



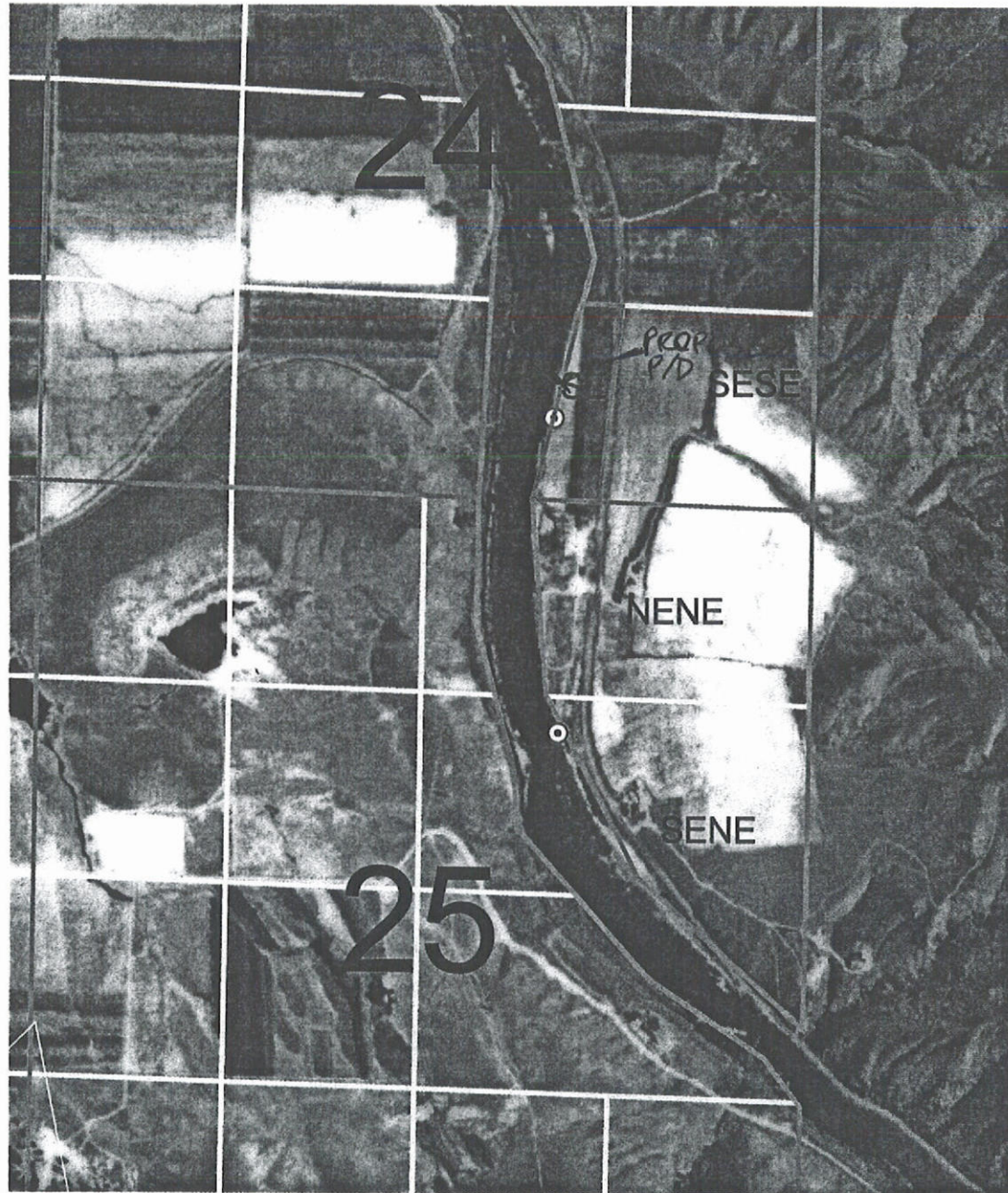
Idaho Dept. of Water Resources

Claim No(s): 65-02590E
T7N, R1E, S 24
Prepared by: Sue Bock
Date: 5/3/2001

-  Place of Use
-  Point of Diversion
-  Section lines
1/4 1/4 lines



1000 0 1000 2000 Feet



1987 NAPP Photo

pg 5 of 6

Attachment

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTER LINE OF STATE HIGHWAY 52, THROUGH LOT 1 OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN, AS SHOWN ON THE "REVISED AS CONSTRUCTED", AUGUST 1938 PLANS FOR FEDERAL AID PROJECT No. W.P.S.S. 214, i.e. S 0J27' W.

- ③ FOUND BRASS CAP MONUMENT
- ③ FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- ④ FOUND ORIGINAL STONE - REPLACED WITH 5/8" IRON PIN AND ALUMINUM CAP STAMPED PLS 4108
- ④ FOUND ORIGINAL STONE - REPLACED WITH A 5/8" IRON PIN W/PLASTIC CAP PLS 4108
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 4108
- SET LEAD AND TACK IN A 2'X5'X1.8" HIGH GRANITE ROCK

NOTE:

FISCHER LAND SURVEYING, INC. ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

PETE & JACKIE MONTGOMERY
11800 N. HWY 52
HORSESHOE BEND, ID 83629
(208) 584-3791

Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146

Instr. No.: _____

STATE OF IDAHO }
COUNTY OF GEM } ss.

Recorded at the request of
Pete Montgomery

Time: _____
Date: _____

Instr. No.: _____
Recorded as a Survey

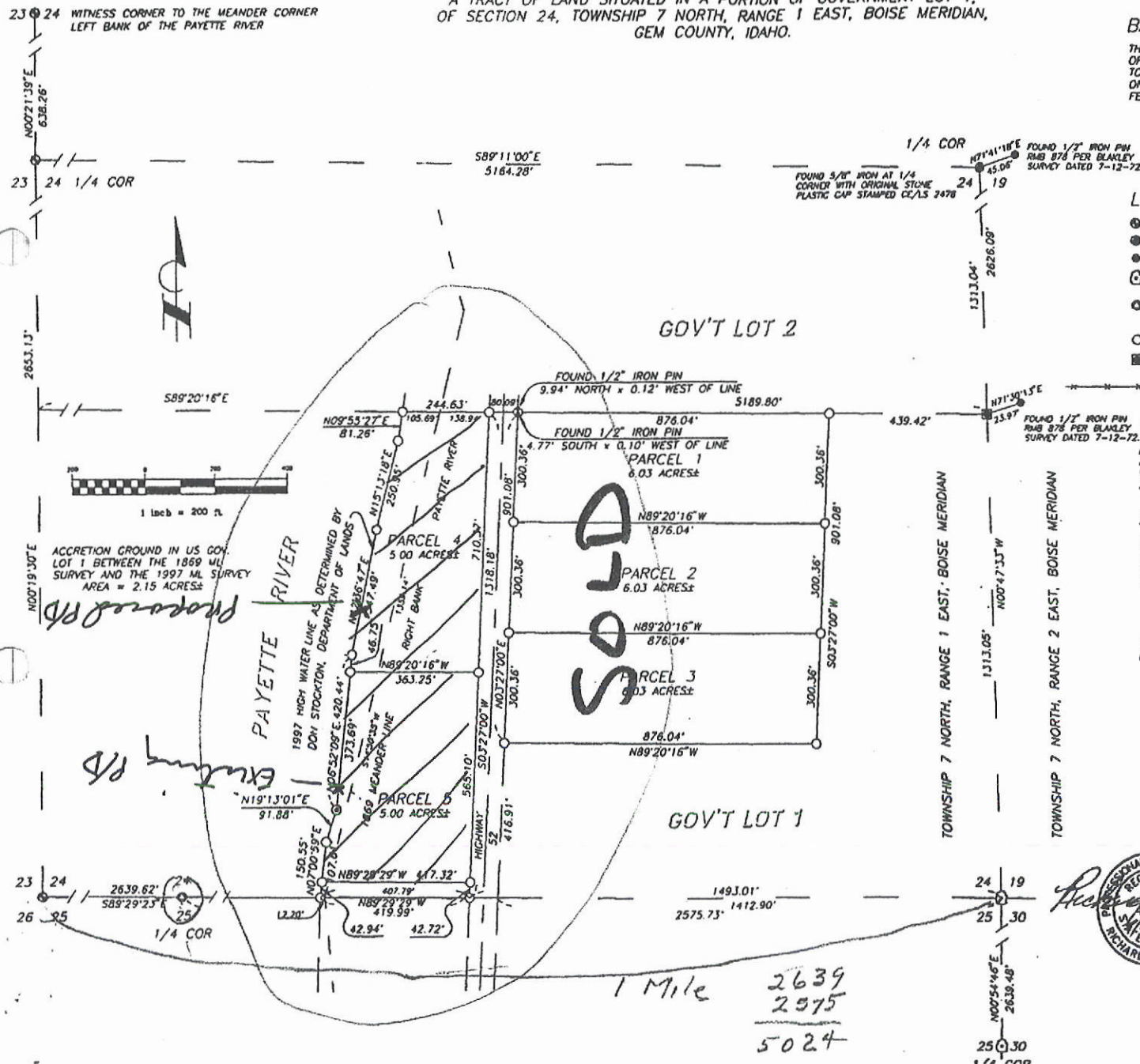
Thelma R. Kolodziej, Clerk
Ex-officio Recorder

Deputy
Fee: \$5.00

Fee: \$5.00

MAY 1997

INDEX No.	711	24	2	2	0	100	11	27	07/0001
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Idaho Dept. of Water Resources

Claim No(s): 65-02590E

T07N, R01E, 24

Created by: Sue Bock

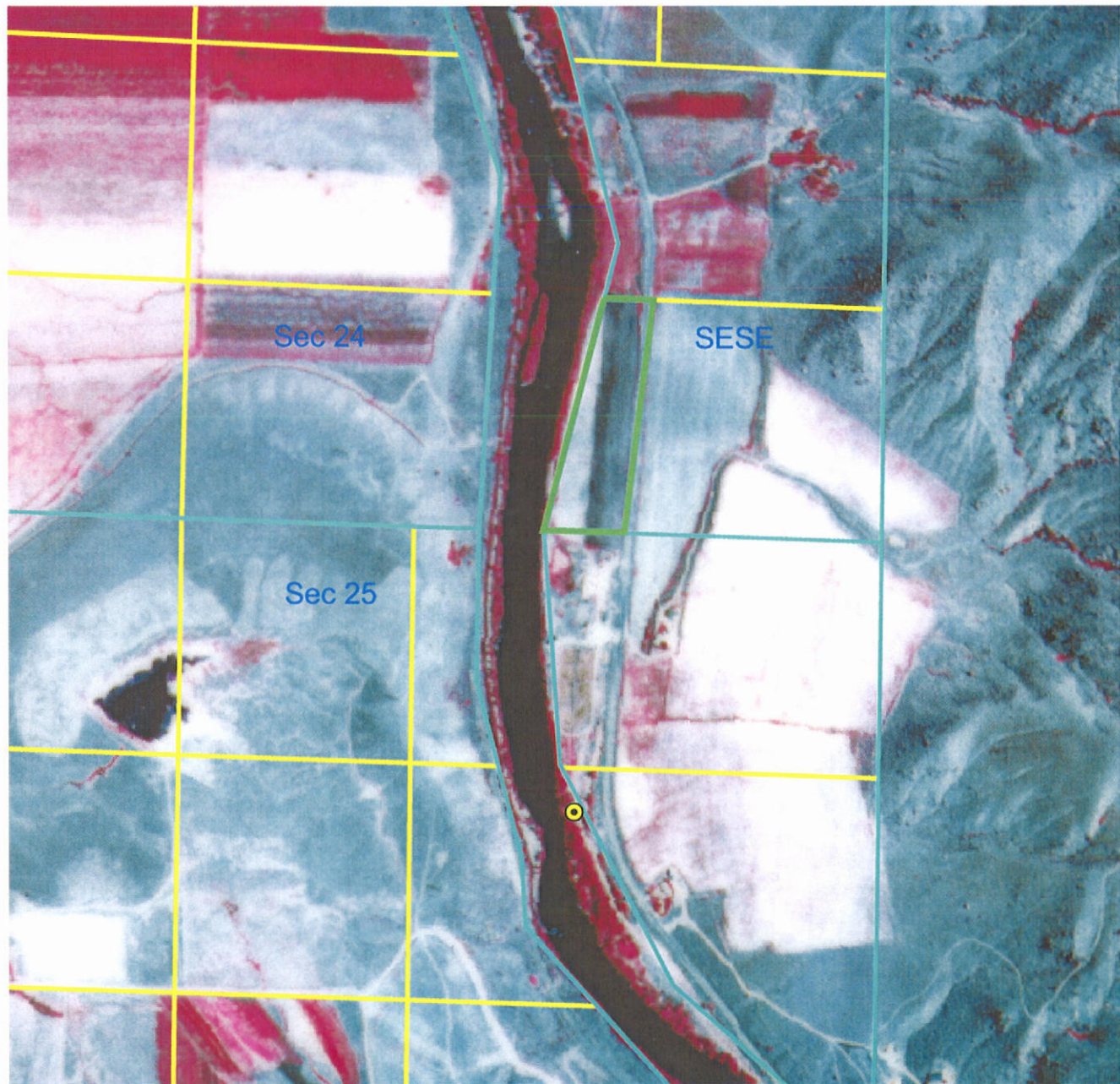
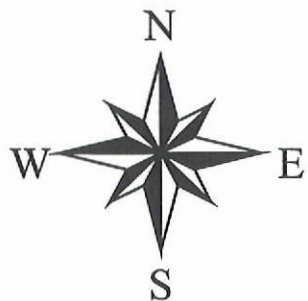
Date: 6/27/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

RECORD OF SURVEY

A TRACT OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 1,
OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
GEM COUNTY, IDAHO.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTER LINE
OF STATE HIGHWAY 52, THROUGH LOT 1 OF SECTION 24,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN, AS SHOWN
ON THE "REVISED AS CONSTRUCTED", AUGUST 1938 PLANS FOR
FEDERAL AID PROJECT No. W.P.S.S. 214, i.e. S 03°27' W.

LEGEND:

- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- FOUND ORIGINAL STONE - REPLACED WITH 5/8" IRON PIN
AND ALUMINUM CAP STAMPED PLS 4108
- FOUND ORIGINAL STONE - REPLACED WITH A
5/8" IRON PIN W/PLASTIC CAP PLS 4108
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 4108
- BARBED WIRE FENCE

NOTE:

FISCHER LAND SURVEYING, INC. ASSUMES NO LIABILITY
FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE
WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS
AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

PETE & JACKIE MONTGOMERY
11800 N. HWY 52
HORSESHOE BEND, ID 83629
(208) 584-3791

Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146

Instr. No.: _____

STATE OF IDAHO } SS.
COUNTY OF GEM }

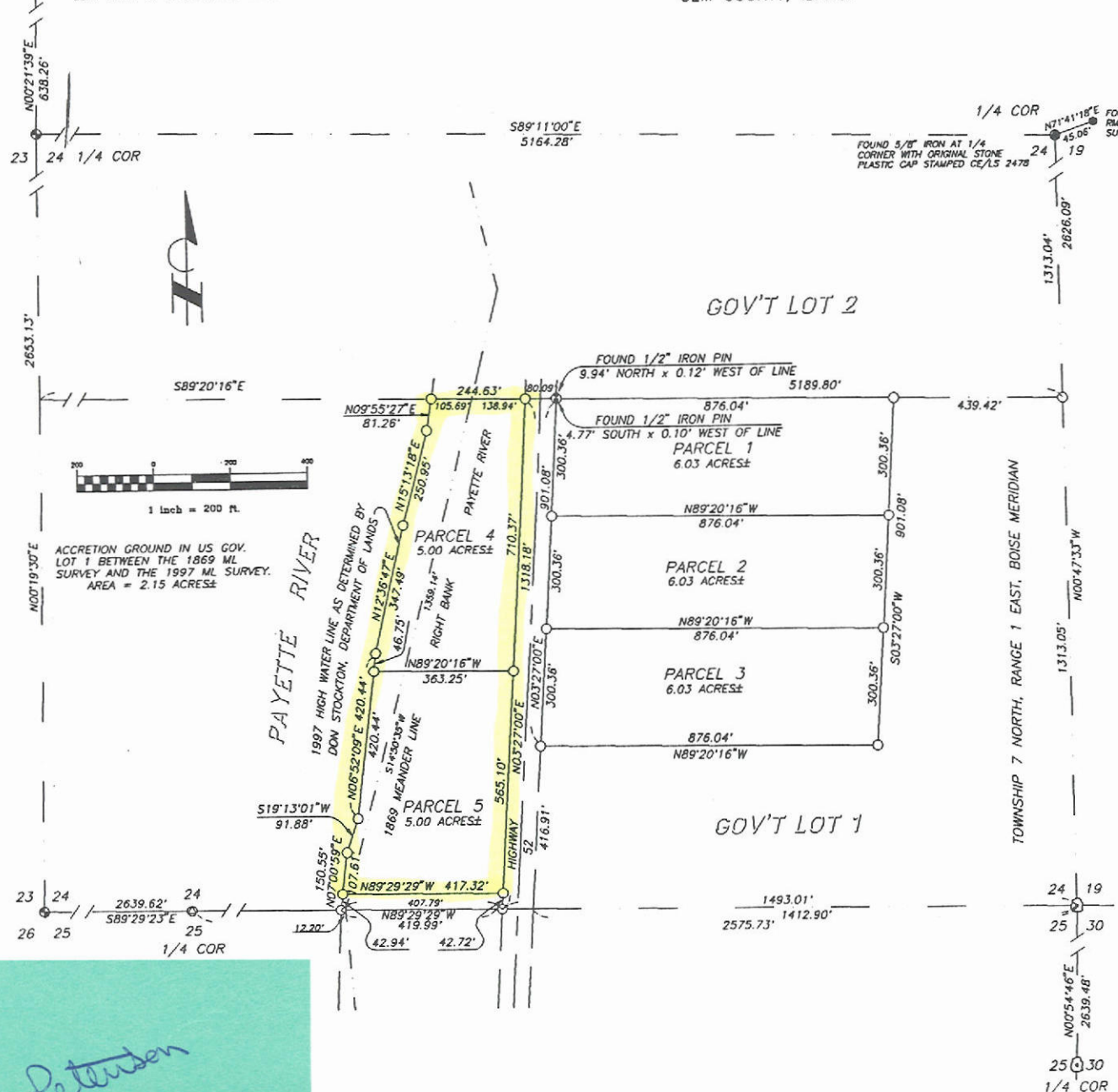
Recorded at the request of
Pete Montgomery
Date: _____
Instr. No.: _____
Recorded as a Survey

Thelma R. Kolodziej, Clerk
Ex-officio Recorder

Deputy
Fee: \$5.00



23 24 WITNESS CORNER TO THE MEANDER CORNER
LEFT BANK OF THE PAYETTE RIVER



Peterson

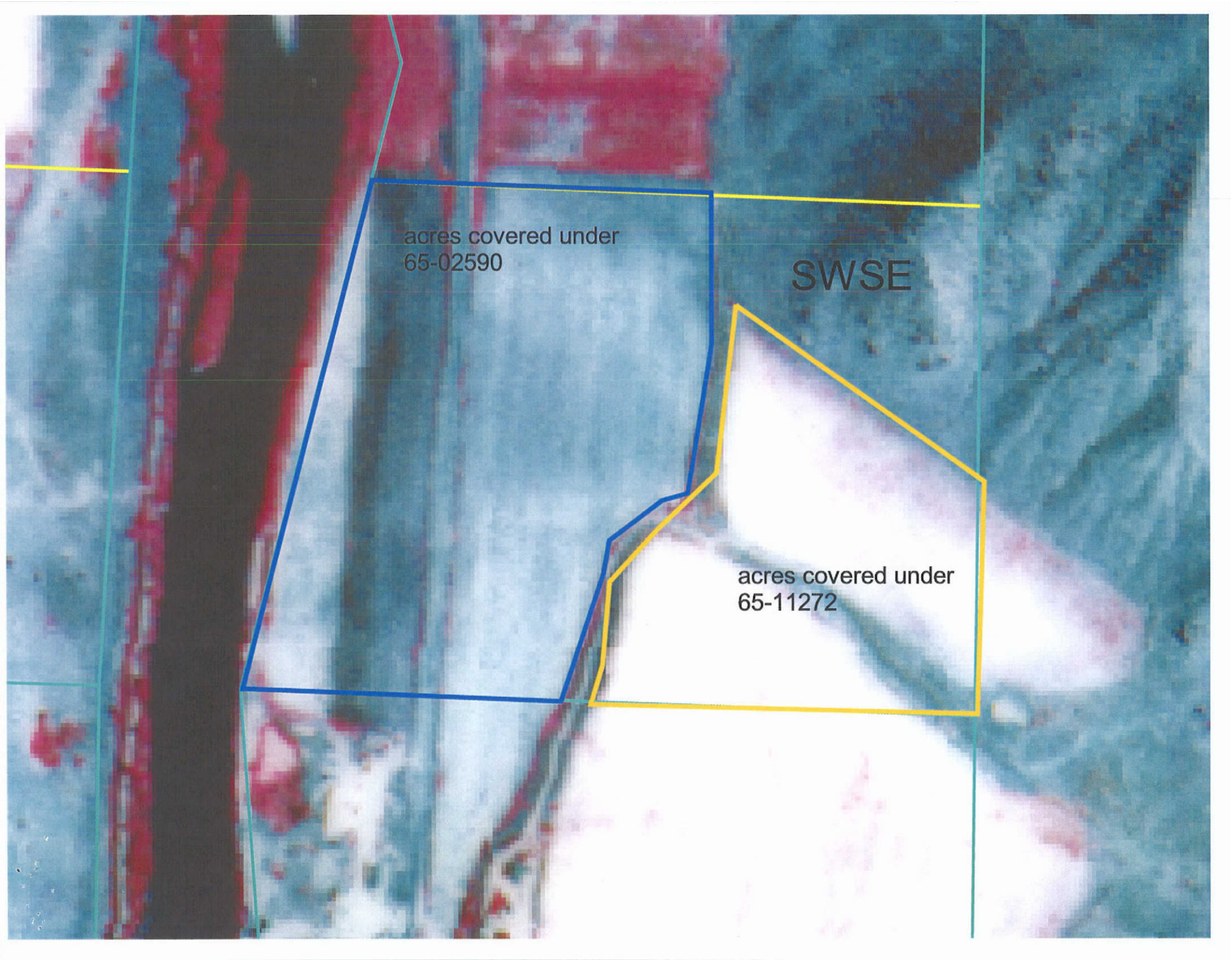
A110
GATFIELD

NOT TO SCALE

K-22







acres covered under
65-02590

SWSE

acres covered under
65-11272

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: A65-02590E
Date Received: 9/13/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	JAMES E PETERSON	208-375-9797
Address:	5206 SUNDERLAND	
	BOISE ID	83704
AND		
Name:	JUDITH ANN PETERSON	208-375-9797
Address:	5206 SUNDERLAND	
	BOISE ID	83704
AND		
Name:	PETERSON FAMILY TRUST	208-375-9797
Address:	5206 SUNDERLAND	
	BOISE ID	83704

2. Date of Priority: APR 19, 1954

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01E	25	NE	SW	NE	1	GEM

5. Description of diverting works:
PUMP IN RIVER, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	24	SE	SE	1	IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
A65-11272

14. Remarks:

CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 4/9/93.
THIS CHANGE IS A RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED
UNDER STATE LAW

RIGHT NUMBER: 65-2590E

NAME AND ADDRESS:

JAMES E PETERSON
11725 N HWY 52
HORSESHOE BEND ID 83629

JUDITH ANN PETERSON
11725 N HWY 52
HORSESHOE BEND ID 83629

PETERSON FAMILY TRUST
11725 N HWY 52
HORSESHOE BEND ID 83629

SOURCE: PAYETTE RIVER Tributary: SNAKE RIVER

QUANTITY: 0.200 CFS 45.000 AFY 0.000 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 04/19/1954

POINT OF DIVERSION:

T07N R01E S24 SWSE Lot 1 Within GEM County

~~T07N R01E S25 NEESE Lot 1 Within GEM County~~

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 11/01	0.200 CFS 45.00 AFY

PLACE OF USE: IRRIGATION within GEM County

T07N R01E S24 SWSE Lot 1 10.0

~~T07N R01E S24 SESE Lot 1 10.0~~

10 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL OR 9/30/03.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A LOCKABLE DEVICE SUBJECT TO THE APPROVAL OF THE DEPARTMENT SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN A WATER DISTRICT. AT THE TIME OF THIS APPROVAL, THIS WATER RIGHT IS WITHIN STATE WATER DISTRICT NO. 65.

WHEN WATER IS NOT AVAILABLE TO FILL THIS RIGHT, THE RIGHT HOLDER SHALL CEASE DIVERSION, SHALL RENT WATER FROM THE PAYETTE RIVER RENTAL POOL, OR SHALL OTHERWISE MITIGATE THE DEPLETION OF WATER CAUSED BY THIS WATER USE.

Claim(s):

65-2590E

Owner(s):

Peterson Family Trust

Prepared by:

Jan Shurte

Date: 10-2-02

Per Approved Transfer

● **Point of Diversion**



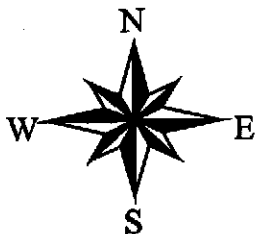
Section Lines



1/4 1/4 Lines



Place of Use



1987 NAPP



WATER RIGHT NO. 65-2590E
As Modified by Transfer No. 69909

In accordance with the approval of Transfer No. 69909, Water Right No. 65-2590E is now described as follows.

Right Holder: PETERSON FAMILY TRUST
 JAMES E PETERSON
 JUDITH ANN PETERSON
 11725 N HWY 52
 HORSESHOE BEND ID 83629

Priority Date: April 19, 1954

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.20 CFS	45.0 AF
			0.20 CFS	45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER Lot 1 SWSE Sec. 24 Twp 07N Rge 01E GEM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	24																10.0	10.0
																		L1	

Total Acres: 10

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 65-2590E
As Modified by Transfer No. 69909

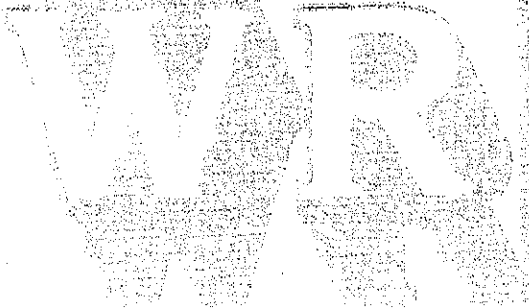
CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 30th day of September, 2002


Chief, Water Allocation Bureau



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69909

RECEIVED

OCT 01 2002

WATER RESOURCES
WESTERN REGION

This is to certify that: JUDITH ANN PETERSON And
JAMES E PETERSON
11725 N HWY 52
HORSESHOE BEND ID 83629
(208) 584-3786

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
65-2590E	AJC/Decreed	04/19/1954	0.20 cfs	N/A	N/A	10.0	PAYETTE RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-2590E	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-2590E	65-2590E	0.20 cfs	45.0 af	N/A	10.0		N/A	N/A	N/A	N/A
TOTALS		0.20 cfs	45.0 af	N/A	10.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of September, 2002

[Signature]
Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 4, 2002

James E. Peterson
Judith Ann Peterson
Peterson Family Trust
11725 N. Hwy. 52
Horseshoe Bend, ID 83629

Dear Mr. & Mrs. Peterson:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

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 Rights: 65-2590E

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
☐ Substitution of Party

XX IC § 42-222 transfer

- | | | | |
|--------------------------|----------------------|--------------------------|---------------------|
| XX | Point of diversion | XX | Place of use |
| ☐ | Period of use | ☐ | Nature of use |
| ☐ | Split of water right | ☐ | Change in ownership |

XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 4, 2002


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 4, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Office of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

James E. Peterson	☐ overnight mail
Judith Ann Peterson	☒ regular mail
Peterson Family Trust	☐ hand-delivered
11725 N. Hwy. 52	☐ facsimile
Horseshoe Bend, ID 83629	

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document

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 Rights: 65-2590E

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

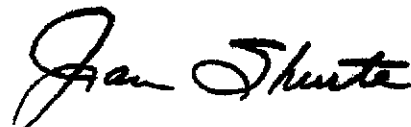
The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ Amended Transfer Pending

IDWR projects the Administrative Proceeding shall be completed not later than:

June 11, 2003

Dated June 11, 2002



Signature of IDWR Representative

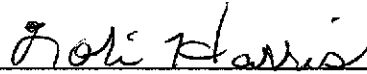
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on June 11, 2002, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to Claimant:
James E. Peterson
Judith Ann Peterson
Peterson Family Trust
11725 N. Hwy 52
Horseshoe Bend ID 83629
3. One copy to:
Each party in the subcase, or attorney of record:
N/A



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2002

**JAMES E PETERSON
JUDITH ANN PETERSON
PETERSON FAMILY TRUST
11725 N HWY 52
HORSESHOE BEND ID 83629**

Dear Mr. & Mrs. Peterson:

Enclosed is a copy of the Notice of Administrative Proceeding regarding your water right(s) that have been sent to the Snake River Basin Adjudication Court in Twin Falls. This document is required to be filed by the Department in order to notify the Court of any contemplated changes to your water right(s).

The SRBA Court or Water Resources will notify you of any future action on your water right(s).

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

**Lori Harris
Technical Records Specialist
Adjudication Section
Western Region**

**LH:I
Enclosure**

(Internet)

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69909

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant JAMES E & JUDITH ANN PETERSON Phone 584-3786
Post Office address 11725 N HWY 52 HORSESHOE BEND, 1083629

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other clarify P/u
2. Describe the reason for the proposed changes SEPARATE SYSTEM FOR APPLICANTS
PROPERTY. CLARIFY P/u.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|-----------|-----------------------|------------------|---------------|
| 65-2590E | 4/19/1954 | .20 | IRRIGATION | 4/1 to 11/1 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>.20</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>PAYETTE RIVER</u> tributary to <u>SNAKE RIVER</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

pg 2A of 6

Page 1

04/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-2590E V1

WATER RIGHT NUMBER: 65-2590E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R P MONTGOMERY TRUSTEES OF MONTGOMERY TRUST 11800 N HWY 52 HORSESHOE BEND, ID 83629 (208)584-3791
Current Owner	JAMES E PETERSON 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Original Owner	BOBBY F JENKINS PO BOX 1137 NORTH FORK, ID 83466 (208)865-2442
Current Owner	PETERSON FAMILY TRUST 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Original Owner	S J MONTGOMERY TRUSTEES OF MONTGOMERY TRUST 11800 N HWY 52 HORSESHOE BEND, ID 83629 (208)584-3791
Current Owner	JUDITH ANN PETERSON 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Original Owner	AVIS V GOSLIN RT 1 BOX 73 HORSESHOE BEND, ID 83629
Original Owner	BEN R GOSLIN RT 1 BOX 73 HORSESHOE BEND, ID 83629

Priority Date: 04/19/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

PAYETTE RIVER	L1 NE1/4SW1/4NE1/4	Sec. 25, Twp 07N, Rge 01E, B.M.
GEM County		
PAYETTE RIVER	L1 SW1/4SE1/4	Sec. 24, Twp 07N, Rge 01E, B.M.
GEM County		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-2590E V1

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07N	01E	24	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	10.0
																			L 1

Total Acres: 10

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:Comments:

1. dbuffing 4/10/2001 Address Change

Comment: Address change per Notice of Error reply.

2. sbcock 5/3/2001 pod

Comment: A second pod was added to this right in Sec 24 SWSE. According to a statement submitted by Ben Goslin the pump was in place during the summer of 1966. Document can be found in the A file. Both pumps are used to deliver this right.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector: 0

Water District Number: 65

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust: False

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/28/2000 3:39:43 PM	sbcock			Active

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

PART 1

6. General Information:

a. Description of diversion system PUMP AND SPRINKLERS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

PLACE OF USE HAS BEEN CLARIFIED TO THE SWSE WITH A PREVIOUS
OBJECTION FILED WITH THE COURT. SRBA STAFF STATED RECOMMENDED
PLACE OF USE IN THE SESE WAS A DATA ENTRY ERROR.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

Idaho Dept. of Water Resources

Claim No(s): 65-02590E

T7N, R1E, S 24

Prepared by: Sue Bock

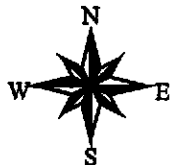
Date: 5/3/2001

 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



1000 0 1000 2000 Feet



1987 NAPP Photo

pg 5 of 6

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

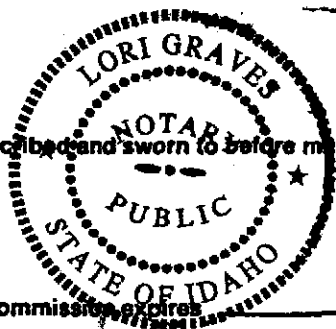
3. Describe effects on other water uses resulting from the proposed change:

N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this



James E. Peterson
(Signature of Applicant)
16th day of April, 2002

Lori Graves
(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by gDate 4/29/02

Protest filed by

Prelim. check by g

Fee

\$100 W029092

Received by

Date

Published in Messenger Index

Copies of protest forwarded by

Pub. dates 6-5 + 12-02

Hearing held by Date

Watermaster recommendation requested on

Recommended for



approval



denial

rec'd.

by

Copy of transfer sent to lien holder

RECORD OF SURVEY

A TRACT OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 1,
OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
GEM COUNTY, IDAHO.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTER LINE
OF STATE HIGHWAY 52 THROUGH LOT 1 OF SECTION 24,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN, AS SHOWN
ON THE "REVISED AS CONSTRUCTED", AUGUST 1938 PLANS FOR
FEDERAL AID PROJECT No. W.P.S.S. 214, i.e. S 03°27' W.

LEGEND:

- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- FOUND ORIGINAL STONE - REPLACED WITH 5/8" IRON PIN
AND ALUMINUM CAP STAMPED PLS 4108
- FOUND ORIGINAL STONE - REPLACED WITH A
5/8" IRON PIN W/PLASTIC CAP PLS 4108
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 4108
- SET LEAD AND TACK IN A 2'X6'X1.8' HIGH GRANITE ROCK
- BARBED WIRE FENCE

NOTE:

FISCHER LAND SURVEYING, INC. ASSUMES NO LIABILITY
FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE
WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS
AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

PETE & JACKIE MONTGOMERY
11800 N. HWY 52
HORSESHOE BEND, ID 83629
(208) 584-3791

Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146

Instr. No.: _____

STATE OF IDAHO } SS.
COUNTY OF GEM

Recorded at the request of
Pete Montgomery

Time: _____

Date: _____

Instr. No.: _____

Recorded as a Survey

Thelma R. Kolodziej, Clerk

Ex-officio Recorder

Fee: \$5.00



23 24 WITNESS CORNER TO THE MEANDER CORNER
LEFT BANK OF THE PAYETTE RIVER

23 24 1/4 COR

S89°11'00"E
5184.28'

1/4 COR

FOUND 5/8" IRON AT 1/4
CORNER WITH ORIGINAL STONE
PLASTIC CAP STAMPED CE/LS 2478

FOUND 1/2" IRON PIN
RMB 876 FOR BLAKLEY
SURVEY DATED 7-12-72

GOV'T LOT 2

FOUND 1/2" IRON PIN
9.94' NORTH x 0.12' WEST OF LINE

FOUND 1/2" IRON PIN
4.77' SOUTH x 0.10' WEST OF LINE

PARCEL 1
6.03 ACRES±

PARCEL 2
6.03 ACRES±

PARCEL 3
6.03 ACRES±

GOV'T LOT 1

1493.01'
2575.73' 1412.90'

1 Mile 2639
2975
5024

S89°20'16"E

1 inch = 200 ft

ACCRETION GROUND IN US GOV.
LOT 1 BETWEEN THE 1889 M.L.
SURVEY AND THE 1997 M.L. SURVEY
AREA = 2.15 ACRES±

PAYETTE RIVER

1997 HIGH WATER LINE AS DETERMINED BY
DOH STOCKTON, DEPARTMENT OF LANDS

N19°13'01"E
91.88'

1/4 COR

TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN

TOWNSHIP 7 NORTH, RANGE 2 EAST, BOISE MERIDIAN

ATTACHMENT

SRBA

SUBCASE SUMMARY REPORT 65-02590E

[Return to SRBA Home Page](#)

SRBA
06-10-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-02590E FILE#: 00000
CLAIMANT: PETERSON, JAMES E
 11725 N HWY 52

HORSESHOE BEND ID 83629
STATUS: UNOBJECTED TO W/R SPECIAL MASTER:
WATER SOURCE: PAYETTE RIVER, SNAKE RIVER

**** PARTIES INVOLVED ****

JAMES E PETERSON	C PRO SE
JUDITH ANN PETERSON	C PRO SE
PETERSON FAMILY TRUST	C PRO SE

**** ROA ENTRIES ****

[Return to SRBA Home Page](#)

Harris, Lori

From: Graves, Lori
Sent: Wednesday, May 22, 2002 2:38 PM
To: Shaff, Don
Cc: Shurte, Jan
Subject: Pending Transfer 69909

3ve

Transfer 69909 proposes changes to the following rights. Applicant wants to use private pumping system for irrigation rather than shared system. P/U also clarified to SWSE...applicant objected claim recommendation to clarify P/U in SRBA also.

AJC 65-2590E

Idaho Dept. of Water Resources

Claim No(s): 65-02590E

T07N, R01E, 24

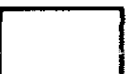
Created by: Sue Bock

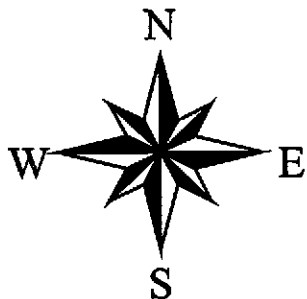
Date: 6/27/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

05/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-2590E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETERSON FAMILY TRUST
Current Owner	JAMES E PETERSON
Current Owner	JUDITH ANN PETERSON
	11725 N HWY 52
	HORSESHOE BEND, ID 83629
	(208) 584-3786
Original Owner	AVIS V GOSLIN
Original Owner	BEN R GOSLIN
	RT 1 BOX 73
	HORSESHOE BEND, ID 83629
Original Owner	R P MONTGOMERY
Original Owner	S J MONTGOMERY
	TRUSTEES OF MONTGOMERY TRUST
	11800 N HWY 52
	HORSESHOE BEND, ID 83629
	(208)584-3791
Original Owner	BOBBY F JENKINS
	PO BOX 1137
	NORTH FORK, ID 83466
	(208)865-2442

Priority Date: 04/19/1954
Basis: Decreed
Status: Active

Source
PAYETTE RIVER

Tributary to
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.2 CFS		
Total Diversion			0.2 CFS		

Location of Point(s) of Diversion:

PAYETTE RIVER	SWSE Lt 1	Sec. 24	Township 07N	Range 01E	GEM County
PAYETTE RIVER	NESWNE Lt 1	Sec. 25	Township 07N	Range 01E	GEM County

IRRIGATION Use:
Acre Limit: 10

Place(s) of use:

Place of Use Legal Description: IRRIGATION

GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	01E	24	1	SESE	10									

Total Acres: 10

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

09/28/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2590E

NAME AND ADDRESS: PETERSON FAMILY TRUST
JAMES E PETERSON
JUDITH ANN PETERSON
5206 SUNDERLAND
BOISE, ID 83704

SOURCE: PAYETTE RIVER TRIB: SNAKE RIVER

QUANTITY: 0.2 CFS

PRIORITY DATE: 04/19/1954

POINT OF DIVERSION: T07N R01E S25 LOT 1 NESWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.20 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T07N R01E S24 LOT 1 SESE 10
10 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

COMMENTS:

For 65-2590 A,B,C,D,E AND 65-11272 A, B,C,D

See each individual file for maps and split tree. Whole number rights as decreed were shown on map with warranty deeds of splits overlaid to determine amount of acreage each split would get.

65-2590 for 85 acres and 1.7 cfs was split into:

- Second point of diversion was added in Sec 24 SWSE, as per documentation provided. Original point of diversion in Sec 25 SWNE is in use also. Change occurred prior to 1987.
- A Montgomery 2.8 acres in Sec 24 SESE, all land in Sec 25 stays with Montgomery and 1.26 cfs.
- B Herman 4.2 acres .08 cfs – New owners Mihalka.
- C Shepard 4.2 acres .08 cfs
- D Holden 3.8 acres .08 cfs
- E Peterson 10 acres and .2 cfs

65-11272 for 47 acres and .94 cfs was split into:

- A Shobel 7 acres .14 cfs – part of this right will now go to Holstein.
- B Montgomery 27.7 acres .55 cfs
- C Shepard 1.6 acre .03 cfs
- D Holden 10.7 acres .22 cfs

07:20:46
02/18/00
91

CLAIM NUMBER: A65-02590E

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:17:20
02/18/00

PAGE: 1
GENERAL INFORMATION

74
CLAIM NUMBER: A65-02590E

LAST: GOSLIN FIRST: BEN R
ADDRESS: RT 1 BOX 73
CITY: HORSESHOE BEND STATE: ID ZIP: 83629
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: JENKINS FIRST: BOBBY F
ADDRESS: PO BOX 1137
CITY: NORTH FORK STATE: ID ZIP: 83466
PHONE NUMBER: 208-865-2442

OWNER CODE: O

LAST: MONTGOMERY FIRST: S J
ADDRESS: TRUSTEES OF MONTGOMERY TRUST
11800 N HWY 52
CITY: HORSESHOE BEND STATE: ID ZIP: 83629
PHONE NUMBER: 208-584-3791

OWNER CODE: O

LAST: MONTGOMERY FIRST: R P
ADDRESS: TRUSTEES OF MONTGOMERY TRUST
11800 N HWY 52
CITY: HORSESHOE BEND STATE: ID ZIP: 83629
PHONE NUMBER: 208-584-3791

OWNER CODE: O

LAST: GOSLIN FIRST: AVIS V
ADDRESS: RT 1 BOX 73
CITY: HORSESHOE BEND STATE: ID ZIP: 83629
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: PETERSON FIRST: JAMES E
ADDRESS: 5206 SUNDERLAND
CITY: BOISE STATE: ID ZIP: 83704
PHONE NUMBER: 208-375-9797

OWNER CODE: C

LAST: PETERSON FIRST: JUDITH ANN
ADDRESS: 5206 SUNDERLAND
CITY: BOISE STATE: ID ZIP: 83704
PHONE NUMBER: 208-375-9797

OWNER CODE: C

LAST: PETERSON FAMILY TRUST FIRST:

ADDRESS: 5206 SUNDERLAND

CITY: BOISE
PHONE NUMBER: 208-375-9797

STATE: ID ZIP: 83704

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 4/9/93.
THIS CHANGE IS A RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-02590E PRIORITY DATE: 04-19-1954 STAGE: D

B. WR RECORD: # 65-02590 PRIORITY DATE: 04-19-1954 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-19-1954

REVIEWED BY B.O

DATE 6-16-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02590E	07N	01E	25	NE	SW	NE	1		GEM		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02590A	65-00195
A65-02590B	R65-02779A
A65-02590C	R65-02779B
A65-02590D	R65-10302
A65-02779A	
A65-02779B	
A65-10302	
A65-12760	

WR RECORDS IN SAME 40 ACRE TRACT

65-02779
65-10302
65-12760
L65-12760A

SOURCE: PAYETTE RIVER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02590	07N	01E	25				1		GEM		
65-02590	07N	01E	25		SW	NE	1		GEM		

OTHER WR RECORDS WITH SAME WR POD

65-00110
65-00164
65-00195
65-02779
65-10302
65-11272
65-12760
L65-12760A

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-00110	65-00110
A65-00164	65-00164
A65-00195	65-00195
A65-02590A	R65-02779A
A65-02590B	R65-02779B
A65-02590C	R65-10302
A65-02590D	
A65-02779A	
A65-02779B	
A65-10302	
A65-12760	

SOURCE: PAYETTE RIVER

TRIB:

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

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	01E	25	NE	SW	NE	1		GEM		
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: PAYETTE RIVER

TRIB: Snake R

REVIEWED BY: SB

DATE: 6-16-00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-02590A
A65-02590B
A65-02590C
A65-02590D
A65-02590E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	24	SE	SE	1	PETERSON, JAMES E	A65-02590E / 10.0	- /		24.0	
			SE	SE	1	MONTGOMERY, R P	A65-02590A / 2.8	- /			
			SE	SE	1	HERMAN, HELEN M	A65-02590B / 4.2	- /			
			SE	SE	1	SHEPHERD, EUGENE M	A65-02590C / 4.2	- /			
			SE	SE	1	LUND, VALORIE L	A65-02590D / 3.8	- /			
			SE	SE	1	MONTGOMERY, S J	A65-11272B / 4.6	- /			
			SE	SE	1	SHEPHERD, EUGENE M	A65-11272C / 1.6	- /			
			SE	SE	1	HOLDEN, MARY LOU	A65-11272D / 7.8	- /			
			SE	SE	1	GOSLIN, BEN R.		65-02590 / 25.0			
			SE	SE	1	GOSLIN, BEN R.		65-11272 / 14.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-02590E 10.00 24.00

POU COUNTY: GEM

10

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02590E	PAYETTE RIVER	PETERSON, JAMES E	0.200	0.020		
A65-02590A	PAYETTE RIVER	MONTGOMERY, R P	1.260	0.020		
A65-02590B	PAYETTE RIVER	HERMAN, HELEN M	0.080	0.019		
A65-02590C	PAYETTE RIVER	SHEPHERD, EUGENE M	0.080	0.019		
A65-02590D	PAYETTE RIVER	LUND, VALORIE L	0.080	0.021		
A65-11272B	PAYETTE RIVER	MONTGOMERY, S J	0.550	0.019		
A65-11272C	PAYETTE RIVER	SHEPHERD, EUGENE M	0.030	0.018		
A65-11272D	PAYETTE RIVER	HOLDEN, MARY LOU	0.220	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-11272

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

N/A() Y(☒) N()

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

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

N/A() Y(☒) N()

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

Y() N(☒)

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

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Claimant filed on 65-11272 which does not cover
this area. Cell Acres for this claimant are under
this report. Claimant filed on 10 acres and plat shows 10
acres all of which have or were under irrigation.

RECOMMENDATIONS:

TOTAL ACRES: 10 N/A()

REVIEWED BY: SB

DATE: 6-18-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02590E IRRIGATION	FROM 04-01 TO 11-01	0.200 CFS	
TOTAL DIVERSION RATE/VOLUME		0.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02590 IRRIGATION	FROM 04-01 TO 11-01	1.700 CFS	
TOTAL DIVERSION RATE/VOLUME		1.700 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

83

CLAIM NUMBER: A65-02590E

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.700 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 165 x 0.02 CFS/ACRE = 20 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	11-01	DATABASE 0.200	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.200	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 65-02590

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.700	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-02590	A65-02590A	1.260	-		65-02590	1.700
-	A65-02590B	0.080	-		-	
-	A65-02590C	0.080	-		-	
-	A65-02590D	0.080	-		-	
-	A65-02590E	0.200	-		-	
TOTAL CFS		1.700				1.700

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

=====

AUTHENTICATION:

SIGNATURE: June Boor DATE: 6-16-80

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
(X) SUBDIVISION PLAT MAP	DATE OF MAP <u>in claim file</u>	Y() N()
(X) OTHER <u>GIS map</u>	DATE <u>6/19/00</u>	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:17:20
02/18/00

PAGE: 17
QUICKLOOK INFORMATION

90
CLAIM NUMBER: A65-02590E

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	Done	SB		
POINT OF DIV	Y					6/16/00		
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 65-2590E

WATER RIGHT NUMBER: 65-2590E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETERSON FAMILY TRUST 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Current Owner	JAMES E PETERSON 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Current Owner	JUDITH ANN PETERSON 11725 N HWY 52 HORSESHOE BEND, ID 83629 (208) 584-3786
Original Owner	AVIS V GOSLIN RT 1 BOX 73 HORSESHOE BEND, ID 83629
Original Owner	BEN R GOSLIN RT 1 BOX 73 HORSESHOE BEND, ID 83629

Priority Date: 04/19/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.200 CFS	45.00 AF
	<u>Total Diversion:</u>	0.200 CFS	45.00 AF

Location of Point(s) of Diversion

PAYETTE RIVER	L1 (SW1/4SE1/4)	Sec. 24, Twp 07N, Rge 01E, B.M.
GEM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
07N	01E	24															10.0	10.0	
																L 1			

Total Acres: 10

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 65-2590E

1. R02 A lockable device subject to the approval of the Department shall be maintained *on the diverting works* in a manner that will provide the watermaster suitable control of the diversion.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X23 When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Remarks:Comments:

1. pskaggs 9/30/2002 9:50:54 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 69909

Dates and Other Information:

Claim Received Date: 9/13/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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 65-2590E
Date Received: 9/13/89
Receipt No: X777777
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): JAMES E PETERSON Phone: (208) 584-3786
11725 N HWY 52
HORSESHOE BEND ID USA 83629
- PETERSON FAMILY TRUST Phone: (208) 584-3786
11725 N HWY 52
HORSESHOE BEND ID USA 83629
- JUDITH ANN PETERSON Phone: (208) 584-3786
11725 N HWY 52
HORSESHOE BEND ID USA 83629

2. Date of Priority: 04/19/1954

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	01E	25	NE SW NE 1	GEM	

5. Description of diverting works:

PUMP IN RIVER, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.2	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	24	SE SE	1	IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 4/9/93
THIS CHANGE IS A RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP
Address change per Notice of Error reply. DB 4/10/2001

15. Basis of Claim: Decreed

03/08/2001

RECEIVED

APR 05 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-2590E

JAMES E PETERSON

~~5206 SUNDERLAND~~

~~BOISE ID 83704~~

Telephone Number: ~~(208) 375-9797~~

PETERSON FAMILY TRUST

~~5206 SUNDERLAND~~

~~BOISE ID 83704~~

Telephone Number: ~~(208) 375-9797~~

JUDITH ANN PETERSON

~~5206 SUNDERLAND~~

~~BOISE ID 83704~~

Telephone Number: ~~(208) 375-9797~~

11725 N. HWY 52
HORSESHOE BEND, ID 83629
(208) 584-3786

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

CHANGE POINT OF DIVERSION

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

4/5/01

SIGNATURE:

Judith Ann Peterson

Please print your name:

JUDITH ANN PETERSON

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED**NOV 02 1999**

Please print or type. Attach pages with additional information. Instructions are on the back of this page. **WATER RESOURCES
WESTERN REGION**
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A65-11272 (part)
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant MONTGOMERY TRUST - TRUSTEES
Rawland P. MONTGOMERY AND SYLVIA J. MONTGOMERY
11800 N. HWY 51, HORSESHOE BEND ID 83629
4. New Owner/Claimant(s) PETERSON FAMILY TRUST - TRUST
JAMES E PETERSON AND JUDITH ANN PETERSON
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address 5206 SUNDERLAND
 City, State and ZIP Code BOISE, ID 83704
 New Telephone Number (208) 375-9797
5. Date you acquired the property 10-16-99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 10 Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) James E. Peterson Judith Ann Peterson
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

It appears that
Peterson acquired
portion of A65-02590,
not A65-11272.

Montgomery

65-02590

85 Acres

1.7 cfs

65-02590A
Montgomery
2.8 acres

65-02590B
Herman
4.2 acres
0.08 cfs

65-02590C
Shepard
4.2 acres
0.08 cfs

65-02590D
Holden
3.8 acres
0.08 cfs

65-02590E
Peterson
10 acres
0.2 cfs

Totals 1.26

[All acres for splits come from land
in 7N, 01E, Sec 24 SESE]

All land in Sec 25 stays w/ Montgomery

R.P.M.
SJM

EXHIBIT "A"

Being a portion of U.S. Government Lot 1, Section 24, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho described as follows:

Commencing at the Section corner common to Sections 19 and 30, Township 7 North Range 2 East and Sections 24 and 25, Township 7 North, Range 1 East, Boise Meridian marked by a found stone and replaced with a 5/8" iron pin P.L.S. 4108; thence North 89°29'29" West, 1493.01 feet along the South line of U.S. Government Lot 1 to a point on the Westerly right of way line of State Highway 52; thence North 03°27'00" East, 607.82 feet along the Westerly right of way line of State Highway 52 to a set 1/2" iron pin P.L.S. 4108 and the REAL POINT OF BEGINNING; thence North 89°20'16" West, 363.25 feet parallel with the North line of U.S. Government Lot 1 to a point on the mean-highwater line of the Payette River as surveyed in 1997 and marked by a set 1/2" iron pin P.L.S. 4108; thence Northeasterly along the mean-highwater line of the Payette River as surveyed in 1997 the following courses and distances:
North 06°52'09" East, 46.75 feet to a set 1/2" iron pin P.L.S. 4108;
North 12°36'47" East, 347.49 feet to a set 1/2" iron pin P.L.S. 4108;
North 15°13'18" East, 250.95 feet to a set 1/2" iron pin P.L.S. 4108;
North 09°55'27" East, 81.26 feet to a point on the North line of U.S. Government Lot 1 marked by a set 1/2" iron pin P.L.S. 4108; thence leaving said meander line South 89°20'16" East, 244.63 feet along said North line to a point on the Westerly right of way line of State Highway 52, marked by a set 1/2" iron pin P.L.S. 4108; thence South 03°27'00" West, 710.37 feet along said right of way line to THE REAL POINT OF BEGINNING.

AND

Being a portion of U.S. Government Lot 1, Section 24, Township 7 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

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LEGAL CONTINUED NEXT PAGE

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LEGAL CONTINUED NEXT PAGE

RECORD OF SURVEY

A TRACT OF LAND SITUATED IN A PORTION OF GOVERNMENT LOT 1,
OF SECTION 24, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
GEM COUNTY, IDAHO.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTER LINE
OF STATE HIGHWAY 52, THROUGH LOT 1 OF SECTION 24,
TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN, AS SHOWN
ON THE "REVISED AS CONSTRUCTED", AUGUST 1938 PLANS FOR
FEDERAL AID PROJECT No. W.P.S.S. 214, i.e. S 03°27' W.

LEGEND:

- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- FOUND ORIGINAL STONE - REPLACED WITH 5/8" IRON PIN
AND ALUMINUM CAP STAMPED PLS 4108
- FOUND ORIGINAL STONE - REPLACED WITH A
5/8" IRON PIN W/PLASTIC CAP PLS 4108
- SET 1/2" IRON PIN W/PLASTIC CAP PLS 4108
- BARBED WIRE FENCE

NOTE:

FISCHER LAND SURVEYING, INC. ASSUMES NO LIABILITY
FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE
WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS
AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

SURVEY FOR:

PETE & JACKIE MONTGOMERY
11800 N. HWY 52
HORSESHOE BEND, ID 83629
(208) 584-3791

Fischer Land Surveying, Inc.

PROFESSIONAL LAND SURVEYING
404 So. Washington Ave.
Emmett, Idaho 83617
Phone: (208) 365-4146



Instr. No.: _____

STATE OF IDAHO }
COUNTY OF GEM } SS.

Recorded at the request of
Pete Montgomery

Time: _____

Date: _____

Instr. No.: _____

Recorded as a Survey

Thelma R. Kolodziej, Clerk
Ex-officio Recorder

Fee: \$5.00 Deputy



23 24 WITNESS CORNER TO THE MEANDER CORNER
LEFT BANK OF THE PAYETTE RIVER

23 24 1/4 COR

S89°11'00"E
5164.28'

1/4 COR

FOUND 5/8" IRON AT 1/4
CORNER WITH ORIGINAL STONE
PLASTIC CAP STAMPED CE/LS 2478

FOUND 1/2" IRON PIN
RMB 878 PER BLANKLEY
SURVEY DATED 7-12-72

GOV'T LOT 2

S89°20'16"E



1 inch = 200 ft.

ACCRETION GROUND IN US GOV.
LOT 1 BETWEEN THE 1869 ML
SURVEY AND THE 1997 ML SURVEY.
AREA = 2.15 ACRES±

PAYETTE RIVER

1997 HIGH WATER LINE AS DETERMINED BY
DON STOCKTON, DEPARTMENT OF LANDS

PARCEL 4
5.00 ACRES±

PARCEL 5
5.00 ACRES±

GOV'T LOT 1

TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN

TOWNSHIP 7 NORTH, RANGE 2 EAST, BOISE MERIDIAN

23 24 26 25
S89°29'23"E
1/4 COR

1493.01'
2575.73' 1412.90'

24 19
25 30
S03°44'48"E
2639.48'
1/4 COR

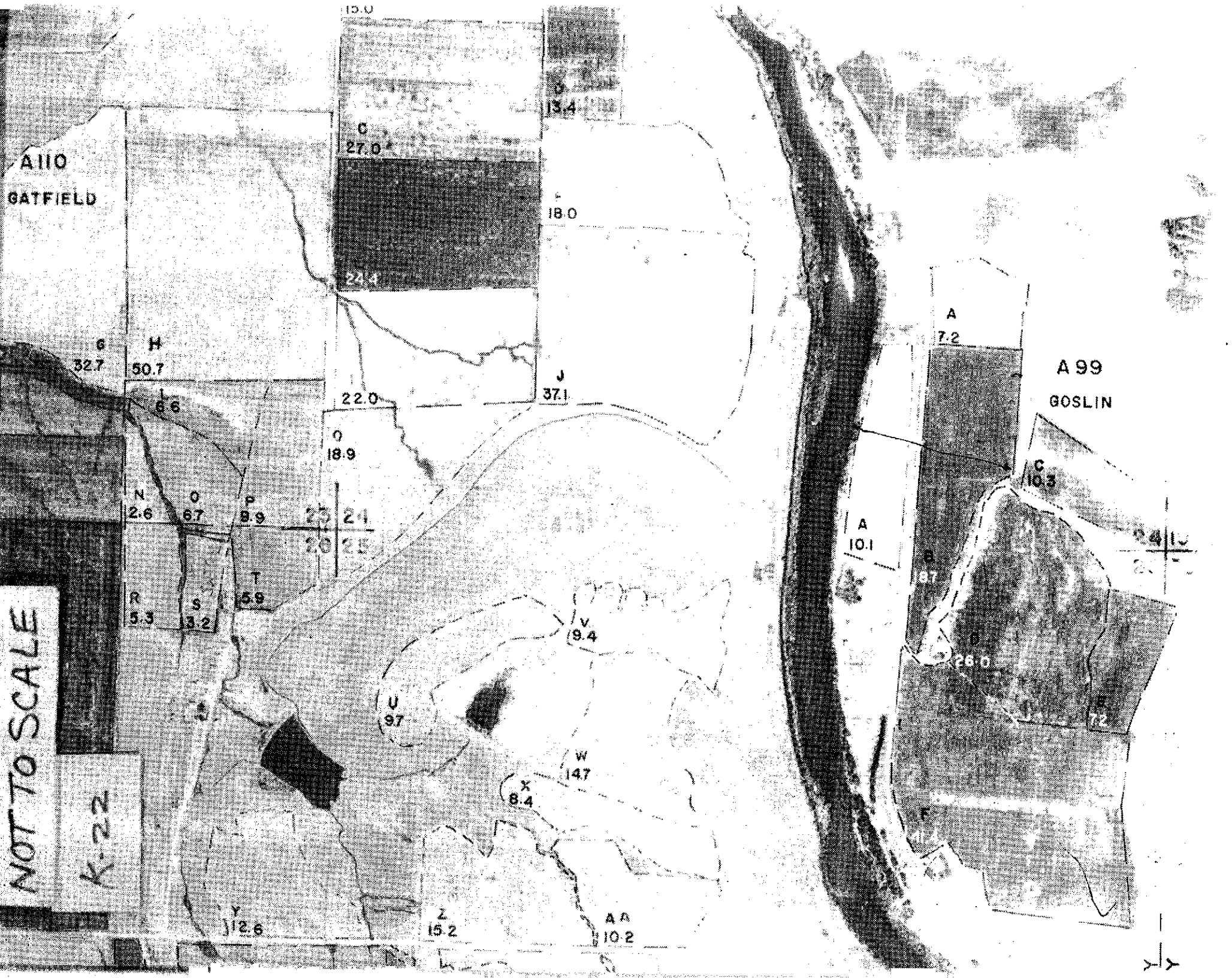
MAY 1997

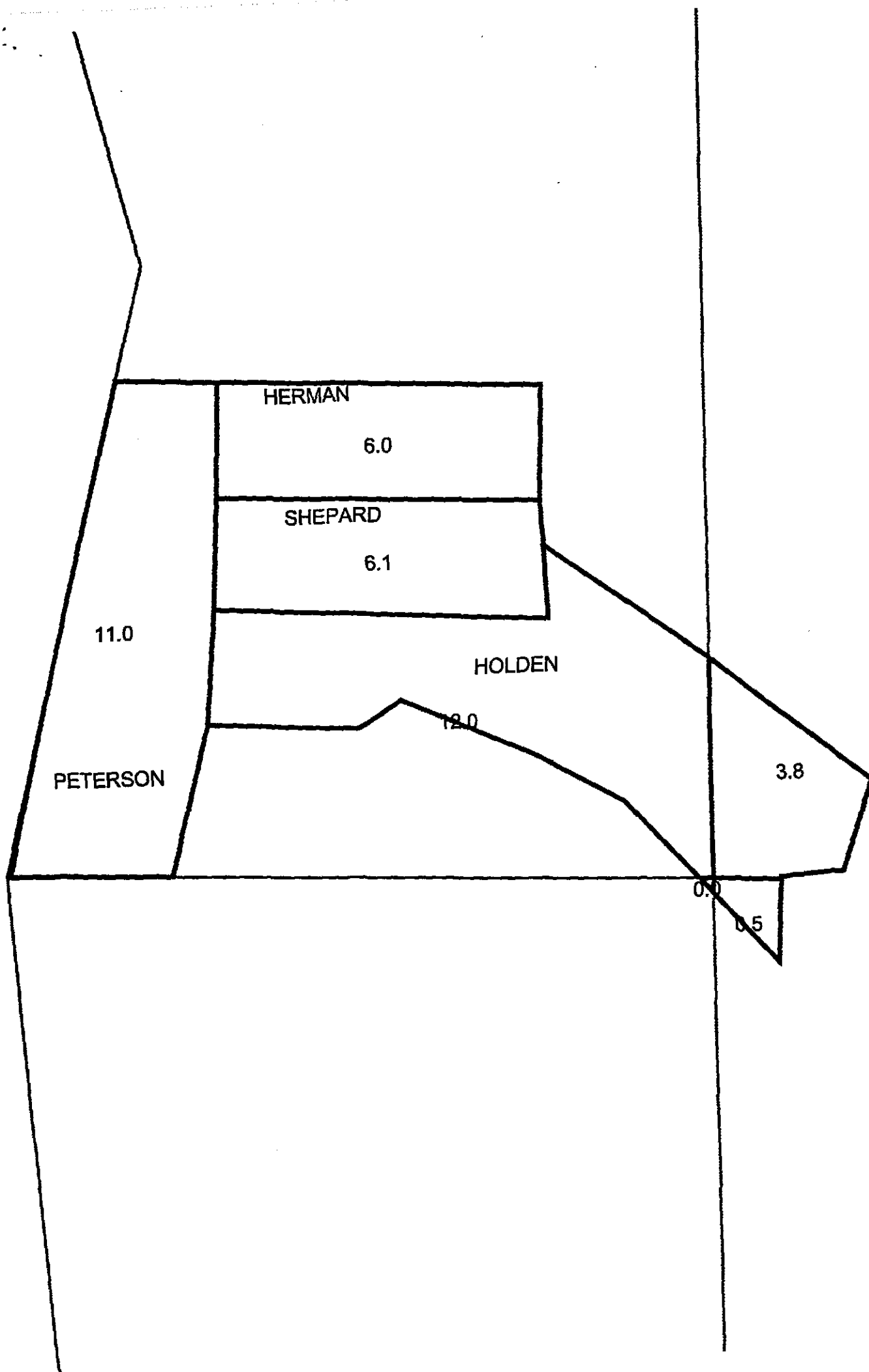
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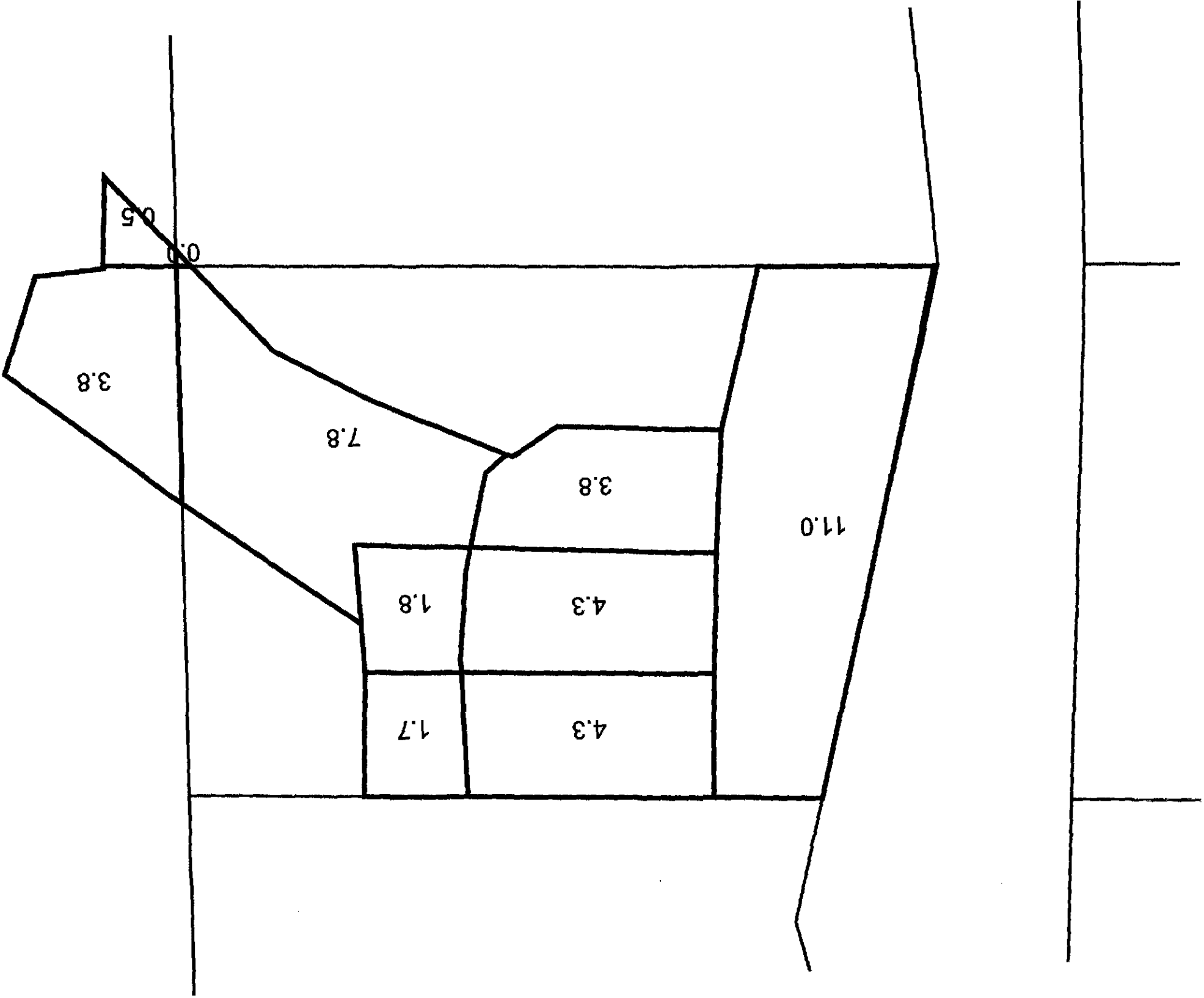
A110
GATFIELD

NOT TO SCALE

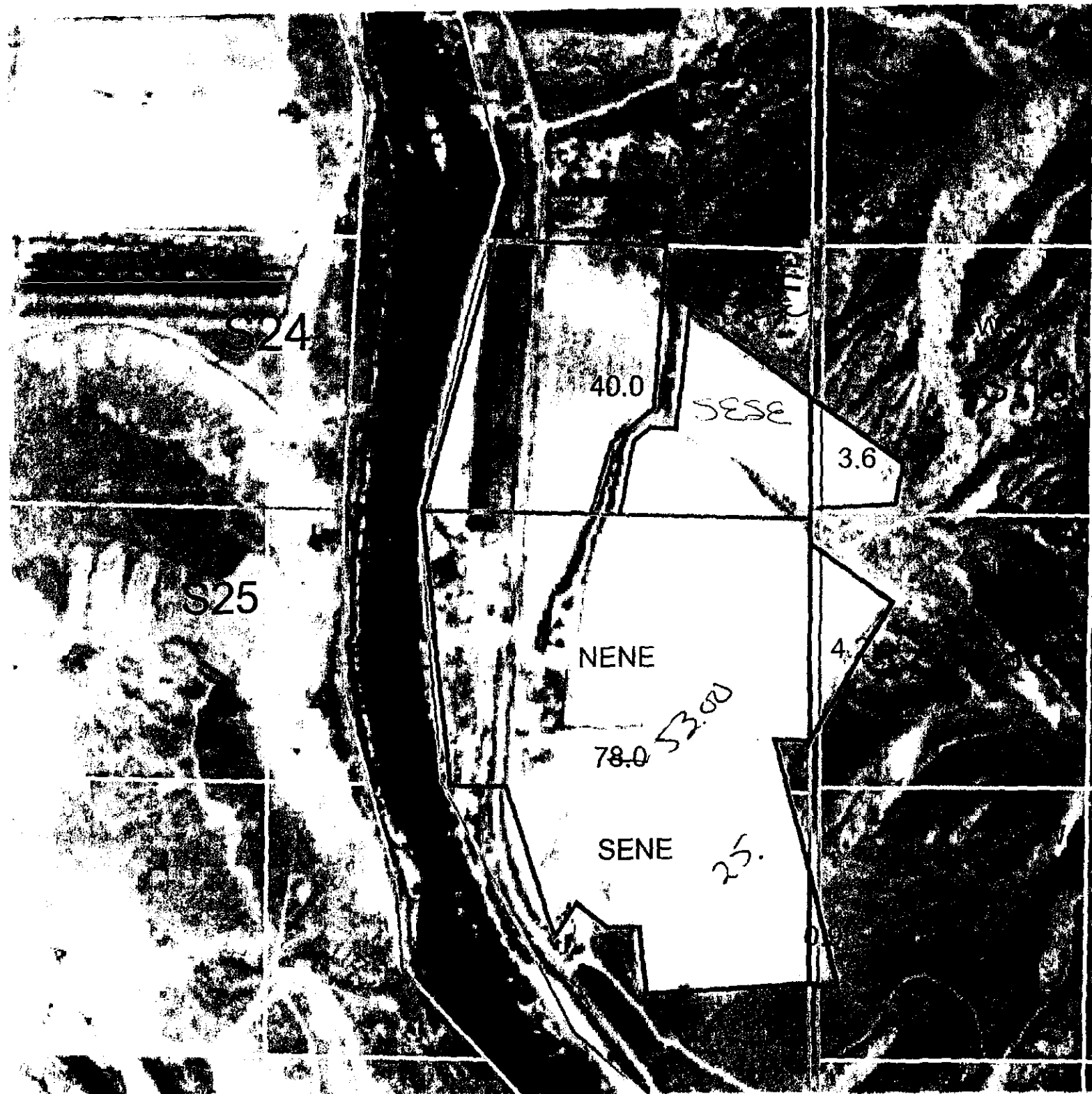
K-22







acres covered under
65-112



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: A65-02590
Date Received: 9/13/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R P MONTGOMERY 213-927-0254
Address: TRUSTEES OF MONTGOMERY TRUST
11800 N HWY 52
HORSESHOE BEND ID 83629

OR

Name: S J MONTGOMERY 213-927-0254
Address: TRUSTEES OF MONTGOMERY TRUST
11800 N HWY 52
HORSESHOE BEND ID 83629

2. Date of Priority: APR 19, 1954

3. Source: PAYETTE RIVER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	01E	25	NE	SW	NE	1	GEM

5. Description of diverting works:
PUMP IN RIVER, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		

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

8. Total consumptive use is 212.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
AUG 8 3 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	01E	24		1	IRR	25.0
					Section Acres	25.0
		25		1	IRR	20.0
				2	IRR	40.0
					Section Acres	60.0
					Total Acres	85.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
A65-11272

14. Remarks:
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 4/9/93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED

AUG 03 1994

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 03 1994