



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Ruby I Hanft Trust  
208 Horricks Drive  
Blackfoot, Idaho 83221

May 12, 2003

Re: Evidence of Priority

Claim No.(s) A27-11890, A27-11891 & A27-11892

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.

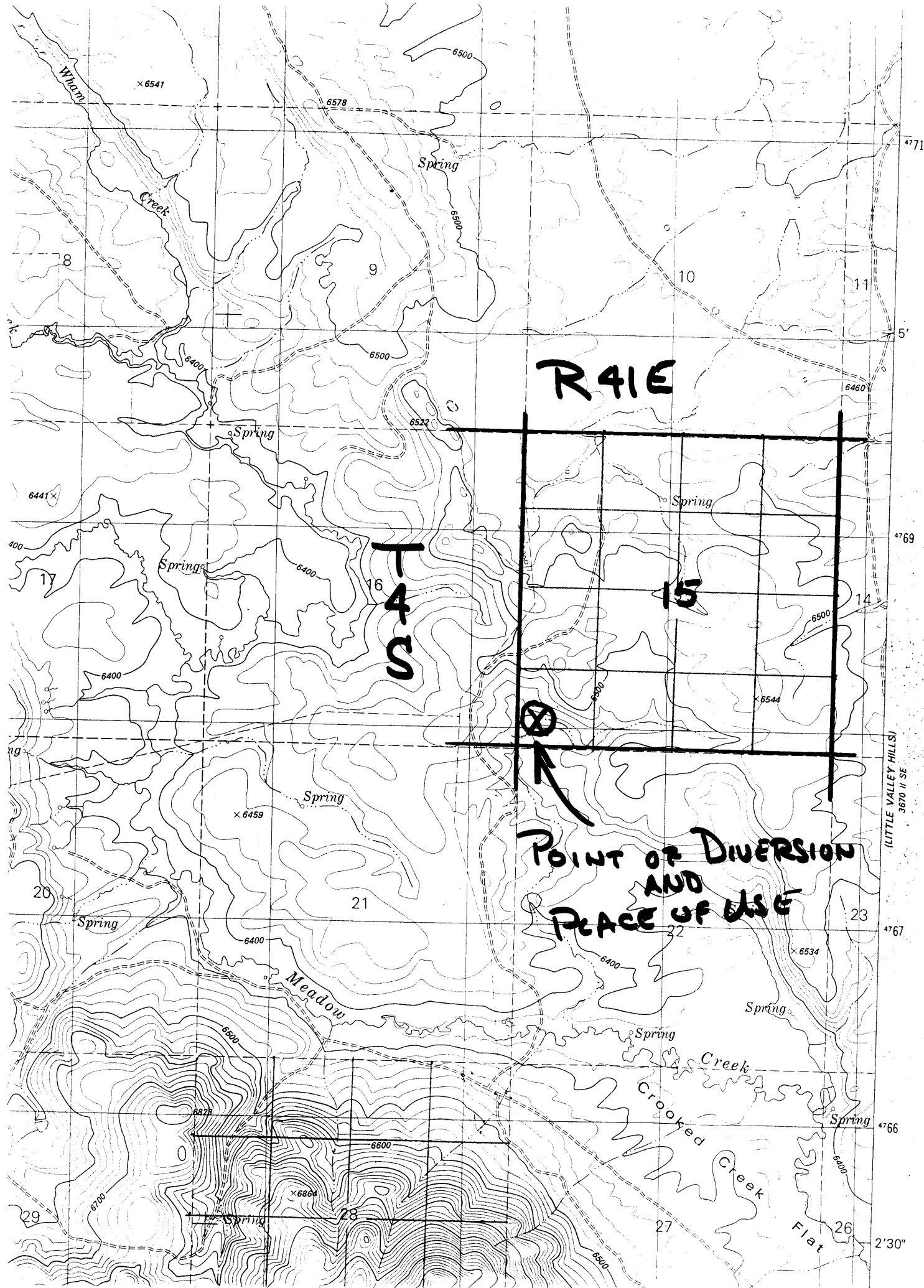
.....  
**The Department cannot recommend the court decree the Notice if no evidence of a  
priority date is submitted.**  
.....

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



R41E

T4S

15

POINT OF DIVERSION  
AND  
PLACE OF USE

(LITTLE VALLEY HILLS)  
3670 N SE

JUL 2 - 1991

Department of Water Resources  
Eastern District OfficeQUIT CLAIM DEED

397050

FOR VALUE RECEIVED LORIN G. HANSEN, GERALD A. HANSEN, VERNA JOHNSON, and BERTHA BROWN, do hereby convey, release, remise and forever quit claim unto RUBY HANFT, whose current address is 208 Horrocks Drive, Blackfoot, Idaho 83221, as her sole and separate property, the following described premises, to-wit:

PARCEL I:

Township 4 South, Range 41 E.B.M., Bingham County, Idaho

Section 15: SW 1/4

Section 22: N 1/2 NW 1/4; SW 1/4 NW 1/4; NW  
1/4 SW 1/4

Section 28: N 1/2 NE 1/4

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the same being subject to rights of way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building use restrictions of record, building and zoning regulations, ordinances of any governmental unit, the encumbrance of that certain oil and gas lease recorded under Instrument No. 211199, records of Bingham County, Idaho, as modified by Instrument recorded under Bingham County, Idaho Recorder's Instrument No. 231974; and subject to those reservations with respect to oil, gas, geothermal and mineral rights relating to said property as indicated by Quit Claim Deed recorded under Instrument No. 228410, records of Bingham County, Idaho, and any other encumbrances of record including those set forth in Warranty Deed recorded as Instrument No. 231362, records of Bingham County, Idaho.

PARCEL II:

Township 4 South, Range 41, E.B.M., Bingham County, Idaho

Section 15: NW 1/4

Section 22: SE 1/4 NW 1/4; NE 1/4 SW 1/4

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the same being subject to rights of way and easements, reservations in Federal patents and State deeds, or other restrictions of record, building and zoning regulations, ordinances of any governmental unit, the same also being subject to the reservation of oil, gas, geothermal, and mineral rights under and upon said property reserved as per Warranty Deed recorded under Instrument No. 230876, records of Bingham County, Idaho, and Instrument No. 231362, records of Bingham County,

Idaho.

Said Parcel II likewise being subject to the encumbrance of the reservation of oil, gas, and mineral rights as per recorded Instruments Numbered 211198 and 211594, records of Bingham County, Idaho, and any other encumbrances of record.

DATED this 18th day of March, 1991.

Lorin G. Hansen  
LORIN G. HANSEN

Gerald A. Hansen  
GERALD A. HANSEN

Verna Johnson  
VERNA JOHNSON

Bertha Brown  
BERTHA BROWN

STATE OF IDAHO            )  
                                  : ss.  
County of Bingham        )

On this 18th day of March, 1991, before me, a notary public in and for said State, personally appeared LORIN G. HANSEN, GERALD A. HANSEN, VERNA JOHNSON, and BERTHA BROWN, known to me to be the persons, whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

My com. expires:

9-2-91

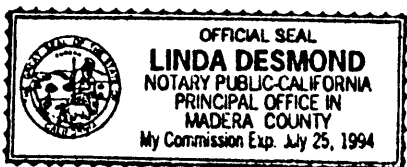
Samuel J. Stuck  
Notary Public for Idaho  
Residing at Blackfoot

STATE OF CALIFORNIA )  
 County of Fresno ) ss.

On this 21st day of February, 1991, before me, a notary public in and for said State, personally appeared BERTHA BROWN, known to me to be the person, whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

My cmn exprs: 7-25-94

Linda Desmond  
 Notary Public for California  
 Residing at ~~Fresno~~  
Madera



397010

NOTARY PUBLIC FOR CALIFORNIA  
 LINDA DESMOND  
 900-1111

1991 MAR 25 PM 3:41

PRODUCED AT THE REQUEST OF  
Thomas Moss