

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 37-153D
Date Received: 12/13/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CAROL BURDZY THIELEN Phone: (208)788-9728
PO BOX 6056
KETCHUM ID 83340

2. Date of Priority: 09/01/1885

3. Source: GREENHORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	18	NE SE NW	BLAINE	

5. Description of diverting works:

PUMP IN CREEK TO MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.33	

7. Total Quantity Appropriated is:

0.33 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
03N	18E	18	SE	NW	IRRIGATION	5
Section Acres						5
Total Acres						5

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:

PURSUANT TO APPROVED TRANSFER NO. 4000: 1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.

3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SRBA.

4. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

5. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

6. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

P/U IS LOT 5, GREENHORN BENCH SUBDIVISION

15. Basis of Claim: Decreed



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s): 37-153D VI

☒ Old Mailing Address: P.O. Box 6056
HAILEY, ID. 83343

☒ New Mailing Address: P.O. Box 6056
KETCHUM, ID. 83340

☐ New Telephone Number: ()

☐ Signature of Claimant(s): Carl B. Shuck

Date: 7/25/03

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date:	By:
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:
<u>7/31/03</u>	<u>[Signature]</u>

RECEIVED

JUL 29 2003

Department of Water Resources
Southern Region

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CAROL BURDZY THIELEN Phone: (208)788-9728
PO BOX 6056
HAILEY ID 83333

2. Date of Priority: 09/01/1885

3. Source: GREENHORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	18	NE SE NW	BLAINE	

5. Description of diverting works:

PUMP IN CREEK TO MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.33	

7. Total Quantity Appropriated is:

0.33 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
03N	18E	18	SE	NW	IRRIGATION	5
Section Acres						5
Total Acres						5

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:

PURSUANT TO APPROVED TRANSFER NO. 4000: 1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

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5. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

6. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

P/U IS LOT 5, GREENHORN BENCH SUBDIVISION

15. Basis of Claim: Decreed

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

RECEIVED
JUL 17 2002
 Department of Water Resources
 Southern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of 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
<u>37-2644B</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00153</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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) are for ten or more acres of irrigation, you must submit 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) Karsten A. And Terri Fostvedt
P.O. Box 5248, Ketchum, ID 83340
4. New Owner/Claimant(s) Carol Burdzy Thielen
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address Post Office Box 6056
- City, State and Zip Code Hailey, Idaho 83333
- New Telephone Number (208) 788-9728
5. Date you acquired the property May 30, 2002

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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)

Carol B. Thielen
Carol B. Thielen

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 [Signature] Date 7/18/02 Fee NA
 Received by [Signature] Date _____ Receipt No. _____
 Processed by [Signature] AJ Date 7/18/02 WR _____ Date _____

Order No. 51059

WARRANTY DEED

Instrument # 466272

HAILEY, BLAINE, IDAHO

2002-06-05

03:50:00 No. of Pages: 2

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY OC CORP DEED

FOR VALUE RECEIVED

DOUGLAS W. BURDGE, a married man, as his sole and separate property, as to an undivided 1/3 interest and CHRISTOPHER P. HOUGE, a married man, as his sole and separate property, as to an undivided 1/3 interest and TIMOTHY L. VIOLE, a married man, as his sole and separate property, as to an undivided 1/3 interest

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

CAROL B. THIELEN, an unmarried woman

GRANTEE(s) whose address is: P.O. Box 6056, Ketchum, ID 83340

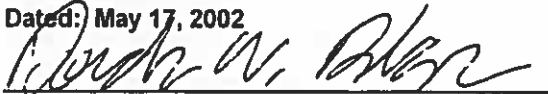
the following described real property in Blaine County, Idaho, to wit:

Lot 5 of GREENHORN BENCH PHASE II, according to the official plat thereof, recorded as Instrument No. 302602, records of Blaine County, Idaho.

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

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

Dated: May 17, 2002


DOUGLAS W. BURDGE


CHRISTOPHER P. HOUGE

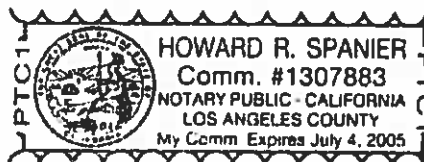

TIMOTHY L. VIOLE

State of California)
County of LOS ANGELES)ss.

On this 30th day of May, in the year 2002, before me, the undersigned, personally appeared DOUGLAS W. BURDGE 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.

WITNESS my hand and official seal.


Notary Public
Commission Expires: 7/4/05



State of California

County of *Los Angeles*

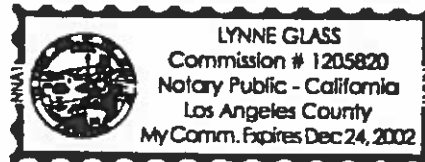
}
}ss.
}

On this 31 day of May, in the year 2002, before me, the undersigned, personally appeared **CHRISTOPHER P. HOUGE** 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.

WITNESS my hand and official seal.

Lynne Glass
Notary Public

Commission Expires: *12/24/02*



State of California

County of *Los Angeles*

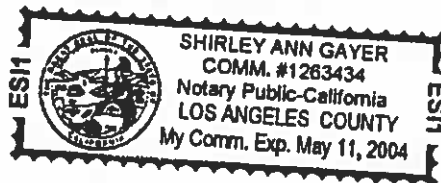
}
}ss.
}

On this 5/29/02 day of May, in the year 2002, before me, the undersigned, personally appeared **TIMOTHY L. VIOLE** 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.

WITNESS my hand and official seal.

Shirley Ann Gayer
Notary Public

Commission Expires:



WARRANTY DEED

FOR VALUE RECEIVED

KARSTEN A. FOSTVEDT and TERI FOSTVEDT, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

DOUGLAS W. BURDGE, a married man as his sole and separate property as to an undivided 1/3 interest and CHRISTOPHER P. HOUGE, a married man as his sole and separate property as to undivided 1/3 interest and TIMOTHY L. VIOLE, a married man as his sole and separate property as to an undivided 1/3 interest

the grantees, whose current address is **30100 Harvester Road
Malibu, CA 90265**

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

Lot 5 of GREENHORN BENCH PHASE II, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded January 30, 1989, as Instrument No. 302602, 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 Grantors do hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 12, 2002

Karsten A. Fostvedt, DVM
Karsten A. Fostvedt

Teri Fostvedt
Teri Fostvedt

Instrument # 464282

HAILEY, BLAINE, IDAHO
2002-04-22 01:10:00 No. of Pages: 1
Recorded for: SUN VALLEY TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/OC/COMP DEED

State of: Idaho

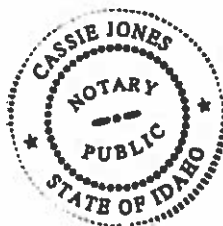
County of: Blaine

On this 14th day of April, 2002, Before me a Notary Public in and for said State, personally appeared Karsten A. Fostvedt and Teri Fostvedt known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Cassie Jones
Notary Public

Residing at Hailey, Id

Comm. Expires 9-7-2006



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: **A37-00153D**
Date Received: 12/13/1988
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: KARSTEN A FOSTVEDT 208-726-1157
Address: PO BOX 5248
KETCHUM ID 83340

AND/OR

Name: TERI FOSTVEDT 208-726-1157
Address: PO BOX 5248
KETCHUM ID 83340

2. Date of Priority: SEP 1, 1885

3. Source: GREENHORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	18	NE	SE	NW		BLAINE

5. Description of diverting works:
PUMP IN CREEK TO MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.330		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	18	SE	NW		IRR	5.0

MICROFILMED
OCT 24 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					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:
NONE

14. Remarks:

PURSUANT TO APPROVED TRANSFER NO. 4000:

1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.
3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SRBA.
4. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.
5. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.
6. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

P/U IS LOT 5, GREENHORN BENCH SUBDIVISION

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: _____

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 _____

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

CIVIL CASE NUMBER: 39356

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident Number A37-00153D

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 07 1993

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Karsten A. Fostvedt &/or Terri Fostvedt
Phone: (208) 726-1157
Mailing Address: P. O. Box 5248
Ketchum, ID 83340

2. Date of Priority: September 1, 1885

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

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
3N	18E	18				SE NW	Blaine

Additional points of diversion if any:

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Pump in creek.

MICROFILMED
OCT 24 1994

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.33 cfs

7. Total Quantity Claimed: 0.33 cfs

8. Total consumptive use claimed is 12.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
3N	18E	18	SE	NW	I	5

Total number of irrigated acres: 5

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? A37-02644B.

14. Remarks: Claimant acquired a portion of A37-00153B with Lot 5, Greenhorn Bench Subdivision and then changed the place of use and point of diversion of that portion pursuant to I.C. § 42-222. See Transfer No. 4000 (copy attached). Right is identified in transfer as 37-00153D.

Last Name: Fostvedt
j\srbaclms\fostvedt\00153d.37

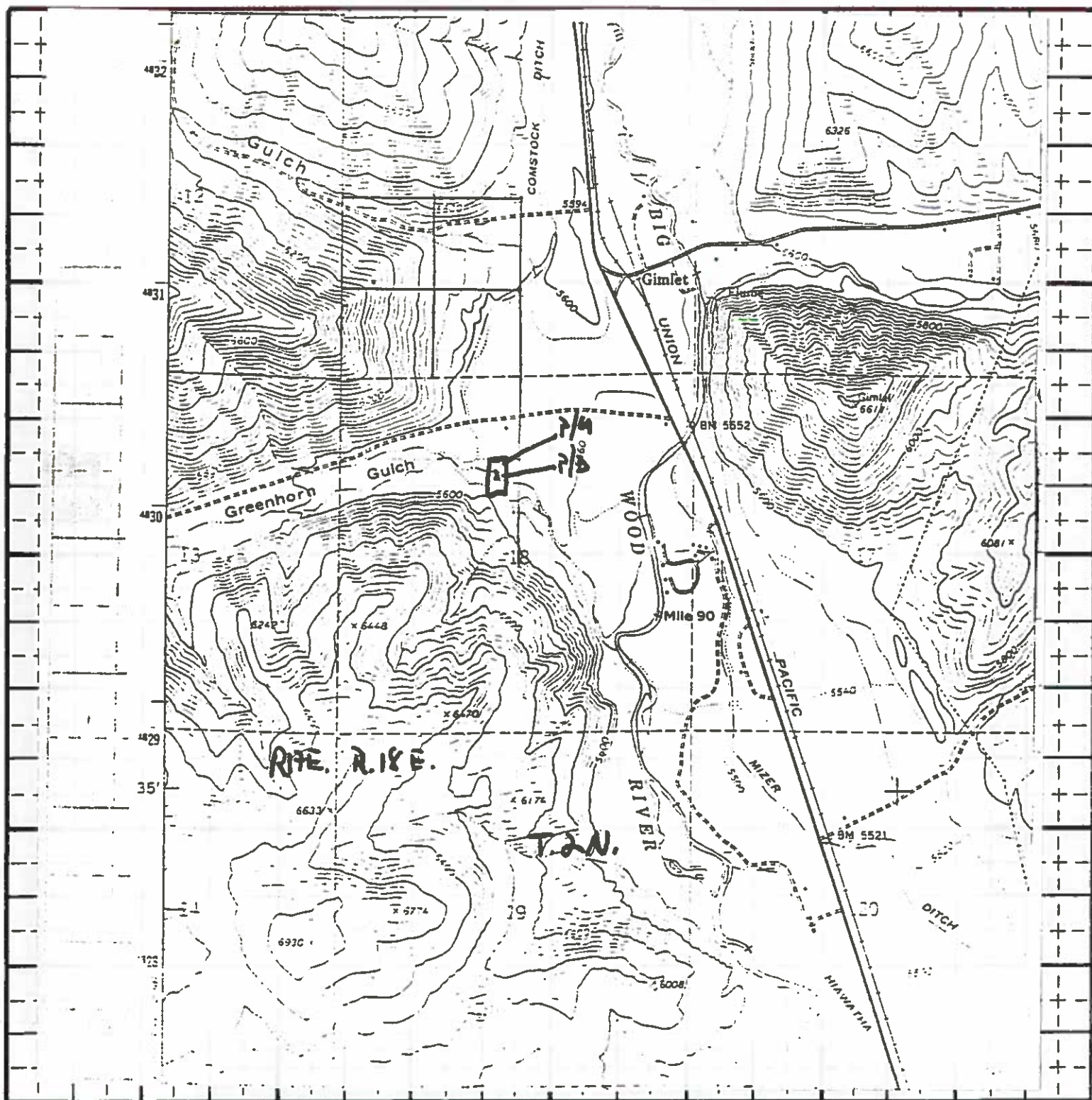
Ident No. A37-00153D

MICROFILMED
OCT 24 1994

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

Scale: 2 inches equals 1 mile

POOR ORIGINAL



15. Basis of Claim: Decree; Transfer 4000

IDWR Water Right Number: 37-00153D

Court: Blaine County

Case Number:

Decree Date: June 27, 1925

Plaintiff v. Defendant: S.C. Frost et al. v. Alturus Water Co.
et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - one (1)

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Karsten Frostvedt

Date

10/5/93

J-P. Speck, his attorney in fact

Date

State of IDAHO)

) ss.

County of Blaine)

Subscribed and sworn before me this 5th day of October, 1993.

Notary Public

Residing at Hailey, Idaho

Commission Expires 8/13/98

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: J-P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: October 5, 1993.

Last Name: Frostvedt
j\srbaclms\frostvedt\00153d.37

Ident No. 297-00153D

OCT 24 1994

RECEIVED

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

SEP 24 1993

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 11/2/89

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 18E
Section 18, NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot , B.M.
Lot 5, Block, , Subdivision/Townsite Greenhorn Bench
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: A37-00153B; A37-02644B
- [] Name and Address of Former Owner/Claimant(s)(Seller):
Earl Engelmenn
Post Office Box 781
Ketchum, ID 83340
- [] New Owner/Claimant (Purchaser):
Karsten and/or Terri Fostvedt
- [] New Mailing Address:
Post Office Box 5248
Ketchum, Idaho 83340
- [] New Telephone Number: (208) 726 - 1157
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
0.33 cfs used to irrigate 5 acres in the SE 1/4, NW 1/4, Sec. 18,
T.3N, R.18E, B.M. Blaine County, Idaho. The split is ONLY for
A37-00153B. ALL of A37-02644B is transferred.
- [] Attach proof of ownership, describe proof attached: Warranty Deeds
(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) Karsten Fostvedt, by J. P. Speck Date 9/23/93
his attorney - u - [signature] Date
- [] 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: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

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

MICROFILMED
OCT 24 1994

POOR ORIGINAL

WARRANTY DEED RECEIVED

SEP 24 1993

Department of Water Resources
Southern Region Office

For Value Received
TOMMY D. WELLS & JUDITH A. WELLS, husband and wife
hereby grant, bargain, sell and convey unto

KARSTEN FOSTVEDT & TERI FOSTVEDT, husband and wife
the grantees, whose current address is Box 5248, Ketchum, Id. 83340
the following described premises, in Blaine County, Idaho, to-wit:

Lot 5, of GREENHORN-BENCH PHASE II, BLAINE COUNTY, IDAHO
according to the official plat thereof on file in the office of
the County Recorder, recorded January 30, 1989, as Instrument No.
302602, records of Blaine County, Idaho.

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

SUN Valley
2 PM 9 25

312119

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantees, their heirs and assigns forever. And the said grantees do hereby covenant to and with the said grantees that they are the owners in fee simple of said premises, that they are free from all encumbrances.

and that they well warrant and defend the same from all lawful claims whatsoever.

Dated: October 24, 1989

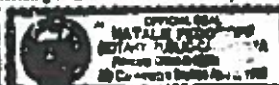
X Tommy D. Wells

X Judith A. Wells

STATE OF CALIF.
COUNTY OF MARIN

On this 27th day of October, 1989, before me a Notary Public, personally appeared
Tommy D. Wells & Judith A. Wells
known and identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Rosalie Felneroff
Notary Public
Residing at SAN Geronimo, CALIF.



STATE OF IDAHO, COUNTY OF

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

in this county, and shall be recorded in Book of Deeds at page

By Fees & Mail to

INSTRUMENT NO.

Chicago Title Insurance Company of Idaho

MICROFILMED

FBIHQ (ACTIONS)

FBIHQ (ACTIONS)

POOR ORIGINAL

WARRANTY DEED

For Value Received

Earl Engelmann, a single man, as to an undivided 1/2 interest
and Melissa delisser, husband and wife, as to an undivided 1/2 interestHereinafter called the Grantor, hereby grant, bargain, sell and conveys unto
Terry O. Ellis and Judith A. Ellis, husband and wife
Shoe Address 187 1/2 Grand Drive, Rio Arriba, NM 98600

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

Lots 25 of Greenhorn Bench Phase II, according to the official plat thereof,
recorded as Instrument No. 902604, records of Blaine County, Idaho.

Post-It™ brand fax transmittal memo 7671 # of pages > 1

To <i>Dusty</i>	From <i>Maureen</i>
Co.	Co.
Dept.	Phone #
Fax #	Fax #

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 10, 1999

Earl Engelmann

Melissa delisser

STATE OF IDAHO, BLAINE COUNTY OF

Earl Engelmann, Melissa delisser, and
Melissa delisser

FIRST AMERICAN

BLAINE COUNTY

OF

89 FEB 15 1999

MARY ENGELMANN

FEES \$300

09/27/2006

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

RIGHT NUMBER: 37-153D

NAME AND ADDRESS: CAROL BURDZY THIELEN
PO BOX 6056
KETCHUM ID 83340

SOURCE: GREENHORN CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.330 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 09/01/1885

POINT OF DIVERSION:

T03N R18E S18 NESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
0.330 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S18 SENW 5.00

5 ACRES TOTAL

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.



Idaho Department of Water Resources

SRBA Recommendation:

37-153D

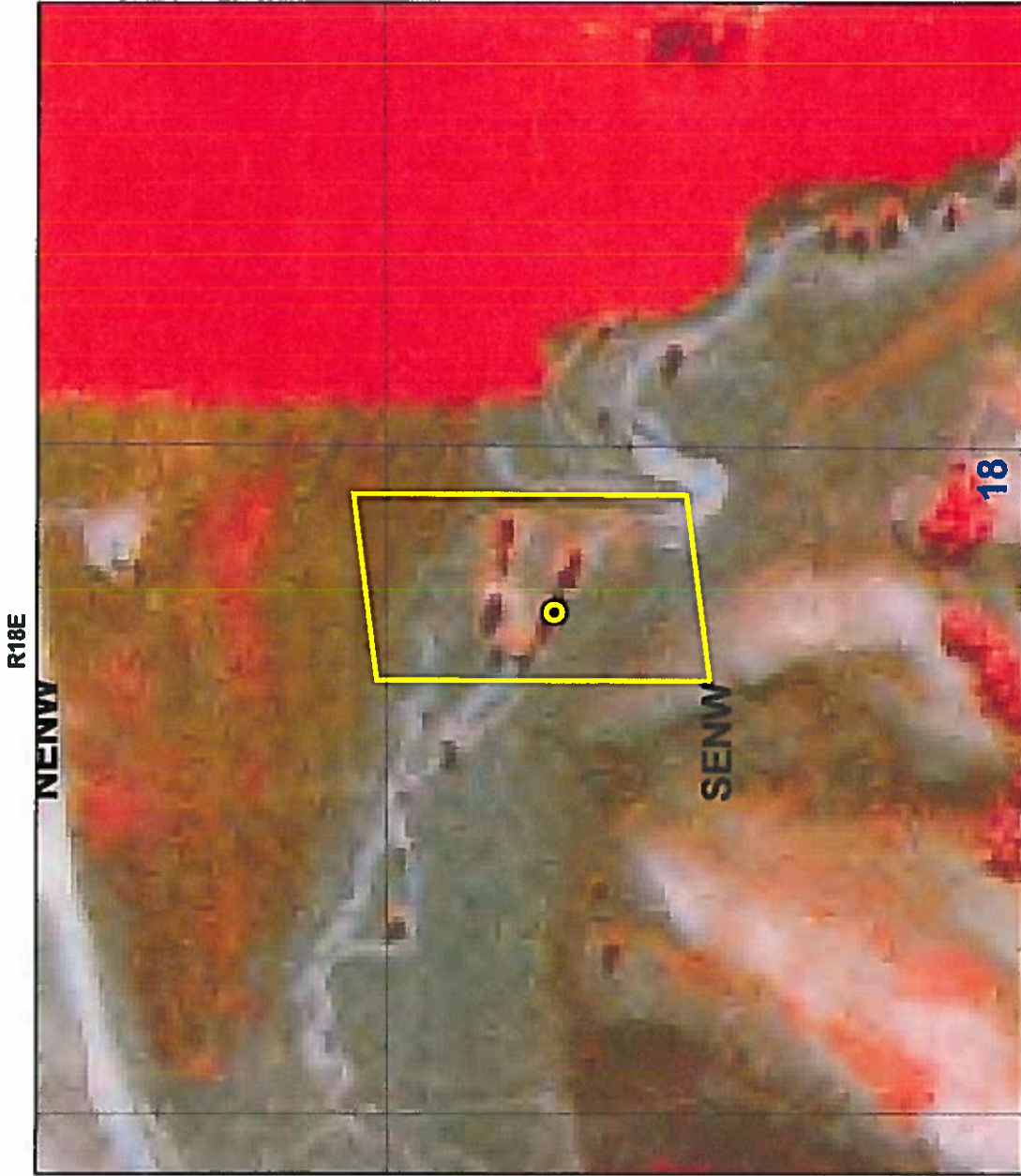
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Thursday, September 28, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

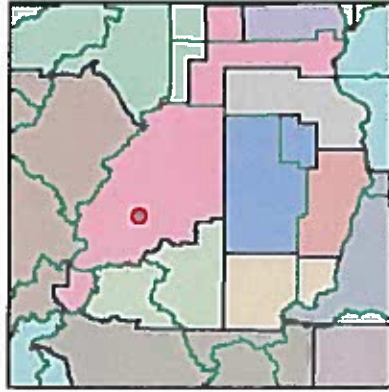
SRBA Recommendation:

37-153D

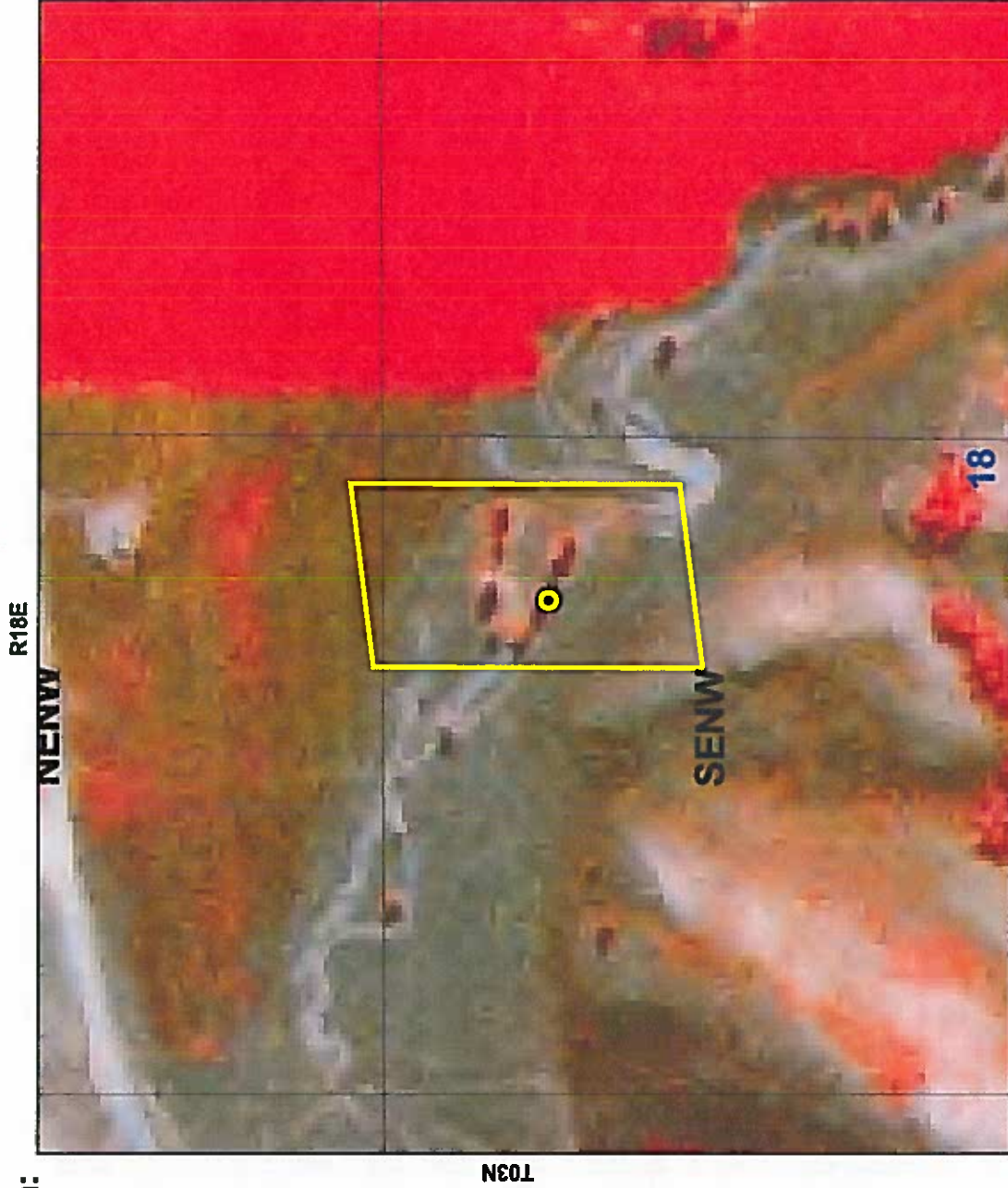
(Irrigation)

Legend

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



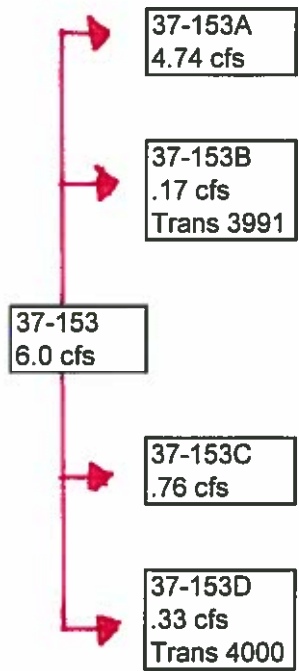
Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by E. NORQUES
On Thursday, September 28, 2006
1987/88 Aerial Photography

37-153 Splits



In the District Court of the Fourth Judicial District
of the

State of Idaho, in and for the County of Lincoln.

RECEIVED
JAN 31 1910
OFFICE OF STATE ENGINEER

B. C. Frost, et al.,

Plaintiffs,

vs.

DECREES.

Alturas Water Company, et al.,

Defendants.

This cause coming on to be heard this 6th day of October
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively for

of Sec. 5, T. 1 S., R. 13 E., -- 320 acres.

Clark, William W. SE 1/4 of Sec. 3, T. 2 S., R. 21 E., 160 acres.

Coates, George S 1/2 of SW 1/4 of Sec. 21, and S 1/2 of SE 1/4
of Sec. 20, T. 2 S., R. 21 E., -- 160 acres.

Coit, Henry A.,
Estate of NW 1/4 of SW 1/4 of Sec. 5, N 1/2 of SE 1/4 and
SE 1/4 of SE 1/4 of Sec. 6, T. 5 S., R. 19 E.,
containing 160 acres.

Comstock, M. A. NE 1/4 of Sec. 7, NW 1/4 of SE 1/4, S 1/2 of SE
1/4 and SE 1/4 of SW 1/4 of Sec. 7, NE 1/4 of
Sec. 18 and E 1/2 of NW 1/4 of Sec. 18, and NW
1/4 of NW 1/4 of Sec. 17, T. 3 N., R. 18 E.

Cook, John W. NE 1/4 of SE 1/4 of Sec. 16, and W 1/2 of NW 1/4
of SW 1/4 of Sec. 15, T. 2 N., R. 18 E., con-
taining 60 acres.

Cooper, Joseph SW 1/4 of Sec. 10, T. 2 S., R. 21 E., containing
160 acres.

Cramer, E. Part of the W 1/2 of NW 1/4 of Sec. 9, T. 2 N.,
R. 18 E., adjoining and Westerly of the Village
of Hailey, containing 80 acres, more or less.

Cramer, Hugh SE 1/4 of SE 1/4, N 1/2 of SE 1/4, SE 1/2 of NE
1/4, NE 1/4 of NW 1/4 and NW 1/4 of NE 1/4 of
Sec. 20, SW 1/4 of SE 1/4 and E 1/2 of SW 1/4
of Sec. 17, T. 3 N., R. 18 E., -- 400 acres.

Crebbin, Alfred SW 1/4 of NE 1/4 and W 1/2 of SE 1/4 of Sec. 6,
and NW 1/4 of NE 1/4 of Sec. 7, T. 2 S., R. 18
E., containing 160 acres.

Cronin, Daniel L. NE 1/4 of NE 1/4 of Sec. 28, and NW 1/4 of NW 1/4
of Sec. 27, T. 5 S., R. 14 E.

Crothers, Albert D. N 1/2 of SE 1/4, SW 1/4 of NE 1/4, and Lot 2, of
Sec. 3, T. 4 S., R. 18 E., -- 160-1/2 acres.



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

July 31, 2003

CAROL B THIELEN
PO BOX 6056
KETCHUM ID 83340

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-153D
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



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

July 19, 2002

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: SRBA Claim(s) 37-153D, 37-2644B

Dear Counselor:

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

Sincerely, _

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

Trish Fawcett
Technical Records Specialist

Enc.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

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

July 15, 2002

RECEIVED

JUL 17 2002

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 in Water Right Ownership
Carol B. Thielen**

Dear Allen:

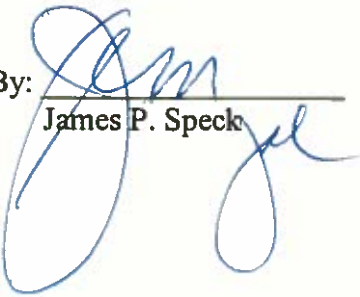
Enclosed please find a Notice of Change in Water Right Ownership signed by Ms. Carol Burdzy Thielen. I have also enclosed a Notice of Appearance together with a copy of both documents and a stamped, addressed return envelope. Please receipt date stamp the copy and send it back to me.

Call me right away if you have any questions about this change.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
enclosure
cc: Carol Thielen (w/encl.)
Chief, Natural Resources Division
US Dept. Of Justice
IDWR

Claimant's Name:
Carol B. Thielen

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(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 the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Carol B. Thielen, for the following water rights which are not the subject of any subcases: 37-2644B and 37-00153.

DATED this 15th day of July, 2002.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 2002, 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

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

24-Nov-1993

JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

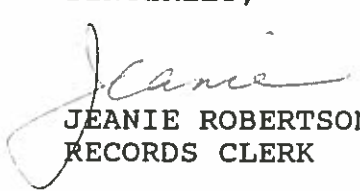
RE: CHANGE OF OWNERSHIP/ ADJUDICATION CLAIM NO. A37-00153D, A37-02644B

MR. SPECK:

PURSUANT TO THE NOTIFICATION THAT YOU ARE REPRESENTING THE CLAIMANT(S) ON THE ABOVE REFERENCED ADJUDICATION CLAIM(S), PLEASE FIND ENCLOSED THE COMPUTER GENERATED CLAIM(S) BASED ON THE INFORMATION FROM THE ORIGINAL CLAIM AND THE CHANGE OF OWNERSHIP FORM. (NOTE THAT I HAD ALREADY CHANGED THE OWNERSHIP ON A37-00153B WHICH SPLIT THE CLAIM AND THE FOSTVEDT'S ARE REFERRED TO AS A37-00153D. I HAD SENT THEM A COPY BUT HAVE ENCLOSED ONE FOR YOUR RECORDS.)

PLEASE REVIEW THESE RECORDS AND IF YOU HAVE ANY CORRECTIONS OR ANY QUESTIONS, FEEL FREE TO CONTACT THIS OFFICE.

SINCERELY,


JEANIE ROBERTSON
RECORDS CLERK

/jr
Enclosures

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OCT 24 1994

Water Right Number - R37-00153D Prefix Translation: RESEARCH Old (D) Number - + - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FOSTVEDT KARSTEN A
1 - PO BOX 5248
2 -
3 -
City- KETCHUM
Phone - 208-726-1157
1 - PO BOX 5248
2 -
3 -
City- KETCHUM
Phone - 208-726-1157
State- ID Zip- 83340
State- ID Zip- 83340

Priority Date - - + - - - - Region - - - - + - - - - Stage - - - - + - - - - Status - - - - +
09/01/1885 ERROR IN REGION D - DECREED
Source - - - - - + - - - - Tributary - - - - - +
GREENHORN CREEK BIG WOOD RIVER

Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
03N 18E 18 NE SE NW (13) BLAINE

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.330

Total Div. Rate - + - - - Total Div. Volume - + - - - Total Consumptive Use - + - - - KW Usage - +
0.330 0.330 12.5

Twn Rng Sec Tract Lot Acres Code Description County
03N 18E 18 SE NW 5.0 01 IRRIGATION (13) BLAINE

Total Acres: 5.0

- - - Diversion Means - PUMP IN CREEK TO MAINLINE TO SPRINKLERS

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

Remarks
PURSUANT TO APPROVED TRANSFER NO. 4000:
1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS

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OCT 24 1994

Water right number - R37-00153D

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY
THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.

3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE
ONGOING SRBA.

4. USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 37.

5. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
APPROVED BY IDWR SHALL BE MAINTAINED ON THE DIVERTING WORKS
IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE
CONTROL OF THE DIVERSION.

6. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE
FOR THE LANDS ABOVE.

P/U IS LOT 5, GREENHORN BENCH SUBDIVISION

+ - - - - - No Old Water Right Numbers Found - - - - - +

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + - - - - - Decree Defendant - - - + - - - - - Decree Date - - +
00/00/0000

+ - - - - - Comments - - - - - +

No Comments Found

+ - - - - - Audit Fields - - +
00/00/00 ROBERTSO

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

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	- 12/13/1988	Last Amended Date	- 11/03/1993	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-Nov-1993

KARSTEN A FOSTVEDT
TERI FOSTVEDT
PO BOX 5248
KETCHUM ID 83340

RE: Amendment of SRBA Claim #A37-00153D

Dear Claimant:

Pursuant to the approval of Transfer No. 4000, your above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name and title.

Jeanie Robertson
Records Clerk

Encl:

MICROFILMED
OCT 24 1994

ADJ.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

RECEIVED

MAY 14 1993

This is to certify that: KARSTEN A FOSTVEDT
TERI FOSTVEDT
PO BOX 5248
KETCHUM ID 83340

Department of Water Resources
Southern Region Office

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.33 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GREENHORN CREEK	BIG WOOD RIVER

Priority: 09/01/1885

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	SENW	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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OCT 24 1994

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 6th day of

April, 1993.

A. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED
OCT 24 1994

Date Sent to S. JAN - 7 1993

Form 222
1-87Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4000
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NOV 18 1991

PART 1

Department of Water Resources
Southern Region Office
Phone 726-1157Name of applicant KARSTEN A. FOSTVEDT AND/OR TERI FOSTVEDTPost Office address POST OFFICE BOX 5248, KETCHUM, IDAHO 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes APPLICANT DESIRES TO MOVE THE POINT OF DIVERSION AND PLACE OF USE TO HIS LOT 5, GREENHORN BENCH SUBDIVISION

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------------------|-----------------|--------------------|-------------------|-------------------------------------|
| <u>37-00153^B</u> | <u>9/1/1885</u> | <u>0.33 cfs</u> | <u>IRRIGATION</u> | <u>APRIL 1</u> to <u>NOVEMBER 1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.33 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GREENHORN CREEK tributary to BIG WOOD RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	18	3N	18E	BLAINE	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18								5									5

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OCT 24 1994

Total acres 5

37-00153 D, T# 4000

PART 1

6. General Information:

a. Description of diversion system PUMP AND CREEK TO MAINLINE TO SPRINKLER IRRIGATION SYSTEM

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

THE CHANGE OF PLACE OF USE IS MAINLY TO CONFIRM THE LOCATION OF ACRES TO BE
IRRIGATED WITH THE PORTION OF THE WATER RIGHT ACQUIRED BY APPLICANT

d. Remarks:

SEE ATTACHED ADDENDUM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED
- 101 A 10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00153 Decreed to M.A. COMSTOCK
in case of S.C. FROST ET AL. vs. ALTURUS WATER COMPANY ET AL.
dated DECEMBER 13, 1909 in 4th DISTRICT COURT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water GREENHORN CREEK tributary to BIG WOOD RIVER

4. Date or priority 9/1/1885

5. Water is used for the following purpose:

amount 6.0 cfs for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.0 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: NONE IDENTIFIED IN DECREE

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	7	X				X				X			X	X	X	X	X	
3N	18E	17						X											
3N	18E	18	X				X			X	X				X				

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Total acres _____

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.33 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: NONE IDENTIFIED IN DECREE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	18								5									5

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 5.67 cfs for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: NONE IDENTIFIED IN DECREE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	7	X				X				X			X	X	X	X	X	
3N	18E	17						X											
3N	18E	18	X				X			X	X				X				

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00153B on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water GREENHORN CREEK tributary to BIG WOOD RIVER

4. Date or priority 9/1/1885

5. Water is used for the following purpose:

amount 1.26 cfs for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.26 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	18	3N	18E	BLAINE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	18					18			3									21

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OCT 21 1994

Total acres 21

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.33 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: NONE IDENTIFIED IN DECREE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	18								5									5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .93 cfs for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	18	3N	18E	BLAINE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	18					16												16

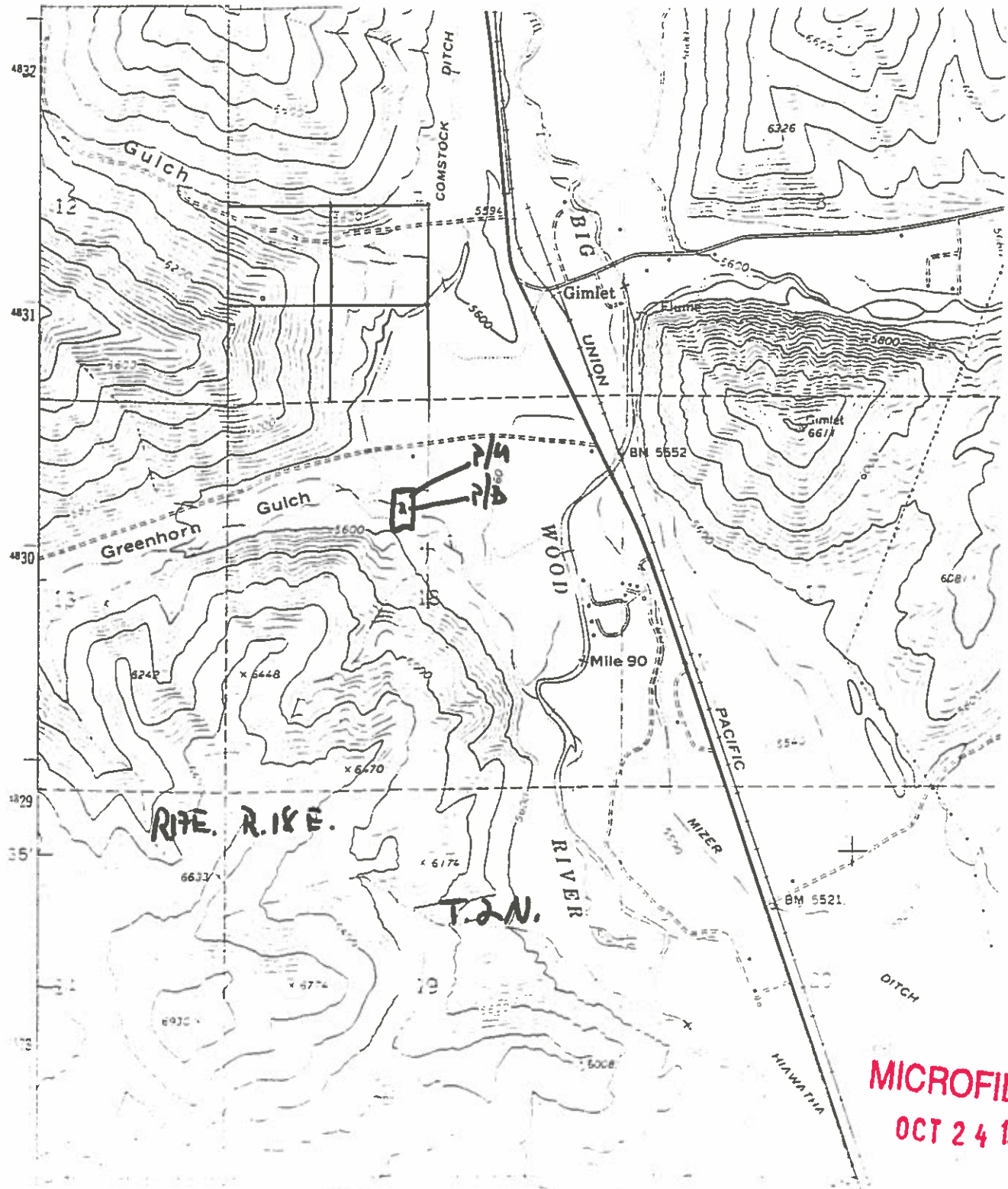
Total acres 16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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OCT 24 1994

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Karsten Forstner, by J. P. Speck, his attorney in fact
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of November, 19 91.

Donna H. Kibben
(Notary Public)

My commission expires Life

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachments

Received by R. Foster Date 11-18-91

Protest filed by _____

Prelim. check by J. F. Stanton Fee \$50.00 5014297

Received by J. F. Stanton Date 3-29-92

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 10/7 & 10/14/92

Hearing held by _____ Date _____

Watermaster recommendation requested on 9/28/92

Recommended for ☐ approval ☐ denial

rec'd. 9/30/92

by _____

Copy of transfer sent to lien holder _____

ADDENDUM TO
APPLICATION FOR TRANSFER OF WATER RIGHT
BY
KARSTEN A. FOSTVEDT &/OR TERI FOSTVEDT

The following is an Addendum to the Application for Transfer of Water Right submitted by Karsten A. Fostvedt &/or Teri Fostvedt:

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

6. General Information.

d. Remarks: A portion (1.26 cfs) of Water Right No. 37-00153 was acquired by the developers of Greenhorn Bench Subdivision and claimed by them in the Adjudication (see Claim No. A37-00153B). In the Declaration of Covenants, Conditions and Restrictions of Greenhorn Bench Subdivision, this portion was allocated to three (3) of the Subdivision Lots (see copy attached - Article XI, Section 2). Lot 4 was later resubdivided into Lots 5 and 7, and the owners of these Lots have agreed to divide the share allocated to Lot 4 as follows: Lot 5 - 0.33 cfs, Lot 7 - 0.17 cfs. The 1.26 cfs historically irrigated 21 acres within the lands subdivided and the 0.33 cfs will be used to irrigate 5 acres within Lot 5, approximately the same amount per acre.

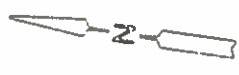
Applicant has Water Right No. 37-02644B (see Transfer No. 3514) to supplement the irrigation of 2 acres when the Greenhorn Creek right is not available.

POOR ORIGINAL

SHEET 1 OF 2 SHEETS

GREENHORN BENCH PHASE II

A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC 18, T3N, R18E, B1M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
JANUARY, 1989



This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation if any with another or re-survey if any.

Courtesy Of:
First American Title Co.
Box 756
Ketchum, Idaho 83340

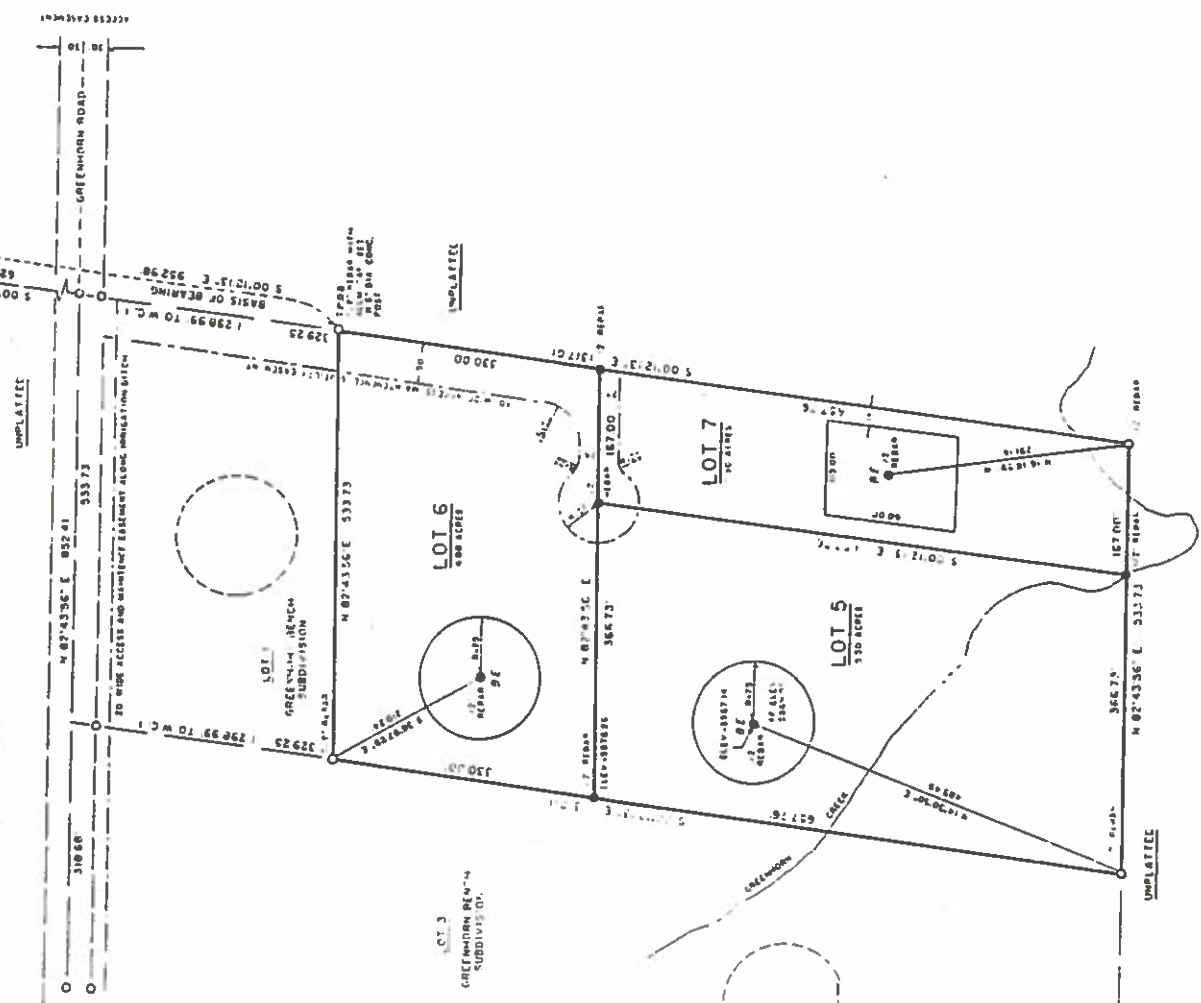
SCALE 1" = 100'

LEGEND

- PHASE LINE FOUND
- PERMANENT SET
- MONUMENT NOT SET
- ROAD EASEMENT
- ACCESS, MAINTENANCE AND UTILITY EASEMENT
- 6 OF CENTER
- BUILDING ENVELOPE

NOTES

1. GREENHORN BENCH SHALL HAVE A PERMANENT SET POINT FOR THE CENTER OF LOT 4.
2. GREENHORN BENCH IS AN INTERIOR CORNER OF THE SECTION 18 AREA AND DOES NOT ADJACENTLY JOIN OTHER SECTIONS. THEREFORE, THE BOUNDARY LINES HAVE BEEN SET BY THE SURVEYOR AND NOT BY PRIVATE AGENTS.
3. A 10' UTILITY EASEMENT SHALL BE GRANTED TO ALL INTERIOR LOT LINES.
4. THE ELEVATION OF THE BENCH SHALL BE 5337.73 FEET.
5. THE 200' SEPARATION SHALL BE MAINTAINED BY THE BENCH BUILDING ENVELOPES.
6. ACCESS ROADS WILL BE PRIVATELY OWNED AND MAINTAINED.
7. ALL DOL WITHIN THE DEVELOPMENT SHALL BE REMOVED OR LEASED AT ALL TIMES TO INSURE GAME ANIMALS ARE NOT HARASSED.
8. THE BENCH SHALL BE MAINTAINED BY THE BENCH OWNERS AND POLES ORIENTED TO THE 10' PAUL SHALL BE SET TO 40' INCHES IN ALL DIRECTION AND TO 10' INCHES IN ALL DIRECTION.
9. MAINTENANCE AND WILD CONTROL FOR ALL LOTS ARE THE RESPONSIBILITY OF THE DEVELOPER. THE LOT IS SOLD AND THEREAFTER THE RESPONSIBILITY OF THE OWNER OF THE LOT.



MICROFILMED
OCT 24 1994

000000 22
T # 4000

POOR ORIGINAL

comstock
Ditch

Approx,
PD 0 P/4

7
+18

INTRO FILMED

001-4

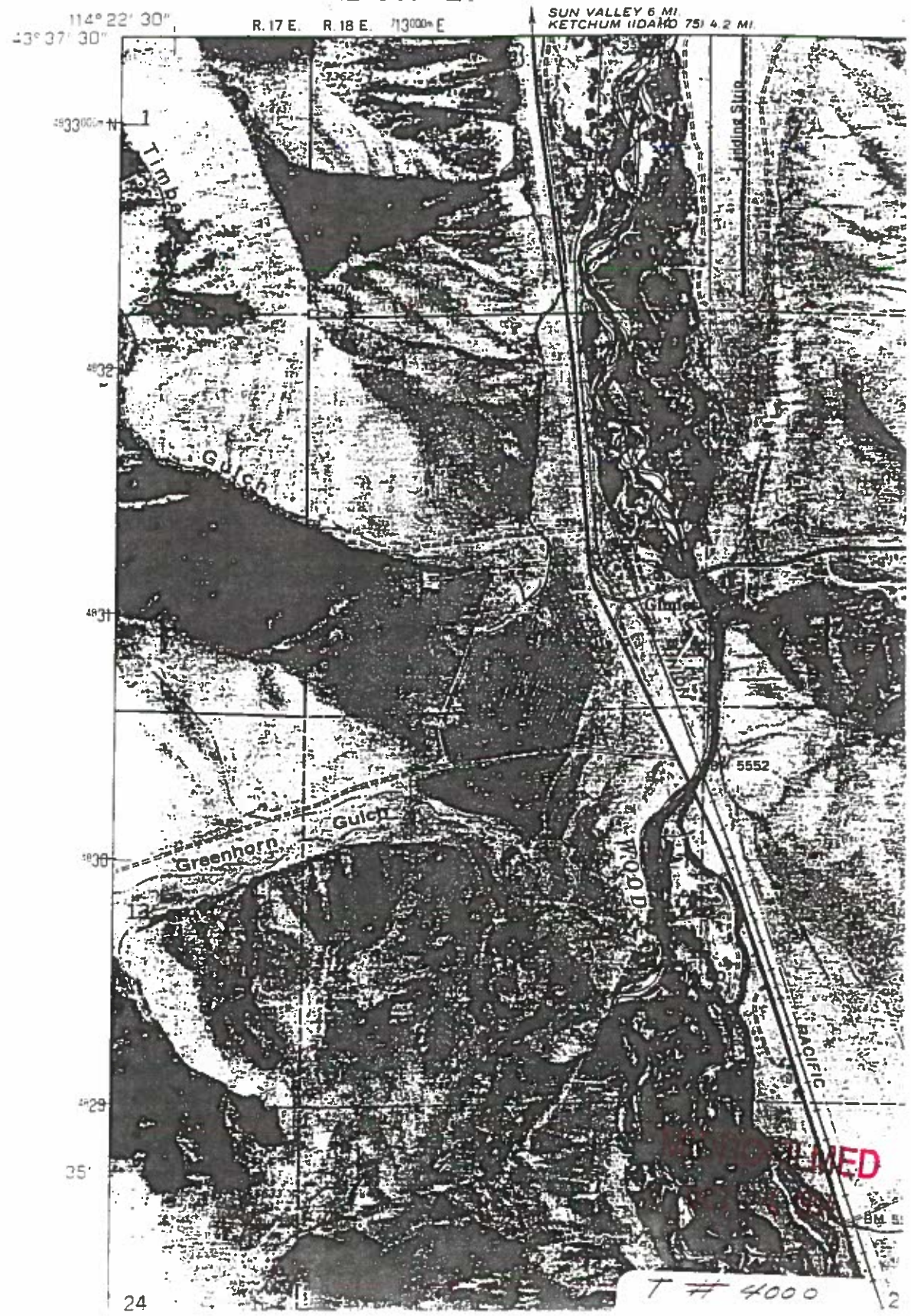


State of Idaho
DEPARTMENT OF WATER RESOURCES

R 17 E | R 18 E

POOR ORIGINAL

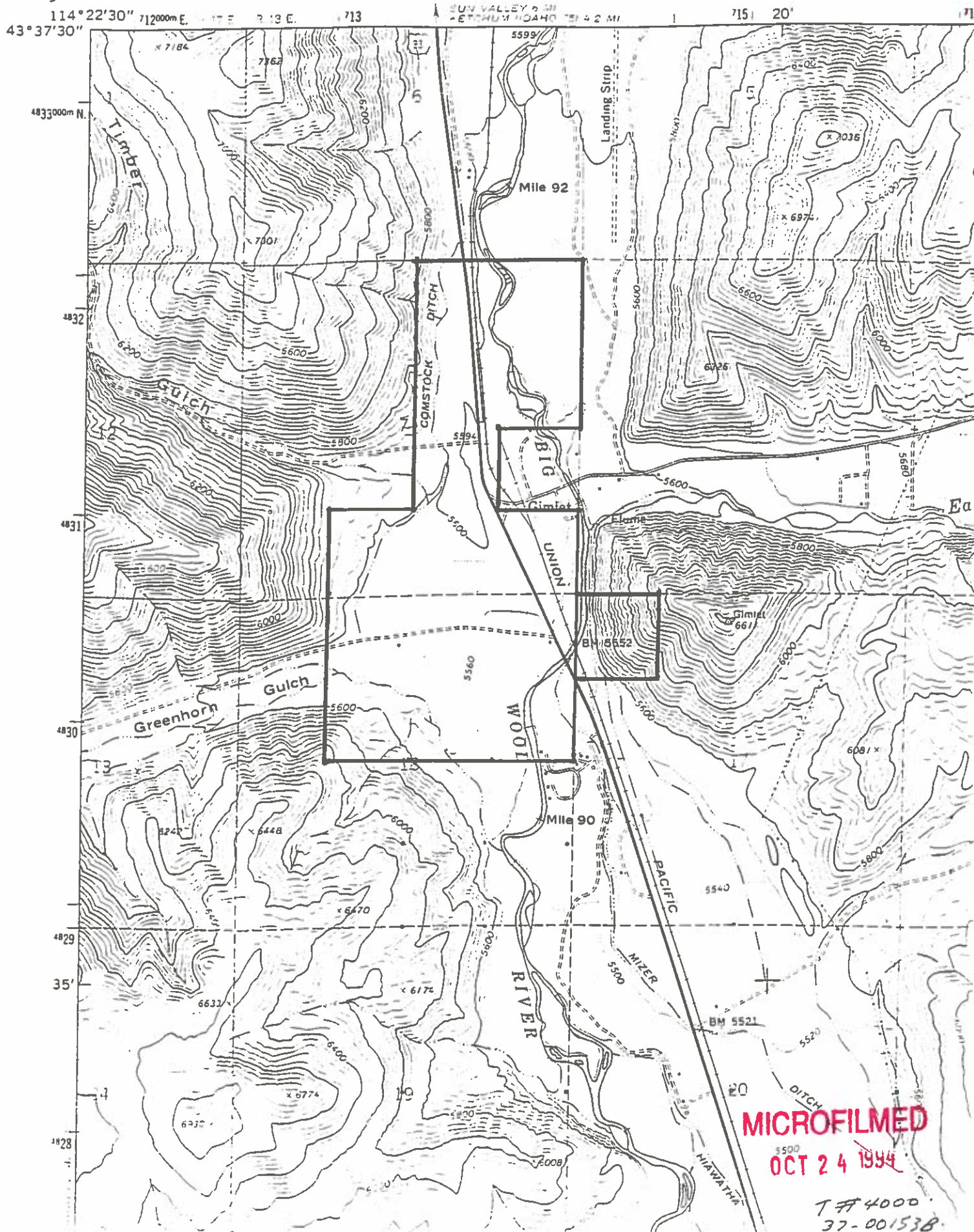
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



3121 NW
(GRIFFIN BUTTE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

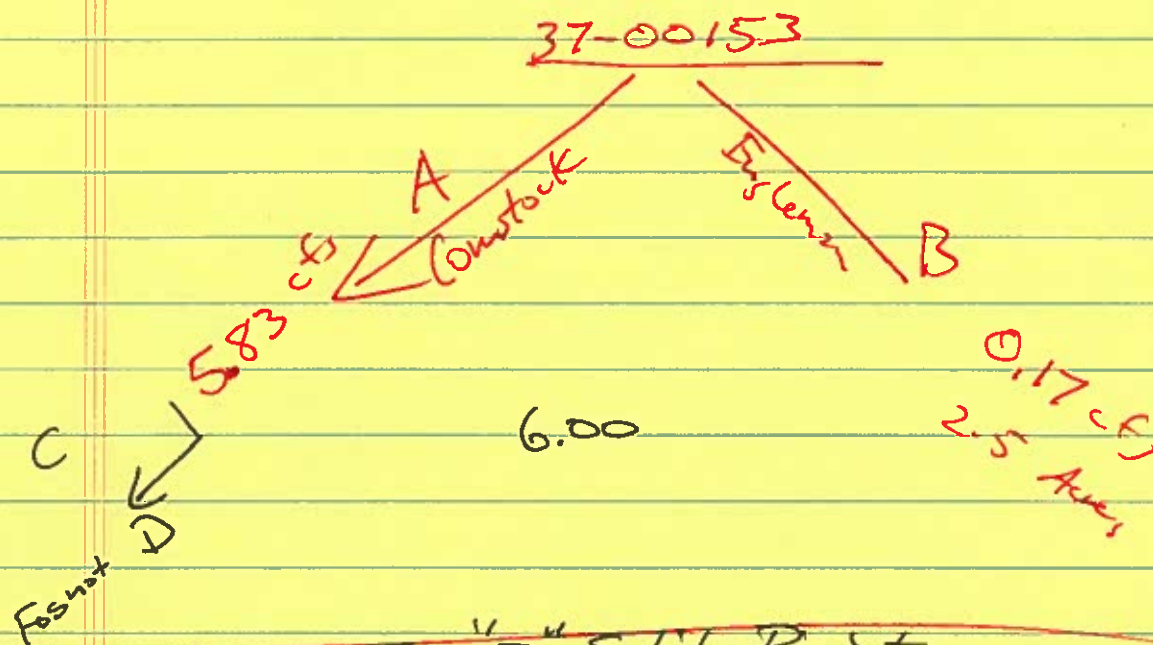
POOR ORIGINAL



MICROFILMED
OCT 24 1984

T # 4000
37-00153B

~~2.~~
WR



A37-00153 "Z" Split Right

A Remembered	<u>A37-00153</u>	Gould Family Part.	4.74
	A37-00153 B	Englemann / DeLisser	1.26
		— Split	<u>6.00</u>

A37—	~~B~~	B Englemann — 0.17	Lot 7	(2.5 Ac)
	~~C~~	C Englemann / DeLisser	0.76	(13.5 Ac)
	~~D~~	D Fosted +	(5 Ac) — 0.33	Lot 5

2.5 x Acres = C.U.

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OCT 24 1994

A37-00153B

AJ3
copy

→ C
→ D

AJ2 Modify B
C
D

A37-00153

Copy
AT3

→ A

AJ2 "Z" 00153
~~copy~~

MICROFILMED
OCT 24 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

October 6, 1993

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

Allen Merritt
State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

OCT 07 1993

Department of Water Resources
Southern Region Office

Re: Notice of Claim No. A37-00153D

Dear Allen:

Enclosed you will find the Notice of Claim No. A37-00153D which I have prepared for Karsten A. and Terri Fostvedt together with a copy of the Special Power of Attorney. This Notice of Claim represents that portion of Claim No. A37-00153B which my clients acquired from Earl Engelmann, et al, as changed by Transfer No. 4000. Please send me a printout from the computer database once this Claim has been entered. Kindly call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/vl

Enclosures

cc: Dr. Karsten Fostvedt

MICROFILMED
OCT 24 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 23, 1993

Allen Merritt
State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

SEP 24 1993

Department of Water Resources
Southern Region Office

Re: SRBA Claims A37-00153B and A37-02644B
Karsten and/or Terri Fostvedt

Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership for the above-referenced claims together with copies of the two Deeds transferring title from Earl Englemann to Dr. and Mrs. Fostvedt. The ownership all of A37-02644B is changed, but the ownership of A37-00153B is split as noted. There is a pending Application for Transfer No. 4000 to confirm the split and change the point of diversion. Upon approval, the claim will be amended.

Please return to me printouts from the computer database reflecting the changes of ownership. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.

JPS
James P. Speck

JPS:vl

cc: Mr. Karsten Fostvedt

MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 7, 1993

KARSTEN A FOSTVEDT
TERI FOSTVEDT
PO BOX 5248
KETCHUM ID 83340-5248

RE: Transfer of Water Right No. 37-00153D

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4000). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MAY 20 1993

MICROFILMED
OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

This is to certify that: KARSTEN A FOSTVEDT
TERI FOSTVEDT
PO BOX 5248
KETCHUM ID 83340

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.33 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GREENHORN CREEK	BIG WOOD RIVER

Priority: 09/01/1885

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	SENW	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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MAY 20 1993 MICROFILMED

OCT 24 1994

TRANSFER NO. 4000
WATER RIGHT NO. 37-00153D

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 6th day of April, 1993.

A. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
MICROFILMED OCT 24 1994

MAY 20 1993

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, KARSTEN FOSTVEDT, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

SPECIAL POWER OF ATTORNEY - 1

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6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 13 day of November, 1991.

Karsten A. Fostvedt, DVM
KARSTEN FOSTVEDT

STATE OF IDAHO)
) ss.
County of Blaine)

On this 13 day of November, 1991, before me, the undersigned notary public in and for said state, personally appeared KARSTEN FOSTVEDT, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Deborah H. Kirby
Notary Public for Ketchum, Idaho
Residing at: Ketchum, Idaho