



IDAHO DEPARTMENT OF
WATER RESOURCES

Preston Field Office • 325 East 600 South, Suite 300 • Preston, ID 83263-4921
Phone: 208-701-7200 • Email: prestoninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 1, 2026

EARLEY FARM LLC
639 EARLEY RD
OVID, ID 83254

SUBJECT: Bear River Basin Adjudication (BRBA) Claim No. 11-4066

**RESPONSE DEADLINE DATE: OCTOBER 14,
2026**

Dear Colleen Earley,

Thank you for calling me to discuss your water right adjudication claim number 11-4066, and for submitting affidavit documents to the Preston field office. After reviewing your claim, these items need to be addressed:

1. **Date of Priority**: You claimed a priority date of 05/01/1888. To confirm this priority date, please provide evidence of historical use of the rate of diversion, irrigated acres, source, point of diversion, and place of use. The statutory claim filed in 1978 by Arnell C. Earley did not provide acceptable evidence of priority.

The “Evidence of Priority” brochure you received with the previous letter provides examples of documents that may be acceptable evidence. If you are unable to locate any evidence going back to the date you claimed, please provide evidence of the earliest date possible. Please note that a personal affidavit may also be written that mentions the historically known year that water use began, rate of diversion, irrigated acres, source, point of diversion, and place of use. This can be written by anyone with firsthand knowledge of prior water use. Please note, an acceptable affidavit must be notarized to confirm authenticity.

I have attached a copy of the affidavits you submitted; one is unsigned, the other is blank. The former affidavit is partially illegible and does not provide the earliest date the beneficial use (irrigation) was observed by the witness, nor does it describe that use. Finally, the statement provided is not signed or notarized. Based on the lack of evidence of beneficial use provided the claim may be recommended disallowed unless we receive substantive evidence supporting historic beneficial use.

For your reference, I have attached an example of a sworn affidavit from a claim file which provides all the information supporting a date for the onset of beneficial use within the claimed place of use. It is important that the document provides dates to support a timeline when the witness observed the beneficial use taking place and where that beneficial use occurred.

2. Place of Use: A map of where active irrigation is occurring is needed.
3. Diversion works description: Please provide a system diagram to describe how water is applied within the POU (the attached imagery I provided may be used to draw the diagram). Please clarify if stockwater use is instream, or if it is diverted to any stock tank(s), please diagram the system used and identify the location(s) of the stock tank(s). Finally, provide any further supplemental written description necessary to explain how the irrigation occurs throughout the claimed acres.

The requested information can be submitted in person at the Preston field office, mailed to the address below my signature, or submitted via e-file as a PDF attachment emailed to file@idwr.idaho.gov. Please use "BRBA Claim 11-4066" as the subject line.

Feel free to reach out to me with any questions or concerns. I can be reached by phone Mon to Fri from 8am to 4:30pm at (208) 287-4954, or via email at bob.howe@idwr.idaho.gov. **If we do not receive the requested information, your claim will be reviewed as filed and may be disallowed.**

Sincerely,



IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent, Sr.
322 E Front St, Boise, ID 83702
PO Box 83720, Boise, ID 83720-0098
(208) 287-4954 | www.idwr.idaho.gov

Enclosure:

Affidavits received at Preston field office (Copy).
Example Affidavit for reference.