

15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

To: Kandice McDermott

From: Barbara Payne

Fax: 287-6700

Pages: 3

Phone:

Date: 6/29/2005

Re: Ownership Change 27-10358

CC:

Hi Candice,

Jennifer forwarded your request for a complete copy of the ownership change on the above referenced W/R. This file is in the Soda office. This FAX contains both sides of the ownership change form we received on January 30, 2004.



Barbara

FAXED
6-29-05
902

RECEIVED

JAN 28 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	27-10358				
27-10356					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

25.00

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Danny O. Daniel / Don Cobbley
212 S 550 W, Blackfoot, ID 83221

4. New Owner/Claimant(s)

Megan and/or Jason Leiseth
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

212 S. 550 W. Blackfoot, ID 83221

City, State and ZIP Code

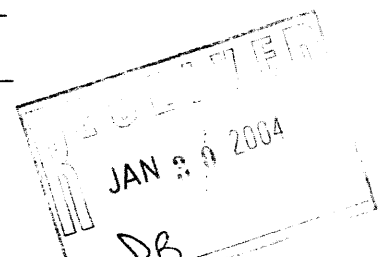
Blackfoot, Id 83221

New Telephone Number

(208) 782-3485

5. Date you acquired the property

March 2003



[Close](#)

From: Crabtree, Jennifer
To: Payne, Barbara
Cc:
Subject: FW: Ownership Change form
Sent: 6/28/2005 4:10 PM

Importance: Normal

Hi. Assuming you have the file, would you respond to Kandice's request? Thanks, Jen

-----Original Message-----

From: McDermott, Kandice
Sent: Tuesday, June 28, 2005 1:56 PM
To: Crabtree, Jennifer
Subject: Ownership Change form

Hi Jennifer! I'm working on an ownership change for WR 27-10356 that was submitted to your office in February 2004 (finally!). Also listed on the o/c form was WR 27-10358 which was processed by your office before being sent on to us. Unfortunately, we didn't get a copy of the back page of the o/c form, so we don't have any signatures or receipting information. Could you look in your file for 27-10358 and send a complete copy of the form to me? That would be a tremendous help! :-)

Thank you!

Kandice McDermott
State Office

10 May 2004

Jason Leiseth
212 South 550 West
Blackfoot, ID 83221

REF: Snake River Basin Adjudication (SRBA)
Notice of Claim 27-10358

Subject: ~~Water~~ Ownership Documentation

RESPONSE DATE: 24 May 2004

Dear Claimants:

The Department of Water Resources is currently investing water right claims in Basin 27. The above referenced claim uses the priority date of March 20, 1886. This date is recognized as representing the 400" of water decreed to James G. Welch in the 1891 Stevens vs Eastern Idaho Water Company.

It is our responsibility to recommend to the Court a clear chain of ownership for the land and water dating from the current claimant, which is you, back to the 1891 decree. We have on file a copy of the following document concerning your specific claim:

Warranty Deed dated 28 February 2003 from Don L. Cobbley and Mitzi G. Cobbley to Jason D. Leiseth and Megan N. Gay Leiseth. This deed covers a portion of the NE1/4NW1/4 of Section 18 in Township 3 South, Range 35 E. approximately 3.318 acres.

My questions concerning your claim are:

1. There is no mention if the water was also conveyed when the land was conveyed with this deed.
2. We do not have a copy of the deed that conveyed the property and water to Don L. Cobbley and Mitzi G. Cobbley from the previous owner.
3. We may have a copy of prior documents but without this missing link, we are unable to "connect the dots" and present a clear path of ownership to the Court from the 1891 decree to you as Claimant.

Claim 27-10358

If we do not receive sufficient documentation from you by the above response date, we will be forced to recommend to the Court that this claim be disallowed.

If you have any questions, please feel free to contact me at the Soda Springs Satellite office at 547-3993.

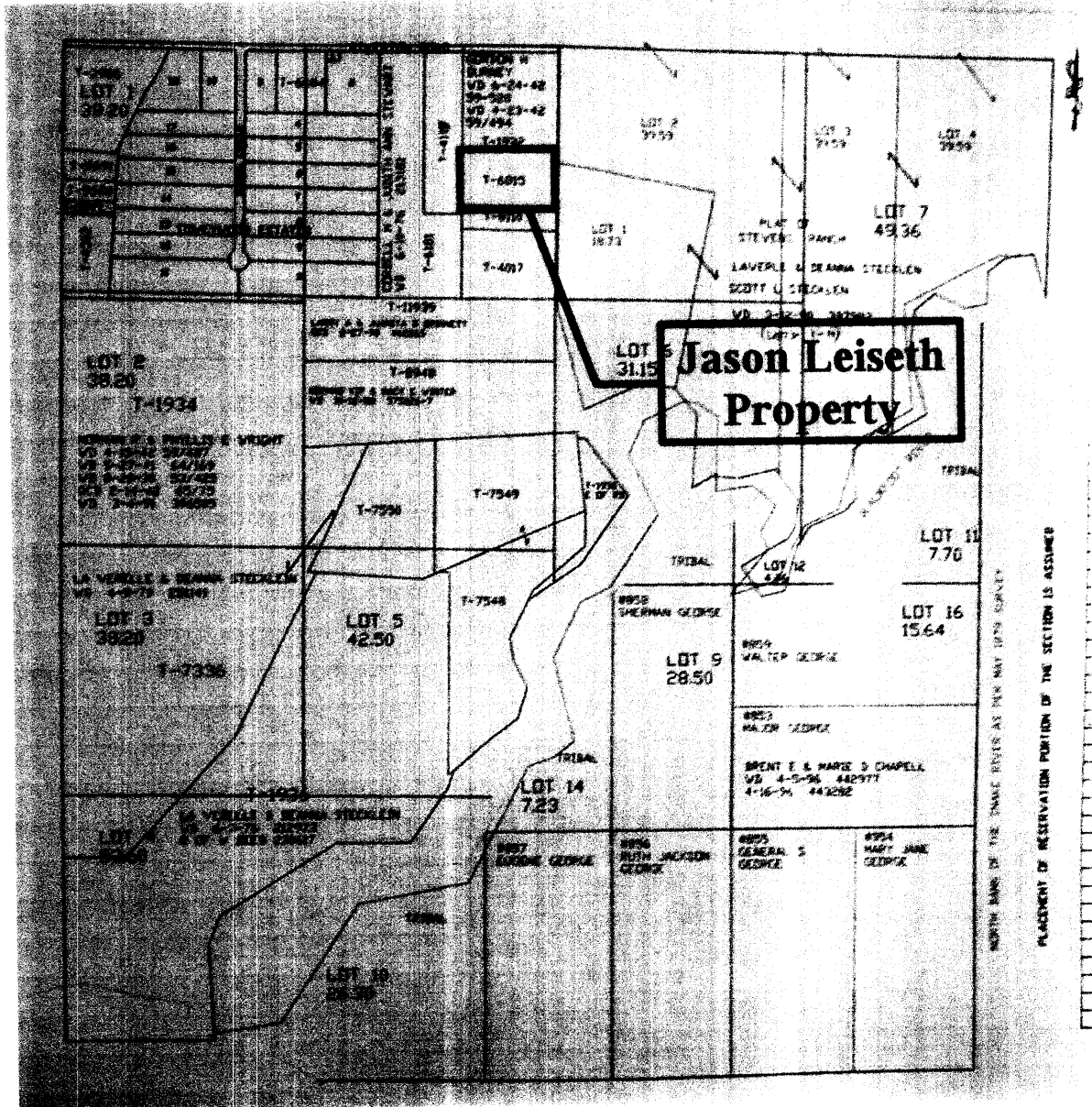
Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Basin No.	Sequence Number	Split Suffix	Name	Basis of a Claim	yyyy-mm-dd Priority Date	Remarks	Usage	Other Water Rights Used	Stevens Decree	Total CFS	Recommended diversion (inches)
27	37	L	Anderson, Donald	Decreed	1886-03-20	Welch Irrigation Co. T#52	irrigation	27-2125	s	1.08	54.00
27	37	C	Bean, Audrey H.	Decreed	1886-03-20		irrigation	27-4F	s	0.97	48.50
27	37	P	Bergeman, E. V.		1886-03-20		irrigation		s	0.28	14.00
27	12017		Clements, Casey A.	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	0.38	19.00
27	11997		Coffman, Harvey	Decreed	1886-03-20		irrigation		s	0.10	5.00
27	10550		Ganske, Robert L.	Decreed	1886-03-20	Claim based on Miner's shares & F&W 27-23B. AMENDED	irrigation		s	0.06	3.00
27	10844		Gay, Walter A.	Decreed	1886-03-20		irrigation		s	0.17	8.67
27	37	M	Hamilton, Wesley	Decreed	1886-03-20		irrigation	27-4G	s	1.30	65.00
27	12015		Hansen, Helen	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	0.03	1.50
27	37	F	Hill, Stanley	Decreed	1886-03-20		irrigation		s	0.12	6.00
27	12016		Hospkins, Robert	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	0.03	1.50
			LDS Church	Decreed	1886-03-20		irrigation		s		0.00
27	10358		Leiseth, Jason	Decreed	1886-03-20	probably 27 T#52. Welch Irrigation	irrigation		s	0.00	0.00
27	37	A	McDaniel, Brett	Decreed	1886-03-20		irrigation		s	1.76	88.00
27	11994		Nation, Howard S.	Decreed	1886-03-20	Parent right 27-11120	irrigation		s	0.015	0.75
27	12014		Novosad, Joyce	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	0.16	8.00
27	11995		Romrell, Don	Decreed	1886-03-20	Parent Right 27-11120	irrigation		s	0.015	0.75
27	37	E	Rowbury, Rex C.	Decreed	1886-03-20	T#52	irrigation		s	0.12	6.00
27	37	B	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation		s	0.00	0.00
27	37	G	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation	27-27B, 7065, 2126, 10552, 10555, 26B	s	0.69	34.33
27	37	J	Winter, Norman	Decreed	1886-03-20		irrigation		s	0.10	5.00
27	37	H	Worthington, Dallen	Decreed	1886-03-20		irrigation		s	0.04	2.00
27	37	K	Wright, Franklin D.	Decreed	1886-03-20		irrigation	27-27C, 23F	s	0.04	2.00
27	37	N	Yancey, Merlin	Decreed	1886-03-20		irrigation		s	0.50	25.00
								TOTALS		7.96	398.00

Jason's Deed (attached) mentions no specific water right. The water associated with Jason Leiseth Property is probably Oct 1, 1884 decree as noted this the document below rather than the James Welch decree.



Jason Leiseth Water Right # 27-10358

No. 11- **BLACKFOOT ABSTRACT COMPANY, BLACKFOOT, IDAHO**

MORTGAGE.

James V. Ezell and
Mary F. Ezell, his wife
Grantor.

TO
D.W. Standard & Company
Grantee.

Consideration- \$1637.45-

Recorded- March 7th, 1906 at-
9 a.m., in Book "T" of Mortgages at-
Page 277 of the records of Bingham County, Idaho-

Acknowledged- March 5th, 1907-

Before R.M. McCracken a Notary Public of-
Bingham County, Idaho-Sealed and Regular-

Due April 4th, 1906-Interest 10 %- Wife separately examined-

DESCRIPTION and REMARKS.

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the Lots 1 and 2 of Section 18 in Twp 3 south of range 35 E.S.M., together with all ditch and water rights and particularly 116 inches of the water decreed to Fred S. Stevens from date of Oct. 1-1884 by decree of District Court of the 5th Judicial District of Idaho in and for Bingham County, Idaho, made and entered Aug. 1st, 1891 in Judgment Book "I" at page 107 being 116.42 acres, more or less.

RELEASED ON THE MARGIN OF WHICH THE FOLLOWING IS A COPY:

I hereby certify that this mortgage and the indebtedness secured thereby is fully paid, satisfied and discharged.
By H. J. Gagnon April 9, 1906
Notary Public

I hereby certify that this mortgage and the indebtedness secured thereby is fully paid, satisfied and discharged.
By D.W. Standard Dec. 13, 1905
Notary Public

By A.B. Curtis Notary Public 0010

26 July 1906
A.B. Curtis

4-91906

06-11-1987

43

and State of Tennessee,

the portion

contribution of the sum of

DELL'ES.

11/14/14

142

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11611
wireless rights

10-1-1884 priority

(27.27)

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in any wise pertaining and the rents, issues and profits thereof.

To Give and to Hold, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party . . . of the second part, and to his heirs and assigns forever, and the said part . . . of the first part and assigns, against the said part . . . of the second part his

2-25-2003

B47139

523348 **WARRANTY DEED**

For Value Received **DON L COBBLEY AND MITZI G COBBLEY**, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JASON D LEISETH AND MEGAN N GAY LEISETH, husband and wife

whose address is: **212 South 550 West, Blackfoot, Idaho 83221**

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

A portion of the NE $\frac{1}{4}$ /NW $\frac{1}{4}$ of Section 18, Township 3 South, Range 35 E.B.M., Bingham County, Idaho, described as: Commencing at a point 544 feet South of N $\frac{1}{4}$ corner and running thence South 292 feet to a partition fence; thence West 495 feet; thence North 292 feet; thence East 495 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: February 25, 2003

Don L Cobbley
Don L Cobbley
Mitzi G. Cobbley
Mitzi G Cobbley

FIRST AMERICAN TITLE COMPANY

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEB 26 2003
2003 FEB 28 PM 2:50
RECORDED IN THE RECORD OF

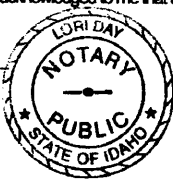
STATE OF Idaho

),ss.

COUNTY OF BINGHAM

On this 25th day of February, 2003, before me Lori Day, personally appeared Don L. Cobbley and Mitzi G. Cobbley, husband and wife, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



523348

CK1

523348

WARRANTY DEED

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Dated: February 25, 2003

Don L Cobbley
Don L Cobbley

Mitzi G. Cobbley
Mitzi. G Cobbley

FIRST AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF

2003 FEB 28 PM 2:50

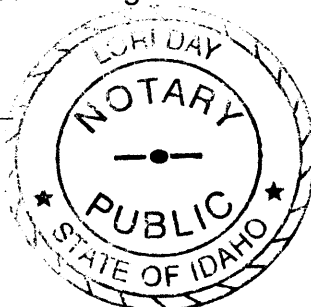
STATE OF Idaho

ss.

COUNTY OF BINGHAM

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Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



523348

548

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Welch Ditch

HEL

3

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South Riverton Rd. 200

12	7
13	8

Riverton Ditch

3

2.1

4

1.8



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

August 2, 2004

Jason and Megan Leiseth
212 S. 550 W.
Blackfoot, ID 83221

REF: Snake River Basin Adjudication (SRBA)
Notice of Claim to Water Right 27-10358

Subject: Ownership of the Welch water

RESPONSE DATE: AUGUST 16, 2004

Dear Jason and Megan,

IDWR has been investigating the ownership of water rights in basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891) to James Welch. This water right was decreed for 400 inches (8.0 cfs) with a March 20, 1886, priority date. This water right was numbered sometime after the decree by IDWR as Water Right No. 27-37.

The Department has received multiple claims to this water. We have not received a responds to our request for information. Without some documentation to support your claim to water it will be recommended as **DISALLOWED**.

Either you one of two things listed: 1). Provide convincing documentation/evidence to support a favorable recommendation. 2). Provide convincing documentation/evidence to show beneficial use of the water. Failure to achieve number one or two will result in the claim being disallowed. If convincing documentation/evidence to show beneficial use is provided then we can amend the basis of your claim to a "Beneficial Use" instead of a "Decree". The priority date would be recommended sometime after the August 1, 1891 date based on the evidence of when the water was first put to beneficial use.

Please let this office know by the above response date with the option you wish to pursue. If we do not hear from by the above response date your claim to water will be **DISALLOWED**.

If you have any additional questions please feel free to contact me at the Soda Springs Office at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

[Close](#)

From: Bird, Cindy
To: Payne, Barbara
Cc:
Subject: FW: 27-10358
Sent: 3/9/2004 1:01 PM

Importance: Normal

-----Original Message-----

From: McHugh, Candice
Sent: Tuesday, March 09, 2004 12:57 PM
To: Bird, Cindy
Subject: 27-10358

The letter I sent to Danny O'Daniel was returned, forwarding order expired. Just FYI.

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 24, 2004

COPY

JASON LEISETH
212 S 550 W
BLACKFOOT ID 83221

RE: SRBA Claim based on decreed water right No. 27-10358

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources (IDWR or the "Department") in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891), to James Welch. This water right was decreed for 400 inches (8.0 cfs) with a March 20, 1886, priority date. This water right was numbered sometime after the decree by IDWR as water right no. 27-37.

The Department has received multiple claims to this water right totaling more than 8.0 cfs. In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original James Welch water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right.

Please provide this information by March 26, 2004, to Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources. You can contact her at 208-547-3993. If you have any further questions regarding this matter, you can contact Cindy or you can contact me directly at 208-327-5404.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh".

Candice M. McHugh
Deputy Attorney General
Idaho Dept. of Water Resources

c: electronically Cindy Bird, IDWR



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

February 24, 2004

COPY

DANNY O DANIEL
212 S 550 W
BLACKFOOT ID 83221

RE: *SRBA Claim based on decreed water right No. 27-10358*

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Very Truly Yours,


Candice M. McHugh
Deputy Attorney General
Idaho Dept. of Water Resources

c: electronically Cindy Bird, IDWR

Bird, Cindy

From: Crabtree, Jennifer
Sent: Thursday, January 29, 2004 10:11 AM
To: Bird, Cindy
Subject: Ownership Change 27-10358

Hi. I received an ownership change from Jason Leiseth on the above claim. I will send it to you. (I sent a copy to Kari Lynn at the state office for water right 27-10356). Jen

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 28 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	27-10358				
27-10356					

2. The following **REQUIRED** information must be submitted with this form:

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25.00.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Danny O. Daniel / Don Cobbley
 212 S 550 W, Blackfoot, ID 83221

4. New Owner/Claimant(s)

Megan and/or Jason Leiseth

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

212 S. 550 W. Blackfoot, ID 83221

City, State and ZIP Code

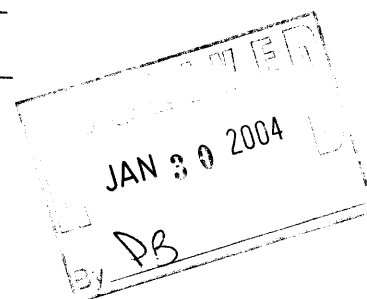
Blackfoot, Id 83221

New Telephone Number

(208) 782-3485

5. Date you acquired the property

March 2003





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

16 December 2003

Jason D. & Megan Gay Leiseth
212 South 550 West
Blackfoot, ID 83221

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10358

Subject: CHANGE OF OWNERSHIP & EVIDENCE OF PRIORITY DATE

Response Date: 16 January 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its SRBA claims review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the SRBA.

We have been advised you are the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. I have also enclosed a copy of this water right claim.

This claim is not a decreed right based on Welch Irrigation. In the Stevens' 1891 decree the Welch water was decreed as mining, not irrigation and cannot be converted to irrigation. The mining purpose is non-consumptive while, irrigation is consumptive. Therefore, it can only be recommended to the Court as a beneficial use claim. However, before we can prepare the recommendation, we need evidence to support when the water was put to beneficial use for irrigation. As the current owners, you are responsible for supplying the necessary documentation.

It is important that each element of the Notice be substantiated. For 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**".

If we do not hear from you by the above referenced response date we will recommend to the Court that 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:

Change of Ownership Form 42-248/42-1409(6)
Notice of claim to a Water Right
Evidence of Priority Brochure

11 December 2003

Jason D. & Megan Gay Leiseth
212 South 550 West
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10358

Subject: CHANGE OF OWNERSHIP & EVIDENCE OF PRIORITY DATE

Response Date: 11 January 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its SRBA claims review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the SRBA.

We have been advised you are the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. I have also enclosed a copy of this water right claim.

This claim is not a decreed right based on Welch Irrigation. In the Stevens' 1891 decree the Welch water was decreed as mining, not irrigation and cannot be converted to irrigation. The mining purpose is non-consumptive while, irrigation is consumptive. Therefore, it can only be recommended to the Court as a beneficial use claim. However, before we can prepare the recommendation, we need evidence to support when the water was put to beneficial use for irrigation. As the current owners, you are responsible for supplying the necessary documentation.

It is important that each element of the Notice be substantiated. For 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"**.

If we do not hear from you by the above referenced response date we will recommend to the Court that 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

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