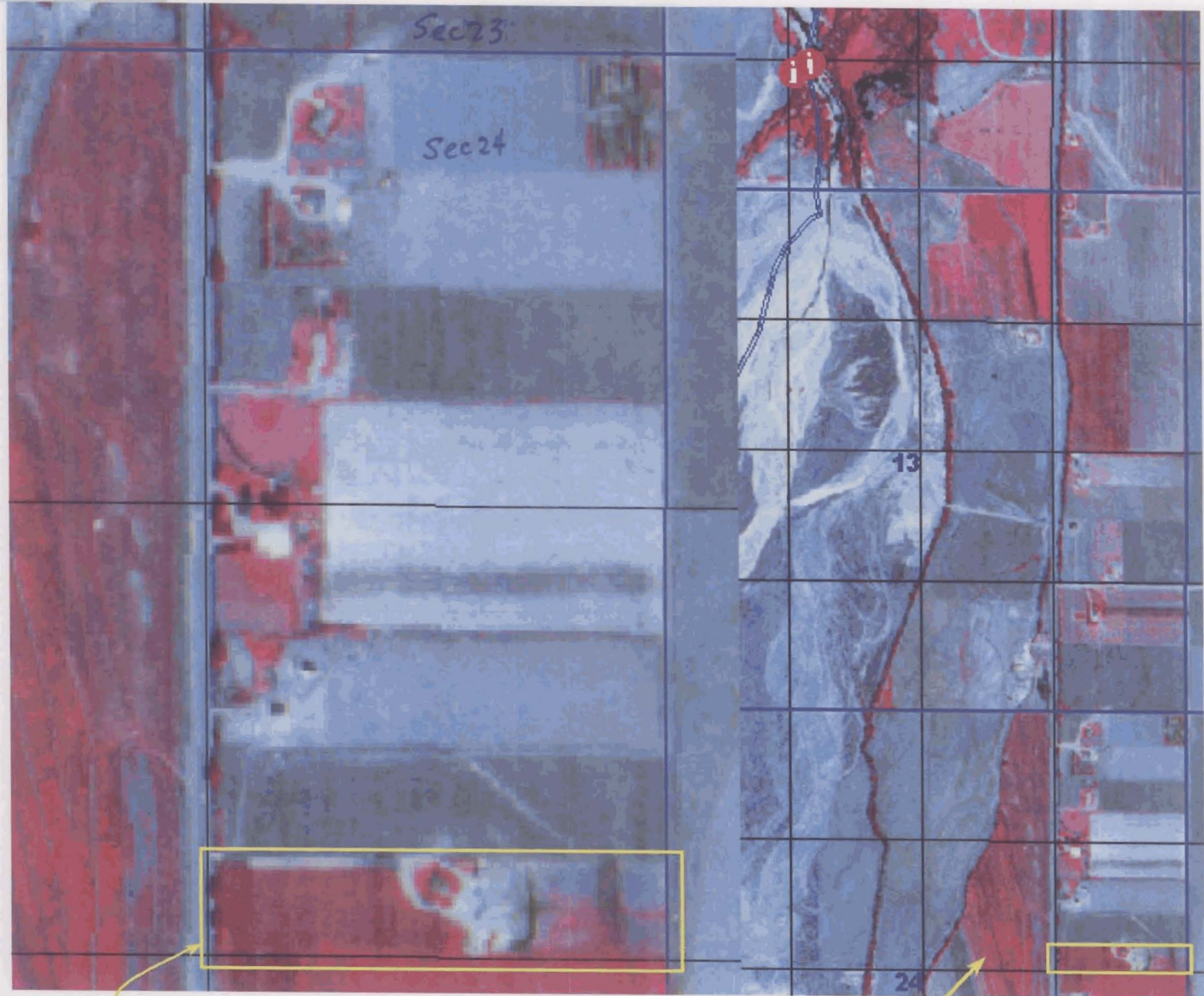
GPS file name	Easting	Northing	Plate No.	Photo Id.

Date: _____

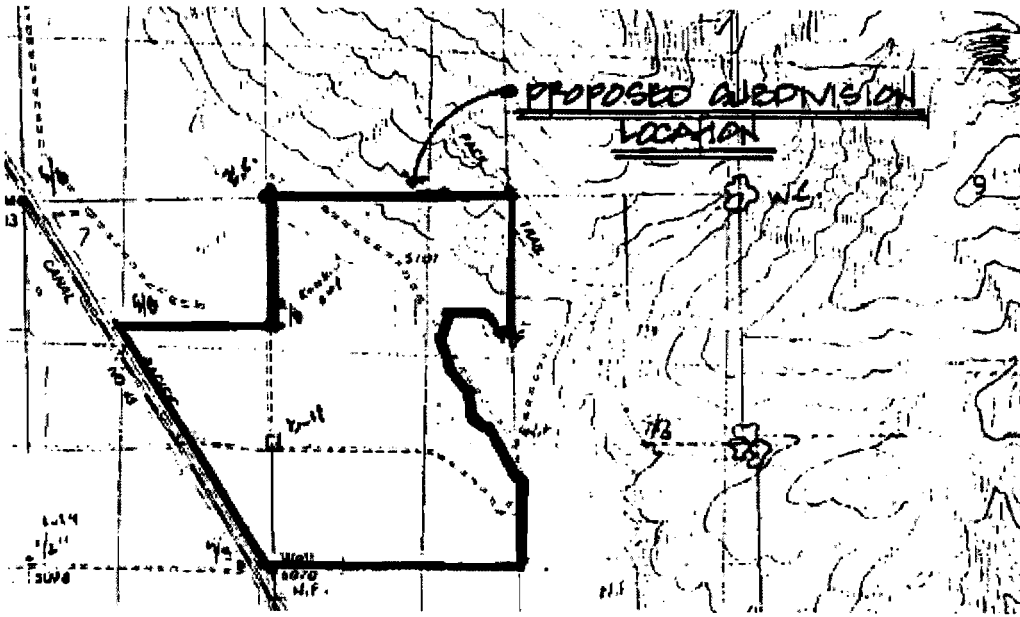
37	665	H. .	wrAdjudicationClaim	Decreed	Active	8.16	GARDNER, KATHRYN ALLRE...
37	665	I	wrAdjudicationClaim	Decreed	Active	3.20	STEVENSON, JOHN F (Current)
37	665	K...	wrAdjudicationClaim	Decreed	Active	2.06	REDSTONE PARTNERS LP (C...
37	665	L...	wrAdjudicationClaim	Decreed	Active	0.40	SMITH, CHRIS (Current); SMIT...
37	665	N. .	wrAdjudicationClaim	Decreed	Active	0.08	DOUTHIT, ELLEN (Current); D...
37	665	R. .	wrAdjudicationClaim	Decreed	Active	0.09	BROWNING, BARBARA (Curre...
37	665	B. .	wrWaterRight	Decreed	Active	0.36	STATE OF IDAHO (Current)
37	665	D. .	wrWaterRight	Decreed	Active	1.00	FOSNOT, ROBERT EARL (Curr...
37	665	C...	wrWaterRight	Decreed	Active Tr...	24...	UTAH & IDAHO IMPROVEME...
37	665	F...	wrAdjudicationClaim	Decreed	PARENT	2.28	
37	665	G. .	wrAdjudicationClaim	Decreed	PARENT	0.54	DRUSSEL, IRWIN GENE (Curr...
37	665	P.....	wrAdjudicationClaim	Decreed	PARENT	0.18	B S RANCH (Current)
37	665	Q. .	wrAdjudicationClaim	Decreed	Parent	2.46	HG2 LIMITED PARTNERSHIP ...
37	665		wrAdjudicationClaim		See Rem...		
37	665	A...	wrAdjudicationClaim		See Rem...		
37	665	E...	wrAdjudicationClaim		See Rem...	2.80	
37	665	M...	wrAdjudicationClaim		See Rem...	2.72	
37	665		wrWaterApplication		See Rem...		
37	665		wrWaterRight		See Rem...		
37	665	A...	wrWaterRight		See Rem...		

Place Of Use Data

2004 aerial photo



Approximate parcel boundary
Boundary larger than property
Layout delivery ditch route





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

August 5, 2003

Carolyn Baird
Sun Valley Title Company
221 S River Street, Suite 2A
Hailey, Idaho 83333

RE: Snake River Basin Adjudication (SRBA)
Change of Ownership – Fosnot to Gower
SRBA Claims 37-11688, 37-353B and Domestic Water Right 37-11685

Dear Ms. Baird:

IDWR's Southern Regional Office has received your Notice of Change of Ownership and check for \$25 on behalf of Mark Allen Gower, however I am returning the check and copies of the materials pending clarification of the following inconsistencies:

- 1) Domestic water right 37-11685 was decreed in the SRBA January 5, 2001. The right was identified as being located in the NESE of Section 24, T01N, R18E. Mr. Gower has purchased Lot 1 of the Dean Ranch Subdivision, which according to Blaine County Taxlot maps is located in the *SENE* Section 24. (It is possible that right 37-11685 should now be in the name of Mark Swenke who, it appears, purchased 2.7 acres and a residence located in the NESE Section 24 from Miller in 2000. Miller purchased the 2.7 acres from Fosnot in 1995).
- 2) 37-353B is currently in the name of Edward Stricker. It does not appear that this right was conveyed to Gower by Fosnot.
- 3) According to our records 37-11688, as well as 37-11689A, are claimed to be appurtenant to the lot Mr. Gower purchased - see the 7.9 acres identified in the SENE Section 24 on the print-outs of those claims. The documents you submitted are sufficient to change ownership of these rights, however, because the rights are also appurtenant to acreage in the NESE Section 24 retained by Fosnot, the claims will be split proportionately between the parties.

If you determine from the Fosnots or Gower that domestic water right 37-11685 was incorrectly decreed in the NESE Section 24 instead of on Lot 1 in the SENE Section 24, your client may file a transfer to change the recorded location of the right. As you can see, the domestic use from this ground

water well was claimed to have begun in 1920, so the age of the residence should help determine where the water right is correctly located.

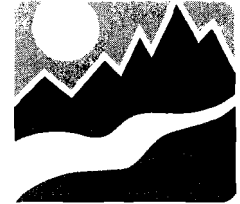
For your convenience, I have enclosed copies of all the Adjudication Claims and the decreed Water Right mentioned above. If you have questions I can be reached at this office by phone or email. We appreciate your help in updating IDWR's ownership records.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit
email: vhancock@idwr.state.id.us

July 31, 2003

SUN VALLEY
TITLE
C O M P A N Y



Idaho Department of Water Resources
1341 Fillmore St
Suite 200
Twin Falls ID 83301-3380

RECEIVED
AUG 04 2003
Department of Water Resources
Southern Region

Re: 03-19020
Robert E. Fosnot
Mark Allen Gower
10739 State Highway 75 Blaine County, ID 83313

To Whom It May Concern:

Regarding the above, I have enclosed the following:

- Check in the amount of \$25.00
- Warranty Deed
- Change of ownership form

Sincerely,

Carolyn Baird
Escrow Officer

Form 42-242(2-1996) July, 2000

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

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
122 A 37-11688					
122 37-353B					
WR P&S SKAT DEC R → 37-011685					

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 E. Fosnott and Paul R. Fosnot
PO Box 290, Bellevue ID 83313
4. New Owner/Claimant(s) Mark Allen Gower and Bette Will Gower
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 912
- City, State and ZIP Code Bellevue ID 83313
- New Telephone Number () _____
5. Date you acquired the property 7/31/03

RECEIVED**AUG 04 2003**Department of Water Resources
Southern Region

Form 42-248(12-140)(6) July, 2000

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)
(include title if applicable)

Robert Allen Jensen
Debbie Will-Jensen

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 _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

ROBERT E. FOSNOT, a married man, as his sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

MARK ALLEN GOWER AND BETTE WILL GOWER, husband and wife

the grantees, whose current address is **PO Box 912**
Bellevue, ID 83313

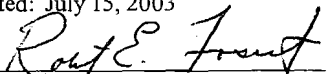
the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

Lot 1 of DEAN RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, as Instrument No. 169670, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he 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.

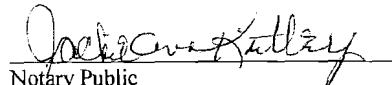
Dated: July 15, 2003


Robert E. Fosnot

State of: MT

County of: MADISON

On this 21st day of July, 2003, Before me a Notary Public in and for said State, personally appeared Robert E. Fosnot known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public

Residing at Edwards

Comm. Expires 10-22-2006

IN 18E
SE 10E
Sec 24

AGGREGATE ACRES
SUBDIVISION

DEAN RANCH SUBDIVISION

HIGHWAY

STATE

10785

10783

10773

10769

10767

10759

10755

10749

GOWER
10739

10737

Swenke

FOR RUT

13 18
24 19

8b
8a

7
6

5
4

3
2

1

SENE
NESE

R. 18 E.
R. 19 E.

0 25

2514

2500

PERO

ROAD 24 19

5
ROAD

107

3

SUN VALLEY TITLE COMPANY - TRUST ACCOUNT

10965

Our File # 03-19020 Closer:CSB Bank:BOAH

Legal Description:

Seller = Robert E. Fosnot
Buyer = Mark Allen Gower

Lot 1, Block 1,
Dean Ranch Subdivision

Comments : Transfer Fee

Street Address:
10739 State Highway 75
Blaine County, ID 83313

Amount: *****25.00 CK Number= 10965 Date: July 31, 2003

10965

SUN VALLEY TITLE COMPANY

TRUST ACCOUNT
221 SOUTH RIVER STREET SUITE 2A
HAILEY, ID 83333
PH. (208) 788-4319

FIRST BANK OF IDAHO
HAILEY, IDAHO 83333
92-376-1241

Our File # = 03-19020

DATE	AMOUNT
July 31, 2003	\$*****25.00

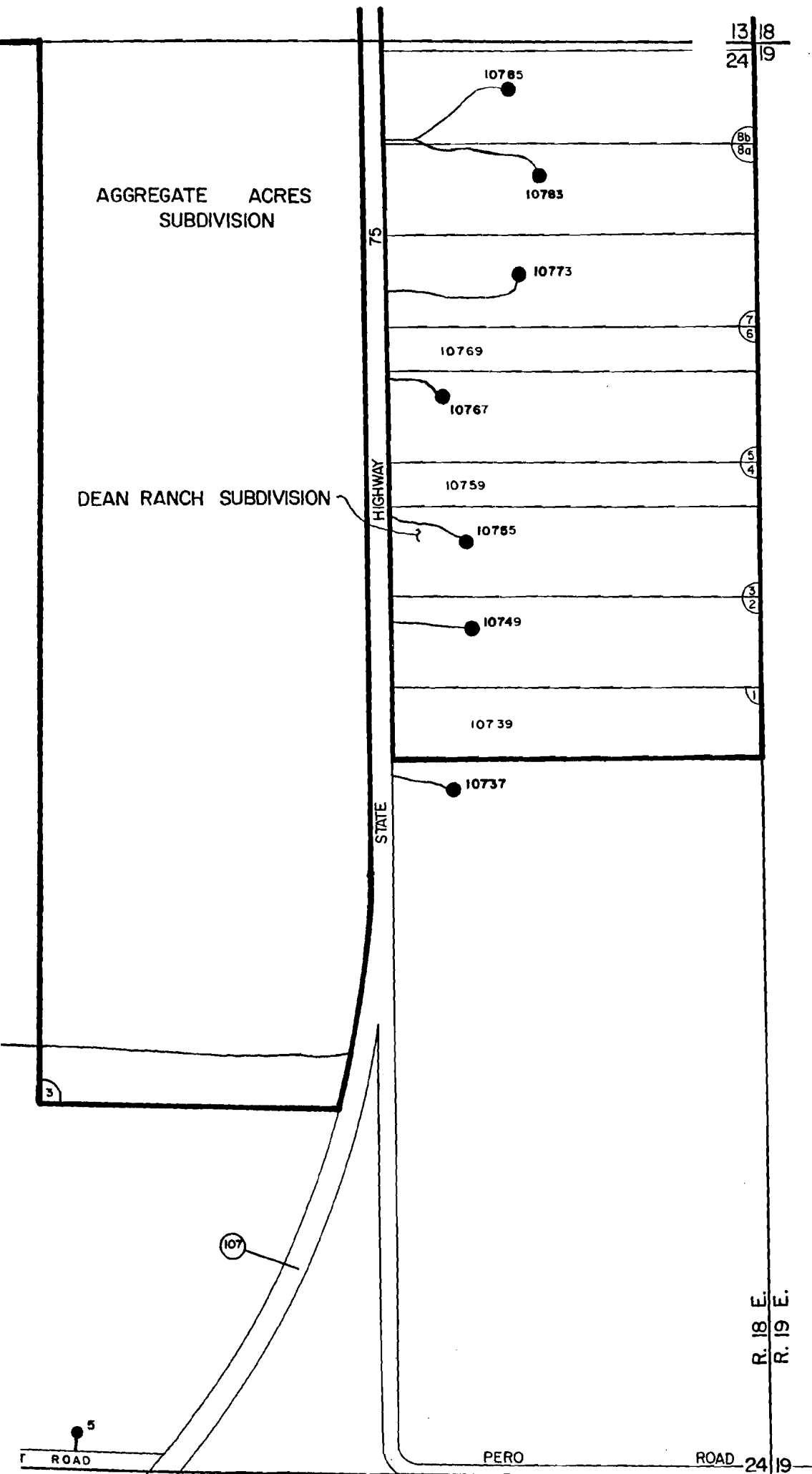
PAY Twenty-Five & NO/100 Dollars
TO THE ORDER OF Idaho Department of Water Resources

VOID AFTER 90 DAYS

Chau
[Signature]

Details on back.
Security Features Included.

081013/6-89
⑈010965⑈ ⑆124103760⑆ 3 3300 1147⑈





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

August 5, 2003

Mark A. Gower
Bette W. Gower
PO Box 912
Bellevue, Idaho 83313

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: 37-11688 & 37-11689A
Change of Ownership Notification

Dear Claimants:

With receipt of documentation showing that you have purchased lands associated with a portion of the above referenced Snake River Basin Adjudication claims, our records have been updated. The water right claims referenced above have been split between you and the Fosnots, giving each party a proportionate share of the diversion rate. As a consequence, the rights have been renumbered; the enclosed copies are for your records, please review these documents for accuracy in all respects. If you have any questions or concerns, please contact me at this office.

The SRBA is an ongoing process; in the future, you may be notified with more information concerning your water right claim. You also may be asked to provide more information to assist us in correctly recommending your water right to the SRBA Court. It is, therefore, important that IDWR be kept informed of changes in ownership and address. We thank you for your cooperation in the Adjudication.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls
vhancock@idwr.state.id.us



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

August 5, 2003

Carolyn Baird
Sun Valley Title Company
221 S River Street, Suite 2A
Hailey, Idaho 83333

RE: Snake River Basin Adjudication (SRBA)
Change of Ownership – Fosnot to Gower
SRBA Claims 37-11688, 37-353B and Domestic Water Right 37-11685

Dear Ms. Baird:

IDWR's Southern Regional Office has received your Notice of Change of Ownership and check for \$25 on behalf of Mark Allen Gower, however I am returning the check and copies of the materials pending clarification of the following inconsistencies:

- 1) Domestic water right 37-11685 was decreed in the SRBA January 5, 2001. The right was identified as being located in the NESE of Section 24, T01N, R18E. Mr. Gower has purchased Lot 1 of the Dean Ranch Subdivision, which according to Blaine County Taxlot maps is located in the *SENE* Section 24. (It is possible that right 37-11685 should now be in the name of Mark Swenke who, it appears, purchased 2.7 acres and a residence located in the NESE Section 24 from Miller in 2000. Miller purchased the 2.7 acres from Fosnot in 1995).
- 2) 37-353B is currently in the name of Edward Stricker. It does not appear that this right was conveyed to Gower by Fosnot.
- 3) According to our records 37-11688, as well as 37-11689A, are claimed to be appurtenant to the lot Mr. Gower purchased - see the 7.9 acres identified in the *SENE* Section 24 on the print-outs of those claims. The documents you submitted are sufficient to change ownership of these rights, however, because the rights are also appurtenant to acreage in the NESE Section 24 retained by Fosnot, the claims will be split proportionately between the parties.

If you determine from the Fosnots or Gower that domestic water right 37-11685 was incorrectly decreed in the NESE Section 24 instead of on Lot 1 in the *SENE* Section 24, your client may file a transfer to change the recorded location of the right. As you can see, the domestic use from this ground

water well was claimed to have begun in 1920, so the age of the residence should help determine where the water right is correctly located.

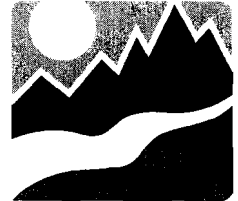
For your convenience, I have enclosed copies of all the Adjudication Claims and the decreed Water Right mentioned above. If you have questions I can be reached at this office by phone or email. We appreciate your help in updating IDWR's ownership records.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Adjudication Unit
email: vhancock@idwr.state.id.us

July 31, 2003

SUN VALLEY
TITLE
C O M P A N Y



Idaho Department of Water Resources
1341 Fillmore St
Suite 200
Twin Falls ID 83301-3380

RECEIVED
AUG 04 2003
Department of Water Resources
Southern Region

Re: 03-19020
Robert E. Fosnot
Mark Allen Gower
10739 State Highway 75 Blaine County, ID 83313

To Whom It May Concern:

Regarding the above, I have enclosed the following:

- Check in the amount of \$25.00
- Warranty Deed
- Change of ownership form

Sincerely,

Carolyn Baird
Escrow Officer



ate of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~*****~~
Governor PHILIP E BATT

~~*****~~
KARL J DREHER Director

May 11, 1995

ROBERT FOSNOT
PO BOX 290
BELLEVUE ID 88813

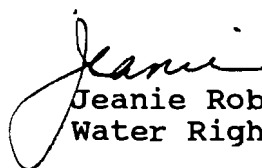
RE: SRBA CLAIM A37-11689A

DEAR CLAIMANT:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claim is appurtenant, the Department has split the original claim into parts A and B. Your portion has been renumbered to A37-11689A, and the part that you sold to the Miller's to A37-11689B. Please find enclosed a copy of the computer generated claim noting the changes.

Please review the record and if you have any corrections, notify this office.

Sincerely,


Jeanie Robertson
Water Right Agent

/jr
Enclosures:

RECEIVED
NOV 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

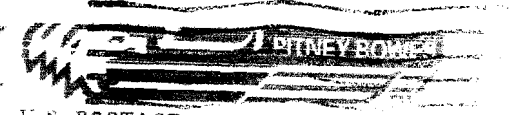
RETURN SERVICE REQUESTED

*Resent to Robert
8-11-03
UPK*

RECEIVED

AUG 11 2003

Department of Water Resources
Southern Region



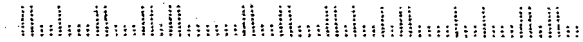
U.S. POSTAGE
3390 \$00.60
6781 MAILED FROM ZIP CODE 83301

*37-11688
37-11689A*

FOSN290 833132010 1503 08 08/09/03
RETURN TO SENDER
FOSNOT
75 JEFFERS RD
ENNIS MT 59729-9026

RETURN TO SENDER

8331320280 8003
83301-3380 15



Split 12.5L

37-21147

37-21148