

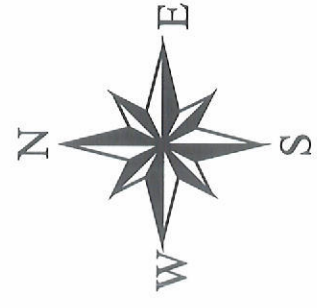
Idaho Department of Water Resources

T04N, R01W,
S27

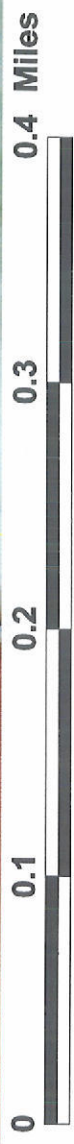
Claim No: 63-19184
Prepared By: Kimberly Brown
Date: May 27, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP



Idaho Department of Water Resources

T04N, R01W,
S27

Claim No: 63-19184

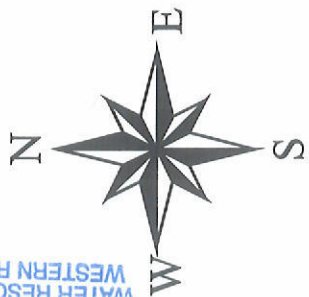
Prepared By: Kimberly Brown

Date: May 27, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

RECEIVED
DEC 12 2005
WATER RESOURCES
WESTERN REGION



1987 NAPP

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: **A63-19184**
Date Received: 8/30/1989
Receipt No: C010672
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: FREDERICK G VOGENEY
Address: 4050 W MC MILLAN RD
MERIDIAN ID 83642
AND/OR
Name: CAROL A VOGENEY
Address: 4050 W MC MILLAN RD
MERIDIAN ID 83642
2. Date of Priority: JUN 1, 1940
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	27	SE	SE	SW		ADA
5. Description of diverting works:
WELL, 6" CASING, CENTRIFIGAL PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/ A HOME, S/25 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	27	SE	SW		DOMEST	
			SE	SW		STOCK	

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:
SETTLERS IRRIGATION DIST.

14. Remarks:
DATA ENTRY CORRECTION FOR WATER USES. 9/8/97 LH

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 634367

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: A63-19184
Date Received: 8/30/1989
Receipt No: C010672
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FREDERICK G. VOGENEY 208-888-3595
Address: 4050 W. MC MILLAN RD.
MERIDIAN, ID 83642

AND/OR

Name: CAROL A. VOGENEY 208-888-3595
Address: 4050 W. MC MILLAN RD.
MERIDIAN, ID 83642

2. Date of Priority: JUN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	27	SE	SE	SW		ADA

5. Description of diverting works:
WELL, 6" CASING, CENTRIFIGAL PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ A HOME, S/25 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	27	SE	SW	DOMEST	
			SE	SW	STOCK	

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:
SETTLERS IRRIGATION DIST.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 634367

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

Identification No. A63-19184Date Received 8-30-89 RAF WSReceipt Number CO10672

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes Department of Water Resources
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) FREDERICK G. AND/OR CAROL A. VOGENEY Phone (208) 888-3595Mailing Address 4050 W. McMILLAN RD. MERIDIAN, ID Zip 836422. Date of Priority (Only one per claim) 6-1-1940 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 4N Range 1WSection 27 SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,County of ADA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL, 6" CASING, CENTRIFUGAL PUMP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)
(Both dates are inclusive)
For STOCKWATER purposes from 1-1 to 12-31 amount .04

7. Total quantity claimed .08 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC, 1 HOME STOCKWATER, 25 HEAD BEEF CATTLE

RECEIVED
AUG 30 1989

MICROFILMED

SEP 01 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. A notice of filing for each sub-basin report will also be published state-wide in local newspapers.

SEP 10 1988

10. Place of use is: Township: 4N Range 1W
Section 27, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or SETTLERS IRRIGATION DISTRICT

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 63-4367

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 8-30-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 30th day of August 1989

SEAL

Notary Public [Signature] Notary Public

Residing at _____ Residing at Boise, Idaho

My Commission Expires December 1, 1994

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant **MICROFILMED** SEP 01 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

DEMILOFIMED

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

RIGHT NUMBER: 63-19184

NAME AND ADDRESS: VINCENT RIGBY
4050 W MC MILLAN RD
MERIDIAN ID 83642

JENNIFER RIGBY
4050 W MC MILLAN RD
MERIDIAN ID 83642

MICHAEL-S DUSTIN
SUZANNE-L DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION:

T04N R01W S27 SESESW 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	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER Within ADA County

T04N R01W S27 SESW

DOMESTIC Within ADA County

T04N R01W S27 SESW

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Settlers Irrigation District.

Stockwater use is for 25 range cattle.

PARCEL NO: S0427346800.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 63-19184

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 16, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 16, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

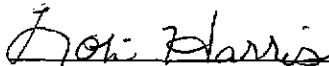
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Vincent Rigby
Jennifer Rigby
4050 W Mc Millan Rd
Meridian ID 83642

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 16, 2006

VINCENT RIGBY
JENNIFER RIGBY
4050 W MC MILLAN RD
MERIDIAN ID 83642

Re: Water Right No. 63-19184

Dear Mr. & Mrs. Rigby:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

RECEIVED

JUN 14 2006

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1409(6) July, 2000

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

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
63-19184					

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) Michael and Suzanne Dustin
4. New Owner/Claimant(s) Vincent and Jennifer Rigby
Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
- New Mailing Address 4050 W. McMillan Rd
- City, State and ZIP Code Meridian ID 83642
- New Telephone Number (208) 895-7886
5. Date you acquired the property January 28, 2005

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)

Jennifer Rigby

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 _____ Date _____ Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJ Date 6-16-06 WR _____ Date _____



251606-JB
CC4617

WARRANTY DEED

FOR VALUE RECEIVED Suzanne L. Dustin and Michael S. Dustin,
wife and husband

the Grantors, do hereby grant, bargain, sell and convey unto Vincent L. Rigby and Jennifer
Rigby, husband and wife

the Grantees, whose address is 4050 McMillian Road, Meridian, ID, 83642

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2004 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: January 28, 2005

Suzanne L. Dustin

Michael S. Dustin

STATE OF IDAHO

COUNTY OF CANYON

On this 28th day of January in the year 2005, before me, a Notary Public,
personally appeared Suzanne L. Dustin & Michael S. Dustin known or identified
to me to be the persons whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

Notary Public
Residing at Melba
My commission expires 3/10/09

PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"



TEL. (208) 465-6655
FAX. (208) 465-6556

Legal Description for - 4050 W. McMillan Rd

Order No. 251606

EXHIBIT A

The following described premises, in Ada county, Idaho, to wit:

A parcel of land in the South half of the Southwest quarter of the Section 27, Township 4 North, Range 1 West of the Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the South quarter of Section 27, Township 4 North, Range 1 West of the Boise-Meridian, and running thence; North 0°16'00" West, 660.00 feet;

Thence South 89°59'00" West, 335.41;

Thence South 0°14'00" East, 659.90 feet to the South section line of said Section 27;

Thence North 90°00'00" East along the said section line, 335.75 feet to the point of beginning.

EXCEPT

Any portion lying within the right of way of Joy St. as disclosed by the recorded plat of Black Cat Subdivision No. 2, according to the official plat thereof, filed in Book 32 of Plats at Pages 1945 and 1946, records of Ada County, Idaho.



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

January 4, 2006

VINCENT RIGBY
JENNIFER RIGBY
4050 W MC MILLAN RD
MERIDIAN ID 83642

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-19184

Dear Mr. & Mrs. Rigby:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

LH:l
Enclosures

05/27/2004

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

RIGHT NUMBER: 63-19184

NAME AND ADDRESS: MICHAEL S DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

SUZANNE L DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION:

T04N R01W S27 SESESW 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	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER Within ADA County

T04N R01W S27 SESW

DOMESTIC Within ADA County

T04N R01W S27 SESW

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

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 42-14-12(6), Idaho Code.

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

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO: S0427346800.

Use of this right is combined with water from Settlers Irrigation District.

Stockwater use is for 25 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19184 V1

WATER RIGHT NUMBER: 63-19184 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHAEL S DUSTIN 4050 W MC MILLAN RD MERIDIAN, ID 83642 (208)887-8670
Current Owner	SUZANNE L DUSTIN 4050 W MC MILLAN RD MERIDIAN, ID 83642 (208)887-8670

Priority Date: 06/01/1940

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SW1/4	Sec. 27, 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	27												X					

DOMESTIC

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	27												X					

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19184 V1

1. C18 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. W54 Use of this right is combined with water from Settlers Irrigation District.
5. X01 Domestic use is for 1 home.
6. X02 Stockwater use is for 25 range cattle.

Remarks:

1. Explanatory PARCEL NO: S0427346800.

Comments:

1. kbrown 5/27/2004 63-04367

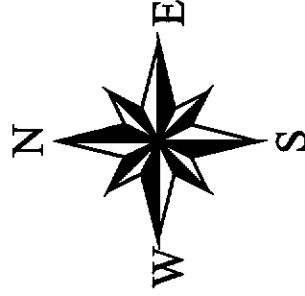
Comment: 63-04367 is the corresponding water right filed in 1976 by the Vogeneys.

Idaho Department of Water Resources

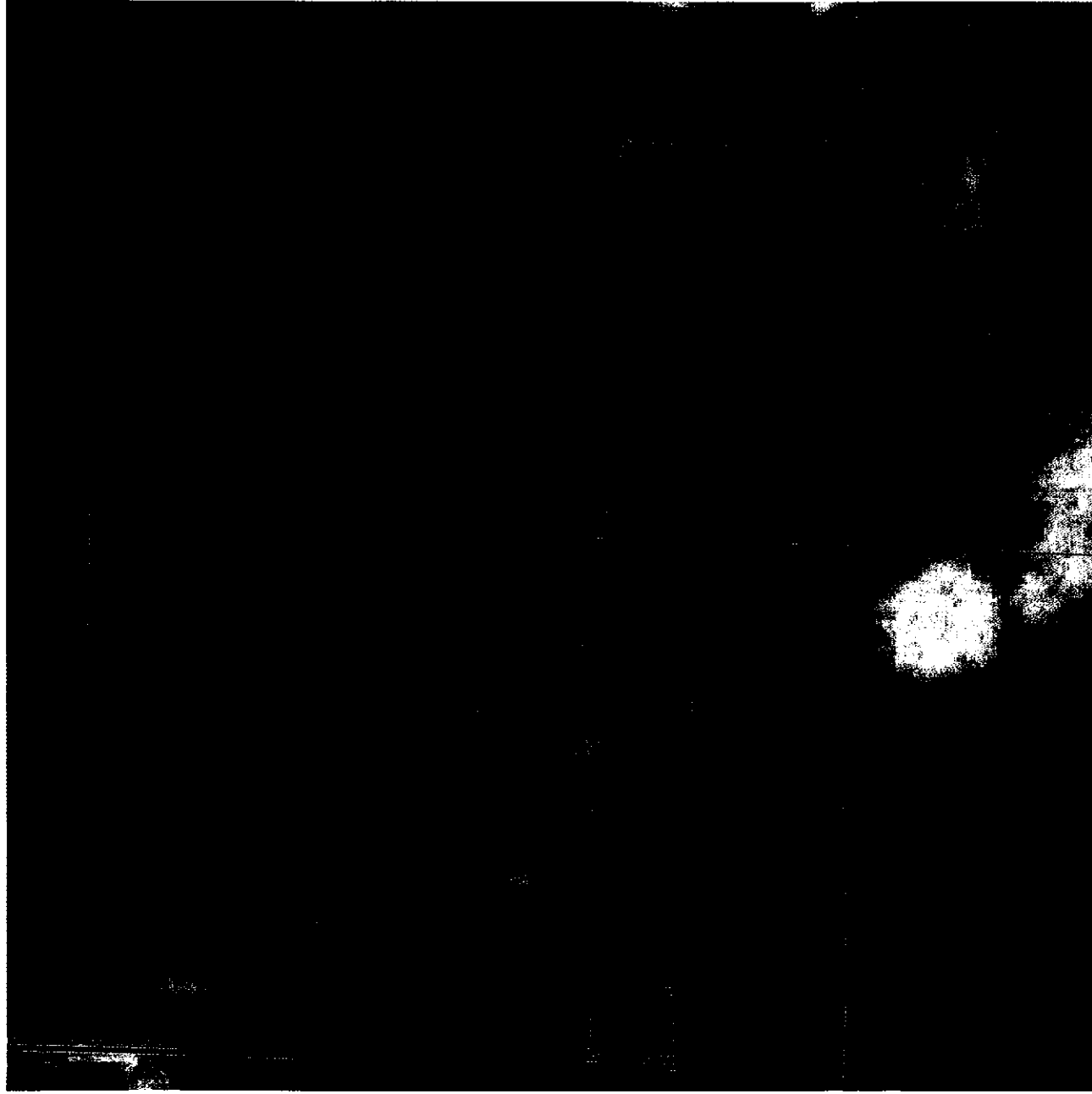
**T04N, R01W,
S27**

Claim No: 63-19184
Prepared By: Kimberly Brown
Date: May 27, 2004

- Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ 1/4 1/4



1987 NAPP



05/31/2005

NOTICE OF ERROR

REPLY

RECEIVED

DEC 12 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: 63-19184

MICHAEL S DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642
Telephone Number: (208)887-8670

SUZANNE L DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642
Telephone Number: (208)887-8670

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:

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: _____ SIGNATURE: _____

Please print your name: _____

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

05/31/2005

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

RECEIVED

DEC 12 2005

WATER RESOURCES
WESTERN REGION

RIGHT NUMBER: 63-19184

NAME AND ADDRESS: MICHAEL S DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

SUZANNE L DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION:
T04N R01W S27 SESESW 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	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within ADA County

T04N R01W S27 SESW

DOMESTIC Within ADA County

T04N R01W S27 SESW

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

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.

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

RECEIVED

DEC 12 2005

WATER RESOURCES
WESTERN REGION

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Settlers Irrigation District.

Stockwater use is for 25 range cattle.

PARCEL NO: S0427346800.

Idaho Department of Water Resources

**T04N, R01W,
S27**

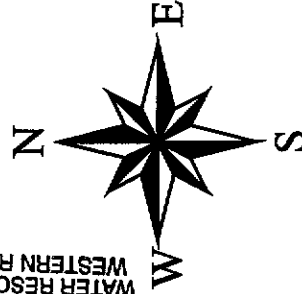
**Claim No: 63-19184
Prepared By: Kimberly Brown
Date: May 27, 2004**

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

RECEIVED

DEC 12 2005

WATER RESOURCES
WESTERN REGION



1987 NAPP





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 31, 2005

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a printout showing our preliminary recommendation for reporting your claim(s) to the SRBA District Court later in 2005.

Please review the preliminary recommendation carefully. If there is any information on the printout that you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meetings will be held on Thursday, June 16, 2005, at 2:00 p.m. and 7:00 p.m. in the Lewis & Clark Middle School Cafeteria, 4141 E. Pine St., Meridian, ID.** Please plan to attend one of the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right claim(s). Please bring any and all information you have which will help the Department understand your claim(s) and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary for and appreciated by IDWR to provide accurate information to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED
DEC 12 2005
WATER RESOURCES
WESTERN REGION

MICHAEL S DUSTIN
SUZANNE L DUSTIN
4050 W MC MILLAN RD
MERIDIAN ID 83642

ADDRESS SERVICE
REQUESTED

DUST050* 836422023 1804 11 12/09/05
FORWARD TIME EXP RTN TO SEND
DUSTIN MICHAEL S
5300 FLICKER LN
EAGLE ID 83616-3200

RETURN TO SENDER



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-19184

WATER RIGHT NUMBER: 63-19184

Owner TypeName and Address~~Current Owner~~

FREDERICK G VOGENEY
4050 W MC MILLAN RD
MERIDIAN, ID 83642
(208)888-3595

~~Current Owner~~

CAROL A VOGENEY
4050 W MC MILLAN RD
MERIDIAN, ID 83642
(208)888-3595

Current Owners:

Suzanne L. Dustin
4050 W. McMillan Rd.

Michael Dustin
"

Priority Date: 06/01/1940

Basis: Beneficial Use

Status: Active

(208) 887-8670

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

STOCKWATER

1/01 to 12/31

0.040 CFS

DOMESTIC

1/01 to 12/31

0.040 CFS

Total Diversion:

0.080 CFS

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4SW1/4

Sec. 27, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	27	NE	NW	SW	SE	
						X	

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	27	NE	NW	SW	SE	
						X	

ADD X01 - Domestic use is for 1 home.

ADD X02 - Stockwater use is for 25 range cattle.

Conditions of Approval:

ADD N11 & N13 -

ADD W54 - Use of combined with Settlers Irr. Dist. water.

Parcel No: 50427346800.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-19184

Remarks:

1. General DATA ENTRY CORRECTION FOR WATER USES. 9/8/97 LH

Comments:Dates and Other Information:

Claim Received Date: 8/30/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 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

Overlap review -

Adj.	3614 B	Irr. from storage	Boise R	Settlers
Adj.	3618 B	Irr. from storage	Boise R	Settlers
Adj.	5262 B	Irr. "	Boise R	Settlers
W.R.	3060	Irr.	GW	Settlers
W.R.	18201	D & S	GW 1978	
			Middleider	
			4343	Daphne

W.R. 4367 Stat. Clm. (W.R.) 1950 P.O. Vogenay

* electronic back file not available

Field Exam Date 5.27.04

(in office)

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 \$ 25.00 (D & S)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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) 63-19184
Owner: Carol & Frederic Vogeney Phone No. (208) 888-3595
Current Address: 4050 W. McMillan Rd.

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Suzanne & Michael Austin
- ☒ No change Address
- ☐ NEW ADDRESS
- ☒ How long owned property? since Sept. 12, 1991

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted ~~or not necessary~~ Two Affidavits submitted 9/15/03.
- ☐ 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: 6/1/1940

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

Source: _____ Tributary to _____

- ☒ 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/Remarks GPS ID

Description of diverting works

Well, 6" casing, centrifugal pump

OVERLAP REVIEW

Other water rights with the same point of diversion:

63-4367 / 63-18201 - No, this is a different source for different claimant

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

No, this water right is the statutory claim filed by the Vogeneys in 1976 for the same claim.

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ 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 _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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: ^{Boise River-Settlers Irr.} 63-3614B, ^{Boise River-Settlers Irr.} 63-3618B, ^{Boise River-Settlers Irr.} 63-5262B,
⁶³⁻³⁰⁶⁰ 63-3060, ⁶³⁻¹⁸²⁰ 63-1820, 63-4367 (Stat. Claim - Water Right - Vogeweys)
 Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
 No, all except 63-4367 are a different source
 & 4367 is the water right filed in 1976.

Delivery System Narrative: (Unknown)

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Domestic use is for 1 home.

Stock water use is for 25 range cattle.

Use combined with Settlers Irrigation District water.

Quantity decreed shall not exceed 13,000 gal/day.

Quantity decreed is not a determination of historical beneficial use.

Parcel No: S0427346800.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 5.27.04

(in office)

FIELD EXAMINER: Kimberly Brown

Overlay Review

Page 1

09/09/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4367

WATER RIGHT NUMBER: 63-4367

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROL ANN VOGENEY 4050 W MC MILLAN MERIDIAN, ID 83642
Current Owner	FREDERICK C VOGENEY 4050 W MC MILLAN MERIDIAN, ID 83642

Priority Date: 06/01/1950

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.040 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 27, 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	27																	X	

DOMESTIC same as STOCKWATER

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Frederick C. &/or Carol Ann Vogeney
(name of claimant)
of 4050 West McMillan, Meridian, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | |
|--------|----------------------|-----|------------------------------|----------------|------------------------|------------------|
| Amount | <u>0.04 cfs</u> | Use | <u>Domestic</u> | Period of Use: | From <u>Jan 1</u> | To <u>Dec 31</u> |
| Amount | <u>0.04 cfs</u> | Use | <u>Stockwater</u> | Period of Use: | From <u>Jan 1</u> | To <u>Dec 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From _____ | To _____ |
| | (cfs, gpm
or a/f) | | (dom., irri,
stock, etc.) | | (both dates inclusive) | |
- (3) Total quantity of water claimed: 0.04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1950

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27 Twp. 4N Rge. 1W B. M. County of Ada
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 6" diameter casing. A centrifugal pump with a 1/2 HP motor is used.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

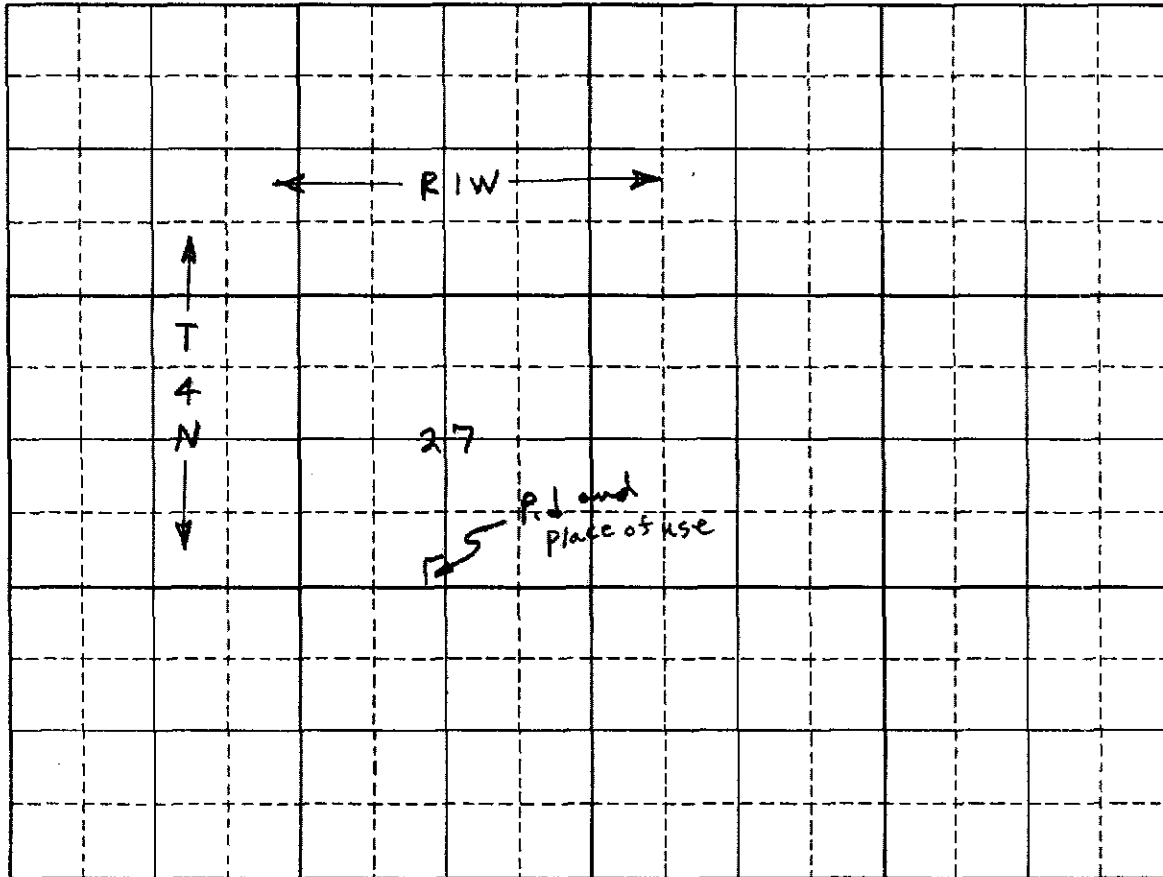
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
 Approx. 30 head of dairy stock are serviced with the water.

- (7) If you are claiming water as a member of an organization, list name of organization: _____

- (8) Remarks On June 3, 1976, the depth to water in the well from the top
of the casing was 38'3".



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 affiants knowledge.

Sworn to before me this 4th day of June, 1976

Fredrick D. Vogency
(Claimant)
Lyle Glen Saxton
Notary Public
Residing at Boise, Idaho

My commission expires 6.5.80

For Department Use Only

Received by <u>PHH</u>	Date <u>6-4-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>PHH</u>	Date <u>6-4-76</u>		claimant by:	
\$10.00 fee received by <u>CS</u>	Date <u>6-4-76 10:55</u>			
Approved for publication by <u>RB</u>	Date <u>6-29-76</u>			
Published in <u>The Valley News Service</u>				
Dates <u>June 17 & 24</u>				

WATER RIGHT NUMBER 63-4367

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 211

OWNER LAST NAME - VOGENEY
OWNER LAST NAME - VOGENEY
ADDRESS LINE 1 - 4050 W. MC MILLAN

FIRST NAME - FREDERICK C.
FIRST NAME - CAROL ANN

CITY - MERIDIAN

STATE - ID ZIP CODE - 83642

SOURCE - GROUNDWATER

STAGE - STATRY CDM

DIVERSION POINT - SESW 27 04N 01W

FROM - 01-01 TO - 12-31 USE - STOCKWATER

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE - STOCKWATER

NON IRRIG USE - S/30 DAIRY.

PLACE OF USE - 1WN 04N RRG 01W SEC 27 TRACT SESW

USE DIV. RATE - .0400CFS

USE DIV. RATE - .0400CFS

PRIORITY - 00-01-1950 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

3/79

IDENT. NO. 63-4367

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

**WATER RIGHT
DATA ENTRY LOG**

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4367
 Old No. _____ New No. _____

Record

1. Original Owner: Frederick C. & Carol Ann Vogtney
 Present Owner: _____

2. Address: 4050 W. McMillan
 3. City: Meridian State: ID Zip: 83642
 4. A. Source of Water: gw
 B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S
 B. Status (D,L,R,C,A,I,F - leave blank if valid):
 C. Priority Date: 6-1-1950
 D. County: 01
 E. Total Diversion Rate: .04
 F. Total Diversion Volume:
 G. Transfer/Amendment (P,T of A or blank):
 H. Water District:
 I. DLE/Carey Act (D,C or blank):
 J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE 1/4</u>	<u>27</u>	<u>4N</u>	<u>1W</u>		

7. Period of Use, Use, Diversion Rate/Volume:
 from 1-1 to 12-31 for S purposes. Amount .04
 (cfs or AC-ft/yr)
 from 1-1 to 12-31 for D purposes. Amount .04
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____
 from _____ to _____ for _____ purposes. Amount _____

11779

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.

B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

S/30 dairy

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

June 10, 1976

Re: Notice of Claim to a Water Right No. 63-4367 - Frederick & Carol Vogeney
63-4369 - Earl & Helen Moon
63-4370 - Clarence &/or Ruby Ward

The Valley News-Times
P. O. Box 365
Meridian, ID 83642

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
6-29-76
RR

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4367

Notice is hereby given that FREDERICK C. & for ~~HELEN K. CARR~~ CAROL ANN
VOGENEY, Meridian, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~from a surface source~~
from a groundwater source
with the point of diversion in the SE 1/4 Sec 27 T4N-R1W B.M., Ada County

The water is claimed to be used from Jan 1 to Dec 31
for stockwater and domestic purposes
with a priority of 1950;
the place of use is within the SE 1/4 Sec 27 T4N-R1W B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the The Valley News-Times, Meridian, ID
on June 17, 1976 and June 24, 1976

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 10/06/03
Time: 08:12:04

Rec/No - C010672 AR/No -
From: - VOGENEY, FREDERICK/CAROL

Receipt Type - CK Doc/No - 806
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/30/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		25.00

Total Due - 25.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6319184	25.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

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

RECEIVED

OCT 02 2003

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

WATER RESOURCES
 WESTERN REGION

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
63-19184	63-19184				

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) FREDERICK G. VOGENEY AND/OR CAROL A. VOGENEY
4050 W. McMillan - MERIDIAN, IDAHO 83642
4. New Owner/Claimant(s) SUZANNE DUSTIN AND/OR MICHAEL DUSTIN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 4050 W. McMillan
 City, State and ZIP Code MERIDIAN, IDAHO 83642
 New Telephone Number (208) 887-8670
5. Date you acquired the property Sept 12, 1991

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>63-19184</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		<u>Domestic, HOME</u>
Stock	<u>0.040 CFS</u>	<u>STOCKWATER - 5 HORSES</u>
Domestic	<u>0.040 CFS</u>	<u>5 ACRES</u>
Other		
Total	<u>0.080 CFS</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)
(include title if applicable)

Shirley Ann Quash
Michael Smith

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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 the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication 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/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(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. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

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

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

Attn. Kimberly Brown

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on **AUGUST 31, 1998**
SUZANNE L. DUSTIN, A MARRIED PERSON

. The grantor is

("Borrower"). The trustee is **STEWART TITLE OF IDAHO, , ,**

("Trustee"). The beneficiary is **NORWEST MORTGAGE, INC.**

which is organized and existing under the laws of **THE STATE OF CALIFORNIA**
address is **P.O. BOX 5137, DES MOINES, IA 503065137**

, and whose

("Lender"). Borrower owes Lender the principal sum of

NINETY SEVEN THOUSAND AND 00/100

Dollars (U.S. \$*******97,000.00**).

This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on **SEPTEMBER 01, 2018**

This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in **ADA** County, Idaho:

SEE ATTACHED LEGAL DESCRIPTION

TAX STATEMENTS SHOULD BE SENT TO: NORWEST MORTGAGE INC., P.O. BOX 5137, DES MOINES, IA 503065137

which has the address of **4050 W. MCMILLAN ROAD, MERIDIAN**
Idaho 83642

[Zip Code] ("Property Address");

[Street, City],

IDAHO-Single Family-FNMA/FHLMC UNIFORM
INSTRUMENT Form 3013 9/90

VMP-6R(ID) (9705)

Amended 5/97

Initials: _____



EXHIBIT A

THE FOLLOWING DESCRIBED PREMISES, IN ADA COUNTY IDAHO, TO WIT:

A PARCEL OF LAND IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE BOISE-MERIDIAN, AND RUNNING THENCE;

NORTH 0° 16' 00" WEST, 660.00 FEET; THENCE

SOUTH 89° 59' 00" WEST, 335.41; THENCE

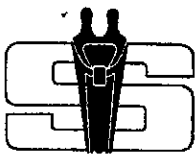
SOUTH 0° 14' 00" EAST, 659.90 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 27; THENCE

NORTH 90° 00' 00" EAST ALONG THE SAID SECTION LINE, 335.75 FEET TO THE POINT OF BEGINNING.

EXCEPT

ANY PORTION LYING WITHIN THE RIGHT OF WAY OF JOY ST. AS DISCLOSED BY THE RECORDED PLAT OF BLACK CAT SUBDIVISION NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 32 OF PLATS AT PAGES 1945 AND 1946, RECORDS OF ADA COUNTY, IDAHO.





Order No. 98002768

This form furnished by Stewart Title Company of Idaho, Inc.

QUITCLAIM DEED

THIS INDENTURE, Made this 31st day of August
in the year of our Lord one thousand nine hundred and ninety eight between
SUZANNE L. DUSTIN, WHO ACQUIRED TITLE AS SUZANNE L. HOLTZ, A SINGLE PERSON AND
MICHAEL S. DUSTIN, HUSBAND OF THE GRANTEE HEREIN

as Grantor and

SUZANNE L. DUSTIN, A MARRIED PERSON

as Grantee

whose current address is 4050 W. MCMILLAN ROAD, MERIDIAN, IDAHO 83642

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of ADA State of Idaho, bounded and particularly described as follows, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

SUZANNE L. DUSTIN

MICHAEL S. DUSTIN

State of IDAHO

ss.

County of ADA

On this 31st day of August, 1998, before me, the undersigned, a Notary Public, in and for said State, personally appeared SUZANNE L. DUSTIN AND MICHAEL S. DUSTIN

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public

Residing at: EAGLE, IDAHO

Commission Expires: March 05, 2004

Water Right No.
Adjudication Claim No. - 63-19184

September 15, 2003

In 1940 my family and I moved to a home on McMillan & Ten Mile roads. I recollect that there was a well located on the property of what is now Michael and Suzie Dustin, 4050 W. McMillan Rd. The well was used for domestic and livestock watering.

Sincerely,

Jimmie James

Jimmie James
4023 W. McMillan Rd.
Meridian, Idaho 83642

September 15, 2003

In 1953 Verna Patterson (Mother) and myself Clarence Patterson (Son), purchased the property of what is now Michael and Suzie Dustin (4050 W. McMillan Rd. - Meridian, Idaho 83642) from Harvey Roylance. I recollect that there was an existing well located on the property and it was used for domestic and livestock watering.

Sincerely,

A handwritten signature in cursive script that reads "Clarence Patterson". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Clarence Patterson
5120 N. Blackcat Rd.
Meridian, Idaho 83642

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-19184

September 9, 2003

Michael Dustin called in response to the evidence of priority letter that he and his wife, Suzanne, recently received. According to Mr. Dustin, Suzanne bought the property 15 years ago. Mr. Dustin asked for an extension of the due date since the Vogeneys have moved to the east coast. He believes the Vogeney's son is a neighbor who lives near-by, so he will try to contact their son in order to obtain an affidavit and to see if there were two wells on the property (referring to water right 63-4367).

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

SUZANNE L. DUSTIN
4050 W. MCMILLAN RD
MERIDIAN, ID 83642

Dear Ms. Dustin,

According to our 2002 Tax Lot information, you are the current resident of 4050 W. McMillan. If this is correct, and you are using the well located on the property for domestic and stockwater purposes, you will need to 1) read to the information contained in the envelope addressed to the Vogeneys and 2) fill-put the Change in Ownership form I have also enclosed.

If you have any questions, please contact me at the Western Region office.

Sincerely,

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

Kimberly L. Brown
Water Resource Agent
Western Region

resent Ex. of Priority letter & Change of Ownership form. - 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 18, 2003

CAROL A. & FREDERICK G. VOGENEY
4050 W. MC MILLAN RD
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-19184

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 15, 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.



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 A63-19184

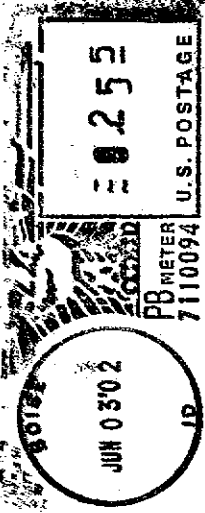
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-19184

found

PRESORTED
FIRST CLASS



**NOT DELIVERABLE
UNABLE TO FORWARD**

FREDERICK G VOGNEY
CAROL A VOGNEY
4050 W MC MILLAN RD
MERIDIAN ID 83642

RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION

63-19184-83642

