



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 29, 2015

91-07909
HANCOCK TIMBERLAND X INC.
PO BOX 3527
COEUR D ALENE, ID 83816

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Idaho Department of Water Resources is currently in the process of reviewing water right claim **91-7909** filed as a late claim in the Coeur d'Alene-Spokane Basin Adjudication (CSRBA). 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 provided a printout of your Notice 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 CSRBA as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

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The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
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Please submit the documentation supporting the priority date by **February 1, 2016, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4916.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Craig L. Saxton".

Craig L. Saxton
Adjudication Technical Analyst
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208.287.4916

Enclosures: Notice of Claim 91-7909 Proof Report
 Brochure on "Evidence of Priority"

Cc: MC HUGH BROMLEY PLLC
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 BOISE, ID 83702