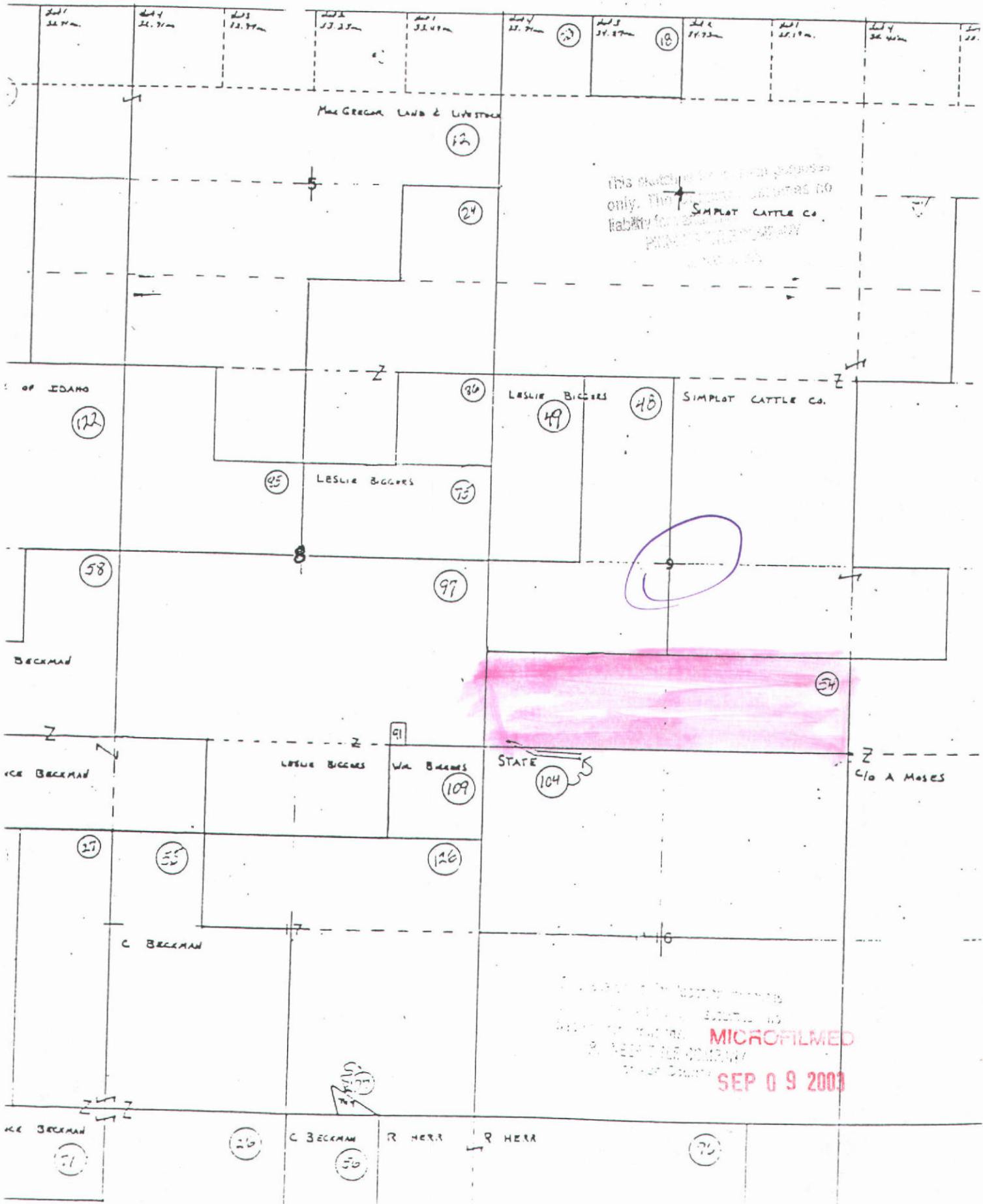


T8N R2E



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

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

1. Water Right Number(s) 65-13307 ^{65-22816 - KROSEN} ^{65-22817 - MAC GREGOR}
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) PATRICIA KOLBET
PO Box 20
MICROLAND ID 83256-1020
4. New Owner/Claimant(s) JOAN Annette KROSEN
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 306 Dry Buck Rd
City, State and ZIP Code Shoshone, ID 83670
New Telephone Number (208) 584-3307
5. Date you acquired the property Nov. 4, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
I acquired all property - OK
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance. (I acquired all the rights!)
7. Signature of New Owner/Claimant(s) Joan A Krosen Date 5-2-00
Chris Date _____
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney

MICROLAND

INSTRUCTIONS

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

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

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

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

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

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

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

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 <u>65-13307 - KROSCHE</u>		
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	<u>0.01</u>	<u>STOCKWATER</u>
Domestic	<u>0.04</u>	<u>DOMESTIC/HOME</u>
Other _____	_____	_____
Total	<u>0.05</u>	_____

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) SEE PAGE 1 OF OWNERSHIP CHANGE REQUEST
(include title if applicable)

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 <u>REGION</u>	Date <u>5.3.2000</u>	Fee <u>N/A</u>	MICROFILMED
Received by <u>-</u>	Date <u>-</u>	Receipt No. <u>-</u>	SEP 01 2003
Processed by <u>-</u>	AJ Date <u>-</u>	WR <u>-</u>	Date <u>-</u>

A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

P-172218 DK / CS

READ AND APPROVED BY JAK

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED PATRICIA I. KOLBET, an Unmarried Person,

Grantor, does hereby grant, bargain, sell and convey unto JOAN ANNETTE KROSCH, a Married Woman, as her sole & separate property,

the Grantee, whose current address is: 306 DRY BUCK ROAD, SWEET, ID 83670
the following described real property in BOISE County, State of Idaho, more particularly described as follows, to-wit:

SOUTH HALF SOUTHWEST QUARTER AND SOUTH HALF SOUTHEAST QUARTER, SECTION 9,
TOWNSHIP 8 NORTH, RANGE 2 EAST, BOISE COUNTY, IDAHO.

170909

INST# 170909
REQUEST 3rd View
98 NOV -6 PM 4:36
BOISE COUNTY RECORDER
BY Shirley George
TYPE Deed Fee \$306/c

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 05, 1998

Patricia I. Kolbet
PATRICIA I. KOLBET

STATE OF IDAHO, County of Ada, ss.

On this 05 day of November, in the year of 1998, before me Diane Kellogg, a notary public, personally appeared PATRICIA I. KOLBET, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

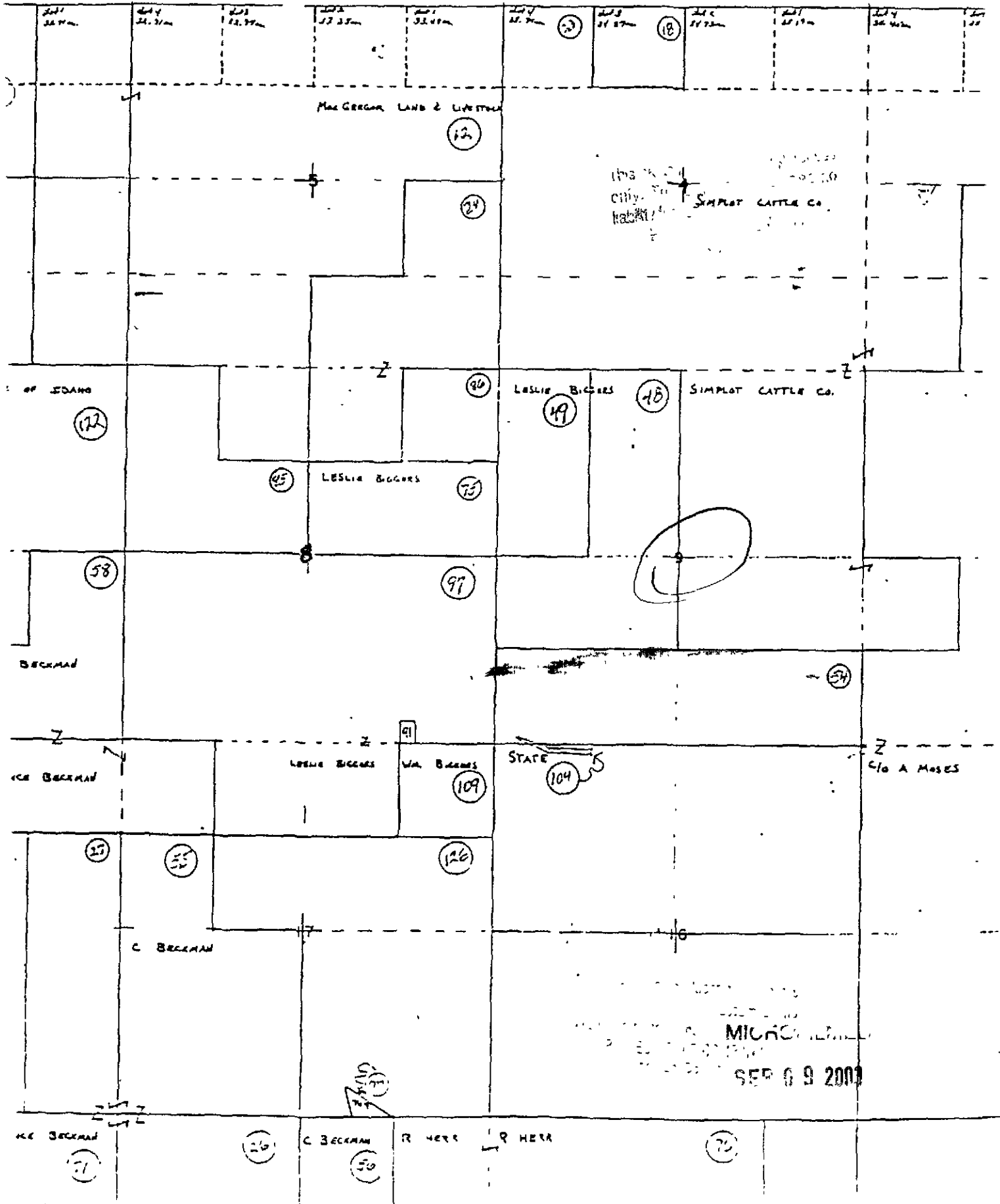


Notary Public: Diane Kellogg
Residing at: Boise, ID
My Commission Expires: 03/25/03

MICROFILMED
SEP 09 2003

Residing at Boise, ID
Comm Exp 03/25/2003

T8N R2E



Owner's Policy

American Land Title Association Owner's Policy 10-17-92



Policy Number **SV 2919284**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, herein called the Company,

insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of

- 1 Title to the estate or interest described in Schedule A being vested other than as stated therein,
- 2 Any defect in or lien or encumbrance on the title,
- 3 Unmarketability of the title,
- 4 Lack of a right of access to and from the land

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations

IN WITNESS WHEREOF, the said Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the policy to be valid when countersigned by an authorized officer or agent of the Company

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of

- 1 (a) Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land, (ii) the character, dimensions or location of any improvement now or hereafter erected on the land, (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part, or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy
- 2 Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge
- 3 Defects, liens, encumbrances, adverse claims, or other matters
(a) created, suffered, assumed or agreed to by the insured claimant,
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy,
(c) resulting in no loss or damage to the insured claimant,
(d) attaching or created subsequent to Date of Policy, or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy
- 4 Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on
(a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer, or
(b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure
(i) to timely record the instrument of transfer, or
(ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor

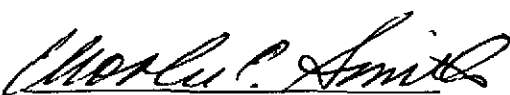
Issued through the Office of

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111


Authorized Signatory

MICROFILMED
By
SEP 8 2003

Attest



President

Secretary

**OWNER
SCHEDULE B**

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims or easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

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SEP 23 2003

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

1. GENERAL TAXES FOR THE YEAR 1998, WHICH ARE LIENS, ARE NOT YET DUE AND PAYABLE.
2. ANY, RIGHT OR INTEREST IN ANY MINERAL, MINERAL RIGHTS, OR RELATED MATTERS, INCLUDING BUT NOT LIMITED TO OIL, GAS, COAL, AND OTHER HYDROCARBONS.
3. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: POWER LINE EASEMENT- INCLUDING THE RIGHT FROM TIME TO TIME TO CUT, TRIM AND REMOVE TREES, BRUSH, OVERHANGING BRANCHES AND OTHER OBSTRUCTIONS WHICH MAY INJURE OR INTERFERE WITH THE GRANTEE'S USE, OCCUPATION OR ENJOYMENT OF THIS EASEMENT AND THE OPERATION, MAINTENANCE AND REPAIR OF GRANTEE'S ELECTRICAL SYSTEM
GRANTED BY: JIM BORIS AND VIOLET BORIS, HIS WIFE
IN FAVOR OF: IDAHO POWER COMPANY
RECORDED: MARCH 26, 1941
FILED IN: BOOK 11 OF MISCELLANEOUS RECORDS AT PAGE 40
4. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: POWER LINE EASEMENT
IN FAVOR OF: IDAHO POWER COMPANY
RECORDED: AUGUST 19, 1968
INSTRUMENT NO.: 73349
5. EASEMENT AND MAINTENANCE AGREEMENT EXECUTED BY AND BETWEEN THE PARTIES HEREIN NAMED UPON THE TERMS, CONDITIONS AND PROVISIONS THEREIN PROVIDED.
BETWEEN: PATRICIA I. KOLBET AND PATRICIA I. KOLBET
DATED: AUGUST 30, 1991
RECORDED: SEPTEMBER 3, 1991
INSTRUMENT NO.: 140906
PROVIDING: A PERPETUAL NON EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS
6. A GRANT AND CONFIRMATION OF EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN.
FOR: REPAIR, MAINTENANCE OR RECONSTRUCTION OF THE WATER PIPELINE SHALL BE CONDUCTED, WHEN NECESSARY, BY BIGGERS' SOLE COST, AT SUCH TIME AND IN SUCH A MANNER AS NOT TO CAUSE UNNECESSARY OR UNREASONABLE DAMAGE TO THE CROPS AND LANDS OF MACGREGOR
IN FAVOR OF: LESLIE W. BIGGERS AND JOYCE A. BIGGERS
RECORDED: JANUARY 29, 1991
INSTRUMENT NO.: 138908

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SEP 6 9 2003

7. AN EASEMENT CONTAINING CERTAIN TERMS, CONDITIONS AND PROVISIONS AFFECTING A PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN FOR: FOR THE ERECTION AND CONTINUED OPERATION, MAINTENANCE, REPAIR, ALTERATION, INSPECTION AND REPLACEMENT OF THE ELECTRIC TRANSMISSION, DISTRIBUTION AND TELEPHONE LINES AND CIRCUITS OF THE GRANTEE, ATTACHED TO POLES OR OTHER SUPPORTS, TOGETHER WITH GUYS, CROSSARMS AND OTHER ATTACHMENTS AND INCIDENTAL EQUIPMENT THEREON, AND APPURTENANCES, WITH THE RIGHT TO PERMIT THE ATTACHMENT OF THE WIRES AND FIXTURES OF OTHER COMPANIES OR PARTIES, OVER, ON AND ACROSS
IN FAVOR OF: IDAHO POWER COMPANY
RECORDED: JANUARY 15, 1991
INSTRUMENT NO.: 142434

END OF EXCEPTIONS

NOTE:

THERE IS NO NOTICE OF RECORD AND THEREFORE NO SEARCH HAS BEEN MADE FOR ANY UNPAID ASSESSMENTS, CHARGES OR FEES FOR SEWER, WATER, GARBAGE, IRRIGATION AND OTHER POSSIBLE UTILITY SERVICES.

MICHAEL J. KELLY

SEP 09 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-22816

WATER RIGHT NUMBER: 65-22816

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOYCE BIGGERS
Original Owner	L W BIGGERS
Original Owner	MAC GREGOR LAND & LIVESTOCK LTD
Previous Owner	PATRICIA KOLBET RT 1 BOX 95 SWEET, ID 83670-9803 (208) 584-3307
Current Owner	JOAN ANNETTE KROSCH 306 DRY BUCK RD SWEET, ID 83670

Priority Date: 02/01/1991

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	BROWNLEE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0 010 CFS	0 60 AF
DOMESTIC	01/01 to 12/31	0 040 CFS	1 20 AF
	<u>Total Diversion</u>	0 050 CFS	1 80 AF

Location of Point(s) of Diversion

SPRING	SW1/4SW1/4SW1/4	Sec 9,	Twp 08N,	Rge 02E, B.M.
BOISE County				
SPRING	SW1/4SE1/4NW1/4	Sec 9,	Twp 08N,	Rge 02E, B M
BOISE County				

Place of UseSTOCKWATER Within BOISE County

T08N R02E S09 SWSW

DOMESTIC Within BOISE County

T08N R02E S09 SWSW

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SEP 03 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 65-22816

Conditions of Approval:

- 1 Domestic use is for 1 home
- 2 R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 65

Comments:

- 1 skeen 8/22/2003 Ownership Change

Comment: This right resulted from an ownership split of 65-13307.

~~_____~~

Dates and Other Information:

Water District Number: 65

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SEP 09 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 25, 2003

JOAN ANNETTE KROSCH
306 DRY BUCK RD
SWEET ID 83670

RE: Change of Ownership for Water Right 65-22816 (*SPLIT* ~~renumbered~~ from 65-13307)

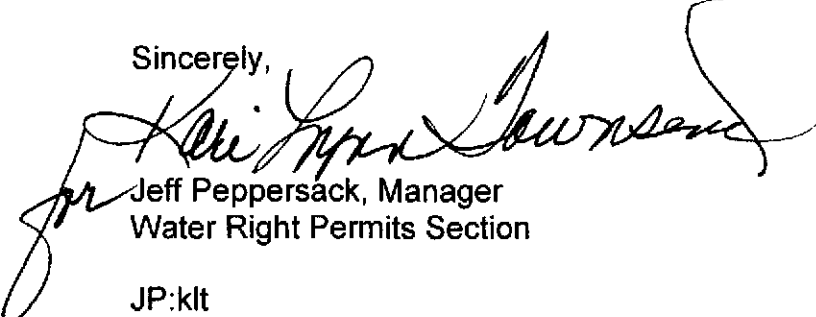
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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SEP 09 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 23, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOAN KROSCH
306 DRY BUCK ROAD
SWEET ID 83760

COPY

RECEIVED

JUL 25 2003

RE: MAC GREGOR LAND AND LIVESTOCK COMPLAINT Department of Water Resources

Dear Ms. Krosch:

I have been asked to investigate your complaint against MacGregor Land and Livestock (MacGregor) received on 7/13/2003. The spring in question could be associated with 2 water rights. The first right is listed in the name on Patricia Kolbet, water right 65-13307, and the second right is listed in the name of MacGregor, water right 65-22732.

The first water right has some serious questions on ownership. The original application was filed in the name of Joyce and L. W. Biggers and MacGregor. The Biggers then assigned their portion of the water right to Ms. Patricia Kolbet. Proof of Beneficial Use was filed in the names of Kolbet and MacGregor. Our field examination of the water right also listed both Kolbet and MacGregor as the owners of the water right. However, in a licensing amendment Kolbet did not include MacGregor's name on the form, and MacGregor's name was not carried forward on the license.

There is nothing in our files that gave the legal authority to not include MacGregor in the licensing amendment, which would suggest that the license should have MacGregor listed as a owner of the water right. Therefore, before we can address your complaint, we will need to clear up the ownership issues on this water right.

I understand that you have been working with Karilynn Townsend with our State Office staff to clear up the ownership issues. Until we determine who can divert this water and how much they can divert, it will be impossible to regulate the diversion(s) from this spring.

In reviewing the files, the original application states that an easement had been recorded for the Biggers' use of the domestic portion of the application. It sounds as if there was a binding agreement for the use of the two springs between the Biggers and MacGregor. This agreement should clarify all of the issues associated with this water right. If you could find a copy of this agreement with the Boise County Clerks Office or acquire a copy of the agreement from the Biggers, MacGregor, or Ms. Kolbet, it would help speed the ownership change process and, would allow us the ability to determine how much water should be delivered to which property.

MICROFILMED

SEP 09 2003

page 2
Krosch

MacGregor's water right 63-22732 is a straight forward water right, and we will be able to address the issues dealing with this water right rather quickly once we discover what to do with water right 63-13307.

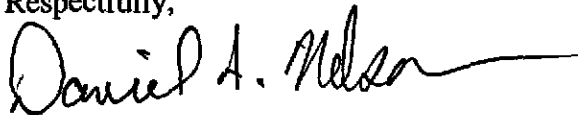
The combination of the two water rights creates some confusion on the number of springs these rights are dealing with. According to the rights it seems as though there are actually 3 springs, two on MacGregor's property and one spring on your property. I have included two maps with this letter. Please mark all of the springs that you are aware of in the SWSW and SENW tracts on the map. This will be helpful in determining which springs we will investigate once the ownership issues have been clarified.

It would help to speed up the review of the complaint if I receive a copy of the documentation you supply Karilynn Townsend for the ownership change. If I can determine how the water is distributed, I can proceed on the complaint, even if the actual change of the ownership of the water right has not been completed.

Unfortunately, there is very little that I can do at this time until we sort out the ownership information. No further action can be taken on this complaint until the ownership issues have been addressed. Once the ownership has been clarified, I will pursue the complaint and possible regulation of these rights.

I am willing to help in anyway I can to put this information together or answer any questions or concerns. Please contact me at the above address if I can help you.

Respectfully,



Daniel A. Nelson
Sr. Water Right Agent

cc Karilynn Townsend, IDWR State Office

MICROFILMED
SEP 03 2003

Townsend, KariLynn

From: Joan Krosch [jkrosch@bigskytel.com]

Sent: Sunday, July 13, 2003 10:17 PM

To: slester@idwr.state.id.us

Cc: ktownsen@idwr.state.id.us

Subject: Fw: Transfer of Water Right Ownership / Complaint as to Lack of Action on this Matter IDWR

Re: # 65-13307

----- Original Message -----

From: Joan Krosch

To: pkolbet@aol.com

Sent: Sunday, July 13, 2003 7:47 PM

Subject: Fw: Transfer of Water Right Ownership / Complaint as to Lack of Action on this Matter IDWR

----- Original Message -----

From: Joan Krosch

To: pkolbet@aol.com

Sent: Sunday, July 13, 2003 5:16 PM

Subject: Transfer of Water Right Ownership / Complaint as to Lack of Action on this Matter IDWR

Attention: Seven Lester

Steve This "Complaint" to your attention comes as a follow-up to a telephone conversation between you and myself on the afternoon of Friday, July 11, 2003. As I explained to you at that time this matter of a "lack of" the Water Right Transfer has been cause for a great deal of distress to my husband, myself and my family. This has further been cause for exasperation because of actions by Mr. J. MAC Gregor when he shut our water off and ran it all his direction with the stock water tanks overflowing flooding all over his field. This at a time of very hot weather and no water for our home and/or livestock. This action was just one of many issues that have taken place this summer over this water issue.

During our conversation and as a follow-up to my request on the afternoon of July, 11, 2003 you did some additional research and did find what may be a water right on the existing water right of Pat Kolbet/Joan Krosch reference #65-22732 issued to J. MAC Gregor in 2002. (We find this to be most disturbing when the Pat Kolbet/Joan Krosch transfer of Ownership has not been responded to nor acted on in any manner from (1999-2000 timeperiod.) Steve you also indicated that while the spring that MAC Gregor filed on does appear to be the same one that Pat Kolbet (65-13307) owns existing ownership on/and has attempted to transfer said right to myself (Joan Krosch) the spring referred to in the #65-22732 does not make reference to the (Brownlee Creek Tributary). It was further discussed that if this is in fact the same spring--it will take second position to the Pat Kolbet/Joan Krosch issues.

Steve in the meantime, I did contact Pat Kolbet and Pat has indicated that she will visit with Kari Lynn Townsend on Monday, July 14, 2003 in an effort to determine what needs to be done to get all her water right transferred to me. It is my understanding from all my earlier dealings with Pat Kolbet and her representations to me and my conversation on Friday evening that it was her intention that the water right (65-13307) would be transferred to me. I also explained to Pat what Kari Lynn had indicated on Friday about the issue of property description not being the same as the description on Pat Kolbet's. Pat assured me that if there is something different it would have happened during the sale Transfer and she also will contact Pioneer Title to have them review her purchase contract and my purchase contract and she will seek clarification on all additional issues.

Steve at this time--I need your help in trying to determine if in fact there has been additional water rights issued on a spring that is barely supplying enough domestic water. I also look to you for information on the timely correction of this matter and determine if Pat Kolbet/Joan Krosch would have watermaster protections at this time?

7/14/2003

Thank you so much for your time in the manner. Sincerely, Joan Krosch

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SEP 9 9 2003

7/14/2003

Townsend, KariLynn

To: Lester, Steve
Subject: RE: Ownership Change 65-13307

Steve . . .

I'll talk to you on Monday, July 14th, regarding this customer's dilemma regarding the o/c. I don't think it is unsolvable.

Kari Lynn

-----Original Message-----

From: Lester, Steve
Sent: Friday, July 11, 2003 3:59 PM
To: Townsend, KariLynn
Subject: Ownership Change 65-13307

KariLynn:

Joan Krosch called me today about some problems with her water right. She identified 65-13307 and mentioned wr ownership change filed on this. Database lists this in your pending ownership changes. Krosch asked for it to be expedited if possible. I told her I would pass the request on.

I don't need to be notified regarding any progress in the ownership change unless the ownership documentation is faulty. Faulty information in that regard might affect the things we do in responding to a water use complaint she is filing with Western (having problems with a neighbor at the diversion works).

Thanks.

Steve

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A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

November 20, 1998

JOAN ANNETTE KROSCH

306 DRY BUCK ROAD
SWEET, ID 83670

RE: Escrow No. 172218
KROSCH/KOLBET/KOLBET/KROSCH
Property Address: 306 DRY BUCK ROAD
SWEET, ID 83670

Dear Ms. Krosch,

The closing of your purchase of the above-noted property has now been completed. Enclosed for your records are your original Warranty Deed and Title Insurance Policy.

We appreciate having had this opportunity to be of service to you. If you have questions or if we can help you again, please feel free to contact us.

Very truly yours,
PIONEER TITLE COMPANY OF ADA COUNTY

DIANE KELLOGG
Escrow Officer

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SEP 9 3 2003