

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 63-31943
Date Received: 2/23/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ALLEN M DAMBERGER
16597 11TH AVE N EXT
NAMPA ID USA 83687

Phone: (208) 467-1186

RITA I DAMBERGER
16597 11TH AVE N EXT
NAMPA ID USA 83687

Phone: (208) 467-1186

2. Date of Priority: 09/10/1942

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03N	02W	11	SE	SE	NE	CANYON	

5. Description of diverting works:

TWO WELLS, FLOWING ARTESIAN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.03	
STOCKWATER	01/01	12/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	11	SE	NE	STOCKWATER	
			SE	NE	IRRIGATION	1.5
					Section Acres	1.5
					Total Acres	1.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-2599. DB 6/8/2004

Stockwater, 3 Range Cattle

TWO POINTS OF DIVERSION LOCATED WITHIN THE SE1/4NE1/4, SEC. 11, TWP. 3N, RGE. 2W. PER TRANSFER #3989 APPROVED 9-11-92.

15. Basis of Claim: License

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

RECEIVED

MAR 24 2003

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of 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
63-2599	~~1111~~	☒			

RECEIVED

MAR 31 2003

WATER RESOURCES
WESTERN REGION

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

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

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

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

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit 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)

Jensen Farm's Inc dba Kenneth Togg
10305 Melmont RD. Melba ID.

4. New Owner/Claimant(s)

Allen Dambacher
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

16597 11th Ave N. Ext

City, State and ZIP Code

Nampa ID 83687.

New Telephone Number

208) 967-1186

5. Date you acquired the property

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 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		3 cows
Domestic		home/Heating, etc.
Other		
Total	1.97	Note →

DESCRIPTION OF YOUR POI (If the right(s) will not be split, skip this area and proceed to item 7)		
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		Damberger has 1.5 ac. - Domestic use (1 home) from parent claim 63-2599 belongs to Ruby Hukill. See Maps via X-fer #3989.

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

[Signature]

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 RW/ DHDate 3/24/03Fee 0

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

2/23/90

02/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2599

WATER RIGHT NUMBER: 63-2599

Owner Type

Original Owner

Name and AddressHERBERT A TIEGS
10305 MELMONT RD
MELBA, ID 83641

Current Owner

SUNSET FARMS INC
C/O KENNETH TIEGS
10305 MELMONT RD
MELBA, ID 83641
(208)495-2272

63-31943

Allen Damberger
Rita Damberger

Priority Date: 09/10/1942

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use~~DOMESTIC~~From To

1/01 to 12/31

Diversion Rate

0.040 CFS

Annual Volume

✓ STOCKWATER

1/01 to 12/31

0.020 CFS .01

✓ IRRIGATION

3/15 to 11/15

1.500 CFS .03

Total Diversion:

1.500 CFS

.03 total cfs

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4NE1/4

Sec. 11, Twp 03N, Rge 02W, B.M.

CANYON County

Place of Use~~DOMESTIC~~

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 02W 11				X													

STOCKWATER

3 head cattle

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 02W 11				X													

IRRIGATION



Irrigation

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2599

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	02W	11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	77.0
					40.0	37.0													

Total Acres: ~~77~~

↓
1.5 acres
total

1.5 Ac

Conditions of Approval:Remarks:

1. General TWO POINTS OF DIVERSION LOCATED WITHIN THE SE1/4NE1/4, SEC. 11, TWP. 3N, RGE. 2W. PER TRANSFER #3989 APPROVED 9-11-92.

Comments:Dates and Other Information:

Claim Received Date: 2/23/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

beyond the ...
Schedule, nor any right, title, interest,
roads, avenues, alleys, lanes, ways or waterways,
modify or limit the extent to which a right of access to and from the
insured by this policy.
(a) "mortgage": mortgage, deed of trust, trust deed, or other security
insured by a purchase

TRANS TYPE	SI IND.	INF END.	CODE	CODE	CODE	CODE	CODE	CODE	REISSUE AMOUNT
8	7	8	9 3130	10 100	11 8100	12	13	14	15

**LOAN
SCHEDULE A**

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
1 PN 31384	2 13 4034 61 004580	3 June 17, 1994 @ 11:46 a.m.	4 \$71,907.16	5 \$629.10

1. Name of Insured:

FIRST INTERSTATE BANK OF IDAHO, N.A.

2. The estate or interest in the land which is covered by this policy is **FEE SIMPLE**.

3. The title to the estate or interest in the land is vested in:

ALLEN M. DAMBERGER and RITA I. DAMBERGER, husband and wife

4. The insured mortgage and assignments thereof, if any, are described as follows:

A Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby

Amount: \$71,907.16

Dated: June 13, 1994

Trustor/Grantor: ALLEN M. DAMBERGER and RITA I. DAMBERGER, husband and wife

Trustee: PIONEER TITLE COMPANY, OF CANYON COUNTY

Beneficiary: FIRST INTERSTATE BANK OF IDAHO, N.A.

Recorded: June 17, 1994 as Instrument No. 9418647

5. The land referred to in this policy is described as follows:

- See attached Exhibit "A"

EXHIBIT "A"

A tract of land situated in a part of Tract 32, CORTLAND PLACE SUBDIVISION, and also is a part of the Southeast Quarter of the Northeast Quarter, Section 11, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

COMMENCING at the Southeast corner of said Southeast Quarter of the Northeast Quarter (East Quarter corner); thence

North 0° 00' 00" East, a distance of 229.55 feet along the Easterly boundary of said Southeast Quarter of the Northeast Quarter to the POINT OF BEGINNING; thence continuing

North 0° 00' 00" East, a distance of 282.00 feet along the Easterly boundary of said Southeast Quarter of the Northeast Quarter; thence

South 89° 47' 20" West, a distance of 241.51 feet; thence

South 0° 38' 09" East, a distance of 274.01 feet to a point on the centerline of an irrigation ditch; thence

South 88° 17' 26" East, a distance of 238.57 feet along the centerline of said irrigation ditch to the POINT OF BEGINNING.

PLAT OF CORTLAND PLACE



SEC'S 2 AND 11, T 3 N, R 2 W.



SCALE IN FEET
0 50 100
Oct. 1884

I, William C. Brown, Clerk of the County of Cortland, State of New York, do hereby certify that this plat has been prepared from actual survey made by me upon the ground, and that the same is correct.

Wm. C. Brown
Clerk of the County of Cortland, State of New York

FILED in the office of the County Recorder of Cortland County, State of New York, this 15th day of November, A.D. 1884, at 11 o'clock A.M., at the request of the undersigned, by James H. Tappan, Clerk.

36 360 Acres	35 360 Acres	34 360 Acres	33 360 Acres	32 360 Acres	31 360 Acres	30 360 Acres	29 360 Acres
28 360 Acres	27 360 Acres	26 360 Acres	25 360 Acres	24 360 Acres	23 360 Acres	22 360 Acres	21 360 Acres
20 360 Acres	19 360 Acres	18 360 Acres	17 360 Acres	16 360 Acres	15 360 Acres	14 360 Acres	13 360 Acres
12 360 Acres	11 360 Acres	10 360 Acres	9 360 Acres	8 360 Acres	7 360 Acres	6 360 Acres	5 360 Acres
4 360 Acres	3 360 Acres	2 360 Acres	1 360 Acres				

CORTLAND PLACE

DEPARTMENT PLAT BOOK 1

1. Survey of the Cortland Place in the Original Plat in the hands of the County of Cortland, State of New York.

Wm. C. Brown
Clerk of the County of Cortland, State of New York

Oct. 1884

Note -

Domestic use belongs to
Ruby + Fred Hukill 63-31942
per the map attached to
the original claim
showing the location of
the home.

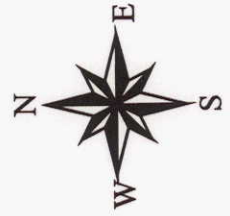
6-9-04

Allen & Rita Damberger
63-31943

(1.5 ac)

3N 2W
S-11

-  Section Line
-  QQ Lines
-  Tax Lot Data
-  Metes & bounds description



0.01 0 0.01 0.02 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 25, 2003

ALLEN DAMBERGER
16597 11TH AVE N EXT
NAMPA ID 83687

RE: Notice of Change in Water Right Ownership No. 63-2599

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership (enclosed), recently submitted. Upon further review of this change of ownership, it was noted that we neglected to get your signature on the form. In addition, we also need to know the number of acres you acquired, and how many of those acres are irrigated. This will help us to correctly split this claim.

Please sign the back of this form, and indicate the number of acres you purchased in the highlighted areas, and return to this office in the envelope provided. Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures