

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: **A47-13694**
Date Received: 12/30/1988
Receipt No: S005528
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: FLINT JACOBSON 208-543-4770
Address: 1291 E 3900 N
BUHL ID 83316

AND

Name: DUFF JACOBSON 208-543-4770
Address: 1291 E 3900 N
BUHL ID 83316

AND

Name: DBA TRIPLE J DAIRY 208-543-4770
Address: 1291 E 3900 N
BUHL ID 83316

2. Date of Priority: DEC 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	14E	15	NE	NW	NE		TWIN FALLS

5. Description of diverting works:
WELL & 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		
COMMERCIAL	01/01	12/31	0.330		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN, C/400-500 COW DAIRY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	14E	15	NW	NE	COMMER DOMEST	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

2-24-98: CHANGE OF OWNERSHIP BOOTH TO TRIPLE J PER NOTICE REC'D
10-14-97 - VH

15. Basis of Claim: BENEFICIAL USE

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: A47-13694
Date Received: 12/30/1988
Receipt No: 5005528
Received By: Re

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFTON BOOTH 208-543-6120
Address: RT 2 BOX 34
BUHL, ID 83316

AND/OR
Name: LAURA BOOTH 208-543-6120
Address: RT 2 BOX 34
BUHL, ID 83316

2. Date of Priority: DEC 31, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	14E	15	NE	NW	NE		TWIN FALLS

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D/1 HOUSE & LAWN, C/400-500 COW DAIRY

A47-13694

Page 1

Date: 12/30/88

MICROFILMED

MAR 14 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24, 1998

Flint and Duff Jacobson
DBA Triple J Dairy
1291 E 3900 N
Buhl, Idaho 83316

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A47-13694**
Change of Ownership Notification

Dear Claimants:

Thank you for your prompt reply to my request for additional documentation. Our records have been changed to reflect the change in ownership. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock', is written over a horizontal line.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

RECEIVED

OCT 14 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).:

A47-13694

Adjudication Claim No(s).:

AJ5809NP

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Clifton and Laura BoothRt 2 Box 34 Buhl ID 83316

4. New Owner/Claimant(s)

Triple J Dairy - Flint JacobsonName Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

1291 E 3900 N Duff Jacobson

City, State and ZIP Code

Buhl ID 83316

New Telephone Number

(208) 543-4770

5. Date you acquired the property

Aug 2, 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate —

Number and type of stock

500 Cow Pay

Diversion rate in CFS

0.33
0.04

Number of homes

1

Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Flint JacobsonDuff K Jacobson

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

SECURITY TITLE COMPANY OF IDAHO
317 NORTH NINTH STREET
BOISE, IDAHO 83702

BUYERS SETTLEMENT STATEMENT

Buyer: DILEHAN COMPANY CHARTERED,
AN IDAHO CORPORATION

Seller: PIONEER 1031 COMPANY

Property Address: 1273 E 3900 N, BUHL, ID 83316
NW1/4NE1/4;NE1/4NE1/415-10S-14

Escrow Number: 8-55053lvd Settlement Date: 06/14/95

RECEIVED

FEB 23 1998

Department of Water Resources
Southern Region

	Expenses	Credits
Purchase Price.....	360,000.00	
County taxes from 01/01/95 to 06/15/95.....		931.51
Assessments from 06/15/95 to 10/31/95.....	111.66	
Escrow Fee.....	555.00	
FEDEX TO ACCOMODATOR to Security Title Co. of...	15.50	
Recording of Deed.....	5.00	
Transfer (2) wtr stk Twin Falls Canal Company...	10.00	
Sub-totals	360,698.16	931.51
Balance due from Buyer		359,766.65
Totals	360,698.16	360,698.16

Escrow Officer

I have carefully reviewed the above statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of this statement.

Linda Von
DILEHAN COMPANY CHARTERED,

AN IDAHO CORPORATION

TO: BLAINE

From: Linda Von
DREL
Security Title Co.

RECEIVED

FEB 23 1998

TAX AGREEMENT

ESCROW NO. 8-55053LVD

Department of Water Resources
Southern Region

The tax value shown on the attached closing statement is based on ESTIMATES.

Buyers and Sellers herein affirm and agree that Security Title Company of Idaho, its employees, agents, or assigns have not made any warranties as to the accuracy of these tax figures. Further, Buyers and Sellers agree that should the actual tax as shown on the tax statement forwarded by the Assessor/Treasurer's Office during the year of the sale differ from the figure represented on the attached closing statement, the following will occur:

1. In the event Buyer has received excess credit based on the "estimated tax", Buyer agrees to reimburse Seller; or
2. In the event Buyer has not received sufficient credit based on the "estimated tax", Seller agrees to reimburse the Buyer.
3. Payment of the pro-rated portion due, if any, shall be made by the respective party directly to the party due, within thirty (30) days after notification of the actual tax assessments.
4. Payment and/or any adjustment of any subsequent tax statements which may be received after date of closing on this transaction will be handled directly between the respective parties, and Security Title Company of Idaho does not assume any liability or responsibility in connection therewith.

Further, Buyers and Sellers herein agree to hold harmless Security Title Company of Idaho from any loss, liability, or responsibility in the event the estimated tax figures are based on a Homeowner's Tax Exemption (I.C. 63-10500), which may or may not apply for the year in which the sale occurs. It is agreed that it shall be the Buyers' responsibility to investigate the status of the Homeowner's Tax Exemption as it may apply to the property being purchased.

PARTIES HERETO ACKNOWLEDGE THAT SHOULD ANY ADJUSTMENTS BE MADE, IT SHALL BE MADE BETWEEN BUYERS AND BOOTH.

Dated: JUNE 8, 1995

PIONEER 1031 COMPANY

BY: _____

DILEHAN COMPANY CHARTERED, AN IDAHO CORPORATION

BY: _____

READ AND APPROVED BY:

CLIFTON L. BOOTH

LAURA BOOTH

Estimates for tax prorations as described are based on an amount of \$2060.62, being the 1994 actual tax, evidenced by receipt No. 21228 AND 21227, respectively. Seller shall be responsible for forwarding tax billing to buyer. SECURITY TITLE COMPANY SHALL NOT BE RESPONSIBLE FOR BUYERS' FILING OF HOMEOWNER'S EXEMPTIONS.

These instructions shall be binding on the undersigned until the close of business 30 days from the date hereon, and shall be performed within said period or thereafter until written demand by the undersigned is made upon you for the revocation hereof; provided, however, that your agency as escrow holder will not extend beyond six months from the date set forth above. any such written notice shall be effective upon receipt of such notice.

In the event of any controversy among the parties over funds deposited into this escrow, you may, at your discretion, tender such funds into court for a determination and recover attorney's fees or other expenses incurred including any fees incurred on any appeal.

It is understood by the parties signing these instructions or those instructions which are attached hereto that such instructions constitute the whole agreement principals to this transaction. These instructions may not include all of the terms of the agreement which is the subject of this escrow. Please read the instructions carefully, and do not sign them unless they are acceptable to you.

Under penalty of perjury, the undersigned hereby certifies that the following are their correct taxpayer identification numbers.

PIONEER 1031 COMPANY

BY: _____

Address: _____

SSNo.: _____

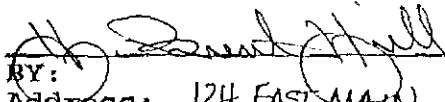
Phone: _____

Address: _____

SSNo.: _____

Phone: _____

DILEHAN COMPANY CHARTERED

BY:  _____

Address: 124 EAST MAIN

REXBURG, ID 83440

SSNo.: _____

Phone: 208-256-3677

Address: _____

SSNo.: _____

Phone: _____

READ AND APPROVED BY

CLIFTON L. BOOTH

Address: _____

SSNo.: _____

Phone: _____

LAURA BOOTH

Address: _____

SSNo.: _____

Phone: _____

6. This Agreement may be executed in counterparts and shall be of the same force and effect as if one document had been signed by all parties.

IN WITNESS WHEREOF, the parties hereto have set their hands.

ASSIGNOR

ASSIGNEE

PIONEER 1031 COMPANY

CLIFTON L. BOOTH

LAURA BOOTH

DATE:

Kimberly Trent
KIMBERLY TRENT
ASSISTANT SECRETARY

DATE: 6/7/95

CONSENTING PARTY

DILEHAN COMPANY CHARTERED,
an Idaho corporation

By: [Signature]
Its: [Signature]

DATE:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

February 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Flint Jacobson and Duff Jacobson
Triple J Dairy
1291 East 3900 North
Buhl, Idaho 83316

RE: SRBA CLAIM(S): A47-13694

Dear Sirs:

Thank you for notifying us of the change of ownership for the above-referenced Snake River Basin Adjudication claim(s). In reviewing your request for change of ownership, however, I have found that there is a lack of documentation linking you to the original claimant for your water right. Please provide the following at your earliest convenience:

To complete the chain of title for our purposes, we need documents of conveyance from the original claimants, Clifton and Laura Booth, through any interim owners, to Rudd Management.

Your prompt attention to this matter will be greatly appreciated, as your claim cannot be processed until all the information has been received. If you have any questions, please feel free to call me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

WARRANTY DEED

FOR VALUE RECEIVED RUDD MANAGEMENT CORPORATION, an Idaho Corporation, formerly known as DILEHAN COMPANY CHARTERED, an Idaho Corporation, the GRANTORS, do hereby grant, bargain, sell and convey unto TRIPLE J DAIRY, an Idaho Partnership, the GRANTEES, whose current address is 1291 E 3700 North, Bull, ID, the following described premises, in Twin Falls, Idaho, to wit:

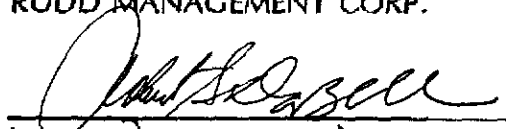
83316

SEE EXHIBIT "A"

TWIN FALLS COUNTY, IDAHO
RECORDED FOR: SECURITY TITLE
1995 AUG -7 P 2:46 1995012228
TWIN FALLS, IDAHO
FEE: 6.00 SECURITY MA

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 they are free from all encumbrances except current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and they will warrant and defend the same from all lawful claims whatsoever.

DATED: August 2, 1995
RUDD MANAGEMENT CORP.


by: Robert S. Dabell
It's Vice Pres.

STATE OF IDAHO, COUNTY OF ~~TWIN FALLS~~ MADISON

On August 3, 1995 before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT S. DABELL and , personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as VICE President and Secretary, on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its bylaws.

EXHIBIT A

PARCEL I

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho,

Section 15: NW1/4NE1/4

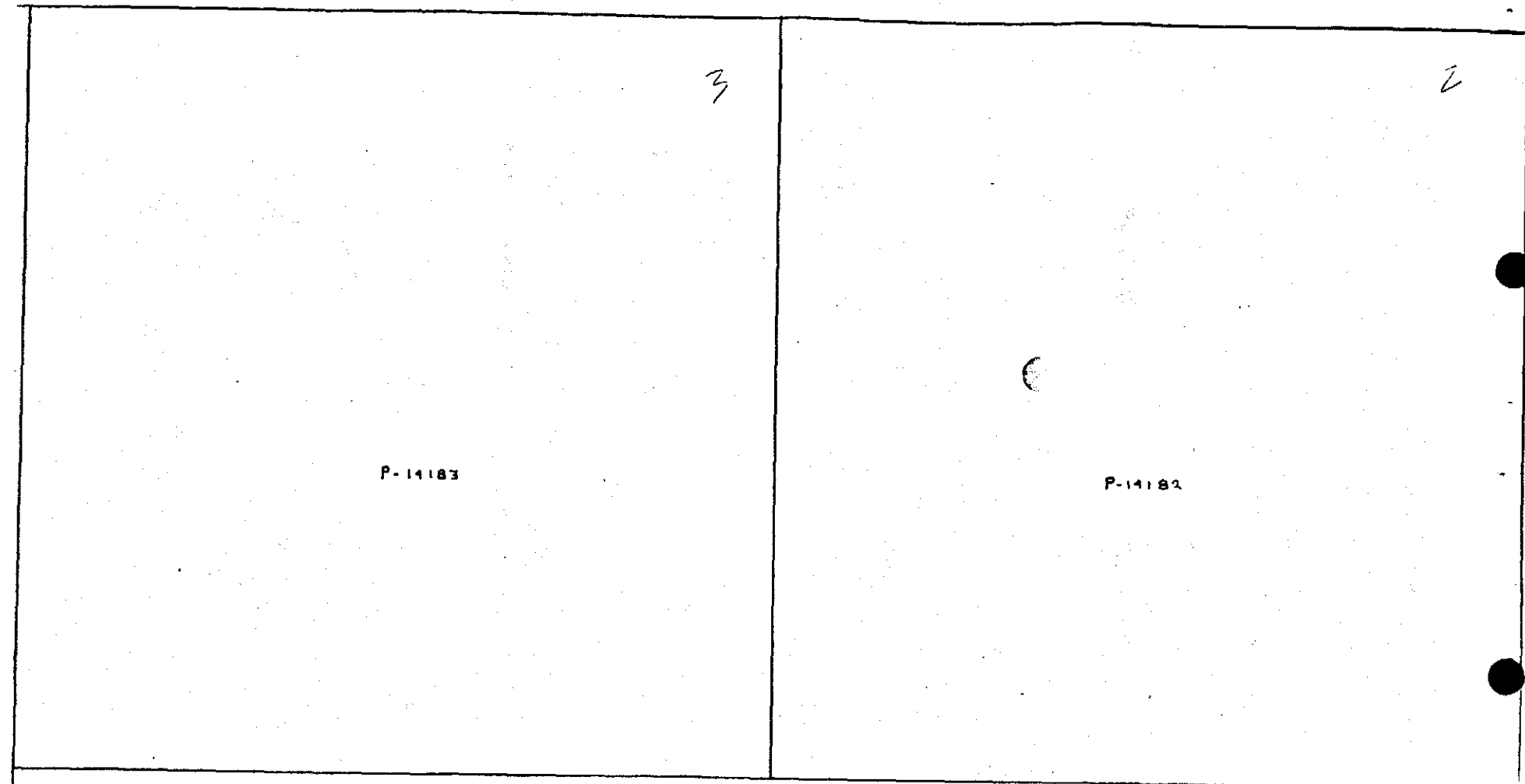
PARCEL II

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls, County, Idaho,

Section 15: NE1/4NE1/4

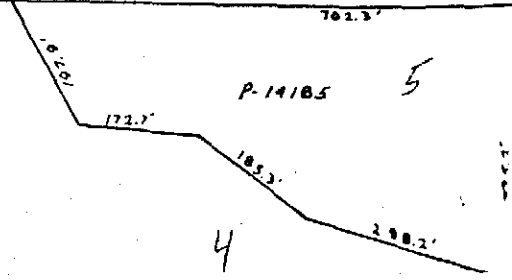
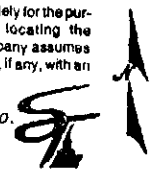
personally appeared ROBERT S. DABELL and

personally known to



"This sketch is made solely for the purpose of assisting in locating the premises and the Company assumes no liability for variations, if any, with an actual survey."

Security Title Co.
of Idaho



POLICY OF TITLE INSURANCE

13 0024 106 00239

SECURITY UNION TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, SECURITY UNION TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of date of policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title.
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

Issued by:

**SECURITY TITLE COMPANY
OF IDAHO**

311 Second St. No. - P. O. Box 1963
Twin Falls, ID 83301 - (208) 733-8014
Fax No. (208) 734-1420

SECURITY UNION TITLE INSURANCE COMPANY

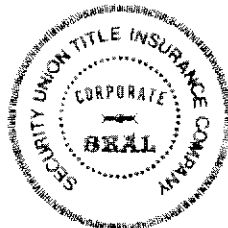
By:

Richard M. Heavin
President

By:

Richard M. Heavin
Secretary

Richard M. Heavin
Authorized Signature

**ALTA OWNER'S POLICY (10-17-92)**

OWNERS POLICY
SCHEDULE B
(Standard Coverage)

File No.: 8-55195

Policy No.: 13002410600239

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown on the records of such agency or by the public records.

Special Exceptions:

1. Rights of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
2. General taxes as extended on the regular tax roll for the year 1995, which are a lien not yet due or payable.
3. Liens and assessments of the American Falls Irrigation District, and the rights and powers of said district as by law provided.
4. Power line easement as granted by Clifton L. Booth and Laura M. Booth his wife, to Idaho Power Company, a corporation, by instrument recorded January 27, 1989, as Instrument No. 950558, of Official Records...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system, affecting Parcel I

(Continued)

OWNERS POLICY
SCHEDULE B

File No.: 8-55195

Policy No. 13002410600239

EXCEPTIONS FROM COVERAGE (Continued)

Special Exceptions (Continued)

5. A financing statement filed in the Office of the County Recorder, showing
Debtor: Flint L. Jacobson and Lisa M. Jacobson
Secured Party: Ranch Homes
Recorded: June 26, 1995
Instrument No.: 1995009819 of Official Records

6. A financing statement filed in the Office of the County Recorder, showing
Debtor: Duff K. Jacobson and Bernadette Jacobson
Secured Party: Ranch Homes
Recorded: June 26, 1995
Instrument No.: 1995009820 of Official Records

OWNERS POLICY

SCHEDULE A

File No.: 8-55195

Amount of Insurance: \$585,000.00

Policy Number: 13002410600239

Premium Amount: \$1,473.75

Date of Policy: August 7, 1995 at 2:46 p.m.

1. Name of Insured:

TRIPLE J DAIRY, an Idaho Partnership

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

TRIPLE J DAIRY, an Idaho Partnership

4. The land referred to in this Policy is described as follows:

PARCEL I

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho,

Section 15: NW1/4NE1/4

PARCEL II

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls, County, Idaho,

Section 15: NE1/4NE1/4

This Policy valid only if Schedule B is attached.

SECURITY TITLE COMPANY OF IDAHO
317 NORTH NINTH STREET
BOISE, IDAHO 83702

BUYERS SETTLEMENT STATEMENT

Buyer: SUMMIT ACCOMMODATORS, INC.

Seller: RUDD MANAGEMENT CORPORATION formerly known as DILEHAN
an Idaho Corporation, COMPANY CHARTERED, an Id Co

Property 1273 EAST 3900 NORTH
Address: BUHL, ID 83316

Escrow Number: 8-55195 Settlement Date: 08/04/95

	Expenses	Credits
Purchase Price.....	585,000.00	
County taxes from 01/01/95 to 08/04/95.....		1,144.74
Taxes from 01/01/95 to 08/04/95.....		69.05
Title Insurance.....	1,473.75	
Escrow Fee.....	1,785.00	
Warranty Deed to Security Title Co. of...	9.00	
Exchange fee Summit Accomodation, Inc....	250.00	
Fed-Ex Fees Security Title Co. of Idaho	93.00	
ors.....		
Exchange credit transfer Summit Accommodators.....		72,896.96
Exchange credit transfer Summit Accommodators.....		514,500.00
Sub-totals	588,610.75	588,610.75
Totals	588,610.75	588,610.75

Escrow Officer

Linda Walker
LINDA WALKER

I have carefully reviewed the above statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of this statement.

APPROVED BY EXCHANGER:

Flint Jacobson Gen PIR
TRIPLE J DAIRY, AN IDAHO

PARTNERSHIP

SUMMIT ACCOMMODATORS

BY: _____

INFORMATION REQUEST

NAME:

Lena Petter / Robert Jones

DATE:

12-794

ADDRESS:

1766 Alderson Ave

CITY/ZIP:

TF 8338

PHONE:

733-0404

(please print)

I HAVE REQUESTED TO REVIEW AND/OR OBTAIN COPIES OF THE FOLLOWING DOCUMENTS ON FILE WITH THE DEPARTMENT OF WATER RESOURCES.

ADJUDICATION
CLAIM NUMBERS

ALLOCATION WATER
RIGHT NUMBERS

OTHER
DOCUMENTS

X

X

JAY Booth

NW 1/4 NE 1/4 SEC 15 T10
RANGE 14

447-13694

No Water right
records.

Read any information on
wells on the property

Well log 47-89-S-0023
Well drilling permit
report 47-89-S-0023

RESEARCH SUBJECT:

Listing Property

COPIES MADE OF:

10 COPIES OR LESS: FREE

NUMBER OF COPIES MADE: 0

FEES DUE @ \$0.05 PER COPY: 0

OTHER FEES: 0

RECEIPT NUMBER:

ASSISTING AGENT: MTS

Lena Petter

(customer signature)

DEC 03 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

GOVERNOR PHILIP E. BATT
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-13694
CLIFTON BOOTH
LAURA BOOTH
RT 2 BOX 34
BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996