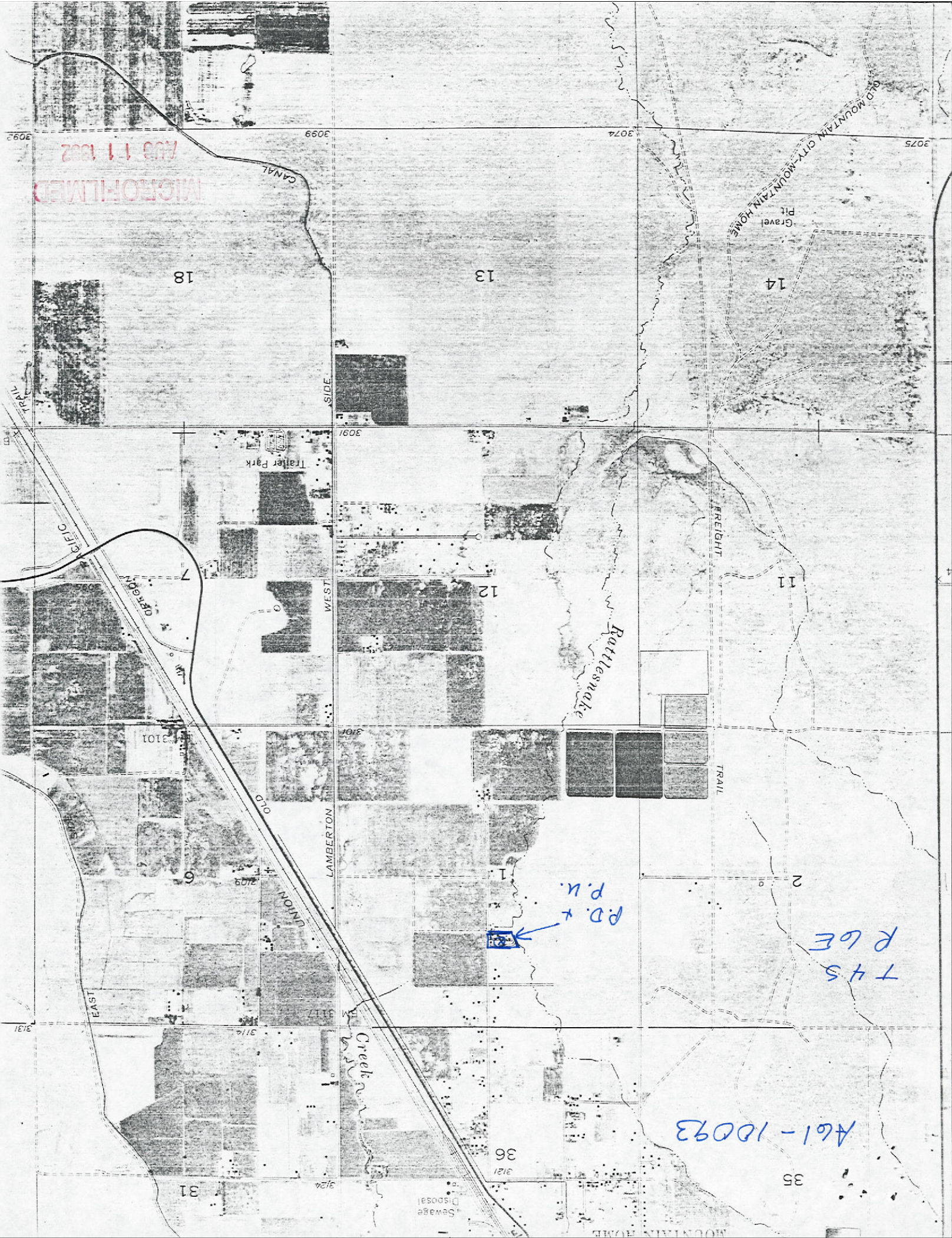


MICROFILMED
AUG 11 1982



18

13

14

12

11

7

1

2

31

36

35

A61-10093

T45
R6E

P.D. x
P.U.

Sewage
Disposal

Creek

LAMBERTON

UNION

WEST

SIDE

TRAIL

FREIGHT

Gravel
Pit

OLD MOUNTAIN CITY MOUNTAIN HOME

CANAL

OPTION

OLD

EAST

TRAIL

3099

3099

3074

3075

3091

3101

3117

3116

3109

3131

3124

3121

Photos taken 08/08/1994 by M. Mincucci A61-10093



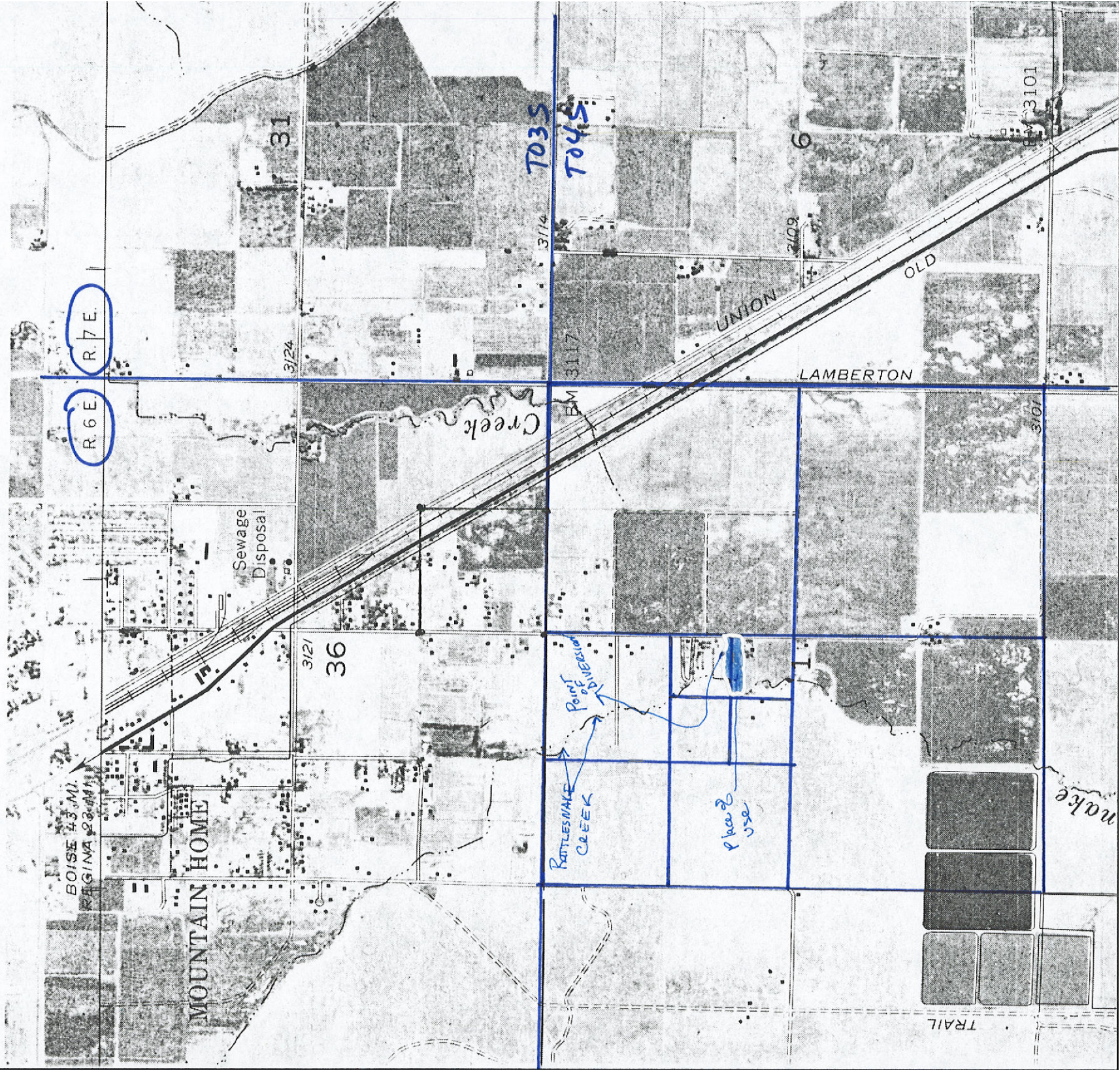
① Point of diversion.
Located just ~~east~~ south of fence line on south side of Family Rentals Mobile Home Park
TOTS ROGE
S-1
NESENU



② Place of use Scott's Mobile home park.
Pasture goes west to dry bed of Rattlesnake Creek.
Picture taken looking west.
TOTS ROGE
S-1
SENU

+150%
263 (1974)
A61-10093
T04S R06E
S.11

R6E R7E



Ab10093
Petzoldt

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.⁸ ¹/₄, and the S.E.¹/₄ of N.W.¹/₄ of Section 1 Township ²/₄ South, Range ⁶/₄ East, Boise Meridian Idaho.

[illegible]

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: **A61-10093**
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: APR 15, 1940

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, 6" CASING, 20' DEEP, 1 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	1	SE	NW		IRR	4.0

Section Acres 4.0

Total Acres 4.0

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 WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.
OWNERSHIP CHANGED 01/05/1995 BY MM.

15. Basis of Claim: BENEFICIAL USE

Cutler

A61-10093



A6110093

? Combined conditions ?

A61-24065

New Apple ?



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JAN 04 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 7/1/94

LEGAL DESCRIPTION OF PROPERTY: Township SEE ATTACHED Range SEE ATTACHED
 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
RT 1 Box 859
Mtn. Home Id 83647
- ☐ New Owner/Claimant (Purchaser): 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
by R W Cutler Date _____
- ☐ Signature of Former Owner/Claimant(s): Sharon D Petzoldt Date 8/9/94
Al 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: TTT

Further Action Needed:

CORR RE: A61-04065 TO CUTLER

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 01/05/1995 By: TTT

Claim Numbers of Split, if any:

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

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: A61-10093
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: APR 15, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 6" CASING, 20' DEEP, 1 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	1	SE	NW		IRR	4.0
Section Acres							4.0
Total Acres							4.0

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 WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -1-

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): Carter Fritschle 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

35

AG1-10093

T4S
R6E

2

P.D. +
P.U.

TRAIL

11

WRIGHT

Battlesnake

12

WEST

LAMBERTON

OLD

EAST

PACIFIC

UPPER

SIDE

13

18

Green Hill

Mountain

Point

3075

3074

3099

3092

AG1-10093

AJ0749NP
No. R61-10093

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	04/01/1954	IRRIGATION	03-15 11-15	0.06 CFS	12.00 AFA
TOTAL DIVERSION:					0.06 CFS	12.00 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	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	4.0
TOTAL ACRES																			4.0

POU County: ELMORE

Other Rights: 61-04065

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

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 61-04065 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:

Comments: Date: 12/29/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

Date: 01/05/1995 User-ID: MMINICUC Subject: OWNERSHP
OWNERSHIP CHANGED 01/05/1995 BY MM.

Date: 02/21/1995 User-ID: MMINICUC Subject: PRIORITY

AJ0749NP
No. R61-10093

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: PRIORITY
DATE CORRECTED TO MATCH START OF IRRIGATION SEASON.

Date: 08/13/1998 User-ID: SBOCK Subject: PPU
THIS RIGHT HAS BEEN COMBINED WITH 61-04065 FOR 4 ACRES OF IRR.

Audit: 08/13/98 SBOCK

AJ0749NP
No. R61-10093

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	04/01/1954	IRRIGATION	04-01 10-31 3-15-11-15	0.06 CFS	12.00 AFA
TOTAL DIVERSION:					0.06 CFS	12.00 AFA
~~CONSUMPTIVE USE:~~						~~9.00 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	:																	:	3.0
																				TOTAL ACRES	3.0

POU County: ELMORE

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

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

Comments: Date: 12/29/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

Date: 01/05/1995 User-ID: MMINICUC Subject: OWNERSHP
OWNERSHIP CHANGED 01/05/1995 BY MM.

Date: 02/21/1995 User-ID: MMINICUC Subject: PRIORITY
DATE CORRECTED TO MATCH START OF IRRIGATION SEASON.

Audit: 02/21/95 MMINICUC

POU 1
K06
POD - P02
EXP P05

AJ0749NP
No. R61-10093

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

DATE: 01/05/95
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	04-01 10-31	0.06 CFS	12.00 AFA
					TOTAL DIVERSION:	0.06 CFS
					CONSUMPTIVE USE:	12.00 AFA 9.00 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	:									03								:	3.0
																				TOTAL ACRES	3.0

POU County: ELMORE

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

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

Comments: Date: 12/29/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

Date: 01/05/1995 User-ID: MMINICUC Subject: OWNERSHP
OWNERSHIP CHANGED 01/05/1995 BY MM.

Audit: 01/05/95 MMINICUC

AJ0749NP
No. R61-10093

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

DATE: 12/29/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALTON PETZOLDT	01/01/1954	IRRIGATION	04-01 10-31	0.06 CFS	12.00 AFA
C	SHARON PETZOLDT					
	RT 1 BOX 859					
	MOUNTAIN HOME ID 83647			TOTAL DIVERSION:	0.06 CFS	12.00 AFA
	(208) 587-8280			CONSUMPTIVE USE:		9.00 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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
04S	06E 1	:				:			03	:				:				3.0
TOTAL ACRES																	3.0	

POU County: ELMORE

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

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

Comments: Date: 12/29/1994 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS SYSTEM PROVIDES WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

Audit: 12/29/94 MMINICUC

14:02:13
08/05/94
26

CLAIM NUMBER: A61-10093

12/29/1994 A61-04065 was filed for ~~dom~~ internal use @ Mobile home park & one acre of irrigation in the park. A61-04065 May be recommended for a less No. of homes (than claimed) + possibly irrigation. These water rights, plus possible new application should possibly be all conditioned to limit to .02 CFS per acre + 4 AFA diversion volume per acre.
(.03?)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:54:40
08/05/94

PAGE: 1
GENERAL INFORMATION

14
CLAIM NUMBER: A61-10093

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

DM

CLAIM REMARKS: THIS SYSTEM PROVIDES WATER FOR LAWN IRRIGATION IN PART OF THE
28 SPACE MOBILE HOME PARK DESCRIBED IN WATER RIGHT 61-04065.
IT ALSO PROVIDES WATER FOR AN ADJACENT 2.5 ACRES OF PASTURE.

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: Mr. Petzoldt

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Same

DIRECTIONS TO PROPERTY / NOTES:

Daniels Rd (off Hammett Hwy just S of Amalgamated Sugar)
.8 mile on right (west) side of the road. ONLY trailer
park on west side of road.

A. AJ CLAIM: # A61-10093 PRIORITY DATE: 04-15-1940 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

FIELD
EXAMINER

☒

☒

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

NOTES: 12/28/1994: ~~At~~ Claimant submitted letter from Elmore county which indicates "improvements" were assessed in the tax year 1954. Improvements not defined however the location mentioned appears to be the same as the mobile home park & adjacent pasture. Property is not quite on 1/4 1/4 line. Elmore county throws out records after 18 yrs.

02/21/1995: "Deep" well mentioned in Hall's affidavit is probably the 400' well since the deepest well was not drilled until 1983. The shallow well, which now serves irrigation, was probably the first one put in as part of the "improvements." License was issued for 400' well for 7 trailer homes. Shallow well for irr -

RECOMMENDED PRIORITY DATE:

~~04-01-1954~~

04-01-1954

REVIEWED BY

Therese

DATE

12/28/1994

as start of
irr. season.

It appears that
appl. for permit
may have been
submitted as a
result of an inquiry
for a drilling permit
for a new well?

Regardless, developments
were in place before
priority date of license
61-07149, as per
affidavits - 7727

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-10093	04S	06E	1	NE	SE	NW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-04065 NONE

WR RECORDS IN SAME 40 ACRE TRACT

61-02091 - $5\frac{1}{2}$ of SE NW
61-04065 - stat for 28 mobile homes
61-07149 - license for 7 mobile homes

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>Y</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	Y N/A	<u>Y</u>

NOTES:

12/28/1994 : No previous filing on this water right - no discrepancies possible
L 61-07149 does not include irrigation.
L 61-02091 is for 17 acres in the $5\frac{1}{2}$ of SE NW. Appears to be unclaimed
with SRBA, altho $5\frac{1}{2}$ of $5\frac{1}{2}$ of SE NE appears to be irrigated (NAPP 263NW).

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: 12/28/1994

SYSTEM DESCRIPTION:

6" well, 20' deep, 1 HP submersible pump. Piped to sprinklers in pasture & lawn areas in adjacent mobile home park. Not operating on day of exam - low water past few years has prohibited use.

28 LOTS

$$20' \times 75' = 1500 \text{ ft}^2 \times 28 \text{ LOTS} = 42,000 \text{ ft}^2 = 1 \text{ acre}$$

PASTURE

2 acres

A. ROOT WATER RIGHT NUMBERS: A61-10093

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	A61-10093 / 4.0	- /	21.0	3	3
			SE	NW		HALL, G. LAURENCE	A61-02091 / 15.0	61-02091 / 17.0			
			SE	NW		PETZOLDT, ALTON	A61-04065 / 1.0	61-04065 / 3.0			
			SE	NW		HALL, G LAURENCE	R61-02091 / 15.0	- /			
			SE	NW		LAGE, ANNA G.		61-07149 /			
TOTAL ACRES							A61-10093	4.00	21.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

(Y)

FIELD
EXAMINER

MM

POU COUNTY: ELMORE

3 3

PRESUMPTION FLAG:

NOTES:

12/28/1994: Assume lawn size for each lot to be an average size of 20' x 75' (1500 ft²). For 28 lots this is 42,000 ft² or approx. 1 acre. Pasture is 2 acres (possibly 2.5 minus road, etc) - if fence line is on 1/4 & 1/4 line pasture area starts w/ less than 2.5 acres. Location of pasture determined by field exam & NAPP 263NW (07/31/1987).

RECOMMENDATIONS:

TOTAL ACRES:

3

REVIEWED BY:

[Signature]

DATE:

12/28/1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-10093 IRRIGATION	FROM 03-15 TO 11-15	.060 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.060 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER? Y(X) N() Explain in notes, below.

NOTES:

12/28/1994: No previous filing - no discrepancy possible.
Recommend to IDWR standard for area.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

N/A Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.060 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 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
Y *TH*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD *Theoretical*, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

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

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

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

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 3 x 0.02 CFS/ACRE = .06 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 12.0 AF/A

ACRES 3 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 9.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 3 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 12.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

1b. CALCULATIONS

$$Q = \frac{(8.8)(HP)(EFP)}{H}$$
$$= \frac{(8.8)(1.0)(.70)}{9 + (2.5 \times 2.31)}$$
$$= \frac{61.6}{66.75}$$
$$= .09 \text{ CFS}$$

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
<u>IR2</u>	<u>04-01 10-31</u>		<u>.06</u>		<u>12.0</u>		<u>9.0</u>
TOTAL FOR THIS RIGHT			<u>.06</u>		<u>12.0</u>		<u>9.0</u>

REVIEWED BY: [Signature]

DATE: 12/28/1994

$$\begin{array}{r}
 6.16 \\
 (8.8)(1)(.70) \\
 \hline
 9 + (25.2.31) \\
 66.25
 \end{array}
 = .090 \text{ CFS}$$

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-10093

TOTAL DIVERSION RATE OF WR SPLITS DATABASE EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-10093	0.060	-	-	-	-
TOTAL CFS		0.060				

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
N EXAMINER

NOTES:

12/28/1994: No splits of this water right.

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

25
CLAIM NUMBER: A61-10093

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	Y		nm 08/08/1994	Y	6	nm 12/29/1994	nm 12/29/1994	SB 01/13/98
POINT OF DIV	Y			N	5			
SOURCE	Y			N	5			
PLACE OF USE	Y			N	4, 5			
DIV. AMOUNT CFS/VOLUME	Y			N/Y	IDWR STAND.			
CONSUMPTIVE USE	-			Y				
PURPOSES	Y			N	5			
PERIOD OF USE	Y			Y	IDWR STAND.			
BASIS OF CLAIM	Y			N				
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1 Z63
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4 Z63 NW
FIELD EXAM = 5 08/08/1994
OTHER (SEE REMARKS) = 6

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

Bar Code Updated
12/29/1994 nm

ATTACHMENTS

PAGES

00 Z63 (1973) + 150%
PLAT MAP
Evidence of priority
photos (08/08/1994)

1
1
2
1

GIS map in file
61-04065

Photos taken 08/08/1994 by W. Minicucci A61-10093



① Point of diversion.
Located just ~~east~~ south of fence line on south side of Family Rentals Mobile Home Park
T04S R06E
S-1
N5E9W

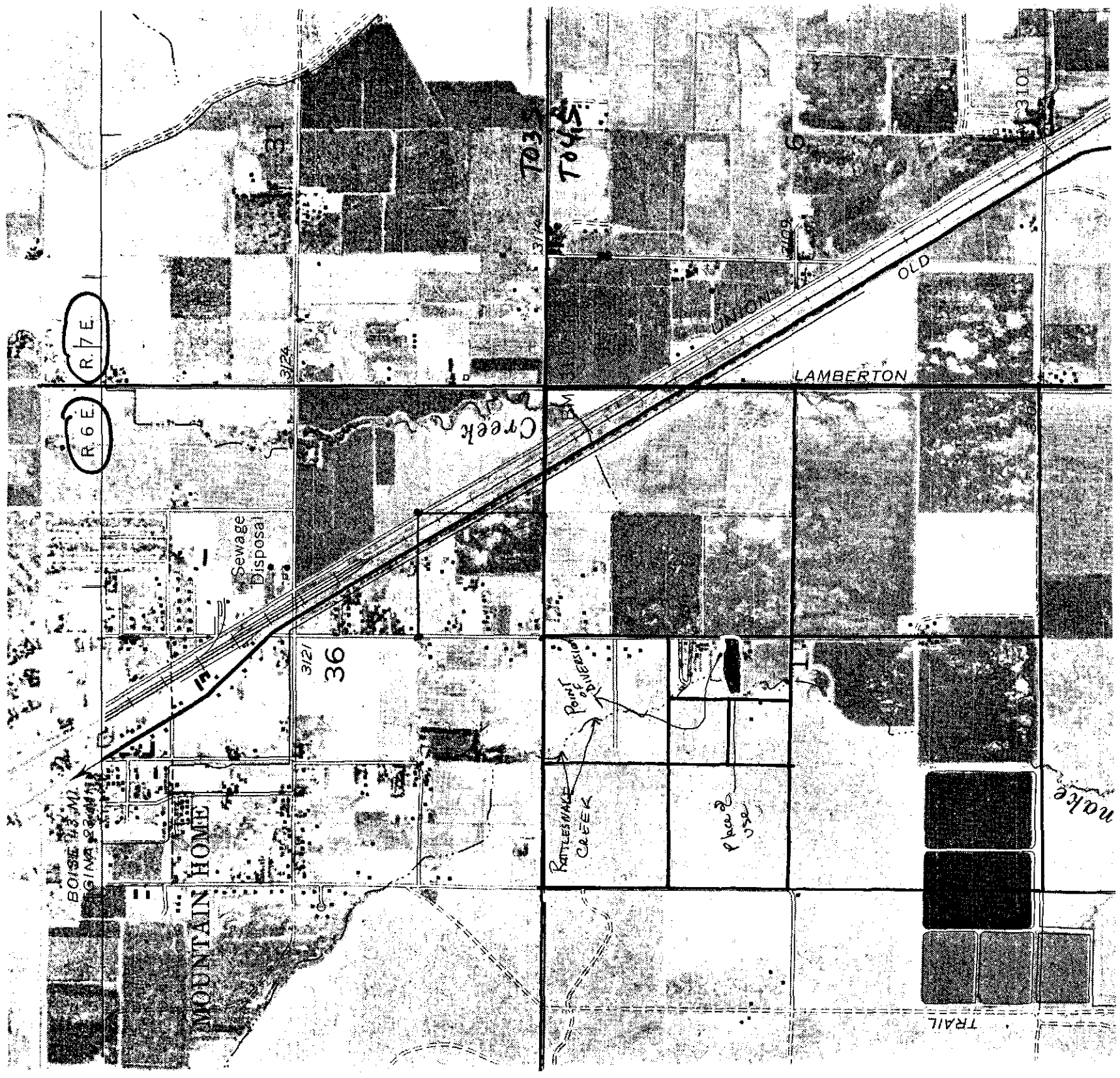


② Place of use Scotty mobile home park.
Pasture goes west to dry bed of Rattlesnake Creek.
Picture taken looking west.
T04S R06E
S-1
S5E9W

+150%
263 (1974)
A61-10093
T04S R06E.

S.11

R6E R7E



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

Subdivision of Blocks Nos 10 and 11 in Fruitdale, Elmore County, Idaho, being U.S. Lots Nos 2 and 3, the S.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$, and the S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Section 1, Township #4, South, Range #8 East, Boise Meridian, Idaho.

SECOND		THIRD	
627.99	627.99	627.99	627.99
30 2.613 Acs.	1 2.578 Acs.	30 2.578 Acs.	1 2.507 Acs.
29 2.50 Acs.	2 2.50 Acs.	29 2.50 Acs.	2 2.50 Acs.
28 2.50 Acs.	3 2.50 Acs.	28 2.50 Acs.	3 2.50 Acs.
27 2.50 Acs.	4 2.50 Acs.	27 2.50 Acs.	4 2.50 Acs.
26 2.50 Acs.	5 2.50 Acs.	26 2.50 Acs.	5 2.50 Acs.
25 2.50 Acs.	6 2.50 Acs.	25 2.50 Acs.	6 2.50 Acs.
24 2.50 Acs.	7 2.50 Acs.	24 2.50 Acs.	7 2.50 Acs.
23 2.50 Acs.	8 2.50 Acs.	23 2.50 Acs.	8 2.50 Acs.
22 2.50 Acs.	9 2.50 Acs.	22 2.50 Acs.	9 2.50 Acs.
21 2.50 Acs.	10 2.50 Acs.	21 2.50 Acs.	10 2.50 Acs.
20 2.50 Acs.	11 2.50 Acs.	20 2.50 Acs.	11 2.50 Acs.
19 2.50 Acs.	12 2.50 Acs.	19 2.50 Acs.	12 2.50 Acs.
18 2.50 Acs.	13 2.50 Acs.	18 2.50 Acs.	13 2.50 Acs.
17 2.50 Acs.	14 2.50 Acs.	17 2.50 Acs.	14 2.50 Acs.
16 2.613 Acs.	15 2.578 Acs.	16 2.578 Acs.	15 2.507 Acs.
627.01	627.01	627.01	627.01

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

See
Alt-04065

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 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: _____
- ☒ 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: _____

☐ 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 ☐ NoExam completed date data entered on claim 12/29/1994 YTM (initial & date)Claim Verification Report completed 12/29/1994 YTM (initial & date)Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)R claim file created 12/29/1994 YTM (initial & date)Recommendations entered on R claim file 12/29/1994 YTM (initial & date)



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.

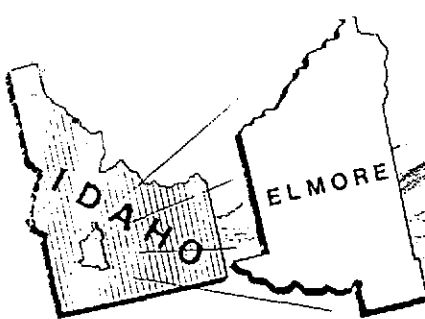
Sincerely,

A handwritten signature in dark ink, appearing to read 'Maria Minicucci', is 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



ELMORE COUNTY ASSESSOR

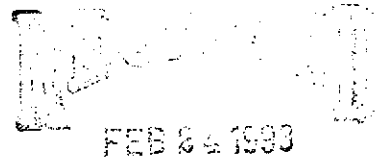
P.O. DRAWER A — MOUNTAIN HOME, IDAHO 83647

RONALD E. ROSS
Assessor

MARLENE BECK
Chief Deputy

PHONE: 208 587-3521

MOTOR VEHICLE DEPT.
PHONE: 208 587-7551



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 of Ron Ross.

Ron Ross
Assessor

@/AIM #'S A61-04065
A61-16093

to whom it May Concern,

FEB 24 1993

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 Fruit Dale 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 Wuehl

Expires 2/20/84

Claim #'s

AG1-04065

AG1-10093



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). AL-04065

CECIL D. ANDRUS
GOVERNOR

AL-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