

#374

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: A24-04078
Date Received: 2/15/1996
Receipt No: 6021928
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAYMOND S PETERSEN & SONS INC 307-279-3439
Address: PO BOX 294
COKEVILLE WY 83114

2. Date of Priority: MAY 1, 1936

3. Source: POLE CANYON Trib. to: SAGE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	46E	5	NE	NW			CARIBOU

5. Description of diverting works:
ROCK AND PLASTIC DAMS IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	6.480		
STOCKWATER	05/01	11/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1300 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	46E	32	SW	NE		IRR	20.0
			SE	NE		IRR	2.0
			SE	NW		IRR	10.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	46E	32	NE	SW		IRR	20.0
			SE	SW		IRR	5.0
			NE	SE		IRR	10.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0
			Section Acres				
09S	46E	5	NE	NE		IRR	30.0
			NW	NE		IRR	35.0
			SW	NE		IRR	20.0
			SE	NE		IRR	35.0
			NE	NW		IRR	2.0
			NE	SE		IRR	30.0
			NW	SE		IRR	5.0
Section Acres						157.0	
Total Acres						324.0	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

Number of attachments: 1

MICROFILMED
NOV 01 1990

For Organizations:

I do solemnly swear or affirm that I am President of

Raymond S. Petersen & Sons, Inc., that I have signed the foregoing
Organization
document in the space below as President of

Raymond S. Petersen & Sons, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Richard D. Peterson
Signature of Authorized Agent

President
Raymond S. Petersen & Sons, Inc.
Title and Organization

15 Feb. 1996

Date

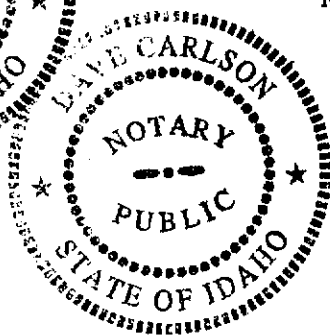
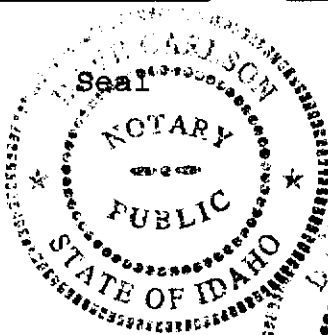
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Feb 19 96

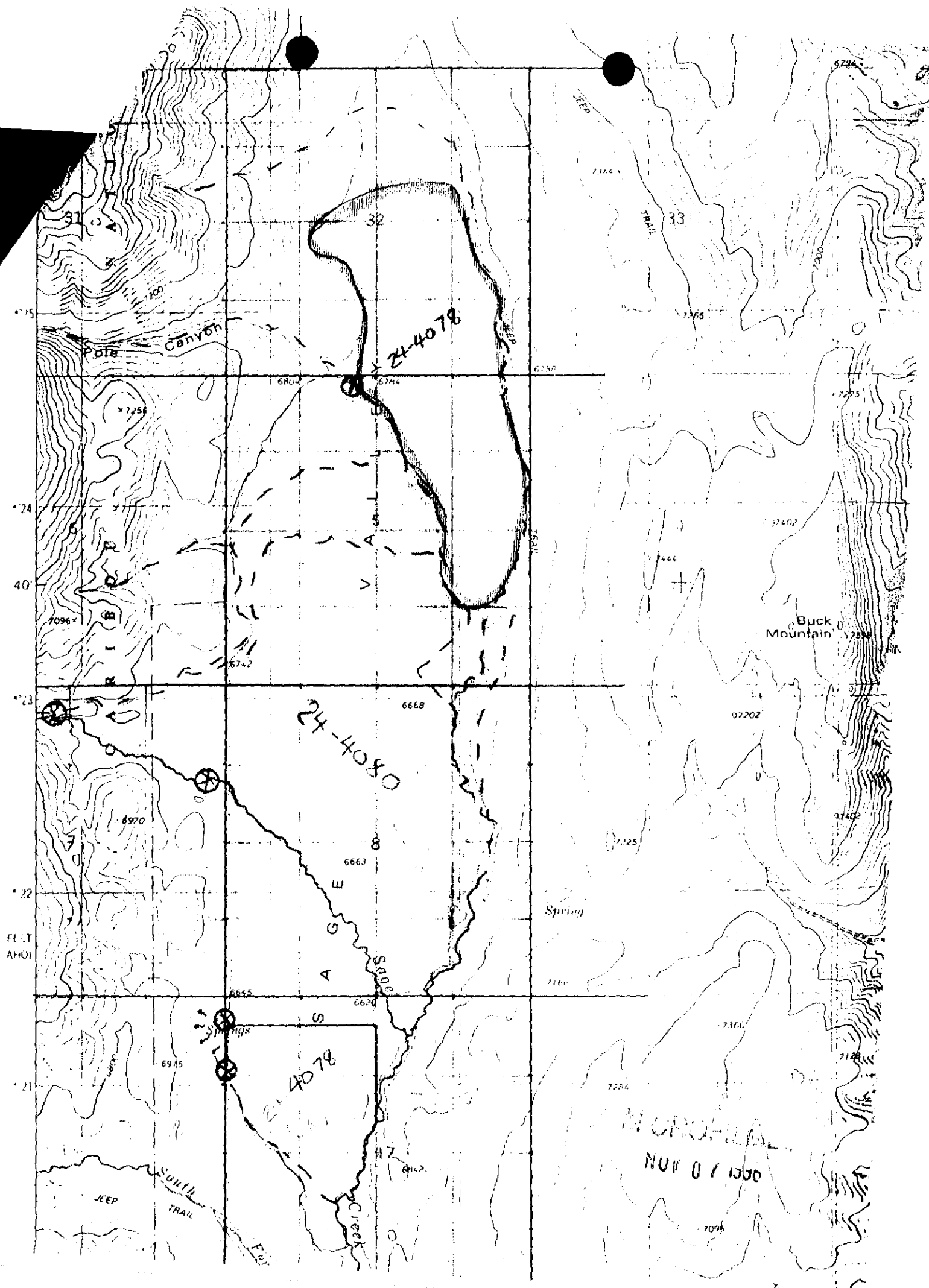
Doree C. G.
Notary Public

Residing at Rigby, Id

My Commission Expires 2/26/96 2002



REPROFILMED
NOV 01 1996



Log for claim 24-04078

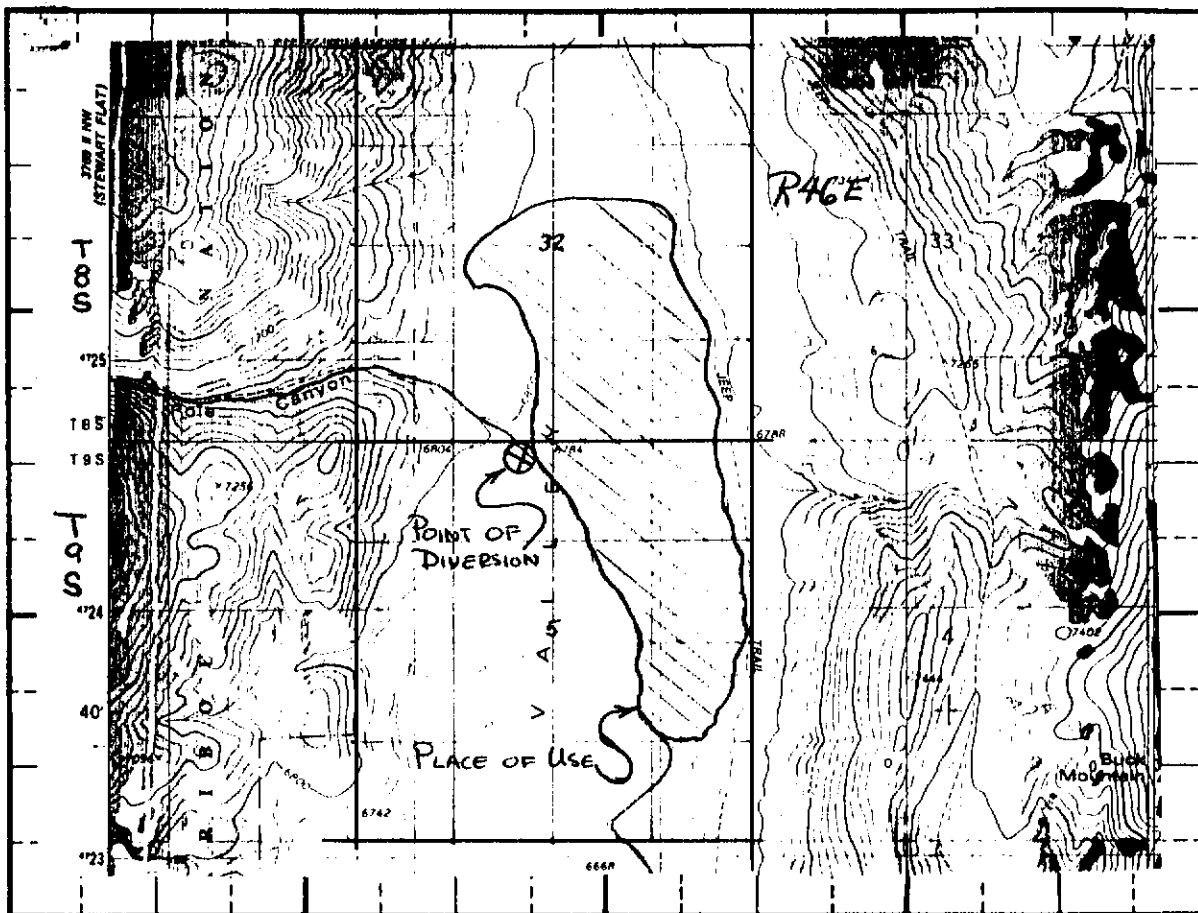
Spatial Dynamics LTD

4/30/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s46e	32	SWNE	20	40	Indiscernible
08s46e	32	SENE	2	8.3	Indiscernible
08s46e	32	SENW	10	31	Indiscernible
08s46e	32	NESW	20	26	
08s46e	32	SESW	5	15	
08s46e	32	NESE	10	17	Indiscernible
08s46e	32	NWSE	40	40	
08s46e	32	SWSE	40	40	
08s46e	32	SESE	20	26	Indiscernible
09s46e	5	NENE	30	29	
09s46e	5	NWNE	35	34	
09s46e	5	SWNE	20	15	
09s46e	5	SENE	35	35	
09s46e	5	NENW	2	2.8	
09s46e	5	NESE	30	30	
09s46e	5	NWSE	5	4.6	
Totals:			324	393.7	

(7) If you are claiming water as a member of an organization, list name of organization: R. S. Peterson & Sons, Inc.

WILSON



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Nebraska~~ ^{Wy.})
County of *Lincoln*) ss.

Sworn to before me this 6 day of February, 1984.
Raymond S. Peterson
 (Claimant)

Notary Public
Residing at Casper, Wyo

July 9, 1986

Received by RCW Date 6-27-83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by RCW Date Feb 13, 1984 claimant by: _____
 \$30.00 fee received by RCW Date 6-27-83
 Published in Caribou County Sun # 30267
 Dates 2/23 - 3/11/84

JAN 27 1964

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that R. S. Petersen & Sons Inc.
(Name of Claimant)
by 237 Pokeville, Wyo. 83114 Telephone No. 279-3417
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 5-1-36.

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Pete Canyon tributary to Sage Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs. ft)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)			
			(Mo., Day)		(Mo., Day)	
Quantity	Use	<u>Irrigation</u>	Period of Use From	<u>5-1</u>	To	<u>9-30</u>
Quantity	Use	<u>stock water</u>	Period of Use From	<u>5-1</u>	To	<u>11-30</u>
Quantity	Use		Period of Use From		To	
Quantity	Use		Period of Use From		To	
Quantity	Use		Period of Use From		To	

- (4) TOTAL QUANTITY USED.
(cfs, af)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 N41 1/4, Sec. 5 Twp. 9 S Rge. 46 E B.M., County of CARLSON
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Rock and elastic dams in 1946

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 324

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1300 head of Beef cattle

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: B.S. Peterson & Sons Inc.

Remarks *See attached map.*

[illegible]

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$30.00 fee received by _____	Date _____			
Published in _____				
Dates _____				

830
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Dates

THE P. NW
(ESTUARY FLAT)

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MICROFILMED

R46E

Place of Use

Point of
Diversion

Claim #24-4078

R46E

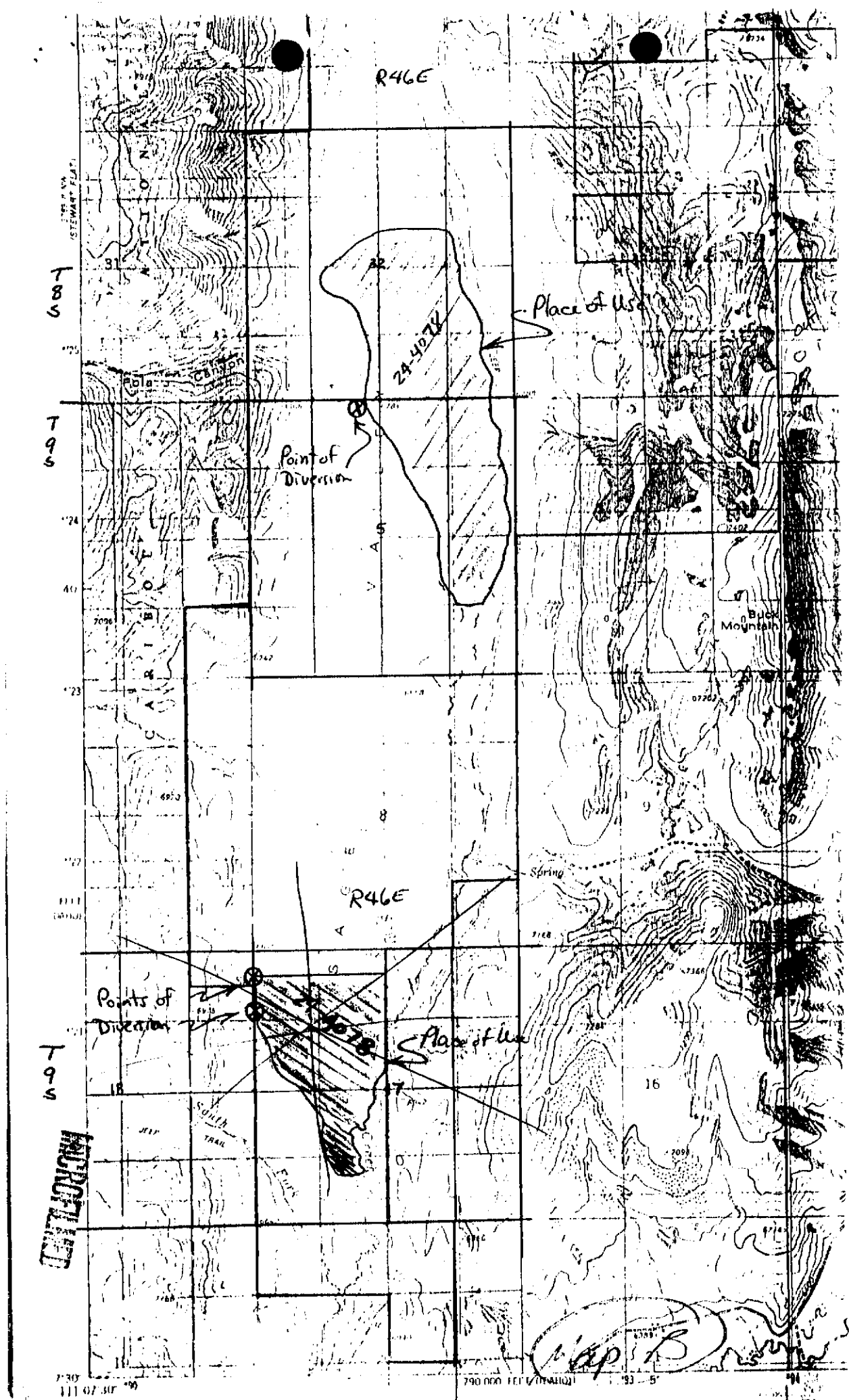
Points of
Diversion

Place of Use

South
TRAIL

Item B

790 000 FEET (IDARK)



9/81 **AGELVING**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 27 1934

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

R. S. Peterson & Sons Inc.
(Name of Claimant)

(Name of Claimant)

Boy 237 Cokeville Wyo.
(Mailing Address)

4377
(Zip Code)

Telephone No. 272-3417

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 5-1-36

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Sage Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cts at)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity	Use	Investigation	Period of Use From	5-1	To	9-30
Quantity	Use	Stock water	Period of Use From	5-1	To	11-30
Quantity	Use		Period of Use From		To	
Quantity	Use		Period of Use From		To	
Quantity	Use		Period of Use From		To	

- (4) TOTAL QUANTITY USED.

{cls, af}

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 17 Twp. 9 S Rge. 46 E B.M., County of BAKES
Additional points of diversion: NE ¼ NE ¼ Sec. 18 T9S R46E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. *Rocks & plastic dams in ditch leading from springs*

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 15.3

B1 If water is used for other than irrigation, fully describe that use, being as specific as possible: 1300 head of beef cattle

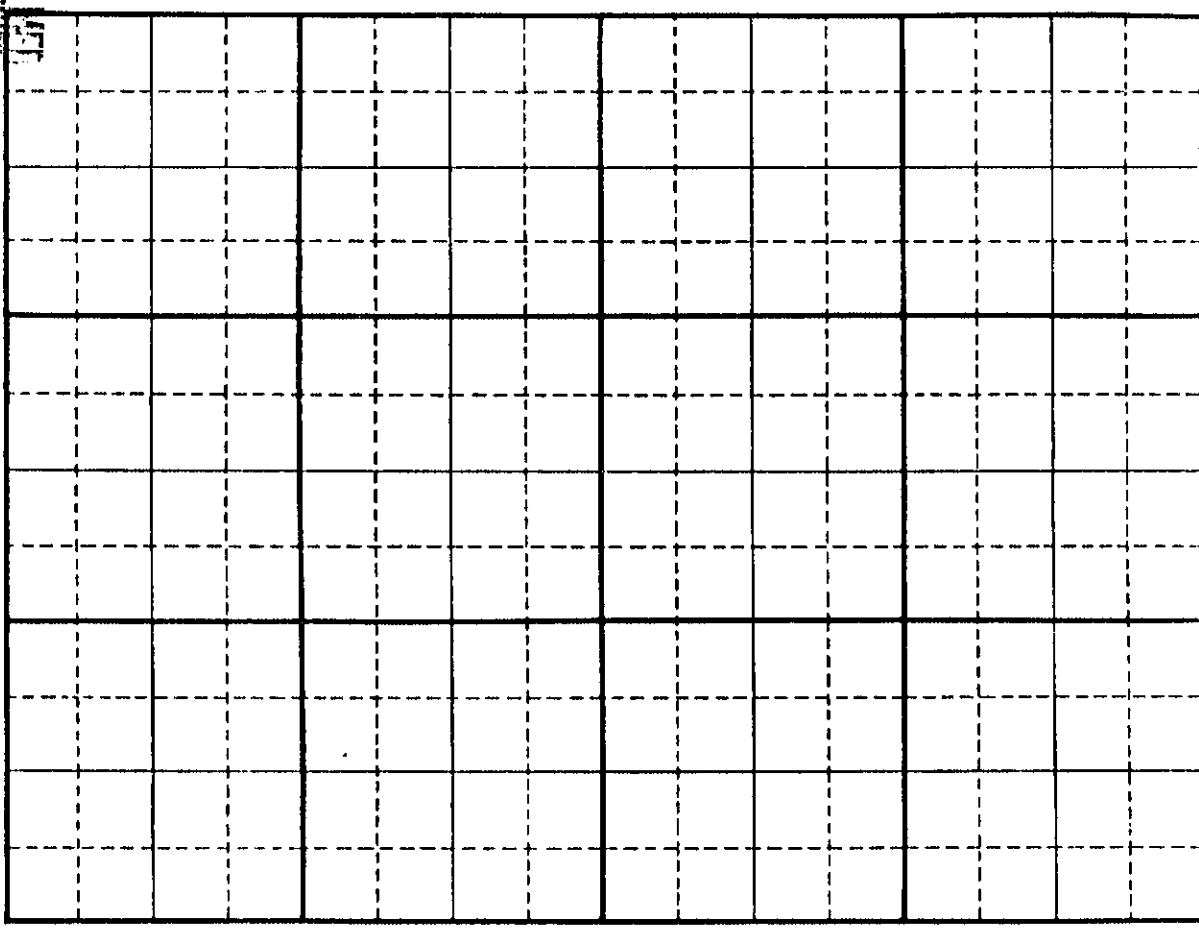
NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: H.S. Peterson & Son Inc.

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EXHIBIT 1

(8) Remarks See attached map



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this _____ day of _____, 19____, _____ (Claimant)

Notary Public
Residing at _____

My commission expires _____

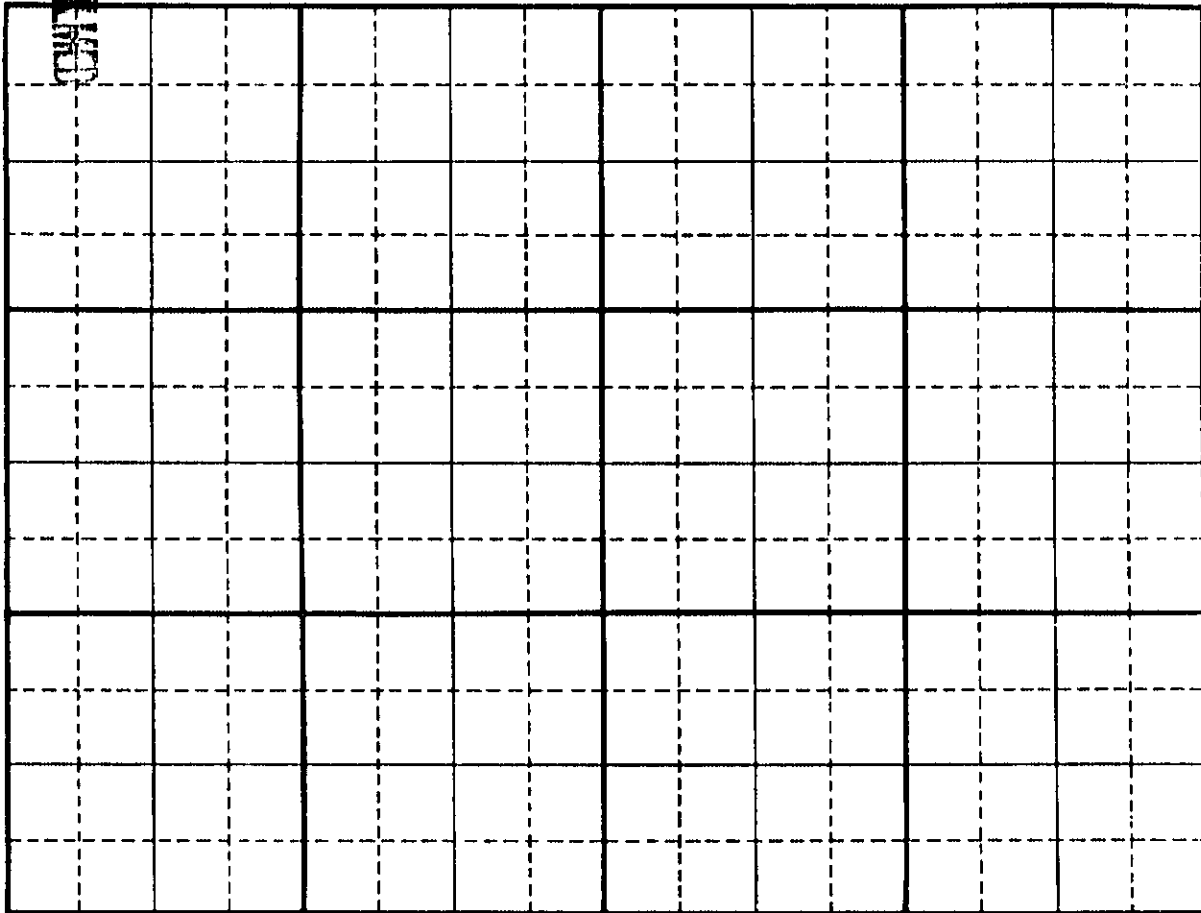
FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$30.00 fee received by _____	Date _____			
Published in _____				
Dates _____				

RECORDED

Remarks

See attached map



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bingham) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of June, 1983.

Raymond J. Sullivan
(Claimant)

Ronald P. Carlson
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/86

FOR DEPARTMENT USE ONLY

Received by RPC Date 6/27/83 Exception filed by: _____ Date _____
Prelim. check by SA Date 9-8-1983
\$30.00 fee received by SA Date 6-27-83
Published in Caribou County Sun # 30767
Dates 7/22 - 9/29/83

MICROFILMED

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Points of
Divergence

R46E

Place of Use

T
9
S

Point of
Divergence

Place of Use

R46E

T
8
S

Pulp
Canyon

Buck
Mountain



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

January 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Raymond S Peterson & Sons Inc
PO Box 194
Cokeville WY 83114

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A24-04078, A24-04079, A24-04080 & A24-04081
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by January 22, 1998. Make corrections to your name and address if necessary before returning this letter. Thank you for your help. If your mail delivery address changes in any form, please contact us in writing so we can update our records.

Also, according to the county records, this property (A24-04079) has no improvements on it. The claim to the property is for domestic purposes. The department needs proof the water right is used to provide household or yard irrigation in conjunction with a house.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

1-22-98
Claimant lost
letter. Dates correct
address on letter.
Has only 1 old house
on A24-04079
(307) 279-3430