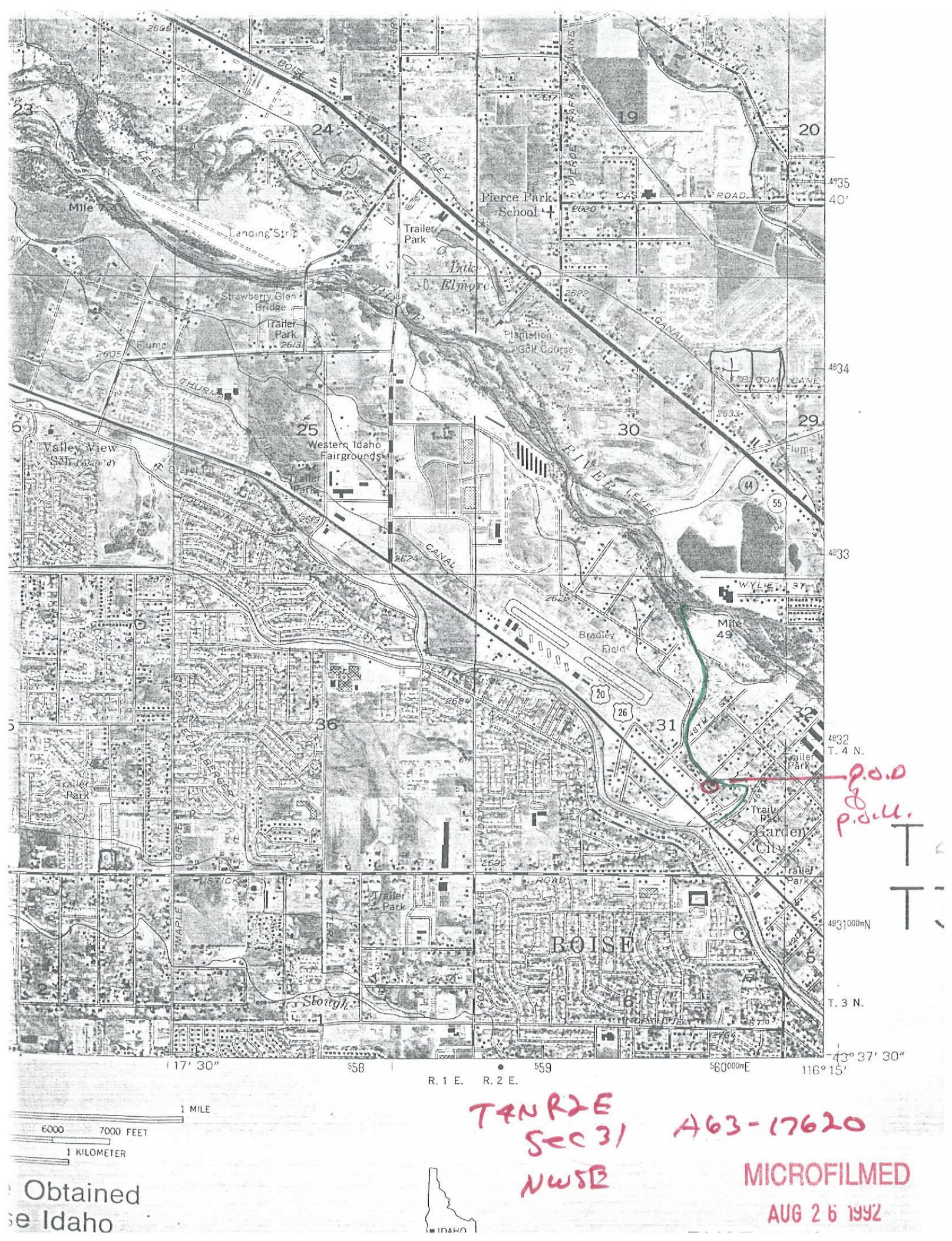




T4N R2E
Sec 31
NWSE

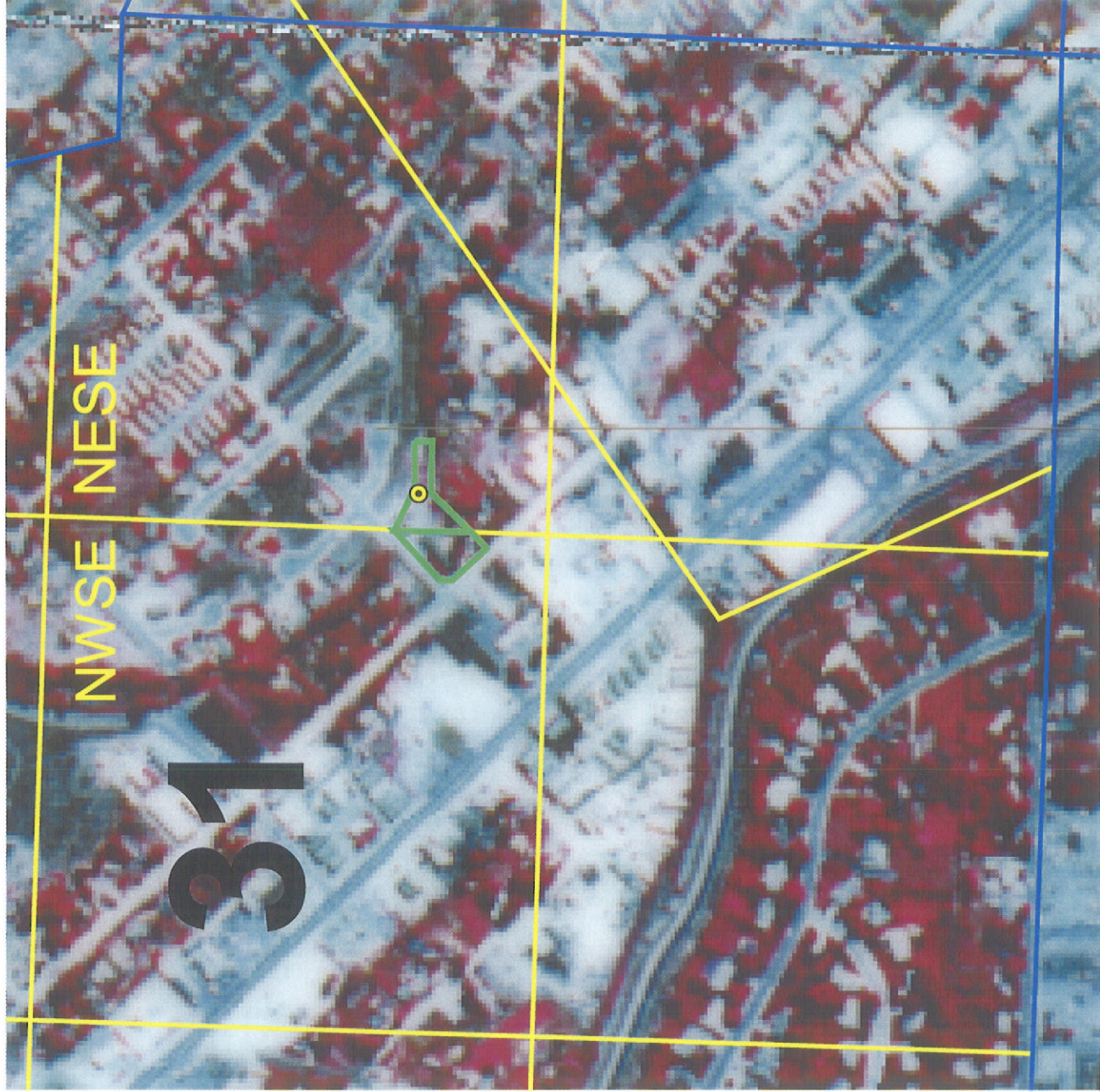
A63-17620

MICROFILMED

AUG 26 1992

Obtained
se Idaho

Idaho Department of Water Resources



T04N, R02E,
S31

Claim No: 63-17620

Prepared By: Kimberly Brown

Date: February 11, 2004

Point of Diversion



Place of Use

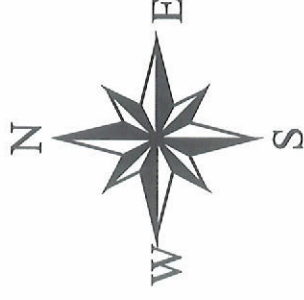


Section Lines



1/4 1/4

Acres Irrigated = 1.0

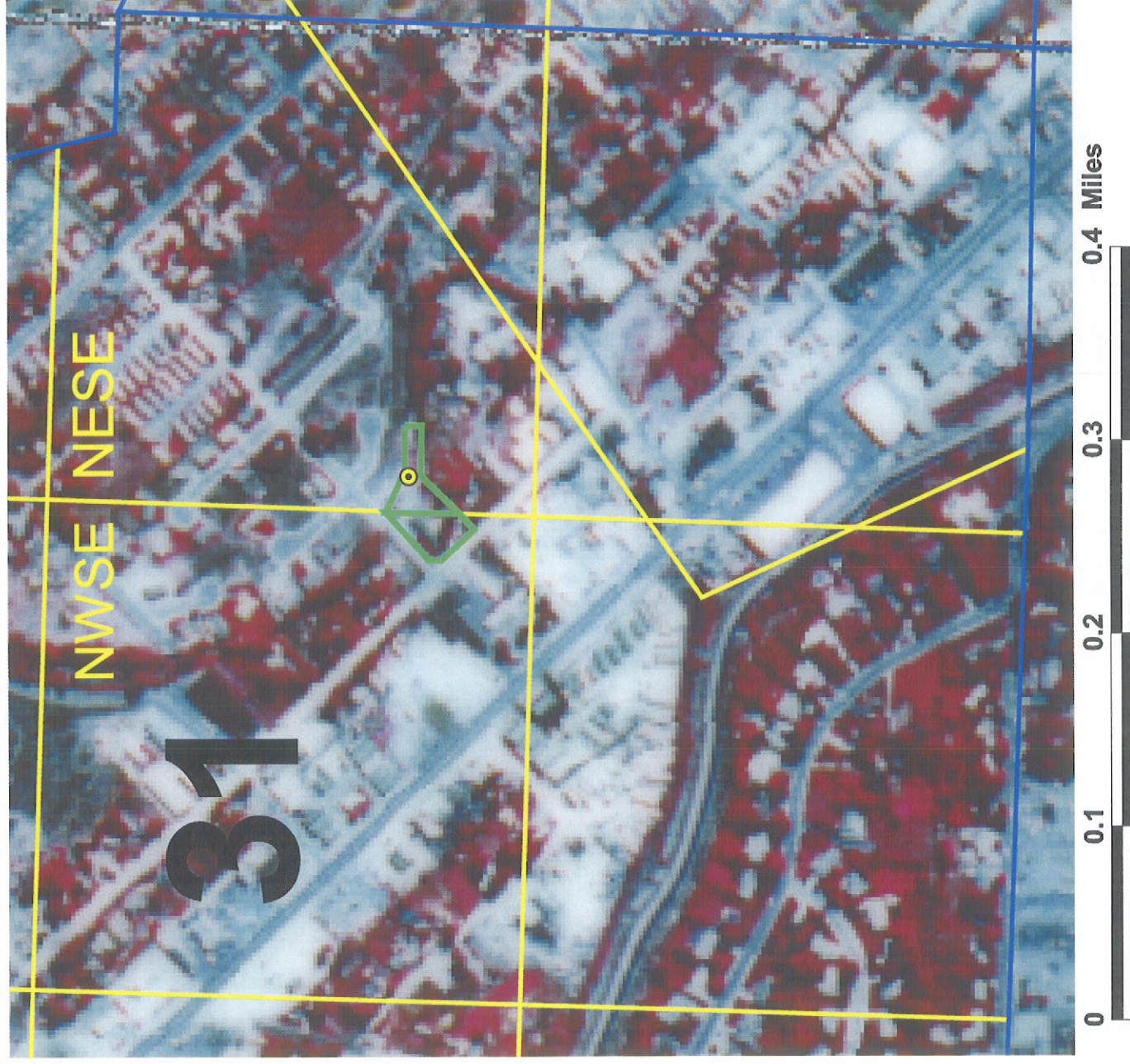


1987 NAPP

Idaho Department of Water Resources

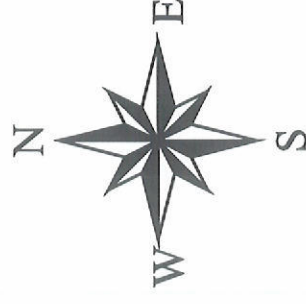
**T04N, R02E,
S31**

Claim No: 63-17620
Prepared By: Kimberly Brown
Date: February 11, 2004

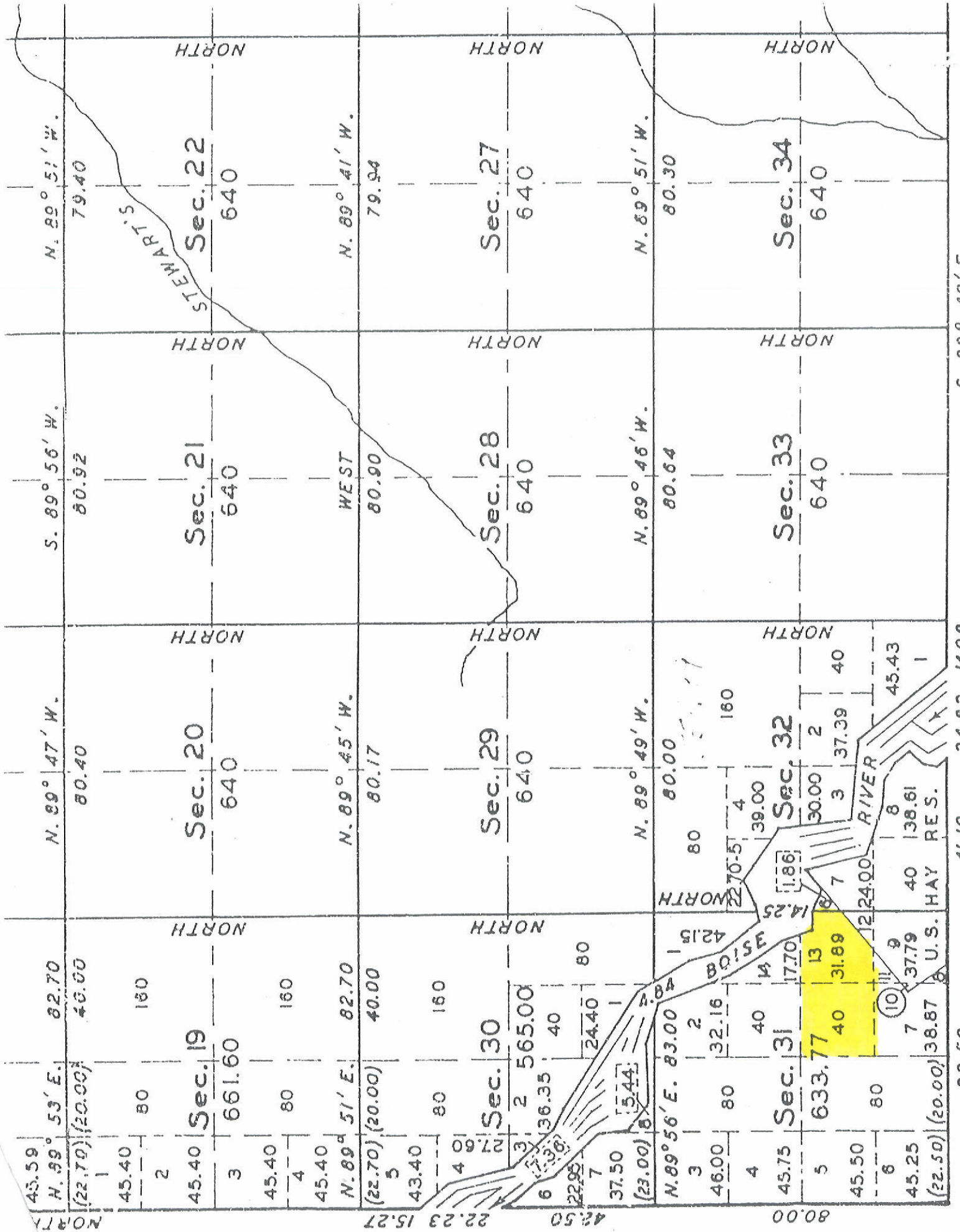


- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 1.0



1987 NAPP



2000 2015

2000 2015

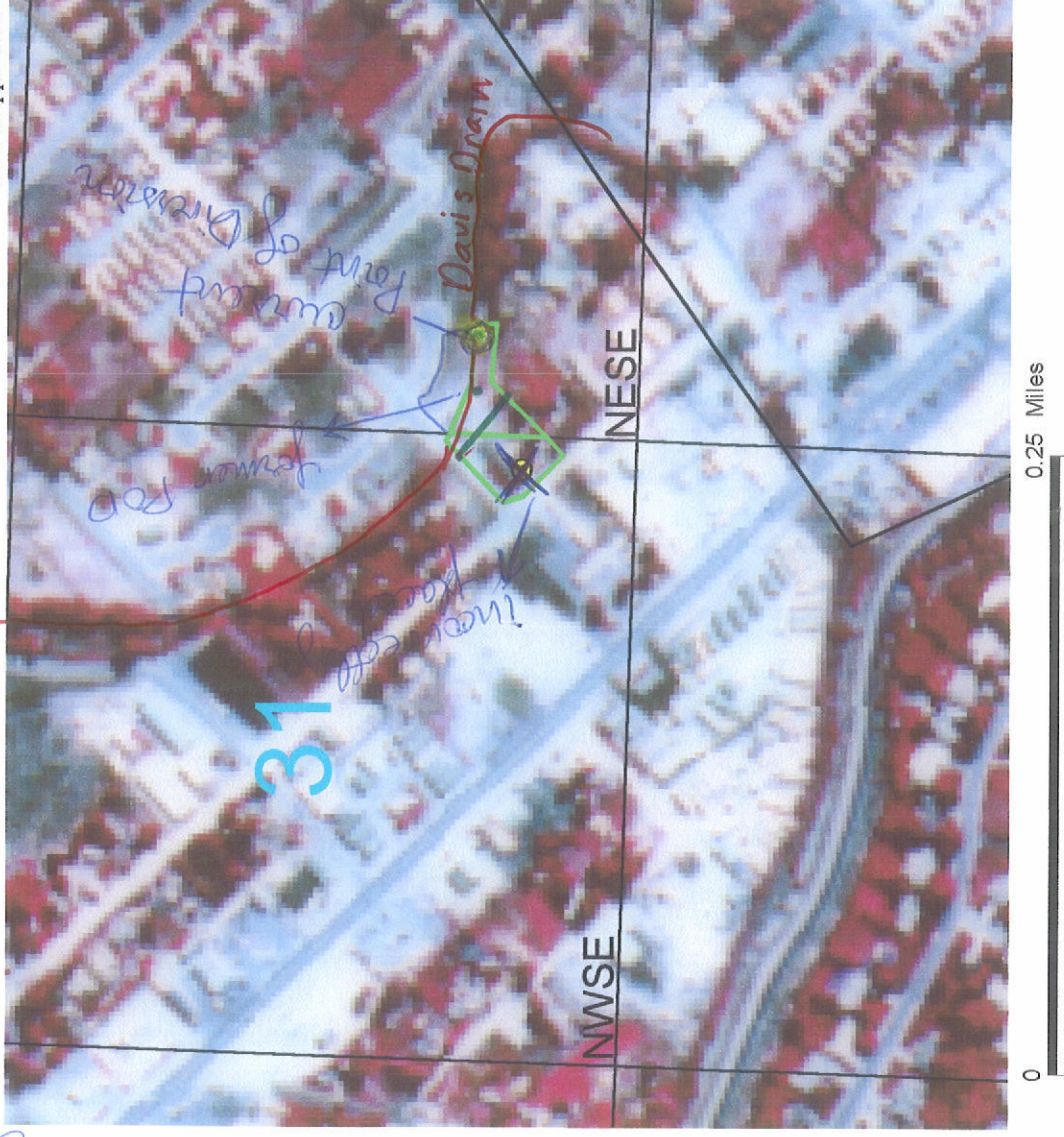
2000 2015

Idaho Department of Water Resources

Claim Number: 63-17620
Legal: T04N, R02E, S31
Reviewed By: Karen Waters

according to Mr. Heron on 9-29-03

1987 Napp Photo



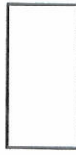
● Point of Diversion



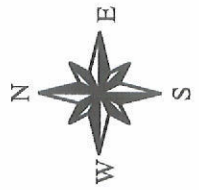
Place of Use



Section Lines



Quarter Quarter Lines



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-17620
Date Received: 8/18/1989
Receipt No: W004637
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOEL E HERRON
4677 WINDWARD CT
GARDEN CITY ID USA 83714

Phone: (208)377-4254

KATHLEEN S HERRON
4677 WINDWARD CT
GARDEN CITY ID USA 83714

Phone: (208)377-4254

2. Date of Priority: 03/15/1953

3. Source: DAVIS DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	31	NW SE	ADA	

5. Description of diverting works:

PUMP IN DRAIN (2HP) TO PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	31	NW	SE	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Address changed by DB per claimant request. 2/25/2004

PART OF LOT 8 AND ALL OF LOT 9 OF BLOCK 4 OF RANDALL ACRES SUBD.

15. Basis of Claim: Beneficial Use

RECEIVED

FEB 25 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

Original being mailed. Fated on 2-23-04
CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

[] Name(s): Joel & Kathleen Herron
A63-17620

[] Old Mailing Address: Joel and Kathleen Herron
113 E. 47th
Boise, ID 83714

☒ New Mailing Address: Joel & Kathleen Herron
4677 Windward Ct.
Garden City, ID. 83714

Telephone Number: (208) 377-4254

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Joel Herron
Kathleen Herron
(include your title if on behalf of company or organization)

Date: 02-23-2004

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-17620
Date Received: 8/18/1989
Receipt No: W004637
Received By: EM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOEL E. HERRON 208-377-4254
Address: 113 47 TH
BOISE, ID 83714

AND/OR

Name: KATHLEEN S. HERRON 208-377-4254
Address: 113 47 TH
BOISE, ID 83714

2. Date of Priority: MAR 15, 1953

3. Source: DAVIS DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	31	NW	SE			ADA

5. Description of diverting works:
PUMP IN DRAIN (2HP) TO PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-17620

Page 1

Date: 08/18/89

MICROFILMED

AUG 26 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	31	NW	SE		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
PART OF LOT 8 AND ALL OF LOT 9 OF BLOCK 4 OF RANDALL ACRES SUBD.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): A. Kathleen S. Huron Date: Aug. 18, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18 day

of Aug 19 89

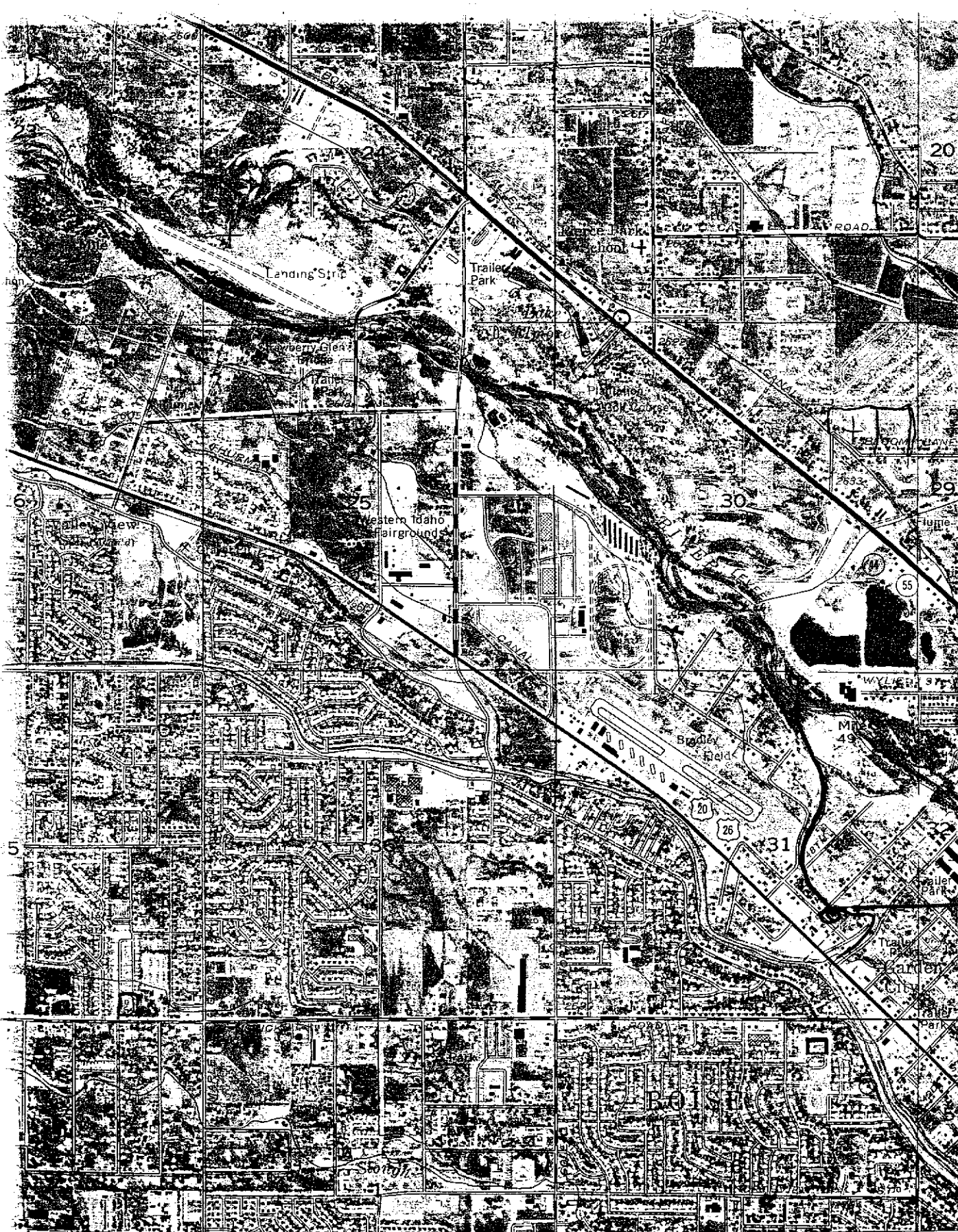
Eldon L. Roush
Notary Public

Seal

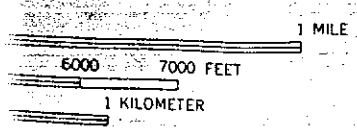
Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994



4835
40'
4834
4833
4832
T. 4 N.
p.o.o
&
p.s.u.
T
T
4831000mN
T. 3 N.
43° 37' 30"



T4N R2E
SEC 31
NWSE
A63-17620
MICROFILMED
AUG 26 1992
EAGLE IDAHO



05/31/2005 RECEIVED

NOTICE OF ERROR
REPLY

JUN 16 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-17620

JOEL E HERRON
4677 WINDWARD CT
GARDEN CITY ID 83714
Telephone Number: (208)377-4254

KATHLEEN S HERRON
4677 WINDWARD CT
GARDEN CITY ID 83714
Telephone Number: (208)377-4254

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 06/16/05

SIGNATURE:

Please print your name:

Joel Herron

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-17620

NAME AND ADDRESS: JOEL E HERRON
4677 WINDWARD CT
GARDEN CITY ID 83714

KATHLEEN S HERRON
4677 WINDWARD CT
GARDEN CITY ID 83714

SOURCE: DAVIS DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 03/15/1953

POINT OF DIVERSION:

T04N R02E S31 NESE Lot 13 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.020 CFS

PLACE OF USE:

IRRIGATION Within ADA County

T04N R02E S31 Lot 13 NESE 0.5

T04N R02E S31 NWSE 0.5

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS LOTS 8, 9 AND 10, BLK 4, RANDALL ACRES SUBDIVISION NO 4.

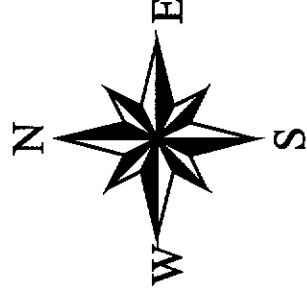
Idaho Department of Water Resources

**T04N, R02E,
S31**

Claim No: 63-17620
Prepared By: Kimberly Brown
Date: February 11, 2004

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 1.0



1987 NAPP



0 0.1 0.2 0.3 0.4 Miles

Idaho Department of Water Resources

**T04N, R02E,
S31**

Claim No: 63-17620

Prepared By: Kimberly Brown

Date: February 11, 2004

● Point of Diversion



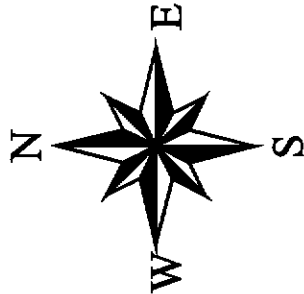
Place of Use



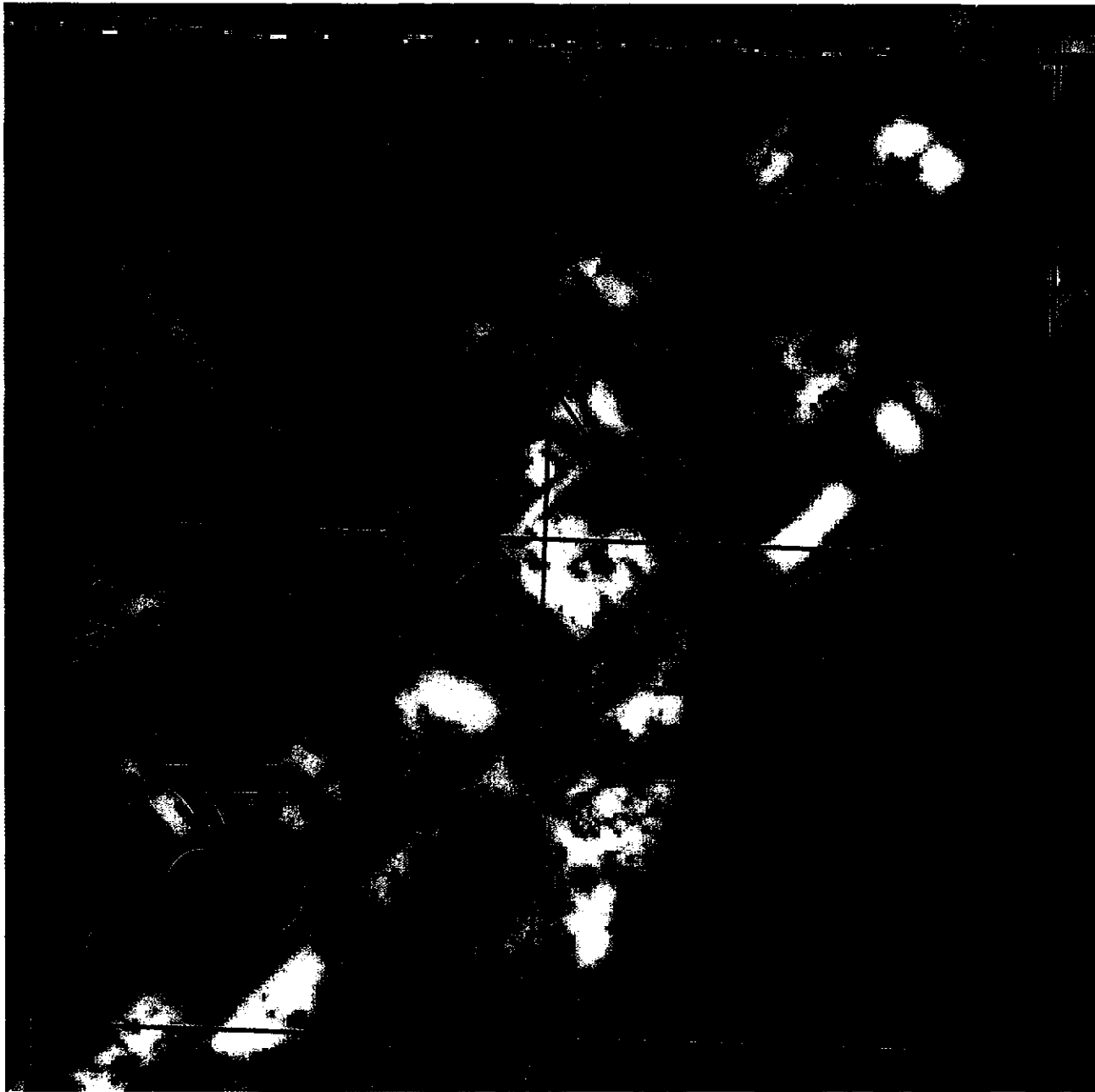
Section Lines

1/4 1/4

Acres Irrigated = 1.0



1987 NAPP



0.4 Miles

0.3

0.2

0.1

0



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2004

JOEL E HERRON
KATHLEEN S HERRON
4677 WINDWARD CT
GARDEN CITY ID 83714

Re: Notice of Claim to a Water Right No. 63-17620

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects your change in address.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17620

WATER RIGHT NUMBER: 63-17620 ✓

Owner TypeName and Address ✓

Current Owner

JOEL E HERRON ✓

~~113 E 47TH~~

4677 Winward Ct.

BOISE, ID 83714

(208)377-4254

Current Owner

KATHLEEN S HERRON ✓

~~113 E 47TH~~

4677 Winward Ct.

BOISE, ID 83714

(208)377-4254

Priority Date: 03/15/1953 ✓

Basis: Beneficial Use ✓

Status: Active

Source

DAVIS DRAIN ✓

Tributary

BOISE RIVER ✓

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15

Diversion Rate

0.020 CFS ✓

Total Diversion:

0.020 CFS ✓

Annual Volume

$$0.02 \text{ cfs} \times 246 \text{ days} \times 1.9835 = 9.76 \text{ AF}$$

(V.)

$$1 \text{ AC} \times 4.5 = 4.5 \text{ AFA}$$

Location of Point(s) of Diversion

DAVIS DRAIN

ADA County ✓

~~NW 1/4 SE 1/4~~

NE

Govt. Lot 13

Sec. 31, Twp 04N, Rge 02E, B.M. ✓

Place of Use

IRRIGATION

of lawn & garden

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	02E	31																	1.0 ✓

.434

L13

Total Acres: 1 ✓

Conditions of Approval:ADD S04 - Season of use is 3/1 to 11/15.Remarks:

1. General

PART OF LOT 8 AND ALL OF LOT 9 OF BLOCK 4 OF RANDALL ACRES SUBD.

Comments:

ADD J01 - Place of use also known as lots 8, 9, #10; Blk. 4, Randall Acres Subdivision No 4.

Dates and Other Information:

Parcel Nos: R989 0013843, R989 0013847, * R989 0013855.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17620

Dates and Other Information:

Claim Received Date: 8/18/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Field Exam Date 2.11.04

(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$51.00 (50.00 flat fee + 1 acre irrigation)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) 63-17620

Owner: Kathleen and Joel Herren Phone No. (208) 377-4254

Current Address: 113 47th Boise 83714

- ☐ No change NAME IS THE SAME Joel & Kathleen Herren Living Trust
- ☐ NEW OWNER
- ☐ No change Address
- ☒ NEW ADDRESS Property located at: 4677 Windward Court
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change - Complete evidence submitted or not necessary Rec'd. evidence 9/29/03.
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 3/15/1953

(If priority date, based on your exam, seems questionable, explain below.)

Source: Tributary to

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: NE 1/4 SE 1/4, Govt. Lot 13
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	13		NE	SE					

Description of diverting works

Pump in drain (2HP) to pipeline

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

63-17618 is a domestic right for Hennis - POB is located in NWSE, Sec. 31

WATER USES

☒ No change

☐ Different Uses

Season of use is 3/1 to 11/15.

(for lawn & garden)

Use <u>Irrigation</u>	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

~~$.02 \text{ cfs} \times 246 \text{ days} \times 1.9835 = 9.76 \text{ AF}$~~

~~$1 \text{ AC} \times 4.5 \text{ F} = 4.5 \text{ AF}$~~

surface water volume not applicable

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-17618

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

No, this is a domestic use from a well located in the NWSE, Sec. 31.

Delivery System Narrative: Pump in drain (2HP) to pipeline to sprinklers

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Season of use is 3/1 to 11/15.

Place of use also known as lots 8, 9, & 10; Bldg. 4,
Randall Acres Subdivision No. 4.

Parcel No: R9890013843, R9890013855
R989 001 3847.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU N/A
- ☐ GPS readings N/A
- ☒ Completed map and or GIS layout showing POD's and POU

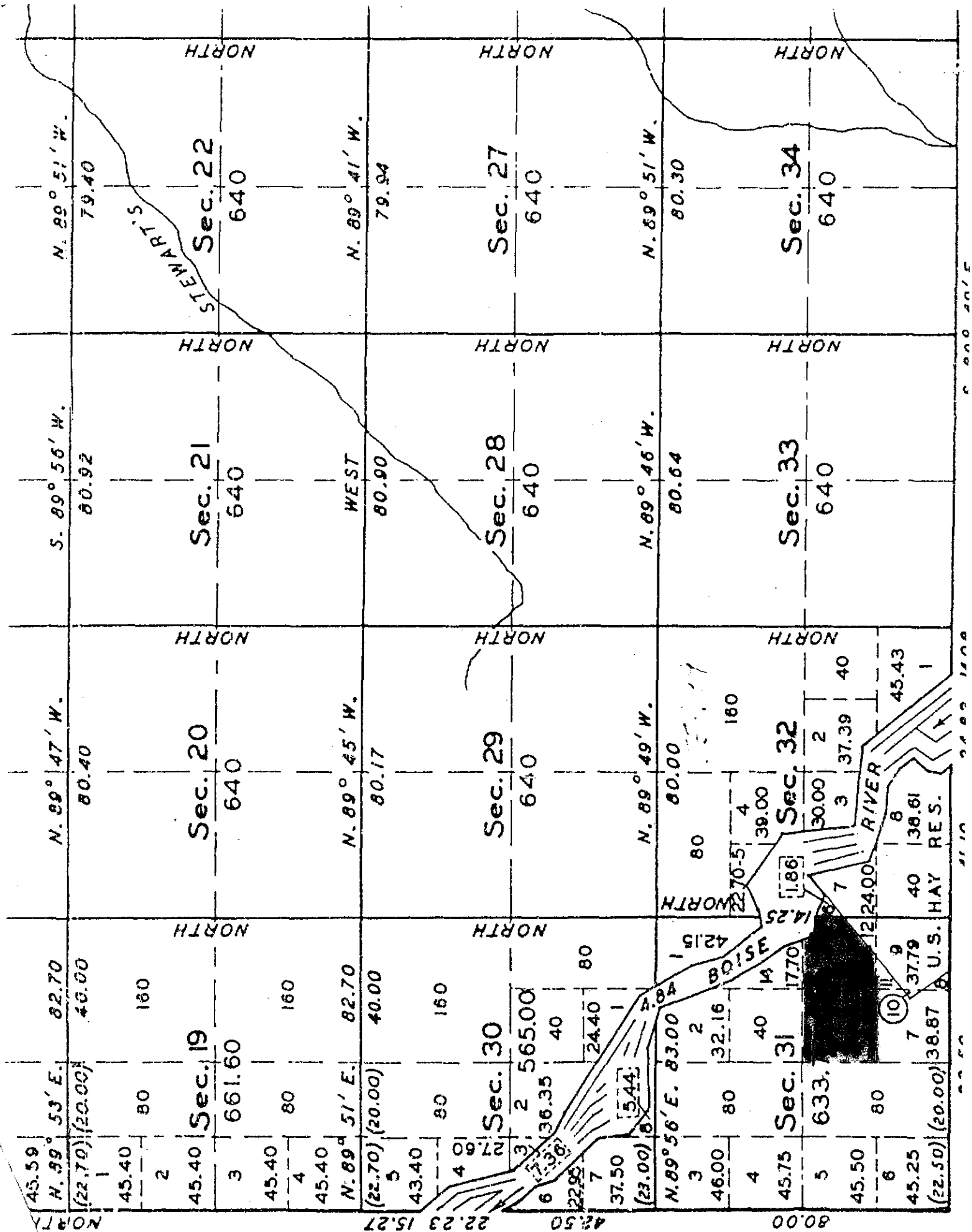
DATE EXAM CONDUCTED: 2.12.04 (in office)

FIELD EXAMINER: Kimberley Brown

According to 2002 Ada County Tax lot information, this property has been divided and is owned by 2 other parties (along with the Herrons):

1.) Betsy & Charles Story (R9890013843)
MAILING ADDRESS: 4565 W. Quail Ridge Dr. Property location: W. Fenton St.
Boise

2.) Donna & Pat Palmer (R9890013855)
MAILING ADDRESS: 890 E. Valli Hi Dr. Property location: 4648 W Fenton St.
Eagle Boise



SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 09/02/03
Time: 13:50:32

Rec/No - W004637 AR/No -
From: - HERRON, KATHLEEN S.

Receipt Type - CK Doc/No - 1427
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/18/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		76.00
APPLICATION FOR PERMIT (63-10903)	1238		620199	6390		30.00

Total Due - 106.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6317620	51.00	A6317618	25.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

CONVERSATION MEMO

September 29, 2003

RE: Water Right No. A63-17620

Mr. Joel Herron, claimant, came into the Western Region office to give me two Affidavits for the evidence of priority required for his beneficial use right. One affidavit is signed by Mr. Herron and the other is signed by Roger L. Allen.

While Mr. Herron was in the office, I asked him to draw the place of use and point of diversion on a 1987 NAPP image (enclosed). Based on the information Mr. Herron gave me, the POD is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; not the NW $\frac{1}{4}$ SE $\frac{1}{4}$. Accordingly, half of the POU is also located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$. Please refer to the enclosed 1987 NAPP images.

Kimberly L. Brown
Water Resource Agent
Western Region

Idaho Department of Water Resources

according to Mr. Heron on 9.29.03

1987 Napp Photo

Claim Number: 63-17620

Legal: T04N, R02E, S31

Reviewed By: ~~Karan Waters~~

● Point of Diversion



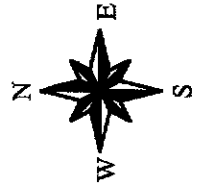
Place of Use



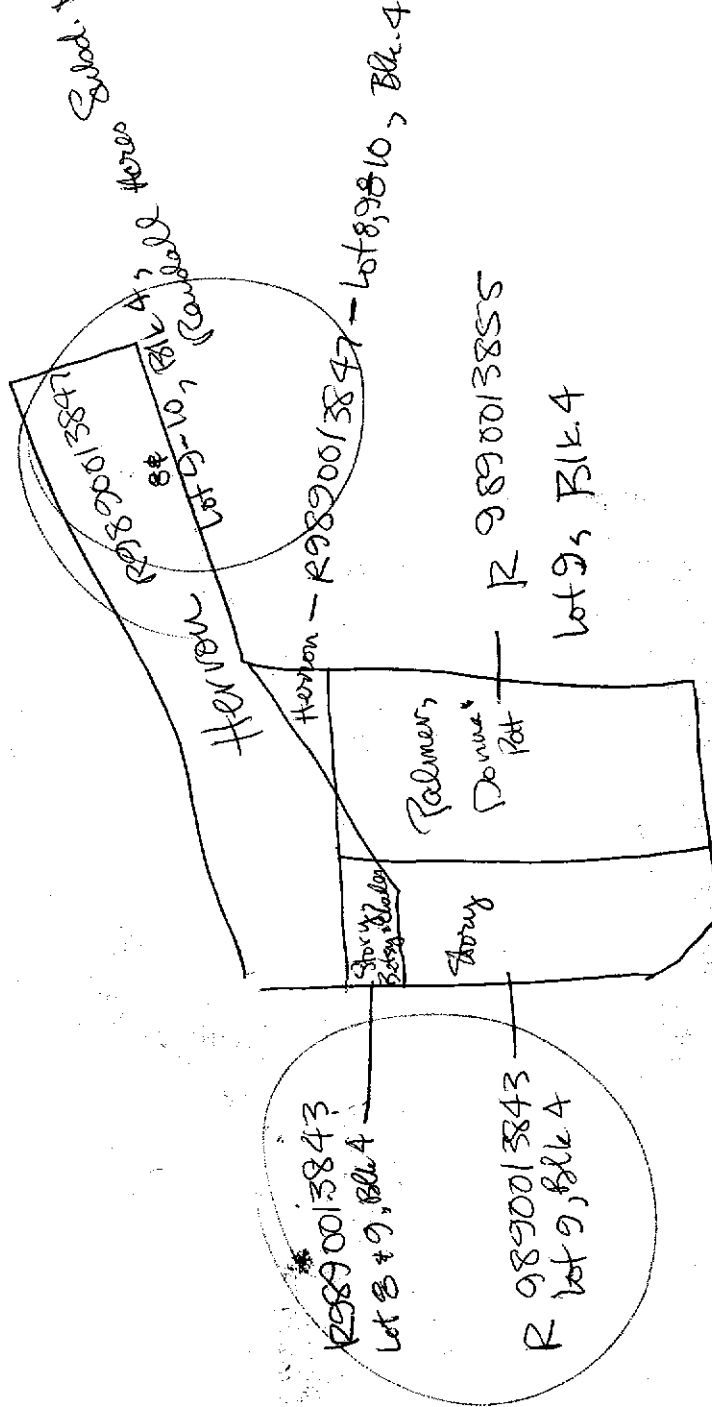
Section Lines



Quarter Quarter Lines



Sp. H. 10. 4.

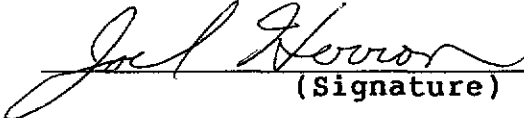


IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-17620)
)
)
)

AFFIDAVIT

State of Idaho)
County of Ada)

Joel Herron being first duly sworn,
deposes and says: The Herron family has been pumping
Irrigation water for a one acre track from the
Davis Drain at 04N 02E Sec 31 of the NWSE
since 3-15-53 when my father Paul Herron
excavated and installed a gravel packed 30" culverted
well with a 2 horse power pump.


(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.

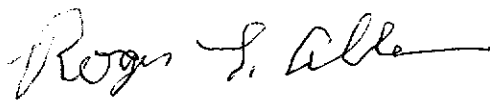
311 E. 46th Street
Boise, Idaho 83714
September 19, 2003

To Whom It May Concern:

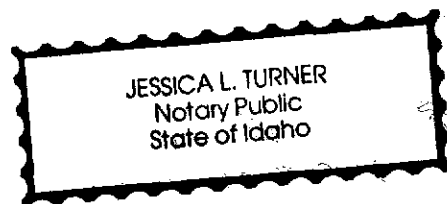
I Roger L Allen have known the Herron Family since the fall of 1963.

I can attest to the fact that Paul Herron and his family have pumped water from the Davis Drain for irrigation purposes from that time till the present.

Sincerely,



Roger L Allen



My Commission Expires On
October 21, 2008





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 3, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOEL E. & KATHLEEN HERRON
4677 WINWARD CT.
BOISE, ID 83714

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-17620

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to 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 important that each element of the Notice of Claim 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.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by October 1, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



State of Idaho

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Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

above.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-17620

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

 **NO SUCH
NUMBER**

PRESORTED
FIRST CLASS

MAY 6 10 2

0255

PB METER
7110094 U.S. POSTAGE

603-17620

KATHLEEN S HERRON
JOEL E HERRON
113 E 47TH
BOISE ID 83714

fund

RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION

Intelligent Mail Barcode

9.2.03 2002 Tax Lot information lists:

Joel E. & Kathleen Herron (primary owner)

sent Encl.
Priority ltr
4677 Winward Ct.

to this address: Boise, ID 83714

* But nothing for 113 E. 47th

-KLB