

Idaho Dept. of Water Resources
322 E. Front St. Boise, ID
September 22, 2006

To: 67-4283 Claim File
From: Jennifer Dean 
Subject: Combined Right

Roberts Farms originally filed the claim for 67-4283. The claim included land in both Section 16 and 21 of Township 10N, Range 05W. Later Roberts Farms sold all of the property in Section 16 to Ken Aschenbrenner. This resulted in 67-4283 being split into 67-14543 (Roberts Farms) and 67-14544 (Aschenbrenner).

In reviewing these claims for recommendation, it was discovered that the well that services this claim was never set up to irrigate ground in Section 21 or the portion of the land that was retained by Roberts Farms. The well for this claim is in Section 16 (as per field exam) and a road divides the land between Section 16 and Section 21. From conversation with claimants as well as from the field exam, it appears that there was never a way to get water across the road to the ground in Section 21.

In the file 67-14543 there are notes that relate to it being proposed to be disallowed. On 1/24/2006 Monica VanBussum entered the following comment related to this claim: "Per Sid Roberts from Roberts Farms, when property was split per change of ownership, the portion of the ground that was irrigated went to Aschenbrenner, claimant for 67-14544."

On 9/19/2006, I personally spoke with Sid Roberts to again confirm that he and Roberts Farms had no interest pursuing the portion of the claim that was split when the ownership was changed. He again confirmed that the well water was not used south of the road and that Aschenbrenner should hold all that the water right associated with the well.

The significance of recombining the claims is that it allows the entire diversion to be recommended to Aschenbrenner. This could not be accomplished by disallowing the portion of the claim that was retained by Roberts Farms.