

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31401/65-2741 Priority Oct. 6, 1963 Amount 1.50 cfs
(late proof)

THIS IS TO CERTIFY, that E. D. PETERSON & GARY D. PETERSON
of Boise, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 31401/65-2741 issued pursuant to Application for Permit dated September 25, 1963
and has submitted proof to the Department of Water Administration on October 7, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.50 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream
tributary of North Fork of Payette River, is hereby confirmed in the following amount:

Amount 0.03 cfs for Domestic from June 1 to Oct. 30 (both dates inclusive)
Amount 1.50 cfs for Power from June 1 to Oct. 30 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
subject, however, to the condition that no more than 1.50 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE 1/4 Sec. 19, Twp. 15 N, Rge. 3 E, D.M.

in the county of Valley; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 0.5 acre feet per year ~~for~~ for

domestic use ~~and 448 acre feet per year for power purposes~~
with the total amount not to exceed 448.5 acre feet per year.

Description and location of place of use:

TWP	RANGE	SEC	NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
15 N	3 E	10				X									

Total number of acres irrigated

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of

March, 19 71.


Director

65 2741

MICROFILMED

SEP 21 1992

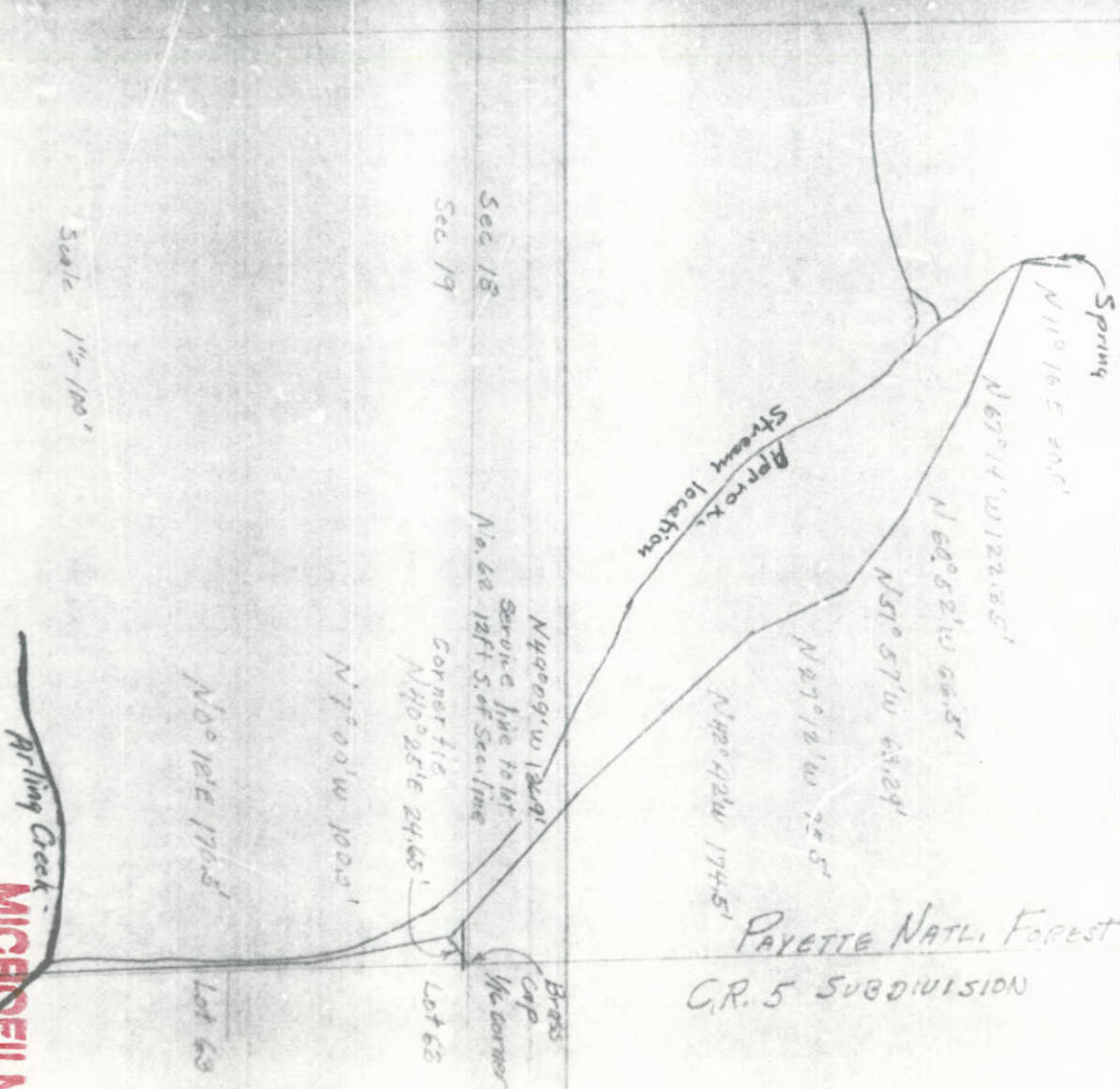
Life Line Survey, Forest Survey
 Revised Description, Water Division
 Sec 14, Sub 14, Sub 15
 T15N, R13E, S14N.

RECEIVED

SEP 1 1992

Department of Agriculture

PAYETTE NATL. Forest
 G.R. 5 SUBDIVISION



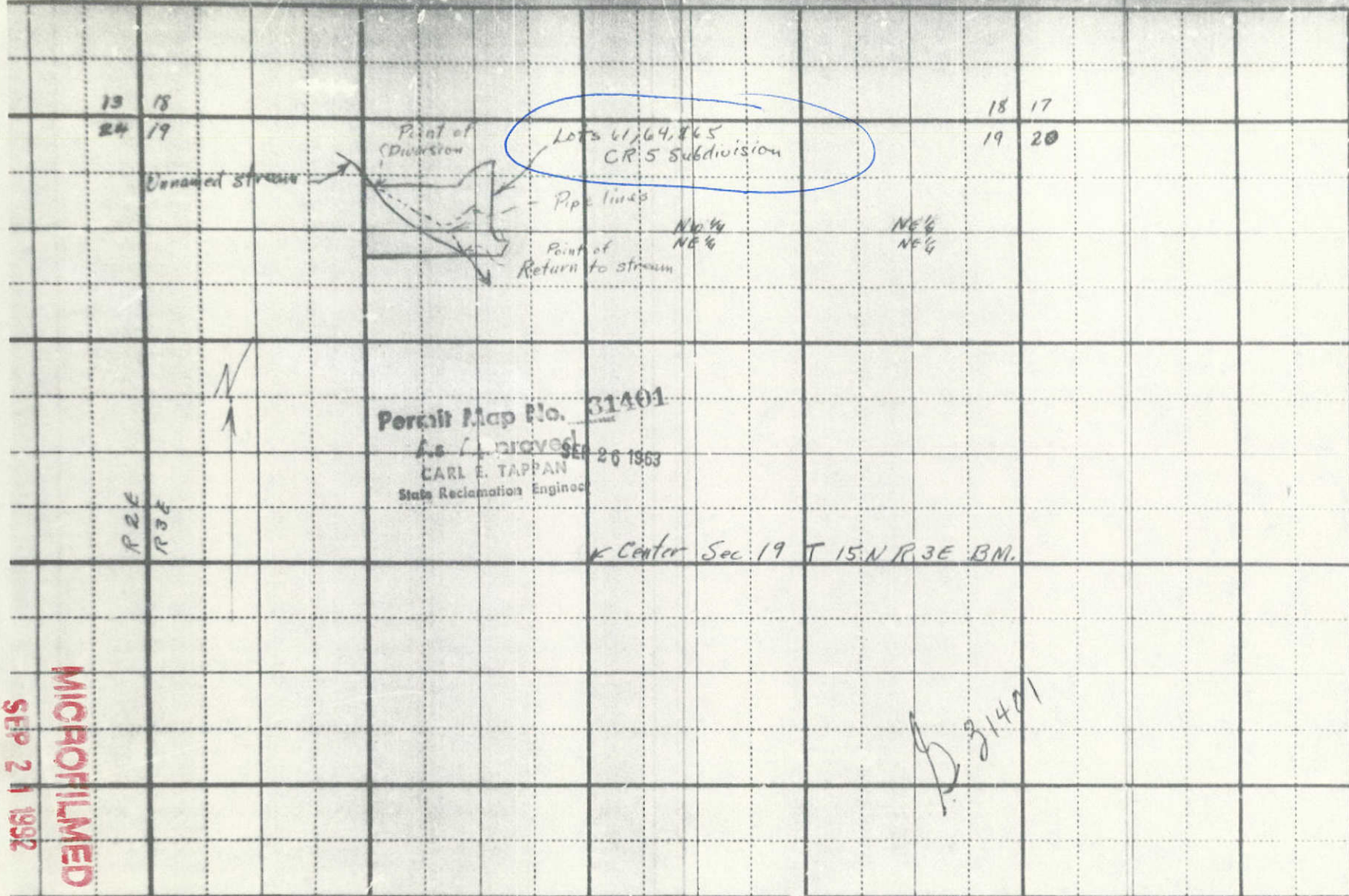
Scale $1\frac{1}{2}'' = 100'$

MICROFILMED

3/401 SEP 21 1992

NAME OF APPLICANT: D. Peterson, Fritz B. Peterson & Gary D. Peterson

Form No. 0



MICROFILMED

SEP 21 1992

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: A65-02741
Date Received: 11/01/1988
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E. DEAN PETERSON
Address: 2213 HEIGHTS DRIVE
BOISE, ID

83702

Name: HELEN M. PETERSON
Address: 2213 HEIGHTS DRIVE
BOISE, ID

83702

2. Date of Priority: OCT 01, 1963

3. Source: ARLING CREEK

Trib. to: DUCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	03E	19	NE	NE	NW		VALLEY
			NE		NW		VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		1.20
POWER	01/01	12/31	1.500		1.20

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

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02741

Page

1

Date: 11/01/88

MICROFILMED

SEP 21 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	03E	19	NE NW		DOMEST	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED
Case Number: 3667
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 65-02741
DATE RECEIVED: 11/1/1988
RECEIPT NO: X999919
RECEIVED BY:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: E. DEAN PETERSON
ADDRESS: 2213 HEIGHTS DRIVE
BOISE, ID

83702

NAME: HELEN M. PETERSON
ADDRESS: 2213 HEIGHTS DRIVE
BOISE, ID

83702

2. DATE OF PRIORITY: OCT 01, 1963

3. SOURCE: ARLING CREEK

TRIB. TO: DUCK CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LCT	COUNTY
15N	03E	19	NE	NW			VALLEY
			NE	NW			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.030		1.20
POWER	01/01	12/31	1.500		1.20

7. TOTAL QUANTITY APPROPRIATED IS:
1.500 C.F.S. (AND/OR)

1.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
15N	03E	19	NE	NW		DOMEST	

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

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 ~~X~~ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S):

E. Dean Peterson DATE: 11-1-88

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF _____ TITLE

_____, THAT I HAVE SIGNED THE FOREGOING ORGANIZATION DOCUMENT IN THE SPACE BELOW AS _____ OF

_____, AND THAT THE STATEMENTS CONTAINED IN THE ORGANIZATION FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)

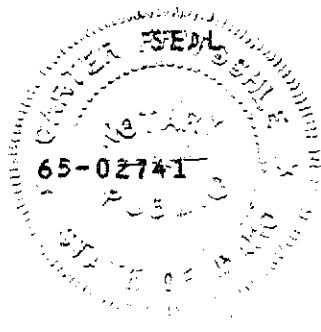
COUNTY OF Ada)

) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 1st DAY

OF November 19 1988

Carter Fritschle
NOTARY PUBLIC



PAGE

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RESIDING AT _____

MY COMMISSION EXPIRES _____

DATE: 09/30/88

MICROFILMED

SEP 21 1992

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

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31401/05-2741 Priority Oct. 8, 1969 Amount 1.50 cfs
(late proof)

THIS IS TO CERTIFY, that E. D. PETERSON & GARY D. PETERSON
of Idaho, Idaho, have not complied with the terms and conditions of Permit
No. 31401/05-2741 issued pursuant to Application for Permit dated September 25, 1969
and has submitted proof to the Department of Water Administration on October 7, 1971
that he has applied water to a beneficial use. The information furnished by the Department indicates that the
works have a capacity of 1.50 cfs and that the water has in fact been applied to a
beneficial use, in right to the use of water from an unnamed stream

territory of North Fork of Inyette River, is hereby confirmed as the following amounts:
Amount 0.00 cfs for Domestic from June 1 to Oct. 30 (both dates inclusive)
Amount 1.50 cfs for Power from June 1 to Oct. 30 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
subject, however, to the condition that no more than 1.50 cfs of water be diverted at
any one time, said water to be diverted within the _____

NE 1/4 Sec. 19, Twp. 15 N., Rge. 3 E., S. 1, M.
in the county of Valley, and that the amount of water so diverted and in which such
right is entitled and confirmed as for the purposes above said and is limited to the amount which can
actually be beneficially used and shall not exceed 0.5 acre feet per year for

domestic use ~~unlimited~~ and 4.0 acre feet per year for power purposes
with the total amount not to exceed 4.5 acre feet per year,
Description and location of place of use:

Twp	Range	Sec	30' x 30'				30' x 30'				30' x 30'				30' x 30'				TOTAL
			30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	30' x 30'	
15 N	11 E	19								X									

Total number of acres irrigated

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

Witness the seal and signature of the Director, at Boise, Idaho, this 6th day of
March 1971

[Signature]
DIRECTOR

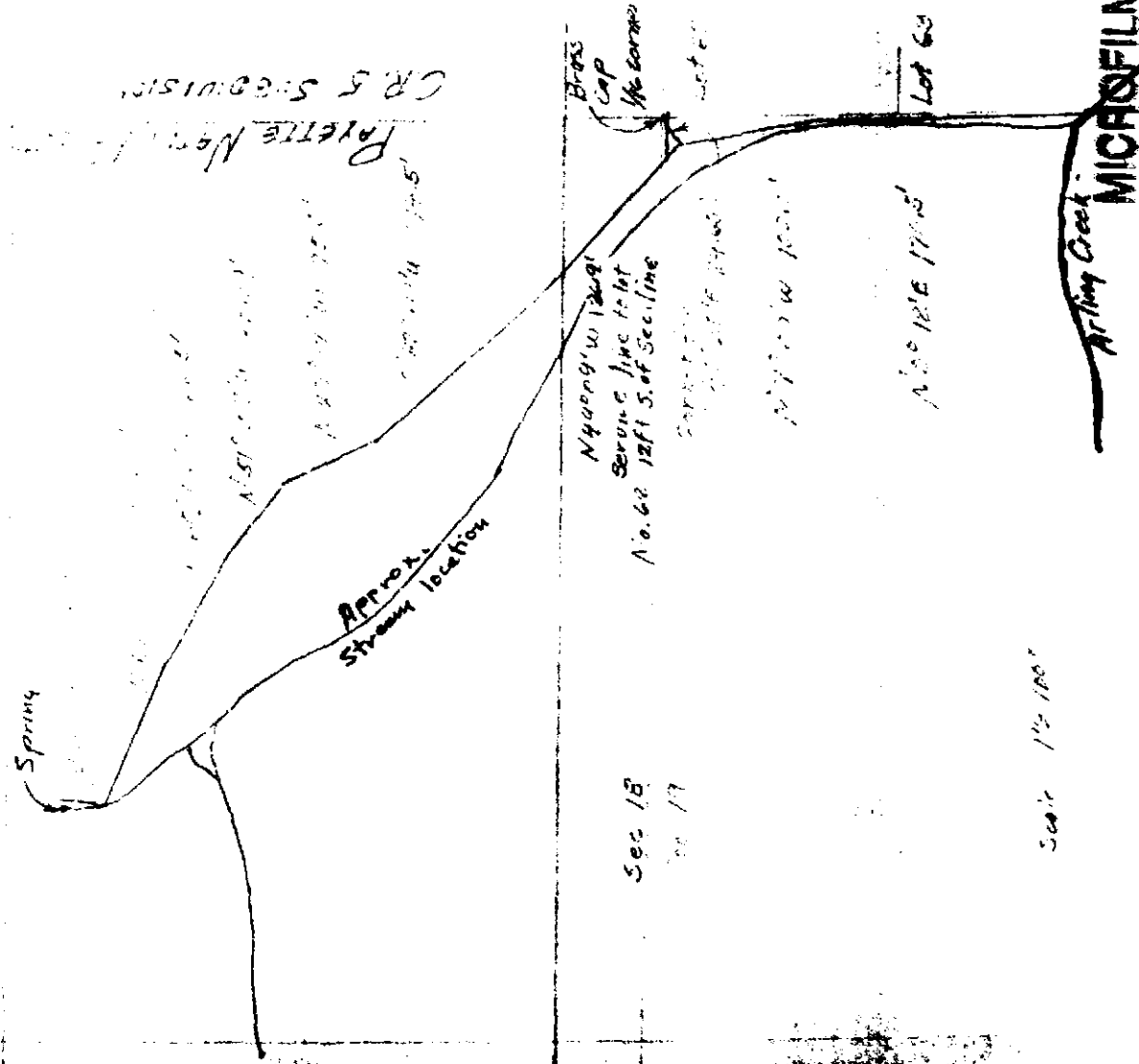
DA 3711

MICROFILMED

SEP 2 1997

REPORT

Department of Agriculture



MICROFILM

9/401 SEP 24 1992

AJ0749NP
No. R65-02741

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

DATE: 08/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E DEAN PETERSON	10/01/1963	POWER	01-01 12-31	1.500 CFS	
C	HELEN M PETERSON		DOMESTIC	01-01 12-31	0.030 CFS	1.20 AFA
	2213 HEIGHTS DR					
	BOISE ID 83702					
				TOTAL DIVERSION:	1.500 CFS	

Water Source: ARLING CREEK

Tributary to: DUCK CREEK

Stage: DECREED

Point(s) of Diversion:

T15N R03E S19

NENW

VALLEY County

Place of use Legal Description for: POWER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
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
15N 03E 19	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use location for DOMESTIC is the same location as described for: POWER

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-02763	65-07173	65-07560	65-12343	65-12742	65-17068	A65-02741	A65-02763	A65-07064	A65-07173
A65-07560	A65-12343	A65-12742	A65-17068	R65-07064					

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

A65-07064 R65-07064 *← 1 ac irrig. & dom.*

Conditions of Approval:

- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: EXP PLACE OF USE ALSO KNOWN AS LOTS 61, 64 & 65, CR-5 SUBDIVISION.

Dates: Exam Made Date: Verified Date: 08/03/1999 Objection Filed Date:

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

Comments: Date: 08/03/1999 User-ID: KWALKER Subject: RECOMMENDATION
RECOMMENDING AS PREVIOUSLY DECREED. SEE COPY OF DECREE IN FILE.

Audit: 08/03/99 KWALKER

WR5809NP
No. 65-02741

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/08/99
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E. DEAN PETERSON	10/01/1963	POWER	01/01 12/31	1.500 CFS	1.20 AFA
C	HELEN M. PETERSON		DOMESTIC	01/01 12/31	0.030 CFS	1.20 AFA
TOTAL DIVERSION:					1.500 CFS	1.20 AFA

Water Source: ARLING CREEK

Tributary to: DUCK CREEK

Stage: DECREED

Point(s) of Diversion:

T15N R03E S19

NENW

VALLEY County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
15N	03E	19	:																		

Place of use location for POWER is the same location as described for: DOMESTIC

Pou County: VALLEY

Dates: App. Received: Priority Date: 10/01/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 - Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

EXP: ~~P/U~~ AKA
Lots 61, 64 & 65, CR5 Subdivision
(from Lic. exam)
see attached to claim.

same as decreed

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 19

INDICATES TOTAL

SOURCE: ARLING CREEK

TRIBUTARY TO: DUCK CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3142	U. S. DEPT. OF INTERIOR BUREAU OF RECLAMATION, ATTENTION: 424, BOX 043, 550 WEST FORT STREET, BOISE, IDAHO 83724 REMARKS: SOURCE ALSO KNOWN AS SOUTH FORK, DUCK CREEK.	3/20/1892	IRRIGATION	4/15 10/15	--- AFA 3.70 CFS	NENE S19 T15N R 3E	NENE(24) SENE(32) S19 T15N R 3E NENW(4) NWNW(37) SWNW(40) SENW(29) NESH(16) S20 T15N R 3E *182*	DECREE
65-3143	U. S. DEPT. OF INTERIOR BUREAU OF RECLAMATION, ATTENTION 424, BOX 043, 550 WEST FORT STREET, BOISE, IDAHO 83724 REMARKS: SOURCE ALSO KNOWN AS SOUTH FORK, DUCK CREEK.	5/22/1897	IRRIGATION	4/15 10/15	--- AFA 4.00 CFS	NENE S19 T15N R 3E	NESE(32) NWSE(11) SWSE(30) SESE(37) S19 T15N R 3E NWSW(36) SWSW(24) S20 T15N R 3E *170*	DECREE
65-2741	PETERSON, E. DEAN & PETERSON, HELEN M. 2213 HEIGHTS DRIVE, BOISE, IDAHO 83702	10/ 1/1963	DOMESTIC	1/ 1 12/31	1.20 AFA .03 CFS	NENW S19 T15N R 3E	NENW S19 T15N R 3E	LICENSE
			POWER	1/ 1 12/31	--- AFA 1.50 CFS *1.20*AFA *1.50*CFS		SAME AS OTHER USE	
65-8666	DAVIS, ROBERT S. 1209 SHOSHONE STREET, BOISE, IDAHO 83705 REMARKS: LOT 4A-45, CR-4 SUBDIVISION.	6/ 1/1965	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	SWNE S19 T15N R 3E	SWNE S19 T15N R 3E	BENEFICIAL USE
65-7064	DYRE, BLAIN W. & DYRE, PHOEBE R. 5545 RANDOLPH DRIVE, BOISE, IDAHO 83705 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7607 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	2/14/1969	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	NENW S19 T15N R 3E	SAME AS OTHER USE	LICENSE
			IRRIGATION	4/15 10/15	--- AFA .02 CFS *---*AFA *.02*CFS		NENW(1) S19 T15N R 3E *1*	
65-7091	BERGEY, CHARLES V. 625 LAWRENCE AVENUE, BOISE, IDAHO 83705	8/ 8/1969	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	NWNE S19 T15N R 3E	NWNE S19 T15N R 3E	LICENSE
65-7173	BEUTTEL, RICHARD W. & BEUTTEL, E. FRANCES 3513 CASSIA STREET, BOISE, IDAHO 83705	11/24/1970	DOMESTIC	1/ 1 12/31	.60 AFA .02 CFS	NENW S19 T15N R 3E	NWNE S19 T15N R 3E	LICENSE

Walker, Kay

From: Shaff, Don
Sent: Monday, August 02, 1999 4:18 PM
To: Walker, Kay; Hamlin, Susan
Subject: RE: RECOMMENDATIONS FOR POWER

My look at the AJ record for the claim does not indicate the use is for more than a single family. I presume the co-claimants are husband and wife, or at least, brother and sister. My next presumption is they own all three lots. The domestic use from the volume indicates it is single family with the amount 1.2 af. Lastly I am inclined to forget any thoughts of subordination for power use in this instance where first the license and then the decree are silent on this point. I strongly suggest IDWR recommend what is claimed unless the pod and pou are now found in error.

Don
208/327-7932
dshaff@idwr.state.id.us

-----Original Message-----

From: Walker, Kay
Sent: Monday, August 02, 1999 8:51 AM
To: Hamlin, Susan; Shaff, Don
Cc: Walker, Kay
Subject: RECOMMENDATIONS FOR POWER

Good morning, Susan & Don... I have a small power right that I need to recommend for B65. This right is number A65-02741. It was licensed and subsequently decreed with no conditions regarding subordination. I am wondering if I need to add any special subordination conditions or other conditions to this right. I reviewed Administrator's Memo #21 (App. processing memorandum) and it says at the bottom that exceptions from subordination are single family power production in remote non-competitive areas. The right I am looking at is for power for 3 lots in CR-5 subdivision. It does not meet the single family power production situation. The CIM does not address power as far as I can tell. The SRBA memorandums do not address power situations either. What should I do with this one? I would sure appreciate your help and guidance in this recommendation. Thanks in advance!! Kay