

## Thiel, Sandra

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**From:** Brady Allen <bkallen86@gmail.com>  
**Sent:** Tuesday, August 20, 2019 5:34 PM  
**To:** Thiel, Sandra  
**Subject:** Re: Priority Date Evidence for Claims 87-10356 and for 87-10357  
**Attachments:** Scan0091.pdf; Scan0092.pdf

hi Sandra

in regards to our well claim 87-10356 please view the attached scans of the sewer install receipt and the submersible pump install receipt both having a date of 1983 if you would like further evidence of the time of install please let me know I do have more info.

for Claim 87-10357 or our pond I know that a Cliff Latham built it for my father Jim Allen in conjunction with the soil conservation service and with the soil conservations approval. during this time frame Cliff built many ponds in the area mainly for the conservation payment he would receive for the work and I am sure it would have been before 1971 because if it hadn't been it would have had a permit due to the fact that cliff received government payment. However with all that being said all parties to the building of the pond are deceased with the exception of my father and I have not been able to find any written proof of date on the pond. when it was built the depth of the pond was about 25 feet and it surprises me that it isn't in the data base because the gentleman from the conservation service almost blocked the finishing of it because of the height of the dam.  
please let me know your determinations on these

sincerely  
Brady K Allen

On Tue, Aug 6, 2019 at 2:25 PM Thiel, Sandra <[Sandra.Thiel@idwr.idaho.gov](mailto:Sandra.Thiel@idwr.idaho.gov)> wrote:

Hello,

The Idaho Department of Water Resources received your Palouse River Basin Adjudication *Notice of Claim* for 87-10356 and for 87-10357. Claim 87-10356 requested a priority date of 1982. The available imagery shows that there was not a house or dwelling in 1981 (see attached imagery). However, a house is clearly evident in 1992. I have reviewed US Geological Survey imagery for the years between those two dates and was not able to make a determination about when the second house was built. Please provide evidence supporting the 1982 priority date. If I do not receive evidence of the 1982 date I will recommend claim 87-10356 with a 1992 priority date.

Claim 87-10357 requested a priority date of December 31, 1968. I have not been able to find evidence of beneficial use for the pond before 1981. The pond is clearly visible on the attached imagery. Surface water diverted and used after May 20, 1971, is required to be covered by a water right license or it is in violation of the mandatory permit statute. Without evidence of beneficial use before the 1971 date you must file an *Application for Permit*. Please provide evidence of the earlier priority date or you may submit the attached *Application for Permit*.

According to the Latah County parcel data, parcel RP42N04W284208 has a year built of 1918 which supports the claimed priority date for 87-10355.

I have also attached our *Evidence of Priority* pamphlet. Please review What Kind of Evidence is Required and Some Examples.

Please respond by August 20<sup>th</sup> to continue the recommendation process. Call or email me if you have questions.

**Sandra Beer Thiel**

Idaho Department of Water Resources

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