

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 37-4311
Date Received: 10/26/1988
Receipt No: M001756
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARCIA N TROOK Phone: (781)891-3833
30 ABERDEEN RD
WESTON MA 02493

2. Date of Priority: 01/01/1950

3. Source: DECKER CREEK Trib. to: WOOD RIVER EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	35	NW SE NW	BLAINE	

5. Description of diverting works:

SPRING BOX, PIPE, DITCH, PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/30	7/31	2	
STOCKWATER	1/01	12/31	0.2	
DOMESTIC	1/01	12/31	0.004	

7. Total Quantity Appropriated is:
2.204 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
04N	18E	35	NE	SW	DOMESTIC	
			NE	SW	STOCKWATER	
			NE	SW	IRRIGATION	2
					Section Acres	2
					Total Acres	2

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:

15. Basis of Claim: Statutory Claim

RECEIVED

DEC 23 2002

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

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>37-4311</u>	<u>37-4311</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) Jean Star and Paula Barovetto
P.O. Box 269, Sun Valley, ID 83353
4. New Owner/Claimant(s) Marcia N. Trook
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 30 Aberdeen Road
- City, State and Zip Code Weston, Massachusetts 02493
- New Telephone Number (781)891-3833
5. Date you acquired the property 10/23/02

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)


Marcia N. Trook

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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

SVTC Order No. 02-18203

WARRANTY DEED

Instrument # 472612

HARLEY, BLAINE, IDAHO
 2002-10-23 11:38:00 No. of Pages: 1
 Recorded for: SUN VALLEY TITLE
 MARSHA RIEHMANN Fee: 3.00
 Ex-Officio Recorder Deputy
 Instrument: 472612 CORP USED

FOR VALUE RECEIVED

BARRY VICTORY AND JEAN STARR VICTORY, husband and wife who acquired title as
 BARRY VICTORY AND JEAN L. STARR, husband and wife

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

MARCIA N. TROOK, a married woman as her sole and separate property

the grantee, whose current address is 30 Aberdeen Road
 Weston, MA 02493

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

Lot 1A of a Replat of Lot 1, Block 1 of STARR RANCH SUBDIVISION, BLAINE
 COUNTY, IDAHO, as shown on the official plat thereof, recorded July 24, 1995 as Instrument No.
 380433, 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
 Grantor(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to
 and with the said Grantee(s), that they/he/she/it is the owner in fee simple of said premises; that
 said premises are free from all encumbrances and that they/he/she/it will warrant and defend the
 same from all lawful claims whatsoever.

Dated: October 21, 2002

Barry Victory
 Barry Victory

Jean Starr Victory
 Jean Starr Victory

State of: IdahoCounty of: Blaine

On this 21st day of Oct, 2002, Before me a Notary Public in and for said State,
 personally appeared Barry Victory and Jean L. Starr Victory 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.

Carolyn Baird
 Notary Public

Residing at HarleyComm. Expires 3/14/2003

SVTC Order No. 02-18203

QUITCLAIM DEED

Instrument # 472513
 HALEY, BLAINE, IDAHO
 2002-10-23 11:37:00 No. of Pages: 1
 Recorded for: SUN VALLEY TITLE
 MARSHA RIZEMANN Fee: 3.00
 Ex-Officio Recorder Deputy
 WTSR 001 WTT000000000 DEED

For Value Received BARRY VICTORY AND JEAN STARR VICTORY, husband and wife, who
 acquired title as BARRY VICTORY AND JEAN L. STARR, husband and wife

Do hereby convey, release, remise and forever quitclaim unto

MARCIA N. TROOK, a married woman

Whose current address is 30 Aberdeen Rd
 Weston, MA 02493

the following described premises, to-wit:

Water rights # A37-04311 located at Lot 1A of a Replat of Lot 1, Block 1 of STARR RANCH
 SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded July 24, 1995
 as Instrument No. 380433, records of Blaine County, Idaho.

Together with their appurtenances.

Dated: October 21, 2002

Barry Victory
 Barry Victory

Jean Starr Victory
 Jean Starr Victory

State of: Idaho

County of: Blaine

On this 21st day of Oct 2002, before me, a Notary Public in
 and for said State, personally appeared Barry Victory and Jean Starr Victory 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.

Carolyn Baird
 Notary Public
 Residing at: Idaho
 Comm. Expires: 3/14/2003



REPLAT OF LOT 1 BLOCK 1 **STARR RANCH SUBDIVISION** WHEREIN STARR RANCH SUBDIVISION, BLOCK 1, LOT 1, IS DIVIDED CREATING LOTS 1A AND 1B SITUATED WITHIN SECTION 35, T4N, R18E, B.M. BLAINE COUNTY, IDAHO 1995

SHEET 1 OF 2

NOTES

No fences within the subdivision shall exceed 42" in height and the bottom rail shall exceed 16" in height to allow wildlife migration.

All utilities shall be located underground.

A ten foot wide easement shall run along all exterior boundary lines, along all roads and centered on all interior lot lines.

No residential structures shall be constructed outside the designated building envelopes. Non-residential structures that satisfy all other zoning requirements may be permitted in other areas within the 25% slope line.

All fire protection requirements of the Kelchum Rural Fire District and Blaine County including but not limited to water supply, access and clear zones shall be met prior to the issuance of any building permits.

Individual lot owners are responsible for controlling weeds designated on the Idaho Noxious Weed List. Mowing and manual removal are recommended.

As an open range state, it is the responsibility of private landowners in Idaho to fence and livestock authorized to graze on open range such as public land.

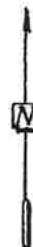
No tree vegetation shall be maintained in its natural state to the greatest extent possible with landscape being limited to a maximum of 1/2 acre irrigated.

All new domestic wells shall be metered.

All surface drainage shall be accommodated by maintaining natural drainage channels where possible or by providing adequate alternate channels.

The existing building and proposed building envelope on Lot 1A are, according to Art Meers' 1978 study, located in an avalanche "powder blast" area. No new residential construction shall occur in this envelope unless it is specially designed to withstand blast pressures or a site specific study excludes the envelope from any avalanche hazard area.

The avalanche danger area designated on the subdivision plat is incomplete. Studies identifying other hazardous areas has been done but are not indicated. However given the designated building envelopes, the indicated danger areas are considered by the owner and Blaine County to be reasonable for regulatory purposes. However neither the owner or Blaine County represents, guarantees, warrants or implies that areas outside the designated avalanche danger area are safe or free from avalanche danger.

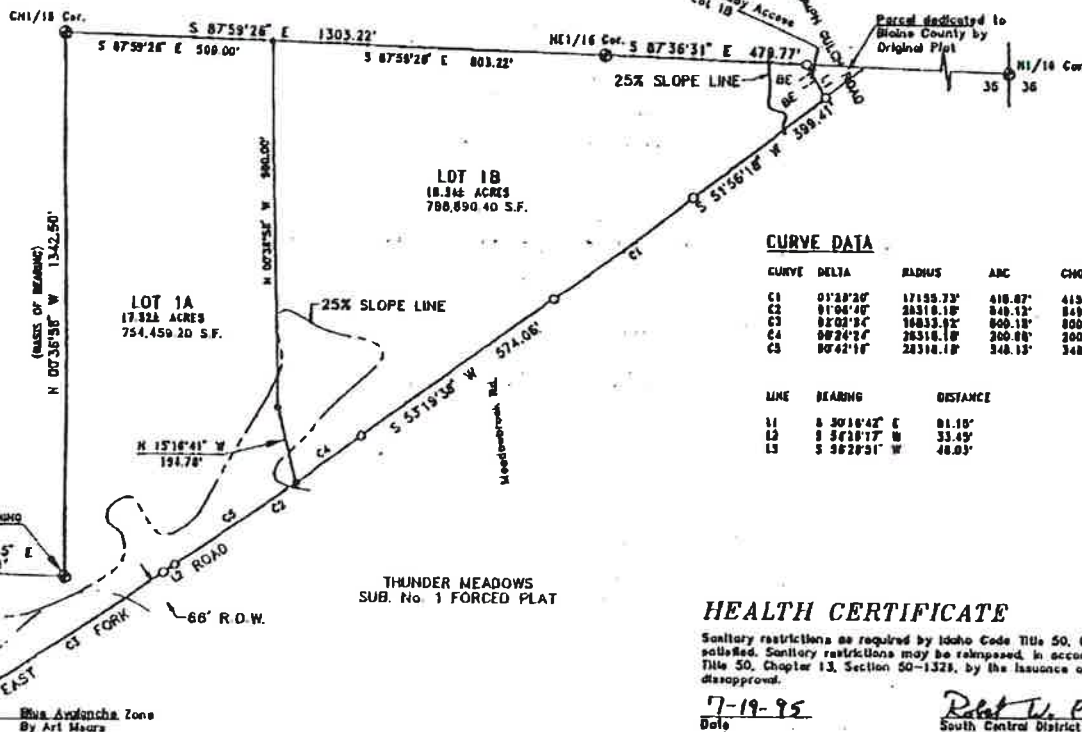


LEGEND

- ⊙ BRASS CAP
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- ⊙ SET 5/8" REBAR
- ⊙ SET 1/2" REBAR
- BOUNDARY LINE
- LOT LINE
- BE BUILDING ENVELOPE



UNPLATTED



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	01°30'20"	17155.73'	418.87'	418.84'	S 82°37'50" W
C2	01°04'40"	28318.10'	849.12'	849.11'	S 83°32'50" W
C3	02°02'54"	16833.92'	860.18'	860.15'	S 85°27'30" W
C4	08°24'22"	28318.10'	260.08'	260.08'	S 87°31'50" W
C5	08°42'10"	28318.10'	348.13'	348.13'	S 89°05'10" W

LINE	BEARING	DISTANCE
L1	S 30°10'42" E	81.10'
L2	S 57°28'17" W	33.49'
L3	S 58°28'51" W	48.03'

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been collected. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1323, by the issuance of a certificate of disapproval.

7-19-95
 Date

Robert W. Enloe
 South Central District Health Dept. EMS



SAWTOOTH ENGINEERING
 Civil Engineers and Land Surveyors

Bulley (280) 708-8080 Idaho

70925UB DWG 8-28-94

RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:
James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

RECEIVED
FEB 18 2003
Department of Water Resources
Southern Region

(Space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, PAULA BAROVETTO, a married woman dealing in her sole and separate property, ("Grantor"), does hereby convey, release, remise and forever quitclaim unto MARCIA N. TROOK, a married woman as her sole and separate property, whose address is 30 Aberdeen Road, Weston, MA 02493 ("Grantee"), any and all interest she may have in and to the following described water right appurtenant to property situated in Blaine County, Idaho, to wit:

Water Right No. 37-4311 appurtenant to Lot 1A of a Replat of Lot 1, Block 1 of STARR RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, as shown on the official plat thereof, recorded July 24, 1995 as Instrument No. 380433, records of Blaine County, Idaho.

DATED this 7th day of January, 2003.

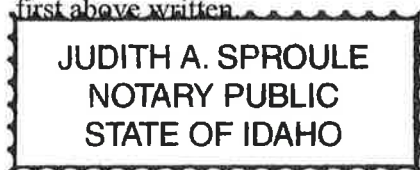
GRANTOR:

Paula Barovetto
PAULA BAROVETTO

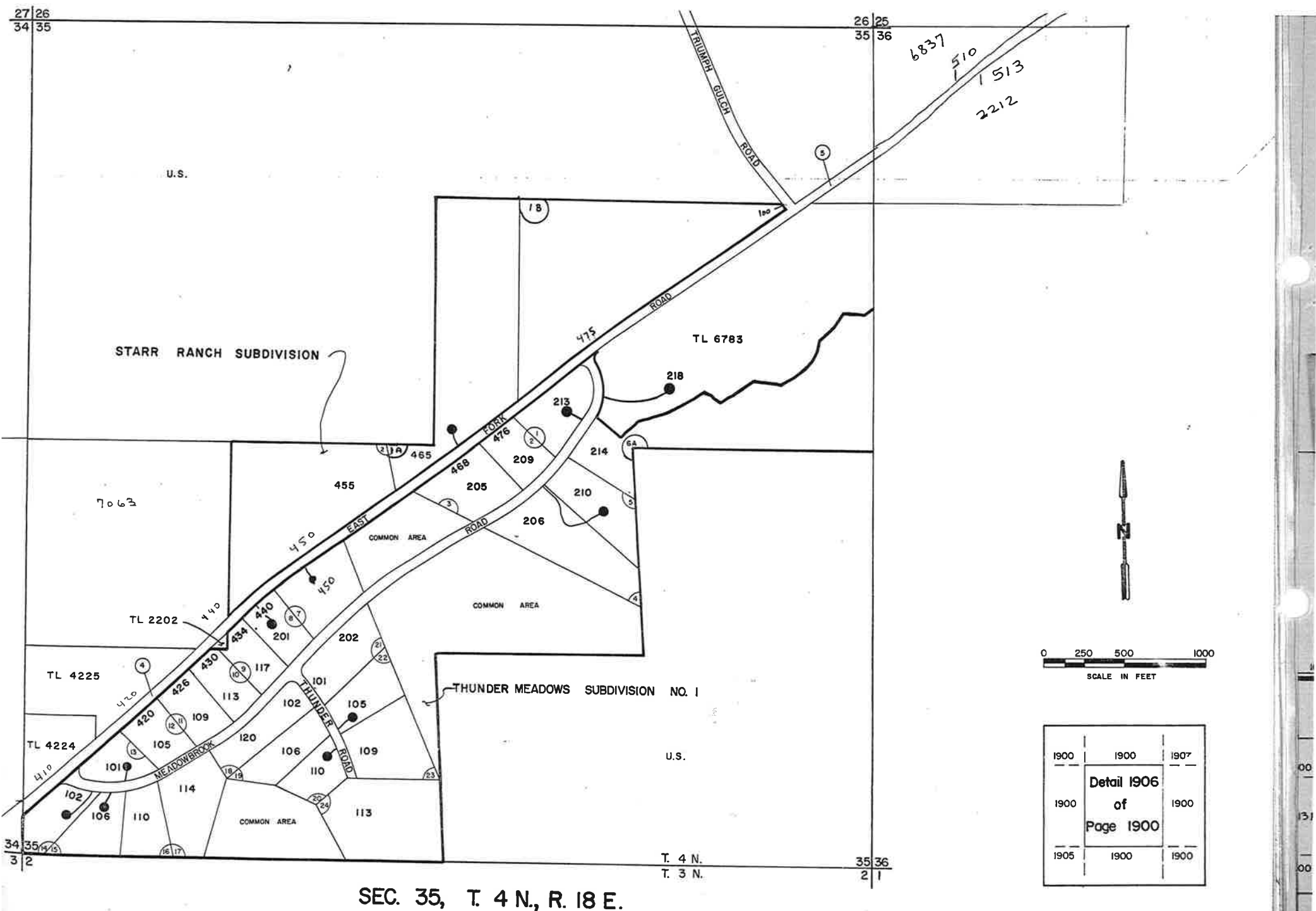
STATE OF IDAHO)
) ss.
County of Blaine)

On this 7th day of January, 2003, before me the undersigned notary public in and for said state, personally appeared PAULA BAROVETTO, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that said trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Judith A. Sproule
Notary Public for Idaho
Residing at : Hailey, Idaho
Comm. Expires: 8/19/05



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: A37-04311
Date Received: 10/26/1988
Receipt No: M001756
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN STARR 208-726-5008
Address: BOX 269
SUN VALLEY, ID 83353

Name: PAULA BAROVETTO 208-726-5008
Address: BOX 269
SUN VALLEY, ID 83353

2. Date of Priority: JAN 01, 1950

3. Source: DECKER GULCH Trib. to: BIG WOOD RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	35	NW	SE	NW		BLAINE

5. Description of diverting works:
SPRING BOX, PIPE, DITCH, PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/30	07/31	2.000		
STOCKWATER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.004		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1, S/12 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	35	NE	SW		IRR	2.0
			NE	SW		DOMEST	
			NE	SW		STOCK	
					Section Acres		2.0
					Total Acres		2.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
WELL

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

COPY

MICROFILMED
FEB 24 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Paula Barovetto Date: 10-26-88

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Oct 19 88 John Dal Carbon
Notary Public

Seal

Residing at Boz. Id
My Commission Expires 6/2/94

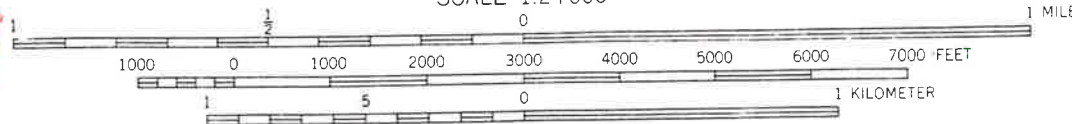
COPY

MICROFILMED
FEB 24 1993



410 000 FEET 175 20' 176 177 178 179 180

SCALE 1:24 000



NORTH

MICROFILMED
FEB 24 1993



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

10/31/2008

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

RIGHT NUMBER: 37-4311

NAME AND ADDRESS: MARCIA N TROOK
30 ABERDEEN RD
WESTON MA 02493

SOURCE: DECKER CREEK TRIBUTARY: EAST FORK WOOD RIVER
~~SPRING~~ ~~TRIBUTARY: DECKER CREEK~~

QUANTITY: 0.060 CFS

~~The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.~~

PRIORITY DATE: 01/01/1969

POINT OF
DIVERSION:

T04N R18E S35 ~~NWNESW~~ NENESW Within BLAINE County
~~NWNESW~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.060 04 CFS
~~STOCKWATER~~	~~01-01 TO 12-31~~	~~.02 CFS~~
~~DOMESTIC~~	~~01-01 TO 12-31~~	~~.004 CFS~~

~~Domestic use is for 1 home.~~

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S35 NESW 2.00

2 ACRES TOTAL

~~STOCKWATER~~ ~~WITHIN BLAINE COUNTY~~
~~T04N R18E S35~~ ~~NESW~~

~~DOMESTIC~~ ~~WITHIN BLAINE COUNTY~~
~~T04N R18E S35~~ ~~NESW~~

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.

~~The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECOMMENDED PLACE OF USE FOR 37-4311



PLACE OF USE
TWP 04N, RNG 18E, SEC 35
Data Entry on October 31, 2008

★ LOCATION IN BASIN

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

*GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
BY KEVIN K CHRISTENSEN*



Basin 37



10/30/2008

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

RIGHT NUMBER: 37-4311

NAME AND ADDRESS: MARCIA N TROOK
30 ABERDEEN RD
WESTON MA 02493

VERIFIED BY KKC
10-30-08

SOURCE: DECKER CREEK

TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 01/01/1969

POINT OF DIVERSION:

T04N R18E S35 NENESW 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	0.060 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S35 NESW 2.00

2 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 - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4311 V1

WATER RIGHT NUMBER: 37-4311 V1

Owner Type Name and Address
 Current Owner MARCIA N TROOK
 30 ABERDEEN RD
 WESTON, MA 02493
 (781)891-3833

Attorney JAMES P SPECK
 SPECK & AANESTAD
 PO BOX 987
 KETCHUM, ID 83340
 (208)726-4421

Thurs Oct 16 4:00PM
Trook

Priority Date: 01/01/1969
 Basis: Beneficial Use
 Status: Active

SourceDECKER CREEK
SPRINGTributaryEAST FORK WOOD RIVER
DECKER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.004 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	04/15 to 10/31	0.040 CFS	
<u>Total Diversion:</u>		0.060 CFS	

Probably need an amendment

Location of Point(s) of Diversion

DECKER CREEK NW1/4NE1/4SW1/4 Sec. 35, Twp 04N, Rge 18E, B.M.
 BLAINE County

SPRING NW1/4SE1/4NW1/4 Sec. 35, Twp 04N, Rge 18E, B.M.
 BLAINE County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	18E	35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					2.0		2.0

Total Acres: 2

Conditions of Approval:

1. X01 Domestic use is for 1 home.
2. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
3. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
4. C18 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.

Remarks:

Comments:

1. akriwox 2/12/2007 POU

Comment: Appears that this pou should be split...2 owners per Blaine tax lot information

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4311

WATER RIGHT NUMBER: 37-4311

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARCIA N TROOK 30 ABERDEEN RD WESTON, MA 02493 (781)891-3833
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 01/01/1950

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
DECKER CREEK	EAST FORK WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.004 CFS	
STOCKWATER	1/01 to 12/31	0.200 CFS	
IRRIGATION	5/30 to 7/31	2.000 CFS	
<u>Total Diversion:</u>		2.204 CFS	

Location of Point(s) of Diversion

DECKER CREEK	NW1/4SE1/4NW1/4	Sec. 35, Twp 04N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 18E 35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 18E 35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 18E 35	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	2.0

Total Acres: 2

Conditions of Approval:

RECEIVED

NOV 13 2007

DEPARTMENT OF
WATER RESOURCES

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

A. Subcase 37-4311

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Marcia N. Trook
Address: 30 Aberdeen Rd.
Weston, MA 02493
Daytime Phone: (781) 891-4342

Name & Address of Attorney, if any:
James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Marcia N. Trook
Address: 30 Aberdeen Rd.
Weston, MA 02493

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☒ **Source**
Should be: springs tributary to Decker Gulch Creek
3. ☒ **Quantity**
Should be: 2.0 cfs for irrigation
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: the point of diversion in the NWNESW should be deleted
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☐ **Place of Use**
Should be:
10. **I object because:**
 - ☐ This water should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): There is significant loss from the point of diversion to the place of use.

In Re SRBA

Subcase No.: 37-4311

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR:

RESPONDENTS:

James P. Speck
Attorney for Marcia N. Trook

Craig D. Hobdey Date
Attorney for Big Wood Canal Company

Albert P. Barker Date
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

IDWR CONCURRENCE:

Kelly K. Christensen 10-31-08

Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date

10/31/2008

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

RIGHT NUMBER: 37-4311

NAME AND ADDRESS: MARCIA N TROOK
30 ABERDEEN RD
WESTON MA 02493

SOURCE: DECKER CREEK
~~SPRING~~

TRIBUTARY: EAST FORK WOOD RIVER
~~TRIBUTARY: DECKER CREEK~~

QUANTITY: 0.060 CFS

~~The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.~~

PRIORITY DATE: 01/01/1969

POINT OF
DIVERSION:

T04N R18E S35 ~~NW1/4~~ ~~NW1/4~~ Within BLAINE County
~~NW1/4~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.060 04 CFS
~~STOCKWATER~~	~~01 01 TO 12 31~~	~~.02 CFS~~
~~DOMESTIC~~	~~01 01 TO 12 31~~	~~.004 CFS~~

~~Domestic use is for 1 home.~~

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S35 NESW 2.00

2 ACRES TOTAL

~~STOCKWATER~~ ~~WITHIN BLAINE COUNTY~~

~~T04N R18E S35~~ ~~NESW~~

~~DOMESTIC~~ ~~WITHIN BLAINE COUNTY~~

~~T04N R18E S35~~ ~~NESW~~

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.

~~The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on _____, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
125 5th Ave
P.O. Box 176
Gooding, ID 83330

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Shelley M. Davis
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

11/09/2006

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

RIGHT NUMBER: 37-4311

NAME AND ADDRESS: MARCIA N TROOK
30 ABERDEEN RD
WESTON MA 02493

SOURCE: SPRING TRIBUTARY: DECKER CREEK
DECKER CREEK TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.060 CFS
The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1969

POINT OF DIVERSION:
T04N R18E S35 NWSNW Within BLAINE County
T04N R18E S35 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.004 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in BLAINE County
T04N R18E S35 NESW 2.00
STOCKWATER in BLAINE County
T04N R18E S35 NESW
DOMESTIC in BLAINE County
T04N R18E S35 NESW

2 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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 - Statutory Claim



Idaho Department of Water Resources

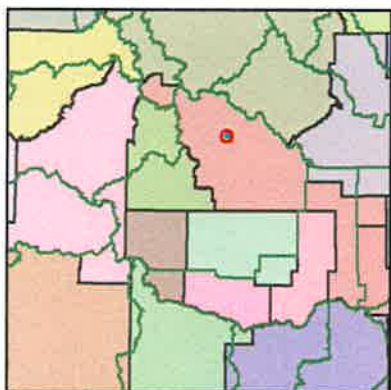
SRBA Recommendation:

37-4311

(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 C. Clark
On Thursday, November 9, 2006
2004 Aerial Photography



Idaho Department of Water Resources

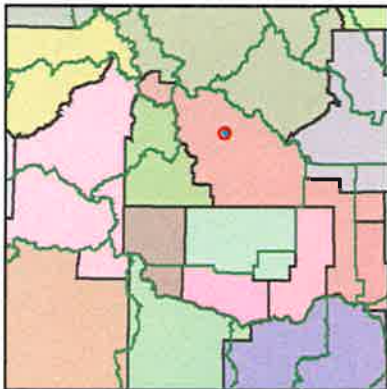
SRBA Recommendation:

37-4311

(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 C. Clark
On Thursday, November 9, 2006
2004 Aerial Photography

11/09/2006

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

RIGHT NUMBER: 37-4311
NAME AND ADDRESS: MARCIA N TROOK
30 ABERDEEN RD
WESTON MA 02493
SOURCE: SPRING
DECKER CREEK
TRIBUTARY: DECKER CREEK
TRIBUTARY: EAST FORK WOOD RIVER
QUANTITY: 0.060 CFS
The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
PRIORITY DATE: 01/01/1969
POINT OF DIVERSION:
T04N R18E S35 NWSNW Within BLAINE County
T04N R18E S35 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.004 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in BLAINE County
T04N R18E S35 NESW 2.00
STOCKWATER in BLAINE County
T04N R18E S35 NESW
DOMESTIC in BLAINE County
T04N R18E S35 NESW

2 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

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 - Statutory Claim



Idaho Department of Water Resources

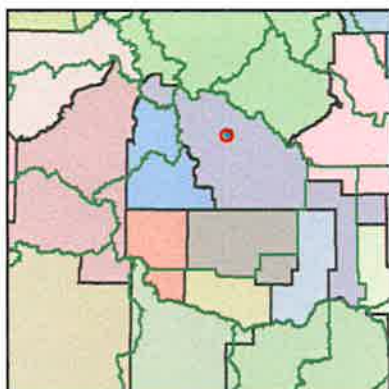
SRBA Recommendation:

37-4311

(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 C. Clark
On Thursday, November 9, 2006
2004 Aerial Photography

MEMORANDUM

To: Claim filed 37-4311

From: Cynthia Bridge Clark

Date: November 9, 2006

Re: SRBA Claim Review notes

The above referenced water right is based on a statutory claim filed in 1983. The SRBA claim was filed in 1988. The claimant, Jean Starr, filed an affidavit prior to selling the property as evidence of priority and beneficial use. She indicated her family purchased the property in 1969 and used the water for irrigation, stockwater, and domestic use. This was the only information provided as documentation of historic use. The statutory claim and SRBA claim amounts are identified below:

	<u>Statutory Claim</u>	<u>SRBA Claim</u>	<u>Recommendation</u>
Diversion Rate			
Domestic	0.004 cfs	0.004 cfs	0.004 cfs
Stockwater	0.2 cfs	0.2 cfs	0.02 cfs
Irrigation	2.0 cfs	2.0 cfs	0.04 cfs
Irrigated Acres	1.5 acres	2.0 acres	2.0 acres
Priority Date	1950	1/1/1950	1/1/1969 (as per affidavit)

The diversion rate for domestic use for one home was maintained based on the claimed amount. Diversion rates for stockwater and irrigation were changed based on standards recognized for the described use. Information was not provided by the claimant to document a need for additional rate.

The affidavit clarified the location of diversion for the different uses. Water is collected from a spring in a spring box and piped to the home for domestic use. The remaining water from the spring forms Decker Creek which flows through the property. Since water used for irrigation and stock water is diverted from the creek on the property, the point of diversion for these uses was changed to Decker Creek.



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

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE

JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2003

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

Re: SRBA Claim(s) 37-4311 / Marcia N. Trook
Your File No. 020155

Dear Jim:

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,

Trish Fawcett
Technical Records Specialist

Enc.

Claimants Names:

Marcia N. Trook

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**

RECEIVED
DEC 23 2002
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 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.

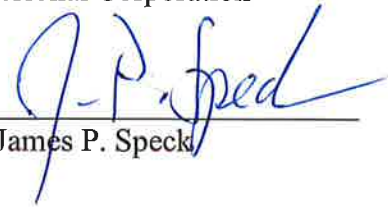
NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Marcia N. Trook, for the following water right which is the subject of a subcase: 37-4311.

DATED this 19 day of December, 2002.

SPECK & AANESTAD
A Professional Corporation

By


James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of December, 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

Jean Starr
Paula Barovetto

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

RECEIVED
DEC 23 2002
Department of Water Resources
Southern Region

AFFIDAVIT OF JEAN STARR

This is an affidavit in support of the claimed priority date for a beneficial use water right

Claim No. A37-04311 filed by Jean Starr and Paula Barovetto

STATE OF IDAHO)
)ss.
County of Blaine)

JEAN STARR being first duly sworn upon oath deposes and states as follows:

1. I have been a resident of Blaine County, Idaho since 1968. In 1969, my family purchased land at the mouth of Decker Gulch in the East Fork area of Blaine, County. At that time, I was 23 years old.

2. When my family purchased the property, a spring box diverted water out of a spring and delivered it through a two inch (2") diameter pvc pipe to the home on the property for domestic use. Water that flowed out of the spring past the spring box formed a creek which flowed down through the property. A pump was placed in the creek and used to sprinkler irrigate a portion of the property. In addition, water was flood irrigated out of the creek to irrigate other portions of the property. Approximately two (2) acres of pasture grass and residential landscaping has been irrigated on our property since at least 1969. Our family kept horses, cows and other farm animals on the property.

3. I have lived on this property since 1989. I am one of the claimants for SRBA Claim No. A37-04311. I am about to sell the property and am making this affidavit to assist the buyer in perfecting the claim for this water right in the SRBA.

Dated this 15 day of October, 2002.



JEAN STARR

SUBSCRIBED AND SWORN TO before me this 15th day of October, 2002.





NOTARY PUBLIC for Idaho
Residing in: Blaine County
My Commission Expires: 1/25/07

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of December, 2002, I served a true and correct copy of the foregoing AFFIDAVIT OF JEAN STARR 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

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

December 19, 2002

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

RECEIVED
DEC 23 2002
Department of Water Resources
Southern Region

**Re: Notice of Change of Water Right Ownership
Marcia N. Trook**

Dear Allen:

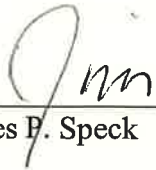
Enclosed you will find an original and one copy of Notice of Change of Water Right Ownership for water rights previously claimed by Jean Starr and Paula Barovetto and now owned by Marcia N. Trook. I am also enclosing the original and one copy each of a Notice of Appearance for my firm and the Affidavit of Jean Starr in support of the claimed priority date for this beneficial use water right. Please have your secretary file the originals of each of these documents, confirm the copies and return to me in the self-addressed, postage prepaid envelope I have included for that purpose.

Please call me if you have any questions about these documents. If not, kindly send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 

James P. Speck

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

RECEIVED

FEB 18 2003

Department of Water Resources
Southern Region

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

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

February 11, 2003

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

Re: Marcia N. Trook - Water Right No. 37-4311
Our File No.: 020155

Dear Allen:

In December I sent you a Notice of Change of Water Right Ownership for the above-referenced water right previously claimed by Jean Starr and Paula Barovetto and now owned by my client, Marcia N. Trook. At the time my client acquired the property, Paula Barovetto, who is Jean Starr's sister, no longer had an interest in that property. However, to insure that she relinquished any interest in the SRBA claim filed for this water right, I have obtained and am enclosing for the SRBA claim file a quitclaim deed from Paula Barovetto to my client relating to this water right. I have also included a copy and asked that you receipt date stamp it and return it to me in the postage prepaid self-addressed envelope included for that purpose.

A recent check of your internet database indicates the ownership for this water right has not yet been changed. Please let me know when that process has been completed.

Kindly call me if there are any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 

James P. Speck

JPS:jal
enclosures
cc: Client (via fax w/encl.)