



State of Idaho
DEPARTMENT OF WATER RESOURCES
1118 F. St, Lewiston, Idaho 83501
Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 8, 2004

Re: Evidence of Priority Date January 1, 1900

79-4080
ROCKE & CLAUDIA WILSON
PO BOX 488
RIGGINS ID 83549

RESPONSE DEADLINE
October 8, 2004

Dear Claimants:

The Notice of Claim to a Water Right (claim) identified with the number shown above your names has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose or purposes claimed, and are termed beneficial use rights. The priority date (which is the date the water was first used) has not been confirmed by a License or a Decree. Likewise, the historic use of the water, which is the amount of water diverted and the extent to which it has been applied to beneficial use, must also be determined.

As an example, the historic use for an irrigation right would be the number of acres irrigated and the amount of water diverted at the time the water use was developed. Since the priority date and historic use of a beneficial use right has not been confirmed by Idaho Department of Water Resources (IDWR) or a Court, **proof must be provided by the claimant** supporting both the priority date claimed and the historic use of the water.

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 Idaho Department of Water Resources. 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 IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide the best evidence possible. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office at 1-208-743-0301.

Sincerely,

Gregory J. Taylor
Sr. Water Agent

Enclosures:

"Evidence of Priority" pamphlet
Computer generated copy of claim

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 79-4080

WATER RIGHT NUMBER: 79-4080

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LAVERN WRIGHT RT 4 COTTONWOOD, ID 83522 (208)839-2323
Current Owner	CLAUDIA WILSON PO BOX 488 RIGGINS, ID 83549 (208)628-3957
Original Owner	MARGIE WRIGHT RT 4 BOX 186 COTTONWOOD, ID 83522 (208)839-2323
Current Owner	ROCKE WILSON PO BOX 488 RIGGINS, ID 83549 (208)628-3957

Priority Date: 01/01/1900

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
RACE CREEK SPRING	SALMON RIVER RACE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	1/01 to 12/31	0.130 CFS	
<u>Total Diversion:</u>		0.130 CFS	

Location of Point(s) of Diversion

RACE CREEK	SE1/4SE1/4SE1/4	Sec. 4,	Twp 24N,	Rge 01E, B.M.
IDAHO County				
SPRING	SE1/4SE1/4SE1/4	Sec. 4,	Twp 24N,	Rge 01E, B.M.
IDAHO County				

Place of Use

IRRIGATION																	
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N 01E 3											6.4						6.4
Total Acres: 6.4																	

Conditions of Approval:

Remarks:

- General DESCRIPTION OF DIVERSION WORKS: SPRING FLOWING INTO DITCH AND CULVERT FROM RACE CREEK TO APPROX. 1200 FT. DITCH TO PLACE OF USE.
REMARKS: THIS CLAIM IS BASED ON CLAIMS 79-4010 AND 79-4008 WHICH WERE FILED BY H.C. SLYE, FILED 1972.
ACRES IRRIGATED = 6.38

Comments: