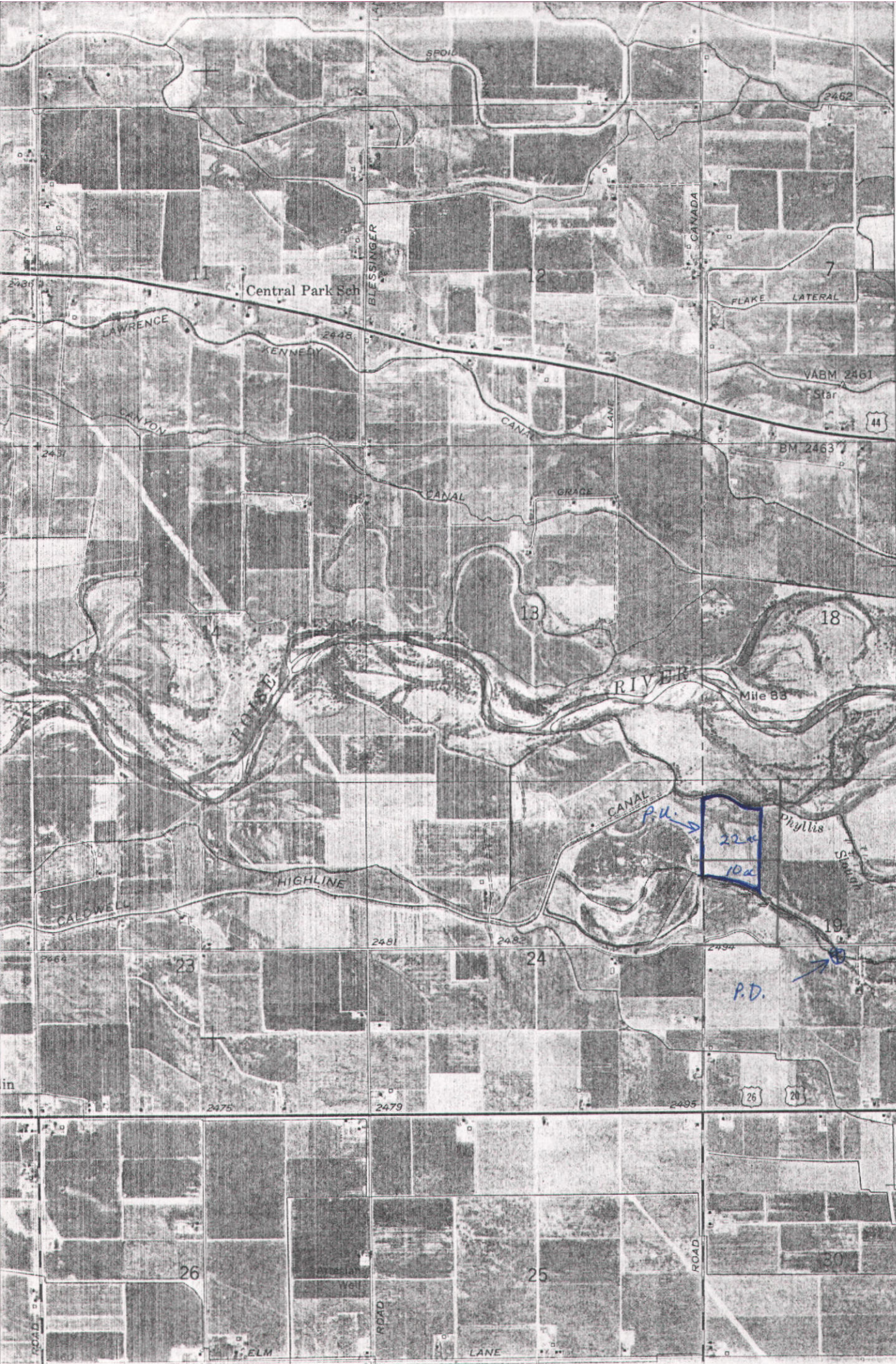




42' 30"

4839

4838

4837

4836

4835

40'

4834

A63-04813

T 4N
R 1W

MICROFILMED

AUG 20 1992

Idaho Department of Water Resources

T04N, R01W,
S19

Claim No: 63-4813

Prepared By: Kimberly Brown

Date: December 6, 2005



Place of Use



Section Lines



1/4 1/4

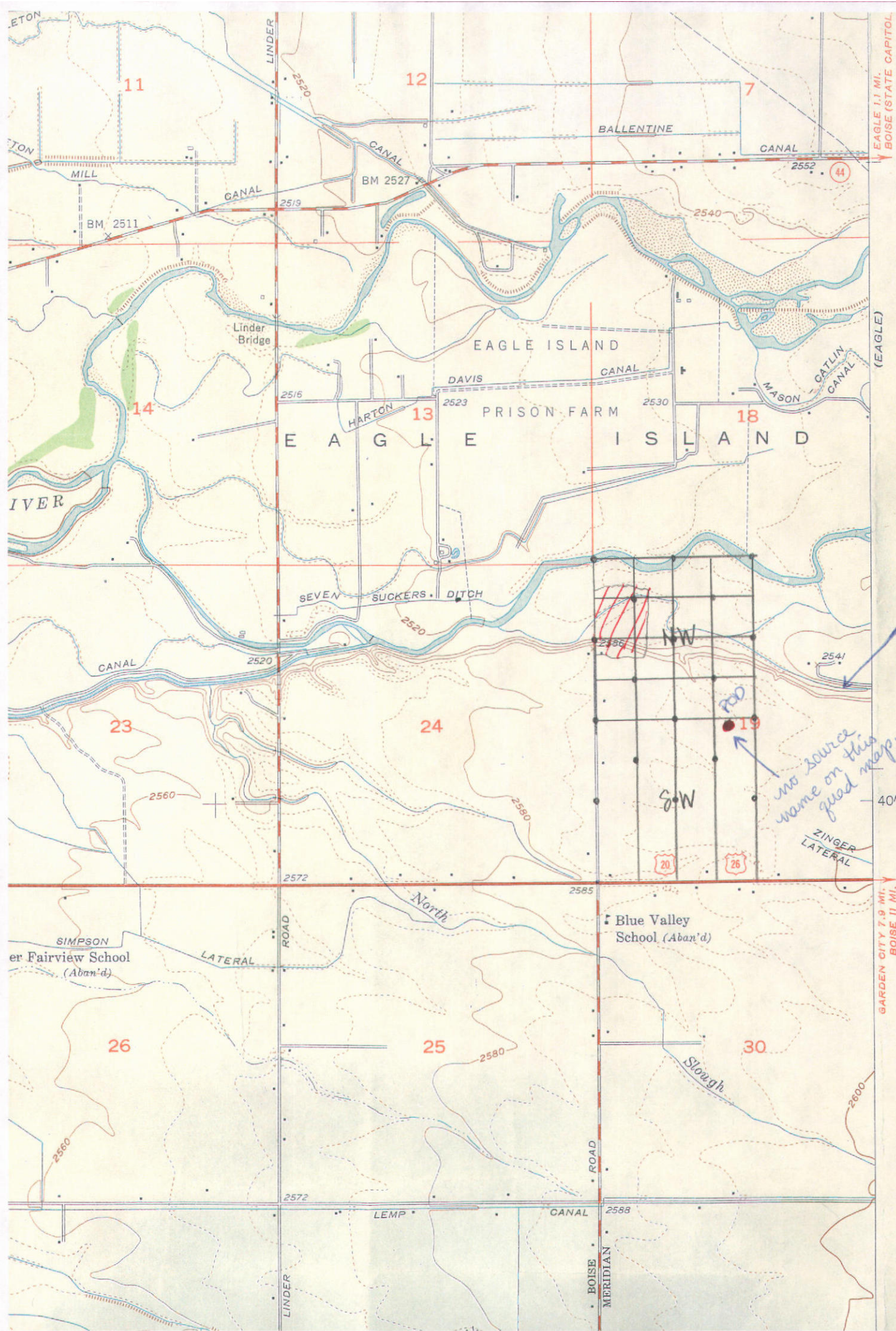


Point of Diversion

Acres Irrigated = 32.0



1987 NAPP



EAGLE 1.1 MI.
BOISE (STATE CAPITOL)

(EAGLE)

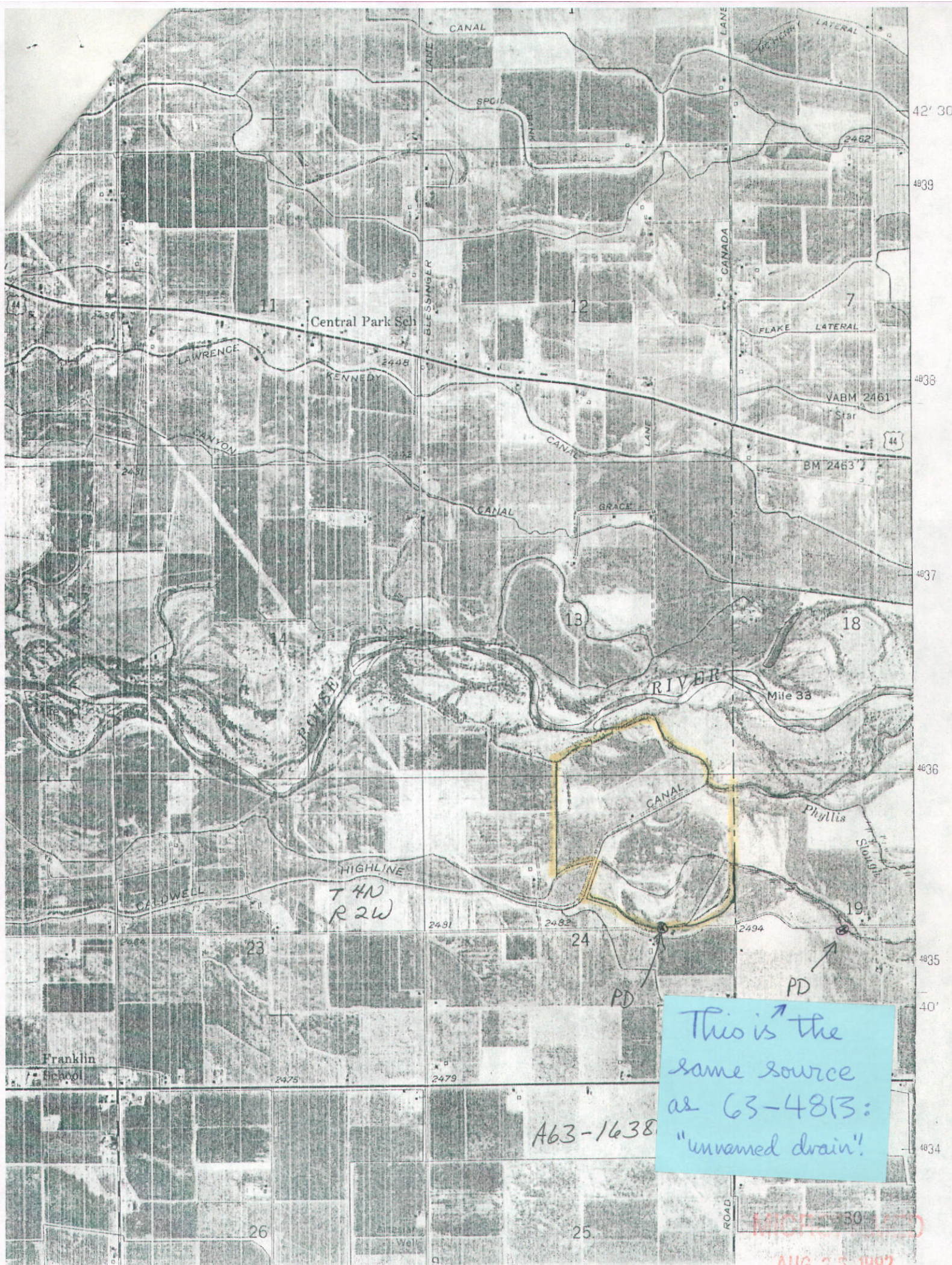
GARDEN CITY 7.9 MI.
BOISE 11 MI.

This is the Phillips canal

no source name on this quad map.

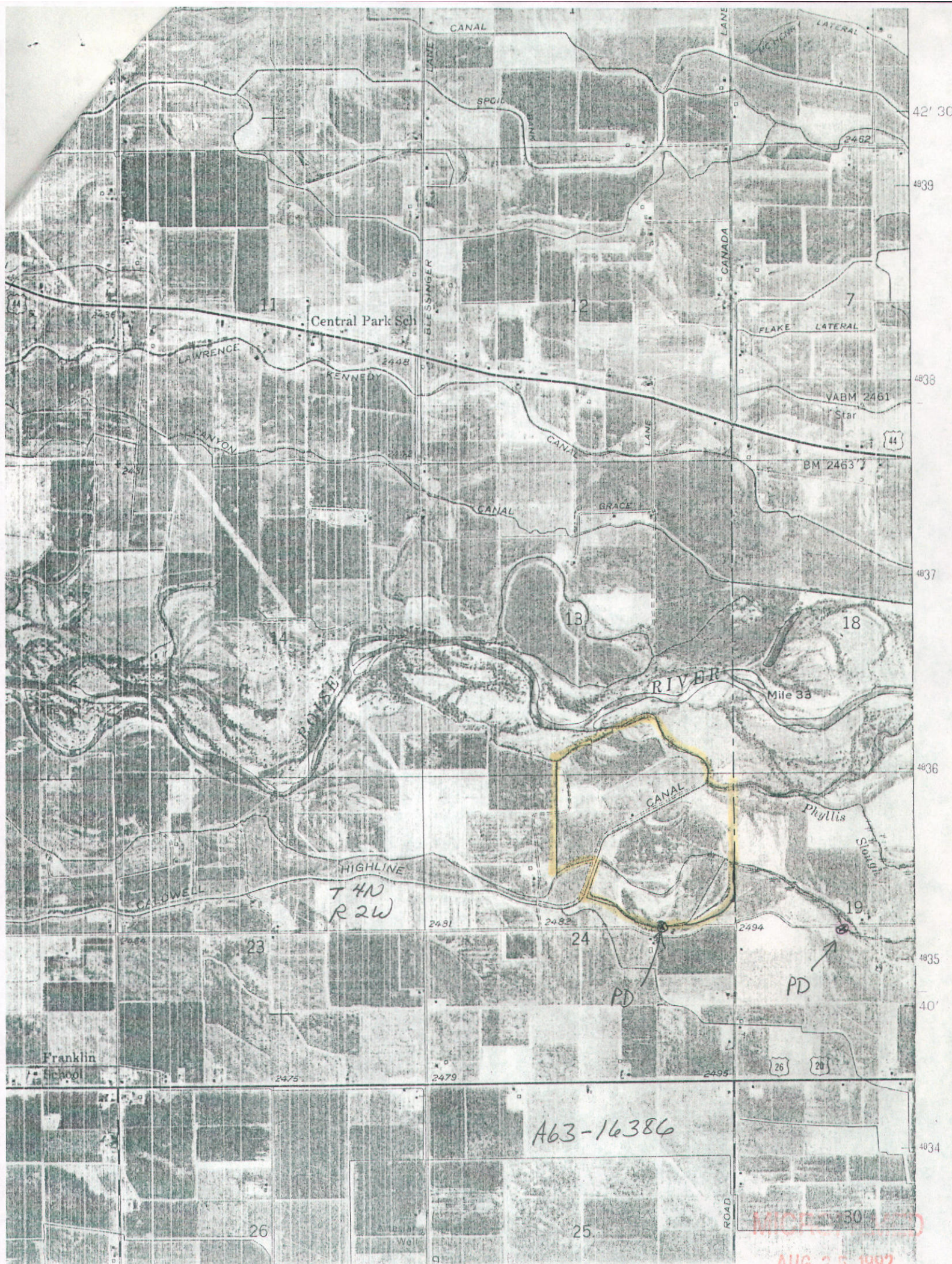
X7
1953





This is the
same source
as 63-4813:
"unnamed drain".

MICHAEL
AUG 25 1992



Central Park Sch

HIGHLINE
T 4N
R 2W

A63-16386

MICHAEL J. [illegible]
AUG 25 1992



Cattle access to Phyllis Slough

GPS 4340602 11630643



Looking South from Ped.

A63-04813

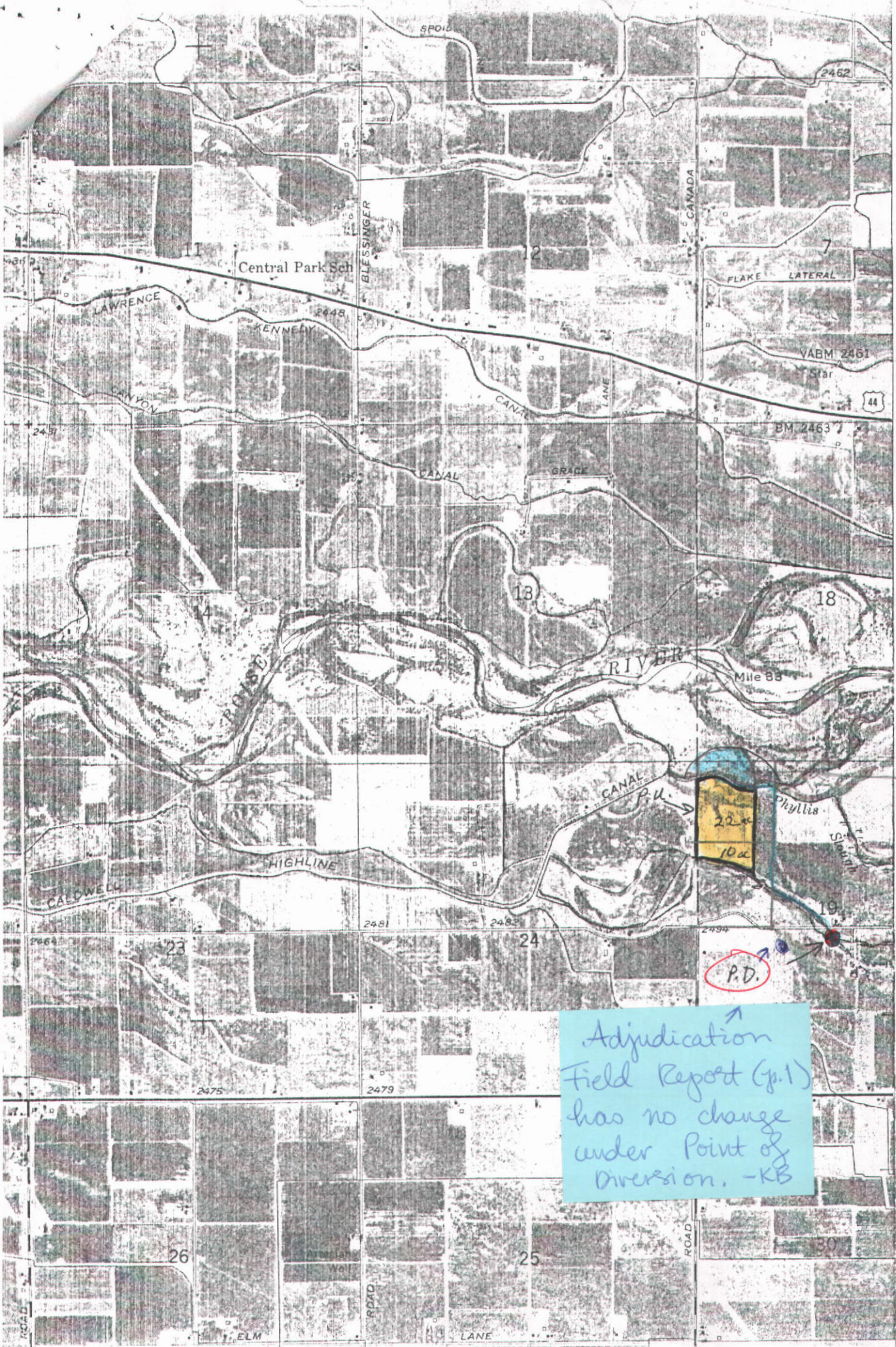
Pumps used to
water this
No Pumps
used now

NWNNW

Stock
Water
GPS 413 406 602
116 30 643

#63-4813
2003 NAPP

SWNNW



42' 30"

4839

4838

4837

4836

4835

40'

A63-04813

T 4N
R 1W

Watered
w/ Pumps

Pd changed
Before 87

Adjudication
Field Report (p.1)
has no change
under Point of
Diversion. -KB

MICROFILMED

AUG 20 1992

Idaho Department of Water Resources

Claim Number: 63-04813
Legal: T4N, R1W, S19
Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo



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 63-4813
Date Received: 5/17/1989
Receipt No: C006866
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NORRIS DANCER Phone: (208)286-7545
PO BOX 367
STAR ID USA 83669

JANA DANCER Phone: (208)286-7545
P.O. BOX 367
STAR ID USA 83669

2. Date of Priority: 03/15/1900

3. Source: PHYLLIS SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	19	NE NE SW	ADA	

5. Description of diverting works:

HEADGATE & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2	
STOCKWATER	1/01	12/31	0.09	

7. Total Quantity Appropriated is:
2 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
04N	01W	19	NW	NW	4	STOCKWATER
			SW	NW	3	STOCKWATER
			NW	NW	4	IRRIGATION
			SW	NW	3	IRRIGATION
						22
						10
					Section Acres	32
					Total Acres	32

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP LG 9/14/05

15. Basis of Claim: Statutory Claim

RECEIVED

JUL 18 2005

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

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 (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
	63-4813				
	63-4817				

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) Trabert Land and Livestock Inc.
8900 W. Joplin Rd. Mendon Ida. 83642
4. New Owner/Claimant(s) NORRIS & Jana Dancer.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 367.
- City, State and ZIP Code Star Idaho 83669.
- New Telephone Number 208 286-7545
5. Date you acquired the property October 15, 1993

COPY

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)

Yoni Danner
Jana Danner

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 7/18/05 Date KLB Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

888 North Cole Road / Boise, Idaho 83704 / Telephone (208) 377-2700

COPY

WARRANTY DEED
(CORPORATE FORM)

UNAGA EUSTI ENTERPRISES, INC. DBA G B REDI MIX, a corporation
organized and existing under the laws of the State of Idaho, with its principal office at 6701 E. FLAMINGO AVENUE
NAMPA, ID 83687 of County of CANYON, State of Idaho,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO NORRIS R. DANCER AND JANA R. DANCER,
HUSBAND AND WIFE

of 411 E. KARCHER ROAD, NAMPA, ID 83687
TEN DOLLARS AND NO/100

grantee
for the sum of

DOLLARS,

the following described tract(s) of land in ADA County, State of Idaho:
GOVERNMENT LOTS 3 AND 4 IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4
NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AS MORE PARTICULARLY SET
FORTH IN LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE,
MARKED AS EXHIBIT A AND COMPRISING 1 PAGE.

Location of above described property GOVERNMENT LOTS 3 AND 4 NW1/4 S19, T4N, R1W, BOISE
House No. Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized
under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a
quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized
officers this 15 day of October, A.D. 19 93

UNAGA EUSTI ENTERPRISES, INC.
(CORPORATE NAME)

By: Michael R. Smith Vice PRESIDENT

Attest: Janara J. DeBoer Sec-Treas SECRETARY

STATE OF IDAHO, County of ADA, ss.

On this 15 day of October, in the year of 1993, before me THE UNDERSIGNED
, a notary public, per-
sonally appeared
known or identified to me to be the person who executed the instrument on behalf of said corporation, and acknowledged
to me that such corporation executed the same.

Notary Public:
Residing at: NAMPA
My Commission Expires: 11-2-1994

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: A63-04813
Date Received: 5-17-89
Receipt No: C006866
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRABERT LAND & LIVESTOCK INC. 208-286-7225
Address: 8900 WEST JOPLIN RD.
MERIDIAN, ID 83642

2. Date of Priority: MAR 15, 1900

3. Source: PHYLLIS SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01W	19	NE	NE	SW		ADA

5. Description of diverting works:
HEADGATE & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 112.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/350 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01W	19	NW	NW	4	IRR	22.0
			NW	NW	4	STOCK	

A63-04813

Page 1

Date: 05/17/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	19	SW	NW	3	IRR	10.0
			SW	NW	3	STOCK	
						Section Acres	32.0
						Total Acres	32.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-00145

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: - / -

For Organizations:

I do solemnly swear or affirm that I am President of Trabert Land & Livestock Inc. Title Trabert Land & Livestock Inc. that I have signed the foregoing Organization

document in the space below as President of Trabert Land & Livestock Inc. Title Trabert Land & Livestock Inc. and that the statements contained in the Organization foregoing document are true and correct.

Stanley J. Records
Signature of Authorized Agent
President Trabert Land & Livestock Inc.
Title and Organization

May 17, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 89

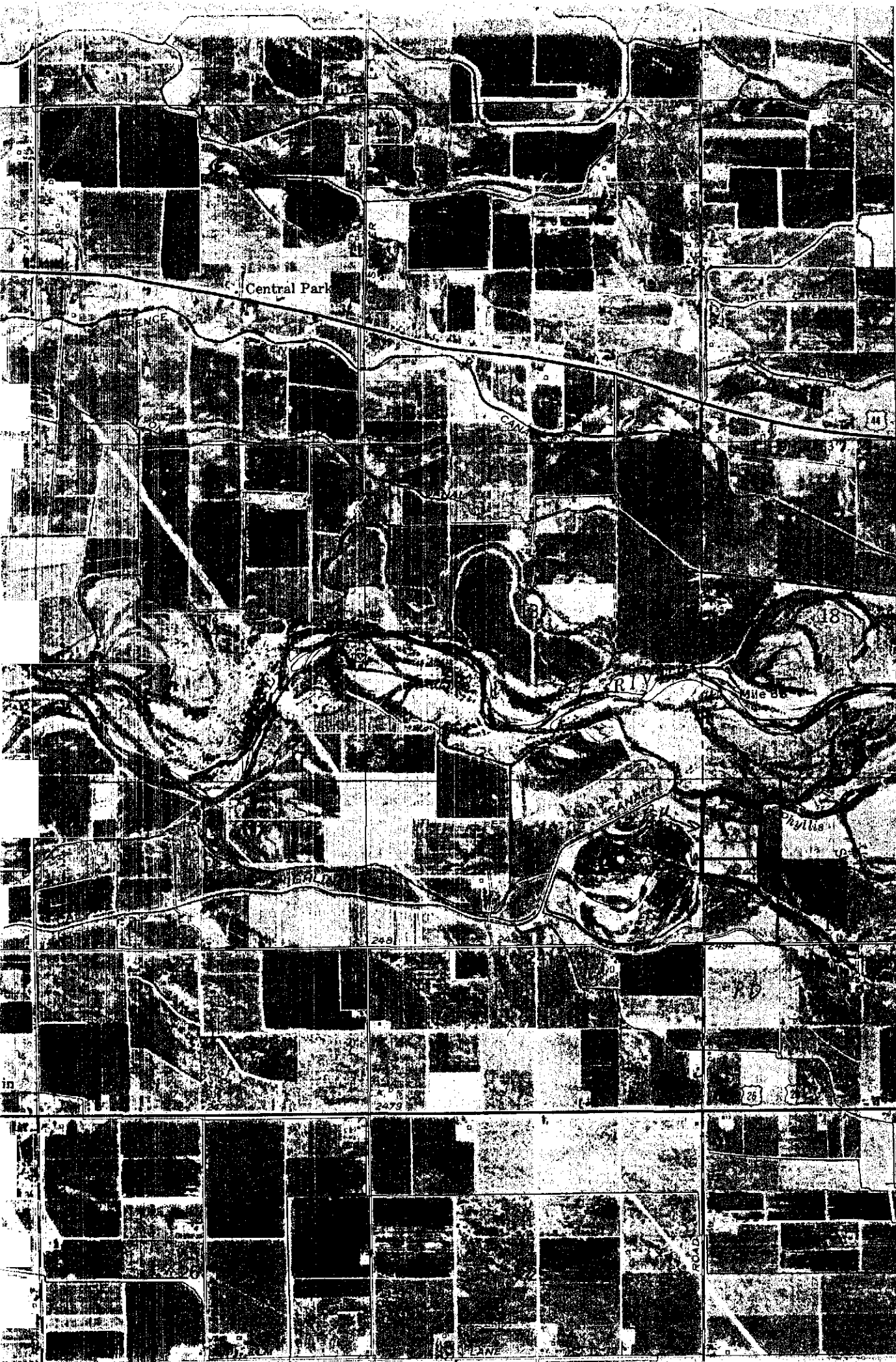
Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



42' 30"

4839

Central Park

4838

4837

A63-04813

T 4N
R 1W

4836

4835

40'

MICROFILMED

AUG 20 1992

12/07/2005

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

RIGHT NUMBER: 63-4813

NAME AND ADDRESS: JANA DANCER
P.O. BOX 367
STAR ID 83669

NORRIS DANCER
PO BOX 367
STAR ID 83669

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 0.730 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 03/01/1900

POINT OF DIVERSION:

T04N R01W S19 NENESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.090 CFS
IRRIGATION	03/01 11/15	0.640 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S19 Lot 4 NWNW 22.0 T04N R01W S19 Lot 3 SWNW 10.0

STOCKWATER Within ADA County

T04N R01W S19 Lot 4 NWNW T04N R01W S19 Lot 3 SWNW

32 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 350 range cattle.

PARCEL NO: a portion of S0419244620.

Use of this right is combined with water from Eureka Water Co.

Idaho Department of Water Resources

T04N, R01W, S19

Claim No: 63-4813
Prepared By: Kimberly Brown
Date: December 6, 2005



Place of Use



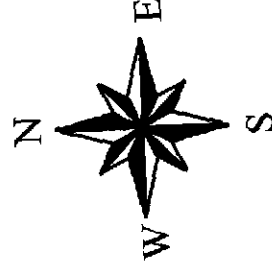
Section Lines



1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 32.0



1987 NAPP

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3				

11
12,500 gpd

12,500 gpd

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
- b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head

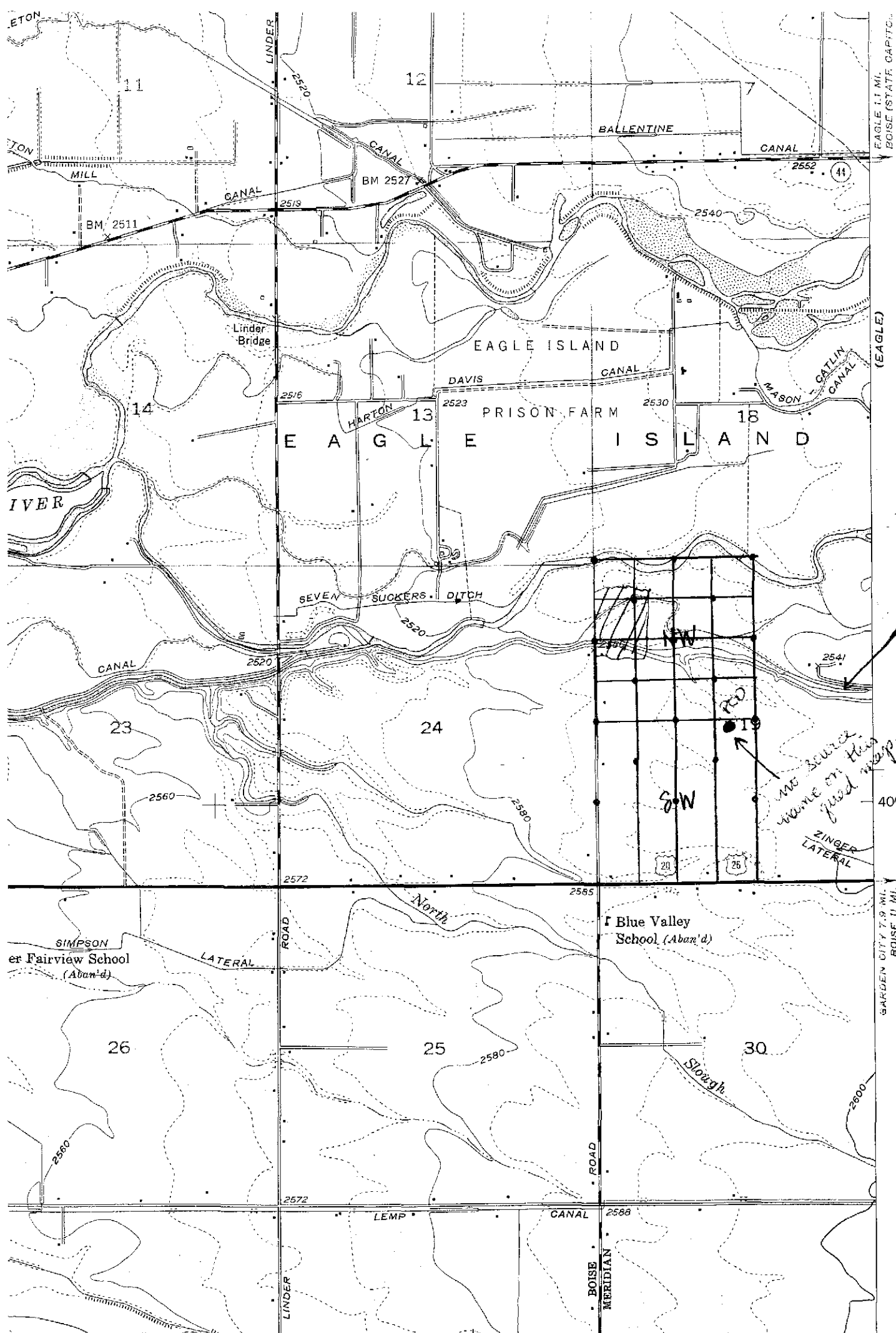
Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
- b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn



EAGLE 11 MI.
BOISE (STATE CAPITOL)

(EAGLE)

GARDEN CITY 7.9 MI.
BOISE 11 MI.

This is
the Phyllis
canal

no source
name on this
grid map.

X7
1953



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4813

12/06/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~145~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~1~~	~~IRRIGATION~~	~~22/1826~~	~~EUREKA WATER CO~~
~~16383~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~1~~	~~IRRIGATION~~	~~22/1826~~	~~EUREKA WATER CO~~
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~IRRIGATION~~	~~22/32~~	~~NORRIS DANCER~~
~~4813~~	~~Water Right~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~IRRIGATION~~	~~22/32~~	~~TRABERT LAND & LIVESTOCK INC~~
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~STOCKWATER~~		~~NORRIS DANCER~~
~~145~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~2~~	~~IRRIGATION~~	~~8/1826~~	~~EUREKA WATER CO~~
~~16383~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~2~~	~~IRRIGATION~~	~~8/1826~~	~~EUREKA WATER CO~~
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~IRRIGATION~~	~~10/32~~	~~NORRIS DANCER~~
4817	Claim	04N	01W	19	SW	NW	3	^{separate POU} IRRIGATION	10/10	JANA DANCER
32062	Claim	04N	01W	19	SW	NW	3	^{separate POU} IRRIGATION	2.5/40	DALE A VONSTEEN & JOAN G VONSTE REVOCABLE LIVING TRUST
~~4813~~	~~Water Right~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~IRRIGATION~~	~~10/32~~	~~TRABERT LAND & LIVESTOCK INC~~
4817	Water Right	04N	01W	19	SW	NW	3	^{separate POU} IRRIGATION	10/10	TRABERT LAND & LIVESTOCK INC
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~STOCKWATER~~		~~NORRIS DANCER~~

no overlap —

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4813

12/06/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-2917	Claim	04N	01W	19	NE	SW		GROUND WATER	CLIFFORD L CODE
63-18410	Claim	04N	01W	19	NE	SW		GROUND WATER	CLIFFORD L CODE
63-18676	Claim	04N	01W	19	NE	SW		GROUND WATER	CLIFFORD L CODE
~~63-4813~~	~~Claim~~	04N	01W	19	NE	SW		PHYLLIS SLOUGH BOISE RIVER	NORRIS DANCER
63-16386	Claim	04N	01W	19	NE	SW		UNNAMED DRAIN BOISE RIVER	X L RANCH
~~63-2917~~	~~Water Right~~	04N	01W	19	NE	SW		GROUND WATER	E HUGH MC NICHOLS
~~63-18410~~	~~Water Right~~	04N	01W	19	NE	SW		GROUND WATER	CLIFFORD L CODE
~~63-4813~~	~~Water Right~~	04N	01W	19	NE	SW		PHYLLIS SLOUGH BOISE RIVER	TRABERT LAND & LIVESTOCK INC

#63-16386 possibly shares the
same Pod

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16386

WATER RIGHT NUMBER: 63-16386

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	X L RANCH C/O WILLIAM C CLAYTON 6622 JOPLIN RD NAMPA, ID 83687 (208)286-7801

Priority Date: 03/15/1900

Basis: Beneficial Use

Status: Active

claimed the same p.d. as #63-4813

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.090 CFS	
IRRIGATION	3/15 to 11/15	3.000 CFS	
	<u>Total Diversion:</u>	3.090 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	SW1/4SE1/4NE1/4	Sec. 24, Twp 04N, Rge 02W, B.M.
CANYON County		
UNNAMED DRAIN	NE1/4NE1/4SW1/4	Sec. 19, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13									X	X	X	X			X	X	
04N	02W	24	X	X	X	X	X			X									

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13																	
04N	02W	24	20.0	35.0	30.0	30.0	12.0			3.0							15.0	3.0	130.0

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-16386

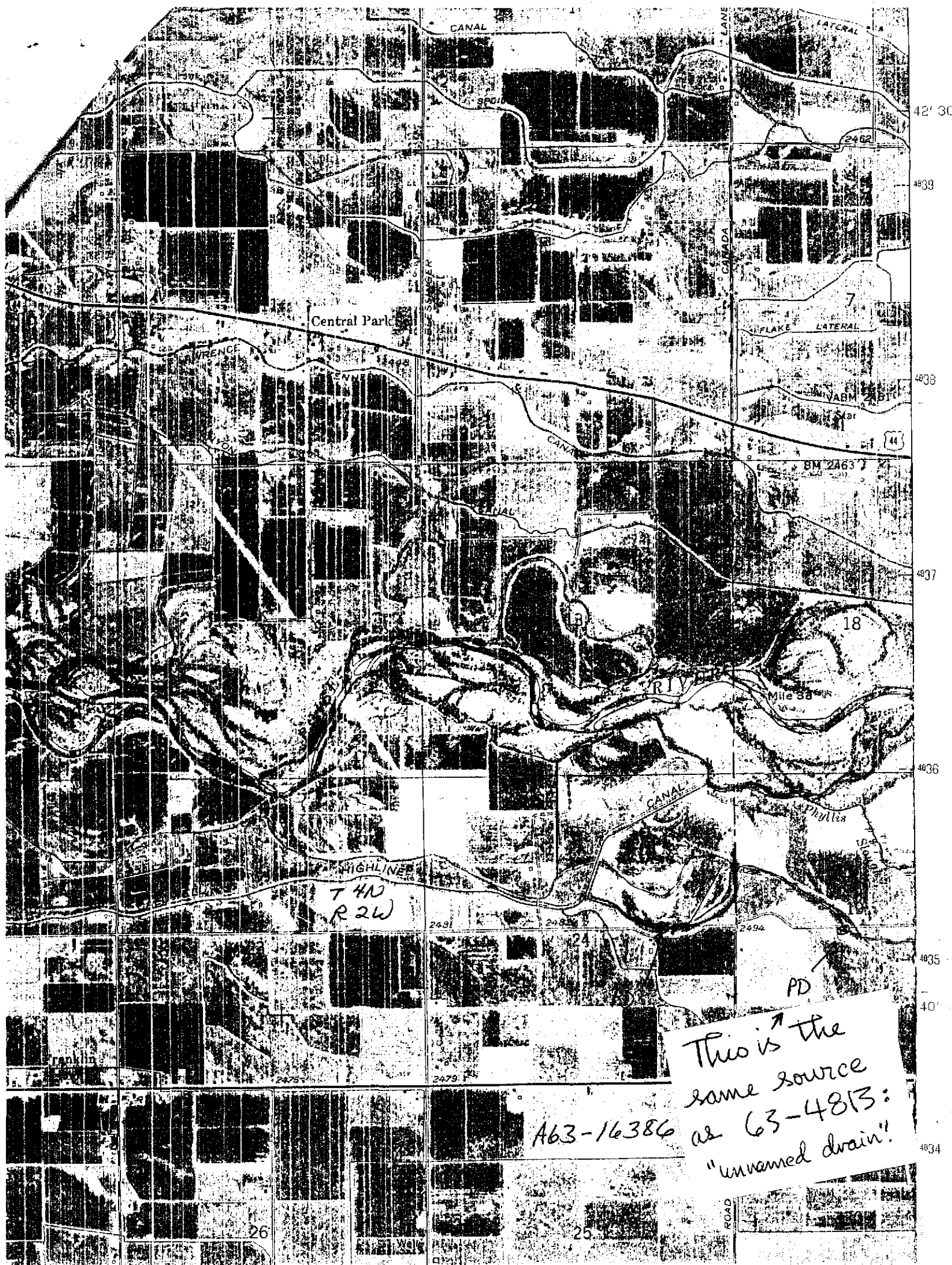
Total Acres: 150

Conditions of Approval:

Remarks:

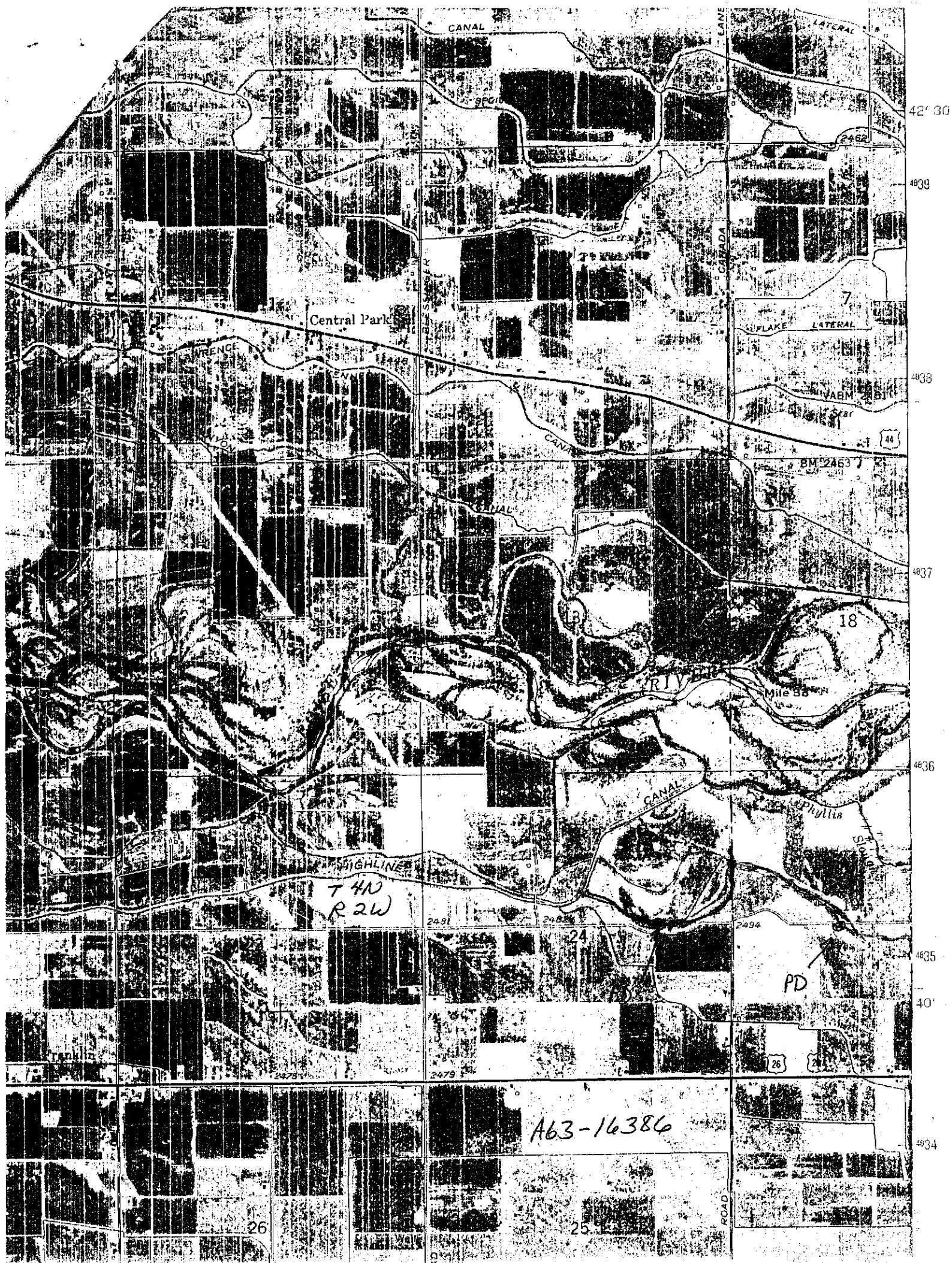
Comments:

Water Supply Bank:



This is the
same source
as 63-4813:
"unnamed drain".

A63-16386



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-04813Owner: TR Abert Land Lixstock Phone No. 286-7825

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER Norris - JANA Dancer
- ☐ No change Address
- ☐ NEW ADDRESS 8900 W Topline Rd Meridian ID 83642
- ☐ How long owned property? 13 yrs

Accompanied by: Norris Dancer**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Once Norris Dancer ~~See~~ Affidavit of Evidence Began so we could
Make prior owner/neighbor to sign.

Source: Phyllis Slough Tributary to Boise River

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination GPS ID	Remarks
		NE	NE	SW	19	4N	1W	ADA	4340602	11630693

Description of diverting works

Cattle Access for Stockwater (See Attachments)

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

Dancers Have 150 Shares of Eureka Irrigation to Supplement this right.

WATER USES

- ☐ No change See (FNI)
☐ Different Uses

Use Stock From 1-01 To 12-31 Amount .090 CFS _____ AFA
 Use Irr. From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
☐ Changes Exam found: Domestic # of homes 2 Stock # 350
 Types Cow/CAIF Additional comments: None

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

This point is located in the NW1/4, S19, not the NE SW as claimed (see 2003 NAPP image attached to this field exam.)

I cannot use these numbers - I do not know how they apply to ArcView KB.

(FNU) Pumps have been taken out 13 yrs Ago by Prior owner and
Never replaced but still use for stock water use & access
Pumps last used to pump w/w for irrigation of 22 acres in 1992.

(FNU) Unknown CSS measurement do to pumps not present since
1992.

(See Attachment)

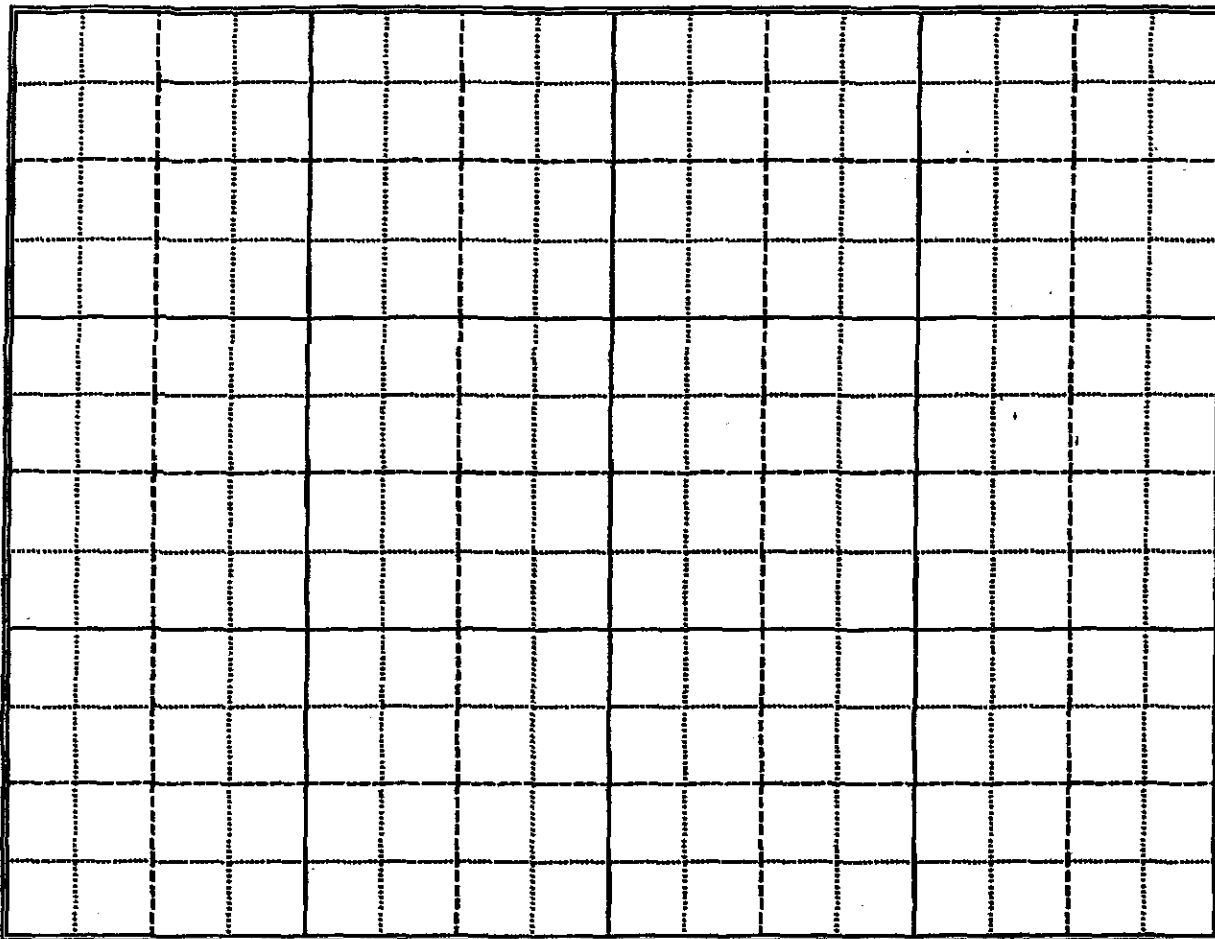
AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 10-29-05

FIELD EXAMINER: Marta Bishop

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

See Attachments

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for Irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

(See Attachments)

F. FLOW CALCULATIONS

3 Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{4cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{4cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{4cm}}$$

2. Volume Calculations for Other Uses:

Cattle Calculations for 350 = .090 (Calculations for stock diversion rate table)

No Pumps Calculated due to pumps removed

Norris, Jana Dancer
63-481
9326 west Joplin Rd
Meridian Idaho

Exam Date 9-28-05

1. **Waste water 63-4813.** Originates from waste water **Phyllis Slough**
2. GPS n43.282 w116.30.595...
3. Water was pumped and used for irrigation on land across the Phyllis slough. Previous owner last pumped in 1990 but Mr. Dancers still uses for stock water access. Pumps were removed about 13 years ago (unknown date). By previous owner.
4. **See change in map.** No pumps present at time of exam.
5. 150 shares of **Eureka Irrigation** District supplements this right
6. **Range cattle** present on the land corresponding to 63-4813. 350 ran up to a 2004 Mr. Dancer just sold off a few head last year.
7. No changes to water system prior to 1987 except for pumps.
8. **Priority date** of March 15 1900 was the date it was homesteaded.
9. I Gave Mr. Dancer an affidavit for priority to have signed.
10. **Water measurement**
11. Calculations for irrigations waste water couldn't be made due to Pumps being removed.
12. Cattle Calculations for 350 = .090 (calculations for stock diversion rate table).
13. No changes to system have been made after 1987.



Cattle access to Phyllis Slough

GPS 4340602 11630643



Looking South from Ped.

AB3-04813

Pumps used to
winter this
No Pumps
used now

NW1/4

463-4813

3003 NAPP

SW1/4

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

10/06/2005

WATER RIGHT NO. 63-4813

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANA DANCER P.O. BOX 367 STAR, ID 83669 (208)286-7545
Current Owner	NORRIS DANCER PO BOX 367 STAR , ID 83669 (208)286-7545
Original Owner	TRABERT LAND & LIVESTOCK INC 8900 W JOPLIN RD MERIDIAN, ID 83642 (208)286-7225

Priority Date: 03/15/1900

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
PHYLLIS SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2 CFS	
STOCKWATER	1/01	12/31	0.09 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

PHYLLIS SLOUGH	NENESW	Sec. 19	Township 04N	Range 01W	ADA County
----------------	--------	---------	--------------	-----------	------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	19	4	NWNW	22	3	SWNW	10						

Place of Use Legal Description: STOCKWATER ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	19	4	NWNW		3	SWNW							

Total Acres: 32

Conditions of Approval:

1. CHANGE IN OWNERSHIP LG 9/14/05

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

☐ Search for both active and inactive water right records.

Search Results

Type of Query

USAGE INSTRUCTION

☐ All SRBA & Water Rights	
SRBA ☐ Claims ☐ Recommendations ☒ Both	Water Rights ☐ Applications ☐ Permits ☐ Decrees, Licenses and Statutory Claims ☐ Transfers ☒ All of the above

Basin Who What When Where Clear Search Help

Query parameters:

basinFrom = 63

sequenceNumberFrom = 4813

Search for: active Records

Information for type: Claim

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversi Rate
Details									
Related Documents	1	63	4813			Statutory Claim	Active	1900-03-15	2
General Provision									

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversi Rate
Details									
Related Documents	2	63	4813			Statutory Claim	Active	1900-03-15	2
General Provision									

Number of records = 2

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/06/2005

WATER RIGHT NO. 63-4813

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TRABERT LAND & LIVESTOCK INC 8900 W JOPLIN RD MERIDIAN, ID 83642 (208)286-7225

Priority Date: 03/15/1900

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
PHYLLIS SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2 CFS	
STOCKWATER	1/01	12/31	0.09 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

PHYLLIS SLOUGH	NESW	Sec. 19	Township 04N	Range 01W	ADA County
----------------	------	---------	--------------	-----------	------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	19	4	NWNW	22	3	SWNW	10						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 32

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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: A63-04813
Date Received: 5-17-89
Receipt No: C006866
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

NORRIS & JANA DANCER

1. Name: ~~GRABERT LAND & LIVESTOCK INC~~
Address: 8900 WEST JOPLIN RD.
MERIDIAN, ID 83642

~~208-286-7225~~
286-7545

2. Date of Priority: MAR 15, 1900

3. Source: PHYLLIS SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	19	NE	NE	SW		ADA

5. Description of diverting works:
HEADGATE & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 112.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/350 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	19	NW	NW	4	IRR	22.0
			NW	NW	4	STOCK	

A63-04813

Page 1

Date: 05/17/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	19	SW	NW	3	IRR	10.0
			SW	NW	3	STOCK	
Section Acres							32.0
Total Acres							32.0

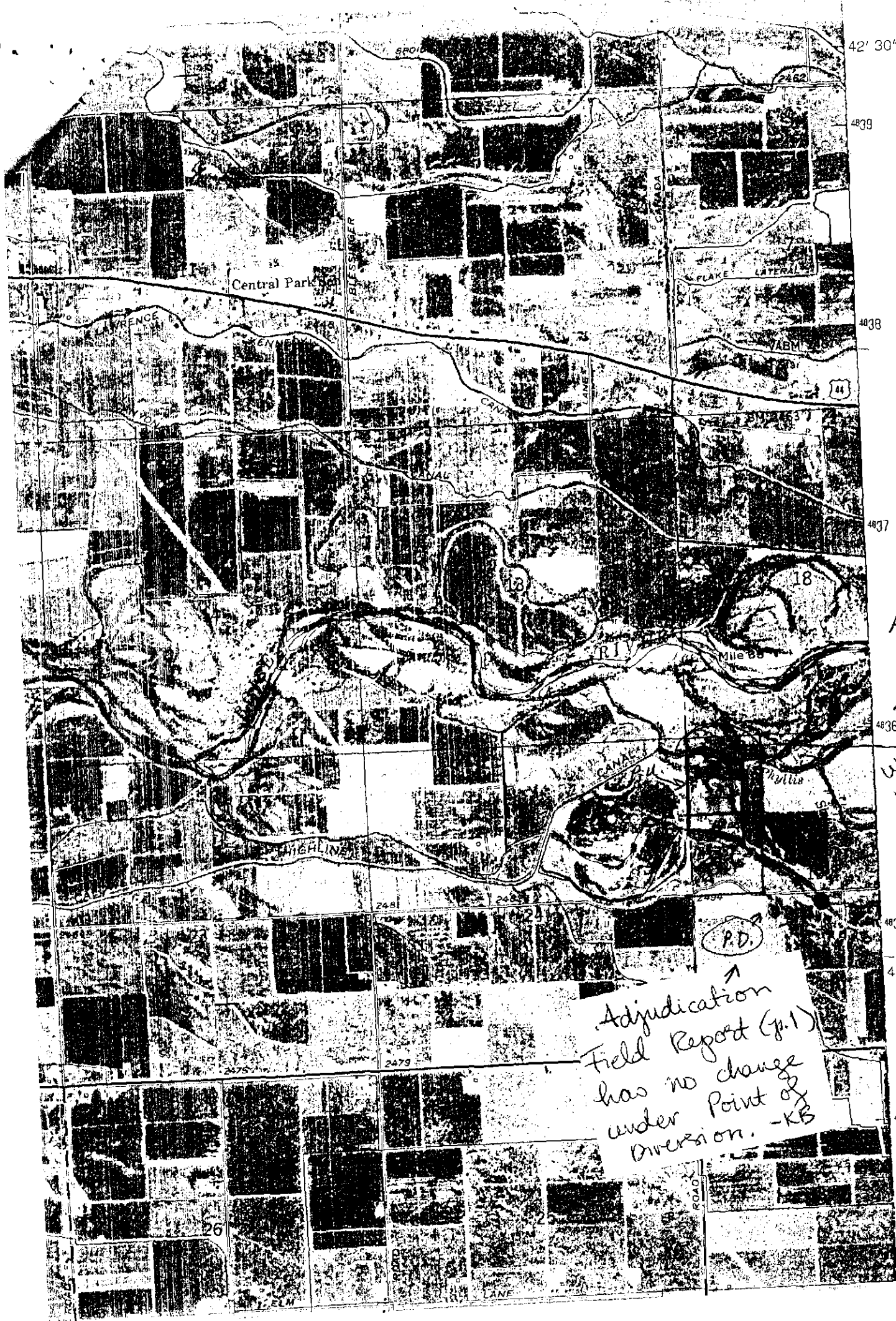
11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-00145

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM



A63-04813

T 4N
R 1W

Watered
w/ Pumps

RD changed
Bp 87

Adjudication
Field Report (p.1)
has no change
under Point of
diversion. -KB

MICROFILMED

AUG 20 1992

Dec. 2005
Bowdie Scholer
never came to
pick-up these
files to do a
field exam,
therefore, I
gave this
request to
contractor
Merlaine Bishop

07/19/2005

gave this request to contractor Merlaine Bishop

Requests:

In addition, please verify:

- Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

09/14/2005

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

RIGHT NUMBER: 63-4813

NAME AND ADDRESS: JANA DANCER
P.O. BOX 367
STAR ID 83669

NORRIS DANCER
PO BOX 367
STAR ID 83669

SOURCE: PHYLLIS SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 03/15/1900

POINT OF DIVERSION:

T04N R01W S19 NENESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.090 CFS
IRRIGATION	3/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S19 Lot 4 NWNW 22.0 T04N R01W S19 Lot 3 SWNW 10.0

STOCKWATER Within ADA County

T04N R01W S19 Lot 4 NWNW T04N R01W S19 Lot 3 SWNW

32 ACRES TOTAL

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

NO BENEFICIAL USE FOUND: This is included for a claim based on
beneficial use that is PROPOSED to be disallowed because beneficial use
of water was not confirmed by IDWRs field examination or by other
evidence submitted by the claimant.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

NO BENEFICIAL USE FOUND.

Water Right 63-4813

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 14, 2005

Norris and Jana Dancer
PO Box 367
Star ID 83669

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-4813

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

To Whom it May Concern July 14, 2005

I, Stanley Records filed for water rights in August of 1981 on said property, Sec. 19 4N1W & property 32 acres & 10 acres with information provided from previous owners, Mr. Pollard made claim water was used on these properties as of March 15, 1900.

Stanley T. Records
Stanley T. Records

RECEIVED

JUL 18 2005

WATER RESOURCES
WESTERN REGION

06/01/2005 RECEIVED

NOTICE OF ERROR
REPLY

JUL 18 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-4813

TRABERT LAND & LIVESTOCK INC

8900 W JOPLIN RD

MERIDIAN ID 83642

Telephone Number: (208)286-7225

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

None Change on water Right.

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-14-05

SIGNATURE: *[Signature]*

Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

05/31/2005

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-4813	TRABERT LAND & LIVESTOCK INC 8900 W JOPLIN RD MERIDIAN ID 83642	Disallowed	NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-4813 & -4817

July 13, 2005

Norris Dancer, #286-7545, called in response to the *Notice of Error* packet he received in the mail and the disallowal of his two water rights. I mentioned that three letters requesting evidence of priority were sent and that he called me on February 13, 2004 after he received the evidence of priority letter resent to: Norris and Jana Dancer @ P.O. Box 367, Star (which he agreed is his current address). I reminded him that we had spoken about the need for evidence of priority and the various ways to supply it (see Conversation Memo, 2/13/04). I had given Mr. Norris until March 13, 2004 to provide evidence and explained that I disallowed both claims because nothing was provided to substantiate the claimed priority date. (Before disallowing these claims, I attempted to locate some evidence myself and went to the *Ada County Assessor's Land Records* (see file), but unfortunately, this information did not suffice.)

During our conversation this morning, I reiterated the various means that evidence could be provided (affidavit from neighbor, etc.) and, once again, gave Mr. Norris the telephone number I found in the 2004-2005 *imPact Boise Telephone Directory* for Stanley T. Records (see Conversation Memo, 2/13/04). Mr. Norris stated that he did not call Mr. Records after our last conversation in Feb. 2004 because he thought Mr. Records had passed away. I suggested that he call the number I found for Mr. Records and see if he is the same person who filled out the *Notice of Claim*. Otherwise, I suggested an affidavit from a neighbor.

Mr. Dancer called 30 minutes later to inform me that he called #887-5452 and that it was the very Stanley T. Records that signed the *Notice of Claim*. Mr. Records is willing to give a statement and sign the affidavit for evidence of priority.

Kimberly Brown
Senior Water Resource Agent
Western Region

Also, I suggested Mr. Dancer submit the Change in W.R. Ownership form, along with the necessary legal documents, that was included in the Notice of Error packet he recently received.
-KB

message

For Kimberly
From Norris Dancer
Time 7-13 Date 9-15
Phone 286-7545

☐ URGENT!

Re: 63-4813

63-4817



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4813 V1

WATER RIGHT NUMBER: 63-4813 V1

Owner Type

Current Owner

Name and Address

TRABERT LAND & LIVESTOCK INC
8900 W JOPLIN RD
MERIDIAN, ID 83642
(208)286-7225

Priority Date: 03/15/1900

Basis: ~~Beneficial Use~~

Status: Disallowed

← Basis needs to be removed by Jan 3/5/05

Source

PHYLLIS SLOUGH

Tributary

BOISE RIVER

Beneficial Use

STOCKWATER

From To

1/01 to 12/31

Diversion Rate

0.090 CFS

Annual Volume

IRRIGATION

3/15 to 11/15

2.000 CFS

Total Diversion:

2.000 CFS

Location of Point(s) of Diversion

PHYLLIS SLOUGH

NE1/4NE1/4SW1/4

Sec. 19, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	19						X	X										
								L4	L3										

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	19						22.0	10.0										32.0
								L4	L3										

Total Acres: 32

Conditions of Approval:

1. P03 NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4813 V1

Remarks:

1. Explanatory NO BENEFICIAL USE FOUND.

Comments:

1. kbrown 4/5/2005 Justification for Disallowal
Comment: Three evidence of priority letters have been sent. The letter sent to Norris & Jana Dancer at PO Box 367, Star was received by these new owners. I spoke with Mr. Dancer about evidence of priority on 2/13/04 (see Conversation Memo). As of this date, no evidence has been submitted, therefore, this claim is being recommended as disallowed.
2. kbrown 4/5/2005 Parcel Number
Comment: PARCEL NO: A PORTION OF S0419244620.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			02/11/2005	lharris	Disallowed
Contacts	4/5/2005 9:28:00 AM	kbrown			Disallowed
Summary			04/05/2005	kbrown	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/5/2005 9:28:01 AM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4813 V1

Summary	4/5/2005 9:30:55 AM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	2/11/2005 12:01:20 PM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?

* requires a field exam if we receive evidence (+63-4817)

Page 1

DISALLOWED

02/11/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4813

WATER RIGHT NUMBER: 63-4813 ✓

Owner Type Name and Address
Current Owner TRABERT LAND & LIVESTOCK INC ✓
8900 W JOPLIN RD
MERIDIAN, ID 83642
(208)286-7225

Current Owner -
Norris R. Dancer
P.O. Box 367
Star 83669-0367

Priority Date: 03/15/1900 ✓
Basis: ~~Statutory Claim~~ ✓ Beneficial Use
Status: Active

Source Tributary
~~PHYLLIS SLOUGH~~ ✓ BOISE RIVER
Waste water

Beneficial Use
IRRIGATION ✓ From To Diversion Rate
3/15 to 11/15 ✓ 0.64 ~~2.000~~ CFS ✓
STOCKWATER ✓ 1/01 to 12/31 ✓ 0.090 CFS ✓
Total Diversion: ~~2.000~~ CFS ✓
0.73

Property Address:
9326 W. Joplin Rd.
Meridian 83642
Annual Volume

Location of Point(s) of Diversion

~~PHYLLIS SLOUGH~~ ✓
ADA County ✓

(NE) NE1/4SW1/4 ✓
(no govt. lot)

Sec. 19, Twp 04N, Rge 01W, B.M. ✓

Place of Use
IRRIGATION ✓

Twp	Rge	Sec	NE				NW ✓				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓	04N	01W	19					22.0	10.0										32.0
								L4	L3										

Total Acres: 32 ✓

STOCKWATER same as IRRIGATION

Conditions of Approval:

ADD X02 - Stockwater use is for 350 range cattle.

Remarks:

ADD N05 & N08 - stockwater use quantity + historical use

Comments:

ADD W47 - Use is combined with Eureka Water Co. water.

Dates and Other Information:

NAPP: 1987, 1994, 2003 → Irrigation
Shrub house, barn, corral, road
driveways, pond, etc. (house built in 1995)
in NW1/4, S1/2

Parcel No: a portion of S0419244625.

DISALLOWED

Field Exam Date 4.4.05

(in office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 82.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information lots 3 & 4
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-4813

Owner: Trabert Land & Livestock Inc. Phone No. (208) 286-7225

Current Address: 8900 W. Goplin Rd., Meridian 83642

Property Address: 9326 W. Goplin Rd., Meridian 83642
☐ No change NAME IS THE SAME
☒ NEW OWNER Norris R. Dancer
☐ No change Address
☒ NEW ADDRESS P.O. Box 367, Star 83669-0367
☒ How long owned property? 1991

Accompanied by: N/A

PRIORITY DATE

- ☐ No change - Complete evidence submitted or not necessary
- ☒ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 03/15/1900
01 ← beginning of season of use

(If priority date, based on your exam, seems questionable, explain below.)

I have sent evidence of priority letters. The letter sent to Norris & Jane Dancer at P.O. Box 367 (per 2002 Ada Co. Tax lot information) was received by the new owners. Mr. Dancer called and we spoke about evidence (see Conversation Memo, 2/13/04). As of this date, no evidence has been submitted.

Source: Waste Water (see Field Report) Tributary to Boise River

- ☐ No Change - SAME SOURCE
- ☒ Source found is different than claimed: Source is not the Phyllis Slough by the new owners, the Dancers. Therefore, this claim is being recommended as disallowed.

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: (no govt. lot)
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

headgate & ditches.

OVERLAP REVIEW

Other water rights with the same point of diversion: *63-16386*

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

63-16386 owns separate water

WATER USES

☐ No change

☐ Different Uses

Use *Irrigation* From *3/1* To *11/15* Amount *0.64* CFS *AFA*
 Use _____ From _____ To _____ Amount _____ CFS *AFA*
 Use _____ From _____ To _____ Amount _____ CFS *AFA*

*32 AC
0.02 cfs/AC
0.64 cfs*

AF not applicable - surface water source

32 AC x 4.5 af/acre = 144.0 AF/annum (v) 0.64 cfs x 1.9835 x 246 days = 312.28 af/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS *AFA*

☒ Changes found, the new total is, Amount *0.73* CFS *AFA* - ADD NOS

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

(Claimant claimed 0.06/acre.)

(stock water use)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # *350 range cattle*

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Parcel No: a portion of 30419244620.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-4817 Eureka Water Company
63-4817, 63-32062

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
63-4817 is for different POU; no overlap
63-4817 & # 63-32062 are for separate ditches.

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: ^{*} requires a field exam if evidence is received

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

12/05 * Contractor, Bonnie Schder,
never picked up the
Field Exam Request in order
to do a
field exam.

JUSTIFICATION FOR DISALLOWAL-

See Priority Date remarks, pg. 1

Stockwater use is for 350 range cattle.

The quantity decreed for stockwater use shall not exceed 13,000 gal/day & is not an indication of historical beneficial use.

Use is combined with water from Eureka Water Company.

Parcel No: a portion of S0419244620.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 4.5.05 (in office review)

FIELD EXAMINER: Kimberly Brown

DISALLOWED

4.15.05 -

Since Lori Harris activated the eCVR and input the basis, I was unable to remove the Beneficial Use basis for this disallowal. Jan Shurte instructed me to leave it in as she and Don Schaff are unable to remove it. -KLB

**Land Records**
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Property Details for Parcel S0419244620

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General Information

Property Acres: 73.710
Zone Code: RR
Primary Code Area: 103 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 19
Section: 4N1W19

Property Description

PAR #4620 OF W'LY POR NW4
 SEC 19 4N 1W
 #244615-B

**Property Address**

9326 W JOPLIN RD
 MERIDIAN, ID 83642

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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	100-HOMESITE ON AG	2.000	\$205,200	MARKET
Primary	10-IRRIGATED AG	71.710	\$68,200	INCOME
Primary	310-RES IMPROVEMENT	0.000	\$363,500	COST
Total Assessed Value:			\$636,900	

Parcel Valuation History

Assessed value for year 2005 \$636,900

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Property Characteristics

Residential
 Agriculture
 Land

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Residential Characteristics 1 for Parcel "S0419244620"

Occupancy Date:	No Date Available
Year Built:	1995
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	4
Number Bathrooms:	3.5
Number of Fireplaces:	3
Air Conditioning:	Y
Car Storage Sq Ft #1:	1484
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	450
Deck Sq Ft:	552
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	3775
Main Floor Sq Ft:	2700
Upper Floor Sq Ft:	1075
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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**Agriculture Characteristics 1 for Parcel "S0419244620"****Irrigated Acres:**

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	71.71

Non-Irrigated Acres:

Capability Class 1:	0.0
Capability Class 2:	0.0
Capability Class 3:	0.0
Capability Class 4:	0.0

Assessor Links**Waste Acres:**

Capability Class 8:	0.0
---------------------	-----

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Land Characteristics 1 for Parcel "S0419244620"

Residential Acres:

2.000

Commercial Acres:

0.000

Other Acres:

0.000

MLS Area:

Zero

Street:

Not Available

Utility:

Not Available

Water Source:

Not Available

Sewer:

Not Available

Sidewalks:

N

Curb-Gutters:

N

Topography:

Not Available

View:

Not Available

Water Influence:

None

Water Frontage Feet:

0

Corner:

N

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Overlap review -

02/11/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4817

WATER RIGHT NUMBER: 63-4817

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TRABERT LAND & LIVESTOCK INC 8900 W JOPLIN RD MERIDIAN, ID 83642 (208)286-7225

Priority Date: 03/15/1900

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	PHYLLIS SLOUGH

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

WASTE WATER	L3 (SW1/4NW1/4)	Sec. 19, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									10.0										10.0
									L3										

Total Acres: 10

separate POU

Conditions of Approval:Remarks:Comments:Dates and Other Information:

overlap-review-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4813

02/11/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-145	Claim	04N	01W	19	NW	NW	1	IRRIGATION	22/1826	EUREKA WATER CO
16383	Claim	04N	01W	19	NW	NW	1	IRRIGATION	22/1826	EUREKA WATER CO
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~IRRIGATION~~	~~22/32~~	~~TRABERT LAND & LIVESTOCK INC~~
~~4813~~	~~Water Right~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~IRRIGATION~~	~~22/32~~	~~TRABERT LAND & LIVESTOCK INC~~
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~NW~~	~~NW~~	~~4~~	~~STOCKWATER~~		~~TRABERT LAND & LIVESTOCK INC~~
18423	Claim	04N	01W	19	SW	NW		IRRIGATION	2.5/77	HARROLD RUBY V LIFE EST
-145	Claim	04N	01W	19	SW	NW	2	IRRIGATION	8/1826	EUREKA WATER CO
16383	Claim	04N	01W	19	SW	NW	2	IRRIGATION	8/1826	EUREKA WATER CO
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~IRRIGATION~~	~~10/32~~	~~TRABERT LAND & LIVESTOCK INC~~
4817	Claim	04N	01W	19	SW	NW	3	IRRIGATION	10/10	TRABERT LAND & LIVESTOCK INC
~~4813~~	~~Water Right~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~IRRIGATION~~	~~10/32~~	~~TRABERT LAND & LIVESTOCK INC~~
4817	Water Right	04N	01W	19	SW	NW	3	IRRIGATION	10/10	TRABERT LAND & LIVESTOCK INC
~~4813~~	~~Claim~~	~~04N~~	~~01W~~	~~19~~	~~SW~~	~~NW~~	~~3~~	~~STOCKWATER~~		~~TRABERT LAND & LIVESTOCK INC~~

Receipt Details for ID C006866

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/17/1989 1:38:04 PM	5/17/1989	State	\$167.00	Check
Payer		TRABERT LAND & LIVESTOCK		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2325			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$167.00	ADJUDICATION FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4814		\$25.00	Claim
63	4813		\$82.00	Claim
63	4817		\$60.00	Claim

Print Report

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-4813 & -4817
Evidence of Priority**

February 13, 2004

Norris

~~Norm~~ Dancer called in response to the evidence of priority letter I recently sent to him. (Since I have not received anything from Trabert Land & Livestock Inc. at 8900 West Joplin Rd., I used 2002 Ada County Tax Lot information to find the listing of the current owner: **Norris R. and Jana R. Dancer at P.O. Box 367, Star**. This information is obviously correct.) Mr. Dancer said that he bought this property in 1991. When I asked if he uses any irrigation district water to supplement his claim, he said that he uses Eureka water.

Regarding the topic of evidence of priority, I explained the purpose and need of supplying evidence and gave him several examples of different ways he can obtain sufficient evidence. I looked at the original *Notice of Claim* and found that Stanley T. Records signed it as the President of Trabert Land and Livestock Inc. Therefore, I suggested to Mr. Dancer that he could obtain an affidavit from Mr. Records; since he was the one who came up with the 1900 priority date. (The 2004-2005 *imPact Boise Telephone Directory* lists Stanley T. Records at 2013 Turnberry Way, Meridian 83642 - #887-5452). Mr. Dancer also spoke of a "Bill Clayton" as someone who may be able to provide evidence.

At the end of our conversation, Mr. Dancer requested extra time to submit evidence; since his due date is February 25. He explained that he has a place in southern California, that he will be going down there soon, and will be back by the 1st of March. Therefore, I gave him until March 13th (two weeks after he returns) to provide evidence.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 28, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORRIS R. DANCER OR
JANA R. DANCER
P.O. BOX 367
STAR, ID 83669-0367

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-04813 & **A63-04817**

Dear Claimant(s),

In the past, Trabert Land & Livestock Inc. submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. Trabert Land & Livestock Inc. indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of your priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by February 25, 2004. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



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

In addition, since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. Therefore, either Mr. Bryce Scholer or Mr. Gene Gibson will be contacting you within the next few weeks to schedule a field exam.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kimberly L. Brown".

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04813 & A63-04817

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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

August 30, 2003

APRIL & GREG DANCER
8900 WEST JOPLIN RD.
MERIDIAN, ID 83642

Mrs. and Mr. Dancer,

According to our 2002 Tax Lot information, you are the current residents at this address.
If you are the current owners of this property, please read the enclosed envelope's
contents.

Sincerely,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Western Region

4/5/2005
← This must be a brother or father of Norris Dancer, current owner

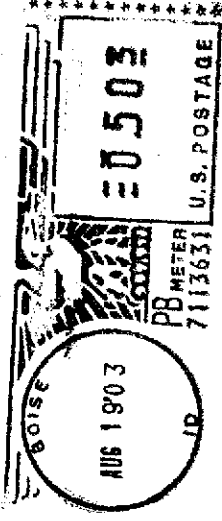
← this must be the original farm house address for the property in this area, it is located in the SE NW,

S19

-KLB

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED



Evidence of Priority letter ^{this} to address ^{order} ~~Not~~

A63-4813 # -4817

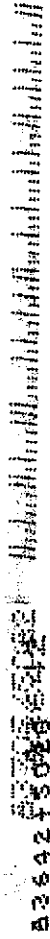
TRABERT LAND & LIVESTOCK INC.
8900 WEST JOPLIN RD.
MERIDIAN, ID 83642

RECEIVED

AUG 28 2003

WATER RESOURCES
WESTERN REGION

ATTEMPTED
DELIVERY
NOT KNOWN



8-30-03 Checked 2002 Tax lot information: lists "Primowner" as -

April & Greg Dancer
8200 West Joplin Rd.
Meridian, ID 83642

8-30-03 resent Ev. of Priority letter to address above
-KLB

1-28-04 1987 NAPP & 2002 Ada Co. Tax lot show:

Norris R. & Jana R. Dancer
P.O. Box 367
Star, ID 83669-0367

as current owners of POU

* sent Evidence of Priority letter to P.O. Box 367 -KLB



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

August 19, 2003

TRABERT LAND & LIVESTOCK INC.
8900 WEST JOPLIN RD.
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-04813 & A63-04817

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 16, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04813 & A63-04817

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: A63-04813

Date: 5-09-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	19						22	10										32
GIS									22	10										32
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 32

Total GIS Acres: 32

Overlapping POU Claim #'s:

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-04813

Legal: T4N, R1W, S19

Reviewed By:

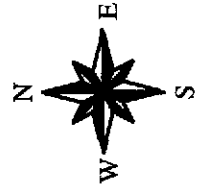
⊙ Point of Diversion

Place of Use

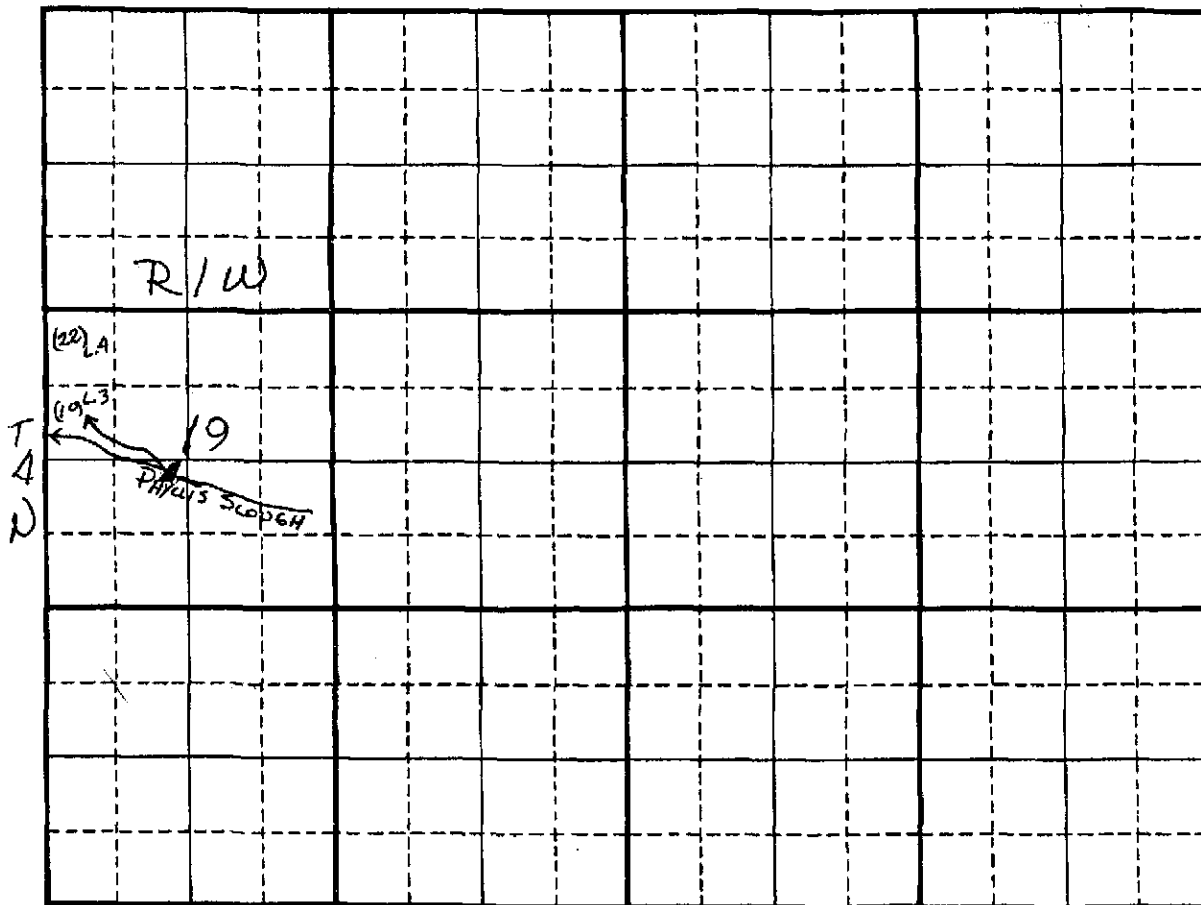
Section Lines

Quarter Quarter Lines

1987 Napp Photo



(8) Remarks Details of water right supplied by Adrian Pollard, about 70 years old.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Frank Sand & Sweetlock inc
by Stanley J. Records
(Claimant)

Sworn to before me this 25th day of August

19 81

[Signature]
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 8/25/81 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 8/25/81
\$20.00 fee received by JP REAR Date 8/25/81
Published in Statesman
Dates 9-3 & 10-1981

RECEIVED
SEP 1 1981
WATER RIGHTS
DIVISION