

03/20/2006

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

RIGHT NUMBER: 75-14134
NAME AND ADDRESS: LOA B DANCE
17 DANCE LN
SALMON ID 83467-5256

DOYLE W DANCE
9 DANCE LN
SALMON ID 83467

SOURCE: SPRINGS TRIBUTARY: SALMON RIVER
QUANTITY: 0.900 CFS
PRIORITY DATE: 05/01/1920
POINT OF DIVERSION:

T21N R22E S30 NENENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.340 CFS
IRRIGATION	04/01 11/01	0.560 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S19 Lot 3 NESW 12.50 T21N R22E S19 Lot 4 SESW 10.00

STOCKWATER same as IRRIGATION

22.5 ACRES TOTAL

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

*75-14135 & 6 are being field examined
file in Salmon*

11/06/2006

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

RIGHT NUMBER: 75-14134

NAME AND ADDRESS: LOA B DANCE
17 DANCE LN
SALMON ID 83467-5256

DOYLE W DANCE
9 DANCE LN
SALMON ID 83467

SOURCE: SPRINGS

TRIBUTARY: SALMON RIVER

QUANTITY: 0.600 CFS

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

PRIORITY DATE: 05/01/1920

POINT OF DIVERSION:

T21N R22E S30 NENENW Within LEMHI 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
IRRIGATION	04/01 11/01	0.560 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S19 Lot 3 NESW 12.50 T21N R22E S19 Lot 4 SESW 10.00

STOCKWATER same as IRRIGATION

22.5 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

11/20/2006 DEC 18 2006

DEPARTMENT OF
WATER RESOURCESNOTICE OF ERROR
REPLY

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: 12/13/2006

Water right number: 75-14134

LOA B DANCE
17 DANCE LN
SALMON ID 83467-5256
Telephone Number: (208)756-3609

DOYLE W DANCE
9 DANCE LN
SALMON ID 83467
Telephone Number: (208)756-3609

Doug Graves
(H) 208 756 8346
(W) 208 756 5215
RECEIVED
DEC 21 2006
IDWR/North

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

Sec (2), otherwise probably fine.

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

Transfer to appropriate owner. Title company claimed they would do this

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

Property has since been transferred twice, (at least)

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

DATE: 12/13/06 SIGNATURE: Douglas Alan Graves
Please print your name: Douglas Alan Graves

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

DEC 18 2006 ✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 20, 2006

Douglas A Graves
17 Dance Ln.
Salmon, Idaho 83467

Re: Claim 75-14134

Dear Mr. Graves:

The Department of Water Resources has reviewed your Notice of Error Reply for the above-mentioned claim.

Your only comment was a change in ownership. Enclosed is a Notice of Change in Water Right Ownership form to be completed and returned to this office. Please attach a copy of your deed or real estate contract to show proof of ownership.

Thank you.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

RECEIVED

11/20/2006 DEC 18 2006

NOTICE OF ERROR
REPLY

DEPARTMENT OF
WATER RESOURCES

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Doug Graves
(H) 208 756 8346
(W) 208 756 52151

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

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DATE: 12/13/06 SIGNATURE: Douglas Alan Graves
Please print your name: Douglas Alan Graves

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

Douglas Graves
17 Dance LN.
Salmon, Idaho 83467

SCANNED
DEC 18 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4172

WATER RIGHT NUMBER: 75-4172

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOYLE W DANCE 9 DANCE LN SALMON, ID 83467 (208)756-3609

Priority Date: 05/01/1920
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SALMON RIVER
UNNAMED STREAMS	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.000 CFS	
STOCKWATER	1/01 to 12/31	1.000 CFS	
	<u>Total Diversion:</u>	5.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAMS	SW1/4SE1/4	Sec. 19, Twp 21N, Rge 22E, B.M.
LEMHI County		
SPRING	NW1/4NE1/4	Sec. 30, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
21N	22E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											30.0	10.0	10.0	30.0					80.0

Total Acres: 80

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4172

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT

AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Doyle W. Dance
(Name of Claimant)
Box 901, Salmon, Idaho 83467 Telephone No. 756-3609
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 7, 1898
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 is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed spring and streams tributary to Mogg Ditch
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>2.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity	<u>1.0 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
(4)	<u>3.0 cfs</u>	TOTAL QUANTITY USED.		
	(cfs, gpd, AFA)			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
-SW 1/4 SE 1/4, Sec. 19 Twp. 21N Rge. 22E B.M., County of Lemhi
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. Describe any changes in the system, and give the date of the change.
Ditches divert the water to the place of use.

- (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.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
21N	22E	19									30	10	10	30					80

No. of acres 80

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is also used for stockwater on the claimants land by diverting the water from the spring year-round.

NOTE: Include here the type and number of stock watered: 40 head range cattle.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2003

JOHN CRAIN
124 TERRACE LN
SAN MARCOS CA 92069

RE: CHANGE IN OWNERSHIP FOR 75-4172

Dear Mr. Crain:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-4172 split into:

75-14134: 0.90 cfs, 22.5 acres, Dance

75-14135: 1.73 cfs, 56 acres, Cook

75-14136: 0.37 cfs, 1.5 acres, Crain

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

cc: Doyle Dance
Joan Cook

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
75-4172	75-4172	—			—
		—			—
		—			—
		—			—
		—			—

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

- A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ *None Required*
- 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)

Doyle W. Dance

4. New Owner/Claimant(s)

John Crain

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

New Mailing Address

124 Terrace Lane

City, State and ZIP Code

San Marcos CA 92069

New Telephone Number

760 471-1479

5. Date you acquired the property

Jan. 15, 2003

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)

John S. C...

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

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 75-14134
Date Received: 10/31/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

LOA B DANCE Phone: (208)756-3609
RT 1 BOX 139 D
SALMON ID USA 83467

DOYLE W DANCE Phone: (208)756-3609
RT 1 BOX 139 D
SALMON ID USA 83467

2. Date of Priority: 05/01/1920

3. Source: SPRINGS Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	22E	30	NE NE NW	LEMHI	

5. Description of diverting works:

SPRINGS FLOW INTO THE MEGG DITCH TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.56	
STOCKWATER	01/01	12/31	0.34	

7. Total Quantity Appropriated is:
0.9 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
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21N	22E	19	SE	SW	4	IRRIGATION	10
			NE	SW	3	IRRIGATION	12.5
						Section Acres	22.5
						Total Acres	22.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4172

15. Basis of Claim: Statutory Claim