

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: A37-11007
Date Received: 8/15/1988
Receipt No: 5002429
Received By: TB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: L. G. COOK 208-823-4430
Address: BOX 6
CAREY, ID 83320
OR
Name: IRIS O. COOK
Address: CAREY, ID 83320

2. Date of Priority: APR 15, 1907

3. Source: WASTEWATER Trib. to: CAREY LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	21E	14	SE	NW	NE		BLAINE
			SW	SW	NE		BLAINE
			SE	SW	NE		BLAINE

5. Description of diverting works:
EARTH DITCH PICKS UP WASTE WATER FROM BOX CANYON, LITTLE BOX.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.500		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	21E	14	NW SE		IRR	8.0
Section Acres						8.0
Total Acres						8.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
CAREY VALLEY RES. CO.

14. Remarks:
WASTE WATER FROM BOX CANYON, LITTLE BOX CANYON AND WASTEWATER
FROM ADJOINING LAND.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): L. G. Cook Date: 9-22-88

Date: _____

State of Idaho)
County of Turn Falls) ss.

Subscribed and sworn (or affirmed) before me this 22 day
of Sept 19 88 Loren O. Kuhn
Notary Public

Seal

Residing at Turn Falls
My Commission Expires 3/21/89

CONSERVATION PLAN

UNITED STATES DEPARTMENT OF AGRICULTURE - SOIL CONSERVATION SERVICE
in cooperation with

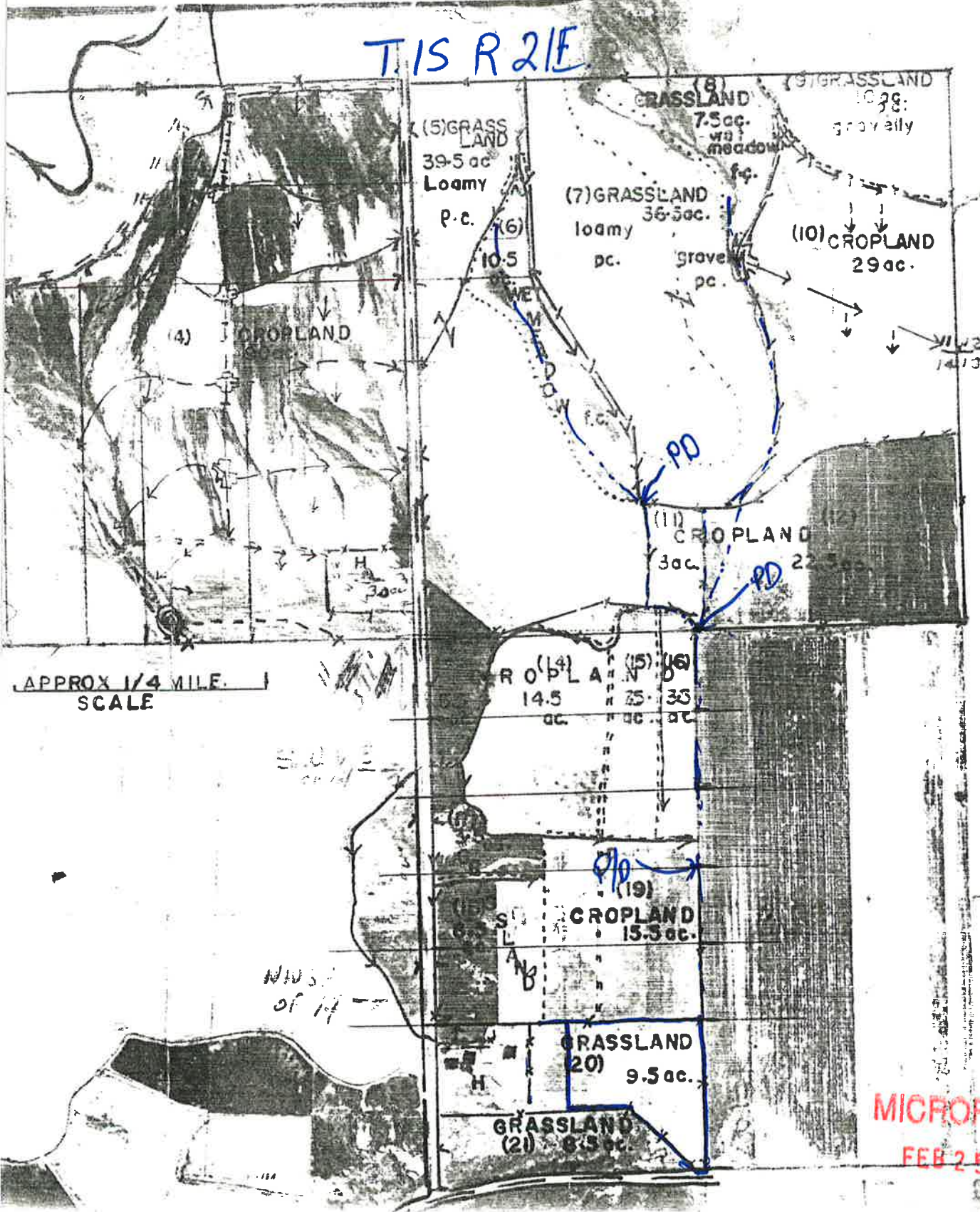
SAME

363

JUNE 1963

21-35

T. 15 R. 21 E.



MICROFILMED

FEB 25 1993

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-19-1997

PAGE: A-10

RIGHT NUMBER: 37-11007

NAME & ADDRESS: IRIS O COOK
CAREY ID 83320

L G COOK

~~BOX 6~~

CAREY ID 83320

11 Austin Rd



SOURCE: WASTEWATER

TRIBUTARY: CAREY LAKE

QUANTITY: 0.5 CFS

PRIORITY DATE: 04/15/1907

POINT OF DIVERSION: T01S R21E S14

SENWNE ✓

SWSWNE ✓

SESWNE ✓

Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01-01 12-31

QUANTITY
0.5 CFS

PLACE OF USE:

IRRIGATION

T01S R21E S14

8 ACRES TOTAL

Within BLAINE County

NWSE 8

house is

Place of use for DOMESTIC is same as IRRIGATION

CONSUMPTIVE USE:

20.0 AFY

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

WASTE WATER FROM BOX CANYON, LITTLE BOX CANYON AND WASTEWATER
FROM ADJOINING LAND.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 01S 21014 2580

Claim appears to be for 8.0 acres irrigation, w/Map.
— needs amended use.
— not part of D/s report.

scu
2/5/99

Verified by

Dale

Date:

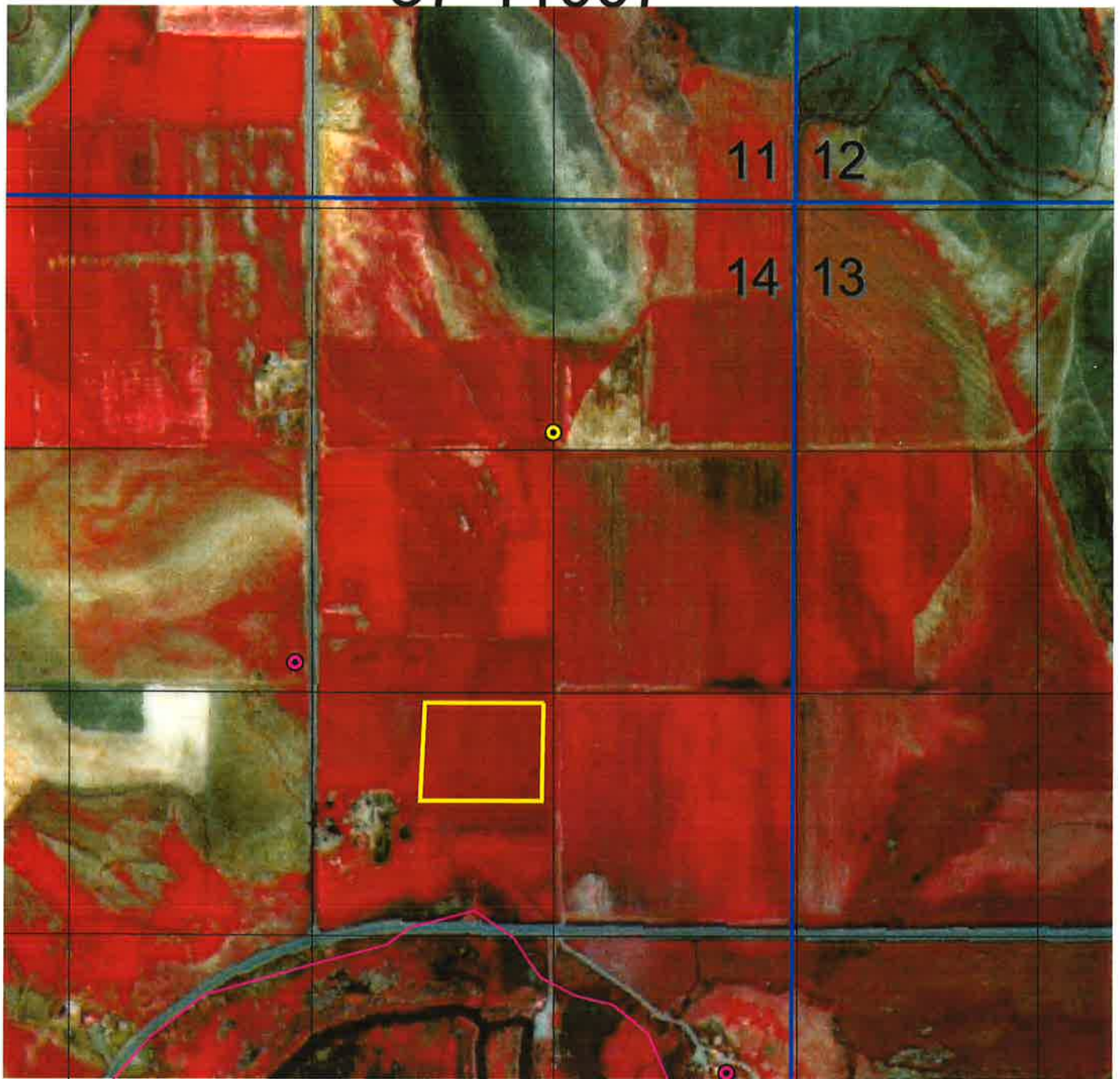
9/28/98

Verification Source:

City Parcel Rpt

IDAHO DEPT OF WATER RESOURCES

37-11007



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 21E
SEC. 14
NWSE



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 25, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-11007

WATER RIGHT NUMBER: 37-11007

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IRIS O COOK PO BOX 6 CAREY, ID 83320-0006 (208)823-4430
Current Owner	L G COOK PO BOX 6 CAREY, ID 83320-0006 (208)823-4430

Priority Date: 04/15/1907

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	CAREY LAKE

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

WASTE WATER	SE1/4SW1/4NE1/4	Sec. 14, Twp 01S, Rge 21E, B.M.
BLAINE County		
WASTE WATER	SE1/4NW1/4NE1/4	Sec. 14, Twp 01S, Rge 21E, B.M.
BLAINE County		
WASTE WATER	SW1/4SW1/4NE1/4	Sec. 14, Twp 01S, Rge 21E, B.M.
BLAINE County		

Place of Use

1S 21E 14 NWSE 8.0 IRR

Conditions of Approval:Remarks:

- General WASTE WATER FROM BOX CANYON, LITTLE BOX CANYON AND WASTEWATER FROM ADJOINING LAND.

Comments:Dates and Other Information:

MISSING CLAIM
S & Dom Right: 37-7521 A
37-11006
Same POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-11007

Dates and Other Information:

Claim Received Date: 9/22/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
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

06/25/2004

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

RIGHT NUMBER: 37-11007
NAME AND ADDRESS: IRIS O COOK
PO BOX 6
CAREY ID 83320-0006

L G COOK
PO BOX 6
CAREY ID 83320-0006

SOURCE: WASTE WATER
QUANTITY: 0.160 CFS
PRIORITY DATE: 04/15/1956
POINT OF DIVERSION:

TRIBUTARY: CAREY LAKE

T01S R21E S14 SENWNE Within BLAINE County

PURPOSE, AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.160 CFS

PLACE OF USE: IRRIGATION Within BLAINE County
T01S R21e S14 NWSE 8.0

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

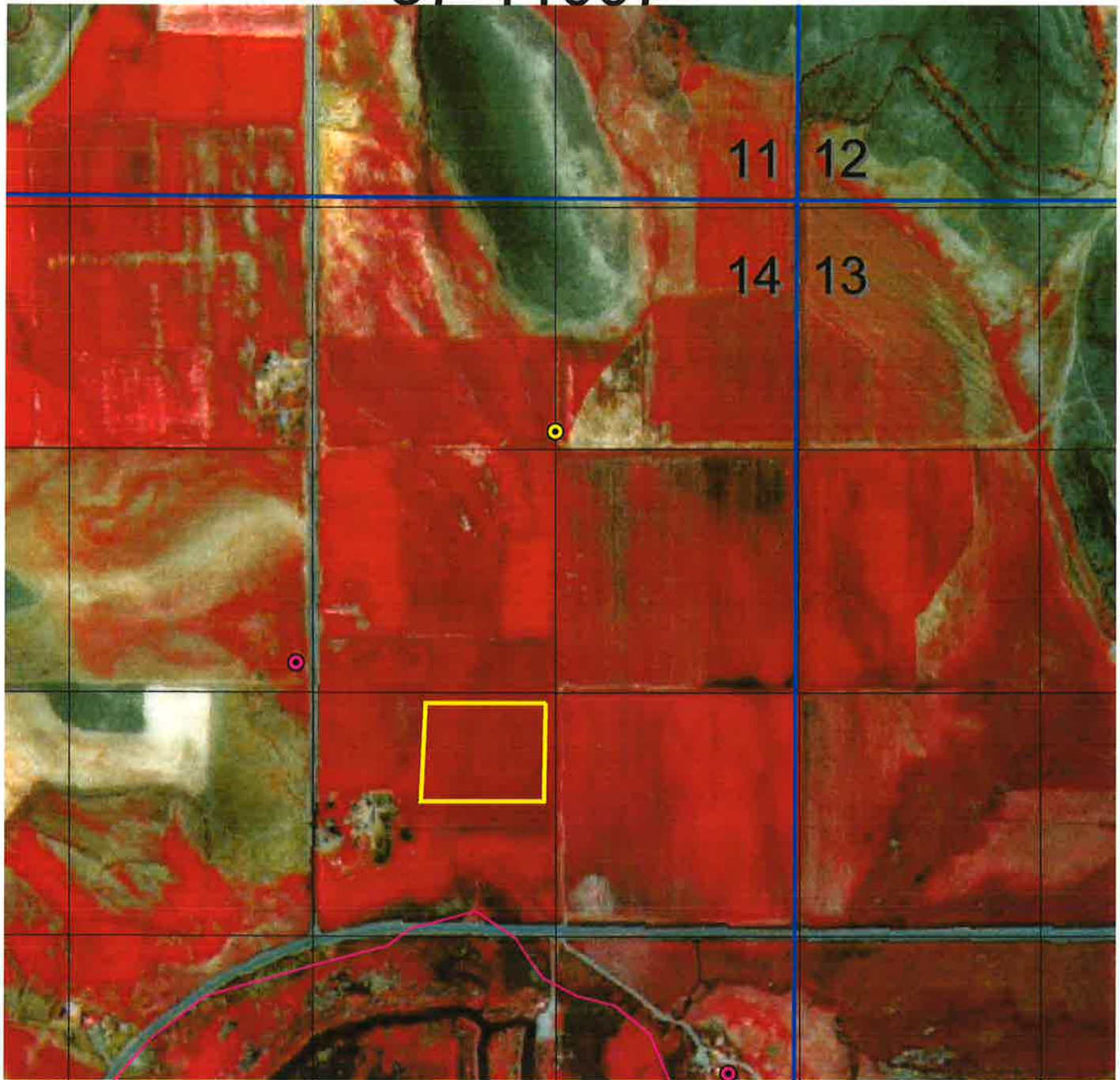
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.

IDAHO DEPT OF WATER RESOURCES

37-11007



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 21E
SEC. 14
NWSE



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 25, 2004

June 22, 04
RECEIVED
JUN 25 2004

Department of Water Resources

Dear Mr. Celand:

Thank you for the help with this waste water issue. Ronald Peck has been a Fish Creek resident for nearly 80 years.

He has the most knowledge about water use in the fish creek area of anyone I know.

I hope this will help to establish a right or permit to continue to use this water.

Sincerely
Lee W. Cook

22 June 2004

RECEIVED
JUN 25 2004
Department of Water Resources

To the Department of Water Resources:

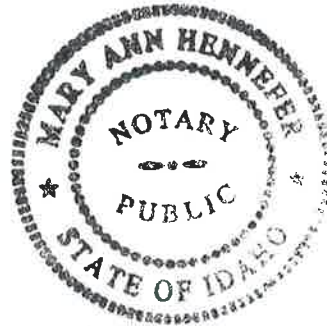
In 1988, L. G. Cook filed on waste water coming out of Box Canyon. This water has been used on Sec. 14 since 1956.

Ronald F. Peck is certifying that he has knowledge of this water usage.

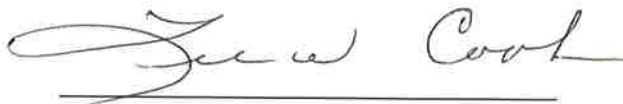
As Executor of the L. Garth Cook estate, I wish to retain this water usage.



Ronald F. Peck
Secretary, Fish Creek Reservoir Co.



Mary Ann Hennefer
6-22-04



Lee W Cook
Executor of L. Garth Cook Estate

37-11007

3/4/04 review of POP:

Lee Cook sent me IDWR documents for the two rights already issued by P. dease 37-7521A & 37-11006. None of which have any bearing on the WL right in question.

CALLOUT: 1:08 pm left msg of call.

6/17/04 SCC No Response as of this date

DISALLOW for lack of priority

CALLOUT: 10:50 am 823-4456

Talked with Lee Cook - made one last call to get some proof. He said he will look thru the papers again and call me back. Suggested he may get proof via an affidavit from older farmers in the area and Lee thought this may work.

6/25/04 new mail received - proof of 1956

RECEIVED
FEB 10 2007
Department of Water Resources

2-7-04
Carey, Id. 83320

Dear Mr. Calland:

Thank you for your phone call. I thought that Lee Peterson had the necessary papers for all water rights that pertained to L. G. or Orie Cook in Carey Idaho. I've looked at my fathers stacked of papers and found these water rights and license papers. I've made copies of what I found. I believe Lee Peterson had evidence of the high water rights that flows from Box Canyon, but I havent as yet located my fathers right / or license.

Please write or call me if I should do more as I wouldn't want him to loose any right because of my neglect.

I'm the trustee for my father & mothers estate. Should I send to you my appointed papers of this so I can act in their behalf?

Steve, you may keep all copies of what I mailed to you as I've kept the original ones.

Thank you so much for looking out for our interests and helping to keep our water rights accurate.

Sincerely yours
Lee W Cook



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

October 17, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

L G COOK
PO BOX 6
CAREY ID 83320-0006

RE: Permit No. 37-07521 Renumbered to 37-07521A

Dear Water Right Holder:

This letter is to confirm that the assignment of ownership of a portion of the above referenced water right is satisfactory. We have modified our computer records to reflect this change in ownership. Your remaining portion has been re-numbered to 37-07521A.

Please refer to the new number in any future correspondence with us.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'JLM Johnson'.

JLM JOHNSON, Manager
Water Right Permits Section

JJ:dc

DO NOT SCAN

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07521A

Priority: September 10, 1976

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.5 AF

This is to certify, that L G COOK
PO BOX 6

CAREY ID 83320-0006 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 10, 1976; and has submitted Proof of Beneficial Use on October 24, 1981. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRINGS

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSWNE , Sec. 14, Township 01S, Range 21E
SESWSE , Sec. 14, Township 01S, Range 21E
BLAINE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01S 21E 14

NWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for 35 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 5TH day of MAY, 1995.

Acting for

R. Keith Higginson, Director

DO NOT SCAN

08/05/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11006
NAME AND ADDRESS: L G COOK
PO BOX 6
CAREY ID 83320-0006

IRIS O COOK
PO BOX 6
CAREY ID 83320-0006

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1910

POINT OF
DIVERSION: T01S R21E S14 SWNWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R21E S14 NWSE
STOCKWATER Within BLAINE County
T01S R21E S14 NWSE

DO NOT SCAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

~~ROBERT H. HIGGINSON~~
~~GOVERNOR~~

R. KEITH HIGGINSON
DIRECTOR

May 5, 1995

L G COOK
PO BOX 6
CAREY ID 833200006

RE: WATER RIGHT NO. 37-07521A

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

DO NOT SCAN

08/05/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11006
NAME AND ADDRESS: L G COOK
PO BOX 6
CAREY ID 83320-0006

IRIS O COOK
PO BOX 6
CAREY ID 83320-0006

SOURCE: GROUND WATER
TRIBUTARY:

QUANTITY: 0.040 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1910

POINT OF
DIVERSION: T01S R21E S14 SWNWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R21E S14 NWSE
STOCKWATER Within BLAINE County
T01S R21E S14 NWSE

DO NOT SCAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-07521A
L G COOK
PO BOX 6
CAREY ID 83320-0006

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999
PAGE: 1

RIGHT NUMBER: 37-07521A

NAME AND ADDRESS: L G COOK
PO BOX 6
CAREY ID 83320-0006

SOURCE: SPRINGS
TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
0.5 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 09/10/1976

POINT OF DIVERSION T01S R21E S14 SWSWNE Within BLAINE County
SENWSE

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	STOCKWATER	01-01 12-31	0.02 CFS
			0.5 AFY

PLACE OF USE: STOCKWATER Within BLAINE County
T01S R21E S14 NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
STOCKWATER USE IS FOR 35 RANGE CATTLE.

DO NOT SCAN

37-11007

1. Locate & GPS ALL POD'S.

plates 07 8/1 3

2. CONFIRM LOCATION OF PO4 = 8.0 ACRES.

#8

70 acres
whole 8/14

DETERMINE OVERLAP w/ LWCC ACRES.

3. Ask/Remind of PROOF OF PRIORITY EVIDENCE.

(both parents are deceased - Lee is Son)

4. EST. Q of FLOW DIVERTED FOR USE.

CONFIRM USE IRR. OR DOM.?

SEE MAP ON 6/30/4

1/9/04
see w/ Lee P.

Call to Lee Cook about #3 POD
for the correct WR basis. May Need
another claim for springwater uses.

@ school 823-4391

@ home 823-4456

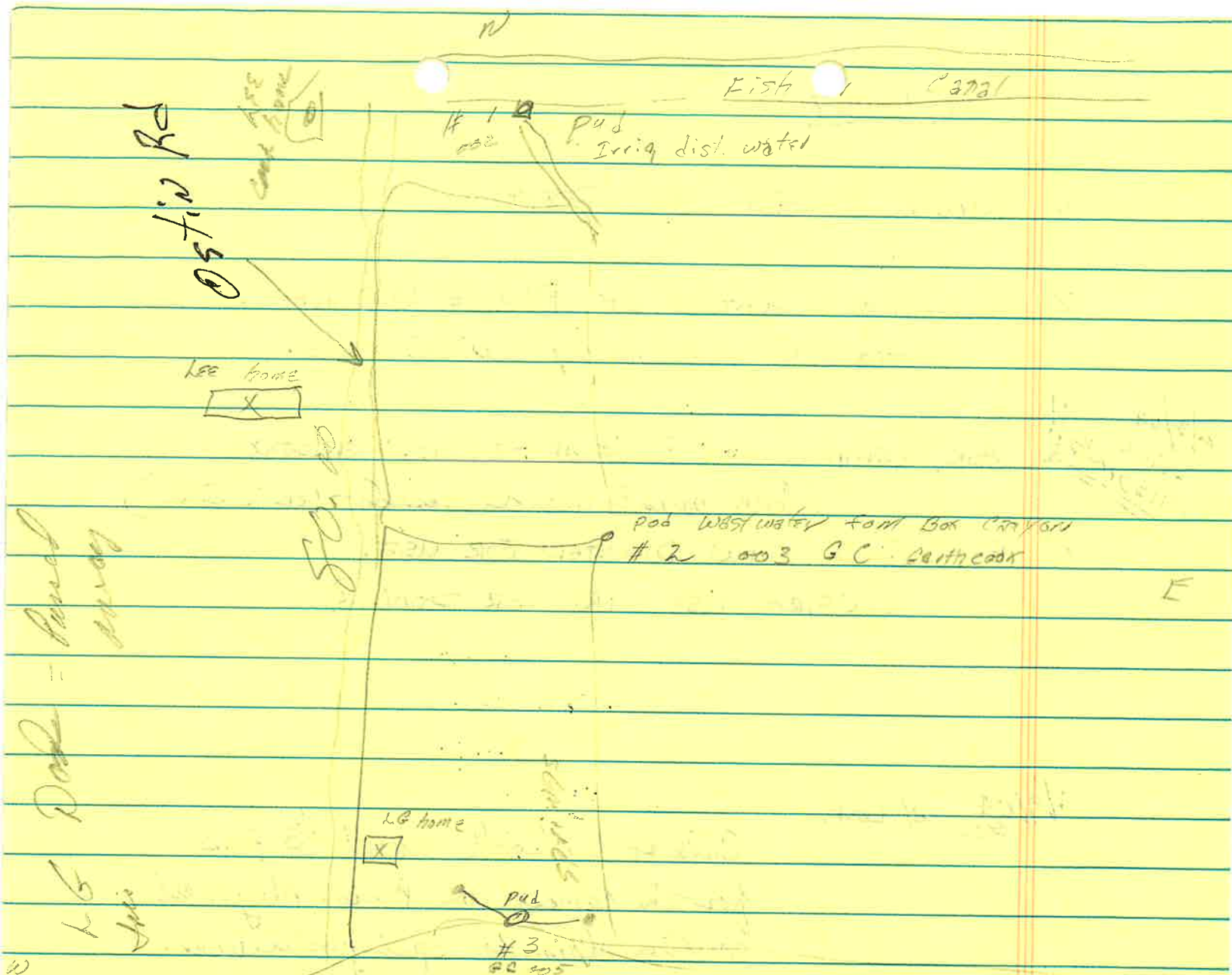
2/2/04 12:20pm Callout - to Lee Cook

I asked him for POP on the waste water claims. He
says he has something to submit. The 8 acres are
East of the house and North of the Springwater PO4.

They do not overlap. I asked about the spring water
right and he thought there was a claim already.

He will look for this and may need to go into TF →

2/3/04
STILL
MISSING!!



2/2/04
Callout

→ to file an additional claim for this use. This info is needed to finish Rec'd of these rights to completion. See Query: I found an old license for SW as 37-752/A. Stock use only in SWSW NE S.14

12/15 Lee Cook - son - LC & Iris Leonard

I called his home and visited with his wife - Mrs Cook advised me that Lee was a Teacher at Carey school - so I went to school to see him - good thing it is a small school - I introduced myself & why I need to see him after a 30-40 minute visit he advised me he today was not a good day and ask if I could see him Monday 22 - no school so we made appointment 930 - 22nd He would take me out on his Dad place show me POB - POD etc. so with school almost over & he having another appt - I left

12-22-03 G Cook

- | | | | | | |
|-----------|---------|----------|-------------|------------------|-------------------|
| 1. GC 002 | 0506185 | A0011701 | USR 0256179 | Fish Creek Water | right |
| 2. GC 003 | 0506476 | A0011724 | USR 0249086 | Waste water | Boys Canyon |
| 3. GC 005 | 0506348 | A0011702 | " 0248281 | 2 Springs | South end of Prop |

The reason I did not get GC 002 was unit died battery low so Lee Cook showed me the three locations and I took my vehicle to #2 & 3 so I could use car battery to use GPS unit - I'm learning - I think I have the unit figured out now it will stay powered up when I have to walk out to a plot, but its sure I'm enjoying.

#0 A0011701

11 12

14 13

A0011724

GC3

T13
R21 E



NWSE

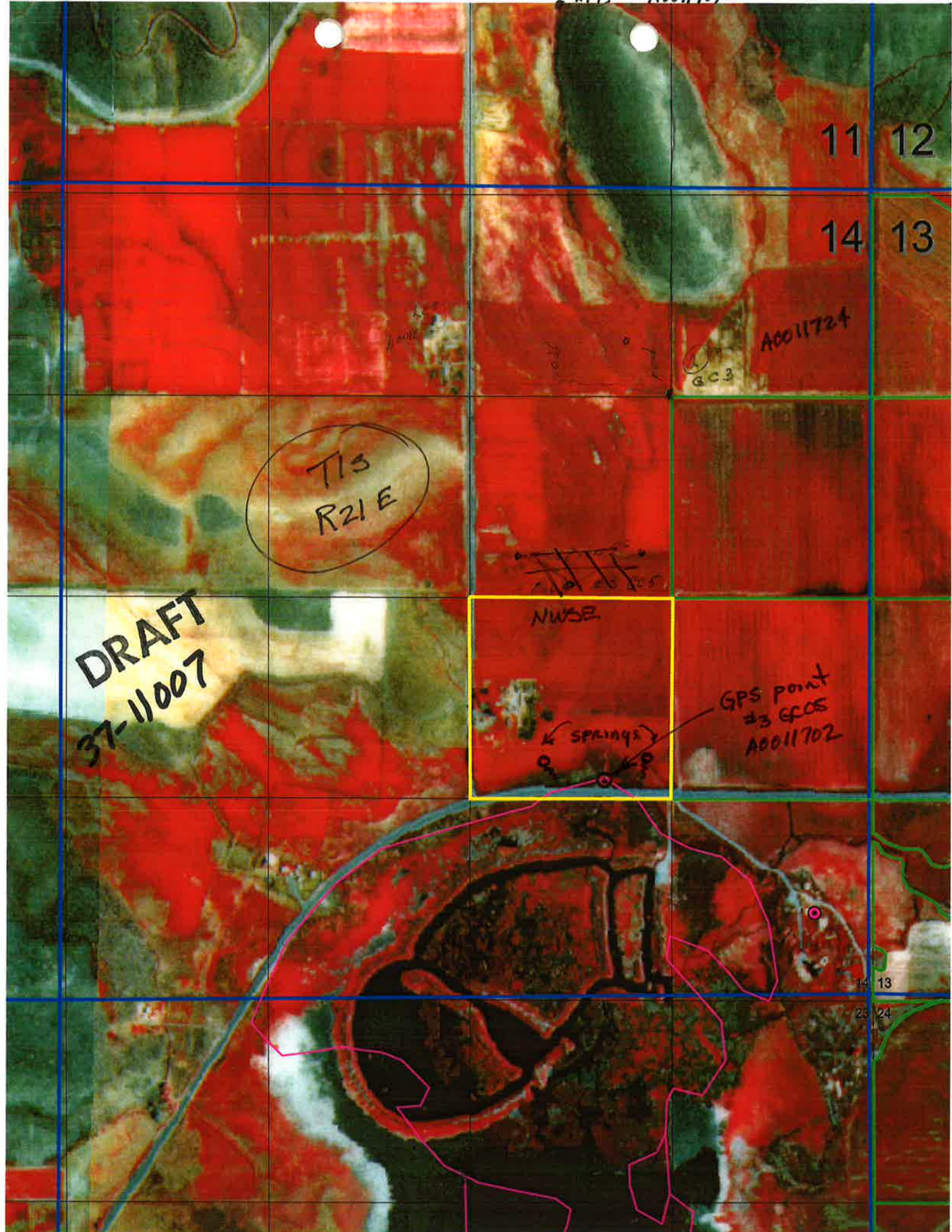
DRAFT
37-11007

GPS point
#3 GCOS
A0011702

SPRINGS

14 13

23 24



He called to ask for more time to respond to the Priority request... he is getting a kidney transplant and his mother and father (claimants) are deceased. I told him we would work something out to help him out here.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

37-11007

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 20, 2003

IRIS O & LG COOK
PO BOX 6
CAREY ID 83320-0006

RESPONSE DEADLINE
JUNE 20, 2003

Re: Evidence of Priority Date for SRBA Claim

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

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 the Department. 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 the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted. 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.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures