

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 37-21147
Date Received: 8/5/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

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

2. Date of Priority: 10/15/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	18E	36	NE	SW	NW	BLAINE	

5. Description of diverting works:

DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.59	

7. Total Quantity Appropriated is:
0.59 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

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:

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

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

15. Basis of Claim: Decreed



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

December 16, 2003

JAMES R SUPER
JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-21147

Dear Mr. and Mrs. Super:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer 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.

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

RECEIVED710 8
DEC 03 2003Department 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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>37-21147</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) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Robert E Fosnot
PO Box 290, Bellevue ID 83313
4. New Owner/Claimant(s) James R and Janet A Super
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 598, Bellevue ID 83313
- City, State and ZIP Code _____
- New Telephone Number (208 788-7731
5. Date you acquired the property August 23, 2002

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

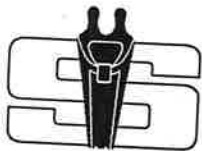
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John R. Sipe
John R. Sipe

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 12/3/03 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Instrument # 469668
HAILEY, BLAINE, IDAHO
2002-08-23 04:16:00 No. of Pages: 2
Recorded for : BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

RECEIVED
DEC 03 2003
Department of Water Resources
Southern Region

WARRANTY DEED

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

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

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

the following described premises, to-wit:

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

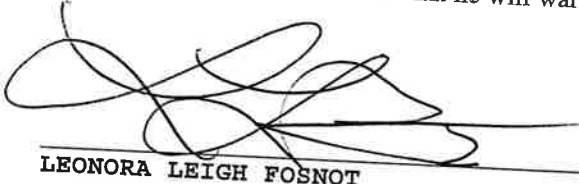
Parcel Number: 01N18024075AA

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

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

Dated: August 22, 2002


ROBERT E. FOSNOT


LEANORA LEIGH FOSNOT

State of IDAHO

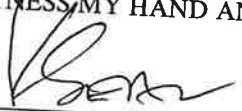
SS.

County of BLAINE

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

on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public KATHY SEAL
Residing at: KETCHUM
Commission Expires: July 09, 2005



LEGAL DESCRIPTION

Order Number: 02011064

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

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

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

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

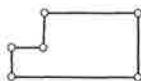
Thence South 89° 43'23" West, 1313.3 feet to a point on the East boundary of U.S. Highway No. 93;

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

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

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

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



Title:		Date: 12-12-2003
Scale: 1 inch = 2000 feet	File:	
Tract 1: 17.283 Acres: 752826 Sq Feet: Closure = s04.5505e 1.11 Feet: Precision = 1/3535: Perimeter = 3941 Feet		
001=/ne,se,24,1n,18e	004=n0.3100w 305.68	007=n89.4030e 971.93
002=s0.3100e 664.5	005=n89.2900e 327.85	
003=s89.4323w 1313.3	006=n1.3800e 357.94	

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

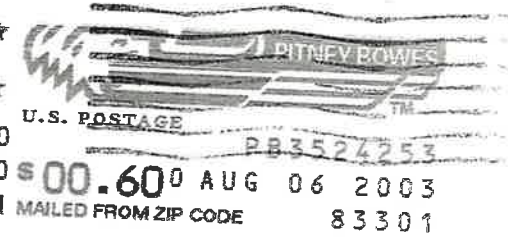
RETURN SERVICE REQUESTED

*Resent to Robert
8-11-03
WPK*

RECEIVED

AUG 11 2003

Department of Water Resources
Southern Region

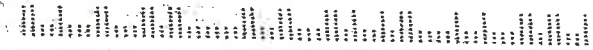


37-11688
37-11689A

FO5N290 A33132010 1503 0A 08/09/03
RETURN TO SENDER
FO5NOT
75 JEFFERS RD
ENNIS MT 59729-9026

RETURN TO SENDER

A3313X0290 8003
A3301-3380 12



Split Right

37-21147

37-21148

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 37-21147
Date Received: 8/5/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

PAUL R FOSNOT Phone: (714)622-3475
837 LAUREL AVE
POMONA CA USA 91767

ROBERT E FOSNOT Phone:
PO BOX 290
BELLEVUE ID USA 83313

2. Date of Priority: 10/15/1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	NE SW NW	BLAINE	

5. Description of diverting works:

DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.59	

7. Total Quantity Appropriated is:
0.59 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

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:

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

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

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 5, 2003

Robert E. Fosnot
PO Box 290
Bellevue, Idaho 83313

Paul R. Fosnot
837 Loral Ave.
Pomona, CA 91767

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

Dear Claimants:

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

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

Sincerely,

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 5, 2003

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

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

Dear Ms. Baird:

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

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

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

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

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

Sincerely,

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

July 31, 2003

**SUN VALLEY
TITLE**
C O M P A N Y



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

RECEIVED
AUG 04 2003
Department of Water Resources
Southern Region

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

To Whom It May Concern:

Regarding the above, I have enclosed the following:

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

Sincerely,

Carolyn Baird
Escrow Officer

Form 42-24N(12-1404)(1) July 2000

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
1 RR A 37-11688					
RR 37-353B					
WR PAS SPRINT DEC R → 37-011685					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

RECEIVED

AUG 04 2003

Department of Water Resources
Southern Region

Form 42-24/42-1417(0) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Mark Allen Jensen
Bette Will Yarrow

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

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

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

~~END~~ MARK ALLEN GOWER AND BETTE WILL GOWER, husband and wife

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

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

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

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

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

Dated: July 15, 2003

Robert E. Fosnot
Robert E. Fosnot

State of: MT

County of: MADISON

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

Jackie Ann Kelly
Notary Public

Residing at 90115

Comm. Expires 10-22-2006

IN 18E
SE 10E
Sec 24

AGGREGATE ACRES
SUBDIVISION

DEAN RANCH SUBDIVISION

75

HIGHWAY

STATE

10785

10783

10773

10769

10767

10759

10755

10749

10739

10737

13 18
24 19

8b
8a

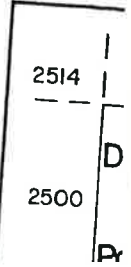
7
6

5
4

3
2

1

See Tax lot GIS
layer for more
Recent divisions
to Sweater
DH



5
ROAD

PERO

ROAD

R. 18 E.
R. 19 E.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-11689A**

Date Received: 10/17/1988

Receipt No: X777777

Received By: ownership change *JK*

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

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

2. Date of Priority: OCT 15, 1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.862		

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

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

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 27 1998

10. Place of Use:

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

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-11688

14. Remarks:

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)



DATE OF CLOSING: 4.25.95

MAY 11 1995

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

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

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A37-11689
- [] Name and Address of Former Owner/Claimant(s)(Seller): Robert Fosnot
- [] New Owner/Claimant (Purchaser): Maurice D. Miller Jr & Shelley R. Miller
- [] New Mailing Address: P.O. Box 2007
HAILEY, ID 83333
- [] New Telephone Number: (208) 788-9548
- [] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: warranty deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Shelley R. Miller Date 5.11.95
Maurice D. Miller Jr Date 5-11-95
- [] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

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

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A37-11689A & B

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

MICROFILMED

NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~GEORGE ANDRUS~~

Governor PHILIP E BATT

~~KEITH HUGHSON~~

KARL J DREHER Director

May 11, 1995

ROBERT FOSNOT
PO BOX 290
BELLEVUE ID 88813

RE: SRBA CLAIM A37-11689A

DEAR CLAIMANT:

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

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

Sincerely,

Jeanie Robertson
Water Right Agent

/jr
Enclosures:

MICROFILMED
NOV 27 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R37-11689A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
FOSNOT

ROBERT EARL

1 - PO BOX 290
2 -
3 -City- BELLEVUE
Phone - 208-788-3642
1 - 837 LAUREL AVE

State- ID Zip- 83313

FOSNOT

PAUL R

2 -
3 -
City- POMONA
Phone - 714-622-3475

State- CA Zip- 91767

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/15/1884 ERROR IN REGION D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 18E 36 NE SW NW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.862+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.862 62.7+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
01N 18E 24 SE NE 7.9 01 IRRIGATION (13) BLAINE
01N 18E 24 NE SE 17.2 01 IRRIGATION (13) BLAINE

Total Acres: 25.1

+ - - Diversion Means - DIVERSION DAM, HEADGATE, CANAL

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A37-11688

+ - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
NOV 27 1996

Water right number - R37-11689A

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

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

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
S. C. FROST, ET AL ALTURAS WATER CO., ET AL 12/13/1909

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

Date: 05/11/1995 User Id: JROBERTS Subject: COPIED FROM REMARKS
THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665 *****
This is a portion of A37-11689 which was split as a result of an ownership change of 2.75 acres and 6.875 inches of water. This is
the remainder of original claim. jr 5/11/95

+ - - Audit Fields - - +
05/11/95 JROBERTS

+ - - - - 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	- 10/17/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

NOV 27 1995

Water Right Number - A37-11689

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -City- X
Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***
FOSNOT

ROBERT EARL

1 - PO BOX
2 -
3 -City- BELLEVUE
Phone - 208-788-3642

State- ID Zip- 83313

FOSNOT

PAUL R

1 - 837 LAUREL AVE
2 -
3 -City- POMONA
Phone - 714-622-3475

State- CA Zip- 91767

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
10/15/1884 ERROR IN REGION Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
BIG WOOD RIVER
SPLIT RIGHT MALAD RIVER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 36 NE SW NW (13) BLAINE+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.000
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.000 69.7+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 18E 24 SE NE 7.9 01 IRRIGATION (13) BLAINE
01N 18E 24 NE SE 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 27.9

+ - - Diversion Means - DIVERSION DAM, HEADGATE, CANAL

+ - - Non-Irrigation Use - NONE

NOV 27 1996

MICROFILMED

Water right number - A37-11689

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - A37-11688

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

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665

Split into parts A and B due to ownership change. jr 5/11/95

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

S. C. FROST, ET AL

+ - - - Decree Defendant - - - +

ALTURAS WATER CO., ET AL

+ - Decree Date - +

12/13/1909

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

No Comments Found

+ - - Audit Fields - - +

05/11/95 JROBERTS

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 10/17/1988

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - M001608
POU Ownership Flag - Y
Name Connector - OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

RECORDED
JUN 27 1996

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

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT EARL FOSNOT 208-788-3642
Address: P.O. BOX 290
BELLEVUE, ID 83313

OR
Name: PAUL R. FOSNOT 714-622-3475
Address: 837 LAUREL AVE
POMONA, CA 91767

2. Date of Priority: OCT 15, 1884

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
DIVERSION DAM, HEADGATE, CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

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

9. Non-irrigation uses:
NONE

10. Place of Use:

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

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-11688

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

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

S. C. FROST, ET AL
Decree Plaintiff

vs ALTURAS WATER CO., ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

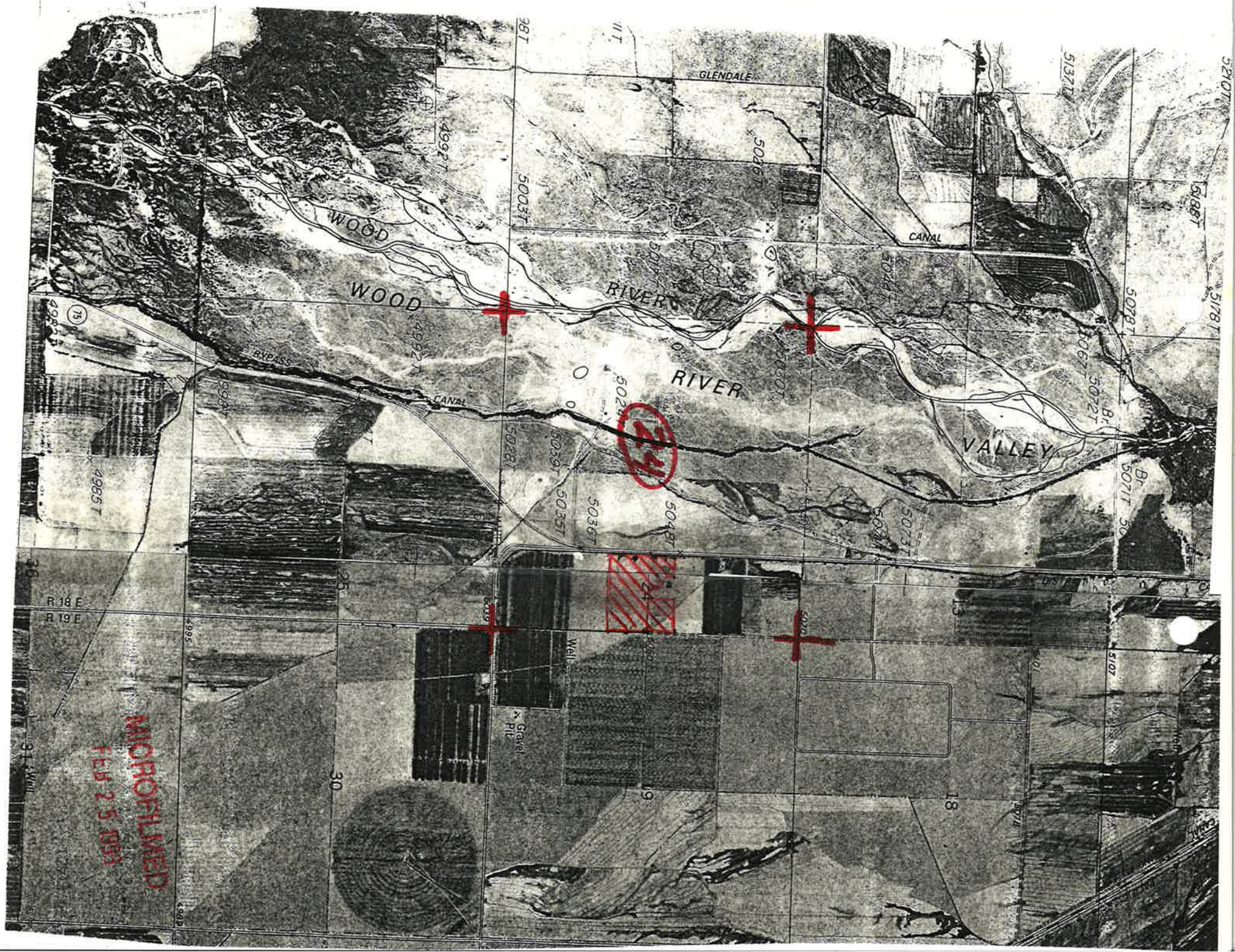
Signature of Claimant(s): X R. E. Frank Date: X 10/17/88
_____ Date: _____

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Oct 19 88 M. Gene Gibson
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 9-2-1994



Water Right Number - R37-11689

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** D - ORIGINAL OWNER ***

FOSNOT

ROBERT EARL

1 - PO BOX

2 -
3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-3642

FOSNOT

PAUL R

1 - 837 LAUREL AVE

2 -
3 -

City- POMONA

State- CA Zip- 91767

Phone - 714-622-3475

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/15/1884 ERROR IN REGION Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER
SPLIT RIGHT+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 18E 36 NE SW NW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.000 69.7+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
01N 18E 24 SE NE 7.9 01 IRRIGATION (13) BLAINE
01N 18E 24 NE SE 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 27.9

+ - - Diversion Means - DIVERSION DAM, HEADGATE, CANAL

+ - - Non-Irrigation Use - NONE

"DO NOT FILM"

Water right number - R37-11689

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - A37-11688

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

THIS CLAIM WAS PART OF DECREED RIGHT NUMBER 37-00665

SEE NO. A37-11689A, A37-11689B.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
S. C. FROST, ET AL

+ - - - Decree Defendant - - - +
ALTURAS WATER CO., ET AL

+ - Decree Date - +
12/13/1909

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

Date: 05/11/1995 User Id: JROBERTS Subject: SPLIT/OWNERSHIP CHANGE

This right has been split as follows:

A37-11689B Miller 2.75 acres__137 cfs

A37-11689A Fosnot 25.1 acres .862 cfs

+ - - Audit Fields - - +

05/11/95 JROBERTS

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 10/17/1988

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 05/11/1995
Last Amended Date - 00/00/0000
Receipt Number - M001608
POU Ownership Flag - Y
Name Connector - OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

"DO NOT FILM"

12/26/2006

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

RIGHT NUMBER: 37-21147
NAME AND ADDRESS: JAMES R SUPER
PO BOX 598
BELLEVUE ID 83313
JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

REVISED

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.590 CFS
PRIORITY DATE: 10/15/1884
POINT OF DIVERSION:

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

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NESE 16.00

16 ACRES TOTAL

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

11/30/2006

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

RIGHT NUMBER: 37-21147

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

JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.590 CFS

PRIORITY DATE: 10/15/1884

POINT OF DIVERSION:

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

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NESE 16.00

16 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

copy given to claimant
12-4-06 JQ



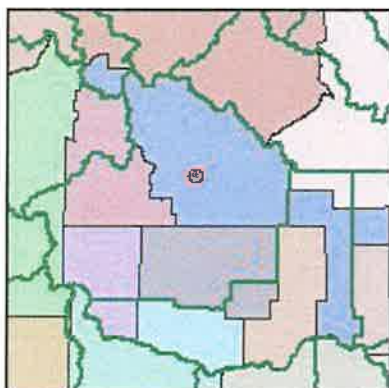
Idaho Department of Water Resources

SRBA Recommendation:

37-21147

Legend

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



Blaine County
IDWR Basin 37



Prepared by N. Erickson
On Thursday, November 30, 2006
2004 Aerial Photography



0 0.2 0.4 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M

107 WEST 1ST
SHOSHONE, IDAHO 83352
(208) 886-2451



Kevin Lakey
Watermaster

FACSIMILE TRANSMITTAL SHEET

TO: <i>Jim Stanton</i>	FROM: <i>Cyndi</i>		
COMPANY: <i>IDWR</i>	DATE: <i>11-28-06</i>		
FAX NO: <i>736-3037</i>	TOTAL PAGES INCLUDING THIS ONE: <i>12</i>		
PHONE NO:	SENDERS REFERENCE NO:		
RE:	YOUR REFERENCE NO:		
URGENT	FOR REVIEW	PLEASE COMMENT	PLEASE REPLY

NOTES/COMMENTS:

Fasnot
Gower
Super
Svenke

If you do not receive the above number of pages, or if there is any other problem, please call (208)886-2451.

CONFIDENTIALITY NOTICE: The contents of this fax transmission are confidential, intended only for the use of the above named recipient, and also may be subject of attorney-client privilege. Any distribution, dissemination, copying or other use of this communication by anyone other than the above-named recipient is strictly prohibited and no privilege is waived. If you received this fax transmission in error, please notify this office at (208)886-2451. Thank you.



Instrument # 468663
 HAILEY, BLAINE, IDAHO
 2002-08-23 04:16:00 No. of Pages: 2
 Recorded for: BLAINE COUNTY TITLE
 MARSHA RIEMANN Fee: 6.00
 Ex-Office Recorder Deputy
 Issued in WY/02/000 PLED

WARRANTY DEED

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

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

the Grantee whose current address is: 10703 HWY 75, BELLEVUE, ID 83213

the following described premises, to-wit:

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

Parcel Number 01M18024075AA

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

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

Dated: August 22, 2002

Robert E. Poenot
 ROBERT E. POENOT

Leanora Leigh Poenot
 LEANORA LEIGH POENOT

State of IDAHO

County of BLAINE

On this 22ND day of August, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared ROBERT E. POENOT and LEANORA LEIGH POENOT

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Kathy Seal
 Notary Public KATHY SEAL
 Residing at: KETCHUM
 Commission Expires: July 09, 2005



James R. Super #172

Land Sale Agreement

August 20, 2002

Seller:

Robert Earl Fosnot and Leonora Leigh Fosnot (Husband and Wife)
10739 Hwy 75
P.O. Box 290
Bellevue, ID 83313
(208) 788-3642
IronShoeRanch@hotmail.com

THIS INSTRUMENT WAS FILED FOR
RECORD BY BLAINE COUNTY
TITLE, AS AN ACCOMMODATION
ONLY, IT HAS NOT BEEN EXAMINED
AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

Buyer:

James R. Super and Janet A. Super (Husband and Wife)
10783 Hwy 75
Bellevue, ID 83313
(208) 788-7731
(208) 725-0329 ext. 236
JamesSuper@sunvalley.net
JSuper@firstbanksolutions.com

Instrument # 459670

HAILEY, BLAINE, IDAHO
2002-08-23 04:28:00 No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index for: AGREEMENT/CORRECTION

This document is a Record Of Sale and Promissory Note between seller and buyer listed above.
This is a legal and binding Bill Of Sale.

All signing parties, and their legal heirs, agree to honor this document.

Blaine County Title Associates, whose address is PO Box 3176 Ketchum, ID 83340 as
The item sold is 17.25 acres of land documented as Rural Parcel #01N18024078AA in Section 24, T1N, R18E, (SE 1/4, Township 1 North, Range 18 East), of the Boise Meridian, Blaine County, Idaho, and more particularly described as follows:

Commencing at an iron pin marking the East 1/4 corner of said Section 24; which is also the REAL POINT OF BEGINNING; thence
S. 0 degrees 31'00" E., 664.5 feet along the East Boundary of said Section 24 to an iron pin; thence
S. 89 degrees 43'23" W., 1313.3 feet to a point on the East Boundary of U.S. Highway No. 93; thence
N. 0 degrees 31'00" W., 305.68 feet along said East Boundary of U.S. No. 93; thence
N. 89 degrees 29'00" E., 327.85 feet to an iron pin; thence
N. 1 degree 38'00" E., 357.94 feet to an iron pin; thence
N. 89 degrees 40'30" E., 971.93 feet to THE POINT OF BEGINNING

Land Sale Price is \$150,000 (One Hundred Fifty Thousand Dollars) US funds.

Buyer agrees to pay the Seller, \$120,000 (One Hundred Twenty Thousand Dollars) US funds, at the time of closing, in cash, with a remaining balance of \$30,000 (Thirty Thousand Dollars) US funds, to be held payable to the Seller by the agreement here as follow:

This agreement holds the above stated remaining balance at 6% simple interest, due and payable on or before August 31st, beginning August 31, 2003, for five consecutive years, as a payment of \$1,800 (One Thousand Eight Hundred Dollars), in cash, each year. The 6% simple interest will be calculated each year using the remaining outstanding balance should early payments be made to reduce this outstanding balance.

The remaining balance of \$30,000 (Thirty Thousand Dollars) US funds, is to be paid as a balloon sum, due and payable, on or before August 31, 2007.

Pre-payment of any or all of this balance is acceptable with no penalty.

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
etails digree I Provision	1	37	21146			Decreed	Active	1886-06-12	0.11	BIG WOOD RIVER	IRRIGATION	GOWER, BETTE (Current); GOWER, MARK (Current)
etails digree I Provision	2	37	21147			Decreed	Active	1884-10-15	0.59	BIG WOOD RIVER	IRRIGATION	SUPER, JAMES R (Current); SUPER, JANET A (Current)
etails digree I Provision	3	37	21148			Decreed	Active	1884-10-15	0.272	BIG WOOD RIVER	IRRIGATION	GOWER, BETTE (Current); GOWER, MARK (Current)
etails digree I Provision	1	37	21145			Decreed	Active	1886-06-12	0.29	BIG WOOD RIVER	IRRIGATION	FOSNOT, PAUL R (Current); FOSNOT, ROBERT EARL (Current)

This right still needs to be split at the State Dept. of water.

It needs to be split as follows:

.0477 cfs (2.39") to Mark Swenke
.242 cfs (12.11") to James Super

DECREE BK ✓
PRIORITY BK ✓
ANNUAL RPT ✓
ACCESS ~~Index~~ ✓
BWCC CERT ~~NA~~

COST REPORT ^{ADD} 21145 ✓
MSO ADDRESS ✓
CMS ADDRESS ✓
ROLODEX ✓
RIDER LIST ✓

Swenke and Super were informed of this last fall, but I don't know if they have taken care of it. This would take care of all of the Robert Fosnot water.

Kevin Selby
Watermaster, District 37 3/28/2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 5, 2003

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

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

Dear Ms. Baird:

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

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

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

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

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

Sincerely,

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

July 31, 2003

**SUN VALLEY
TITLE**
C O M P A N Y



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

RECEIVED
AUG 04 2003
Department of Water Resources
Southern Region

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

To Whom It May Concern:

Regarding the above, I have enclosed the following:

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

Sincerely,

A handwritten signature in cursive script, appearing to be 'CB' or 'Carolyn Baird'.

Carolyn Baird
Escrow Officer

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
1 RR A 37-11688					
1 RR 37-353B					
WR PAS SRBA DECR → 37-011685					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

RECEIVED

AUG 04 2003

Department of Water Resources
Southern Region

FDWR 42-248/42-1419(0) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Mark Allen Harris*
Debbie Will Yarrow

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 _____	Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

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

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

 MARK ALLEN GOWER AND BETTE WILL GOWER, husband and wife

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

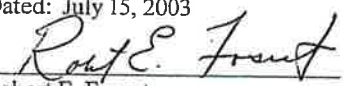
the following described premises, in BLAINE COUNTY, IDAHO, to wit:

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

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

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

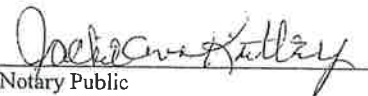
Dated: July 15, 2003


Robert E. Fosnot

State of: MT

County of: MADISON

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


Notary Public

Residing at 90415

Comm. Expires 10-22-2006

IN 18E
SE 10E
Sec 24

AGGREGATE ACRES
SUBDIVISION

DEAN RANCH SUBDIVISION

75

HIGHWAY

STATE

10785

10783

10773

10769

10767

10759

10755

10749

Gower
10739

10737
Swenke

Fosnot

Lot 1

SENE
NESE

13 18

24 19

8b
8a

7
6

5
4

3
2

1

3

107

5

ROAD

PERO

ROAD 24 19

R. 18 E.
R. 19 E.

0 2

2514

2500

F

SUN VALLEY TITLE COMPANY - TRUST ACCOUNT

10965

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

Seller = Robert E. Fosnot
Buyer = Mark Allen Gower

Comments : Transfer Fee

Legal Description:

Lot 1, Block 1,
Dean Ranch Subdivision

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

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

SUN VALLEY TITLE COMPANY

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

10965

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

Our File # = 03-19020

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

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

VOID AFTER 90 DAYS

Chaud
[Signature]

⑈010965⑈ ⑆124103760⑆ 3 3300 1147⑈

Details on back.
Security Features Included.

081013/6-89

