

15 West Center Street
Soda Springs, ID 83276
(208) 547-3993
(208) 547-3939 FAX

**Idaho Department of
Water Resources**

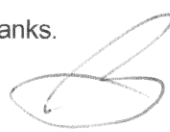
Memo

To: Michael Holliday
From: Barbara Payne
Date: 10/17/2003
Re: Claim 27-11319

Hi Mike,

I am forwarding the copy of the enclosed letter that was directed to Alma A. Hubbard from the A.G.'s office. When we requested the A.G. to send Mr. Hubbard a letter, it was assigned to Basin 27. However, now it has been renumbered to Basin 25 and Cindy Bird ask that I forward this to you so that it can be added to the file.

Thanks.



Barbara

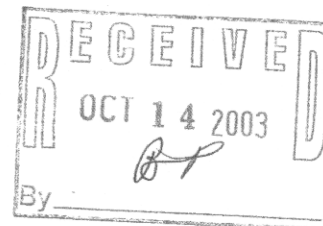
Enclosure

RECEIVED
OCT 20 2003
Department of Water Resources
Eastern Region



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN
October 7, 2003

RECEIVED
OCT 20 2003
Department of Water Resources
Eastern Region



Alma A. Hubbard
P. O. Box 341
Grace, ID 83241

renumbered 25-11319

(INCORRECT)

RE: SRBA Claim No. 27-11317 and 27-11319

Dear Alma Hubbard:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding the need for priority evidence for your SRBA claim nos. 27-11317 and 27-11319. However, the Department has not received the information requested. I have enclosed a brochure that discusses the type of evidence that can be helpful in proving the priority date for a water right claim.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department will not be recommending your water rights as claimed because you have not provided proof of priority for your claim.

Please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-5404.

Very truly yours,

CANDICE M. McHUGH
Deputy Attorney General
Idaho Department of Water Resources

Enclosure

cc: Cindy Bird

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400



Importance: Normal

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Barbara :-}

<https://www.idwr.state.id.us/exchange/forms/IPM/NOTE/read.asp?command=open&obj=0...> 10/8/2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Alma Hubbard
P.O. Box 341
Grace, Idaho 83241

May 15, 2003

Re: Evidence of Priority

Claim No.(s) A27-11317 & A27-11319

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice 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.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 30, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on “Evidence of Priority”
 Adjudication Claim Report