

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: **A29-00333**
Date Received: 6/ 4/1990
Receipt No: E014722
Received By: Kaw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DONALD R. PETERSEN 801-825-2966
Address: 37 S 350 E
CLEARFIELD UT 84015

2. Date of Priority: JUL 1, 1879

3. Source: LOST CREEK Trib. to: BIRCH CREEK
BIRCH CREEK MARSH CREEK
SPRINGS SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	29		SE	SW		BANNOCK
				SE	SW	R	BANNOCK
				SW	SE		BANNOCK
				SW	SE	R	BANNOCK
		30		SW	NE		BANNOCK
		32	SE	SE	NE		BANNOCK
			NE	SE	SE		BANNOCK
		33	SE	SW	NW		BANNOCK

5. Description of diverting works:
CONCRETE DAM/ MAINLINE TO WHEEL AND HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	2.500		

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

8. Total consumptive use is 1500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

APR 12 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	28	SE	SW		IRR	19.0
Section Acres							19.0
		32	NE	NE		IRR	38.0
			NW	NE		IRR	30.0
			SE	NE		IRR	35.0
			NE	SE		IRR	37.0
Section Acres							140.0
		33	NE	NW		IRR	38.0
			NW	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	29.0
			NE	SW		IRR	39.0
			NW	SW		IRR	37.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
Section Acres							300.0
Total Acres							459.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-07342

14. Remarks:
DIVERSION RATE 1.1 CFS FROM BIRCH CREEK.
DIVERSION RATE "ALL THE WATER OF SAID LOST CREEK".
SOURCE LOCATION APPROX. T9S, R36E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES HENDERSON, ET. AL.
Decree Plaintiff

THOMAS MARLEY, ET. AL.
Decree Defendant

vs MICROFILMED

APR 12 1994

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: _____

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): *Donald E. Pabon* Date: 6-24-93

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of June 19 93
Betty J. Thompson
Notary Public

Seal

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

MICROFILMED

APR 12 1994

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: A29-00333
Date Received: 6/14/1990
Receipt No: E014722
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OAK HILLS PARTNERSHIP 801-825-2966
Address: C.O. RALPH C. PETERSEN
37 S. 350 E.
CLEARFIELD, UT 84015

2. Date of Priority: JUL 01, 1879

3. Source: LOST CREEK Trib. to: BIRCH CREEK
BIRCH CREEK MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	36E	29	SE	SW			BANNOCK
		32	SE	NE			BANNOCK
			NW	SE			BANNOCK

5. Description of diverting works:
CONCRETE DAM/ MAINLINE TO WHEEL AND HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	2.500		

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

8. Total consumptive use is 1500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2900333



10. Place of Use:

Township 09S	Range 35E	Section 13	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 40.0
						Section Acres	40.0
		24	SE	NE		IRR	40.0
						Section Acres	40.0
	36E	18	SW	SW		IRR	40.0
						Section Acres	40.0
		29	SW	SE		IRR	40.0
						Section Acres	40.0
		32	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	120.0
		33	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	320.0
						Total Acres	600.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

DIVERSION RATE 1.1CFS FROM BIRCH CREEK.
DIVERSION RATE "ALL THE WATER OF SAID LOST CREEK".
SOURCE LOCATION APPROX. T9S, R36E.
P/D & P/U INCOMPLETE.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date:

JAMES HENDERSON, ET. AL.

Decree Plaintiff

vs

THOMAS MARLEY, ET. AL.

Decree Defendant

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: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

A. ROOT WATER RIGHT NUMBERS: A29-00333

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	36E	28	SE	SW		PETERSEN, DONALD R	A29-00333 / 19.0	- /			2.0
09S	36E	32	NE	NE		PETERSEN, DONALD R	A29-00333 / 38.0	- /			6.0
			NE	NE		PETERSEN, DONALD R	A29-07342 / 38.0	29-07342 / 40.0			
09S	36E	32	NW	NE		PETERSEN, DONALD R	A29-00333 / 30.0	- /			
			NW	NE		PETERSEN, DONALD R	A29-07342 / 30.0	29-07342 / 40.0			
09S	36E	32	SE	NE		PETERSEN, DONALD R	A29-00333 / 35.0	- /			37.0
			SE	NE		PETERSEN, DONALD R	A29-07342 / 35.0	29-07342 / 40.0			
			SE	NE		DAVIS, MARY		29-00347 /			
09S	36E	32	NE	SE		PETERSEN, DONALD R	A29-00333 / 37.0	- /			39.0
			NE	SE		PETERSEN, DONALD R	A29-07342 / 37.0	- /			
			NE	SE		HENDERSON, MELVIN		29-00345 /			
09S	36E	33	NE	NW		PETERSEN, DONALD R	A29-00333 / 38.0	- /			40.0
			NE	NW		PETERSEN, DONALD R	A29-07342 / 38.0	29-07342 / 40.0			
09S	36E	33	NW	NW		PETERSEN, DONALD R	A29-00333 / 40.0	- /			1.0
			NW	NW		PETERSEN, DONALD R	A29-07342 / 40.0	29-07342 / 40.0			
09S	36E	33	SW	NW		PETERSEN, DONALD R	A29-00333 / 39.0	- /			23.0
			SW	NW		PETERSEN, DONALD R	A29-07342 / 39.0	- /			
09S	36E	33	SE	NW		PETERSEN, DONALD R	A29-00333 / 29.0	- /			36.0
			SE	NW		PETERSEN, DONALD R	A29-07342 / 29.0	- /			
			SE	NW		MARLEY, J WENDELL	A29-12266 /	- /			
			SE	NW		MARLEY, J WENDELL	29-12266 /	- /			
09S	36E	33	NE	SW		PETERSEN, DONALD R	A29-00333 / 39.0	- /			42.0
			NE	SW		PETERSEN, DONALD R	A29-07342 / 39.0	- /			
09S	36E	33	NW	SW		PETERSEN, DONALD R	A29-00333 / 37.0	- /			38.0
			NW	SW		PETERSEN, DONALD R	A29-07342 / 37.0	- /			
09S	36E	33	SW	SW		PETERSEN, DONALD R	A29-00333 / 39.0	- /			40.0
			SW	SW		PETERSEN, DONALD R	A29-07342 / 39.0	- /			
09S	36E	33	SE	SW		PETERSEN, DONALD R	A29-00333 / 39.0	- /			40.0
			SE	SW		PETERSEN, DONALD R	A29-07342 / 39.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-00333	459.00	344.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-00333	LOST CREEK BIRCH CREEK SPRINGS	PETERSEN, DONALD R	2.500	0.005		
A29-07342	GROUNDWATER	PETERSEN, DONALD R	8.800	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-12266	DOMESTIC	MARLEY, J WENDELL	FROM 01-01 TO 12-31	0.040 CFS	
29-12266	DOMESTIC	MARLEY, J WENDELL	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A29-07342

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-00333	09S	36E	29		SE	SW		R	BANNOCK	LOST CREEK	
A29-00333	09S	36E	29		SE	SW			BANNOCK	BIRCH CREEK	
A29-00333	09S	36E	29		SW	SE			BANNOCK	BIRCH CREEK	
A29-00333	09S	36E	29		SW	SE		R	BANNOCK	LOST CREEK	
A29-00333	09S	36E	30		SW	NE			BANNOCK	LOST CREEK	
A29-00333	09S	36E	32	SE	SE	NE			BANNOCK	SPRINGS	
A29-00333	09S	36E	32	NE	SE	SE			BANNOCK	SPRINGS	
A29-00333	09S	36E	33	SE	SW	NW			BANNOCK	SPRINGS	

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-04168	29-07436
A29-07436	29-12760
A29-12760	

WR RECORDS IN SAME 40 ACRE TRACT

29-04473
29-07436

SOURCE: LOST CREEK
BIRCH CREEK
SPRINGS

TRIB: BIRCH CREEK
MARSH CREEK
SINKS

B. WR POINT OF DIVERSION AND SOURCE:

2900333 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LOST CREEK
BIRCH CREEK

TRIB: BIRCH CREEK
MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

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

A29-00333

Date Received

Receipt Number

E014722/90

RECEIVED

MAY 24 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 19 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) OAK HILLS PARTNERSHIP Phone (801) 825-2966
C.O. RALPH C. PETERSEN
Mailing Address 375350 E. CLEARFIELD, UTAH Zip 84015

2. Date of Priority (Only one (1) per claim) 1 JULY 1879

3. Source of water supply (a) LOST CREEK AND BIRCH CREEK - SPRINGS
which is tributary to (b) MARSH CREEK

4. a. Location of existing point of diversion is: Township 95 Range 36E Section 29,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BANNOCK

Additional points of diversion if any: SPRINGS SE 1/4 NE 1/4 SEC 32 9 SOUTH 36E
NW 1/4 SE 1/4 SEC 32 9 SOUTH 36E

b. If instream flow, beginning point of claimed instream flow is:

Township 95 Range 36E Section 28, SE 1/4 of SW 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of BANNOCK

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

CONCRETE DAM - UNDER GROUND STEEL MAINLINE (PIPE)
PLASTIC MAINLINE - WHEEL LINES AND HAND LINES
12" - 10" - 8" - 6" STEEL TO PLASTIC

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MARCH 1 to NOV 1 amount 2.5 or more or less
For _____ purposes from _____ to _____ amount _____ or STREAMS VARY
For _____ purposes from _____ to _____ amount _____ or LOST CREEK ONLY RUNS
For _____ purposes from _____ to _____ amount _____ or AS SNOW
For _____ purposes from _____ to _____ amount _____ or RUN OFF
For _____ purposes from _____ to _____ amount _____ or COLLECTS.

7. Total quantity claimed (a) 2.5 CFS more or less (cfs) and/or (b) 1500 (acre feet)
ALL WATERS
STREAMS - SPRING VARY

8. Total consumptive use claimed is 1500 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2.5 X 600

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9	35E	13																40	40
9	35E	24				40													40
9	36E	18											40						40
		29															40		40
		32	40	40											40				120
		33			40	40		40		40	40	40	40	40					320

Total number of acres irrigated 600

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
100% LOST CREEK - 100% BIRCH CREEK EXCEPT AS or None ()
DESIGNATED TO NOLAN ARMSTRONG ON WATER SCHEDULE

14. Remarks: 1879 PRIORITY
SPRINGS ARE USED TO WATER ABOVE ACRES - SPRING
WATER AND CREEK WATER IS COLLECTED INTO SAME MAINLINE
100% SPRING IN SE 1/4 NE 1/4 SEC 32 9S 36E
100% SPRINGS IN NW 1/4 SE 1/4 SEC 32 9S MICROFILMED
1877 PRIORITY

NOV 13 1992

Last Name PETERSON
FOR OAK HILLS

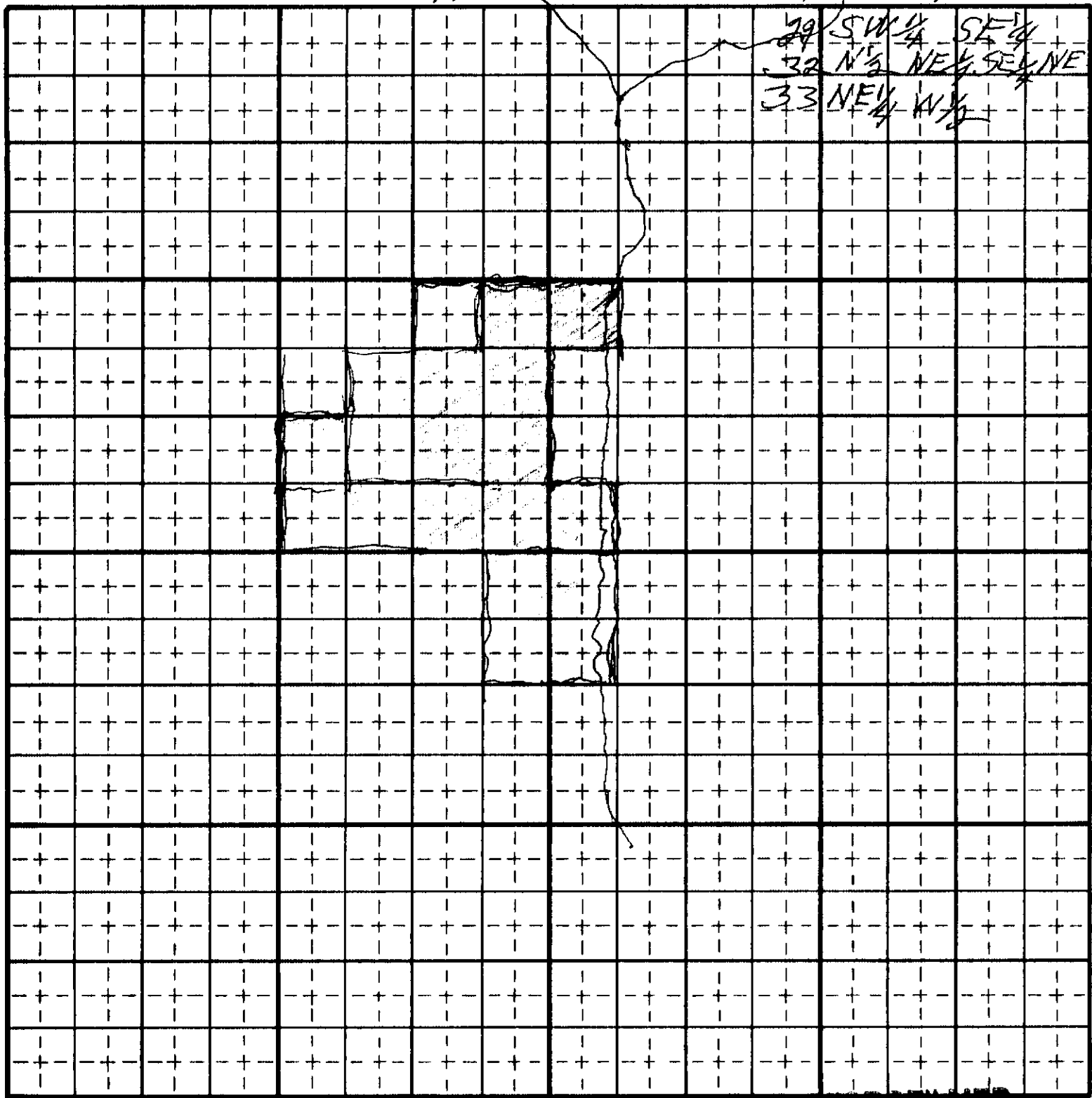
Ident No. DECREE
BOOK OF JUDGMENTS
BOOK #2 PAGE 118 MARCH 13, 1902

Copies: White - State, Yellow - Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

95S 36E SEC 28 SE $\frac{1}{4}$ SW $\frac{1}{4}$



MICROFILMED

NOV 13 1992

Last Name PETERSEN Ident No. DECREE
FOR OAK HILLS

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

by who

Ralph C. Peterson

Date

12 April 1990

Ralph C. Peterson

Date

23 May 1990

For Organizations: I do solemnly swear or affirm that I am _____

Partner

Title

of *Oak Hills*

Organization

document in the space below as _____

Representative

Title

of

OAK Hills Partnership

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Ralph C. Peterson

Title and Organization

Oak Hills Partnership

Date

12 April 1990

23 May 1990

State of *UTAH* or _____

County of *Davis*

SS.

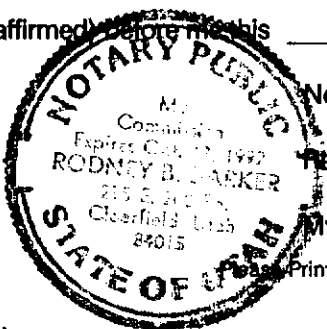
Subscribed and sworn (or affirmed) before me this _____

23

day of *May*

19*90*

SEAL



Notary Public

Rodney B. Barker

Residing at

Kaysville, Utah

My Commission Expires _____

Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 13 1992

Last Name _____

Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-00333

Spatial Dynamics BTD

6/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	28	SESW	19	20	
09s36e	32	NENE	38	39	
09s36e	32	NWNE	30	30	
09s36e	32	SENE	35	34	
09s36e	32	NESE	37	38	
09s36e	33	NENW	38	38	
09s36e	33	NWNW	40	39	
09s36e	33	SWNW	39	40	
09s36e	33	SENW	29	29	
09s36e	33	NESW	39	38	
09s36e	33	NWSW	37	38	
09s36e	33	SWSW	39	38	
09s36e	33	SESW	39	39	
Totals:			459	460	

AJ5809NP
No. A29-00333

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD R PETERSEN 11751 S HENDERSON RD MC CAMMON ID 83250 (208) 254-3930	07/01/1879	IRRIGATION	03-01 11-01	2.500 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					2.500 CFS	1500.00 AFA

Water Source: LOST CREEK
BIRCH CREEK
SPRINGS

Tributary to: BIRCH CREEK
MARSH CREEK
SINKS

Stage: DECREED

Point(s) of Diversion:	T09S R36E S29	SESW	SWSE	BANNOCK County
	S30	SWNE		BANNOCK County
	S32	SESENE	NESESE	BANNOCK County
	S33	SESWNW		BANNOCK County
Point(s) of Re-diversion:	T09S R36E S29	SESW	SWSE	BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
09S	36E	28	:													19		:	19.0	
09S	36E	32	:	38		30			35								37		140.0	
09S	36E	33	:					38	40	39	29		39	37	39	39			300.0	
																			TOTAL ACRES	459.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-07342

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-12760 A29-04168 A29-12760

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07342 A29-12258

Remarks: GEN DIVERSION RATE 1.1 CFS FROM BIRCH CREEK.
DIVERSION RATE "ALL THE WATER OF SAID LOST CREEK".
SOURCE LOCATION APPROX. T9S, R36E.
|
ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-00333

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 2

=====

Audit:	06/14/90 DCARLSON	06/24/93 WILSON	05/24/94 COX	03/29/95 POST-STD
	03/19/98 SSHERMAN			

RECEIVED

MAR 16 1998

Department of Water Resources

3-12-98
Please change mailing Address 37.5.350E.
Clifton, Utah
84015.

To - Donald R. Petersen
11751 South Henderson Rd.
McCannon, IDAHO 83250
1-208-254-3930
Permit NO. 29-07342 -

Thank you.

Donald R. Petersen

Water Right Number assigned by IDWR.
A29-00333

A record modified 3-19-1998. as

cc: W.M., D.A.

RECEIVED

JUN 24 1993

Department of Water Resources
Eastern District Office

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A29-00333

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Oak Hills Partnership
c/o 375 350 E Clearfield Utah Ralph C Petersen
375 350 E

☐ New Owner/Claimant
(Purchaser):

Clearfield UT 84015

Don Petersen

☐ New Mailing Address:

375 350 E Clearfield Utah 84015

☐ New Telephone Number:

(801) 773-7276

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Don Petersen

Date 6-24-93

Date

☐ Signature of Former
Owner/Claimant(s):

Ralph C. Petersen
for Oak Hills

Date 6/24/93

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

6-24-93 No letter sent to new ownership
C/o was Done here / Keith Wilson. Jo

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

APR 2 1994

29-00333

The Notice for water from Lost Creek and Birch Creek appears to be right, 29-00333 in the Departments records. Though the decree does not specify a specific amount of water, in order to complete items #6 and #7 a quantity of water must be identified. This quantity should probably be based on the most water diverted.

The period of use should also be listed in Item#6. The irrigation season for that area is generally recognized as April 1 to Nov. 1.

The acreage shown in Item #10 should be the land irrigated by water from Birch and Lost Creek.

The Notice also refers to springs. However, the notice does not explain what extent the springs are used. Please clarify this on the notice.

With no change in the place of use the filing fee for this notice is \$650.00 (\$50.00 for the notice plus \$1.00/acre).

Claims by corporations, municipalities, and other organizations must be signed by an officer of the corporation, an elected official of the municipality, or an individual authorized by the organization to sign the form. The "For Organizations" block in Item #16 must be completed with the signator's title and must be notarized.

MICROFILMED

NOV 13 1992

Olson Page - 2

Department records reveal the permit numbered 29-7342 lapsed in 1981 because proof of beneficial use was not filed. The record indicates the permit was never assigned to Mr. Peterson. Unfortunately since the permit has lapsed there is no water right on which to base a Notice of Claim. To acquire a water right Mr. Peterson can either request reinstatement of the permit, causing the priority date to be advanced to the day proof of beneficial use is filed or he can file an application for another permit. I would strongly suggest Mr. Peterson or yourself contact this office to discuss the particulars of both procedures. As a convenience both a beneficial use form and an application for permit are enclosed.

The Notice for water from Lost Creek and Birch Creek appears to be right, 29-00333 in the Departments records. Though the decree does not specify a specific amount of water, in order to complete items #6 and #7 a quantity of water must be identified. This quantity should probably be based on the most water diverted.

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*The Springs and
Water from
Birch Creek and
Lost Creek are
collected into
the same mainline*

MICROFILMED

NOV 13 1992

Olson Page - 3

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,


Ernest Carlsen
Adjudication Supervisor

EC:bb

Enclosure

MICROFILMED

NOV 13 1992

A29-00333

