



State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 22, 2005

3-10009
ELIZABETH C AND STEVEN B MAC KAY
C/O STEVE MACKAY
380 DECK ST
ONTARIO, OR 97914

Re: Field Examination and Evidence of Priority, Snake River Basin Adjudication Claim 3-10009

Dear Claimant(s):

The Notice of Claim to a Water Right (claim) identified with the number shown above your name 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 claimed, and are termed beneficial use rights.

The elements of beneficial use rights need to be verified by an examiner from the Idaho Department of Water Resources (IDWR) before the claim can be recommended to the SRBA Court. The examination of claims in your area will take place during the summer of 2005. An examiner will be contacting you to schedule a time to visit your property and verify the elements of the water right you have claimed.

Even though most of the elements of your claim can be verified by the field exam, the date of first use, or priority date, can only be verified by documentation of the historic use. If you have **not** supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by August 31, 2005. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. Also enclosed is a copy of your claim.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of notarized affidavits.

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 IDWR. If you have received this correspondence from the previous owner of the property please note that you are required to file a Change of Ownership with IDWR in order to receive future mailings and to participate in the adjudication.

If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 3-10009, handy when you call. Should you choose to submit priority evidence in other than the envelope provided, please also include "ATTN: SRBA Claim Number 3-10009" on the front of the envelope.

Sincerely,

Steve Robischon
Technical Support Section
Adjudication Bureau

Enclosures:

Evidence of Priority Pamphlet
Adjudication Claim Report 3-10009