

From: Saxton, Craig on behalf of NIA Help
To: ["gbfuller@turbonet.com"](mailto:gbfuller@turbonet.com)
Cc: [Thiel, Sandra](#)
Subject: RE: Claim 87-4027 Claim 87-10411
Date: Wednesday, April 21, 2021 2:02:00 PM

Ms. Fuller,

I had the opportunity to review the [notice of error reply for 87-4027](#) where you stated you disagreed with the recommended Priority date of 12/31/1940,
You claimed a priority date of 10/14/1917 which is consistent the claimed priority date on Statutory claim 87-4027 filed by Harold Lyon in 1977. Unfortunately the [historical statutory claim](#) is evidence only to that date the statutory claim was filed (1977).

IDWR recommended a priority date of 12/31/1940 because the parcel information provided by Latah County shows a "Year_Built" date of 1940:

The screenshot shows a software window titled 'Identify'. At the top, it says 'Identify from: Parcels'. Below this, a tree view shows 'Parcels' expanded, with 'FULLER, BEVERLY F' selected. To the right, a 'Location' field displays coordinates: '2,277,700.356 1,733,262.807 Meters'. Below the location field is a table with two columns: 'Field' and 'Value'. The table contains the following data:

Field	Value
ID	12944328
UPDATED	3/8/2021
PIN	RP40N0SW364836
OWNER	FULLER, BEVERLY F
ADDRESS1	PO BOX 8982
ADDRESS2	
CITY	MOSCOW
STATE	ID
ZIPCODE	83843
P_ADDRESS	1052 LYON RD
P_ZIPCODE	83843
SUB_NAME	
LEGAL1	38.72 AC NWSW;
LEGAL2	29.79 AC NESW;
LEGAL3	18.57 AC SWSW; 11.57 AC SESW
LEGAL4	36 40 5
LEGAL5	
LEGAL6	
ACRES	100
COUNTY	Latah
SOURCE	<null>
YEAR_BUILT	1940

At the bottom of the window, it says 'Identified 1 feature'.

IDWR looked at the BLM patent records and was unable to find a patent for section 36 within T40N, R05W. This is most likely due to the section originally being reserved for public schools.

Currently, IDWR has evidence that conflicts with the claimed priority date of 10/14/1917. In order for IDWR to change the recommendation, you will need to provide additional information that supports that stock grazed on the property prior to 1940. You mentioned in the notes of the claim that your grandfather purchased the property in 1917. Any documentation you might have such as

deeds or even grazing lease documents could support the earlier priority date. Another option would be to provide a statement that explains your knowledge of the historical use and why the evidence supporting a 1940 priority date is not accurate or doesn't tell the complete story.

Please let me know if you have any questions,

Respectfully,

Craig L. Saxton
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From: gbfuller@turbonet.com [mailto:gbfuller@turbonet.com]
Sent: Tuesday, April 20, 2021 2:03 PM
To: NIA Help <NIA.Help@idwr.idaho.gov>
Subject: Claim 87-4027 Claim 87-10411

Good Afternoon,

Please see the attached completed Preliminary Water Right Recommendation.

Thank you.

Beverly Fuller