



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

18 February 2004

COPY

Randy and/or Trina Panter
14885 North Highway 34
Thatcher, ID 83283

Re: Snake River Basin Adjudication (SRBA)
Claim 27-11366

Subject: Basis of Claim

Response Date: 15 MARCH 2004

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice of Claim identified with the number shown above, has been filed in the SRBA by Joyce P. Bennett. The Caribou County Assessor's Office advises that you are the current owner of the property covered by this claim.

The basis claimed for this right is a "license". The remarks state, "Abstract of title indicates that this license 27-02011 may go with claimant." The problem is that the license has already been claimed in the SRBA. Also the place of use (POU) claimed under this right was not the licensed POU.

It does appear that the basis of this claim is beneficial use not a license. You must submit evidence of a priority date. Such evidence must show the earliest date the water right was put to actual use for the purpose of irrigation and stock watering.

The evidence must show use before May 20, 1971, when the mandatory permit statute for surface water was enacted, or that the water right was initiated before May 20, 1971, and was completed within a reasonable time after that date.

This office must receive your response by the above referenced response date. Otherwise, this claim will be commended to be disallowed to the SRBA Court due to a lack of evidence to support the beneficial use of the water.

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:

Copy of Notice of Claim 27-11366