

August 30, 2005

75-4112, 75-4506B

State of Idaho
Idaho Department of Water Resources
322 East Front St.
Boise, ID 83720

RECEIVED

SEP 02 2005

Department of Water Resources

Re: Evidence of Priority Date

Dear Roxanne Brown

This is in response to your request to furnish evidence to support priority dates and historical water use for the above references water claims.

This appears to be a duplicate request for the same information as supplied in 2004. I also understand that the submittal date for this request was extended from July 29, 2005 for an additional month.

Enclosed are copies of the affidavits, originals were sent last year, to support the referenced water right priority dates and historic use of water. Also enclosed is a copy of the postal receipt of delivery for last years information as proof that the information was delivered.

These are from Blaine White, a former owner of the property. At the time of his ownership, both referenced pieces of property were a part of the same ranch but watered from different ditches with different priority dates.

Please respond with reasons if this is not sufficient proof of priority date.

Richard H. Ellis

Carol J. Ellis

Richard and Carol Ellis
23 Twelve Mile Road
Salmon, Idaho 83467



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-4112, 75-4506B
RICHARD H ELLIS
CAROL J ELLIS
23 TWELVE MILE RD
SALMON ID 83467

RESPONSE DEADLINE
JULY 29, 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 the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be 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,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

7003 1680 0004 1133 273

CERTIFIED MAIL RECEIPT

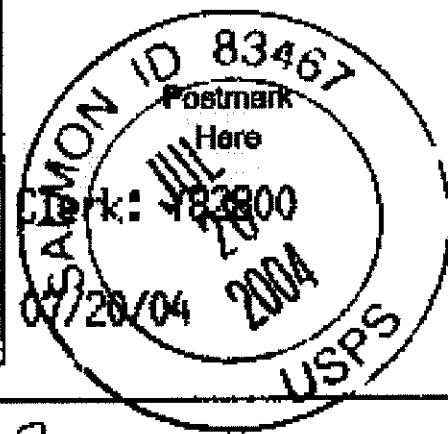
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

NOISE, ID 183720 OFFICIAL USE

Postage	\$ 0.60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

UNIT ID: 0467



Sent To	
Idaho Dept of water Resources	
Street, Apt. No.; or PO Box No.	Statehouse mail
City, State, ZIP+4	83720-6000

Affidavit of: Blaine White

Purpose:

This affidavit is to provide evidence of Priority Date and Beneficial use for water right.

Water Right Number: 75-4112.

Priority Date: 11/23/1922

Present Owner: Richard H Ellis and Carol J Ellis

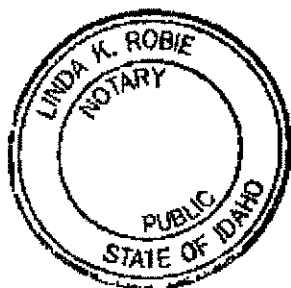
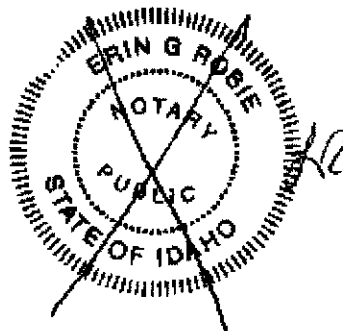
The parcel of land associated with this water right was formerly a part of a larger ranch that I owned from 1964 through 1968.

I personally irrigated portions of the land listed as place of use in this water right, along with the rest of the ranch, with water diverted by a ditch from Twelve Mile Creek. At that time, the ditch had cottonwood trees growing on the banks consistent in size to support a 1922 date of original use.

Signature: Blaine J. White

Witness: _____

Notary: Linda K. Robie
10604



Affidavit of: Blaine White

Purpose:

This affidavit is to provide evidence of Priority Date and Beneficial use for water right.

Water Right Number: 75-4506B.

Priority Date: 12/24/1894

Present Owner: Richard H Ellis and Carol J Ellis

The parcel of land associated with this water right was formerly a part of a larger ranch that I owned from 1964 through 1968.

I personally irrigated portions of the land listed as place of use in this water right, along with the rest of the ranch, with water diverted by a ditch from Twelve Mile Creek. At that time, the ditch had cottonwood trees growing on the banks consistent in size to support a 1894 date of original use.

Signature:

Blaine J. White

Witness: _____

Notary:

Linda K. Robie
10-6-05

