

11/12/2004

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

RIGHT NUMBER: 74-343

NAME AND ADDRESS: JANETTE S PETERSON
PO BOX 58
LEADORE ID 83464

KENNETH J PETERSON
PO BOX 58
LEADORE ID 83464

SOURCE: BIG EIGHTMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/02/1916

POINT OF DIVERSION:

T16N R25E S21 SESE Within LEMHI County

T16N R25E S33 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

2.000 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R25E S21	NESE	15.0	T16N R25E S21	NWSE	37.0
T16N R25E S21	SWSE	4.0	T16N R25E S21	SESE	5.0

61 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: Decreed

Ownership split 74-343

16N 25E S21	<u>74-343</u>	<u>74-15193</u>	<u>74-15194</u>
NESE	15.0	0.5	14.5
NWSE	37.0	37.0	
SWSE	4.0	4.0	—
SESE	5.0	—	5.0
	<u>61.0</u>	<u>41.5</u>	<u>19.5</u>

Q
2.00 cfs / 61.0 acres:

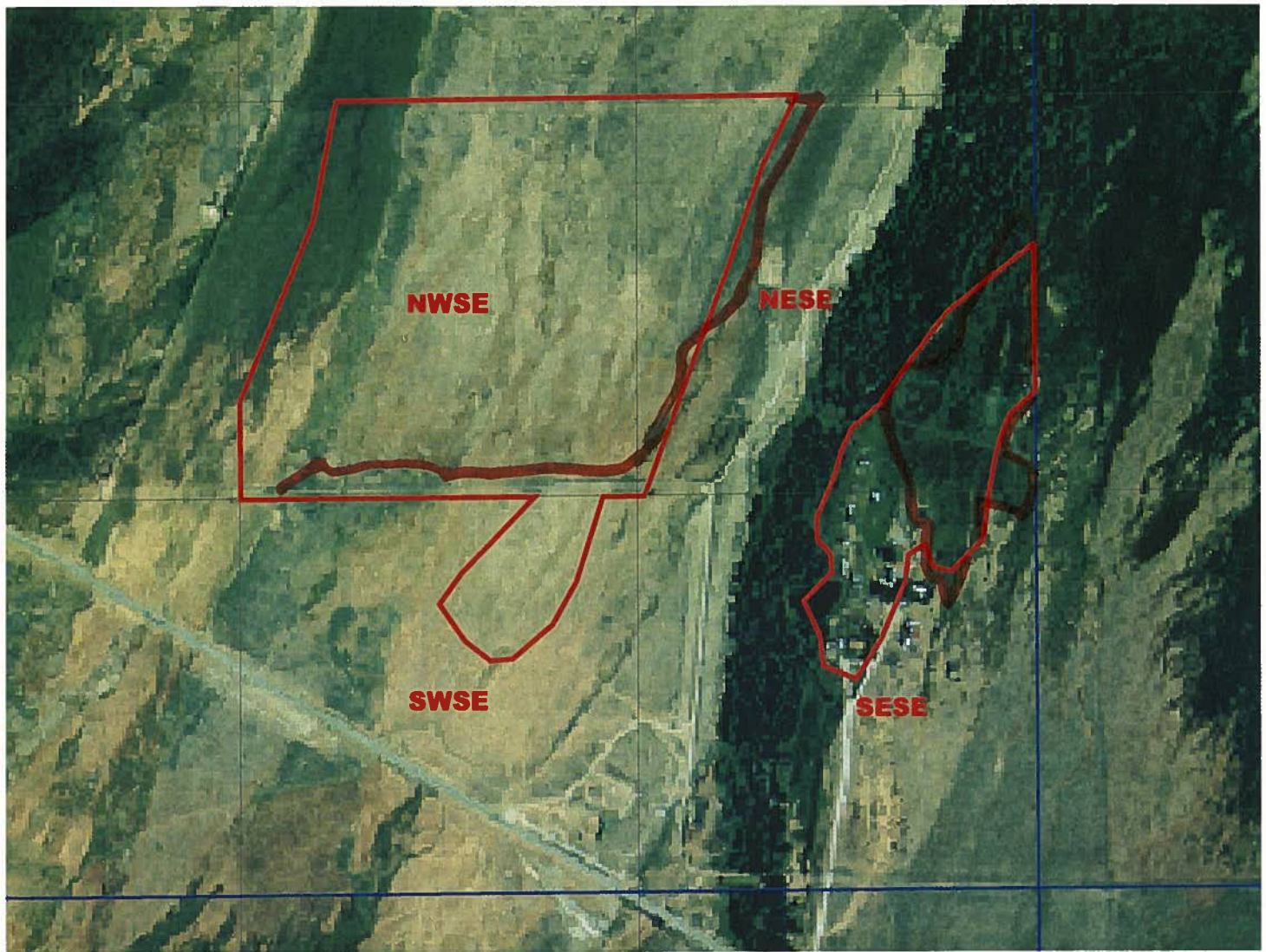
74-15193 1.36 cfs

74-15194 0.64 cfs

no split - all
NOE

Idaho Department of Water Resources

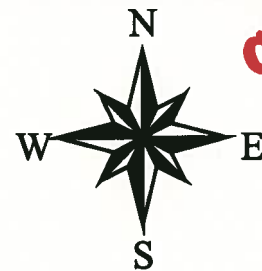
74-343



0.3 0 0.3 Mile

A horizontal scale bar with a black and white alternating pattern. It is marked with '0.3' at the left end, '0' in the middle, and '0.3 Mile' at the right end.

T16N R25E S21



close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 74-343

WATER RIGHT NUMBER: 74-343

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARVEY E PETERSON PO BOX 46 LEADORE, ID 83464

Priority Date: 06/02/1916 ✓

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG EIGHTMILE CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS ✓	

Location of Point(s) of Diversion

BIG EIGHTMILE CREEK	SE1/4SE1/4	Sec. 21, Twp 16N, Rge 25E, B.M.
LEMHI County		
BIG EIGHTMILE CREEK	SW1/4NW1/4	Sec. 33, Twp 16N, Rge 25E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T16N R25E S21	NESE	15.0	T16N R25E S21	NWSE	37.0
T16N R25E S21	SWSE	4.0	T16N R25E S21	SESE	5.0

Total Acres: 61 ✓

Conditions of Approval:Remarks:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-343

Dates and Other Information:

Claim Received Date: 4/26/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

RRV
4/29/03

RECORD OF SURVEY

LOCATED IN SECTIONS 21, 27, AND 28
T. 16 N., R. 25 E., BOISE MERIDIAN,
LEMHI COUNTY, IDAHO

(*) SEE SURVEYORS NOTE

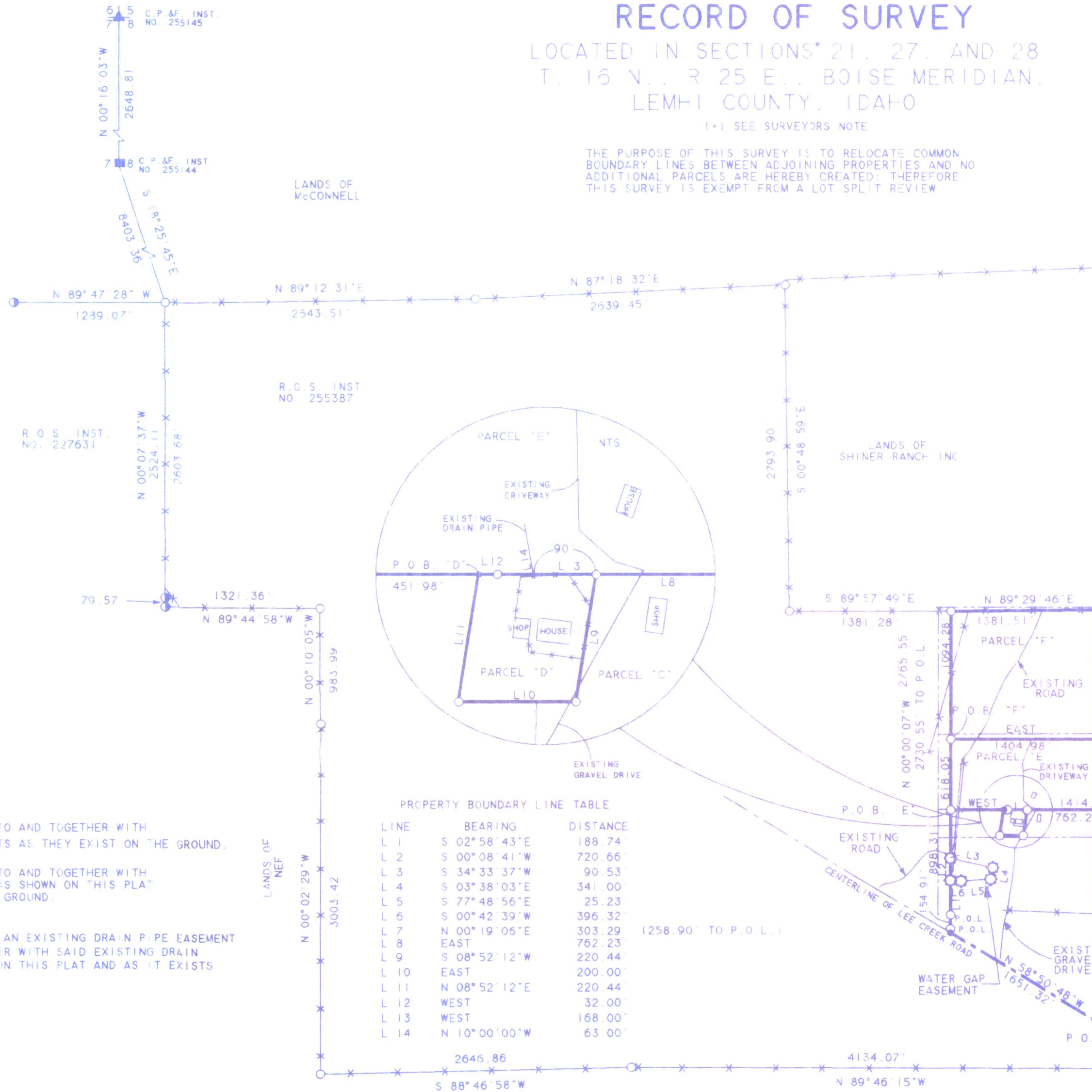
THE PURPOSE OF THIS SURVEY IS TO RELOCATE COMMON
BOUNDARY LINES BETWEEN ADJOINING PROPERTIES AND NO
ADDITIONAL PARCELS ARE HEREBY CREATED; THEREFORE
THIS SURVEY IS EXEMPT FROM A LOT SPLIT REVIEW



0 800 1600
SCALE 1" = 800.00'

LEGEND

- CALCULATED POINT NOT SET
- 5/8" X 24" REBAR WITH OPC MARKED PLS 10344
- 5/8" REBAR SET BY PLS 5080
- ✕ EXISTING FENCE
- ⬢ 2 1/2" AC - PLS 5080
- ▲ G.L.O. STONE CORNER
- 5/8" REBAR
- 3" ALUM. CAP - LS 970
- P.O.L. POINT ON LINE
- P.O.B. POINT OF BEGINNING
- NTS NOT TO SCALE
- APPROXIMATE LOCATION OF OLD PARCEL BOUNDARY



EASEMENTS:

ALL PARCELS ARE SUBJECT TO AND TOGETHER WITH
EXISTING UTILITY EASEMENTS AS THEY EXIST ON THE GROUND.

ALL PARCELS ARE SUBJECT TO AND TOGETHER WITH
30' WIDE ROAD EASEMENTS AS SHOWN ON THIS PLAT
AND AS THEY EXIST ON THE GROUND.

PARCEL 'E' IS SUBJECT TO AN EXISTING DRAIN PIPE EASEMENT
AND PARCEL 'D' IS TOGETHER WITH SAID EXISTING DRAIN
PIPE EASEMENT, AS SHOWN ON THIS PLAT AND AS IT EXISTS
ON THE GROUND.

PROPERTY BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L 1	S 02° 58' 43" E	188.74'
L 2	S 00° 08' 41" W	720.66'
L 3	S 34° 33' 37" W	90.53'
L 4	S 03° 38' 03" E	341.00'
L 5	S 77° 48' 56" E	25.23'
L 6	S 00° 42' 39" W	396.32'
L 7	N 00° 19' 05" E	303.29' (258.90' TO P.O.L.)
L 8	EAST	762.23'
L 9	S 08° 52' 12" W	220.44'
L 10	EAST	200.00'
L 11	N 08° 52' 12" E	220.44'
L 12	WEST	32.00'
L 13	WEST	168.00'
L 14	N 10° 00' 00" W	63.00'

WATER GAP EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L 1	N 00° 00' 07" W	454.43'
L 2	N 00° 00' 07" W	189.32'
L 3	S 77° 24' 35" E	368.11'
L 4	S 09° 48' 32" W	99.38'
L 5	S 86° 15' 03" W	251.99'
L 6	N 86° 39' 00" W	91.02'

SURVEYORS NOTE:

AFTER MAKING A DILIGENT SEARCH FOR THE ORIGINAL MONUMENTS SET
BY JOHN B. DAVID IN 1883, THAT SHOULD HAVE EXISTED ALONG THE
BOUNDARIES OF THIS PROPERTY, WITHIN SAID PROPERTY AND ON THE NE CORNER
OF SECTION 21, NO MONUMENTS COULD BE FOUND. MOST OF THE LAND
SURROUNDING THIS PROPERTY IS OR WAS CULTIVATED AGRICULTURE LANDS.
AFTER SOME DISCUSSION WITH KENNETH PETERSON AND THE NEIGHBORS,
A FENCE LINE AGREEMENT WAS DECIDED UPON. SEE RECORD OF SURVEY INSTRUMENT
NUMBER 255387, FILED IN THE LEMHI COUNTY COURTHOUSE FOR PETERSON.

(*) SINCE THE TRUE SECTIONAL BOUNDARIES WERE NOT ESTABLISHED,
THE FENCE BOUNDARY COULD EXTENDED INTO THE ADJOINING SECTIONS.

COUNTY RECORDER'S CERTIFICATE

RECORDER OF LEMHI COUNTY

TIME: 9:40 A DAY: 25 MONTH: Sept 2003

BOOK: 13 PAGE: 94 INST. NO. 256100

RECORDER: *Jerri J. Morton*

BY: *K. Baumert*



FOR PETERSON			
DATE: 8/7/2003	DRAWN BY: RM		
FILE: PETERSON2.GCD	CHK BY: CW		
SURVEY FILE: T16NR25E.ZAK			
WADE SURVEYING			
104 S. WARPETH		SALMON, IDAHO 83467	
208-756-3070			

74-343