



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 25, 2007

GUSTAFSON FAMILY TRUST
PO BOX 209
HAGERMAN ID 83332

RESPONSE DEADLINE
June 12, 2007

36-15525

Re: Evidence of Priority Date

Dear Claimant:

In 2004, you submitted a notarized affidavit from Cleave Lloyd for evidence of priority for the above-mentioned claim. As you know, water rights based on beneficial use are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, needs to be confirmed for this type of use. The notarized affidavit by Cleave Lloyd, while it provides some good evidence, does not provide sufficient evidence of priority for the claim. Mr. Lloyd, or another individual, needs to provide a statement specifically mentioning the water used, a description of the system, the place of use for the water and when the system was put in place.

There are other ways than notarized affidavits to provide evidence of priority for the claim. Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claim is also enclosed. Please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s). Someone from IDWR may also be contacting you to schedule a field examination on the water right.

It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit, such as that provided by Mr. Lloyd.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact me at (208) 287-4907.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Enclosures