



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

AUG 09 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 1, 2005

69-4003

CUPRUM BENEVOLENT PRESERVATION SOCIETY INC

~~C/O TOM BUSHMAN SR~~

~~4488 COUNCIL CUPRUM RD~~

COUNCIL ID 83612

*c/o Bob Bolin City Agent
4449 Council Cuprum Rd*

RESPONSE DEADLINE
AUGUST 30, 2005

Re: Evidence of Priority Date

Dear Claimant:

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. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed, and the historic use of the water.

Enclosed you will find a computer printout of your claim, and a pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. If you have claimed irrigation as a water use, a map of the general area of irrigation stated in your claim is also enclosed. Please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence of priority is submitted, IDWR will recommend the SRBA Court decree your claim(s) as disallowed. It will be to your advantage to provide clear and convincing evidence. 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. Send the documents in the enclosed envelope to assure it arrives at the correct location. 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.

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 (IDWR). 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.

Sincerely,

Michael Ciscell
Sr. GIS Analyst
Adjudication Bureau

Enclosures: Evidence of Priority brochure
Preliminary map
Notice of Claim
Return envelope

*The enclosed copy of our original
Land/Irrigation patent is enclosed.
The Date is 22 March 1909.
If you have question call Bob Bolin
City Agent
208 258-4300*

\$3
CLAIM Number
69-4003

(RECORD OF PATENTS.)

4-401-117.

52817

The United States of America,

To all to whom these presents shall come, Greeting:

Notice 0673.

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, Idaho, wherein it appears that, pursuant to Sections 2367, 2368 and 2369 of the Revised Statutes of the United States, full payment has been made by Pitts Ellis, Private Justice of Washington County, Idaho, for the south half of the northwest quarter of Section two in Township twenty north of Range three west of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the United States, unto the said PITTS ELLIS, the tract of land above described; TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said Pitts Ellis in trust for the several use and benefit of the occupants of the Townsite of CURRY, in said County, according to their respective interests, and to his successors in trust as aforesaid; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the

United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed:

(SEAL.)

GIVEN under my hand, at the City of Washington, the
twenty-second day of March, 1903, in the year
of our Lord one thousand nine hundred and three
and of the Independence of the United States the one hundred
and thirty-third.

By the President,

Wm. H. Taft