



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

18 February 2004

COPY

Randy and/or Trina Panter
14885 North Highway 34
Thatcher, ID 83283

Paul Webstel
322 South Angel
Kaysville, UT 84037

Re: Snake River Basin Adjudication (SRBA)
Claim 27-2011

Subject: CHANGE IN PLACE OF USE (POU) & POINT OF DIVERSION (POD)

Response Date: 15 MARCH 2004

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. A copy of the original Notice of Claim to a Water right is enclosed.

We are unable to determine a clear line of ownership change on ALL the quarter-quarters claimed in the above referenced claim. I am also enclosing a printout of the original license 27-2011. These quarter-quarters do not match up with the quarter-quarters in the above referenced claim. These are the documents we do have.

5/9/1995	Warranty Deed. Bloxham Family Trust to John & Diane Webster Family Trust AND Paul Warren Webster & Craig R. Webster. T8S, R43E, Sections 4 and 5.
8/6/1997	Warranty Deed. Dean & Majorie Panter and Panter Family Trust to Robert & Ruth Harris. T8S, R43E, Sections 3, 4 and 5.
11/16/1999	Warranty Deed. Robert and Ruth Harris to Bloxham Family Trust. T8S, R43E, Sections 4 and 5.

4/27/2001	Warranty Deed. Dean Panter to Randy & Trina Panter. T8S, R43E, Section 32. T8S, R43E, Sections 8, 5, 8, 9, and 16 (Section 16 W1/2NW1/4, NW1/4SW1/4).
11/26/2001	Commitment for Title Insurance Schedules A & B. T8S, R43E, Sections 4 and 5
3/4/2003	Warranty Deed. Dean Panter Family Trust to Randy & Trina Panter. T8S, R43E, Sections 4 and 5.

Please provide this office with a **copy of your deed** together with an **aerial map** indicating the acres being irrigated.

We have received a Notice of Change in Water Right Ownership from Dean Panter % Robert Harris to Randy and/or Trina Panter and Paul W. Webstel. The County Assessor's Office has informed us that you both own a portion of the land described in the SRBA Claim.

Is this property jointly or independently operated? If you jointly operate it one of you need to response to the change in POU and POD. If it is independently operated, each one of you needs to provide evidence on the piece that you own. The original license describes 100 acres as irrigated. The SRBA Claim describes 76.5 irrigated acres. Is the 23.5 acres described under the license still irrigated or has it been forfeited?

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

Before IDWR may recommend your claim, you must provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

If we do not hear from you by the above response date, then the claim to water from will not be recommended to be decreed in the SRBA Court.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure:

Copy of Notice of Claim 27-2011

Copy of Water Right 27-2011

AREA=0.4

RL 1728A

DANIEL, RANDY ELYX
14845 N Hwy 30
Metcher, ID 83083

TR W1/2NW1/4 WEST OF ROAD

SEC 4 T85 R43E

LOT1, SE1/4NE1/4, E 440', LOT 2

E 440' SW1/4NE1/4

SEC 5 T8S R43E

4 T 85 R 43 E

SE 1/4 NE 1/4 E 440' of Lot 2

Well
 rigation = 0
 Stock = s

Improvements
Occupied $\propto x$
Vacant $\propto y$

CODE**PARCEL NUMBER**

SUMMARY OF LAND AND IMPROVEMENT VALUES

48. ANNUAL ASSESSMENT

[illegible]

Y

PRICE

DATA