

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: **A72-10059**
Date Received: 5/18/1992
Receipt No: C024182
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DONALD W PETERS 208-879-4394
Address: PO BOX 766
CHALLIS ID 83226
AND
Name: DEBRA J PETERS 208-879-4394
Address: PO BOX 766
CHALLIS ID 83226

2. Date of Priority: FEB 27, 1909

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SE	SE	NW		CUSTER

5. Description of diverting works:
HIGHLINE DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 5.0 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	17	SE	NE		IRR	2.0

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:

ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS
DECREED TO T. GARY PECK.

1/4/99 TF; OWNERSHIP CHANGED JAMES TO PETERS PER 1409(6) AND
WARRANTY DEED REC'D 12/21/98.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 21 1998
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).: R 72-10059, 72-10060
Adjudication Claim No(s).: _____

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 Dennis & Lindy James
PO Box 308, Challis, Idaho 83226

4. New Owner/Claimant(s) Donald W. & Debra J. Peters
Name Connector (Check one): ☒ and, ☐ or
New Mailing Address P.O. Box 766
City, State and ZIP Code Challis, Idaho 83226
New Telephone Number (208) 879-4394

5. Date you acquired the property 8/24/98

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 2 Number and type of stock 2 COWS
 Diversion rate in CFS .04 Number of homes 1 Other uses none
 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) Donald W. Peters 12/18/98
Debra J. Peters
(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..

0216438

WARRANTY DEED

For Value Received DENNIS L. JAMES AND CINDY A. JAMES, husband and wife

The grantors, do hereby grant, bargain, sell and convey unto
DONALD W. PETERS AND DEBRA J. PETERS, husband and wife.
the grantee s, whose current address is
the following described premises, in CUSTER County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owner in fee simple of said premises; that they are free
from all incumbrances

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

Dated: AUGUST 24, 1998

Dennis L. James
DENNIS L. JAMES

Cindy A. James
CINDY A. JAMES

STATE OF IDAHO, COUNTY OF CUSTER

On this 24th day of August, 1998,
before me, a notary public in and for the said State, personally
appeared DENNIS L. JAMES AND CINDY A.

STATE OF IDAHO, COUNTY OF Custer

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

INSTRUM

09
cf

EXHIBIT "A"

A portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the corner common to Sections 8, 9, 16 & 17, Township 14 North, Range 19 East, Boise Meridian, running thence West along the North boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 1320 feet to the northwest corner thereof, thence South 0° 03' East, along the West boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 89.6 feet; thence North 80° 34' East, 326.7 feet, thence South 5° 34' East, 150.2 feet thence South 37° 23' East, 124.4 feet thence South 4° 39' East, 110.5 feet, thence South 17° 34' West, 158.0 feet, thence South 20° 45' East, 309.0 feet to the REAL POINT OF BEGINNING, and running thence South 49° 07' East, 80.53 feet to a point on the North boundary line of existing road right of way; thence South 40° 53' West, 30.0 feet; thence South 49° 07' East, 30.43 feet; thence South 89° 14' West, 281.76 feet; thence North 0° 03' West, 190.15 feet; thence North 89° 14' East, 182.23 feet; thence South 20° 45' East, 100.00 feet to the REAL POINT OF BEGINNING. Subject to an easement 30 feet in width; Commencing at the Section corner to said Sections 8, 9, 16 & 17, thence South, 729.0 feet; thence South 75° 05' West, 775.0 feet; thence North 49° 07' West, 30 feet, more or less, thence returning on a course of 30 feet North and West and parallel to the above right of way boundary.

A parcel of land located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of said Section 17, a distance of 1193.97 feet on a bearing of South 44° 29' 12" West, thence South 49° 07' 00" East, 80.53 feet to the REAL POINT OF BEGINNING, thence South 49° 07' 00" East, 1.36 feet to a point on the Westerly right of way of county road;
thence a distance of 13.78 feet along a curve concave to the Northeast having a radial of North 74° 21' 00" East, 57.00 feet and a central angle of 13° 51' 17" along said right of way;
thence South 29° 30' 18" East, 177.77 feet along said right of way
thence South 89° 14' 00" West, 372.14 feet;
thence North 00° 03' 00" West, 126.91 feet;
thence North 89° 14' 00" East, 281.76 feet;
thence North 49° 07' 00" West, 30.43 feet;
thence North 40° 53' 00" East, 30.00 feet to the REAL POINT OF BEGINNING.

I, David J. Couch, Registered Professional State of Idaho, do hereby certify that the this plat was performed by me in accordance State of Idaho, in June 1987.

Hand 8/2

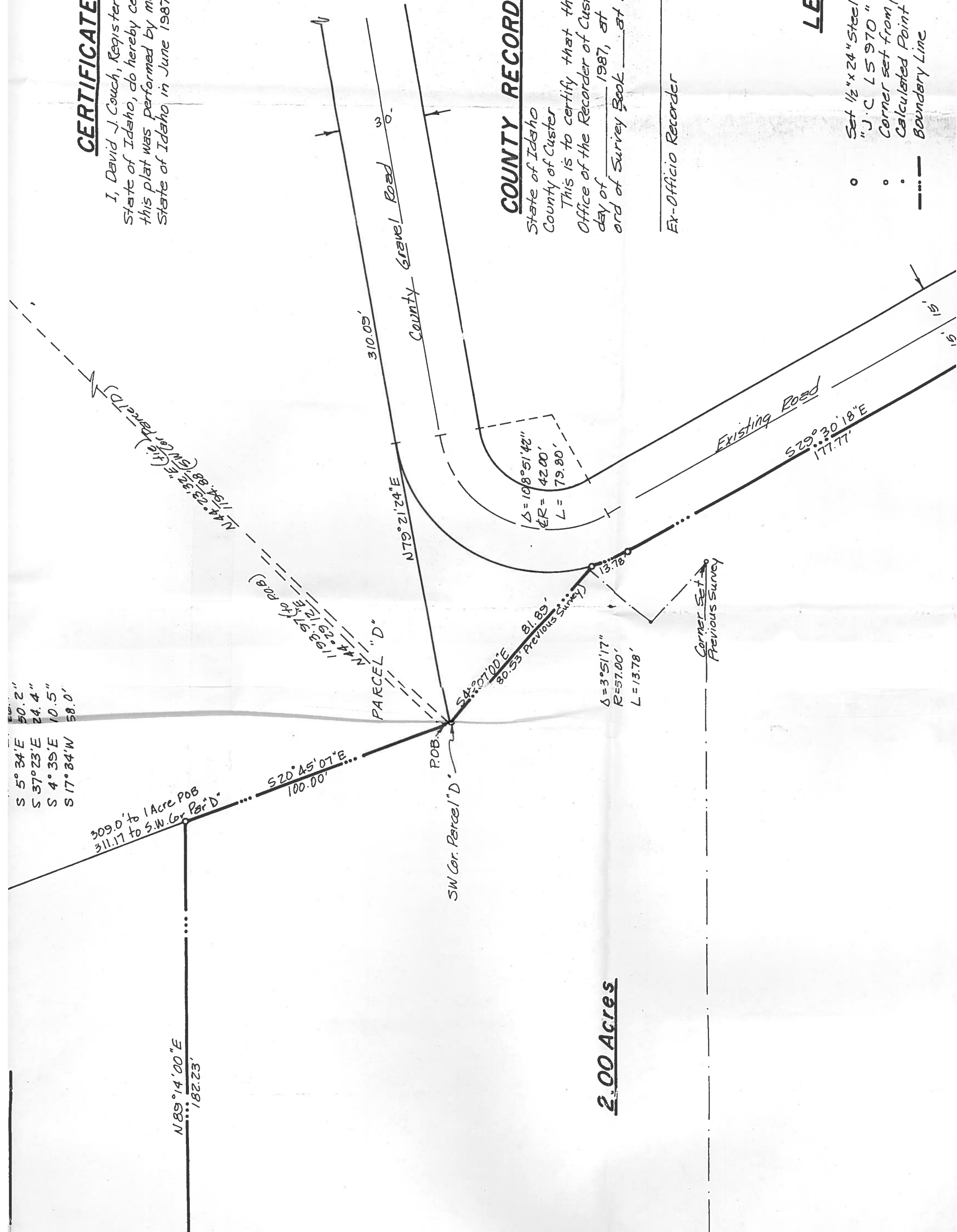
COUNTY RECORDER'S CE

This is to certify that the foregoing plat of the
Office of the Recorder of Custer County, Idaho
day of 1987, at m. and day
ord of Survey Book at Page at

Ex-Officio Recorder

LEGEND

- Set 1/2" x 24" Steel Bar with Plate
- " J.C. L.S. 970 "
- Corner set from previous survey
- Calculated Point - point not set
- Boundary Line



T. 14 N., R. 19 E.,
S. 10

N 89° 14' 00" E
182.23'

- S. 0° 03' E. 63.6"
- N. 80° 34' E. 326.7"
- S. 5° 34' E. 150.2"
- S. 37° 23' E. 124.4"
- S. 4° 35' E. 110.5"
- S. 17° 34' W. 158.0"

309.0' to 1 Acre POB
311.17 to S.W. Cor. Parcel "D"

S 20° 45' 07" E
100.00'

SW Cor. Parcel "D"

S 4° 07' 00" E
80.53' Previous Survey

$\Delta = 3° 51' 17"$
 $R = 57.00'$
 $L = 13.78'$

Corner Set
Previous Survey

S 89° 14' W
to Dead POB 1320.00'

0 17 16 Brass Cap
N 82° 57' 43" E
(Basis of Bearing)

CERTIFICATE OF SURVEYOR

I, David J. Couch, Registered Professional Land Surveyor of Idaho, do hereby certify that the survey represented by this plat was performed by me in accordance with the laws of the State of Idaho in June 1987.

David J. Couch
8/23/87

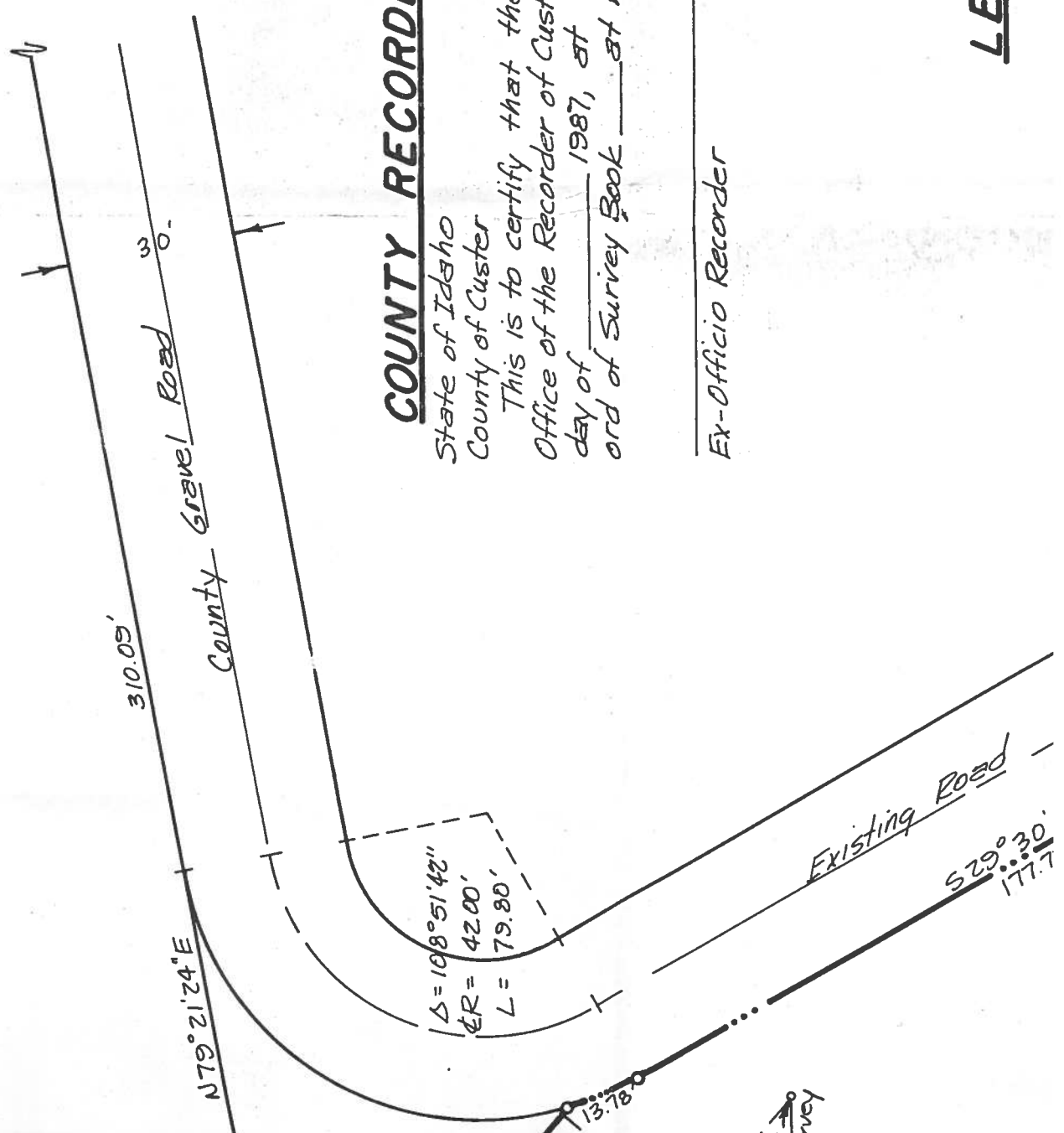
COUNTY RECORDER'S CERTIFICATE

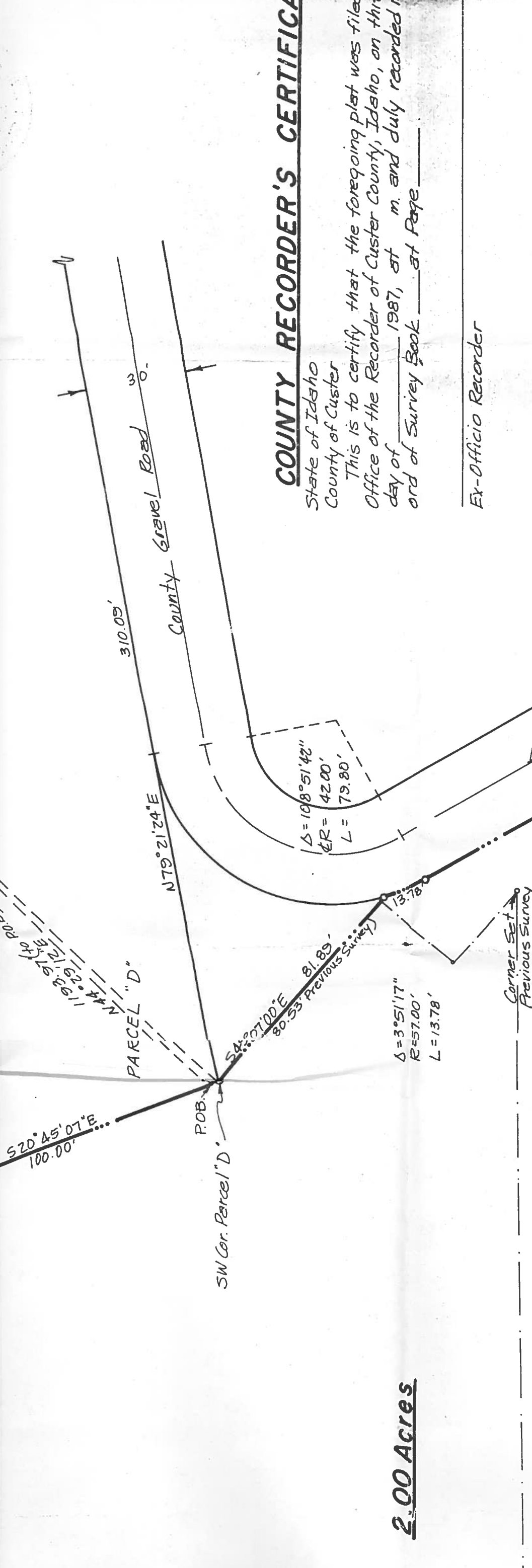
State of Idaho
County of Custer
This is to certify that the foregoing plat was filed in the Office of the Recorder of Custer County, Idaho, on this day of _____ 1987, at _____ m. and duly recorded in Book _____ at Page _____

Ex-Officio Recorder

2.00 Acres

LEGEND





COUNTY RECORDER'S CERTIFICATE

State of Idaho
 County of Custer
 This is to certify that the foregoing plat was filed
 Office of the Recorder of Custer County, Idaho, on the
 day of _____ 1987, at _____ m. and duly recorded in
 Book _____ at Page _____

Ex-Officio Recorder

LEGEND

- Set 1/2"x24" Steel Bar with Plastic Cap m.
- "J.C. L.S. 970"
- Corner set from previous survey
- Calculated Point - point not set
- Boundary Line



Johnston & Couch
 engineers & surveyors
 salmon · idaho

2.00 Acres

372.14'
 S 89° 14' 00" W

in E²NE⁴ Section 17, T.14N., R.19E.,
B.M., Custer County, Idaho

589°14'W 1320.00'
to Deed POB

S.0°03'E 89.6'
N.80°34'E 326.7"
S.5°34'E 150.2"
S.37°23'E 124.4"
S.4°39'E 110.5"
S.17°34'W 158.0'

309.0' to 1 Acre POB
311.17' to S.W. Cor. Parcel "D"

N.89°14'00"E
182.23'

S.20°45'07"E
100.00'

PARCEL "D"

SW Cor. Parcel "D"

S.4°07'00"E 81.89'
80.53' Previous Survey

2.00 Acres

Δ = 3°51'17"
R = 57.00'
L = 13.78'

Corner Set
Previous Survey

1" = 30'

019
1716

589°14'W

to Deed POB 1320.00'

CE
I, David J.
State of Idaho,
this plat was
State of Idaho

N.44°23'32"E (116°)
1134.88' (SW Cor. Parcel "D")

N.44°23'32"E (116°)
1134.88' (POB)

N.79°21'24"E
310.09'

190.15'

317.06'

N.00°00'00"W

COUNTY
State of Idaho
County of Custer
This is to certify
Office of the Recorder
day of
month of Survey

Ex-Officio Recorder

Existing Road

S.29°30'17"E
177.7'

Δ = 108°51'42"
R = 42.00'
L = 79.80'

COL
State of
County of
This
Office of
day of
and of

Ex-Officio



2.00 Acres

Scale 1"=30'



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 12, 1999

DONALD W PETERS
DEBRA J PETERS
PO BOX 766
CHALLIS ID 83226

RE: SRBA Claim(s) 72-10059
Decreed Water Right 72-10060

Dear Mr. and Mrs. Peters:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 21 1998
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).: R 72-10059, 72-10060
Adjudication Claim No(s).: _____

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 Dennis & Lindy James
PO Box 308, Challis, Idaho 83226

4. New Owner/Claimant(s) Donald W. & Debra J. Peters
New Mailing Address P.O. Box 766
City, State and ZIP Code Challis, Idaho 83226
New Telephone Number (208) 879-4394

5. Date you acquired the property 8/24/98

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 2 Number and type of stock 2 COWS
 Diversion rate in CFS .04 Number of homes 1 Other uses none

 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) Donald W. Peters 12/18/98
Debra J. Peters
(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..

C21643

WARRANTY DEED

For Value Received DENNIS L. JAMES AND CINDY A. JAMES, husband and wife

The grantors, do hereby grant, bargain, sell and convey unto
DONALD W. PETERS AND DEBRA J. PETERS, husband and wife.
the grantees, whose current address is

the following described premises, in CUSTER

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee that they the owner in fee simple of said premises; that they are free
from all incumbrances

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

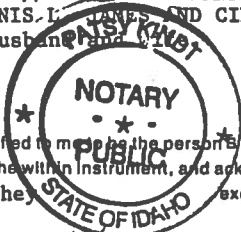
Dated: AUGUST 24, 1998

Dennis L. James
DENNIS L. JAMES

Cindy A. James
CINDY A. JAMES

STATE OF IDAHO, COUNTY OF CUSTER

On this 24th day of August, 1998,
before me, a notary public in and for the said State, personally
appeared DENNIS L. JAMES AND CINDY A.
JAMES, husband and wife.



known or identified to me to be the persons whose names
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Patricia Kinsell
Challis

Notary Public
Idaho

Residing at
Comm. Expires 3/12/2004

STATE OF IDAHO, COUNTY OF Custer

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

at 5 minutes past 2 o'clock P. M.,
this 24th day of August
1998, in my office, and duly recorded in Book
of Deeds at Page

Ethel M. Peck

Ex-Officio Recorder

By *Wanda J. Murphy*

Deputy.

Fees \$3⁰⁰
Mail to:

INSTRUMENT NO.

29

A

EXHIBIT "A"

A portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the corner common to Sections 8, 9, 16 & 17, Township 14 North, Range 19 East, Boise Meridian, running thence West along the North boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 1320 feet to the northwest corner thereof, thence South 0° 03' East, along the West boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 89.6 feet; thence North 80° 34' East, 326.7 feet, thence South 5° 34' East, 150.2 feet thence South 37° 23' East, 124.4 feet thence South 4° 39' East, 110.5 feet, thence South 17° 34' West, 158.0 feet, thence South 20° 45' East, 309.0 feet to the REAL POINT OF BEGINNING, and running thence South 49° 07' East, 80.53 feet to a point on the North boundary line of existing road right of way; thence South 40° 53' West, 30.0 feet; thence South 49° 07' East, 30.43 feet; thence South 89° 14' West, 281.76 feet; thence North 0° 03' West, 190.15 feet; thence North 89° 14' East, 182.23 feet; thence South 20° 45' East, 100.00 feet to the REAL POINT OF BEGINNING. Subject to an easement 30 feet in width; Commencing at the Section corner to said Sections 8, 9, 16 & 17, thence South, 729.0 feet; thence South 75° 05' West, 775.0 feet; thence North 49° 07' West, 30 feet, more or less, thence returning on a course of 30 feet North and West and parallel to the above right of way boundary.

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thence a distance of 13.78 feet along a curve concave to the Northeast having a radial of North 74° 21' 00" East, 57.00 feet and a central angle of 13° 51' 17" along said right of way;
thence South 29° 30' 18" East, 177.77 feet along said right of way
thence South 89° 14' 00" West, 372.14 feet;
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thence North 89° 14' 00" East, 281.76 feet;
thence North 49° 07' 00" West, 30.43 feet;
thence North 40° 53' 00" East, 30.00 feet to the REAL POINT OF BEGINNING.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 12, 1999

DONALD W PETERS
DEBRA J PETERS
PO BOX 766
CHALLIS ID 83226

RE: SRBA Claim(s) 72-10059
Decreed Water Right 72-10060

Dear Mr. and Mrs. Peters:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

\$52

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 SHASE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-10059
Date Received: ~~11/15/1989~~ 5/18/90
Receipt No: 0023937 002418
Received By: ret B

RECEIVED
APR 27 1992

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS L. JAMES 208-879-4258
Address: P.O. BOX 308
CHALLIS, ID 83226

AND/OR

Name: CINDY A. JAMES 208-879-4258
Address: P.O. BOX 308
CHALLIS, ID 83226

2. Date of Priority: FEB 27, 1909

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	7	SE	SE	NW		CUSTER

5. Description of diverting works:
HIGHLINE DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-10059

Page 1

Date: 11/15/89

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	17	SE NE		IRR	2.0
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:

ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS
DECREED TO T. GARY PECK.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

WARRANTY DEED

For Value Received GARY PECK and LORETTA PECK, husband and wife,

the grantor s. do hereby grant, bargain, sell and convey unto PATRICK A. MOYGA, a single man,

the grantee s. whose current address is Challis, Idaho 83226,

the following described premises, in Custer County Idaho, to-wit:

A fraction of the SE1/4SE1/4, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO THE FOLLOWING RESTRICTIONS AND RESTRICTIVE COVENANTS:

See Exhibit "B" attached hereto and made a part hereof.

Along ditch to property North

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 they are the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: January 15, 1981.

[Signature]
[Signature]

STATE OF IDAHO, COUNTY OF CUSTER
 On the 23rd day of January, 1981.
 before me, a Notary Public in and for the said State, personally appeared GARY PECK and LORETTA PECK, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature] Notary Public
 My Comm. Expires 1986
 Witness at Challis, Idaho

STATE OF IDAHO, COUNTY OF Custer
 I hereby certify that this instrument was filed for record at the request of Custer County Title

at 10:45 minutes past 11:00 o'clock A.M.
 this 23rd day of January, 1981, in my office, and duly recorded in Book of Deeds at Page

[Signature]
 Notary Public

By *[Signature]* Deputy
 Fees \$ *[Signature]*
 Mail to: CBT

A fraction of Boise Meridian

Containing an
 thence West
 South 0°03' 1
 described in
 as instrument
 South 0°03' 1
 North 89°14' 1
 line of said
 North 20°45' 1
 North 17°34' 1
 North 4°39' 1
 North 37°23' 1
 North 5°34' 1
 South 80°34' 1

TOGETHER WITH
 An easement
 commencing at
 generally in
 existing ditch
 of that cert.
 Club Road.

JAMES E. BENNETT
 ATTORNEY AT LAW
 202 N. 2ND ST.
 CHALLIS, IDAHO 83226
 TEL. (208) 876-6666

MICROFILMED
 MAR 18 1993

EXHIBIT "A"

A fraction of the NE 1/4, Section 17, Township 14 North Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Northeast corner of Section 17, said Township and Range; thence West along the Section line 1,320 feet; thence South 0°03' East, 89.60 feet to the Northwest corner of the land described in the Deed to Gary Peck, et. al., recorded April 6, 1971, as instrument No. 135211, records of Custer County, Idaho; thence continuing South 0°03' East, 546.81 feet; thence North 69°14' East, 405.77 feet, more or less to a point on the Eastern line of said Peck land; thence North 20°45' West, 91.77 feet; thence North 17°34' East, 158.00 feet; thence North 4°39' West, 110.50 feet; thence North 37°23' West, 124.40 feet; thence North 5°34' West, 150.20 feet; thence South 80°34' West, 326.70 feet to the True Point of Beginning.

TOGETHER WITH AGRICULTURAL EASEMENT, 1/4 SECTION 17, T14N, R19E, B1M, IDAHO. An easement for a road and power line, 1/4 Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows: Commencing at the NE Corner of Section 17, said Township and Range; thence generally in a North-Northeast direction, more or less, to the existing ditch; thence generally in a North-Northeast direction, more or less, to the True Point of Beginning.

1. Grantees livestock upon the premises for any single acre for any single type are to be used for commercial purposes.

2. The property shall be used for commercial purposes maintained and used for commercial purposes.

3. All items located or stored on the premises shall be located or stored on the premises, trees or other improvements.

4. There shall be no improvements which would fall into any of the following categories: a) trees, b) mobile homes, c) dwellings, d) any other improvements.

In the event of dispute, the more restrictive provisions shall control.

5. These covenants shall terminate and cease upon the unanimous approval of the parties.

MICROFILMED
MAR 18 1993

DECLARED AND LICENSED RIGHTS ON CHALLIS CREEK, CUSTER COUNTY, IDAHO
 WATER DISTRICT NO. 72-C October 20, 1978

MICROFILMED
 MAR 18 1993

Decreed to:	Present Owner	Priority Number	Cubic Ft./Sec.	Date	Diversion	Place of Use	Sec.	Twp. North	Range East
ARTHUR WILKINSON WILLIAM KLUG ROUND VALLEY IRR. CO., LTD. & F.L.B. OF SPOKANE BY DEED 23-455 TO CLEAR TITLE JAMES H. HAWLEY CLYDE A. GREEN & ETHEL B. PHILIPS	ROBERTA GREEN CHALLIS, IDAHO 83226	72-0020-A 72-0026-A 72-0032-G-4	.472 2.086 .600	2/27/1909 9/17/1910 7/22/1910	CHALLIS CREEK " CH. CR. (HIGH LINE)	FR. E2NE1/4 (23.6A) FR. H.E.S. NO. 92 (146.56A) FR. NE1/4 (40.0A)	17 28 28	14 14 14	19 17 19
		72-2015-F-1 72-2147-F	1.154 A.F. 14.446	7/10/1909 7/18/1946	" " CH. CR. LAKES	N1/2 (60.0A) FR. S1/2 (5.725A) FR. SE1/4 (23.6A)	26 17	14 14	19 19
ARTHUR WILKINSON ROUND VALLEY IRR. CO., LTD. JAMES H. HAWLEY CLYDE A. GREEN & ETHEL B. PHILIPS	JOHN SMITH CHALLIS, IDAHO 83226	72-0020-B 72-0032-L-E 72-2015-F-4 72-2147-A	.100 .270 .270 A.F. 3.061	2/27/1909 7/22/1910 7/10/1909 7/18/1946	CHALLIS CREEK CH. CR. (HIGH LINE) " CH. CR. LAKES	FR. NE1/4 (5.0A) FR. NE1/4 (13.5A) FR. S1/2 (39.69A) FR. NE1/4 (5.0A)	17 28 28 17	14 14 14 14	19 19 19 19
ARTHUR WILKINSON CLYDE A. GREEN & ETHEL B. PHILIPS	DANNIE A. STRAND CHALLIS, IDAHO 83226	72-0020-D 72-2147-C	.471 A.F. 14.422	2/27/1909 7/18/1946	CHALLIS CREEK CH. CR. LAKES	FR. SE1/4 (23.50A) FR. SE1/4 (23.50A)	17 17	14 14	19 19
ARTHUR WILKINSON CLYDE A. GREEN & ETHEL B. PHILIPS	T. GARY PECK CHALLIS, IDAHO 83226	72-0020-E 72-2147-D	.540 A.F. 16.521	2/27/1909 7/18/1946	CHALLIS CREEK CH. CR. LAKES	FR. E2NE1/4 (26.99A) FR. E2NE1/4 (26.99A)	17 17	14 14	19 19
ARTHUR WILKINSON CLYDE A. GREEN & ETHEL B. PHILIPS	JACK HARDY CHALLIS, IDAHO 83226	72-0020-F 72-2147-E	.294 A.F. 8.998	2/27/1909 7/18/1946	CHALLIS CREEK CH. CR. LAKES	FR. S1/2 (6.09A) FR. NE1/4 (8.61A) FR. S1/2 (6.09A) FR. NE1/4 (8.61A)	8 17 8 17	14 14 14 14	19 19 19 19
ARTHUR WILKINSON CLYDE A. GREEN & ETHEL B. PHILIPS	ROBERT POLSON BOX 283 A. RT. #1 FURGETT IDAHO 83219	72-0020-H 72-2147-H	.100 A.F. 3.067	2/27/1909 7/18/1946	CHALLIS CREEK CH. CR. LAKES	FR. E2NE1/4 (5.01A) FR. E2NE1/4 (5.01A)	17 17	14 14	19 19

N
N

35'
T 15 N
T 14 N

(TWIN PEAKS SE)



approx.
location
of 2 ac.
tract.

32'30"

Sewage Disposal
Ponds

Challis
Airport

MICROFILMED
MAY 18 1993

16. Signature(s)

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

Number of attachments: 4

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): Dennis L James Date: 11-15-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of November 19 _____

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires December 1, 1994



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

February 13, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MR. DENNIS JAMES
PO BOX 308
CHALLIS, ID 83226

RE: Snake River Basin Adjudication - Custer County
Notice of Claim #A72-10059 and #A72-10060

Dear Mr. James:

Our records indicate you met with an IDWR agent on November 15, 1989 and a notice of claim to a water right was developed, but has not been filed as of this date.

Enclosed for your convenience is a computer generated notice of claim for each claim number listed above. If the claim(s) represent water rights which you own, and have not otherwise been claimed, these claim(s) must be completed and returned for these rights to be considered by the court in decreeing the water rights for the basin. If you wish to have these rights considered in the SRBA process, please return your notice of claim and filing fees to this office by May 1, 1992.

If the notice of claim correctly describes your water right as you wish to claim it, then all you need to do is:

1. Sign the notice of claim on the signature blanks at the end of the notice and have your signature(s) notarized.
2. Enclose the appropriate filing fees as described below and return to this office.

Since your notice of claim was not received at IDWR by your county deadline, Idaho Code 42-1409(8) requires late fees be assessed at \$50.00 or 15% of the original filing fee, whichever is greater, per claim. If you feel you have a compelling reason for not complying with your county deadline, please contact our office.

The appropriate filing fee for all enclosed notice of claim forms would be \$177.00 (\$77.00 filing fee, plus \$100.00 late fee).

Thank you for your cooperation in this matter. If you have any questions or concerns do not hesitate to contact this office at 1-800-451-4129.

Yours truly,

Anna Baumhoff
Sr. Water Rights Agent

Enc: Notice of Claim
#A72-10059 and #A72-10060

MICROFILMED

MAR 18 1993

RECEIVED
APR 27 1992

Date Received _____

Department of Water Resources

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

DENNIS L. JAMES (208) 879-4258
Name of Claimant Phone Number

P.O. Box 308 Challis ID 83226
Mailing Address City State Zip

CLUSTER 1-12-90
County(s) where place of use is located Date claim originally due

A72-10059 AND A72-10060
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

ON NOVEMBER 15, 1989 I MET WITH MS. HARRINGTON HERE IN CHALLIS
TO FILE CLAIMS FOR WELL AND IRRIGATION ON OUR TWO ACRE PARCEL. AFTER
THE MEETING, I HAD THE MISTAKEN UNDERSTANDING I WOULD BE RECEIVING
SOME ADDITIONAL FORMS TO SUBMIT. MS. BAUMHOFF WAS EXTREMELY HELPFUL AND
INFORMATIVE BOTH IN LETTER AND ON THE PHONE TO FULLY EXPLAIN MY IGNORANCE.
PLEASE ACCEPT MY CHECK, WITH CLAIMS, AND MY THANKS FOR TAKING THE TIME
Claimant requests an extension to _____, 19 _____
TO CONSIDER THIS REQUEST.

Dennis L James 4-21-92, 19 _____
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [_____ granted] [X denied] for the following reasons:

Proper notice was mailed to this address on 9/18/89.

and if granted the filing deadline is extended to _____, 19 _____

Signed this 27 day of April, 19 92

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

Director or his designated agent
DAVID B. SHAW

MICROFILMED

MAR 18 1993



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

May 4, 1992

Dennis L. James
P.O. Box 308
Challis, ID 83226

RECEIVED
MAY 18 1992

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A72-10060 & A72-10059

Department of Water Resource

Dear Mr. James:

As you know, your Request for Extension of Time to File an Adjudication Claim was denied, and you have not paid the required late fee.

We will suspend the processing of your claims for 14 days (May 18, 1992) from the date of this letter until late fees in the amount of \$100.00 (\$50.00 per claim) are paid. Without payment after that time, your claims will be returned and the money you have paid will be refunded. Please enclose a copy of this letter with your late fee.

Please contact this office if you have any questions or concerns.

Sincerely,

Anna Baumhoff
Sr. Water Resource Agent
Adjudication Bureau

ALB:sf:state:south:tf

Enclosure:

Copy of This Letter

MICROFILMED

MAR 18 1993

AJ5809NP
No. R72-10059

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/12/9
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD W PETERS	02/27/1909	IRRIGATION	04-01 10-31	0.04 CFS	
C	DEBRA J PETERS					
	PO BOX 766			TOTAL DIVERSION:	0.04 CFS	
	CHALLIS ID 83226					
	(208) 879-4394					

Water Source: CHALLIS CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T14N R19E S07 Lot10(SWNWNW)
Point(s) of Re-diversion: T14N R19E S17 SESWNE

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
14N	19E	17	:	02														:	2.0	
																			TOTAL ACRES	2.0

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
RE-DIVERSION DESCRIBED ABOVE: 72-00020F, 72-00020N, 721-00020Q,
72-10059, 72-10204.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

AJ5809NP
No. R72-10059

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/12/9
PAGE: 2

Comments: Date: 12/01/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS
DECREED TO T. GARY PECK.

IDWR NOTE: DECREED TO WILKINSON & SOLD TO GARY PECK. 72-00020C.
RVW 12/01/93

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/28/1998 User-ID: JROBERTS Subject: ADDED COMMON RE-DIVERSION REMARK
ADDED COMMON RE-DIVERSION REMARK IN EXP.

Date: 01/04/1999 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED JAMES TO PETERS PER 1409(6) AND WARRANTY DEED
REC'D 12/21/98.

Audit: 10/28/92 WORSTELL 12/01/93 WORSTELL 03/30/95 POST-STD 11/06/98 JROBERTS
11/21/98 AJU10-DS 12/28/98 JROBERTS 01/04/99 TFAWCETT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CINDY A JAMES	02/27/1909	IRRIGATION	04-01 10-31	0.04 CFS	
C	DENNIS L JAMES					
TOTAL DIVERSION:					0.04 CFS	

Water Source: CHALLIS CREEK Tributary to: SALMON RIVER Stage: DECREED

Point(s) of Diversion: T14N R19E S07 Lot10(SMNMW)
Point(s) of Re-diversion: T14N R19E S17 SESME CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NENE	NENE	NENE	NENE	
	14N 19E 17	02			
TOTAL ACRES					2.0

POU County: CUSTER

Other Rights: NONE

- Conditions of Approval:
- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF RE-DIVERSION DESCRIBED ABOVE: 72-00020F, 72-00020N, 721-00020Q, 72-10059, 72-10204.

Dates: Exam Made Date: Verified Date: 12/28/1998 Objection Filed Date:

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

Comments:

Date: 12/01/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS
DECREED TO T. GARY PECK.

IDMR NOTE: DECREED TO WILKINSON & SOLD TO GARY PECK. 72-00020C.

RW 12/01/93

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/28/1998 User-ID: JROBERTS Subject: ADDED COMMON RE-DIVERSION REMARK
ADDED COMMON RE-DIVERSION REMARK IN EXP.

Audit: 12/28/98 JROBERTS

November 20, 1998

RECEIVED
DEC 21 1998
Department of Water Resources

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-10059

CINDY A JAMES
DENNIS L JAMES
PO BOX 308
CHALLIS ID 83226

*change in
ownership
filed w/ Twin Falls
on 12/18/98 (mail date)*

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*Donald Peters
PO Box 766
Challis, ID
83226-2*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/18/98 SIGNATURE: Donald W. Peters
Please print your name: Donald W. Peters

DATE: 11/06/98
PAGE: 1

Stage: DECREED

CUSTER County
CUSTER County

ME

	SE	:	
E	SNSE	:	
C	Lt Ac Lt Ac	:	SUM
-	-	:	--
TOTAL ACRES		:	2.0
		:	2.0

Other Rights: NONE

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Objection Filled Date:

Field Inspection Flag:
Presumption Flag:

CLAIM NUMBER72-10059

DATE10/12/98

TRANSFER NUMBER

AGENT

CLAIMED ACRE TOTAL2

GIS ACRE TOTAL2

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	14N	19E	17				2												
GIS	14N	19E	17	2															
RECOM	14N	19E	17	2															
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

188

B72-DBPOD.SHP

NOS. DESCRIPTION

3 14N, 19E, 07 SWNW NW (10)

103 14N, 19E, 17 SE SW NE

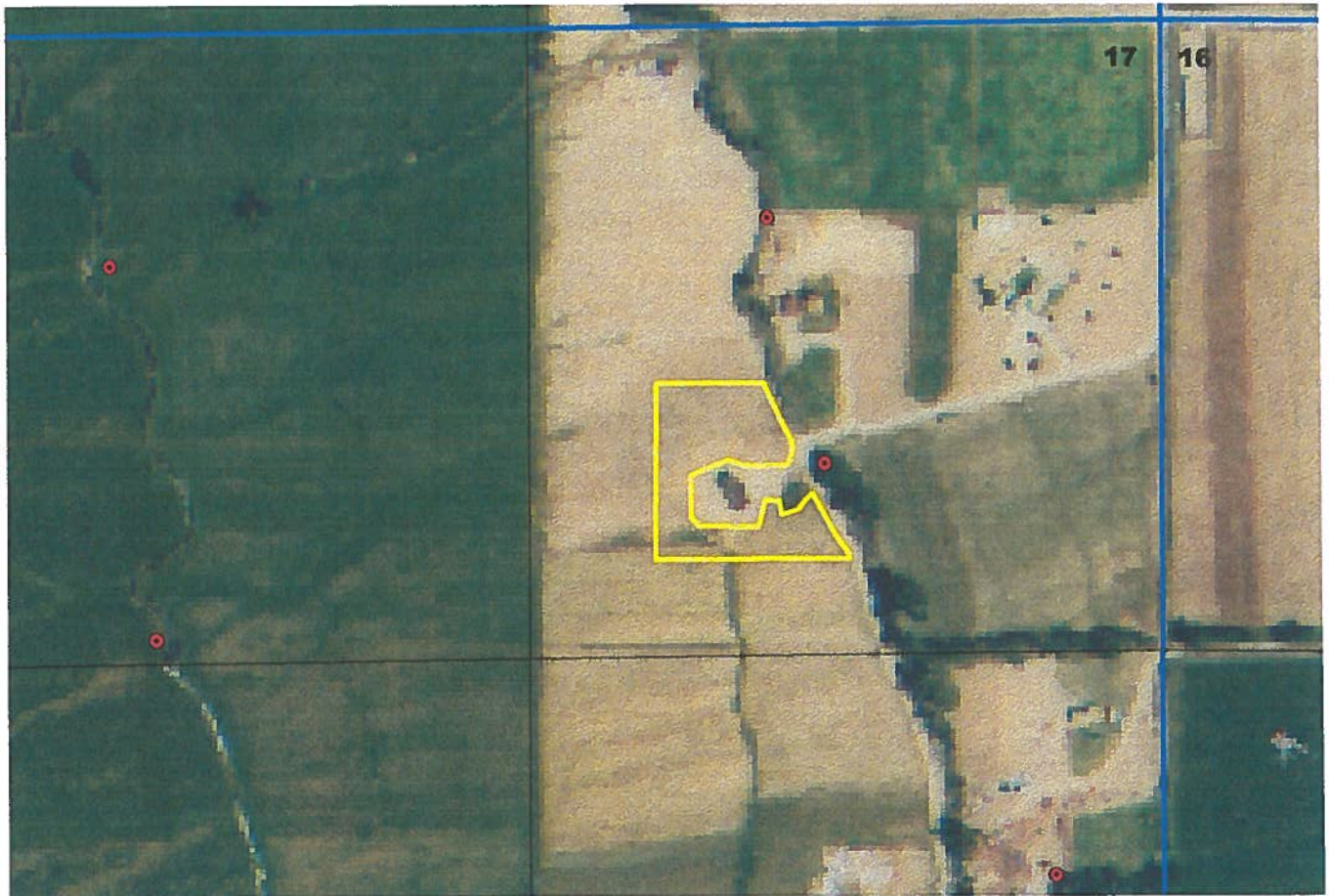
DBF TABLES UPDATED

B72-DBPOU.DBF ✓

B72-DBPOD.DBF ✓

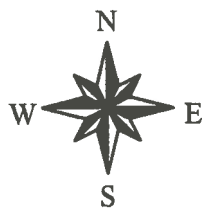
IDAHO DEPARTMENT OF WATER RESOURCES

72-10059
DENNIS & CINDY JAMES



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 12, 1998
TWP 14N, 19E, SEC . 17



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

NOV 01 1994

Water Right Number - R72-10059

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + - - - - First Name - - - + - - - - Address - - - - +
 *** C - CURRENT OWNER ***
 JAMES DENNIS L.

JAMES

CINDY A.

1 - P.O. BOX 308
 2 -
 3 -
 City- CHALLIS
 Phone - 208-879-4258
 1 - P.O. BOX 308
 2 -
 3 -
 City- CHALLIS
 Phone - 208-879-4258
 State- ID Zip- 83226

+ - - Priority Date - - + - - - - Region - - - + - - - Stage - - - + - - - Status - - - +
 02/27/1909 17 SOUTHERN D - DECREED

+ - - Source - - - - - + - - - Tributary - - - - - +
 CHALLIS CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
 Twn Rng Sec Tract Lot RFlg County
 14N 19E 7 NW SW NW 2 (37) CUSTER HIGH LINE CANAL
 17 SE SW NE (37) CUSTER

+ - - - - Water Use - - - - - +
 Code Description Period From Period To Diversion Rate Diversion Volume
 01 - IRRIGATION 04/15 10/15 0.040
 + - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
 0.040 5.0

+ - - - - Place of Use - - - - - +
 Twn Rng Sec Tract Lot Acres Code Description County
 14N 19E 17 NE NE 2.0 01 IRRIGATION (37) CUSTER

Total Acres: 2.0

+ - - Diversion Means - HIGHLINE DITCH TO DIVERSION TO DITCH FOR GRAVITY FLOW IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
 DIVERSION DESCRIBED ABOVE: 72-00004J, 72-00004K, 72-00004L,
 72-00004N, 72-00006A, 72-00020F, 72-00020G, 72-00020H, 72-00020J,

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NOV 01 1994

Water right number - R72-10059

Prefix Translation: RESEARCH

72-00020L, 72-00020N, 72-00032G, 72-00032L, 72-10263 & 72-10267.
WATER IS DELIVERED THROUGH THE HIGH LINE CANAL.

No Old Water Right Numbers Found

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Date: 12/01/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
DECREED TO T. GARY PECK.

THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS

IDMR NOTE: DECREED TO WILKINSON & SOLD TO GARY PECK. 72-00020C.

RWM 12/01/93

Audit Fields
12/01/93 WORSTELL

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 12/01/1993	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/18/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C024182	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
NOV 01 1994

LAST: JAMES
ADDRESS: P.O. BOX 308
CITY: CHALLIS
PHONE NUMBER: 208-879-4258
OWNER CODE: C

FIRST: DENNIS L.
STATE: ID ZIP: 83226
ID ZIP: 83226

ST: JAMES
ADDRESS: P.O. BOX 308
CITY: CHALLIS
PHONE NUMBER: 208-879-4258
OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER

CLAIM REMARKS: ATTACHMENTS: WARRANTY DEED, MAP, WATER DISTRICT EXTRACT.
THIS CLAIM IS BASED ON A PORTION OF A DECREED RIGHT WHICH WAS
DECREED TO T. GARY PECK.

MICROFILMED
NOV 01 1994

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: H/A-10002

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: 6/23/93 APPOINTMENT MADE: Y(____) N(✓)

TIME: _____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

*Irrigation of Pasture areas and yard.
Gravity Irrigation - by flooding*

MICROFILMED

NOV 01 1994

A. AJ CLAIM: # A72-10059

PRIORITY DATE: 02-27-1909

STAGE: D

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
NARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

Claim is based on a decree
Decreed right 72-000202 is pertinent to this area
and under claimed
Priority date of 72-000202 is Feb 27, 1909

RECOMMENDED PRIORITY DATE:

2-27-1909

REVIEWED BY

A.V. 21

DATE

12/1/93

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-10059	14N	19E	7	SE	SE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A72-10272
A72-10276

WR RECORDS IN SAME 40 ACRE TRACT

72-00002A
72-00002B
72-00009A
72-00009B
72-00011D
72-00021
72-00022A
72-00022B
72-04087
72-04163

SOURCE: CHALLIS CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)DATABASE
YFIELD
EXAMINER
N

MARKS:

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4		LOT	COUNTY
TWP.	RGE.	SEC.			
14N	12E	7	NW	2	CUSTER
			SE		
SOURCE: Challis Creek		TRB:	NW		
REVIEWED BY: [Signature]			SE		
		DATE:	Salmon River		
			12/1/93		

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A. ROOT WATER RIGHT NUMBERS: A72-10059

B. FOU LISTING

TRP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	REMARKS
14N	19E	17	SE	NE		JAMES, DENNIS L.	A72-10059 / 7.2.0	-	-	2	
			SE	NE		GREEN, ROBERTA H.	A72-00020E / 20.0	-	-		
			SE	NE		WODYGA, PATRICK ALLEN	A72-10027 /	-	-		
			SE	NE		WODYGA, PATRICK ALLEN	A72-10051 / 5.0	-	-		
			SE	NE		GREEN, ROBERTA H.	A72-02147A / 20.0	-	-		
			SE	NE		GREEN, ROBERTA H.	A72-04024 / 5.0	72-04024 / 5.0	-		
			SE	NE		INSKEEP, OLIVER R.	A72-00020F / 5.0	-	-		
			SE	NE		INSKEEP, OLIVER R.	A72-10123 /	-	-		
			SE	NE		POLSON, FRANKIE J.	A72-10204 / 5.0	-	-		
			SE	NE		POLSON, FRANKIE J.	A72-10205 /	-	-		
			SE	NE		GILMAN, DELMER W.	A72-10446 /	-	-		
			SE	NE		SHANNON, MICHAEL D.	A72-00004K / 7.0	-	-		
			SE	NE		GILMAN, DELMER W.	A72-00020Q / 5.0	-	-		
			SE	NE		JAMES, DENNIS L.	A72-10060 /	-	-		
			SE	NE		3 S INC.	72-00004B / 7.0	-	-		
			SE	NE		STRAND, DANNIE A.	72-00020B / 8.0	-	-		
			SE	NE		WILKINSON, ARTHUR	72-00020C / 32.0	-	-		
			SE	NE		GREEN, CLYDE A.	72-02147 / 40.0	-	-		
			SE	NE		GREEN, ROBERTA HELEN	72-04087 / 7.0	-	-		
TOTAL ACRES							A72-10059	2.00	40.00		2

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (✓)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DATABASE Y

POU COUNTY: CUSTER

DUE TO FOU DISCREPANCY? (Y/N)

Copy of Assessor's Ownership Plot shows this property is in the NE 1/4 NE 1/4 of Sec. 17 - see attached copy

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PRESUMPTION FLAG:

REMARKS:

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RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

2
P.L. 28

12/1/93

A. AJ CLAIMED USES:

PURPOSES
A72-10059 IRRIGATIONMONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
".040 CFS
".040 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

C. PRESUMPTION FLAG:

D. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)DATABASE EXAMINER
Y Y
Y Y
N N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

*New Standard Period of Use*Y() N()
Y() N()

Explain in remarks, below.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE:
WR ROOT RIGHT TOTAL DIVERSION RATE:

0.040 CFS
CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y ☒ N ☐
FIELD
DATABASE EXAMINER

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-10059	CHALLIS CREEK	JAMES DENNIS L.	0.040	0.020		
A72-00004K	CHALLIS CREEK	SHANNON MICHAEL D.	0.360	0.020		
A72-00020E	CHALLIS CREEK	GREEN ROBERTA H.	0.480	0.020		
A72-00020F	CHALLIS CREEK	INSKEEP OLIVER R.	0.100	0.020		
A72-00020R	CHALLIS CREEK	GILMAN DELMER W.	0.100	0.020		
A72-02147A	CHALLIS CREEK LAKE	GREEN ROBERTA H.			126.00	5.25
A72-04024	GROUNDWATER	GREEN ROBERTA H.	0.780	0.156		
A72-10051	DRAIN DITCH (HIGHLINE CANAL)	WODYGA PATRICK ALLEN	0.100	0.020		
A72-10204	CHALLIS CREEK	POLSON FRANKIE J.	0.100	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10027	DOMESTIC	WODYGA, PATRICK ALLEN	FROM 01-01 TO 12-31	.040 CFS	

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NOV 01 1984

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 $\times$ 0.02 CFS/ACRE = 0.04 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(✓)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 5.0 AF/A

ACRES 2 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 5.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A N/A

ACRES 2 $\times$ DIVERSION VOL. AF/A FOR AREA 2.5 =

TOTAL DIVERSION VOLUME 5.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CES

REC. DIV
VOL. AE/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

Irrigation

4/15 10/15

0.04

N/A

5.0

TOTAL FOR THIS RIGHT

0.04

5.0

REVIEWED BY:

AS-24.24

DATE:

12/1/93

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NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. APPROVACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-10059

DATABASE

EXAMINER

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT
NUMBERSCURRENT
CLAIM NUMBERSDIVERSION
RATECURRENT "R"
CLAIM NUM."R" DIV.
RATEWR RIGHT
NUMBERSDIVERSION
RATE

A72-10059

0.040

TOTAL CFS

0.040

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)DATABASE
NFIELD
EXAMINER
X
Y

REMARKS:

See attached review by ALB 3/24/92
with this claim added

AUTHENTICATION:

SIGNATURE:

Robert D. Monstrell

DATE:

12/1/93

NAME OF FIELD EXAMINER:

Robert Monstrell

TITLE:

Sr Adjudication Agent

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NOV 01 1994

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED WHOM/DATE
PRIORITY DATE	Y		<i>R.L.W. 6/23/93</i>	N		<i>R.L.W. 12/1/93</i>	<i>R.L.W. 12/1/93</i>	
POINT OF DIV	Y			Y	3, 5			
SOURCE	Y			N	5			
PLACE OF USE	Y			N				
DIV. AMOUNT CES/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES	Y			N				
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM	Y			Y	6			
REMARKS	Y			Y	6			

*VERIFIED BY CODES

TOPD MAP/ORTHD-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 WATER PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

BLM
 24 ID-88AC 10-92-7 7/16/1988

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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NOV 01 1993

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APR 01 1994

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APR 01 1994

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APR 01 1994

$$\begin{array}{cc} \text{N} & \text{N} \\ | & | \\ \text{O} & \text{O} \end{array}$$

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 09/09/9
Time: 14:21:4

Water Right Number: A72-00020C - 2.23 cfs
13. Remarks: AC. IRR. = 111.5.

FIRST PAGE

SEE ALSO SPLIT REF. RT. A72-00020B
THIS IS A SPLIT RIGHT AND THIS CLAIM IS FOR REFERENCE ONLY.
A72-00020E FOR 0.48 CFS R.H. GREEN
A72-10039 FOR 0.11 CFS SULLIVAN (MAY BE PART OF THIS RT.
(MAY BE PART OF 72-0004E
(SEE ALSO A72-00004B
A72-00020F FOR 0.10 CFS TO ROY INSKEEP 11/28/89 ADM
A72-00020G FOR 0.09 CFS TO RAY BURSTEDT 11/29/89 ADM
A72-00020H FOR 0.06 CFS TO B. LONGFELLOW 12-06-89 AB
A72-10204 FOR 0.10 CFS TO POLSON 12-06-89 TO
A72-00020J FOR 0.24 CFS TO JAMES, LINDA 12-7-89 AB
A72-00020K FOR 0.09 CFS TO MUEGEL, JOHN E, 12-19-89 - RVW
(A72-00020L) SEE A72-00020B
(A72-00020M) SEE A72-00020B

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

MICROFILMED
NOV 01 1994

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 09/09/9
Time: 14:22:0

Water Right Number: A72-00020C

13. Remarks: (A72-00020M) SEE A72-00020B

A72-00020N FOR 0.26 CFS JOHN W. JENSEN

A72-00020P FOR 0.10 CFS JERRY W. KNOX

A72-00020Q FOR 0.10 CFS DELMER GILMAN

A72-10051 FOR 0.10 CFS PATRICK WODYGA

TOTAL AMOUNT CLAIMED = 1.83 THIS RIGHT HAS BEEN UNDER CLAIMED.

ALB 3-24-92

2.23 cfs

- 1.83 cfs

0.40

- .04 for A72-10059 Dennis James

0.36

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

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MAY 01 1994

POOF OFFICE

T14N

Approx
Scale
1"=1150'



P/D
R

High Line Canal

Ditches

20 21

17

T14N
R19E

P/U
72-10254

Challis Creek Road

BLM Aerial Photo
24 ID-88AC
10-9C-7
7/16/88
Enlarged 2X

1 2 3 4 5
21 22 23 24

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Fair 1 + Lester

Brady

27-589

26-455

19E

T87-47
David Enstent
113743

T-
Hodney E
50-
150

County Road
E + L Brady
138261

Ethel
Bips
Ph: 500-483
26-3-
35 A

Doll
T-81-52

29
PCO

N

Approx
Scale
1" = 660'

17

4810
Dennis Stent
Jay H. Stent
134927
36-258
T-75-71
T-71-73
Control
1437-12

copy of Ownership Plot
in the Custer Co. Assessor
File
Aug. 1993

POOR ORIGINAL

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POOR ORIGINAL



R6-7
5/19/93

Group turn out gate for Polson, Inskip,
Gilman, Tanner & James - from High Line Canal

Original photo in 72-10204 (Polson)

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