



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

February 16, 2006

HOFSTETTER LAW OFFICE
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE ID 83702

RESPONSE DEADLINE
MARCH 17, 2006

3-10192

Re: Evidence of Priority Date & Stockwater Information

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown below your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use." 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. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

You are receiving this notice because the evidence of priority date received for 3-4008A is insufficient to recommend stockwater for the same place of use. To recommend claim 3-10192 we need evidence that the system was used for watering livestock in 1954. Included in this evidence should be some indication that water was being diverted outside the irrigation season.

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. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit. A form is provided for your convenience.

In addition to evidence of priority, we also need information pertaining to the livestock that is watered under this claim. The number and type of animals are needed to make an accurate recommendation of your water right. We also need some indication as to where livestock is allowed access to the irrigation system. The enclosed map may be useful in describing your irrigation and stockwater systems.

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. Because some documents commonly used for evidence of priority take some time to obtain, it is in your best interest to begin immediately collecting evidence that may be submitted to support your priority date.

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. If you wish to call, our toll free number is 1-800-451-4129.

Sincerely,

Jennifer Dean, EIT
Adjudication Bureau

Enclosures

CC: GEORGE E COLWELL
3990 HWY 52
PAYETTE ID 83661