



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

14 June 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LaVona Haddon
412 West Riverton Road
Blackfoot, ID 83221

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10341

Subject: EVIDENCE OF PRIORITY DATE

Response Date: 29 June 2004

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 SRBA. The Notice indicates water usage is based on "Beneficial Use" with a hand written note indicating "decree". If your claim is based on a decree we will still need evidence of ownership of the right back to the 1891 Decree. This is needed to determine which priority date it is based on. 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".

Claim 27-10341

We will also need a copy of the warranty deed. Please include either a copy of the plat, a survey map OR aerial photo with the appropriate area marked. It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

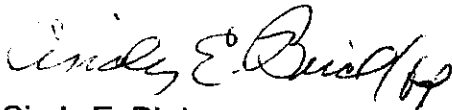
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The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
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Please submit the documentation supporting the priority date by the above response date referencing all documents with the corresponding Notice number.

If we do not hear from you by the above response date, we may recommend to the Court this claim be disallowed.

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

CEB/bjp

Enclosure: "Evidence of Priority" brochure