

Cooksey, Greg

From: Cooksey, Greg
Sent: Monday, September 18, 2023 11:29 AM
To: 'MDLATPL@HOTMAIL.COM'
Subject: Your IDWR Claim to a Water Right # 97-8143
Attachments: AMENDED CLAIM 97-8143.pdf

Hi Michael,

I am contacting you today regarding your Notice of Claim to a Water Right (97-8143) that was filed on 12/7/2021. I see that you have claimed irrigation use for this water right, and that you are only watering the lawn on a property that is only a maximum size of 0.2 acres. You can proceed with the claim as filed, but when irrigation is the claimed use there is a heavier burden of proof that you must meet when providing evidence of that use beginning back in 1957. One other option for you is to amend your claim to **domestic** use of the lake water. This would accomplish the same thing for your purposes because domestic use includes irrigation for up to 0.5 acres for a lawn or garden. The biggest benefit is that for domestic use, the burden of proof is not quite as difficult to meet. In the case of a domestic claim, we can look at easily obtainable evidence, such as the county assessor's year built date on the property. Your property has a year built date on record of 1923, so it would not be difficult for our office to recommend the domestic use of lake water in 1957 because we know that there was a home built there in 1923.

If you decide to amend your claim, I have prepared an Amended Notice of Claim for you and attached it to this e-mail. All that is needed is that you sign and date the claim. Additionally, I did notice that the phone number we have on your claim is one number too long. If you would like to update that, please draw one line through the old phone number, and write the new one above it. Please be sure to initial this change next to it. No additional fees are required, so you may just drop that signed and dated claim back in the mail to us and send it to the address below.

If you choose to keep things as claimed, we may not be able to recommend your claim with that priority date unless you are able to provide specific evidence demonstrating that irrigation was taking place on that property in 1957.

Please either respond to this e-mail, or call me at the phone number below, to let me know if you would like to amend your claim. If a response is not received by the end of this week (9/22/23), your claim will move forward into recommendation where it may be disallowed without further evidence supplied.

Thank you,

Greg Cooksey

Senior Water Resource Agent

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