

35

36

31

AGI-04065

T 4 S
R 6 E

P.D.
*P.U.

2

1

TRAIL



Rattlesnake

11

FREIGHT

12

WEST

LAMBERTON

UNION

OLD

OREGON

PACIFIC

Trailer Park

SIDE

14

Gravel
Pit

13

18

MICROFILMED

AUG 11 1992

3075

3074

3099

3092

OLD MOUNTAIN CITY-MOUNTAIN HOME



CUTLER
BROTHERS

Ross W. Cutler
John P. Cutler
William D. Cutler

257 N.W. 16th St
2455 S.W. 4th Ave.
Ontario, Oregon 97914

Telephone
~~503-889-8845~~

541-889-4085

Sue B.

This is a
strange one
when you
read thru
all of the
info. here

RECEIVED

April 28- 2000

MAY 24 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 24 2000

Department of Water Resources

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

RE: Motion For Late Objection.

Sue;

This late objection is due to incomplete data from the Western Region Office of Dept of W.R. and the uncooperative nature of the previous owners.

This property was represented to us at purchase as a 28 space park. My many visits to the Western Region office always produced seven spaces. Therefore it was necessary for us to "suggest" to the previous owners that they intentionally misrepresented the property and water rights. At that, they finally became co-operative and produced the enclosed reasons for my objection.

Sincerely, CUTLER BROTHERS

Idaho Dept of Water Resources

T04S, R06E, S 1
Claim(s): 61-04065 & 61-10093
Claimant(s): Cutler Brothers
Prepared by: Sue Bock
Date: 08/13/1998



Place of Use



Point of Diversion



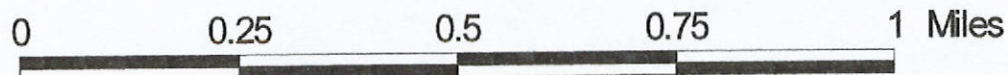
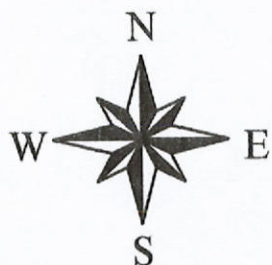
1/4 1/4 lines



Section Lines



1987 NAPP Photo



Pictures taken 08/08/1994 by MMinicucci

A61-04065

TOYS ROBE

S-1

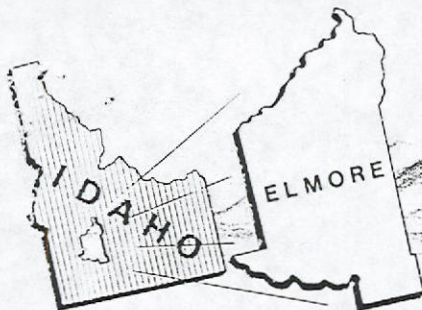
SE NW



① 505' well,
10 HP pump
located on SW
end of trailers.
Used for
trailers & lawn
irrigation



② 400' well
Used as
emergency
back-up to
deeper wells
This is the well
licensed under
61-07149 for
several trailer
homes.



ELMORE COUNTY ASSESSOR

P.O. DRAWER A — MOUNTAIN HOME, IDAHO 83647

RONALD E. ROSS
Assessor

MARLENE BECK
Chief Deputy

PHONE: 208 587-3521

MOTOR VEHICLE DEPT.
PHONE: 208 587-7551

RECEIVED

FEB 24 1993

January 27, 1983

Department of Water Resources
Western Regional Office

Alton and Sharon Petzoldt
Rt 1 Box 859
Mtn Home, Id 83647

Dear Alton and Sharon,

I have researched and personally viewed the Elmore County tax records on Lots 9 & 12, and 19 & 22, Block 10 of Fruitdale Subdivision, Elmore County, and they show the first improvements being assessed in the tax year 1954. This is probably indicate the period you needed.

If I can be of further assistance in this matter, please let me know.

Sincerely,

A handwritten signature in cursive script that reads 'Ron Ross'.

Ron Ross
Assessor

@/aim #'s

AGI-04065

AGI-10093

ROSE ROYE

T035
T045

MOUNTAIN HOME

Sewage Disposal

35

3/21

36

Creek

BM 3117

3/14

UNION

3/09

LAMBERTON

OLD

3/07

WEST

12

Rattlesnake

TRAIL

FREIGHT

11

2

1st
400' well
500' well

25 CFS DOM
03 CFS IRR

PETZOLDT

Z63 (1974)

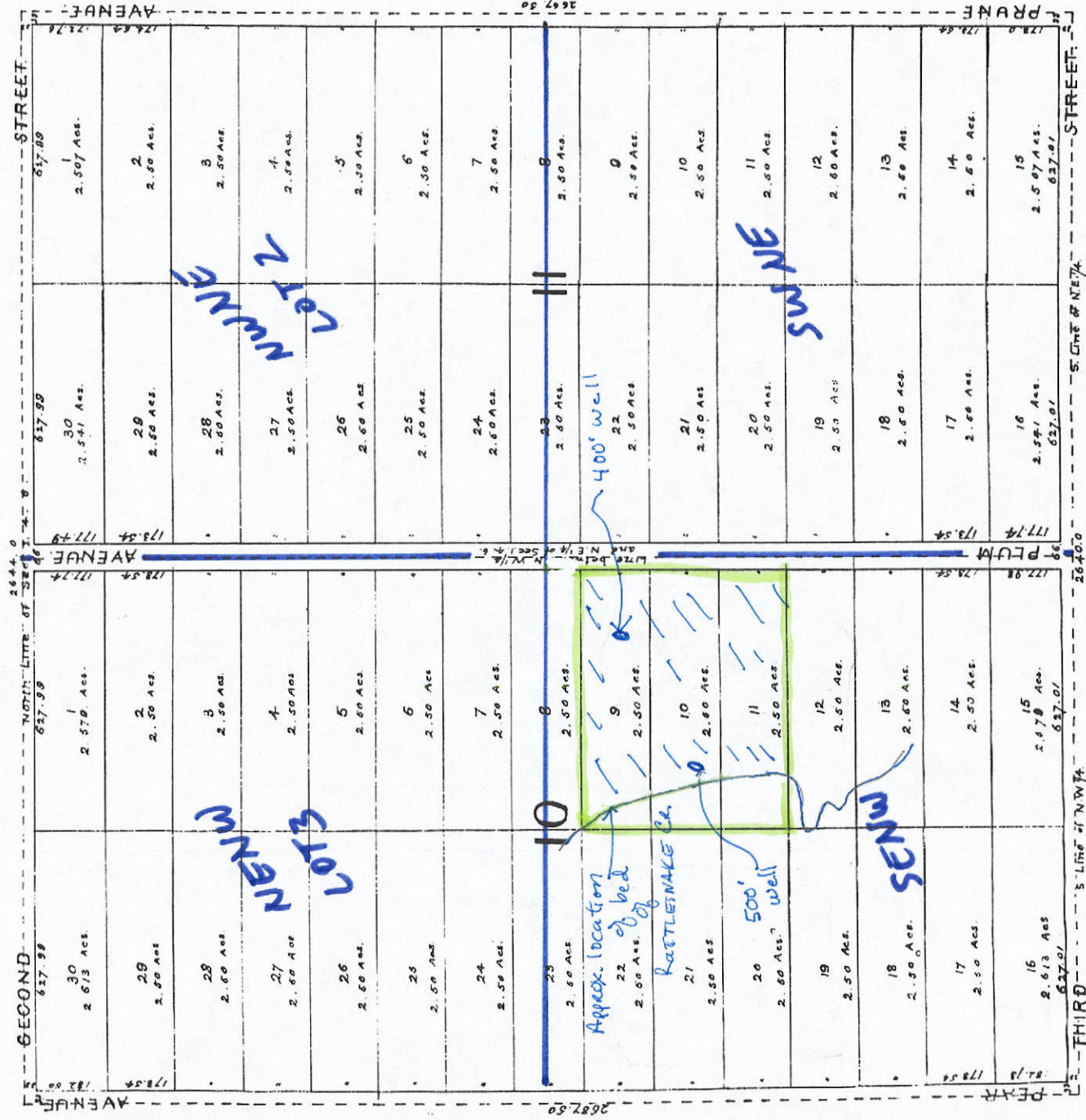
+15090

A61-04065

PETZOLD

1.25 DM
 .03 IRR
 Total 1.5
 1.5

Scale. 200 feet to the inch.



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: **A61-04065**
Date Received: 10/ 4/1989
Receipt No: C011976
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CUTLER BROTHERS
Address: 257 NW 16TH ST
ONTARIO OR

503-889-8845

97914

2. Date of Priority: JAN 1, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06E	1	NE	SE	NW		ELMORE

5. Description of diverting works:

WELL, 10" CASING, 505' DEEP, 10 HP SUB. PUMP, REPLACEMENT IN 1983

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.250		

7. Total Quantity Appropriated is:

0.280 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 28 SPACE MOBILE PARK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	1	SE	NW		IRR	1.0
			SE	NW		DOMEST	

10. Place of Use: Continued

Section Acres 1.0

Total Acres 1.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
 NONE

14. Remarks:

THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBLILE HOMES AND APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT PASTURE LAND (SEE CLAIM A61-10093).
OWNERSHIP CHANGED 01/05/1995 BY MM.

15. Basis of Claim: STATUTORY CLAIM



A6104065

"FAMILY RENTALS"

Z63NW

Appl for permit requested

C of O?

Rec. for 7 homes - 1954 price

Combined remarks for - 10093?



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 04 1995

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: 7/1/94

LEGAL DESCRIPTION OF PROPERTY: Township SEE ATTACHED 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: A61-04065, A61-10093

☐ Name and Address of Former Owner/Claimant(s)(Seller): AL & SHARON PETZOLDT

☐ New Owner/Claimant (Purchaser): RT 1 Box 859
Mtn. Home Id 83647
Cutler Brothers

☐ New Mailing Address: 257 N.W. 16th St.
Ontario, OR 97914

☐ New Telephone Number: (503) 889-8845

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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): Cutler Bros Date 12-30-94

☐ Signature of Former Owner/Claimant(s): by R W Cutler Date _____
C. Petzoldt Date 8/9/94
Sharon D Petzoldt Date 8/9/94

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 01/05/1995 By: TIT

Further Action Needed:

Corr RE: A61-04065 TO CUTLER

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

RECEIVED

JAN 4 1992

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

Lots 9, 10, 11, 12, 19, 20, 21, & 22
Block 10 FRUITDALE Sub Division

Located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 1,
T. 4S, R. 6E, BM, ELMORE County Idaho

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: A61-04065
Date Received: 10/04/1989
Receipt No: CO11976
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALTON PETZOLDT 208-587-8280
Address: RT. 1 BOX 859
MOUNTAIN HOME, ID 83647

AND/OR

Name: SHARON PETZOLDT 208-587-8280
Address: RT. 1 BOX 859
MOUNTAIN HOME, ID 83647

2. Date of Priority: JAN 01, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06E	1	NE	SE	NW		ELMORE

5. Description of diverting works:

WELL, 10" CASING, 505' DEEP, 10 HP SUB. PUMP, REPLACEMENT IN 1983

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.250		

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

A.F.A.

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 28 SPACE MOBILE PARK

A61-04065

Page 1

Date: 10/04/89

MICROFILMED

AUG 11 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	06E	1	SE NW		IRR	1.0
			SE NW		DOMEST	

Section Acres 1.0

Total Acres	1.0
-------------	-----

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

NONE

14. Remarks:

THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBLILE HOMES AND APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT PASTURE LAND (SEE CLAIM A61-10093).

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: - / -

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): *Clinton Peppers* Date: 10/4/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of October 19 89 *Carter Fritschle*
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

NOTICE

AUG 11 1992

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3/24

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A61-04065

745 E
R 66

RE

Q.

x p. u.

TRAIL

-----FREIGHT-----

Battlesnake

LAMBERTON

OL

WFS

SIDE

1000

100

CONFIDENTIAL

TRP

Gravet
1000

Gravet.

三

Creek

Sewage Disposal

SUE West
JS

200 JUN 29 AM 11:13

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

) Subcases: 61-04065

Case No. 39576

)
)
) **ORDER GRANTING MOTION TO
FILE LATE OBJECTION**
)

On May 4, 2000, a *Motion to File Late Objection* was filed in the above subcase by the claimant Cutler Brothers. The *Motion* was placed on the Docket Sheet. A hearing was held on June 29, 2000. No objections *Motion* have been filed and there was no opposition at hearing. Therefore, IT IS ORDERED that the *Motion to File Late Objection* is **granted**, and the *Objection* previously lodged with this Court will be deemed filed as of this date. *Responses to the Objection* are due on or before July 28, 2000.

IT IS FURTHER ORDERED that a Status Conference is set as follows:

Date: July 31, 2000 at 1:30 pm

Location: SRBA District Court
253 Third Avenue North
Twin Falls, ID

Parties may participate by telephone in this Status Conference if they contact the clerk of the court at (208) 736-3011 prior to July 28, 2000.

DATED June 29, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

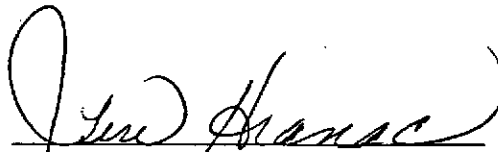
I certify that a true and correct copy of ORDER GRANTING MOTIONS TO FILE LATE OBJECTIONS was mailed on June 29, 2000, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Cutler Brothers
Ross W Cutler
257 NW 16th St
Ontario, OR 97914

Chief, Natural Resources
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

U.S. Dept. of Justice
Environment & Natural Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724


Deputy Clerk



CUTLER
BROTHERS

Ross W. Cutler
John P. Cutler
William D. Cutler

257 N.W. 16th St
2455 S.W. 4th Ave.
Ontario, Oregon 97914

Telephone
503-889-8245

541-889-4085

This is a
strange one
when you
read thru
all of the
info. here

RECEIVED

April 28- 2000

MAY 24 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 8 - 2000

Department of Water Resources

Clerk Of The District Court
Snake River Basin Adjudication
253 Third Ave North
P.O. Box 2707

Twin Falls, Idaho 83303 - 2707

RE: Motion For Late Objection.

Sir;

This late objection is due to incomplete
data from the Western Region Office of
Dept of W.R. and the uncooperative nature
of the previous owners.

This property was represented to us
at purchase as a 28 space park.
My many visits to the Western Region
office always produced seven spaces.
Therefore it was necessary for us to
"suggest" to the previous owners that
they intentionally misrepresented the
property and water rights.
at that, they finally became co-
operative and produced the enclosed
reasons for my objection.

CUTLER BROTHERS

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A. Subcase 61-04065
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ROSS W. CUTLER
Address: 257 N.W. 16th ST
ONTARIO, OR 97914
Daytime Phone: 541-889-4085

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: CUTLER BROTHERS
Address: 257 N.W. 16th ST
ONTARIO, OR 97914

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

2. ☐ Source

Should be: _____

3. ☒ Quantity

Should be: .28 CFS

4. ☐ Priority Date

Should be: _____

5. ☐ Point(s) of Diversion

Should be: _____

6. ☐ Instream Flow Description

Should be: _____

7. ☒ Purpose(s) of Use

Should be: Irrigation & 28 acre Robert Home Park

8. ☐ Period of Year

Should be: _____

9. ☐ Place of Use

Should be: _____

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

see attachments

F. VERIFICATION (Must be Completed)

State of _____)
)ss.
County of _____)

ROSS W. CUTLER, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

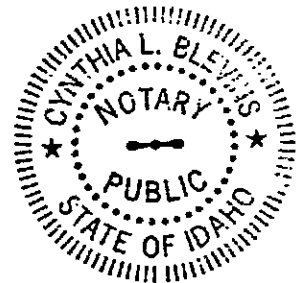
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

R W Cutler
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 5-3-2000

Cynthia L. Blevins
Notary Public for Idaho
Residing at: New Plymouth
My Commission Expires: 11/24/2004



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: CUTLER BROTHERS
Address: 257 N.W. 16th ST
ONTARIO, OR 97914

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

Sharon & Al Petzoldt
H.O. 87. Box 431
Mt. Home, ID. 83647

To: Clerk of the District Court
Snake River Basin Reclamation

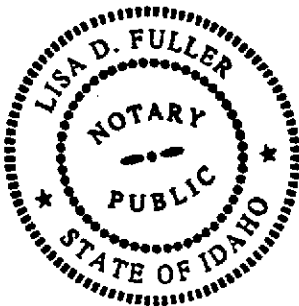
As former owners of family Rentals, Mt. Home, ID,
and long time residents, we would like
to make a statement concerning water right
#A41-04045. The SRBA issued a W.R. #61-07149
to Mrs Anna G. Lage in July 25, 1974, for 7 lots.
Having known Mrs Lage personally, we
believe Mrs Lage was around 80 years old
at the time of filing this claim in '74.
We believe she had no idea what she was
supposed to file on. (The SRBA Supervisor of your
main office in Boise (Gertre Fritsche) says he
doesn't even know why she filed) At any
rate we have supplied a statement from
Neighlboro's verifying it was a 40 space trailer
park when it was built in 1952. The map we
got from Planning & zoning also shows 40 spaces
we believe the quite elderly message either filed
or just the houses on the property or the amount
of tenants she had at the time. (The SRBA was merely
closed at that time) and every thing in town was
vacant. for this reason we believe Mrs Lage
filed incorrectly a the water right #61-07149
should be put aside in favor of water right
#A41-04045. If we can be of further assistance
Please let us know.

Sincerely,
Sharon & Al Petzoldt
4/20/77
4/19/77

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 20th day of April, 2000, before me, the undersigned, a Notary Public in and for said state, personally appeared Sharon Petzoldt and Al Petzoldt, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.





Notary Public for Idaho,
Residing at Mtn. Home, ID
My commission expires: 01-20-04

April 19, 2000

To Whom It May Concern:

I, George L. Hall, Jr., do attest to the family trail park on Daniels Road to have 40 spaces available from the beginning.

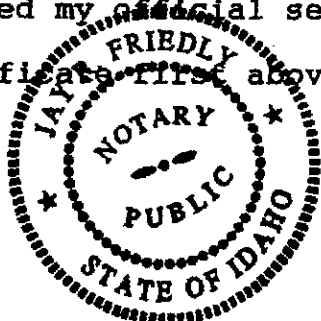
Respectfully,

George L. Hall Jr
George L. Hall, Jr.
Rt. 1 Box 873
Mountain Home, ID 83647

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 20th day of April, 2000, before me, the undersigned, a Notary Public in and for said state, personally appeared George L. Hall, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Jay R. Friedly
Notary Public for Idaho,
Residing at Mtn. Home, ID
My commission expires: 5-23-03

CERTIFICATE OF MAILING

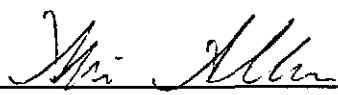
I hereby certify that true and correct copies of the **ORDER OF REFERENCE TO SPECIAL MASTER CUSHMAN** were mailed on May 5, 2000, with sufficient first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83270-0098

Chief, Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Cutler Brothers
c/o Ross W. Cutler
257 NW 16th Street
Ontario, OR 97914



Deputy Clerk of the Court

RECEIVED

MAY 8 - 2000

Department of Water Resources

RECEIVED

MAY 12 2000

2ND MAY -5 PM 12:06

WATER RESOURCES
WESTERN REGION

FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Water Right No. 61-04065

ORDER OF REFERENCE TO SPECIAL
MASTER CUSHMAN

On May 4, 2000, this Court received from Cutler Brothers a letter accompanied by a Standard Form 1 Objection to the above water right. The letter acknowledged the belated nature of the Objection, as the deadline for filing Objections to Basin 61 irrigation and other water rights was June 15, 1999, and, as such, will be treated as a *Motion to File Late Objection*. The Objection will be lodged until such time as a ruling is made on the Motion.

IT IS ORDERED that the matter be referenced to Special Master Thomas R. Cushman for a ruling on the *Motion to File Late Objection* and any further proceedings in accordance with *Administrative Order 1*.

IT IS SO ORDERED.

DATED May 5, 2000.

B. Wood

BARRY WOOD

Administrative District Judge

Presiding Judge of the

Snake River Basin Adjudication

WESTERN REGION

CLAIM NUMBERS 61-04005 61-10093

AGENT SB DATE 8/13/98

TOTAL ACRES FROM RECOMMENDATION 4

GEOGRAPHIC INFO SYSTEM ACRES 4

READY FOR DECREE (YES) SENT FOR DECREE (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80

POLYGON # () () () () UPDATED BY

ATTRIBUTES OF B51-POU.SHP SB (36) () () ()

ATTRIBUTES OF B51-POD.SHP (35) (36) () () ()

B51-DEPOU.DBF SB UPDATED BY

B51-DEPOD.DBF SB UPDATED BY

RDH GPSTABLE

AJ0749NP
No. R61-04065

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/13/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CUTLER BROTHERS 257 NW 16TH ST ONTARIO OR 97914 (503) 889-8845	01/01/1954	IRRIGATION COMMERCIAL	03-15 11-15 01-01 12-31	0.03 CFS 0.12 CFS	4.00 AFA
TOTAL DIVERSION:					0.15 CFS	8.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06E S01 NESENW

ELMORE 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	:	SUM
04S	06E	1	:																	:	4.0
																				TOTAL ACRES	4.0

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE																	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:													
04S	06E	1	:																	:													
																				C													

POU County: ELMORE

Other Rights: 61-10093

Remarks: POD 2 POINTS OF DIVERSION LOCATED IN T04S, R06E, S01, NESENW.

USE COMMERCIAL USE IS FOR 7 TRAILER HOMES.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRE WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 61-10093 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 08/08/1994 Verified Date: 08/13/1998 Objection Filed Date:

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

AJ0749NP
No. R61-04065

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/13/98
PAGE: 2

=====

Comments: Date: 02/21/1995 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBILE HOMES AND
APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME
PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS
IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT
PASTURE LAND (SEE CLAIM A61-10093).
OWNERSHIP CHANGED 01/05/1995 BY MM.

Date: 02/21/1995 User-ID: MMINICUC Subject: SUPPLEMENTAL RIGHT
CLAIM NO. A61-10093 IS FOR A WELL WHICH SUPPLIES BACK-UP
IRRIGATION FOR THE LAWNS IN THE PARK.

Date: 02/21/1995 User-ID: MMINICUC Subject: NO. OF TRAILERS
LICENSE NO. 61-07149 WAS ISSUED ON THIS PROPERTY FOR 7 TRAILER
SPACES (1974). AFFIDAVITS SUBMITTED BY THE ORIGINAL CLAIMANT
SUPPORT THAT THE TRAILER PARK WAS FIRST DEVELOPED IN 1954; IN
1974 THE IDWR FIELD EXAMINER FOUND 10 TRAILER SPACES (ONLY 7 WERE
ON THE PERMIT AND PROOF OF B/U). SINCE APPLICATION FOR PERMIT IS
REQUIRED FOR ANY ADDITIONAL TRAILERS AFTER 1963, THE PRIORITY S
DATE RECOMMENDED IS DATE OF ORIGINAL DEVELOPMENT (1954) BUT IS
LIMITED TO 7 ORIGINAL TRAILERS. APPL. FOR PERMIT SHOULD INCLUDE
ALL ADDITIONAL TRAILER SPACES (PRESUMABLY 21 SPACES).

Date: 02/21/1995 User-ID: MMINICUC Subject: NATURE OF USE
THE USE OF THIS WATER RIGHT HAS NOT CHANGED. THE DESCRIPTION OF
THE MOBILE HOME PARK HAS BEEN CHANGED FROM DOMESTIC TO COMMERCIAL

Date: 08/13/1998 User-ID: SBOCK Subject: PPU
THIS RIGHT HAS BEEN COMBINED WITH 61-10093 FOR IRR OF 4 ACRES.
THE WATER IS DIVERTED FROM THE SAME WELL AND APPLIED TO THE SAME
LANDS.

Audit: 08/13/98 SBOCK

AJ0749NP
No. R61-04065

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/21/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CUTLER BROTHERS 257 NW 16TH ST ONTARIO OR 97914 (503) 889-8845	01/01/1954	IRRIGATION COMMERCIAL	3/5 11/15 01-01-10-31 01-01-12-31	0.03 CFS 0.12 CFS	4.00 AFA 4.2
TOTAL DIVERSION:					0.15 CFS	8.20 AFA
~~CONSUMPTIVE USE:~~						~~3.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R06E S01

NESENW

ELMORE 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	SUM
04S	06E	1	:																	1.0
TOTAL ACRES																			1.0	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
04S	06E	1	:																	

POU County: ELMORE

Non-Irrigation Uses: COMMERCIAL, 7 SPACE MOBILE HOME PARK

Other Rights: 61-10093

Dates: Exam Made Date: 08/08/1994 Verified Date: 

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

Comments: Date: 02/21/1995 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBILE HOMES AND
APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME

RPU.

POD - F02
DATE 2/25/95
EXP F05

POU 1
KOL

=====

Comments: Date: 02/21/1995 User-ID: MMINICUC Subject: COPIED FROM REMARKS
PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS
IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT
PASTURE LAND (SEE CLAIM A61-10093).
OWNERSHIP CHANGED 01/05/1995 BY MM.

Date: 02/21/1995 User-ID: MMINICUC Subject: SUPPLEMENTAL RIGHT
CLAIM NO. A61-10093 IS FOR A WELL WHICH SUPPLIES BACK-UP
IRRIGATION FOR THE LAWNS IN THE PARK.

Date: 02/21/1995 User-ID: MMINICUC Subject: NO. OF TRAILERS
LICENSE NO. 61-07149 WAS ISSUED ON THIS PROPERTY FOR 7 TRAILER
SPACES (1974). AFFIDAVITS SUBMITTED BY THE ORIGINAL CLAIMANT
SUPPORT THAT THE TRAILER PARK WAS FIRST DEVELOPED IN 1954; IN
1974 THE IDWR FIELD EXAMINER FOUND 10 TRAILER SPACES (ONLY 7 WERE
ON THE PERMIT AND PROOF OF B/U). SINCE APPLICATION FOR PERMIT IS
REQUIRED FOR ANY ADDITIONAL TRAILERS AFTER 1963, THE PRIORITY S
DATE RECOMMENDED IS DATE OF ORIGINAL DEVELOPMENT (1954) BUT IS
LIMITED TO 7 ORIGINAL TRAILERS. APPL. FOR PERMIT SHOULD INCLUDE
ALL ADDITIONAL TRAILER SPACES (PRESUMABLY 21 SPACES).

Date: 02/21/1995 User-ID: MMINICUC Subject: NATURE OF USE
THE USE OF THIS WATER RIGHT HAS NOT CHANGED. THE DESCRIPTION OF
THE MOBILE HOME PARK HAS BEEN CHANGED FROM DOMESTIC TO COMMERCIAL

Audit: 02/21/95 MMINICUC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:57:51
08/05/94
13

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A61-04065

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALTON PETZOLDT	01/01/1952	IRRIGATION	4-1-83-15 11-15	0.03 CFS	4.0
C	SHARON PETZOLDT	1954	DOMESTIC COMM.	01-01 12-31	0.25 CFS	4.2
	RT 01 BOX 859	01/01/1954			0.28 CFS	8.2
	MOUNTAIN HOME ID 83647					
	(208) 587-8280					
			TOTAL DIVERSION:		0.28 CFS	
			CONSUMPTIVE USE:		0.15	3.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T04S R06E S01

NESENW ✓

ELMORE 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	
04S	06E	1	:													SUM
			:													1.0
			:													1.0
			:													TOTAL ACRES

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
04S	06E	1	:													
			:													
			:													

POU County: ELMORE

Non-Irrigation Uses: DOMESTIC, 28 SPACE MOBILE PARK

Other Rights: NONE

Remarks: THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBILE HOMES AND APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT PASTURE LAND (SEE CLAIM A61-10093).

Dates: Exam Made Date: 08/08/1994 Verified Date: 01/13/1986

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

To Comments
02/21/95
When combined w/ A61-10093,
only .03 CFS/acre

CUTLER
BROS. ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:54:40
08/05/94

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A61-04065

LAST: PETZOLDT
ADDRESS: RT. 1 BOX 859
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-8280

FIRST: ALTON
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: PETZOLDT
ADDRESS: RT. 1 BOX 859
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-8280

FIRST: SHARON
STATE: ID ZIP: 83647

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
CIN

CLAIM REMARKS: THIS SYSTEM PROVIDES IN HOUSE WATER FOR THE 28 MOBILE HOMES AND APPROXIMATELY ONE ACRE OF LAWN IRRIGATION IN THE MOBILE HOME PARK. A SHALLOW WELL PROVIDES WATER FOR THE BALANCE OF THE LAWNS IN THE MOBILE HOME PARK AND APPROXIMATELY 2.5 ACRES OF ADJACENT PASTURE LAND (SEE CLAIM A61-10093).

CONTACT PERSON: Al Petzoldt

PHONE NUMBER: (208) 587-8280

DATE OF FIELD EXAM: 08/08/1994

APPOINTMENT MADE: Y(☒) N(☐)

TIME: 11:00 A(☒) P(☐)

ACCOMPANIED BY: Tr. Petzoldt

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Same

DIRECTIONS TO PROPERTY / NOTES:

Daniels Rd (off Hammett Hwy, just past Amalgamated Sugar + Kieffer
Chico) .8 miles on right (west) side of Rd. Only trailer park
on west side.

A. AJ CLAIM: # A61-04065 PRIORITY DATE: 01-01-1952 STAGE: S
B. WR RECORD: # 61-04065 PRIORITY DATE: 01-01-1952 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
MM

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N()
IF YES EXPLAIN.

NOTES: 12/29/1994: Letter from tax assessor's office sta indicates
that improvements were first taxed in tax year 1954.
02/21/1995: License exam for 61-07429 61-07149 found 10 trailer
homes (07/25/1974). License was issued for 7 homes, based on application.
Add'l spaces (8 11-28) require new appl - see corr to claimant &
new owner. Mobile home court apparently in by 1954 (see affidavits
which support mobile home court approx. 1952 and taxed in 1954.
Assume 7 spaces in 1954, 10 spaces in 1974, 28 spaces in 1983. rrr
To Grudley, Elmore County assessor's office, confirmed on 12/28/1994 that

Lage sold to
Petzoldt in
1979.

RECOMMENDED PRIORITY DATE:

01-01-1952 01-01-1954

REVIEWED BY

Thompson

DATE 02/21/1995

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-04065	04S	06E	1	NE	SE	NW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-10093 NONE

WR RECORDS IN SAME 40 ACRE TRACT

61-02091
61-07149

Same trailer court

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-04065	04S	06E	1		SE	NW		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

61-02091
61-07149

A61-02091 R61-02091
A61-10093

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y N
N

FIELD
EXAMINER
RN
RN

NOTES:

02/21/1995: No POD discrepancy. Field exam required to confirm POD.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
04S	06E	1	NE	SE	NW	—	39	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

[Signature]

DATE:

02/21/1995

SYSTEM DESCRIPTION:

(2) wells: ① 400' deep, 3 HP submersible pump. This is the well licensed for 7 trailer homes under 61-07149. The well is now used as an emergency back-up only.

② 505' deep, 8" csg, 10 HP pump, Franklin Electric motor, model no. 282 2029 203. 5 pressure tanks - system runs @ 50 p.s.i. Well located on west end of south row of homes in long low well house. Pressure tanks in ~~shed~~ adjacent shed. This well was measured @ 75 gpm (.17 cfs) in 1983. This well is used for 28 trailer spaces and lawn irrigation for those spaces. The well was drilled in June of 1983.

A. ROOT WATER RIGHT NUMBERS: A61-04065

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	
04S	06E	1	SE	NW		PETZOLDT, ALTON	A61-04065 / 1.0	61-04065 / 3.0	21.0	1.0	1.0	
			SE	NW		HALL, G. LAURENCE	A61-02091 / 15.0	61-02091 / 17.0				
			SE	NW		PETZOLDT, ALTON	A61-10093 / 4.0	- /				
			SE	NW		HALL, G LAURENCE	R61-02091 / 15.0	- /				
			SE	NW		LAGE, ANNA G.		61-07149 /				
04S	06E	1	SE	NW		PETZOLDT, ALTON	A61-04065 /	61-04065 / 3.0	21.0			
			SE	NW		HALL, G. LAURENCE	A61-02091 / 15.0	61-02091 / 17.0				
			SE	NW		PETZOLDT, ALTON	A61-10093 / 4.0	- /				
			SE	NW		HALL, G LAURENCE	R61-02091 / 15.0	- /				
			SE	NW		LAGE, ANNA G.		61-07149 /				
TOTAL ACRES							A61-04065	1.00	6.00	42.00	1.0	1.0

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: ELMORE

PRESUMPTION FLAG:

NOTES:

08/05/1994: 61-07149 (L) for "Family Trailer Court"
02/21/1995: 61-07149 is appurtenant to this claim and the field exam report
is evidence as to the # of trailer spaces and the lawn irrigation at
the time of the exam. No irrigation was licensed, but lawns are
mentioned in the field exam. MM

RECOMMENDATIONS:

TOTAL ACRES: 1

REVIEWED BY: Therese

DATE: 02/21/1995

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-04065 IRRIGATION	FROM 03-15 TO 11-15	.030 CFS
A61-04065 DOMESTIC	FROM 01-01 TO 12-31	.250 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.280 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-04065 IRRIGATION	FROM 03-15 TO 11-15	.080 CFS
61-04065 DOMESTIC	FROM 01-01 TO 12-31	.250 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.330 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	MM
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	MM
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	MM

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in notes, below.

NOTES:

02/21/1995: Irrigation season of use recommended to current IDWR standards for the area (04-01 to 10-31). Use is commercial - no change in purpose of use, only change in how IDWR describes the use.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.280 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.330 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
☒ mm

B.

FLOW MEASUREMENT

MEASUREMENT METHOD Theoretical, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE A61-10093 for lawn irrigation

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-04065	GROUNDWATER	PETZOLDT, ALTON	0.280	0.280		
A61-02091	GROUNDWATER	HALL, G. LAURENCE	0.140	0.009		
R61-02091	GROUNDWATER	HALL, G. LAURENCE	0.140	0.009	60.00	4.00
A61-10093	GROUNDWATER	PETZOLDT, ALTON	0.060	0.015		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-04065	DOMESTIC	PETZOLDT, ALTON	FROM 01-01 TO 12-31	.250 CFS	
A61-02091	DOMESTIC	HALL, G. LAURENCE	FROM 01-01 TO 12-31	.040 CFS	
R61-02091	DOMESTIC	HALL, G. LAURENCE	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

- 1a. IRRIGATION RATE ^{.03}
ACRES 1 x 0.02 CFS/ACRE = .03 CFS
(Taken from p/u review)
- DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N()
- *** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***
.03 CFS for ≤ 5 acre parcel

2. IRRIGATION CONSUMPTIVE USE
- CLAIMED CONSUMPTIVE USE = 3.0 AF/A
- ACRES 1 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
- TOTAL CONSUMPTIVE USE 3.0 AF/A

3. IRRIGATION DIVERSION VOLUME
- CLAIMED DIVERSION VOLUME = AF/A
- ACRES 1 x DIVERSION VOL. AF/A FOR AREA 4.0 =
- TOTAL DIVERSION VOLUME 4.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
- SEE ATTACHED SHEET? Y(X) N()
- AC. IRR. = 2.5.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

02/26/1995: When combined w/ A61-10093 cannot exceed .03 CFS/acre

1b. CALCULATIONS

Well log for 505' well indicates discharge @ 75 gpm (.17 CFS)

Calcs based on IDWR field examiner's handbook:

$$Q = \frac{(8.8)(HP)(EFF)}{Lift + (2.31 \times p.s.f.)}$$

$$= \frac{(8.8)(10)(.70)}{325 + (2.31 \times 50)}$$

$$= \frac{61.6}{440.5}$$

$$= .14 \text{ CFS}$$

IDWR Field Examiner's Handbook Exhibit 12

System Capacity { 7 dom units x .6 AFA = 4.2 AFA
.12 x 1.98 x 365 = 86.72 AFA Dom.
.03 x 1.98 x 214 = 12.71 AFA IRR.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31	DATABASE 0.030	EXAMINER .03	DATABASE 3.0
~~DOMESTIC~~ Comm.	03-15 11-15	0.250	.12	3.0
	01-01 12-31			
TOTAL FOR THIS RIGHT		0.280	.15	8.2

REVIEWED BY:

[Signature]

DATE:

02/26/1995

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	(X)
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	(X)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-04065

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.330	EXAMINER <u>TH</u>	CFS
-----------------------------------	-------------------	-----------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-04065	0.280	-		61-04065	0.330
TOTAL CFS		0.280				0.330

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N <u>N/A</u>	_____

NOTES:

02/20/1995: This water Right has Not been split.

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

[Signature]
MARIA MINICUCCI
SR WATER AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:54:40
08/05/94

PAGE: 12
QUICKLOOK INFORMATION

12
CLAIM NUMBER: A61-04065

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MM 08/08/1994	Y	Affidavits, license 01-07-94	MM 02/21/1995	MM 02/21/1995	SB 8/13/98
POINT OF DIV	Y			N	44, 5, 6			
SOURCE				N	"			
PLACE OF USE	Y			N	"			
DIV. AMOUNT CFS/VOLUME	Y			Y/Y	Well log, FEH			
CONSUMPTIVE USE	-			N	STAND.			
PURPOSES				Y	5			
PERIOD OF USE				Y	EDWR STAND			
BASIS OF CLAIM	Y			N				
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1 Z63 (1974), attached
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4 Z63NW (07/31/1987)
FIELD EXAM = 5 08/08/1994
OTHER (SEE REMARKS) = 6 County plat map, attached

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Bae Code Updated
02/21/1995

Idaho Dept of Water Resources

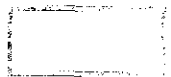
T04S, R06E, S 1
Claim(s): 61-04065 & 61-10093
Claimant(s): Cutler Brothers
Prepared by: Sue Bock
Date: 08/13/1998



Place of Use



Point of Diversion



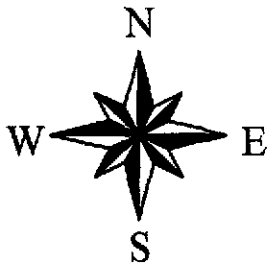
1/4 1/4 lines



Section Lines



1987 NAPP Photo



DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☐ Copies of pertinent files(prev. rts., exams, etc.)
☒ Well Inspection Form (If Needed)
☐ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of
 NONE the Govt. plat is needed to add the lot onto the R claim file later.
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
 Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
 Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: Supplemental lawn IRR POD ALSO, previous license 61-07149
☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
 Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
 Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Different source for same acres
☒ Other: A61-10093(suppl) 61-07149 (unclaimed license)
☐ Appointment Letter Sent? _____ (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
☒ Photographs of Point(s) of Diversion and Place of Use
☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

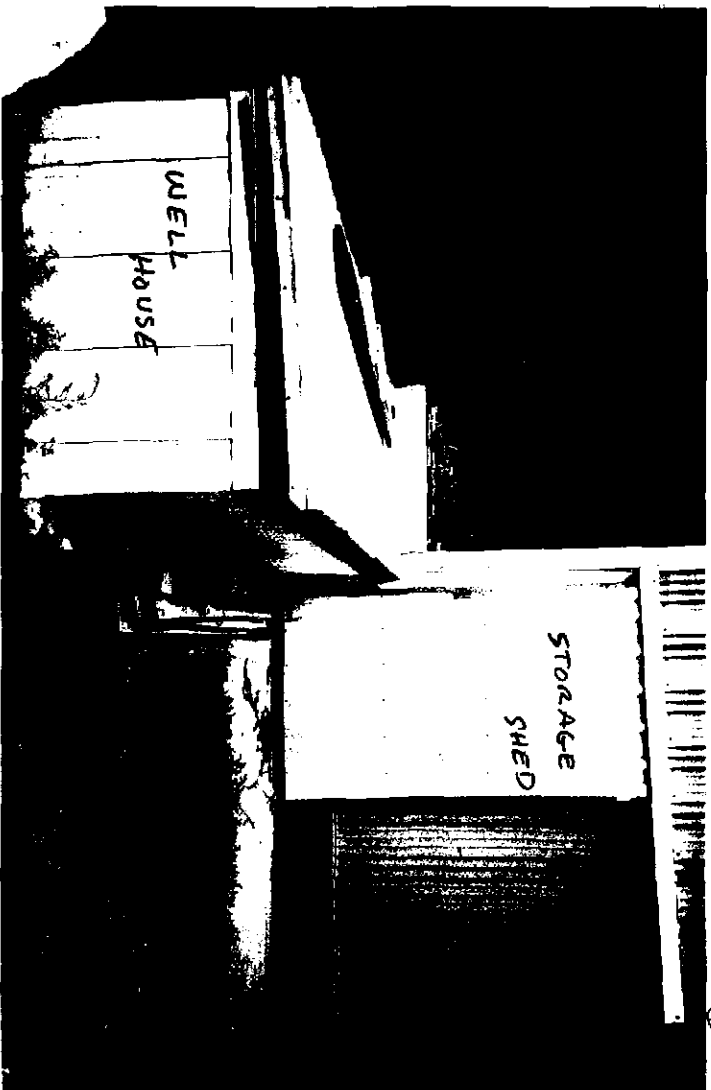
- Claim No. submitted for weekly exam completed prog. report? ☐ Yes ☐ No
 Exam completed date data entered on claim RM 02/21/1995 (initial & date)
 Claim Verification Report completed _____ (initial & date)
 Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
 R claim file created RM 02/21/1995 (initial & date)
 Recommendations entered on R claim file RM 02/21/1995 (initial & date)

Pictures taken 08/08/1994 by M. Minicucci A61-04065

T043 206E

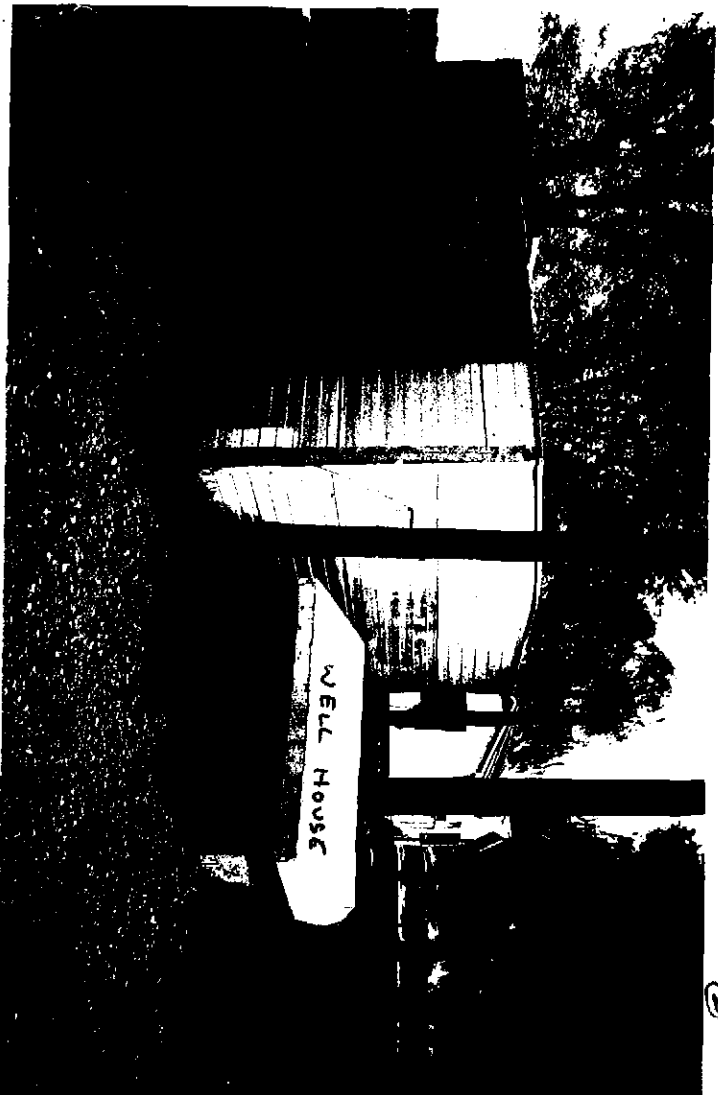
S. 1

SE NW



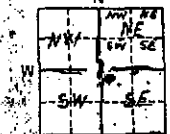
①

① 505' well,
10HP pump
located on SW
end of trailers.
Used for
trailers & lawn
irrigation



②

② 400' well
Used as
emergency
back-up to
deeper well.
This is the well
licensed under
61-07149 for
several trailers
homes.

1. WELL OWNER Name <u>AL PETZOLDT</u> Address _____ Owner's Permit No. _____	7. WATER LEVEL Static water level <u>325</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF _____ Quality _____ Describe artesian or temperature zones below: _____																																																																																																																																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☒ Pump ☐ Bail ☐ Other _____ Discharge G.P.M. <u>75</u> Pumping Level <u>3.0</u> Hours Pumped <u>3.0</u> Date <u>JUN 15 1983</u>																																																																																																																																																																					
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Bore Diam.</th> <th>Depth From</th> <th>To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr><td>8</td><td>0</td><td>2</td><td>Sand & GRAVEL</td><td></td></tr> <tr><td></td><td>2</td><td>13</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>13</td><td>20</td><td>BROWN clay</td><td></td></tr> <tr><td></td><td>20</td><td>42</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>42</td><td>55</td><td>Red Cinders</td><td></td></tr> <tr><td></td><td>55</td><td>90</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>90</td><td>138</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>138</td><td>145</td><td>Cinders (Brown)</td><td></td></tr> <tr><td></td><td>145</td><td>165</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>165</td><td>210</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>210</td><td>212</td><td>Red Cinders</td><td></td></tr> <tr><td></td><td>212</td><td>218</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>218</td><td>222</td><td>Reddish Cinders</td><td></td></tr> <tr><td></td><td>222</td><td>236</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>236</td><td>240</td><td>BROWN Cinders</td><td></td></tr> <tr><td></td><td>240</td><td>265</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>265</td><td>275</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>275</td><td>353</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>353</td><td>360</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>360</td><td>365</td><td>BROWN LAVA w/ Cinders</td><td></td></tr> <tr><td></td><td>365</td><td>368</td><td>Cinders w/ TALC</td><td></td></tr> <tr><td></td><td>368</td><td>378</td><td>BROWN LAVA f. Cinders</td><td></td></tr> <tr><td></td><td>380</td><td>390</td><td>Loose LAVA f. Cinders</td><td></td></tr> <tr><td></td><td>390</td><td>436</td><td>BROWN LAVA</td><td></td></tr> <tr><td></td><td>436</td><td>441</td><td>BROWN Cinders</td><td></td></tr> <tr><td></td><td>441</td><td>443</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>443</td><td>444</td><td>Cinders</td><td></td></tr> <tr><td></td><td>444</td><td>450</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>450</td><td>455</td><td>BROWN Cinders</td><td></td></tr> <tr><td></td><td>455</td><td>485</td><td>GRAY LAVA</td><td></td></tr> <tr><td></td><td>485</td><td>487</td><td>Red Cinders</td><td></td></tr> <tr><td></td><td>487</td><td>505</td><td>GRAY LAVA</td><td></td></tr> </tbody> </table>	Bore Diam.	Depth From	To	Material	Water Yes No	8	0	2	Sand & GRAVEL			2	13	BROWN LAVA			13	20	BROWN clay			20	42	BROWN LAVA			42	55	Red Cinders			55	90	GRAY LAVA			90	138	BROWN LAVA			138	145	Cinders (Brown)			145	165	GRAY LAVA			165	210	BROWN LAVA			210	212	Red Cinders			212	218	GRAY LAVA			218	222	Reddish Cinders			222	236	GRAY LAVA			236	240	BROWN Cinders			240	265	BROWN LAVA			265	275	GRAY LAVA			275	353	BROWN LAVA			353	360	GRAY LAVA			360	365	BROWN LAVA w/ Cinders			365	368	Cinders w/ TALC			368	378	BROWN LAVA f. Cinders			380	390	Loose LAVA f. Cinders			390	436	BROWN LAVA			436	441	BROWN Cinders			441	443	GRAY LAVA			443	444	Cinders			444	450	GRAY LAVA			450	455	BROWN Cinders			455	485	GRAY LAVA			485	487	Red Cinders			487	505	GRAY LAVA	
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started <u>3 JUN 83</u> finished <u>8 JUN 83</u>																																																																																																																																																																					
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>8 7/8</u> inches</td> <td><u>1</u> feet</td> <td><u>21</u> feet</td> </tr> <tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> <tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>21</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth ☐ _____ Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent ☐ Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>250</u> inches	<u>8 7/8</u> inches	<u>1</u> feet	<u>21</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Hiddleston Drilling</u> Firm No. <u>35</u> Address <u>MTN HOME DR</u> Date <u>10 JUN 83</u> Signed by (Firm Official) <u>Ros</u> and (Operator) <u>Dick</u>																																																																																																																																					
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>ELMORE</u> <u>NW 1/4 Sec. 1 T. 4 N. R. 6 E.M.</u>																																																																																																																																																																						

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Alton/Sharon Petzoldt AGI-04065, AGI-10093

PHONE NUMBER 587-8280 ADJ. AGENT MMINICUCCI

DATE SET FOR EXAM _____

LOCATION/DIRECTIONS Daniels Rd .8 miles from Hwy 30

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS 11:52 am (8/2): left msg on machine

1:20 pm (8/2): Mr. Petzoldt returned call.

3:27 pm (8/2): left msg on machine.

Daniels Rd

9:30 am (8/5): Returned Mr. Petzoldt's call.

- ① Shallow well - used originally for entire property. Now use only
- ② 400' well - back up
- ③ 505' well - (1983) - to replace other wells. Homes + 1.0 acres of acre.

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

Notice is hereby given that ALTON & OR SHARON PETZOLD
(Name of Claimant)
ROUTE #1, BOX 859, MTN. HOME, ID 83647 Telephone No. 587-8280
(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) 1/1/1952

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)

(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, af)

(Domestic, Irrigation, Stock, Etc.)

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

{Mo., Day}

(Mo., Day)

Quantity 0.25 CFS Use DOMESTIC Period of Use From JAN. 1 To DEC. 31

Quantity 0.08 CFS Use IRRIGATION Period of Use From MAR. 15 To NOV. 15

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity 233 Use MANITEX 1850 Period of Use From 1980 To 1981

(4) 0.33 CFS TOTAL QUANTITY USED.

{cfs, af}

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 1 Twp. 45 Rge. 6E B.M., County of ELMORE

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. SUBMERSIBLE PUMP (3HP), 400' WELL, 8" WELL

(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 2.5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

DOMESTIC USE FOR 28 SPACES IN TRAILOR COURT NAMED
"FAMILY LENGTHS"

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: _____

Remarks

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Ada) ss.

Sworn to before me this 5 day of December, 1983.

My commission expires Life

Received by JS Date 1/5/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LS Date 1/12/83 claimant by: _____
\$30.00 fee received by JS Date 1/3/83 # 23104
Published in _____
Dates _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 61-7149 Priority March 7, 1973 Amount 0.28 cfs

THIS IS TO CERTIFY, that ANNA G. LAGE
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 61-7149 issued pursuant to Application for Permit dated March 7, 1973,
and has submitted proof to the Department of Water Resources on March 1, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.28 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.28</u> cfs and	<u>8.4</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.28 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.4 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4 of Sec. 1
Twp. 4 S, Rge. 6 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
4 S	6 E	1							X	(7 families)									

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
November, 19 74.

Director

DEPARTMENT OF WATER ADMINISTRATION

Name of permit holder

Amesbury

Post office address: c/o Family Trailer Court, Men. Home, Ill. 83647-0000

Paradise, no contact

1997

2. Sources of water supply: Groundwater ☒ Surface water ☐

(name string, stream)

3. Water will be used for the following purposes:

Amount 0.28 c.f.s. for Domestic

(nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum _____

(nature of use)

Period of Use: from _____ to _____
(no. day) inclusive (no. day)

Amount _____ c.f.s. for _____ AF/Amount _____

(nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.28 cubic feet per second and annual volume AF/Annu

5. Location of Point(s) of Diversion:

Township 33 N5, Range 6E E1W, B.M., Section 1, Subdivision SB 16 SW 1/4 Block 19

Township N5, Range E1W, B1N, Section 36 Subdivision 1/4 County Jefferson

Township _____ N.S. Range _____ E.W. B.M. Section _____ Subdivision _____ County _____

Other Points of Diversion:

Description of diverting works:

Measuring device required: ☐ yes ☒ no

6. Lands to be irrigated or place of use.

[illegible]

TOILET

DATE OF EXAM 7/25/1979

ACREAGE
Found
Recommended 11A

Irrigation Requirement Ac Ft/Ac

USE
Irrigation Q = 28 cfs V = cfs/Ann. from to
Domestic Q = 12.0 cfs V = cfs/Ann. from to
Livestock Q = cfs V = cfs/Ann. from to

Is water commingled? yes no ✓

Name source:
twp. N/S, Rge EW, B.M., Sec 14 Sub. 14 County 14

Exchange? yes no ✓
Name source exchanged with:
twp. N/S, Rge EW, B.M., Sec 14 Sub. 14 County 14

Point of Injection
twp. N/S, Rge EW, B.M., Sec 14 Sub. 14 County 14

Point of exchange
twp. N/S, Rge EW, B.M., Sec 14 Sub. 14 County 14

Total Q measured 28 cfs Method of measurement estimate

Total Q recommended 28 cfs Meter No. Type Condition

Total V recommended 12.0 AF/acre

Recommended Amendments:

P.D. should be SE 1/4 Sec 1, T4S R6E
Place of Use should be same as above
Other
None

MEASUREMENT CALCULATION:

Standard Domestic use Sec 10 mobile homes
with home irrigation

SYSTEM DESCRIPTION:

6" well at 3HP Submersible In center of sec
10" discharge

REMARKS:

Examiner's Signature Ed Clayton Date 7/25/79

Checked by Date

Approved by Date

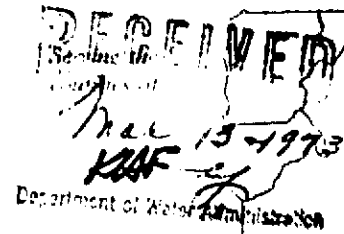
CENTRAL DISTRICT HEALTH DEPARTMENT

MAIN OFFICE
1455 NO. ORCHARD
BOISE, IDAHO 83704

ELMORE COUNTY OFFICE
430 2nd South Street
Mountain Home, Idaho 83647

587-5357

March 12, 1973



Mr. Kenneth H. Foit, P. E.
State of Idaho
Department of Water Administration
614 State Street, Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Foit:

Please allow me to thank you for the referral regarding
Ann G. Lage's proposed new domestic water system to serve seven
homes near Mountain Home.

A phone conversation with Ms. Lage this date indicates that
she only intends to establish a water right at this time and drill
a new well only when future needs demand.

The seven homes she mentions in her application are existing
rentals, now occupied, and she does not contemplate any further
development.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Robert Fox'.

Robert Fox, E.D.S.
Environmentalist III

RF/mj

63 7177



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 9, 1995

CUTLER BROTHERS
257 NW 16TH ST
ONTARIO OR 97914

RE: Notices of Claim to a Water Right Nos: A61-04065, A61-10093

Dear Sirs:

Enclosed are copies of the above-referenced claims which reflect the change in ownership of the land and appurtenant water rights to you.

Also enclosed is a recent correspondence to the previous owners of the property. As the current owners of the property, the issues raised in the letter are now your concern. Please read the enclosed letter carefully. As indicated in the letter, if you chose not to apply for a permit to appropriate water for the 21 lots which have been added since 1974, use of water for those lots may not be legal.

If you need assistance or have any questions regarding water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci', written over a horizontal line.

Maria Minicucci
Water Agent, Adjudication Bureau

MM:M

Encl: Computer-generated copies of claim nos. A61-04065, A61-10093
IDWR correspondence dated 12/28/1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 28, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ALTON PETZOLDT
SHARON PETZOLDT
RT 1 BOX 859
MOUNTAIN HOME ID 83647

RE: Notice of Claim to a Water Right No. A61-04065

Dear Mr. and Ms. Petzoldt:

This letter contains important information about the claim referenced above, and may require a response from you. Please read this letter carefully.

The above referenced claim was filed in the Snake River Basin Adjudication (SRBA), and is based on a statutory claim previously filed with this department. While reviewing the SRBA claim, a license was found which was for the use of groundwater at "Family Trailer Court" for seven mobile homes. This license, no. 61-07149, was issued to Ms. Anna G. Lage. The field exam for this license was conducted July 25, 1974.

Elmore county records indicate the Ms. Lage sold the property to you in 1979. This appears to tie license no. 61-07149 to the current mobile home park.

The Idaho law requires that any new use of water from a groundwater source must have an application for permit filed and approved prior to any diversion of water. On March 25, 1963, this groundwater statute was enacted under Idaho Code, Volume 8, Section 42-229.

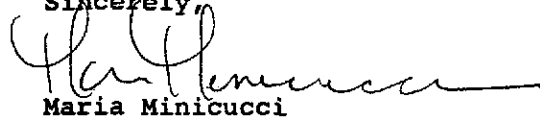
Based on the information presented in this letter, it appears that the water use in 1974 at the mobile home park was for seven mobile homes. Consequently, use for the additional mobile home lots (beyond the original seven lots) occurred after 1974, and does not appear to have a valid permit or license. This is in violation of the mandatory permit statute mentioned in the previous paragraph. The use of water for the additional lots at the mobile home park requires an additional water right.

I have enclosed an Application for Permit form for a new water right to cover the use of water for the 21 lots which have been added since 1974, plus any use of water outside the actual buildings. Instructions are also enclosed. Please complete this application and return it to this office with the appropriate fee. If you chose not to go through the permitting procedure, the use of water for the 21 additional lots may not be legal.

Page 2.
Petzoldt
A61-04052

If you have any questions or need assistance with the application form, please do not hesitate to contact this office.

Sincerely,



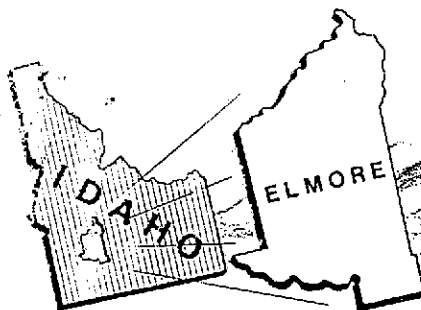
Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

Enc: Application for Permit (with instructions)

**** NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT. ****



ELMORE COUNTY ASSESSOR

P.O. DRAWER A — MOUNTAIN HOME, IDAHO 83647

RONALD E. ROSS
Assessor

MARLENE BECK
Chief Deputy

PHONE: 208 587-3521

MOTOR VEHICLE DEPT.
PHONE: 208 587-7551

RECEIVED

FEB 24 1993

January 27, 1983

Department of Water Resources
Western Regional Office

Alton and Sharon Petzoldt
Rt 1 Box 859
Mtn Home, Id 83647

Dear Alton and Sharon,

I have researched and personally viewed the Elmore County tax records on Lots 9 & 12, and 19 & 22, Block 10 of Fruitdale Subdivision, Elmore County, and they show the first improvements being assessed in the tax year 1954. This is probably indicate the period you needed.

If I can be of further assistance in this matter, please let me know.

Sincerely,

Ron Ross
Assessor

@/aim #'s

~~Act 07065~~

161-10093

RECEIVED

FEB 24 1993

to whom it May Concern,

Department of Water Resources
Western Regional Office

I know of my own knowledge, that
the Deep well located on lots 9-12 &
lots 19-22, Block 10 of Fruitdale Sub.
Belonging to Al & Sharon Petzoldt,
was installed & in service as of 1960.
The Mobile home Court was built
approx. 1952.

Signed R Lawrence Hall

Sworn to me this 17th day
of Jan. 1983

B. Jeanne Wright

Expires 2/20/84

Claim #s AGI - 34065
AGI - 10093



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

January 28, 1993

Re: Claim No(s). Alb-04065

CECIL D. ANDRUS
GOVERNOR

Alb-10093

R. KEITH HIGGINSON
DIRECTOR

ALTON PETZOLDT
SHARON PETZOLDT
RT 1 BOX 859
MT HOME ID 83647

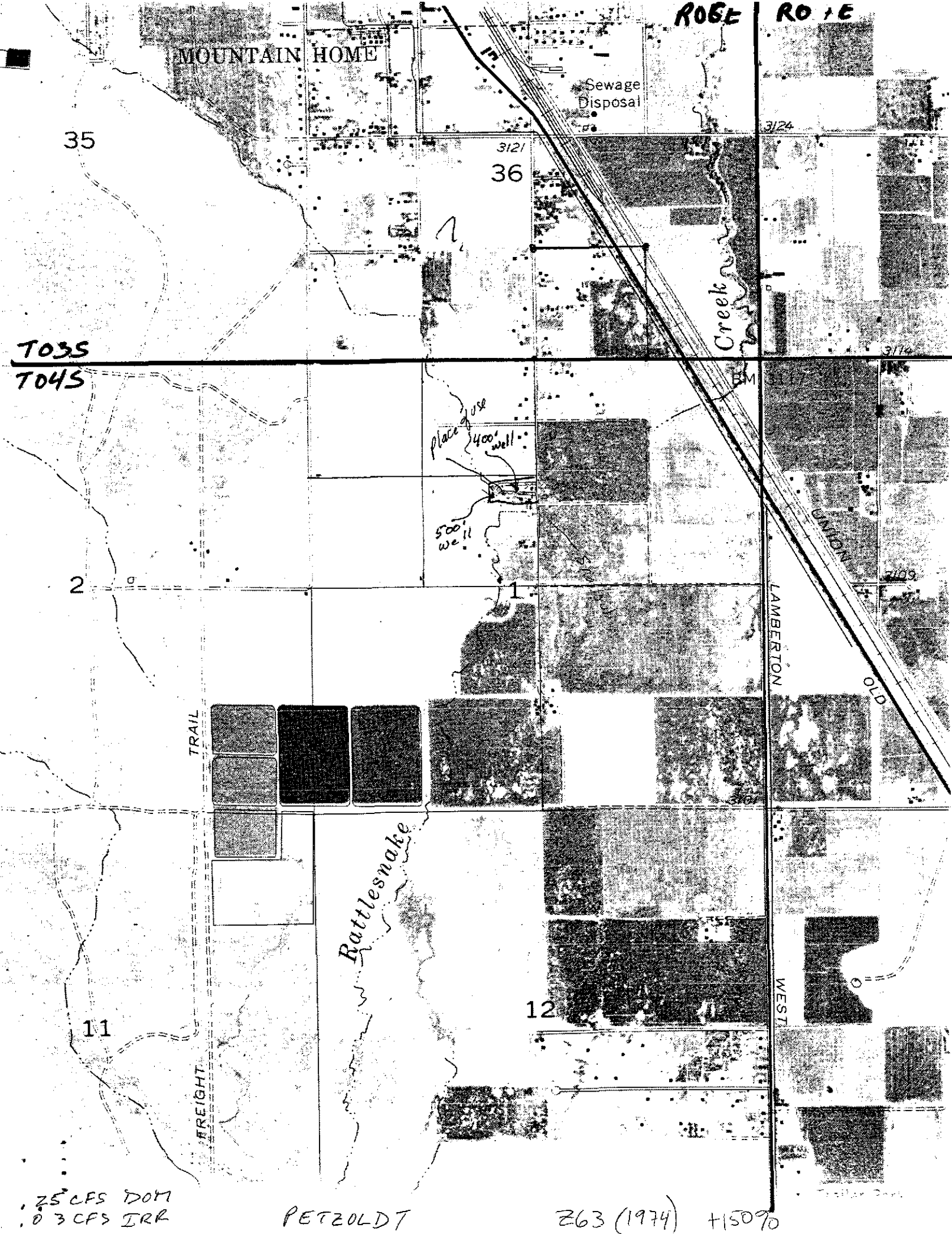
Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office



25 CFS DOM
3 CFS IRR

PETZOLD T

Z63 (1974) +15070

Al-04065

PETZOLDT

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

.25 DAM
.03 IRR
TOWNS 2066E
S.1
SE NW

PLAT OF THE

Subdivision of Blocks Nos 10 and 11 in Fruitdale Elmore County, Idaho, being U.S. Lots Nos 2 and 3, the S.W. 1/4 of N.E. 1/4, and the S.E. 1/4 of N.W. 1/4, of Section 1, Township 4 South, Range 6 East, Boise Meridian, Idaho.

Scale. 200 feet to the inch.

