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

July 27, 2020

VAN G ZIEMANN
39 ALBERTA RD
WESTBROOK ME 04092

RE: Palouse River Basin Adjudication (PRBA) Claim No. 87-11171
Evidence of Priority & Information Request

Dear Claimant:

The Idaho Department of Water Resources (IDWR) recently reviewed Notice of Claim to a Water right 87-11171. Notice of Claim 87-11171 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.**

Claim 87-11171 proposes a priority of 12/31/1925 from spring water for domestic use at 1 home as well as stockwater for cattle and horses. You are one of 5 claimants, and are listed as the current owner of the parcel No. RP37N05W200000 at the claimed place of use. Due to lack of historical data, the Department is not able to verify the claimed priority date of 1925. The most historical aerial imagery available was taken on July 29, 1947. A copy of the image is included with this letter. Using this imagery, it is difficult to determine the extent of domestic beneficial use, as no structures are *clearly* visible. Additionally, 2020 Nez Perce County parcel data and recent aerial imagery do not show a domestic home or structures at the claimed place of use. **Please provide additional information to support the claimed priority date and claimed domestic beneficial use.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for domestic, the evidence should tend to show that structures were in place 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. I would 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".**

The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date within 2 weeks; by **August 10, 2020. Also, include the corresponding Notice number (87-11171) with all relevant documents.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4913.

Respectfully,

Alex Dalgleish
Water Resource Agent
alex.dalgleish@idwr.idaho.gov
208.287.4913

Cc: Janice Geyer, Ziemulz Farms LLC, Jez Ranch LLC, John R Ziemann

Enclosures: Brochure on "Evidence of Priority"
Notice of Claim 87-11171
1947 aerial imagery of claimed place of use
2020 Nez Perce County Parcel Information