

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: A72-04080AA
Date Received: 12/27/1990
Receipt No: X777777
Received By: See

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DEAN PETERSON
Address: PO BOX 723
CHALLIS ID 83226 208-879-5700

2. Date of Priority: JUN 1, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	19E	16	SW	NE		2	CUSTER

5. Description of diverting works:
ROCK WALL & HEADGATE, JOSE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 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
14N	19E	34	SE	NE		IRR	0.2
			NE	SE		IRR	1.8

Section Acres 2.0

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A PORTION OF 72-04080.

P/U IS AKA LOTS 30, 31, 32, 33, 38, 37 & PART 36, BLK. 1, DIV. 1.

LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.

LOT 6, BLK. 4, DIV. 2. ALL IN WILD RIVER EST. SUBDV.

|
AMENDED TO ADD POU: LOTS 4,5,7 & 8, BLK. 4, DIV. 2. (8 ACRES)

LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
SHIP. THE OTHER LOTS WERE RECENTLY PURCHASED. 12-27-90 SCC.

TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A72-04080D.

CORGATELLI/DONAHOE RETAIN THE "R" PORTION.

A72-04080S PETERSON ; LOTS 6 & 7 BLK 4 DIV 2

A72-04080T BABB ; LOT 8 BLK 4 DIV 2

|
CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
USE IS LOT 36, BLOCK 1; LOTS 4 & 5, BLOCK 4; AND LOTS 7 & 8,
BLOCK 3. 10/19/98 SCC.

FILE NOTES INDICATE CLAIMANT DOES NOT OWN ALL LOTS LISTED.

|
CORRECTION TO OWNERSHIP: LOT 8, BLK 3 NOW OWNED BY PETERSON AND
SPLIT FROM PART W. 5/24/00 SCC.

15. Basis of Claim: BENEFICIAL USE

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

Renumbered
Ident. Number: **A72-04080Z** *AA*
Date Received: 12/27/1990
Receipt No: X777777
Received By: See

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DEAN PETERSON 208-879-5700
Address: PO BOX 723
CHALLIS ID 83226

2. Date of Priority: JUN 1, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	19E	16	SW	NE		2	CUSTER

5. Description of diverting works:
ROCK WALL & HEADGATE, JOSE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 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 of	Lot	Use	Acres
14N	19E	34	SE	NE		IRR	0.2
			NE	SE		IRR	1.8

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A PORTION OF 72-04080.
P/U IS AKA LOTS 30, 31, 32, 33, 38, 37 & PART 36, BLK. 1, DIV. 1.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.
LOT 6, BLK. 4, DIV. 2. ALL IN WILD RIVER EST. SUBDV.
|
AMENDED TO ADD POU: LOTS 4,5,7 & 8, BLK. 4, DIV. 2. (8 ACRES)
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CORGATELLI/DONAHOE RETAIN THE "R" PORTION.
A72-04080S PETERSON ; LOTS 6 & 7 BLK 4 DIV 2
A72-04080T BABB ; LOT 8 BLK 4 DIV 2
|
CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
USE IS LOT 36, BLOCK 1; LOTS 4 & 5, BLOCK 4; AND LOTS 7 & 8,
BLOCK 3. 10/19/98 SCC.
FILE NOTES INDICATE CLAIMANT DOES NOT OWN ALL LOTS LISTED.
|
CORRECTION TO OWNERSHIP: LOT 8, BLK 3 NOW OWNED BY PETERSON AND
SPLIT FROM PART W. 5/24/00 SCC.

15. Basis of Claim: BENEFICIAL USE

SRBA

SUBCASE SUMMARY REPORT 72-04080AA

[Return to SRBA Home Page](#)

SRBA
04-30-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-04080AA FILE#: 00430
CLAIMANT: PETERSON, DEAN
STATUS: PD ISSUED
WATER SOURCE: SALMON RIVER, SNAKE RIVER

****** PARTIES INVOLVED ******

DEAN PETERSON

C PRO SE

****** ROA ENTRIES ******

06-23-2000	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING SPLIT INTO Y & AA	06-23-2000
06-23-2000	AMENDED RECOMMENDATION ATTACHED TO NCAP SPLIT INTO Y & AA Y & AA ARE RECOMMENDED DISALLOWED	
08-31-2000	AMENDED DIRECTOR'S REPORT - NOW RECOMMENDED OBJECTIONS TO AMENDED DIR RPT DUE 9/28/00	
09-28-2000	REPORT & RECOMMENDATION OF MASTER	CB 10-30-2000
09-28-2000	NOTICE OF ISSUANCE - MASTERS R&R	
09-28-2000	CERTIFICATE OF MAILING - MASTER R&R	
01-12-2001	ORDER OF PARTIAL DECREE	
01-12-2001	CERTIFICATE OF MAILING - PARTIAL DECREE	
01-12-2001	PARTIAL DECREE FILED	01-12-2001

[Return to SRBA Home Page](#)

08/31/2000

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

RIGHT NUMBER: 72-4080AA

NAME AND ADDRESS: DEAN PETERSON
PO BOX 723
CHALLIS, ID 83226

SOURCE: SALMON RIVER TRIBUTARY: Snake River

QUANTITY: 0.08 CFS

PRIORITY DATE: 12/11/1888

POINT OF DIVERSION: T13N R19E S16 LOT 2 NESWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.08 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County

T14N R19E S34	SENE	0.2	T14N R19E S34	NESE	1.8
2 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 - Beneficial Use

PROPERTY IS ALSO KNOWN AS LOT 8, BLK 3, WILD RIVER ESTATES.

Clelland, Steve

From: Spencer, Nick
Sent: Friday, July 28, 2000 4:46 PM
To: Clelland, Steve
Cc: Music, Vicky
Subject: Peterson & Frost Motions to File Late Objections

Steve, here is an update on these claims.

PETERSON (72-04080W)

Special Master Cushman granted the motion to file a late objection. I raised with him the issue regarding forfeiture; he agreed with my assessment that, per Judge Wood's ruling, the filing of the claim stopped the forfeiture clock in the SRBA. Therefore I believe we need to go ahead and recommend this water right. I proposed that we could resolve the late objection by means of an SF-5. However, the Special Master said that being as how we had recommended the claim for disallowal, he would be more comfortable with us filing an Amended Director's Report, so that opportunity could be provided for anyone else to file objections. He set a due date for the Amended Director's Report of August 31st, and an objection due date of September 28th.

Also, the Special Master was concerned whether there were additional splits of 4080, such that the Peterson slice is not in fact 4080W, but rather whether it should be numbered 4080Y or 4080AA. I told him I would check with you on this.

Additionally, Peterson seemed to be quite confused about what was going on procedurally. Therefore I told him you likely would be giving him a phone call to discuss what you thought we could recommend prior to our filing the Amended Director's Report. Is that something you'll be able to do.

Finally, do you think there will be any dispute with Peterson over acres and quantity? I gather that this is a small parcel, and that Peterson intends to sprinkler irrigate it, so it seems unlikely that there should be any major impediments to recommending something he'll be okay with. What do you think?

FROST (72-04055B, et al.)

Special Master Cushman granted the motions to file late objections. However, he directed Patsy Kindt to refile the objections ASAP, using a separate objection form for each of the three rights. I tried to explain the confusion over numbers, and told Cushman that we agreed with the claimant that the parcel in question was irrigated, but that you weren't entirely clear yet which water right number we'd recommend the use under. Because of Kindt's obvious confusion over the water right numbers, and again because we'd disallowed the use on the parcel in question, he requested that we do Amended Director's Reports rather than SF-5s. He set the due date for those as August 31st, and the objection due date as September 28th.

DOWTON (72-04069)

I explained the problems with POU and POD changes per the database changeover, plus the fact that you were ready to put all the rights together into a package of SF-5s as soon as you could make the necessary changes to the database. Cushman was okay with postponing the due date for the Amended Director's Report on 4069 until August 14th. He will enter an order to that effect.

South
DJ

RECEIVED

AUG - 2 2000

Department of Water Resources

2000 JUL 31 PM 2: 28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

Subcases: 72-04080W

AMENDED ORDER GRANTING
MOTION TO FILE LATE OBJECTION
and SETTING SUBCASE DEADLINES

On May 15, 2000, a *Motion to File Late Objection* was filed by Dean Peterson. A hearing on the *Motion* was held July 28, 2000, there was no opposition to the *Motion*.

Therefore, IT IS ORDERED that for good cause shown, the *Motion to File Late Objection* is **granted**. The Objections previously lodged with this court will be deemed filed as of this date. IT IS FURTHER ORDERED that the following deadlines shall govern proceedings in this subcase:

8/31/00 5:00 pm Amended Director's Reports due.

9/28/00 5:00 pm Objections to Amended Director's Report due.

DATED July 31, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the *Order Granting Motion to File Late Objection* was mailed on July 31, 2000, with sufficient first-class postage prepaid, to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Dean Peterson
PO Box 723
Challis, ID 83226

Charles V Wells
PO Box 835
Challis, ID 83226


Deputy Clerk

Hancock, Vikie

Subject: 72-04080W
Entry Type: Phone call

Start: Mon 7/31/00 2:00 PM
End: Mon 7/31/00 2:30 PM
Duration: 30 minutes

Categories: B72, OBJECTION

Dean Peterson called regarding a letter he rec'd from the SRBA court dated 7-28-00 informing him that a motion to file a late objection on subcase 72-04080W had been granted to Patsy Kent. He was wondering what that was all about since he had also filed a motion to file a late objection the same day on this claim that had been recommended as disallowed. He said that he was the owner of the right.

I checked and found that he was not the owner of record in our data base for that right, however I checked IWTRS and found that the claim had been split since the director's report. I also found no reference to Patsy Kent on the subcase summary sheet. I determined that Steve was the agent who had recommended the claim for disallowal. I told Mr. Peterson that I was unfamiliar with the issues in that case but that it might help if he called the SRBA court regarding Patsy Kent, and what the letter dated July 28th meant. I also told him that the investigating agent for that particular right was out sick but that I would inform Steve Clelland that he had called. He said that he would call another day if he still needed to talk to Steve after calling the court.

RECEIVED

JUN 15 2000

Department of Water Resources

2000 JUN 14 AM 09:31
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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) ORDER SETTING HEARING
Case No. 39576)
SUBCASE NO: 72-04080W

Please be advised that Special Master THOMAS R CUSHMAN
has set for hearing the MOTION TO FILE LATE OBJECTION filed by
Dean Peterson.

FRIDAY, JULY 28, 2000 at 11:00 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to JULY 26, 2000.

IT IS SO ORDERED.

Dated: JUNE 14, 2000

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 6/14/00

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING HEARING was mailed on JUNE 14, 2000, with sufficient first-class postage to the following:

DEAN PETERSON
PO BOX 723
CHALLIS, ID 83226
Phone: 208-879-4298

CHARLES VERNON WELLS
PO BOX 835
CHALLIS, ID 83226
Phone: 208-879-4370

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

5/26/00 TC

To Jennifer Lewis

2ND MAY 20 PM 12:29

FILED

Regarding my "Standard
Farm 1 objection - water Right claim
72-04080W.

I respectfully request that the
court accept my late objection and
considers this as a motion to do so.

Only recently did I realize I would
have to take this step on this particular
parcel of land. I thank you for
your time.

Regards

Dean Petersen

430

200 MAY 24 PM 1:53

FILED LODGED

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

A. Subcase A72-04080W

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dean Peterson

Address: P.O. Box 223

Charliss Id

Daytime Phone: work 208 829 4298

Name & Address of Attorney, if any:

n/a

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Charles Wells

Address: P.O. Box 835 -

Charliss Id 83226

(long gone
address no good)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ Name and Address
Should be: _____
2. ☒ Source
Should be: _____
3. ☒ Quantity
Should be: _____
4. ☒ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: _____
6. ☒ Instream Flow Description
Should be: _____
7. ☒ Purpose(s) of Use
Should be: _____
8. ☒ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

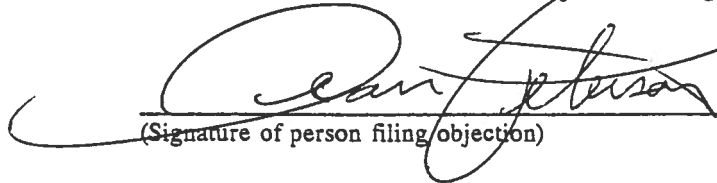
property historically had been flood irrigated but water source was cut off by quarrying of property just above it. all water comes from Salmon River via Jose Ditch which has canal through bottom end of property. I will sprinkle. I am the rightfull owner of the subject property and AM in the process of changing this portion of the water right to my name.

F. **VERIFICATION** (Must be Completed)

State of Idaho)
County of Custer)ss.

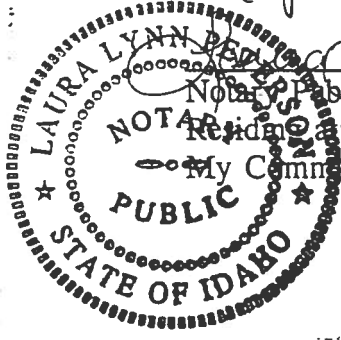
DEAN Peterson , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 22, 2000



Dean Peterson
Notary Public for State of Idaho
Residence: Challis ID
My Commission Expires: 06/01/04

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 5/23, ~~1992~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

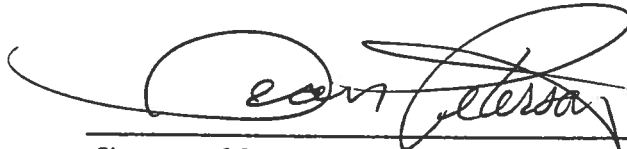
Name: Charles Vernon Wells
Address: P.O. Box 835
Challis ID 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

RECEIVED

MAY 25 2000

Department of Water Resources

RECEIVED

JUN 19 2000

Department of Water Resources
Southern Region

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

A. Subcase 472-04080W
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dawn Peterson

Address: P.O. Box 223

Charliss Id

Daytime Phone: work 208 829 4295

Name & Address of Attorney, if any:

n/a

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Charles Wells

Address: P.O. Box 835

Charliss Id 83226

(long gone address no good)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ Name and Address

Should be: _____

2. ☒ Source

Should be: _____

3. ☒ Quantity

Should be: _____

4. ☒ Priority Date

Should be: _____

5. ☒ Point(s) of Diversion

Should be: _____

6. ☒ Instream Flow Description

Should be: _____

7. ☒ Purpose(s) of Use

Should be: _____

8. ☒ Period of Year

Should be: _____

9. ☒ Place of Use

Should be: _____

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

property historically had been flood irrigated but water source was cut off by quarrying of property just above it. All water comes from Salmon River via Jose Ditch which has canal through bottom end of property. I will sprinkle. I am the rightful owner of the subject property and AM in the process of changing this portion of the water right to my name.

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)ss.
County of Custer)

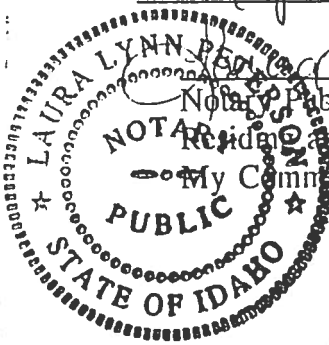
DEAN Peterson , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Dean Peterson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 22, 2000



Dean Peterson
Notary Public for State of Idaho
Residence: Challis ID
My Commission Expires: 06/01/04

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 5/23, ~~1992~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

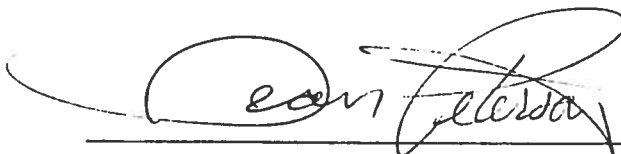
Name: Charles Vernon Wells
Address: P.O. Box 835
Charlottesville Id 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

COPY

200 JUN 23 PM 1:56

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

) SUBCASE NO. 72-04080W,
) 72-04080Y, 72-04080AA
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

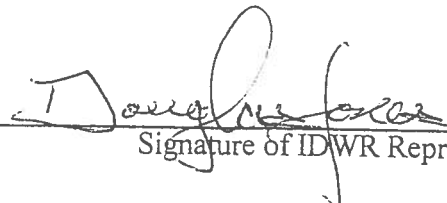
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

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 Reports* for said water rights. 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: 6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Charles Vernon Wells
PO Box 835
Challis ID 83226
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Dean Peterson
PO Box 723
Challis ID 83226
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: JUN-21-2000

PAGE: A-6

RIGHT NUMBER: 72-04080W

SPLIT RIGHT: SEE RIGHT NOS. 72-04080Y AND 72-04080AA.

W5857NP

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS/RIGHTS NOT RECOMMENDED

DATE: JUN-21-2000
PAGE: B-1

I.R. NUMBER	NAME & ADDRESS	CLAIM DISPOSITION	REASON
'2-04080AA	PETERSON, DEAN PO BOX 723 CHALLIS ID 83226	DISALLOWED	NO BENEFICIAL USE FOUND.
'2-04080Y	WELLS, CHARLES VERNON PO BOX 835 CHALLIS ID 83226	DISALLOWED	NO BENEFICIAL USE FOUND.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEAN PETERSON
PO BOX 723
CHALLIS ID 83226

RE: SRBA Claim(s) 72-04080W - Split

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Charles Vernon Wells

Water Right Number - R72-04080AA

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - +
*** C - CURRENT OWNER ***
PETERSON DEAN
1 - PO BOX 723
2 -
3 -
City- CHALLIS
Phone - 208-879-5700
State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
WELLS CHARLES VERNON
1 - PO BOX 835
2 -
3 -
City- CHALLIS
Phone - 208-879-4370
State- ID Zip- 83226

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1885 17 SOUTHERN
I - DISALLOWED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
13N 19E 16 SM NE 2 (37) CUSTER JOSE DITCH

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 06/01 11/01 0.080

+ - - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Consumptive Use - - + + - KW Usage - - +
0.080 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 34 SE NE 0.2 01 IRRIGATION (37) CUSTER
14N 19E 34 NE SE 1.8 01 IRRIGATION (37) CUSTER
Total Acres: 2.0

+ - - Diversion Means - ROCK WALL & HEADGATE, JOSE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

GEN NO BENEFICIAL USE FOUND.

Water right number - R72-04080AA

Prefix Translation: RESEARCH

Old Water Right Numbers - - - - -
Old Water Right Numbers - - - - -
A7204080

Conditions of Approval - - - - -
P03 - NO BENEFICIAL USE FOUND: This is included for a claim based
- on beneficial use that is PROPOSED to be disallowed because
- beneficial use of water was not confirmed by IDWR's field
- examination or by other evidence submitted by the claimant.

Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - - - -
00/00/0000

Comments- - - - -
Date: 05/24/2000 User Id: SCLELLAN Subject: COPIED FROM REMARKS
THIS IS A PORTION OF 72-04080.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.
LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.
OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A72-04080D.
A72-04080S PETERSON ; LOTS 6 & 7 BLK 4 DIV 2
USE IS LOT 36, BLOCK 1; LOTS 4 & 5, BLOCK 4; AND LOTS 7 & 8,
FILE NOTES INDICATE CLAIMANT DOES NOT OWN ALL LOTS LISTED.
CORRECTION TO OWNERSHIP: LOT 8, BLK 3 NOW OWNED BY PETERSON AND
Date: 05/24/2000 User Id: SCLELLAN Subject: DISALLOWAL
NO USE FOUND FOR IRRIGATION.
P/U IS AKA LOTS 30, 31, 32, 33, 38, 37 & PART 36, BLK. 1, DIV. 1.
LOT 6, BLK. 4, DIV. 2. ALL IN WILD RIVER EST. SUBDV.
AMENDED TO ADD POU: LOTS 4,5,7 & 8, BLK. 4, DIV. 2. (8 ACRES)
SHIP. THE OTHER LOTS WERE RECENTLY PURCHASED. 12-27-90 SCC.

CORGATELLI/DONAHOE RETAIN THE "R" PORTION.
A72-04080T BABB ; LOT 8 BLK 4 DIV 2
CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
BLOCK 3. 10/19/98 SCC.
SPLIT FROM PART W. 5/24/00 SCC.

Audit Fields - - - - -
05/26/00 SCLELLAN

Adjudication Rights Dates and Flags Area - - - - -
Count Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 05/26/2000 Old Judicial District -
Claim Received Date - 12/27/1990 Last Amended Date - 03/21/1994 Temporary Right - P
Receipt Number - X777777 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND Presumption Flag -
Notice of Error Flag -

COMMUNICATION DOCUMENTATION

I called and explained the situation and she has sent out a letter to Mr. Peterson requesting a Motion for Late Objection. She has Lodged the Objection Form with the court until the Motion is received. I asked her if he could now file the Motion on part Z and clarify the exact right in question and she agreed with that.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 24, 2000

DEAN PETERSON
PO BOX 723
CHALLIS ID 83226

RE: Change of Ownership of SRBA Claim 72-04080W

Dear Mr. Peterson,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased portions of the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for right listed above.

Please find enclosed a copy of your adjudication report, as it now appears in our records. Please refer to this number, 72-04080Z, in your future correspondence with IDWR. Also enclosed is a GIS layout of Lot 8, Blk. 3 which is for illustration purposes only because the claim is currently being recommended as DISALLOWED.

I did not forward a copy of this letter to Charles Wells since the address of record is incorrect and results in the mail being returned to our office.

If you have any further corrections or questions please contact our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

Water Right Number - R72-040802

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
PETERSON

DEAN

1 - PO BOX 723
2 -
3 -
City- CHALLIS
Phone - 208-879-5700

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
WELLS

CHARLES VERNON

1 - PO BOX 835
2 -
3 -
City- CHALLIS
Phone - 208-879-4370

State- ID Zip- 83226

+ - - Priority Date - - +
06/01/1885

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
1 - DISALLOWED

+ - - Source - - - - - +
SALMON RIVER

+ - - Tributary - - - - - +
SNAKE RIVER

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
13N 19E 16 SW NE 2 (37) CUSTER JOSE DITCH

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		0.080	

+ - Total Div. Rate - + + - Total Div. Volume - +
0.080

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	34	SE NE		0.2	01 IRRIGATION		(37) CUSTER	
14N	19E	34	NE SE		1.8	01 IRRIGATION		(37) CUSTER	
					Total Acres:	2.0			

+ - - Diversion Means - ROCK WALL & HEADGATE, JOSE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - Remarks - - - - - +

GEN NO BENEFICIAL USE FOUND.

Renumbered to - 4080 AA

Water right number - R72-040802

Prefix Translation: RESEARCH

Old Water Right Numbers - - - - -
Old Water Right Numbers - - - - -
A7204080

Conditions of Approval - - - - -
No Conditions of Approval found.

Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - - - -
00/00/0000

Comments - - - - -
Date: 05/24/2000 User Id: SCELLELLAN Subject: COPIED FROM REMARKS
THIS IS A PORTION OF 72-04080.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.

LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.
OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A72-04080D.
A72-04080S PETERSON ; LOTS 6 & 7 BLK 4 DIV 2

USE IS LOT 36, BLOCK 1; LOTS 4 & 5, BLOCK 4; AND LOTS 7 & 8,
FILE NOTES INDICATE CLAIMANT DOES NOT OWN ALL LOTS LISTED.
CORRECTION TO OWNERSHIP: LOT 8, BLK 3 NOW OWNED BY PETERSON AND
Date: 05/24/2000 User Id: SCELLELLAN Subject: DISALLOWAL
NO USE FOUND FOR IRRIGATION.

Audit Fields - - - - -
05/24/00 SCELLELLAN

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/24/2000
Claim Received Date	- 12/27/1990	Last Amended Date	- 03/21/1994
		Receipt Number	- X777777
		POU Ownership Flag	- Y
		Name Connector	- AND
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES

72-04080Z EXHIBIT ONLY



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 14N
RNG: 19 E
SEC: 34 & 35



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND
DATE: MAY 24, 2000
*** Illustration only ***

Pioneer Realty

PIONEER REALTY

Dean Peterson
Licensed Agent

Box 810
Professional Plaza
1300 Hwy. 93
Challis, Idaho 83226

Off: (208) 879-4298
Fax: (208) 879-4498
Res: (208) 879-5700



5/22/00

Steve,

Here are deed copies of my land showing Bieber to me, before that Wunch to Bieber, before that Putman to Wunch preceded by Wunch to Putman. Also shown is Wunch creating the sub-division. The one in question, "Wells" came in later and never did own this subject property. Before Wunch was Stark and before them Leighton - all ranchers.

Thanks for your help Steve - I've sent the other documents to the court. Enclosed here also is the water right transfer.

Look forward to hearing from you - thanks again.

Dean Peterson

P.S.
Plat enclosed.
This parcel is
in the SE-NE
Sec. 34 T14N
R 19E.

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

RECEIVED
MAY 24 2000
Department of Water Resources
Southern 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).: 72-04080 W
Adjudication Claim No(s).: 11

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** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Charles Wells (People gone, long address, no good)
Box 835 Challis Id 83226

4. New Owner/Claimant(s) Dean Peterson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 723
City, State and ZIP Code Challis Id 83226
New Telephone Number 208) 829 5700

5. Date you acquired the property 4/23/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right <u>2</u>	Number and type of stock <u>N/A</u>
Diversion rate in CFS <u>proportionate</u>	Number of homes you acquired <u>N/A</u> Other uses <u>N/A</u>

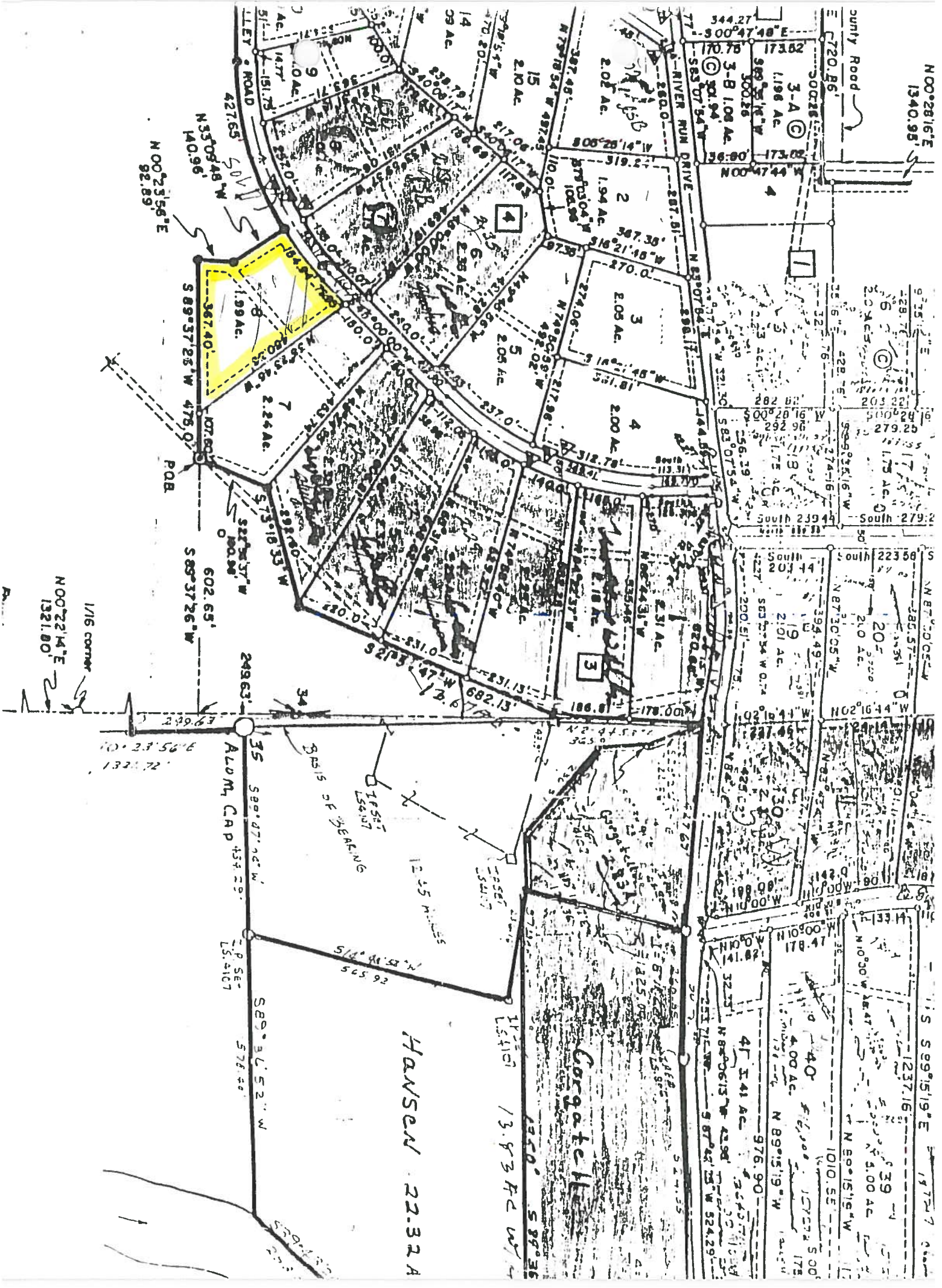
7. Signature of New Owner(s) or Claimant(s). Dean Peterson

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.

72-4080 W SPLIT INTO: 72-4080 Y WELLS
72-4080 Z PETERSON

5/24/00
SCU



N00°28'16"E
1340.95'

County Road

C-720.86'

3-A

1.96 AC

300.26

3-B 1.08 AC

583.07' 94" W

2.02 AC

1.94 AC

2.10 AC

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N00°23'56"E

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WARRANTY DEED

For Value Received DAVID BIEBER AND BETTY L. BIEBER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto L. DEAN PETERSON AND L. LYNN PETERSON, husband and wife, the Grantees, whose current address is P.O. Box 723, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

Lot 8, Block 3, Wild River Estates, Division No. 1, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder as instrument No. 158306.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 16th day of April, 1999.

X David Bieber
DAVID BIEBER

X Betty L. Bieber
BETTY L. BIEBER

STATE OF IDAHO)

: ss

County of: ADA)

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County Title

0197862

WARRANTY DEED

FOR VALUE RECEIVED CHARLES W. WUNSCH and CHARLEY M. WUNSCH

The Grantor^s, do hereby grant, bargain, sell and convey unto
DAVID BIENER, an unmarried man

The Grantee, whose address is 305 Eiden Rd., Boise, ID 83705

the following described premises, to-wit:

Lot 8, Blk. 3, Wild River Estates, Division 1, Custer County, ID

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
his heirs and assigns forever. And the said Grantor^s do hereby covenant to
and with the said Grantee, that he is the owner in fee simple of said premises; that said
premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 1, 1989

Charles W. Wunsch
CHARLES W. WUNSCH
Charley M. Wunsch
CHARLEY M. WUNSCH

STATE OF IDAHO, COUNTY OF Custer

On this 1st day of December, 1989,
before me, a notary public in and for said State, personally appeared

Charles W. Wunsch & Charley M. Wunsch

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 1st day of December, 1989.

[Signature]
Notary Public

My Comm. Expires *1991*

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of *David or Betty Weber*

at 19 minutes past 30th day of November

1989, in my office, and duly recorded in Book
of Deeds at page

Edith M. Paul

Chas. Wunsch

Page 300

Filed for

MONROE TITLE COMPANY
OF BANNOCK COUNTY
PO BOX 1000 - 200 230 1000

WARRANTY DEED

FOR VALUE RECEIVED

DAVID L. PUTNAM, a Single Man,

the Grantor, do hereby grant, bargain, sell and convey unto

CHARLES W. WURSCH and SHIRLEY E. WURSCH, Husband and Wife,

the Grantee, whose address is P. O. Box 406, Challis, Idaho 83226

the following described premises, to-wit:

Lot 8, Block 3, WILD RIVER ESTATES, DIVISION NO. 1, Carter County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder as Instrument No. 158106.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises, that said premises are free from all encumbrances except reservations of record, assessments of record and general taxes for the year 1980 and subsequent years which are not yet due and payable.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 19, 1980

DAVID L. PUTNAM

FORWARDING - 10/10/80

STREET FILED

10/10/80

10/10/80

10/10/80

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WARRANTY DEED

176084

FOR VALUE RECEIVED

CHARLES W. MUNCH AND SHIRLEY M. MUNCH, Husband and Wife

the Grantor, do hereby grant, bargain, sell and convey unto

DAVID FURBER, an unmarried man

the Grantee, whose address is Route 6, Box 134, Caldwell, Idaho

the following described premises, to-wit:

Lot 6, Block 3, Wild River Estates, Division No. 1, Custer County, Idaho as shown by the Official Plat thereof, now on file in the office of the said County Recorder as instrument no. 158306.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee his heirs and assigns forever. And the said Grantor is do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except reservations of record, easements of record and general taxes for the year 1986 and subsequent years which are not yet due and payable.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 23, 1986

Charles W. Munch
Charles W. Munch

Shirley M. Munch
Shirley M. Munch
by Charles W. Munch
attorney in fact

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.

On this 24th day of January, 1986, in

the year of 1986, before me

the undersigned, a notary public,

personally appeared Charles W. Munch

known or

identified to me to be the person whose name is

subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public

Residing at

Commission expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record

at the request of Custer County Title

at 30 minutes past 3 o'clock P.m.

this 31 day of January

1986, in my office, and duly recorded in Book

of Deeds at page

Ethel M. Leck
Ethel M. Leck

By *Mary Thompson*
Mary Thompson

Fee \$2.00

Maid to

POWER TITLE COMPANY

400 W. 3rd Street

Boise, Idaho 83726 - 253-6766

Boysenberry Title Insurance Company

ACKNOWLEDGMENT

I, the undersigned,

do hereby acknowledge

the execution of the

within instrument

and its contents

therein as p

Commission

WILD RIVER ESTATES DIV.
Part of Sections 26, 27, 34, & 35; T14N, R19E, BM
Custer County, Idaho

DEED OF DEDICATION

BE IT REMEMBERED That Charles W. Wunsch
Shirley M. Wunsch

do hereby certify that we are the legal owners of the property
shown herein and being described as

beginning at a point that is S 00°21'56"W 240.63 feet along the East line of Section 35 and S 09°37'26"W 602.65 feet
on the E 1/4 corner of Section 36, T. 14N., R. 19E., S.M. and running thence S 09°37'26"W 475.00 feet; thence E 30°
56'E 92.09 feet; thence N 33°09'40"W 140.96 feet, to a point on a curve on the south right-of-way line of Round
Hilly Drive; thence along said right-of-way line of a curve to the right 427.05 feet (Delta=32°40'12", Radius=750.00
ft., Length=427.65 feet, Tangent=219.81 feet, Chord=421.00 feet); thence S 09°30'24"W 1056.71 feet; thence leaving
said right-of-way line and running N 00°29'30" E 159.00 feet; thence N 09°37'26" E 106.44 feet; thence N 19°23'15"E,
1.29 feet; thence N 09°36'43"E 418.70 feet; thence S 22°57'23"W 167.90 feet to the southerly right-of-way line of
River Run Drive; thence along said right-of-way line S 64°45'50"E 26.92 feet; thence along a curve to the left 53.74
ft (Delta=62°44'12", Radius=1125.00 feet, Length=53.74 feet, Tangent=26.87 feet, Chord=53.73 feet); thence along the
southerly right-of-way of a county road N 31°18'21" E, 131.50 feet; thence along a curve to the right 132.24 feet (Delta=
16°55", Radius=130.00 feet, Length=132.24 feet, Tangent=77.48 feet, Chord=126.61 feet); thence along the south
right-of-way line of said county road N 09°35'16"E 720.06 feet; thence along the east right-of-way of said county
road N 00°28'16"E 1340.95 feet; thence N 42°16'52" E 10.50 feet to the North line of said Section 34; thence in
tion 27 N 62°16'52"E 1494.62 feet; thence N 64°24'19"E 1405.63 feet; thence N 00°29'15" E 628.78 feet; thence S
16°44" E 1306.36 feet to the North line of Section 35; thence along the North line of Section 35 N 09°54'45" E
.84 feet to the E 1/4 corner of Section 35; thence continuing along said North line of Section 35 N 09°54'45" E
.90; thence S 52°27'04"W 223.37 feet to the reestablished meander line of the left bank of the Salmon River; thence along
said meander line S 74°28'33"W 792.16 feet; thence S 34°30'33"W, 528.09 feet; thence S 16°38'33"W
.49 feet; thence S 20°36'27"E, 491.50 feet; thence leaving said meander line and running West 540.77 feet to a
point on the southerly right-of-way of River Run Drive; thence along said right-of-way line a curve to the right
95 feet (Delta=45°53'48", Radius=50.00 feet, Length=95.00 feet, Tangent=21.17 feet, Chord=30.99 feet); thence along
said curve to the left 21.03 feet (Delta=45°11'23", Radius=25.00 feet, Length=21.03 feet, Tangent=11.18 feet, Chord=20.41
feet); thence S 87°42'25"W 524.29 feet; thence along a curve to the right 260.85 feet (Delta=6°11'22", Radius=1825.00
ft., Length=260.85 feet, Tangent=130.65 feet, Chord=260.63 feet); thence N 04°06'13"W 427.60 feet; thence leaving the
southerly right-of-way of River Run Drive and running S 02°44'53"W 364.81 feet; thence S 21°54'47"W 602.13 feet; thence
N 18°33"W, 292.60 feet; thence S 22°56'37"W 182.50 feet to the point of beginning. Parcel Contains 249.27 acres

Custer County, Idaho, and that
we hereby give, grant and dedicate to the public for public use all
streets and easements shown herein

Witness our hands this 15th day of May, 1981

Charles W. Wunsch and Shirley M. Wunsch
Clark W. Wunsch Shirley M. Wunsch

State of IDAHO)
County of Owyhee) ss

On this 15th day of May, 1981, before me, "A
Notary Public," first appeared

Charles W. Wunsch and Shirley M. Wunsch

Blenda H. Mason
NOTARY PUBLIC

My commission expires

SURVEYOR'S CERTIFICATE

I, A. Neil Mason, a registered surveyor in Idaho,
do hereby certify that the survey of this subdivision, designated as the

PLANNING

The accompanying
the Planning and
By resolution design

Chairman Jack

COUNTY

The accompanying
Board of County Com
Custer, Cou
22nd day of May

Arnold A. Ogden
Chairman

CLERK

Approved by _____

TREAS

Permitted to the
County Treasurer, do
due on this subject
paid in full through

5/22/81
Date

RECORD

I, hereby certify
Wild River Estates,
was filed for record
County, Idaho, on the
at 22nd May
on page _____

SANITARY

Sanitary restrictions in
Code

The SANITARY RESTRI
is hereby certified as

WARRANTY DEED

For Value Received DAVID BIEBER AND BETTY L. BIEBER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto L. DEAN PETERSON AND L. LYNN PETERSON, husband and wife, the Grantees, whose current address is P.O. Box 723, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

Lot 8, Block 3, Wild River Estates. Division No. 1, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder as instrument No. 158306.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 16th day of April, 1999.

X David Bieber
DAVID BIEBER

X Betty L. Bieber
BETTY L. BIEBER

STATE OF IDAHO)

: ss

County of: ADA)

On this 16 day of
Apr, 1999, before
me, a Notary Public, per-
sonally appeared

DAVID BIEBER

Betty L. Bieber

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that They executed the same.

X David Halling
Notary Public for Idaho

Residing at BOISE, ID

Commission Expires COMMISSION



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 40 minutes past 2
o'clock P.M., this 19th day of April
1999, in my office, and duly recorded in Book
_____ of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY

X Janet Dargis
Deputy

Fee: \$ 3.00

Mail to: