

05/19/2005

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

RIGHT NUMBER: 78-7080

NAME AND ADDRESS: STEVEN P ZUEHL
9515 SUNFLOWER LN
BOISE ID 83704

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS
1.200 AFY

PRIORITY DATE: 06/04/1976

POINT OF DIVERSION:

T22N R01E S4 SESW Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.020 CFS

1.20 AFY

PLACE OF USE: DOMESTIC Within IDAHO County

T22N R01E S04

SESW

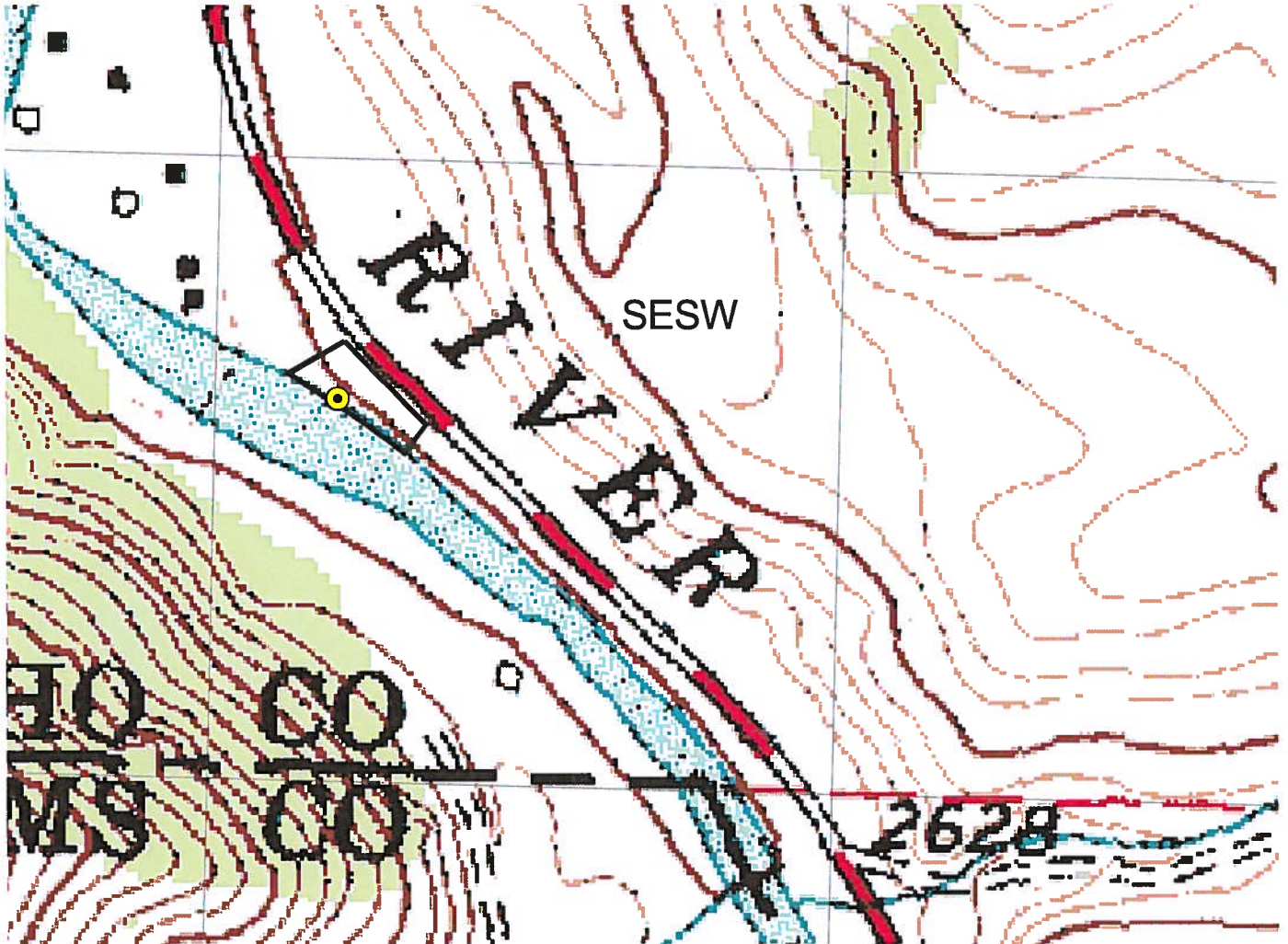
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

REINSTATED 10-21-1981. __THIS USE IS FOR 1/2 ACRE LAWN
IRRIGATION. STOCKWATER CONSISTS OF 2 HEAD HORSES. NO FISH
ARE RAISED IN POND. POND USED AS A PART OF THE DIVERTING
WORKS.
OWNERSHIP CHANGED BY LH 3/14/97

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: License

78-7080



0 300 600 Feet

Section 4
T22N R1E



● Point of Diversion

□ Place of Use

Map prepared on May 19, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07080

Priority: June 4, 1976 Amount: 0.05 CFS 3.3 AFA

This is to certify, that THOMAS B. PETERSON
NANCY N. PETERSON

300 OAKHURST WAY
BOISE, ID 83709

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 20, 1976, and has submitted proof to the Department of Water Resources on July 16, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .050 cfs of water from:

LITTLE SALMON RIVER tributary to SALMON RIVER

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/01	0.01 CFS	1.2 AFA
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AFA
FISH PROPAGATION	01/01 to 12/31	0.02 CFS	2.0 AFA
Totals		0.05 CFS	3.3 AFA

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 4, Township 22N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N	01E	4	SESW	0.3		0.3

Total number of acres irrigated: 0.3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: FISH PROPAGATION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

OCT 12 1988

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: **A78-07080**
Date Received: 7/22/1988
Receipt No: W000525
Received By: _____

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

1. Name: STEVEN P ZUEHL 208-327-0133
Address: 9515 SUNFLOWER LN
BOISE ID 83704

2. Date of Priority: MAY 20, 1976

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	4	SE	SW			IDAHO

5. Description of diverting works:
PUMP IN RIVER TO HOME FOR 1/2 ACRE IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, IRRIG. OF 1/2 ACRE; STOCKWATER, 2 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	4	SE	SW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

REINSTATED 10-21-1981. THIS USE IS FOR 1/2 ACRE LAWN IRRIGATION.
STOCKWATER CONSISTS OF 2 HEAD HORSES. NO FISH ARE RAISED IN POND.
POND USED AS A PART OF THE DIVERTING WORKS.
OWNERSHIP CHANGED BY LH 3/14/97

15. Basis of Claim: PERMIT

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 _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
MAR 06 1997
WATER RESOURCES
WESTERN REGION

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

1. Water Right No(s).: _____
Adjudication Claim No(s).: A78-07080 , A78-10312

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 Tom & Nancy Peterson
3350 DAVIS DRIVE MERIDIAN ID 83642

4. New Owner/Claimant(s) STEVEN P ZUEHL
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address 9515 Sunflower Ln
City, State and ZIP Code Boise ID 83704
New Telephone Number (208) 327 0133

5. Date you acquired the property Sept 95

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 _____ 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) Steven P Zuehl
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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..



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

888 North Cole Road / Boise, Idaho 83704
(208) 377-2700

STATE of IDAHO SS
County of Ada
Recorded at request of
INLAND TITLE CO.
at 45 minutes past 1 o'clock P M,
this 25 day of Sept, 19 95
ROSE E. GEHRING
By Ruth L. Anderson Recorder
Fees \$ 16.00 Deputy

COMPUTER 1 1
INDEXED 1 1
TRACTED 1 1
FILMED 1 1
ASSESSOR 1 1

14913

SPACE ABOVE FOR RECORDING DATA

382460

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED THOMAS B. PETERSON AND NANCY N. PETERSON, AS CO-TRUSTEES OF THE THOMAS AND NANCY PETERSON TRUST UNDER TRUST AGREEMENT DATED JULY 20, 1989 AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER GRANTOR(s) does (do) hereby GRANT, BARGAIN, SELL and CONVEY unto

STEVEN P. ZUEHL, AN UNMARRIED PERSON AS HIS SOLE AND SEPARATE ESTATE GRANTEE(S), whose current address is: 9515 SUNFLOWER LANE, BOISE, IDAHO 83704
IDAHO
County, State of Idaho,

more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION INCORPORATED HEREIN

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: SEPTEMBER 21, 1995

THOMAS B. PETERSON, Trustee

NANCY N. PETERSON, Trustee

ACKNOWLEDGMENT - Fiduciary/Official

STATE OF IDAHO, County of ADA, ss.

On this 20th day of September, in the year of 1995, before me
SHARON KENT, a notary public,
personally appeared THOMAS B. PETERSON AND NANCY N. PETERSON,
known or identified to me to be the person whose name is subscribed to the within instrument as
CO-TRUSTEES and acknowledged to me that they executed the same as such

CO-TRUSTEES

(trustee, sheriff, etc.)
(trustee, sheriff, etc.)

Notary Public

That tract contained in the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 4, Township 22 North, Range 1 East, B.M., Idaho County, State of Idaho, more particularly described as follows, to-wit:

Part of the SE1/4SW1/4, Section 4, T. 22 N., R. 1 E. B.M., Idaho County, Idaho, more particularly described as follows:

Beginning at the Northwest Corner of the SE1/4SW1/4, Section 4, Township 22 North, Range 1 East, B.M.;

Thence South 354.82 feet and East 253.27 feet to a right-of-way marker on the Westerly right-of-way of U.S. Highway 95, marked 602+19.5, the real point of beginning;

Thence S. 54°07' W., 130.64 feet to a 1/2" rebar;

Thence S. 45°34' E., 127.07 feet to a 4" DBH pine tree;

Thence S. 25°29'27" W., 44.0 feet to a 1/2" pipe on the right bank of the Little Salmon River;

Thence S. 62°30' E., 179.09 feet along said right bank;

Thence N. 30°46' 01" E., 78.52 feet to a point on the

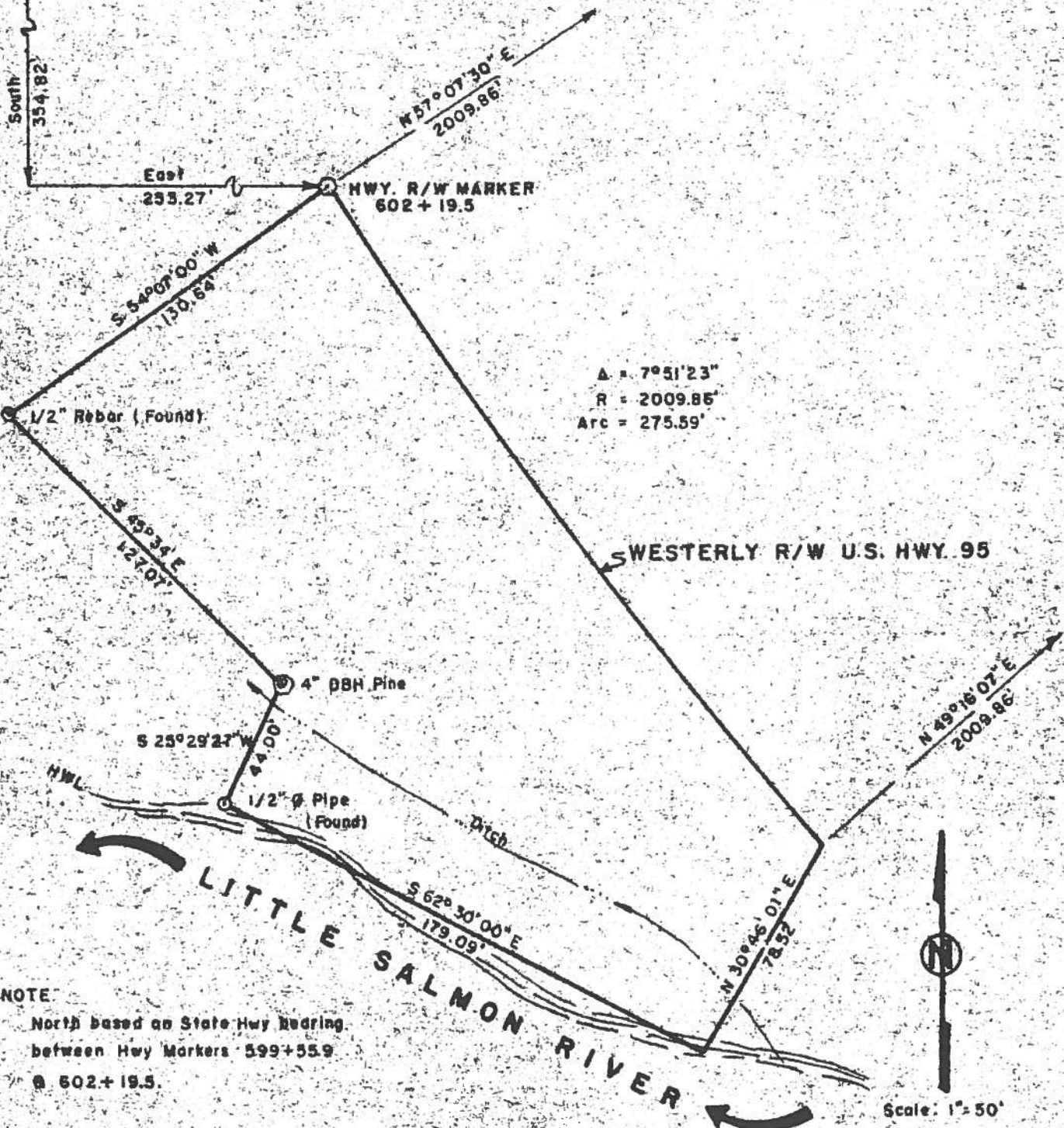
Westerly right-of-way of U.S. Highway 95;

Thence Northwesterly on a curve to the right whose radius point bears N. 49°16'07" E., 2009.86 feet, a delta angle of 7°51'23" and an arc length of 275.59 feet to the point of beginning, containing 0.775 acres, more or less.

INITIAL



NW Cor., SE⁴SW⁴, Sect. 4,
T. 22 N., R. 1 E., B. M.
Brass Cap



NOTE

North based on State Hwy Redding
between Hwy Markers 599+55.9
@ 602+19.5.

PETERSON TRACT
A PART OF THE SE⁴SW⁴, SECT. 4, T. 22 N., R. 1 E., B. M.
IDAHO COUNTY, IDAHO

BILL HARRIS, Eng.

MCCALL, IDAHO

JUNE, 1975

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: A78-07080
Date Received: 7/14/1988
Receipt No: W000525
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS B. PETERSON 208-377-4252
Address: 300 OAKHURST WAY
BOISE, ID 83709

OR
Name: NANCY N. PETERSON 208-388-4252
Address: 300 OAKHURST WAY
BOISE, ID 83709

2. Date of Priority: MAY 20, 1976

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	4	SE	SW			IDAHO

5. Description of diverting works:
PUMP IN RIVER TO HOME FOR 1/2 ACRE IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/IRRIG. OF 1/2 ACRE.; S/2 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	01E	4	SE SW		DOMEST	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

REINSTATED 10-21-1981. THIS USE IS FOR 1/2 ACRE LAWN IRRIGATION.
STOCKWATER CONSISTS OF 2 HEAD HORSES. NO FISH ARE RAISED IN POND.
POND USED AS A PART OF THE DIVERTING WORKS.

15. Basis of Claim: PERMIT

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

A78-07080

Date Received

07/14/88

Receipt Number

W000525

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Western Regional Office

RECEIVED
JUL 14 1988

Please type or print clearly

1. Name of Claimant (s) THOMAS B. & FOR NANCY N. PETERSON Phone (208) 377-4252Mailing Address 300 OAKHURST WAY, BOISE, ID Zip 837092. Date of Priority (Only one (1) per claim) 5/20/19763. Source of water supply (a) LITTLE JALMON RIVER
which is tributary to (b) JALMON RIVER4. Location of point of diversion is: Township 22N Range 1ESection 4, 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,County of IDAHOAdditional points of diversion if any: NONE5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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.PUMP IN RIVER TO HOME FOR 1/2 AC. IRRIGATION.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For DOMESTIC purposes from 1-1 (Both dates are inclusive) to 12-31 (cfs) amount .02For STOCK purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) DOMESTIC USE IS 1/2 AC. IRRIG., STOCKWATER - 2 HD. HORSES

MICROFILMED
OCT 06 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
22N	1E	4												D (1/2 AC)				

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

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.
DOMESTIC WELL - IN-HOUSE USE. or None ()

14. Remarks: THIS USE IS 1/2 AC. IRRIGATION (LAWN), STOCK WATER - 2 HD. NO FISH ARE RAISED IN POND - POND USED AS A PART OF THE DIVERTING WORKS (IRRIGATION).

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

If applicable provide IDWR Water Right Number
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) *Thomas B. Peterson* Date 5-15-88

Danay J. Peterson Date 5-15-88

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

of Title
Organization , that I have signed the foregoing

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 ADA) SS.

Subscribed and sworn (or affirmed) before me this 15 day of MAY 1988

SEAL

Notary Public *James P. Bowman*

Residing at 11978 W. Abany Boise Idaho

My Commission Expires 6-30-93

Last Name Peterson Ident No. A78-07080 Copies White-State, Yellow-Claimant

MICROFILMED

OCT 06 1992

JULY, 1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Peterson, Thomas B & for Nancy R. CLAIM IDENT. NO. A78-07080
DATE RECEIVED 07/19/88 CK # 3586 AMOUNT \$ 50.00

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is 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 for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
4. Is the legal description of the p.d. complete?	☐	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. 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. Is the consumptive use correct?	☒	☐
If required is a consumptive use entered?	☒	☐
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, each household must file a separate claim.	☒	☐
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" checked?	☒	☐
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.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? 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?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐

Claim checked by: LW

Comments: Size of pond? P.D. in WR file is 6-4-1987. May have to add form for storage. Not file

MICROFILMED
OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 14, 1997

Re: Notices of Claim to a Water Right Nos. A78-07080, A78-10312

STEVEN P ZUEHL
9515 SUNFLOWER LN
BOISE ID 83704

Dear Mr. Zuehl:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures