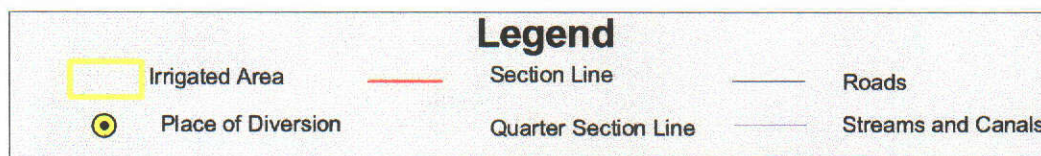
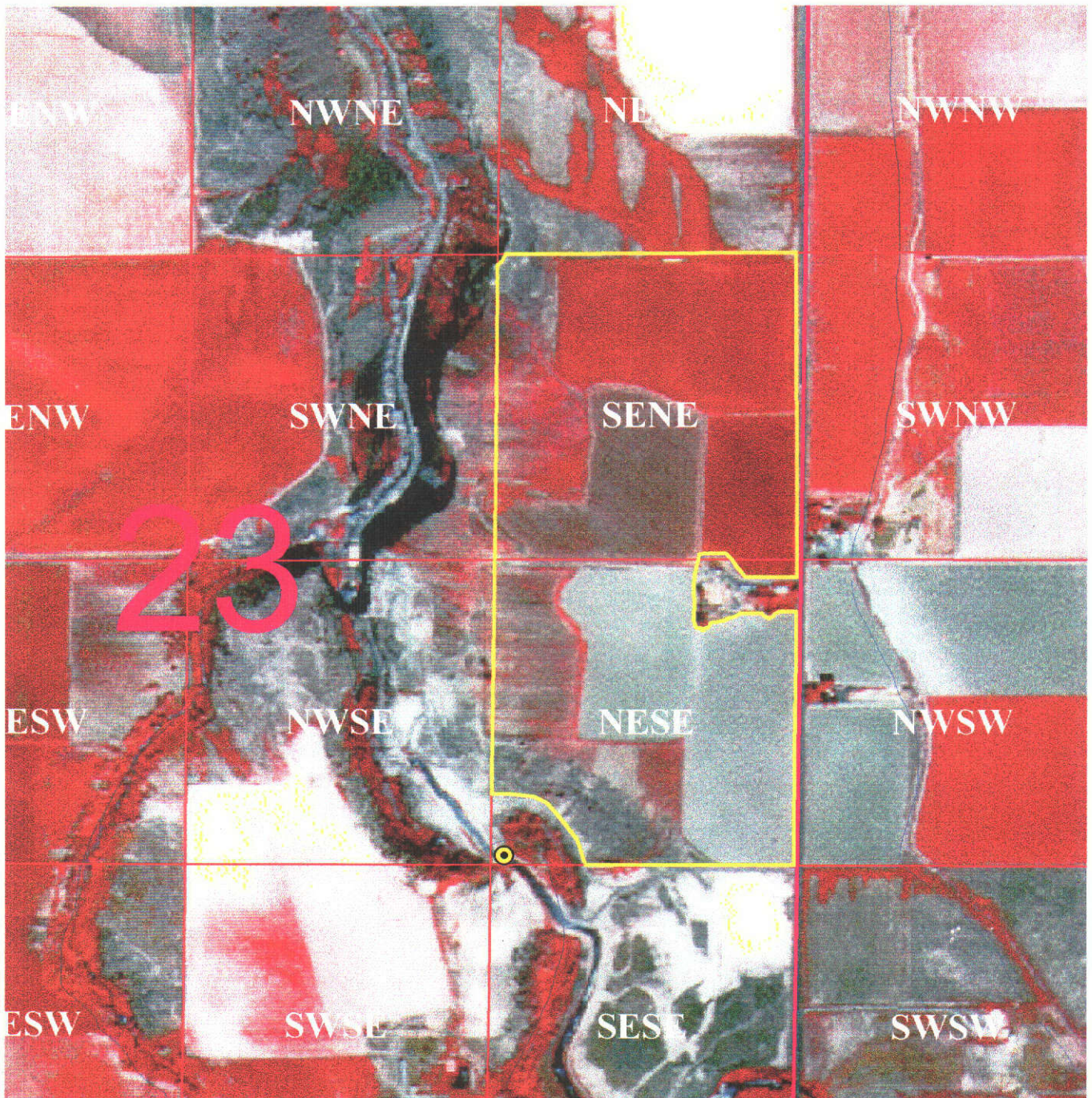


Water Right Claim Number 47-02360
Township , 9S15E

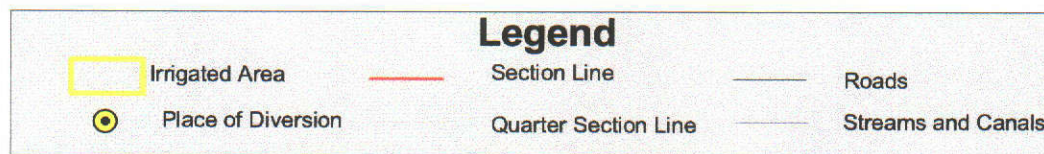
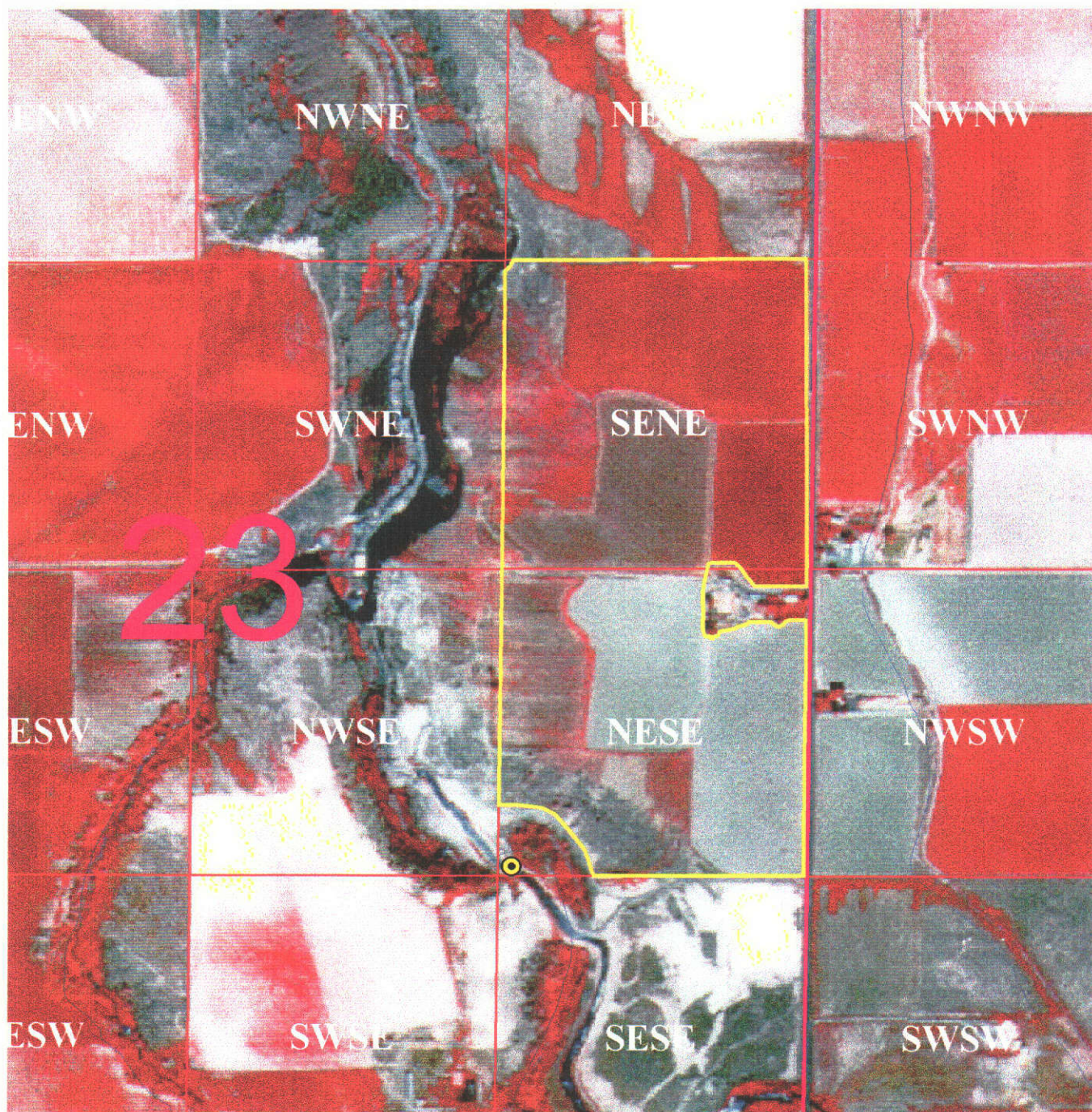
01/12/2001



400 0 400 800 Feet

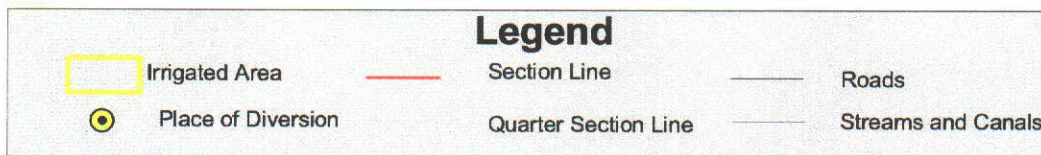
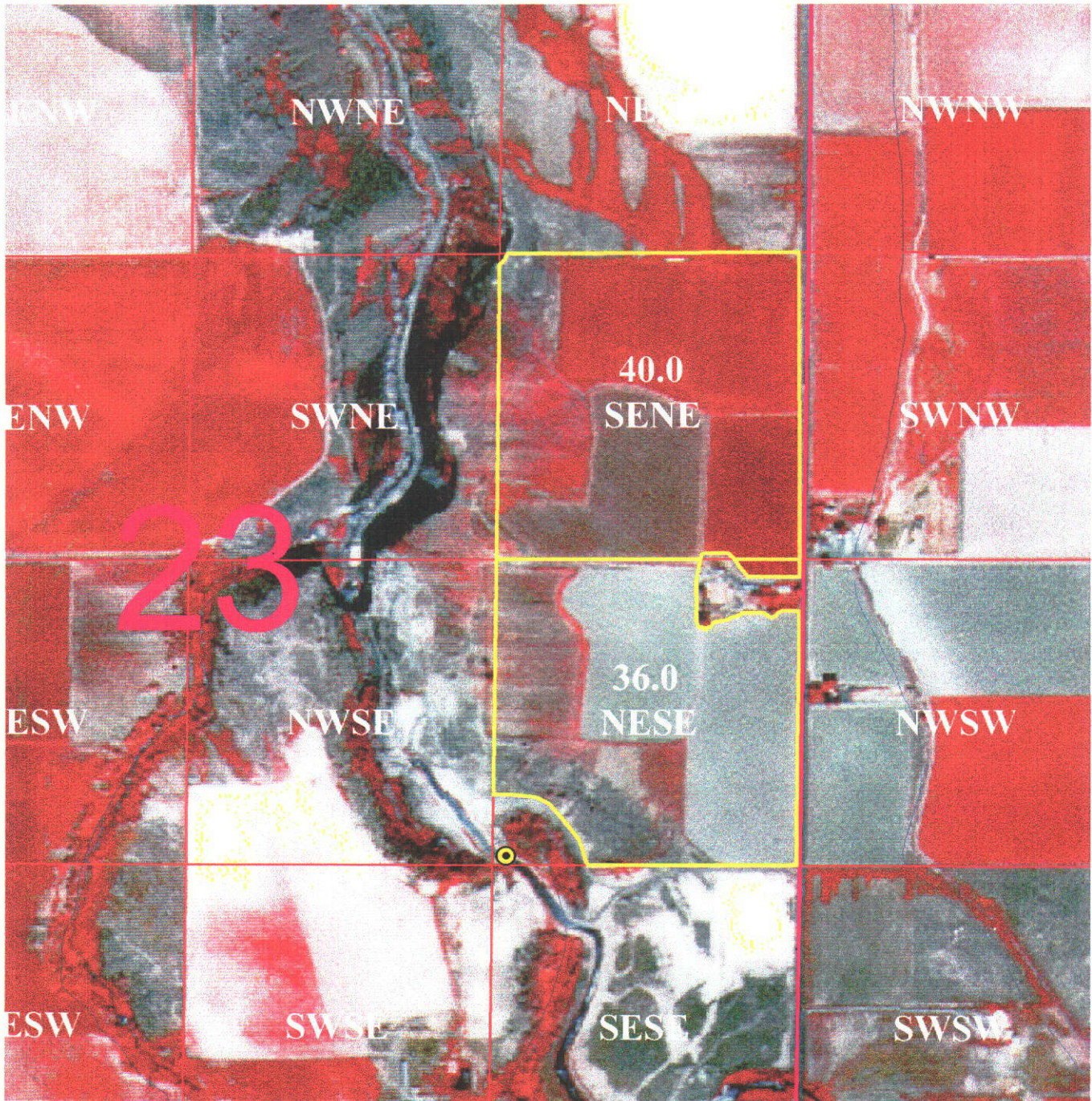


01/12/2001



Water Right Claim Number 47-02360
Township , 9S15E

01/12/2001



400 0 400 800 Feet



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: A47-02360
Date Received: 11/14/1988
Receipt No: 5003763
Received By: 8

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE F. PETERSON 208-326-5062
Address: 4347 N. 2000 E.
FILER, ID 83328
AND/OR
Name: MARY E. PETERSON 208-326-5062
Address: 4347 N. 2000 E.
FILER, ID 83328
2. Date of Priority: NOV 16, 1961
3. Source: CEDAR DRAW CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	23	NE	SE			TWIN FALLS
5. Description of diverting works:
PUMP, 36 HP GAS MOTOR, PIPELINE TO GRAVITY IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.440		
7. Total Quantity Appropriated is:
1.440 C.F.S. (and/or) 288.00 A.F.A.
8. Total consumptive use is 216.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A47-02360

Page 1

Date: 11/14/88

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	15E	23	SE	NE	IRR	37.0
			NE	SE	IRR	35.0
					Section Acres	72.0
					Total Acres	72.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
CANAL SHARES

14. Remarks:
SOURCE KNOWN LOCALLY AS DESERT CREEK. RIGHT SUPPLEMENTS CANAL
WATER AS NEEDED.

15. Basis of Claim: LICENSE
Water Right Number: 30303

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: _____

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): C. B. Peterson Date: 11-14-88

Date: _____

State of Idaho)
County of Thur Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Nov. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/92

COMMUNICATION DOCUMENTATION

Department of Water Resources
Southern Region

15926
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

CLARENCE F PETERSON
MARY E PETERSON
4347 N 2000 E
FILER ID 83323

RECEIVED

AUG 11 1994

Department of Water Resources
Southern Region

From: DWR60::AMERRITT 14-MAY-1996 16:38:42.54
To: DJONES
CC: AMERRITT
Subj: for srba reference

From: DWR60::AMERRITT 14-MAY-1996 16:36:02.98
To: DWR03::NYOUNG
CC: AMERRITT
Subj: fyi

FROM: Allen Merritt DATE: May 14, 1996
TO: File for Peterson complaint
Related rights 47-02360 (Peterson) and 47-07830 and
47-07960 (McCauley in name of Little Mac Power Co.)
SUBJECT: Field Visit

5/15, ID:
PLS cc'd to @
SRBA claim file

On this day I met Clarence Peterson (Complainant), Rocky Finney (rentor of Peterson farm) and Tom McCauley (Owner of powerplant).

Peterson alleges that McCauley's powerplant interferes with his water right. He says he has witnesses that water in creek is cut back to small amount and he cannot divert his right. McCauley points out that his diversion works to powerplant have a submerged orifice in works that keeps 10 cfs going down creek during summer and 5 cfs during winter as per FERC requirement and there is water for Peterson to divert. He points out that Peterson has only recently put in pump and right has not been used for years. He indicates that the diversion dam is the problem since it doesn't check the water high enough to get it into the pipeline going to the pump.

On inspection I found that the powerplant diversion has an orifice as McCauley described and at the time I visited the site there was estimated to be 8 to 10 cfs going down Cedar Draw below the powerplant diversion. Inspection of the Peterson diversion found that there was a crude rock and board check in the creek but the check did not elevate the water high enough to force water into the pipeline leading to the pump. (Note that the check dam was on McCauley property but the slide gate control on the pipeline is on Peterson property as is the pump.) Mr. Peterson, due to his age and health, did not go down into the canyon to view the diversion but Mr. Finney did and McCauley and Finney agreed to work together to shore up the check dam to make the diversion work. On returning to Mr. Peterson I pointed out there appeared to be sufficient water to fill his right but that the diversion works appeared to be the problem in his getting the water. He indicated that he had a contract that requires the powerplant to provide him sufficient water and that it was not just the diversion but he still contended that there has been less water than his right in the creek. I told him it did not appear to be a water right issue since in my opinion the problem was the condition of the diversion works. I told him I could not judge who was responsible according to any contract but that it appeared that Mr. McCauley and Mr. Finney were in agreement to solve the diversion works problem. Mr. Peterson still insisted that McCauley dries up the creek so I told both parties that McCauley was on notice that he needs to maintain a bypass flow and that if IDWR found this was not maintained we would take action to

issue a cease and desist order with possible violation. The meeting ended and I took Mr. Peterson back to his house. On the way he insisted I stop at a neighbor's and he had the guy tell me there was at times not much water in the creek at the Peterson diversion.

I do not know if this matter is totally resolved but will investigate as appropriate on further complaint.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-02360

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 9, 1997 10:08am

NAME: DICK NOH CALLIN/BACK 733-5336 RE: QUESTIONS ON RIGHT

ASKED ABOUT RIGHT FOR CLARENCE PETERSON FROM CEDAR DRAW... HE MENTIONED THERE IS 80 SHARES OF CANAL WATER BUT ALSO 72 INCHES FROM THIS RIGHT. NAME QUERY FOUND THE RIGHT A47-02360. I TOLD HIM THERE IS NO WAY I CAN CONFIRM THE RIGHT IS STILL VALID FOR SRBA PURPOSES BUT THERE IS A VALID LICENSED USE ON RECORD WITH IDWR FOR THE RIGHT CLAIMED.

Log for claim 47-02360

Spatial Dynamics BTD

1/12/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s15e	23	SENE	37	40	
09s15e	23	NESE	35	36	
Totals:			72	76	

Water Right Claim Number 47-02360
Township , 9S15E

01/12/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

400 0 400 800 Feet



*Spatial
Dynamics*

Water Right Claim Number 47-02360
Township , 9S15E

01/12/2001



Legend

- | | | |
|----------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| ⊙ Place of Diversion | Quarter Section Line | Streams and Canals |



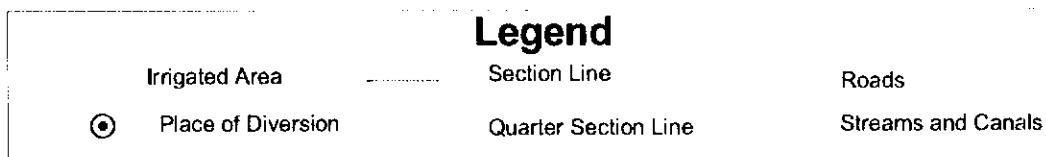
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-02360
Township , 9S15E

01/12/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-02360

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 50

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLARENCE F PETERSON	11/16/1961	IRRIGATION	03-15 11-15	1.440 CFS	
C	MARY E PETERSON					
	4347 N 2000 E					
	FILER ID 83328			TOTAL DIVERSION:	1.440 CFS	288.00 AFA
	(208) 326-5062			CONSUMPTIVE USE:		216.00 AFA

Water Source: CEDAR DRAW CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T09S R15E S23 NESE

TWIN FALLS 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	Lt	Ac	Lt	Ac	: SUM			
09S	15E	23	:								37	:									72.0			
																				TOTAL ACRES	72.0			

POU County: TWIN FALLS

Other Rights: CANAL SHARES

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020920

Remarks: GEN SOURCE KNOWN LOCALLY AS DESERT CREEK. RIGHT SUPPLEMENTS CANAL
WATER AS NEEDED.

Dates: Exam Made Date: Verified Date: 02/26/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/14/88 STANTON 03/30/95 POST-STD

State of Idaho License and Certificate of Water Right

Water License No. 30303

Amount 1.44 c.f.s.

Water District No.

Priority November 16, 1961

THIS IS TO CERTIFY that CLARENCE F. PETERSON
of Filer, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 16, 1961; that Permit No. 30303
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.44 second feet, was issued thereunder on July 16, 1965, showing that said works
were completed on the 29th day of December, 1964; and that on the 29th
day of December, 1964, CLARENCE F. PETERSON

of Filer, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Desert Creek
commonly known as Cedar Draw, a tributary of Snake River, for the purpose of irrigation
under Use Permit No. 30303 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 8179, on the 16 day of July, 1965;

The right hereby confirmed dates from November 16, 1961;

The Point of Diversion is located

In the NE 1/4 SE 1/4, Sec. 23, Tp. 9S, R. 15 E, B. M. Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9S	15 E	23	SE 1/4 NE 1/4 NE 1/4 SE 1/4 Total number of acres to be irrigated:	40 40	37 35 72

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

16th day of July, 1965.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

2560

47-2360

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No 303 341
PERMIT No. 30303
DISTRICT No.

1. Name of Applicant: Clarence F. Peterson

Postoffice address: R. F. D. 1, Filer

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 1.6

cubic feet per second.

3. Source of water supply: Desert Creek, commonly known as Cedar Draw / which is a tributary of Snake R.

4. Location of point of diversion: 1320 feet north and 1320 feet ^{west} ~~from the~~ from the southeast corner of Section 23, T. 9, R. 15 E., B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 23, T. 9 S., R. 15 E., B.M., County of Twin Falls, Idaho

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section of, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.

7. Estimated cost of works: \$1500.00

8. Kind of works: Electric pump near stream pumping into pipe line.

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: ~~with bottom~~ ~~feet width at water line~~ ~~feet depth of water~~ ~~x 1200 x~~
Diameter of pipe 8 to 10 inches - approximately one-fourth mile to open ditches

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is five additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
50 inches for 80 acres under Twin Falls Canal Company - Twin Falls, Idaho

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho herein set forth.

By _____ Agent, _____

Corrected application received:

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

14.

Twp.	Range	Sec.	NE 1/4		NW 1/4		SW 1/4		SE 1/4		Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S	15 E	23	40						40		80 A
Permit No. 30303 CERTIFICATE OF COMPLETION OF WORKS ✓											
ALL WHOM IT MAY CONCERN:											
This is to certify that CLARENCE F. PETERSON of Filer, County of Twin Falls, and State of Idaho, the holder of Permit No. 30303, issued upon Application No. 38341 bearing date of priority of November 16, 1961, authorizing diversion of 1.6 second feet of waters of Desert Creek, commonly known as Cedar Draw, County of Twin Falls, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.44 second feet of the waters of Desert Creek, commonly known as Cedar Draw, tributary of Snake River that the point of diversion of said waters NE 1/4 SE 1/4, Sec. 23, T. 9 S., R. 15 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SE 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 23, T. 9 S., R. 15 E., B.M. WITNESS MY HAND THIS 16th day of July, A.D. 1965. s/ RALPH W. THOMAS Deputy State Reclamation Engineer											
of Completion of Works Made: December 29, 1964											
LICENSE ISSUED FOR 1.44 SEC. FT. LICENSE PAGE NO. 8179											

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 30303

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Clarence F. Peterson
2. Source of water supply: Desert Creek, commonly known as Cedar Draw
3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 23
T. 9 S. R. 15 E.B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 4 Cy/ air Cooled Wisconsin Gas Engine Model VP4D Serial # 1706384, Size 3 1/2 X 4, Spec # 70258 with 5" suction pump on motor for 6" 6 stroke a Deming Hender Centrifugal pump # DC 108058, Size 5", Fig 4022 (6" suction and 5" discharge to 6" and increased to 8" X 6", 10" X 20' and reduced to 8" X 700' buried steel pipe.
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4 NE 1/4, NE 1/4 SE 1/4 Sec. 23., Twp. 9 S., Rge. 15 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Grant Hall Renter along

Measured by Current Meter #375 = Q = 1.49 cfs.

This examination was made on the 23 day of June, 1965

(Signed)

Lloyd Johnson

Examiner.

30303

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

JUN 29 1965

Department of Reclamation

Clarence F. Petersson
Route #1
Filer, Idaho
Permit No. 30303

3265062

Front Hall Reclamation

Examination for Completion of Works & Beneficial Use

County Twin Falls

Sec. 23 T. 9S R. 15 RBM

Quantity: 1.6

Source: DESERT CREEK
(PETER DRILL)

P.D.: NEW SEW, Sec. 23, T. 9S, R. 15

Use: IRRIGATION

Filed: Nov. 16, 1961

Due: 1/1/62

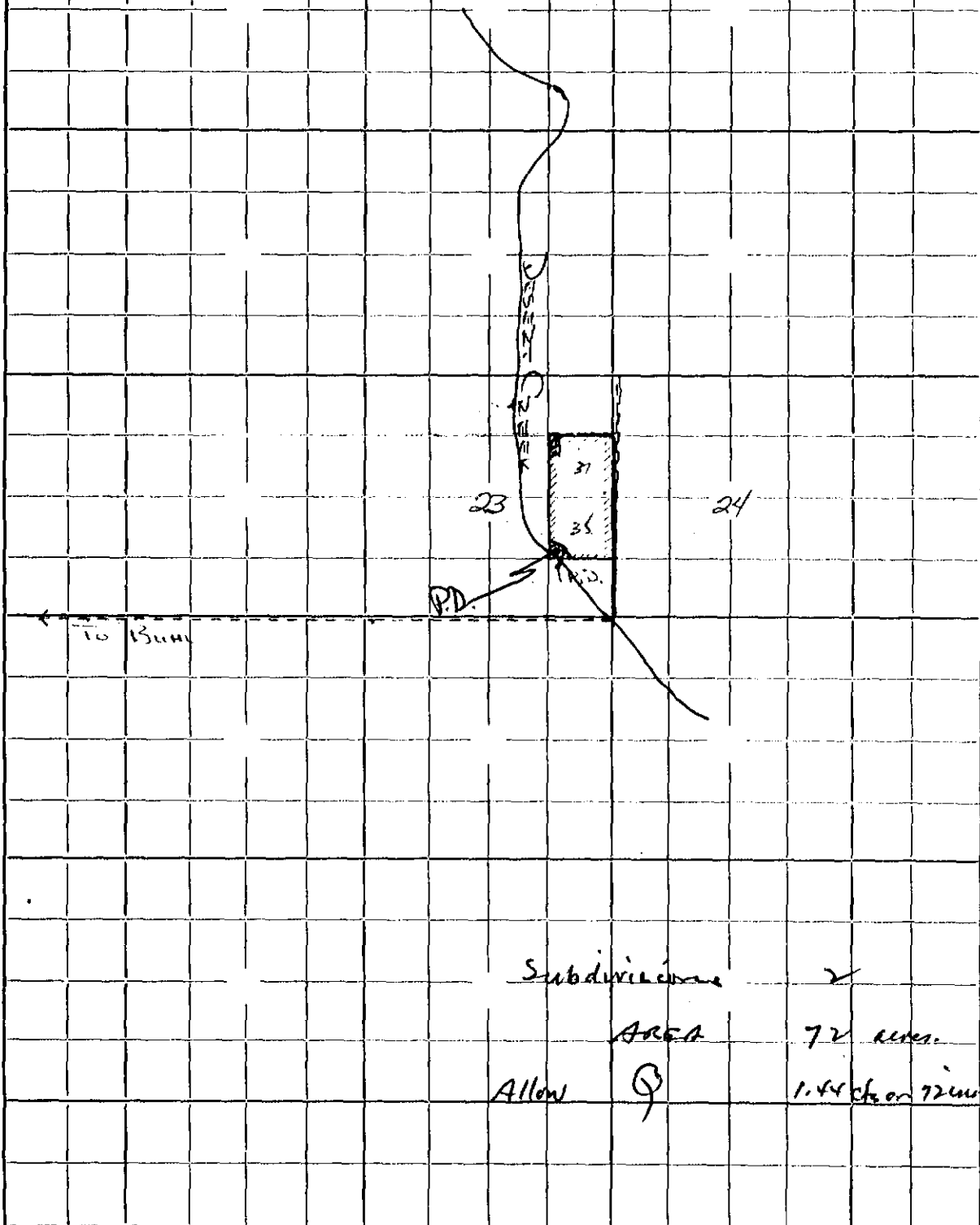
Extension:

Protest:

Completion of Works:

Other Rights: 1/2 ACRES T. 9S, R. 15, S. 15
ACRES T. 9S, R. 15, S. 15
1/2 ACRES T. 9S, R. 15, S. 15
1/2 ACRES T. 9S, R. 15, S. 15

9 South - 15 East



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30.803

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30303

REPORT ON PROOF OF Completion of Works & Beneficial Use

Clarence F. Peterson, Rt. #1, Filer, Idaho

LD-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 6/23 19 62 DISCHARGE MEASUREMENT NOTES

Station 30323 River at Colosseum

Approximate width	Dist. from initial point	Width	Depth	Observe width to depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or vertical	Area	Discharge
							At point	Mean in ver- tical			
		3	0								
	1.25	25	2.5			15				1.7	69
	2.5	25	4							1.5	12
	3.75	25	5							2.0	42
	5.0	25	5							2.5	31
	6.25	25	5							2.7	31
	7.5	25	5							2.7	31
	8.75	25	5							2.7	31
	10.0	25	5							2.7	31
	11.25	25	5							2.7	31
	12.5	25	5							2.7	31
	13.75	25	5							2.7	31
	15.0	25	5							2.7	31
	16.25	25	5							2.7	31
	17.5	25	5							2.7	31
	18.75	25	5							2.7	31
	20.0	25	5							2.7	31
	21.25	25	5							2.7	31
	22.5	25	5							2.7	31
	23.75	25	5							2.7	31
	25.0	25	5							2.7	31
	26.25	25	5							2.7	31
	27.5	25	5							2.7	31
	28.75	25	5							2.7	31
	30.0	25	5							2.7	31
	31.25	25	5							2.7	31
	32.5	25	5							2.7	31
	33.75	25	5							2.7	31
	35.0	25	5							2.7	31
	36.25	25	5							2.7	31
	37.5	25	5							2.7	31
	38.75	25	5							2.7	31
	40.0	25	5							2.7	31
	41.25	25	5							2.7	31
	42.5	25	5							2.7	31
	43.75	25	5							2.7	31
	45.0	25	5							2.7	31
	46.25	25	5							2.7	31
	47.5	25	5							2.7	31
	48.75	25	5							2.7	31
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	60.0	25	5							2.7	31
	61.25	25	5							2.7	31
	62.5	25	5							2.7	31
	63.75	25	5							2.7	31
	65.0	25	5							2.7	31
	66.25	25	5							2.7	31
	67.5	25	5							2.7	31
	68.75	25	5							2.7	31
	70.0	25	5							2.7	31
	71.25	25	5							2.7	31
	72.5	25	5							2.7	31
	73.75	25	5							2.7	31
	75.0	25	5							2.7	31
	76.25	25	5							2.7	31
	77.5	25	5							2.7	31
	78.75	25	5							2.7	31
	80.0	25	5							2.7	31
	81.25	25	5							2.7	31
	82.5	25	5							2.7	31
	83.75	25	5							2.7	31
	85.0	25	5							2.7	31
	86.25	25	5							2.7	31
	87.5	25	5							2.7	31
	88.75	25	5							2.7	31
	90.0	25	5							2.7	31
	91.25	25	5							2.7	31
	92.5	25	5							2.7	31
	93.75	25	5							2.7	31
	95.0	25	5							2.7	31
	96.25	25	5							2.7	31
	97.5	25	5							2.7	31
	98.75	25	5							2.7	31
	100.0	25	5							2.7	31

No. 30323 of 3 Sheets. Comp. by 30323 Chk. by 30323

