



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

Robert Hawker
1655 Riverton Road
Blackfoot, Idaho 83221

May 14, 2003

Re: Evidence of Priority

Claim No.(s) A27-04116

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

May 19, 2003

State of Idaho
Department of Water Resources
15 West Center Street
Soda Springs, ID

Claim No. A27-04116

Dear Sirs:

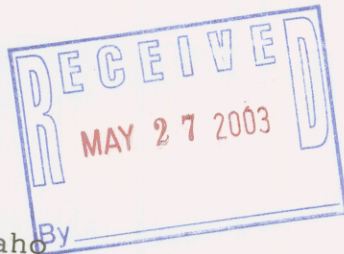
I purchased my home with 2 ½ acres of ground with three shares of water rights in West Side Ditch in 1965. This was part of a farm formerly owned by Parley Clark. I have paid for three shares each year and used it for irrigation purchases.

Robert D. Hawker
Robert D. Hawker 5-20-03

Claim No. A27-04116

Dear Sirs:

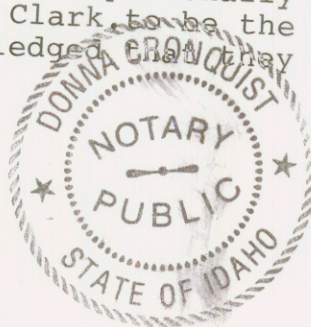
I am the son of Parley Clark, former owner of this property, and I lived on this property beginning in 1932, and can verify that the water was used for irrigation of this property from that time on.



Dyle G. Clark
Dyle G. Clark 5/20/03

State of Idaho
County of Bingham

On May 20, 2003 personally appeared before me, Robert D. Hawker and Dyle G. Clark, to be the signer of the above instrument, and they acknowledged that they signed it.



Donna Cronquist
NOTARY PUBLIC
12-2-2004
MY COMMISSION EXPIRES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-4116

Dates and Other Information:

Claim Received Date: 4/20/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

*Nyle H. Clark did not remember the name
of the person his father bought the place from,
but he bought it in 1931.*

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E006954

Date: 04/20/89
Time: 11:19:03

Received

From: HAWKER, ROBERT D./DONNA F

Type of Payment

ADJUDICATION FEE

Program Acct Class

0410162 9337 6490

Amount

\$62.00

Total

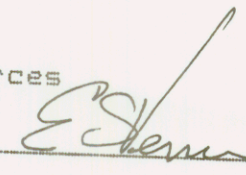
\$62.00

CHECK 1780

WR/NO: A27-04116

Idaho Department of Water Resources

Region: EASTERN

Signature: 

STATE OF IDAHO
Department of Water Resources

No 30991

Boise, Idaho, June 21, 1983

RECEIVED FROM Robert Hawker of Blackfoot \$30⁰⁰
Thirty & 00/100 DOLLARS

FOR	Claim	\$	30	00
	Cash	\$		
		\$		
		\$		
		\$		
	TOTAL - - -	\$	30	00

William Gray