



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

22 March 2002

Robert J lee
12206 E Merrill Ext
McCammon ID 83250

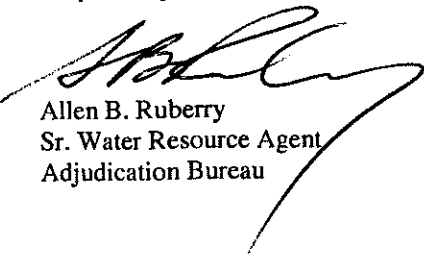
Re; Disallowed Recommendation of 29-10075

Dear Mr. Lee;

On November 19, 2001, you were sent a letter (copy enclosed) requesting evidence of priority for the above referenced water right claim. To date, there has been no response; therefore, this claim is being recommended for Disallowal to the SRBA court.

Please contact this office if you have any questions regarding this matter.

Respectfully submitted,

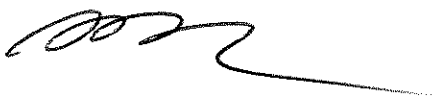


Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc; file

Enclosure; Letter dated November 19, 2001, Requesting Evidence of Priority

4/26/02
EVIDENCE OF PRIORITY AND CHANGE OF OWNERSHIP RECEIVED
29-10075 AND 29-10076. PARTIAL DECREE ISSUED ON 29-10076,
RECEIVED \$25.00. RECEIPT # ECP27685. MR. LEE VISITED
OFFICE TODAY TO SUBMIT ABOVE REFERENCED DECS.
PREPARED FAVORABLE RECOMMENDATION BASED ON
ABOVE DOCUMENTS.



EVIDENCE OF PRISON 1

RECEIVED J.D. AR
4/26/02
HAR

1 MARCH 95

To whom it may CONCERN:

I John D LARSEN WAS RAISED AS
A boy NEXT To The CARSON PLACE in
McCammon Idaho.

I helped hoe CORN & Pull Weeds For
The CARSONS When I WAS 10 or 12 YEARS
old. These were IRRIGATED FROM TWO
SPRINGS ON THE PROPERTY. The CARSONS
Lived NEXT To us FOR ABOUT 18 YEARS
STARTING IN 1928 OR 1929.

When I got out OF THE ARMY
AFTER WORLD WAR II, I settled in
POCATELLO. The Folks had sold our
PLACE & moved during The WAR YEARS.

John D Larsen

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2ND DAY OF MARCH 1995

NOTARY:

Melanie Johnson

RESIDING: Pocatello

MY COMMISSION EXPIRES: 10-20-99



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EASTERN REGION

DIRK KEMPTHORNE
Governor

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Director

November 19, 2001

Robert J Lee
12206 E Merrill Ext
McCammon ID 83250

RE: EVIDENCE OF PRIORITY FOR A29-10075 and CHANGE OF OWNERSHIP

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 29. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim 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 Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by 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 evidence to support the priority date.**

On November 2, I met with Mrs. Lee. We toured the claimed place of use and point of diversion for the claim referenced above. At that time, I gave her a Notice of Change of Water Right Ownership form (which requires a copy of the deed or other conveyance instrument) and further advised that evidence of priority would be necessary to support the 1929 date claimed.

It is important that each element of the Notice of Claim be verified. 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 provided a printout of your Notice of Claim and 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. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date **within 30 days of the date of this letter, referencing all documents with the corresponding Claim number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on “Evidence of Priority”
Notice(s) of Claim A29-10075