

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: **A22-04046**
Date Received: 3/23/1989
Receipt No: E006412
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLINTON H PETERSON
Address: 226 N 2500 E
ST. ANTHONY ID

208-458-4203

83445

AND

Name: ELVA PETERSON
Address: 226 N 2500 E
ST. ANTHONY ID

208-458-4203

83445

2. Date of Priority: MAY 10, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	20		NW	SW		FREMONT
				SW	SW		FREMONT
				SW	SE		FREMONT

5. Description of diverting works:
PUMPS, PIPELINE & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/30	3.500		
INDUSTRIAL	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	0.040		
RECREATION	01/01	12/31	0.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:

I/FLUME, WASH & SORT POTATOES. R/SWIMMING & ICE SKATING, STOCK

MICROFILME

NOV 06 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	20	NE	SW		IRR	5.0
			NW	SW		IRR	8.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 173.0

Total Acres 173.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
TETON RIVER WATER

14. Remarks:

P/D NWSW S20 T7N R41E.

AT LEAST 3,000 ACRE FEET OF WATER HAS BEEN USED ON THE S1/2 OF SEC. 20 EVERY YEAR SINCE 1884. NEARLY ALL OF IT SANK INTO THE UNDERGROUND AQUIFER. WE BOUGHT THE WATER WITH THE FARM AND CLAIM ALL THE WATER UNDER THE S1/2 OF SEC. 20 T7NR41E.
CHANGED OWNERSHIP 11/01/94/JT/GT

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
NOV 06 1996

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: A22-04046
Date Received: 3/02/1989
Receipt No: E006412
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLINTON H. PETERSON 208-458-4203
Address: RT. 1 BOX 97
ST. ANTHONY, ID 83445

2. Date of Priority: MAY 10, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	41E	20	NW	SW			FREMONT
			SW	SW			FREMONT
			SW	SE			FREMONT

5. Description of diverting works:
PUMPS, PIPELINE & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/30	3.500		
INDUSTRIAL	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	0.040		
RECREATION	01/01	12/31	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/FLUME, WASH & SORT POTATOES. R/SWIMMING & ICE SKATING, STOCK

A22-04046

Page 1

Date: 04/14/89

MICROFILMED

OCT 29 1992

A2204046



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	20	NE	SW		IRR	5.0
			NW	SW		IRR	8.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	173.0
						Total Acres	173.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
TETON RIVER WATER

14. Remarks:
P/D NWSW S20 T7N R41E.
AT LEAST 3,000 ACRE FEET OF WATER HAS BEEN USED ON THE S1/2 OF
SEC. 20 EVERY YEAR SINCE 1884. NEARLY ALL OF IT SANK INTO THE
UNDERGROUND AQUIFER. WE BOUGHT THE WATER WITH THE FARM AND CLAIM
ALL THE WATER UNDER THE S1/2 OF SEC. 20 T7NR41E.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 29 1992

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 A22-04046 Amended
Date Received 3-23-89
Receipt Number E 006412

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 23 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Clinton H. & Elva Peterson Phone (208) 458-4203
Mailing Address Route 1 Box 97 St. Anthony, Idaho Zip 83445

2. Date of Priority (Only one (1) per claim) May 10, 1946

3. Source of water supply (a) Underground water beneath S $\frac{1}{2}$ Sec. 20 T 7N R 41 EBM
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7N Range 41 Section 20,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Fremont

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. We used the 8" suction and 8"
discharge pump in the north basement to flume, wash and sort potatoes.
We also use the water for livestock, bathing, drinking, washing mach-
inery and all other uses. The water is pumped up through 14" diameter
wells that are 200' deep, located at five different points on S $\frac{1}{2}$ Sec. 20
T 7N R41 EBM. Sprinkler pipes are used for irrigation when flooding
water is scarce.

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OCT 29 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April to Nov. 31 amount 3.5 or Seven CA

For Industrial purposes from Jan. 1 to Dec. 31 amount 2.5 or Five

For Recreation purposes from Jan. 1 to Dec. 31 amount 1.5 or Three

For Domestic purposes from Jan. 1 to Dec. 31 amount .04 or One

7. Total quantity claimed (a) Eight (cfs) and/or (b) Sixteen (acre feet)

8. Total consumptive use claimed is 6205 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fire insurance, industrial use, recreation use, domestic use, stock water and all other uses.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	41	20									5	8	40	40			40	40	173

Total number of acres irrigated 173

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes X No

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Teton River water or None ()

14. Remarks: At least 3,000 acre feet of water has been used on the South $\frac{1}{2}$

of Section 20 every year since 1884. Nearly all of it sank into the

under ground aquifer. We bought the water with the farm and

claim all the water under the S $\frac{1}{2}$ of Sec. 20 T 7N R41 EBM.

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OCT 29 1992

Last Name Peterson Ident No.

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

OCT 29 1992

Last Name

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use Decree Posted Notice _____ License _____ Permit _____

If applicable provide IDWR Water Right Number 28-4046 CFT
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Elva Peterson* Date 3-23-89
Elva Peterson Date 3-23-89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Fremont) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of March 19 89

SEAL

Notary Public *[Signature]*

Residing at St Anthony Id.

My Commission Expires Oct 3, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
OCT 29 1992

Last Name Peterson Ident. Number _____

Copies White-State, Yellow-Claimant

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

1-20-66

Only recommending domestic use for lack of evidence and response on claimants part. Many attempts were made to contact and get information, but to no avail. If they want irrigation and recreation recommended, then they need to contact us.

KM

January 3, 2006

Clinton H Peterson
226 N 2500 E
St Anthony ID 83445

**IMPORTANT
FINAL NOTICE

PLEASE READ**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4046

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.** Your son Trent has also been informed that additional evidence is required.

Your claim, as referenced above, claims a Priority Date of May 10, 1946, from Groundwater.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

Water Right No(s). A 22-4046

GPS Data- see info sheets on Contact Log Sheet

#3 well is the domestic well & Trent does not
know the Hp

GPS DATA:

Tag # A 0005674 Location: well casing
A 0005685 " "
A 0005686 " "

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: #2 well - 50hp
SN: _____ #1 well - 25hp

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Mr. Peterson states in his letter that static water level in wells in
1981 was 99 Feet.

Field Exam Date: 12-27-05 Agent: D.W. Jones

Claim no. A22-404C

Claimant Contact Log

Date	Remarks	Agent initials
12-27-05		Hwj
I met with Trent Jensen grandson of Clinton Peterson. Trent's cell phone is 313-3070. He runs the farm as Clinton is quite old. Clinton will not answer his phone so Trent is the contact person. Address & phone for Clinton is correct.		
GPS data was provided by the North Measurement District (Gene Hansen) in our office complex.		
According to Trent, wells 1 + 2 are used for Irrigation on the acre south of the Peterson Home.		
Well #3 is the Peterson house well & there is a dugout swimming area & ice skating area, according to Trent that is filled with water via the domestic well. No industrial use.		
I asked Trent to try and provide additional evidence of priority.		

A0005685

N. #

1415535.03

E.

2688048.15

07 N 41 E 20

NW SW

43 55 2 #3 well

111 39 24

~~A0005686~~

Northing

1415319.83

Easting

2688295.35

07 N 41 E 20

~~NE~~ SW

SW

#1 well

A0005674

N. 0

1415347.24

E.

2689258.86

07 N 41 E 20

~~SE~~ SE

SE

#2 well

A22-40-16

A0005685



A0005686

Stump
Stump

A0005674



Stump
Mound
and
creek

22

Translation of Clinton H Peterson's Affidavit

Petersons have paid for the delivery of three hundred fifty cubic inches of Fall River water continuously delivered to the end of the _____ ditch and on to our farm since the nineteen-thirtys that was all used for irrigation by flooding the crops on the southern half of section twenty T7R41E BM. All that water sank into the aquifer under our farm and I believe we have the right to have wells with pumps to get a drink of water for ourselves, our animals, our trees, and our crops. Also the same amount of Teton River water sank into the aquifer on the S1/2 our 1/2 of sec 20 T7R41E BM.

55 ft to water 1955 and 46

66 ft to water 1958

88 ft to water 1968

99 ft to water 1981

120 ft to water 1991 in the south 1/2 of Sec 20 R44

signed Clinton H Peterson

March 1 2005

Claim # 2-04046

Petersons have Paid for the delivery of
Three hundred fifty cubic inches of fall
river water continuously delivered to
the end of the Daw Ditch and on to ~~our~~
farm since the winter thirty that was all
used for Irrigation by flooding the crops on
the southern half of section twenty T9R4E8N
all that water sank into the aquifer under
our farm and I believe we have the right to
have wells with pumps to get a drink of water
for ourselves our animals our trees and our crops
Also the same amount of
below river water
sank into the aquifer
on the S 1/2 of sec 20 T9R4E8N

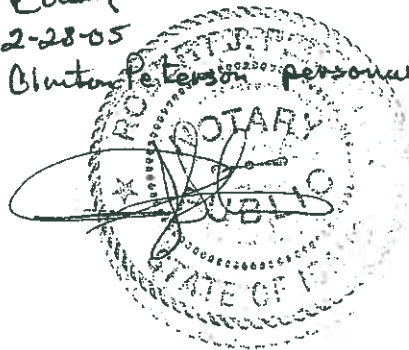
Clinton H Peterson

50 ft to water 1920
66 ft to water 1958
88 ft to water 1968
99 ft to water 1981
120 ft to water 1991
in the south of
section 20 Range 4
Mt. Flanderson road,
three wells

State Idaho
County - Fremont

2-28-05

Clinton Peterson personally appeared before me



February 15, 2005

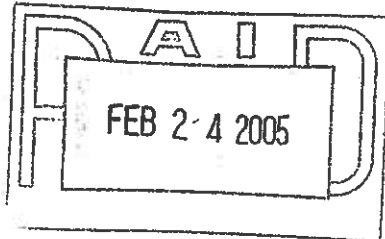
**NOTICE OF ASSESSMENT
SOUTHEAST IDAHO CANAL COMPANY**

NOTICE IS HEREBY GIVEN that at a meeting of the Board of Directors of the Southeast Idaho Canal Company held January 26, 2005, an assessment of \$2.00 per share was levied on the capital stock of the corporation. Said assessment is now due and payable.

ANY STOCK FOR WHICH this assessment remains unpaid on May 1, 2005, will be delinquent and will be advertised for sale and will be sold to pay the cost of the assessment, advertisement, and legal cost of said sale. Interest at the rate of 1.5% per month will be charged from the due date until paid.

DUE TO THE INCREASED demossing, construction, and maintenance costs and the expense of repairing the washout of the East Branch last year the directors had no choice but to increase the assessment from \$1.72 to \$2.00 per share.

EARLIER THIS WINTER an ice gorge in the Henry's Fork caused unwanted water to overflow the banks of the river and flow into the Twin Groves Branch. Some headgates were open which caused flooding of fields and potentially could have flooded some homes. To prevent this from happening in the future all shareholders, in any part of the canal system, will be responsible to make sure their headgates are closed on November 1st of each year.



Dee Eldridge, President

Dale L. Swensen, Secretary
350 North 6th West
P.O. Box 15
St. Anthony, Idaho 83445

PETERSON LIVING TRUST, CLINTON
% TRENT JENSEN
226 NORTH 2500 EAST
ST. ANTHONY ID 83445

315.06849 shares

AMOUNT DUE \$630.14

For your information you have the following shares
in Southeast Idaho Canal Company:

A Shares: 315.06849
C Shares:

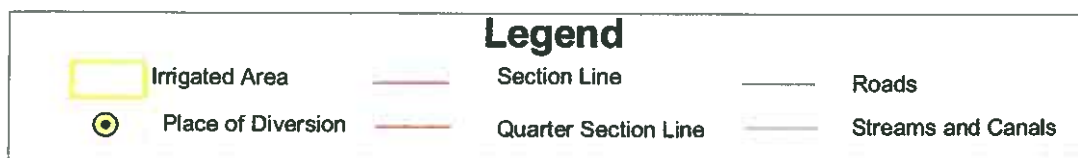
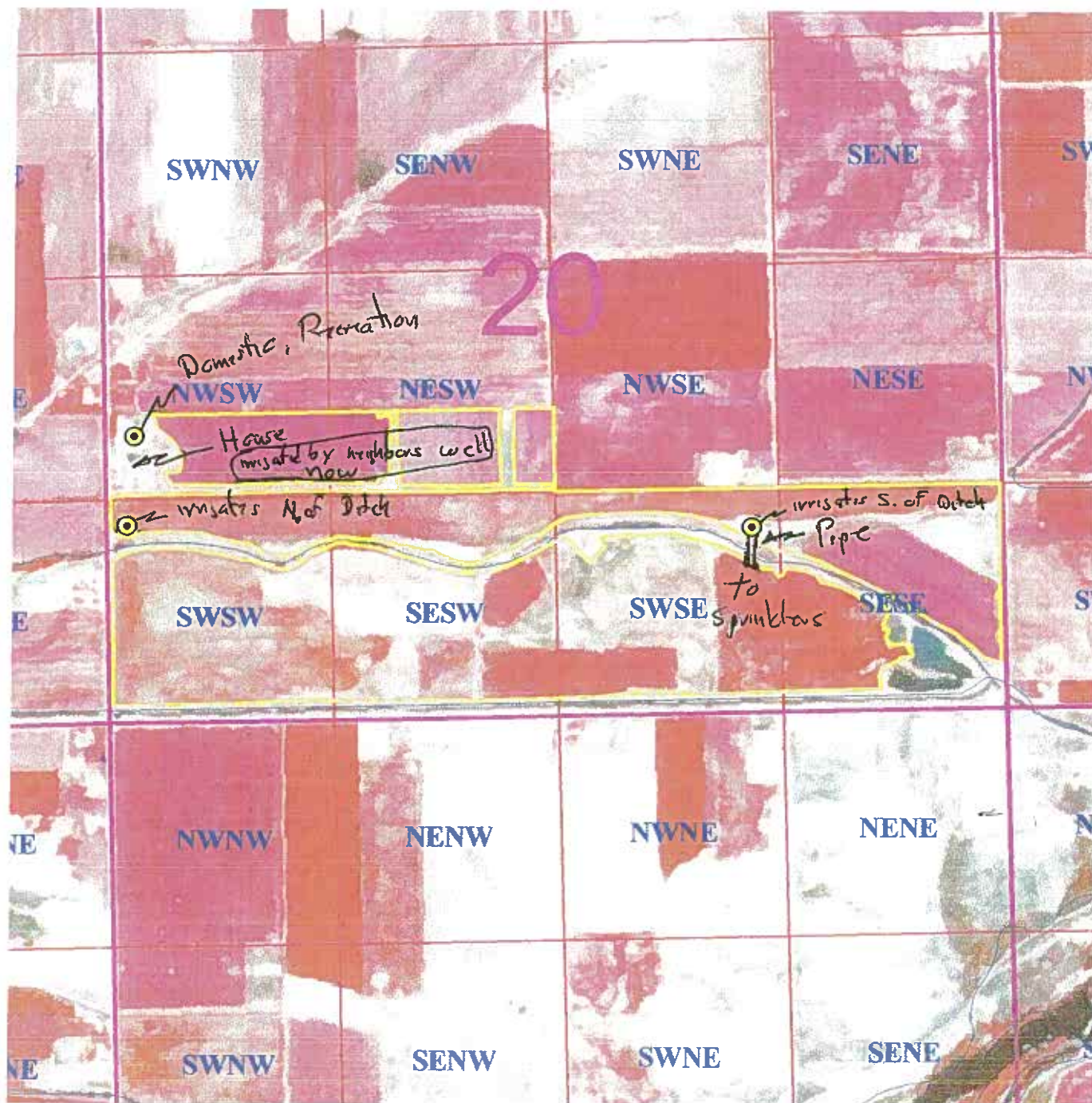
B Shares: *equal to 350 cubic inches*
D Shares: *of continuous water delivered to the*

end of the Daw Ditch

Dale L. Swensen Secretary

Water Right Claim Number 22-04046
Township , 7N41E

06/29/2001



700 0 700 1400 Feet



SPATIAL
DYNAMICS

V A L U A T I O N S U M M A R Y S H E E T

TIME: 12:00:13
PARCEL NUMBER: RP 07N41E206000 A
EFFECTIVE DATE: 02/01/1997
EXPIRATION DATE: 00/00/0000
NAME: JENSEN, TRENT & PETERSON, ELVA
LEGAL: S2S2 SEC 20 TWP 7 RGE 41 MH
TAX CODE AREA: 0120000
PROPERTY ADDRESS: 221 N 2600
PAGE 1
DATE: 11/18/2005
E 83445

ADDRESS: 221 N 2600 E

ST ANTHONY ID 83445 OLD PARCEL #: RP3066 T

CAT	SH	RY	QUANTITY	UN	MARKET	VALUE	NO	VALUE	NO	EXEMPT	CB	VALUE	OTHER	EXEMP
1		2005	145.163	AC		90,080								
10		2005	1.000	AC		16,500								
19		2005	15.000	AC										
32		2005				3,010								

TOTALS: 161.163 109,590

DEED REFERENCES:	RELATED PARCELS:	CAMA AREA #:	SUB-SYS:	HOMEOWNERS:	COMMENTS:
DATE: 12/17/2001		1		NONE	
472088					
441734					
429634					
TAX SPECIALS:					
995					

V A L U A T I O N S U M M A R Y S H E E T

TIME: 12:00:45
PARCEL NUMBER: RP 07N41E20S100 A
EFFECTIVE DATE: 02/01/1997
EXPIRATION DATE: 00/00/0000
NAME: PETERSON, CLINTON H & ELVA LT
* PETERSON, CLINTON & ELVA TRUSTEES
LEGAL: TAX 1570
SEC 20 TWP 7 RGE 41
PROPERTY ADDRESS: 226 N 2500
TAX CODE AREA: 01200000
PAGE 1
DATE: 11/18/2005
E 83445

ADDRESS: 226 N 2500 E

ST ANTHONY ID 83445 OLD PARCEL #: RP3071 T

CAT	SH	RY	QUANTITY	UN	MARKET	VALUE	HO	VALUE	HO	EXEMPT	CB	VALUE	OTHER	EXEMP
1	2002	2002	13.680	AC		8,480								
10	2002	2002	2.000	AC		22,050								
19	2002	2002	.320	AC										
31	2002	2002				19,840		19,840		9,920				
32	2002	2002				21,060								

TOTALS: 16.000 71,430 19,840 9,920

DEED REFERENCES: 441735 425856
DATE: 06/27/1996
CAMA AREA #: 1
RELATED PARCELS: SUB-SYS: HOMEOWNERS: ALLOWED
ZONING: PHOTO NUMBER: MAP NUMBER: INSP YEAR: 2002
PARCEL TYPE: LOCATION CODE: 0005
TAX SPECIALS: 995
TAX TYPES: A
COMMENTS:

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: MAY 10 - 1946 Claimed Basis: Statutory

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

WE RECEIVED A LETTER FOR EVIDENCE OF PRIORITY
DATED MARCH 1, 2005 FROM CLINTON H. PETERSON
IN THE LETTER IN A 2 HOUR ABOUT WAY CLAIMED
A 1946 PRIORITY DATE

MAYBE, IN THE FIELD EXAMINATION WE CAN
GET SOME CLARITY ON THIS PD.

Reviewer: _____

Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRIGATION	4/1	11/30	3.5 CFS	
INDUSTRIAL	1/1	12/31	0.5 CFS	
DOMESTIC	1/1	12/31	0.04 CFS	
RECREATION	1/1	12/31	0.50 CFS	
Overall Diversion Rate	8.0 CFS			
Overall Diversion Volume				

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

I OWR STD JOW 4/1 10/31 IRIGATION

Reviewer: _____

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 14, 2005

CLINTON H PETERSON
226 N 2500 E
ST ANTHONY ID 83445

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-04046

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 10, 1946, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

May 28, 2004

**CLINTON OR ELVA PETERSON
226 N 2500 E
ST ANTHONY ID 83445**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4046

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 10 1946, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

NOVEMBER 01, 1994

CLINTON H PETERSON
226 N 2500 E
ST ANTHONY ID 83445

RE: CHANGE IN OWNERSHIP FOR 122-04046

Dear Mr.)Peterson:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED
NOV 06 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ELVA PETERSON
C/O C H PETERSON
RT 1 BOX 97
ST ANTHONY ID 83445

MAILING DATE: OCT. 4, 1994

RESPONSE DATE: OCT 24, 1994

RE: NOTICE OF CLAIM NO[S]: A22-04106

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim number(s) referenced above. IDWR records currently show the following name and address for the owner of the claim(s) listed:

DYLE & ILA PETERSON
RT 1 BOX 167
ST ANTHONY ID 83445

If, however, the persons(s) at the top of this letter own(s) the property and the water rights on the property, please complete the enclosed Change in Ownership/Address form, as appropriate, to correct our records. A copy of this letter has been mailed without the form to the apparent former owner shown in the middle of this letter.

Your response must be received in this office by the **Response Date** indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown in the middle of this letter. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129 or the nearest IDWR Regional office.

Sincerely,

ADJUDICATION SECTION

dms:state:region
Enclosure: Change of Ownership/Address Form

MICROFILME

NOV 06 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township South 1/2 of South 1/2 of Section 20
 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: A22-04046 and 22406-71989

Department of Water Resources
Eastern District Office

- [] Name and Address of Former
Owner/Claimant(s)(Seller): 91a Peterson Route 1
St Anthony Idaho 83445

- [] Owner/Claimant
(Purchaser): Clinton & Peterson & Anna Peterson
added in 1969

- [] New Mailing Address: 226 N - 2500 East
St Anthony, Idaho 83445

- [] New Telephone Number: () 455-4203

Department of Water Resources
Eastern District Office

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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 ~~former~~
Owner/Claimant(s)

Clinton H Peterson
Anna Peterson

Date Oct 18-94
Date Oct 18-94

- [] Signature of Former
Owner/Claimant(s):

Dyle B Peterson
Ila Peterson

Date 10-8-94
Date 10-8-94

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

DEPARTMENT OF WATER RESOURCES
EASTERN REGION MICROFILMED
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402-1718

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

Recorded in Book A Page 141 - Blackfoot Atlas 11
WATER LOCATION RECORD

Water 10 ft deep through the salt flat and 10 ft deep in the river

WATER LOCATION

-or-

Willford Irrigating Canal Company.

Yelm "River"

Yelm Nov 8. 1884

3

The Willford Irrigating Canal Company do hereby certify that the claim therein shown and cubic inches of water measured under a flow inch per second in Township 7. North of Range 41 East. The same to be conveyed through a canal 20 feet wide and 5 feet deep, and extending in a North westerly direction to the North West of Section 21 to end of Canal. And the water to be distributed to place by use through lateral ditches, and be also reserve the right to take water from the Yelm River through the Black and Jennings ditches and the Bitter and Judy ditches. And also ditches that will be deemed necessary to be taken from the Yelm River for the proper distribution of water for either of the following uses to wit: Agricultural, Mechanical, Mining or Milling purposes

Recorded December 3. AD 1884

Wm B. Howard Co. Recorder

Wm B. Howard, Deputy

3

CLAIMANT'S NAME PETERSON CLAIM I T. NO. A22-04046
DATE RECEIVED 3/23/89 CK # _____ AMOUNT \$ _____

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☐ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☒ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ |
| Is the consumptive use correct? N/A ☒ | ☐ | ☒ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ | ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☐ | ☐ |
| 15. Is the basis of the claim checked? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? Exempt ☒ | ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? N/A ☒ | ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

Claim checked by: TO

Comments: ③ "GROUNDWATER" ④ NEED 1/4'1/4'S FOR P/D S. ⑥ CORE CFS ONLY. NEED MAP. A PORTION OF THE CLAIM FEE PAID IN RECEIPT E005949 (NOTE: WRONG BASIN CODED ON RECEIPT E005949).

E006412

MICROFILME
OCT 29 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 16, 1989

Clinton H. Peterson
Rt. 1, Box 97
St. Anthony, ID 83445

RE: Notice of CLaim Number A22-04046

Dear Mr. Peterson:

On March 2, 1989, you visited this office for assistance in filing two Notices of Claims A22-04046 and A22-04047 in the Snake River Basin Adjudication (SRBA).

At that time, you paid \$210.00 which covered the filing fee for Notice A22-04047. However, no payment was made toward Notice A22-04046. I feel it is important that you realize a Notice of Claim can only be recognized as having been received if the filing fee has been paid or a waiver of payment has been obtained from the District Court in Twin Falls.

Also, another item needing your attention is the type of use specified on Notice of Claim A22-04046. This claim was filed on a form intended strictly for stockwater and domestic uses. However, the beneficial use you specified indicates "all" uses. Although it would certainly be to your benefit to be more specific in designating the type of beneficial use, the form used automatically restricts you to just domestic and stockwater purposes. Since you may wish to claim more than just domestic and stockwater uses, I have enclosed a blank claim form which can be used for filing a notice on uses in addition to domestic and stockwater.

Also enclosed is a copy of Notice of Claim A22-04046.

MICROFILMED

OCT 29 1992

Clinton H. Peterson
Page - 2 -

If you wish assistance in completing another notice, you can either make an appointment to have one of the staff at this office assist you, or you can hire council to prepare the notice in your behalf. To avoid being assessed a penalty fee, the notice, along with a copy of this letter, needs to be submitted with the filing fee no later than April 14, 1989.

Respectfully submitted,

Ernest Carlsen.

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

*Original claim A22-04046 returned
to claimant with this correspondence.*

MICROFILMED
OCT 29 1992

ACTION REQUIRED

3-2-89

FROM: H. W. JONES

TO: A 22-04046

Applicant was informed that claim form was incorrect for "all" uses and needed changes or a total new long form to reflect irrigation, Industrial, recreation & domestic as his 243 claim stated. Applicant refused to change the format & stated "this is my claim - just file it."

MICROFILMED

OCT 29 1992

It would do no good to try to request corrections. I suggest just holding claim in file till review stage.

HWJ

03/02/89
16:45:00

PETERSON EQUIPMENT

ADJUDICATION FEE

0410162 9337 6490

\$25.00

\$25.00

CHECK 1299

WR/NO: A22-04046

Idaho Department of Water Resources

Region: EASTERN

Signature:

Ernest H. Calver

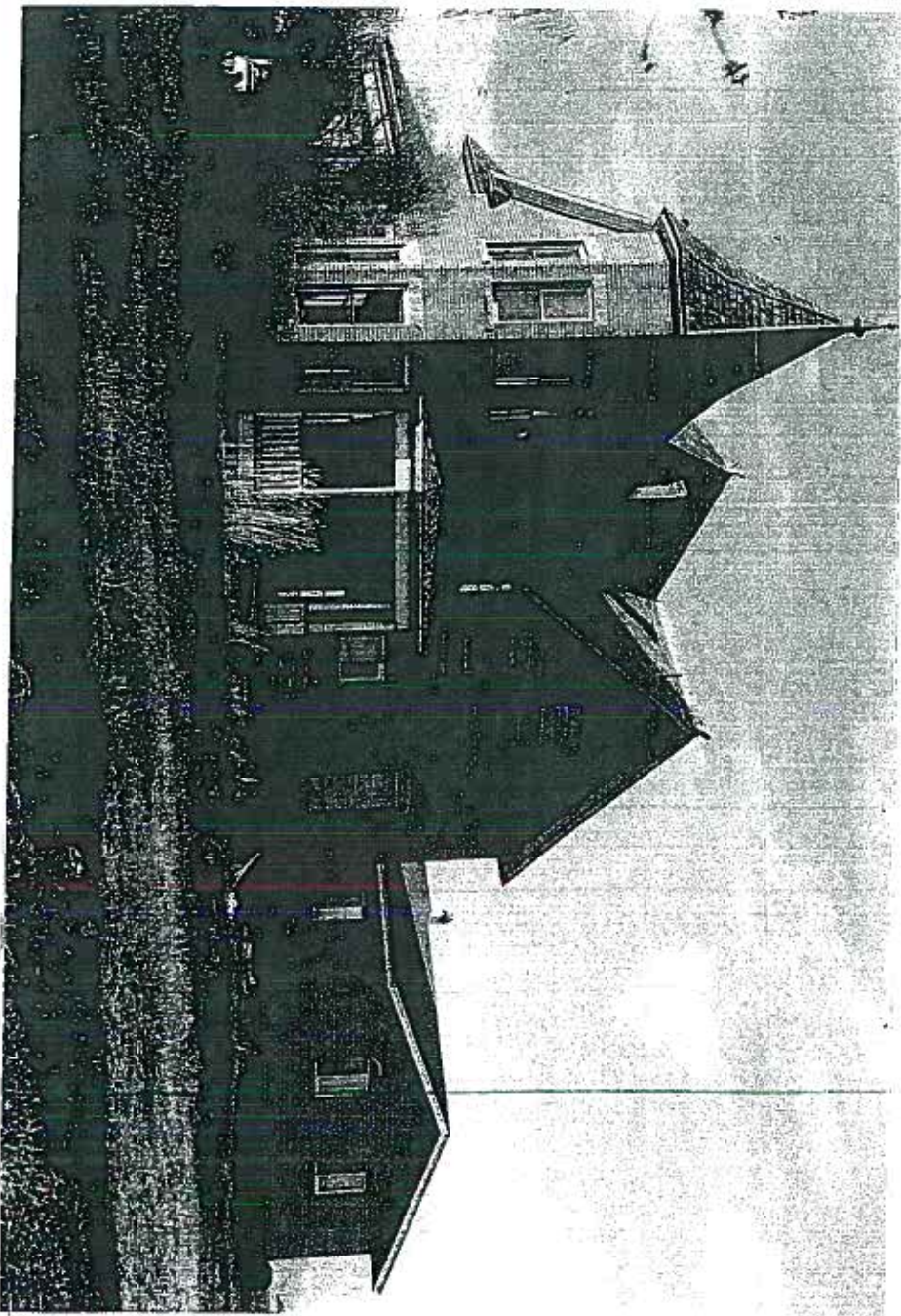
Aug 21, 1989

Number changed from A22-04046.

MICROFILMED

OCT 29 1992

1901 Willard Cemetery
 Purchased 10 acres for
 100 dollars from
 William Jack By;
 Floyd J. All 32 rods
 Long 28 rods 14 links wide



ST. ANTHONY CRANCH
First Security Bank of Idaho
 NATIONAL ASSOCIATION
 ST. ANTHONY, IDAHO Dec-17 1952 No. 92-90 1241
 PAY TO THE ORDER OF Theresa J. Peterson \$ 115.00
one hundred and fifteen DOLLARS
 C. Peterson

ST. ANTHONY, IDAHO
First Security Bank of Idaho
 NATIONAL ASSOCIATION
 ST. ANTHONY, IDAHO 92-90 1241
 PAY TO THE ORDER OF Theresa J. Peterson \$ 115.00
one hundred and fifteen DOLLARS
 C. Peterson

ST. ANTHONY BRANCH
First Security Bank of Idaho
 NATIONAL ASSOCIATION
 ST. ANTHONY, IDAHO May 8 1952 No. 92-90 1241
 PAY TO THE ORDER OF Theresa J. Peterson \$ 2.50
two and fifty DOLLARS
 C. Peterson

ST. ANTHONY BRANCH
First Security Bank of Idaho
 NATIONAL ASSOCIATION
 ST. ANTHONY, IDAHO May 10 1952 No. 92-90 1241
 PAY TO THE ORDER OF Theresa J. Peterson \$ 2.50
two and fifty DOLLARS
 C. Peterson

CLINTON H. PETERSON
 ELYA PETERSON
 226 NORTH 2500 EAST
 ST. ANTHONY, IDAHO 83445
 Date February 14, 1952
 Pay to the Clinton H. Peterson \$ 130.00
 Order of Clinton H. Peterson \$ 130.00
one hundred thirty and no/100 Dollars @
 For 315 Plus Share Clinton H. Peterson

WELLS FARGO BANK NORTHWEST NA
 SAINT ANTHONY, ID. 83415
 FOR DEPOSIT ONLY
 SOUTHEAST IDAHO CANAL COMPANY
 "DEDICATED TO
 SERVING OUR STOCKHOLDERS"
 3974251723
 CLINTON H. PETERSON
 ELYA PETERSON
 226 NORTH 2500 EAST
 ST. ANTHONY, IDAHO 83445
 Date February 14, 1952
 Pay to the Clinton H. Peterson \$ 130.00
 Order of Clinton H. Peterson \$ 130.00
one hundred thirty and no/100 Dollars @
 For 315 Plus Share Clinton H. Peterson

RECEIVED
 JAN 23 2006
 Department of Water Resources
 Eastern Region

OFFICIAL USE
 IDAHO 92-90 1241
 POSTAGE \$ 0.37
 CERTIFIED FEE \$ 2.33
 RETURN RECEIPT FEE \$ 1.75
 RESTRICTED DELIVERY FEE \$ 4.42
 TOTAL POSTAGE & FEES \$ 8.87
 Sent To Dept. of Water Resources
 Street, Apt. No. 900 N. Skyline Dr. Suite A
 or PO Box No. 1512
 City, State, ZIP St. Anthony, ID 83445

U.S. Form 3811, July 1999
 Article Number (Copy from 001 1140 0002 8910 0097)
 102595-00-M-0952
 A. Received by (Please Print Clearly) Kathy Jackson 3175
 B. Date of Delivery
 C. Signature
 D. Is delivery address different from item 1? ☐ Yes ☒ No
 E. If YES, enter delivery address below:
 F. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No
 G. Service Type
☐ Certified Mail
☐ Registered Mail
☐ Return Receipt for Merchandise
☐ Insured Mail
☐ C.O.D.
 H. Attach this card to the back of the mailpiece, so that we can return the card to you.
 I. Print your name and address on the reverse
 J. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 K. or on the front if space permits.
 L. Article Addressed to:
Dept. of Water Resources
900 N. Skyline Dr. Suite A
St. Anthony, ID 83445
83445-1718

Fred R. Smith Co.
078
Dec-1

PAY TO THE ORDER OF
IDAHO BANK OF COMMERCE
 REXBURG, IDAHO
 FOR DEPOSIT ONLY
WICKS POULTRY & FEED COMPANY
 H. P. WICKS

THE ORDER OF

FOR BANK

SALT LAKE CITY

MAY 19

ALL PERS

10-10

10-10

RECEIVED
JAN 23 2006
Department of Water Resources
Eastern Region

The Shosted's Beautiful Old Castle On the Hill was 20
 Damolished! Tore down by Harry and Bernese Klien
 After the titon Dam flood of June 5-1976
 Wilkom Shosted Bought the farm from Julia A Lewis 1901
 HB Peterson Bought the Place in 1939 Castle farm \$6000⁰⁰
 Clinton H Peterson Bought the Castle farm 1942 \$12000⁰⁰
 Clinton H Peterson Sold the Castle and most of the farm
 John Klien in 1944 for \$2000⁰⁰ to obtain money to
 Patent and manufacture Bulk Potato handling
 machinery US Patent Reissue no 23827 to include
 all root crops

UNITED STATES POSTAL SERVICE

TELETYPE UNIT

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box. •

Clinton Peterson
226 N. 2500 E.
St. Anthony 2d 83445