

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: 37-4420

Date Received: 10/26/1988

Receipt No: C004931

Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED
UNDER STATE LAW

1. Name of Claimant(s)

PETER TRUST LP Phone:(208) 622-4987
PO BOX 642
SUN VALLEY ID 83353

2. Date of Priority: 8/9/1969

3. Source: PURDUM SLOUGH Tributary to: BIG WOOD RIVER

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
02N	18E	5	NW SE NE		BLAINE	

5. Description of diverting works:

6: Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
RECREATION STORAGE	01/01 12/31		3.1

7. Total Quantity Appropriated is: C.F.S. and/or 3.1 A.F.A

8. Non-irrigation uses:

9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
02N	18E	4	NE SE		RECREATION STORAGE	
						Section Acres
						Total Acres

10. Place of use in counties: BLAINE

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

12. Other Water Rights Used:

13. Remarks:

Priority date description:

37-4420

1/12/2011

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JUL 24 2015

Description of use: Water Use

Description

RECREATION STORAGE

37-862A and 37-862B use same POD.

37-8249 ground water license provides make up water for pond when surface water supply is inadequate.

14. Basis of Claim: Beneficial Use

15. Signature(s)

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

For Individuals: I/We do solemnly swear or affirm under penalty or perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty or perjury that I am

_____ of _____
Title Organization

That I have signed the foregoing document in the space below as

_____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date: _____

Title and Organization _____

Please print name

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 37-4420
Date Received: 10/26/1988
Receipt No: C004931
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PETER TRUST Phone: (208)622-4987
DBA RIVER GROVE FARM
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

BV12

2. Date of Priority: 08/09/1969

3. Source: PURDUM SLOUGH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	5	NW SE NE	BLAINE	

5. Description of diverting works:

Flow is diverted from a pond which retains water of Purdum Slough. Pond outlet is an overflow section. Discharge flows through ditch along natural channel through a 3 ft Parshall measuring flume to River Grove Subd. Capacity of the ditch is approximately 6 cfs. This claim is for recreation storage of 3.1 acre ft in Lot 1B pond shown on attached aerial photo.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
RECREATION STORAGE	01/01 12/31		3.1

7. Total Quantity Appropriated is:
3.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	4	NE	SE	RECREATION STORAGE	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

37-862A and 37-862B use same POD.
37-8249 ground water license provides make up water for pond when surface water supply is inadequate.

15. Basis of Claim: Beneficial Use

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JUL 24 2015

Form No. 42-1409 (2) a 1/88

AMENDEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-4420

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW*Amend date
to Dec 11, 2009*

Please type or print clearly

1. Name of Claimant (s) Peter Trust LP Phone (208) 622-4987
Mailing Address P.O. Box 642, Sun Valley, ID Zip 83353
2. Date of Priority (Only one (1) per claim) 8/9/1969
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Headgate and ditch to place of use

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Storage for Rec/Aes purposes from 1/1 to 12/31 amount _____ or 3.1

For Storage for Irrigation purposes from 1/1 to 12/31 amount _____ or 3.1

For Diversion to Storage purposes from 4/15 to 10/31 amount 3.2 or _____

For Irrigation from Storage purposes from 4/15 to 10/31 amount _____ or 263.9

7. Total quantity claimed (a) 3.2 (cfs) and / or (b) 263.9 (acre feet)

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

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Recreation and aesthetic purposes in a pond

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	4										12.4	19.0						31.4
2N	18E	5													36.0	8.0			44.0
2B	18E	5													Stor				

Total number of acres irrigated 75.4

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

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

37-22255, 37-22256

Or None ☐

14. Remarks:

Diversion point and system same as that for 37-22255 and 37-22256 (formerly 37-862). Ditch flows into pond,
diversion from pond for irrigation. "Live flow" for irrigation purposes is covered under the aforementioned rights.

Last Name _____

Ident. No. _____

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JUL 24 2015

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

If applicable provide IDWR Water Right Number 37-4420

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Of Peter Trust LP _____, that I have signed the foregoing

Document in the space below as counsel _____ of Peter Trust LP _____
Organization Title Organization

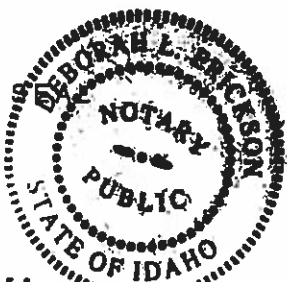
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Counsel of Peter Trust LP Date 12/11/09

State of Idaho / or _____)
County of Blaine _____) ss.

Subscribed and sworn (or affirmed) before me this 11th day of December, 2009
Notary Public Deborah Erickson
Residing at Hailey ID
My Commission Expires 10.09.10



Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED
JUL 24 2015

REPORT OF WELL DRILLER
State of Idaho

*Boise, Idaho
Sept 3 Belmont
6-12-68*

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name City of Marsing

Address Marsing, Idaho

Owner's Permit No. 57-4003

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: City

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

16 "Diam. from 1 ft. to 20 ft.

12 "Diam. from 1 ft. to 100 ft.

8 "Diam. from 1 ft. to 785 ft.

8 "Diam. from 1 ft. to 785 ft.

Thickness of casing: .0277 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☒ Type of perforator used:

Size of perforations: " by "

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☒ No ☐

Manufacturer's name Johnston

Type 8 Slot size .025 Model No.

Diam. 8 Slot size .025 Set from ft. to ft.

Diam. 8 Slot size .025 Set from ft. to ft.

and attached sheet

CONSTRUCTION: Well gravel packed? Yes ☒

No. ☐ size of gravel Between No. 4 & gravel

placed from 785 ft. to 75 ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

20 ft. Material used in seal: pipe &

benolite

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water:

Depth of strata ft. Method of sealing

strata off:

Surface casing used? Yes ☒ No. ☐

Cemented in place? Yes ☐ No ☒

Locate well in section

LOCATION OF WELL: County

NE NE Sec. 35 T. 3 N. R. 4 W

NE NE 3 2 Use other side for additional remarks

Size of drilled hole: 12" Total

depth of well: 825 Standing water

level below ground: 65 Temp.

Fahr. Test delivery: 130 gpm

or cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

20 HP Submersible

Length of time of test: 48 Hrs. Min.

Drawdown: 250 ft. Artesian pressure: ft.

above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☒

DEPTH

MATERIAL 045092

WATER

FROM TO

YES OR NO

FEET FEET

0	25	Sandy Gray	
25	55	Sandy clay gray	
55	105	Sandy Clay	
105	110	Gray fine sand water	
110	139	Blue clay	
139	153	sandy clay	
153	198	Blue clay	
198	204	Sandy	
204	218	Blue Clay	
218	221	Sandy	
221	240	Blue clay	
240	372	Blue sandy clay	
372	381	Sandy silt sand	
381	410	Blue clay	
410	440	Blue hard clay	
440	561	Blue clay	
561	570	Sandy	
570	655	Blue clay	
655	670	Sandy	
670	740	Blue clay	
740	770	Sandy clay Stringers of clay	
770	777	Broken hard shale	
777	825	Blue sticky clay	

Work started: Nov. 12, 1968

Work finished: April 1, 1969

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: Russel Cowe

Address: Boise, Idaho

Signed by: Russel Cowe

License No. 65 Date: June 12, 1969

SCANNED
JUL 24 2015

USGS

RECEIVED

AUG 05 2010

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

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-4420					
37-8249					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the 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(s)
Peter M. Thomas Trust
PO Box 642
Sun Valley, ID 83353

4. New Owner/Claimant(s)
Peter Trust, LP
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address
PO Box 642

City, State and ZIP Code
Sun Valley, ID 83353

New Telephone Number
(208) 622-4987 Email: _____

SCANNED

JUL 24 2010

SCANNED

FEB 23 2011

5. Date you acquired the property

5/20/1991

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) PETER STURDIVANT, AGENT 
 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____	Date _____	Receipt Amt. _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

SCANNED
JUL 24 2013

SCANNED
FEB 23 2011

Affix L. H. S. S.

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That PETER TRUST, JEROME D. MACK, Trustee

In consideration of \$ 10.00 the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and
Convey to PETER TRUST LIMITED PARTNERSHIP, a Nevada Limited Partnership,
P.O. Box 98600, Las Vegas, NV 89193

all that real property situate in the _____ County of Blaine
State of Idaho, bounded and described as follows:

All of Lot 1, RIVER GROVE RANCH SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the amended official plat thereof, recorded in Book 15 of
Plats, page 10, records of Blaine County, Idaho, excepting the following
described parcel:

Commencing at the 1/4 Section corner common to said Section 4 and
Section 5; thence S 11°37'22" E. 446.09 feet to the Northeasterly
corner of Lot 4, RIVER GROVE RANCH SUBDIVISION, as shown on the official
plat thereof, on file with the Blaine County Recorder in Hailey, Idaho,
and said corner being the true point of beginning.

Thence S 71°45'22" W. 284.29 feet along the boundary between said Lot 4
and Lot 1;
Thence N 13°06'12" W. 140.32 feet;
Thence N 74°55'06" E. 169.93 feet;
Thence S 56°17'39" E. 165.57 feet to the true point of beginning.

SUBJECT TO:

General taxes.

Easements and restrictions appearing of record.

The Declaration of Protective Covenants for the RIVER GROVE RANCH
SUBDIVISION, recorded May 31, 1977, as Instrument No. 173934, records
of Blaine County, Idaho. Together with any and all water rights
appurtenant thereto.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining.

Witness my hand on this 20th day of May, 1991

STATE OF NEVADA
COUNTY OF Clark

Peter Trust, Jerome D. Mack, Trustee

On May 20, 1991

personally appeared before me, a Notary Public,

Jerome D. Mack

who acknowledged that he executed the above instrument.

[Signature]
(Notary Public)

(Notary Seal)

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KAREN A. GIGAR
My Appointment Expires Feb. 11, 1998

RECORD NO. 1 INSTRUMENT NO. 1
WHEN RECORDED MAIL TO: Peter Trust, Ltd.
Partnership, Thomas A. Thomas, Gen.
Partner, P.O. Box 98600,
Las Vegas, NV 89193

BLAINE CO. REQUEST

W. Kneelsack, Clerk

PM JUN -11 A 11:39

330576

NOTARY CLERK

300

MP Deed

SCANNED
FEB 23 2011

JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4420 V1

WATER RIGHT NUMBER: 37-4420 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RIVER GROVE FARM PO BOX 642 SUN VALLEY, ID 83353
Representative	CHARLES E BROCKWAY 2016 N WASHINGTON ST #4 TWIN FALLS, ID 83301 (208)736-8543
Original Owner	E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353-0642 (208)622-4987
Current Owner	PETER M THOMAS TRUST JEROME D MACK TRUSTEE C/O E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353 (208)622-4987

Priority Date: 05/14/1886

Basis: Statutory Claim

Status: **Disallowed**

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01 to 12/31		3.10 AF
FISH PROPAGATION STORAGE	1/01 to 12/31		3.10 AF
<u>Total Diversion:</u>			3.10 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4NE1/4	Sec. 5,	Twp 02N,	Rge 18E, B.M.
BLAINE County				

Place of Use

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	5													X				

FISH PROPAGATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE

SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4420 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 18E 5													X				

Conditions of Approval:

1. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
2. P01 No lawful appropriation shown.

Remarks:Comments:

1. csaxton 1/17/2007 EOP

Comment: No evidence of priority was submitted per Dave Tuthill November 2006.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary			11/25/2006	dtuthill	Disallowed

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4420 V1

Summary	11/25/2006 4:01:13 PM	dtuthill	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:SCANNED
JUL 24 2015

AMENDED

**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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number _____
Date Received _____
Receipt Number _____

SCANNED

JAN 14 2007

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

RECEIVED

DEC 19 2006

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

Please type or print clearly

1. Name of Claimant (s) Peter Trust, dba: River Grove Farms Phone (208) 622-4987
Mailing Address C/O: Parry Thomas P.O. Box 642 Sun Valley, ID Zip 83353
2. Date of Priority (Only one (1) per claim) 8/9/1969
3. Source of water supply (a) Big Wood River / Purdum Slough
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Flow is diverted from a pond which retains water of
Purdum Slough. Pond outlet is an overflow section. Discharge flows through ditch
along natural channel through a 3' Parshall measuring flume to River Grove Subd.
Capacity of the ditch is approximately 6 cfs.

This claim is for recreation storage of 3.1 acre-ft in Lot 1B pond shown on attached
aerial photo

SCANNED
JUL 24 2015

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Storage purposes from 1/1 to 12/31 amount _____ or 3.1

For Recreation purposes from 1/1 to 12/31 amount _____ or 3.1

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and / or (b) 3.1 (acre feet)

8. Total consumptive use claimed is F.W.S. Evap. on 0.5 acre pond = ~ 2.0 acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 0.5 ac. pond located in Lot 1B of River Grove Ranch Subd.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	4													R				R

Total number of acres irrigated R

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

_____ Or None ☐

14. Remarks:

37-862 A and 37-862 B use same POD.

37-8249 groundwater license provides make up water for pond when surface water supply is inadequate.

Last Name _____

Ident. No. _____

SCANNED

JAN 04 2007

SCANNED

JUL 24 2015

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

Decree _____

If applicable provide IDWR Water Right Number 37-4420

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Chad E. Brubaker

Date 12/19/10

Date _____

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

Of _____, that I have signed the foregoing

Document in the space below as _____ of _____

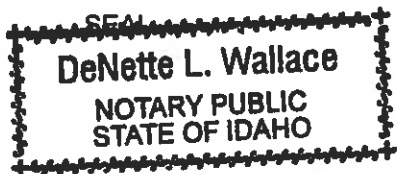
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 19th day of December, 20 10



Notary Public DeNette L. Wallace

Residing at Lincoln Falls, Idaho

My Commission Expires 08/16/2012

Please Print Name

17. Notice of Appearance:

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

Signature _____

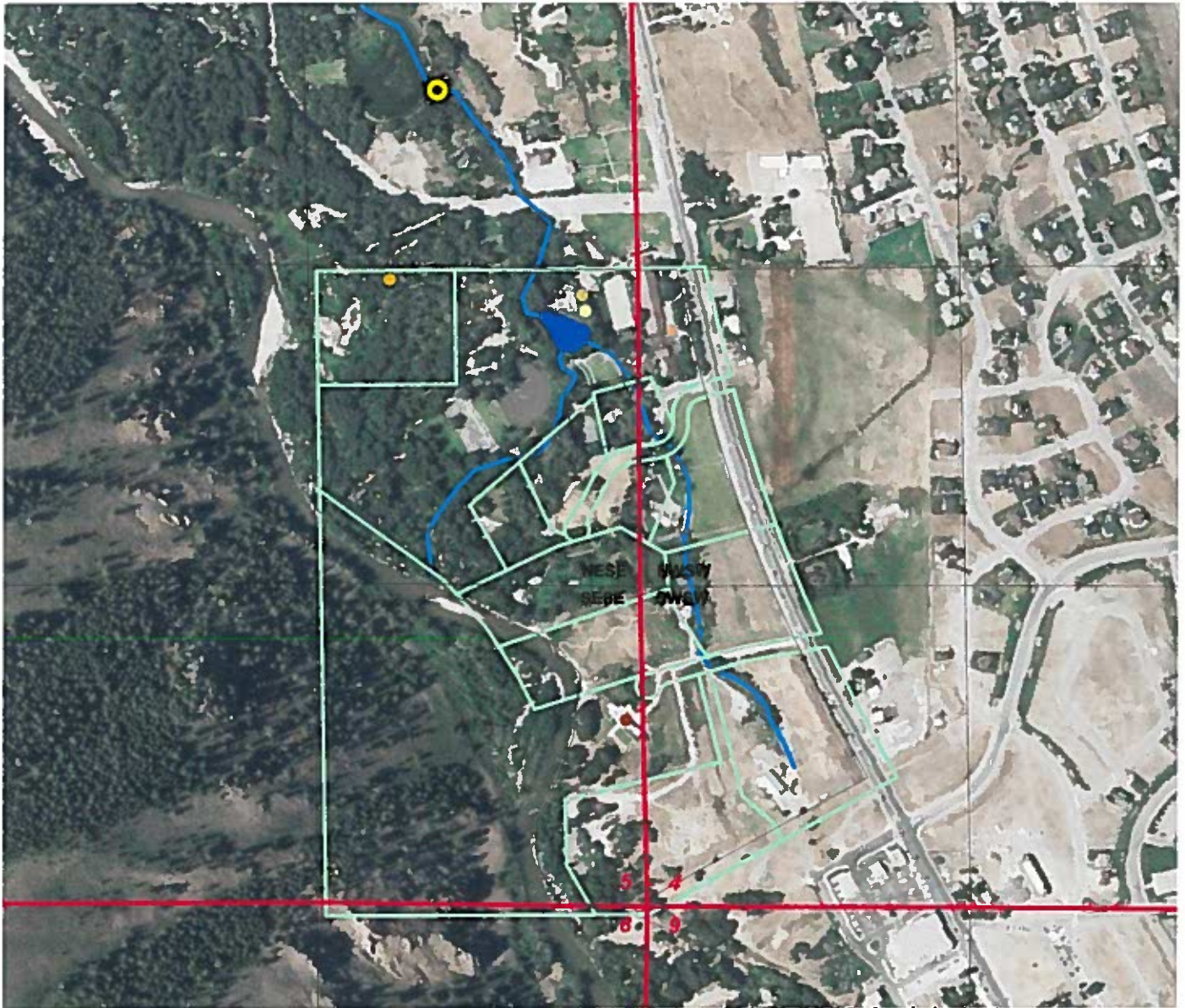
Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED
JAN 04 2007
SCANNED
JUL 24 2015

**River Grove Farm Subdivision
(TWP. 2N., RNG. 18E.)**



NAIP 2006 Aerial photo



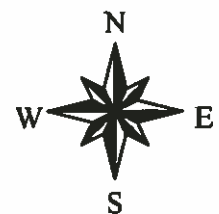
River Grove Recreation Storage POU (37-4420)

 **37-4420**

 **Point of Diversion**

 **Purdum Slough**

 **40's**

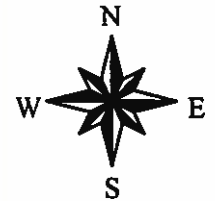
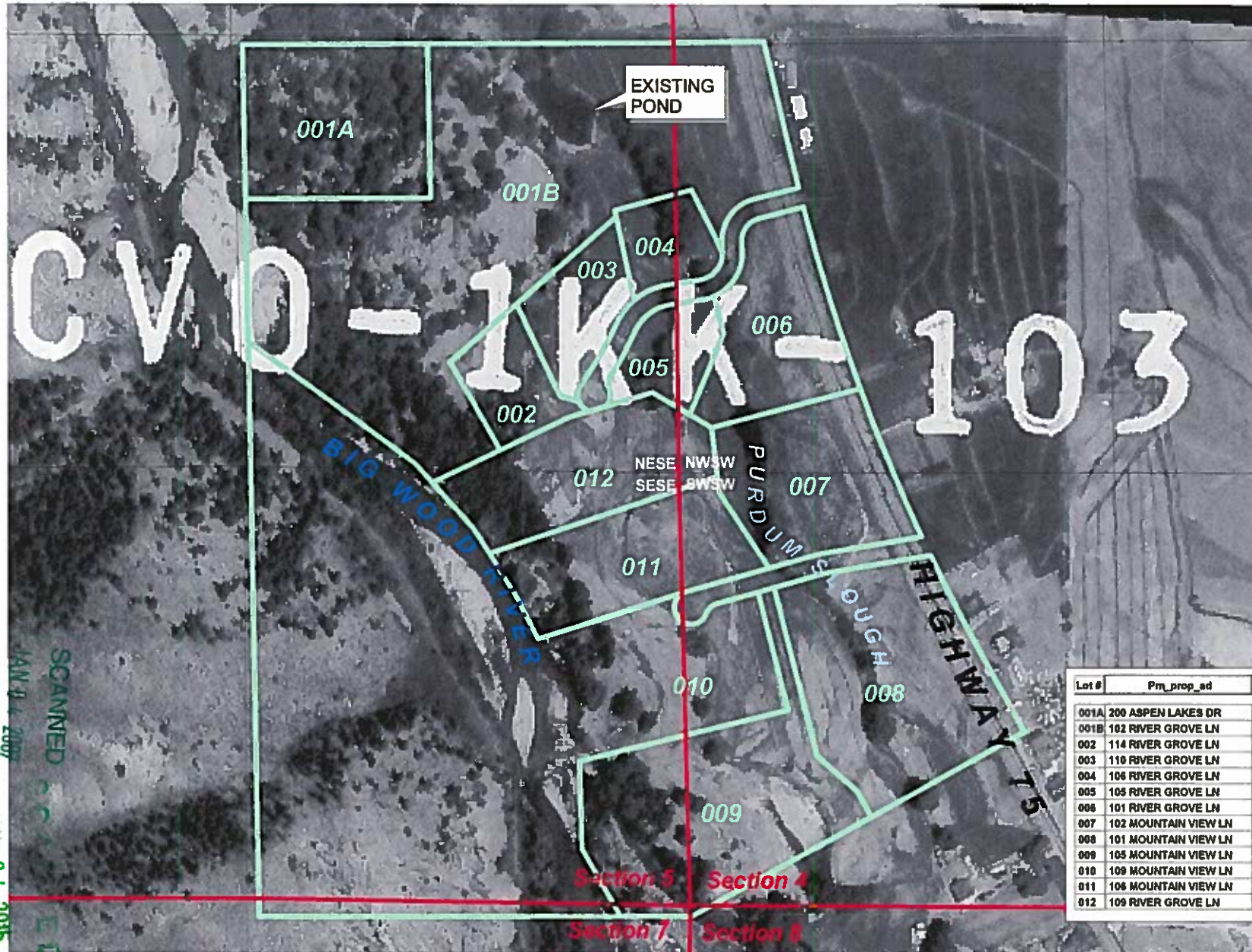


SCANNED

JAN 04 2007

SCANNED
JUL 24 2015

River Grove Farm Subdivision (TWP. 2N., RNG. 18E Sections 4,5 - August 9, 1969)



Lot #	Pm_prop_ad	Owner
001A	200 ASPEN LAKES DR	STURDIVANT RESIDENCE PS TRUST
001B	102 RIVER GROVE LN	THOMAS, E PARRY & PEGGY C
002	114 RIVER GROVE LN	BURNETT, JOYCE H
003	110 RIVER GROVE LN	MARTIN, PAMELA SUE
004	106 RIVER GROVE LN	FAIRMAN, DAN S MD &
005	105 RIVER GROVE LN	THOMAS, TERRE D
006	101 RIVER GROVE LN	THOMAS FAMILY TRUST 1/2
007	102 MOUNTAIN VIEW LN	OLIVER, MORGAN DENE &
008	101 MOUNTAIN VIEW LN	WEAVER, PATRICIA
009	105 MOUNTAIN VIEW LN	WEEKES, STARR K
010	109 MOUNTAIN VIEW LN	GROSSER, ADAM &
011	106 MOUNTAIN VIEW LN	OLIVER, MORGAN DENE &
012	109 RIVER GROVE LN	WALTON, DOUGLAS C & B LEE

USGS Aerial Photograph CVO-1KK-103 (August, 1969)

300 0 300 600 900 1200 1500 Feet

River Grove Lots (Approximate)
Blaine County Parcels

AMENDEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

37 4420

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

RECEIVED

DEC 19 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION*Amended
2006*

Please type or print clearly

1. Name of Claimant (s) Peter Trust, dba: River Grove Farms Phone (208) 622-4987
Mailing Address C/O: Parry Thomas P.O. Box 642 Sun Valley, ID Zip 833532. Date of Priority (Only one (1) per claim) 8/9/19693. Source of water supply (a) Big Wood River / Purdum Slough
which is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Flow is diverted from a pond which retains water of
Purdum Slough. Pond outlet is an overflow section. Discharge flows through ditch
along natural channel through a 3' Parshall measuring flume to River Grove Subd.
Capacity of the ditch is approximately 6 cfs.This claim is for recreation storage of 3.1 acre-ft in Lot 1B pond shown on attached
aerial photoSCANNED
JUL 24 2015

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-4420
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Chas E. Brubaker Date 12/19/10

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
Of _____, that I have signed the foregoing
Organization
Document in the space below as _____ of _____
Title Organization

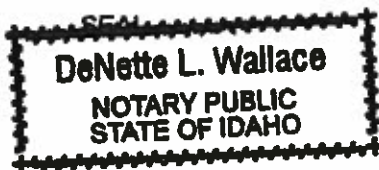
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho / or _____)
County of Two Falls) SS.

Subscribed and sworn (or affirmed) before me this _____

19th day of December, 20 10
Notary Public DeNette L. Wallace
Residing at Two Falls, Idaho
My Commission Expires 08/16/2012



Please Print Name

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED
JUL 24 2015

**River Grove Farm Subdivision
(TWP. 2N., RNG. 18E.)**



NAIP 2006 Aerial photo

0.25 0 0.25 0.5 Miles

**River Grove Recreation Storage POU (37-4420)
37-4420**

● Point of Diversion

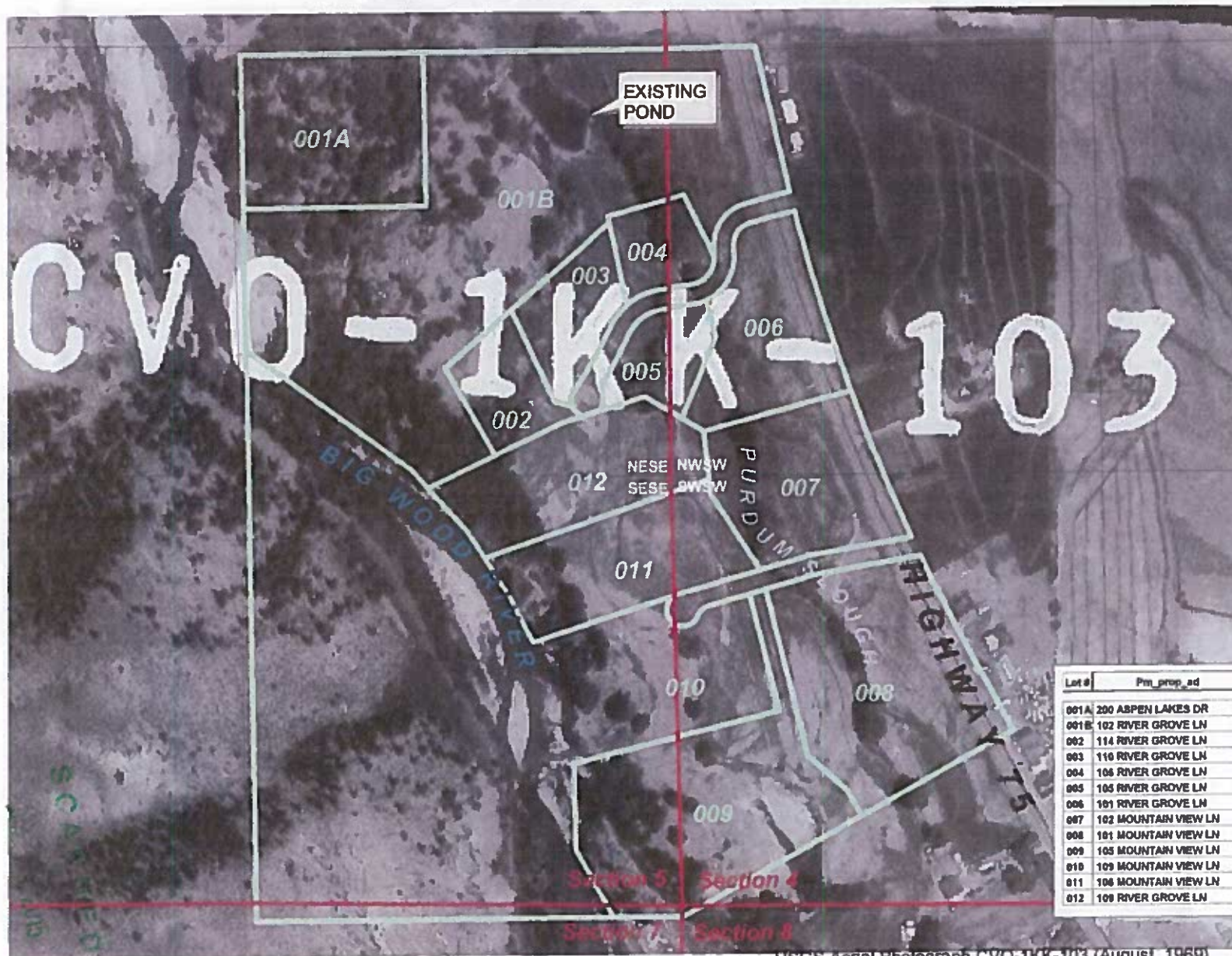
— Purdum Slough

□ 40's



SCANNED
JUL 24 2010

River Grove Farm Subdivision (TWP. 2N., RNG. 18E Sections 4,5 - August 9, 1969)

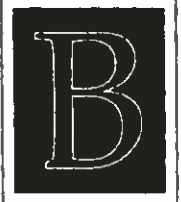


Lot #	Proposed	Owner
001A	200 ASPEN LAKES DR	STURDIVANT RESIDENCE PS TRUST
001B	102 RIVER GROVE LN	THOMAS, E PARRY & PEGGY C
002	114 RIVER GROVE LN	BURNETT, JOYCE H
003	110 RIVER GROVE LN	MARTIN, PAMELA SUE
004	106 RIVER GROVE LN	FAIRMAN, DAN S MD &
005	105 RIVER GROVE LN	THOMAS, TERRE D
006	101 RIVER GROVE LN	THOMAS FAMILY TRUST 1/2
007	102 MOUNTAIN VIEW LN	OLIVER, MORGAN DENE &
008	101 MOUNTAIN VIEW LN	WEAVER, PATRICIA
009	105 MOUNTAIN VIEW LN	WEEKES, STARR K
010	103 MOUNTAIN VIEW LN	GROSSER, ADAM &
011	106 MOUNTAIN VIEW LN	OLIVER, MORGAN DENE &
012	109 RIVER GROVE LN	WALTON, DOUGLAS C & B LEE

USGS Aerial Photograph CVO-1KK-103 (August, 1969)



 River Grove Lots (Approximate)
Blaine County Parcels



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 19, 2006

Mr. Doug Jones
Idaho Department of Water Resources
1341 Filmore, Suite 200
Twin Falls, ID. 83301

Subject: Peter Trust / River Grove Farms Subdivision

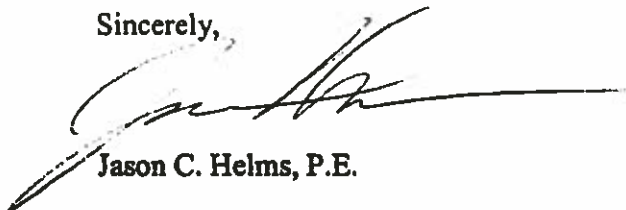
Dear Doug:

Please process the two enclosed amended claims relating to surface water irrigation used jointly by the homeowners of the River Grove Farms and the beneficial use claim related to the existing pond located on Lot 1B.

Research of historical aerals shows the pond has existed prior to the date of the included USGS photo overlay which was taken in August of 1969.

Please let me know if you have any questions or need additional information.

Sincerely,



Jason C. Helms, P.E.

Enc.

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

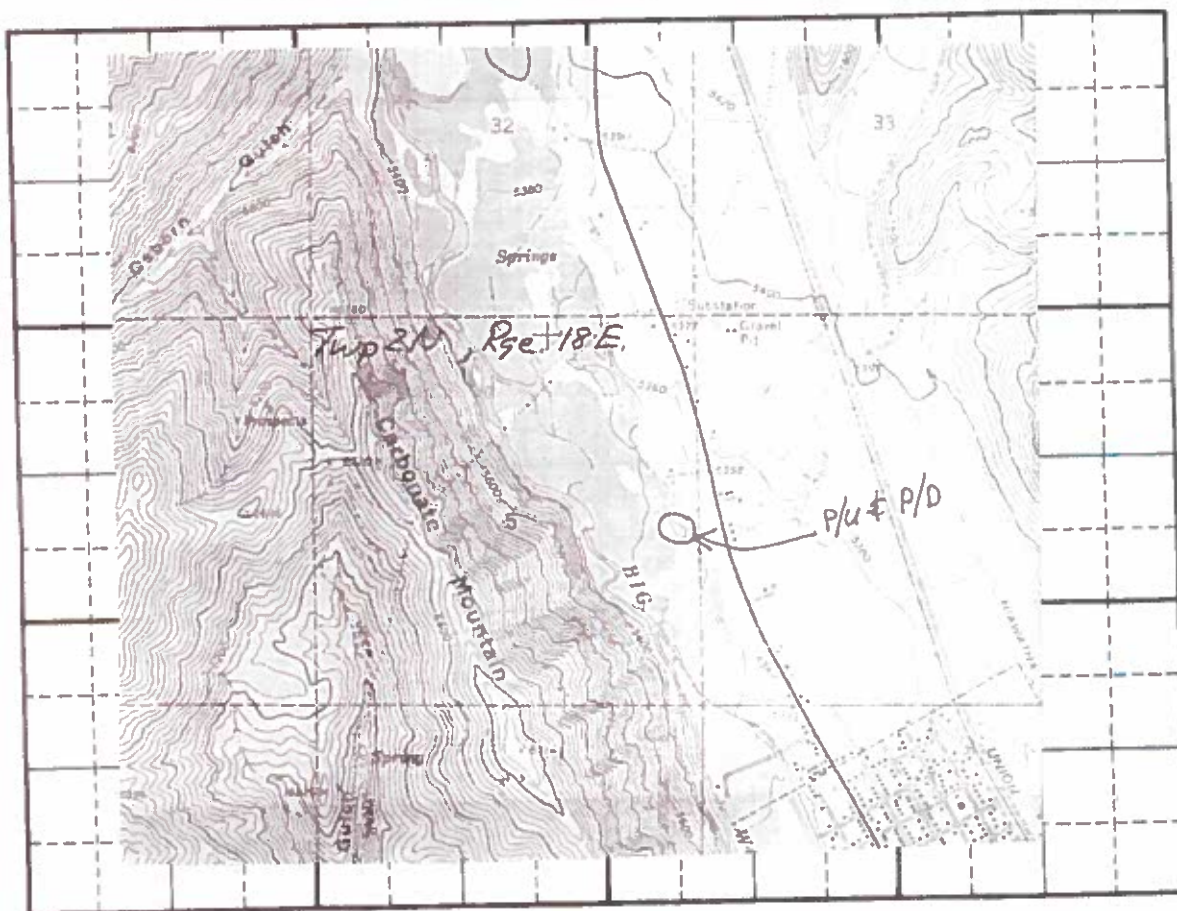
FAX: 736•8506

SCANNED
JUL 24 2015

MICROFILMED

MICROFILMED

(8) Remarks The stream is fed by springs arising on Flying Heart Subdivision.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Twin Falls

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert James Turner
Ed Barry Thomas
(Claimant)

Sworn to before me this 22 day of May, 1985.

Loren O'Halloran
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADA Date 5/22/85
Prelim. check by AD Date 5-28-85
Published in Idaho Statesman Date 5/22/85
Dates 1/6 & 4/13/85

Exception filed by: _____ Date _____
Forwarded to claimant by _____

200 ⁰⁰

SCANNED
JUL 24 2015

50
310
31
8 391

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: 39356

Ident. Number A 37-04420

Date Received 10-26-88

Receipt Number 0004931

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 26 1988

Please type or print clearly

Department of Water Resources
Southern Region Office

Phone (208) 622-4987

1. Name of Claimant (s) Peter Trust-Jerome D. Mack-TrusteeMailing Address Saba River Grove Farm c/o E. Parry Thomas P.O. Box 642 Zip 83353
Sun Valley, Idaho2. Date of Priority (Only one (1) per claim) May 14, 18863. Source of water supply (a) Purdum Slough (Unnamed Spring)
which is tributary to (b) Big Wood River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: _____

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Flow is diverted from a pond which retains waters o
the Purdum Slough. Pond outlet is an overflow section. Discharge flows through a ditch
along a natural channel on to the property. Water is temporarily stored in a 3.1 acre foot
lined recreation and fish pond and then returned to Big Wood River.

COPY

MICROFILMED

MAR 01 1989

JUL 21 1989

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For ~~Aesthetic~~^{CED} purposes from ~~Jan 1~~^{CED} to ~~Dec 31~~^{CED} amount or ~~3.1~~^{CED}

For Recreation purposes from Jan 1 to Dec 31 amount _____ or 3.1 _____

For Fishpond purposes from Jan 1 to Dec 31 amount or 3.1

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 3.1 (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Recreation and fish pond for River Grove Ranch located on lot 1 River Grove Subdivision

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres irrigated 0

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

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

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

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

37-8249

37-0862

or None ()

14. Remarks:

SCANNED

III 2

COPY

UNRECORDED

MAR 01 1993

Last Name Peter Trust Ident No. _____

Copies: White -State, Yellow-Claimant

Deer Creek Ranch

RIBE

Peter Trust
aka River Grove Farm
37-4420

Radio Tower (KSP)

Barite

Springs

Substation

Gravel Pit

Point of Diversion

Place of Use (Pond)

T2N

Carbonate Mountain

WOOD

SOAKED
JUL 24 2013

COPY

MAR 01 1993

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-4420 Claim _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Chris E. Brochman Date 10/26/88
Power of Attorney Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twih Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of Oct. 19 88

SEAL

Notary Public Chad D. Merrill

Residing at Kimberly, Id.

My Commission Expires 6/30/99

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

SCANNED

JUL 24 1993

COPY

MICROFILMED

MAR 01 1993

Last Name Peter Trust Ident. Number _____

Copies White-State, Yellow-Claimant

LIMITED POWER OF ATTORNEY

DATE OF EXECUTION Aug. 15, 1988 DATE OF EXPIRATION: August 15, 1989

JEROME D. MACK, Trustee of the PETER TRUST, residing at 300 South Fourth Street, Suite #400, Las Vegas, Nevada 89101, hereby do constitute and appoint CHARLES E. BROCKWAY, residing at 706 Sunrise Blvd. North, Twin Falls, Idaho 83301, my attorney in fact, and in my name and place to:

Effect any and all matters, including but not limited to, execution of documents regarding water rights at the River Grove Farm, Hailey, Idaho, including any and all lots owned or controlled by grantor individually or jointly with others in the Flying Heart Subdivision and/or River Grove Subdivision and for no other purpose.

Given at Las Vegas, Nev. the day and year first above written.
(City and State)

WITNESSES:

[Signature]
Donna J. Metcalf

[Signature]
JEROME D. MACK, Trustee

STATE OF Nevada)
: SS.
COUNTY OF Clark)

Before me, a Notary Public, in and for said County and State, personally appeared JEROME D. MACK, Trustee of the PETER TRUST, who acknowledged that he/she did sign the foregoing instrument and that the same is his/her free act and deed.

In testimony whereof, I have hereunto subscribed my name at Las Vegas, Nevada, this 15th day of August, 1988.



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KAREN A. GIGAR

Appointment Expires Mar. 30, 1991

[Signature]
NOTARY PUBLIC

SCANNED

JUL 24 1988

MICROFILMED

MAR 01 1993

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: A37-04420
Date Received: 1/05/1989
Receipt No: C004931
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER TRUST, JEROME D. MACK, TRUSTEE 208-622-4987
Address: ABA RIVER GROVE FARM
C/O E. PARRY THOMAS
P.O. BOX 642
SUN VALLEY, ID 83353

2. Date of Priority: MAY 14, 1886

3. Source: PURDUM SLOUGH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	5	NW	SE	NE		BLAINE

5. Description of diverting works:
DAM, HEADGATE, POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			3.10
FISH PROP. STORAGE	01/01	12/31			3.10

7. Total Quantity Appropriated is:
C.F.S. (and/or) 3.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/FISH POND; RECREATION

A37-04420

Page 1

SCANNED
Date: 01/12/90
JUL 24 2003

MICROFILMED
MAR 01 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	5	NE	SE		REC S	
			NE	SE		FIS S	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-08249, 37-00862

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

SCANNED
JUL 24 2010

MICROFILMED
MAR 01 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

SCANNED

JUL 24 2015

MICROFILMED

MAR 01 1993

SCANNED
JUL 24 2015

IDWR CONCURRENCE:

Kelly K. Christensen 6-15-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

04/25/2011

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

RIGHT NUMBER: 37-4420

NAME AND ADDRESS: PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.200 CFS
3.10 APY

PRIORITY DATE: 08/09/1969

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring devices at the authorized point of diversion, in accordance with Department specifications.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	3.10 APY
DIVERSION TO STORAGE	04/15 10/31	3.200 CFS
RECREATION STORAGE	01/01 12/31	3.10 APY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 NESE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 NESE

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

The pond established by the storage of water under the rights listed below shall not exceed a total capacity of 3.1 acre-feet. Combined right Nos.: 37-4420 and 37-8249

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

04/25/2011

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

RIGHT NUMBER: 37-4420

NAME AND ADDRESS: PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

VERIFIED BY *KKC*
5-12-11

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.200 CFS
3.10 AFY

PRIORITY DATE: 08/09/1969

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring devices at the authorized point of diversion, in accordance with Department specifications.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	3.10 AFY
DIVERSION TO STORAGE	04/15 10/31	3.200 CFS
RECREATION STORAGE	01/01 12/31	3.10 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 NESE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 NESE

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

The pond established by the storage of water under the rights listed below shall not exceed a total capacity of 3.1 acre-feet. Combined right Nos.: 37-4420 and 37-8249

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

SCANNED
JUL 24 2015

Christensen, Kelly

From: Christensen, Kelly
Sent: Monday, April 25, 2011 9:33 AM
To: 'Jim Laski'; Spencer, Nick; Kelly, Vicki
Subject: 37-4420 and 37-9249

I looked back through my e-mails and did not find one that included discussions between you and Craig/Al about settlement language. Were there more than the one remark beyond the following remark and what is already on the two rights, that you discussed?

Following is the standard remark regarding measurement devices that I mentioned at our Friday meeting. I would be putting this remark on 37-8249. 37-4420 is already under watermaster control and measurement at its POD.

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring devices at the authorized point of diversion, in accordance with Department specifications.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Possibly WM RMR for

4420

SCANNED
JUL 24 2015

06/24/2010

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

RIGHT NUMBER: 37-4420

NAME AND ADDRESS: PETER M THOMAS TRUST
JEROME D MACK TRUSTEE
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

VERIFIED BY

ADR

KKC
6-24-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.200 CFS
3.10 AFY

PRIORITY DATE: 08/09/1969

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
AESTHETIC STORAGE	01/01 12/31	3.10 AFY
DIVERSION TO STORAGE	04/15 10/31	3.200 CFS
RECREATION STORAGE	01/01 12/31	3.10 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 NESE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 NESE

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

The pond established by the storage of water under the rights listed below shall not exceed a total capacity of 3.1 acre-feet. Combined right Nos.: 37-4420 and 37-8249

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

SCANNED
JUL 24 2015

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 21 2011	
By _____	Clerk Deputy Clerk

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. 37-4420, 37-8249,
37-22255

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

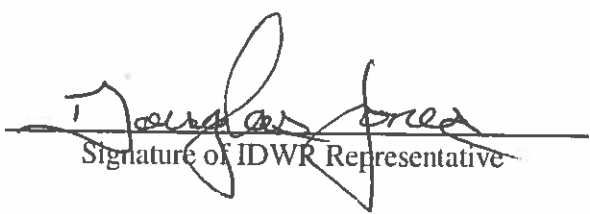
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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: 1/21/11


Signature of IDWR Representative

SCANNED

JUL 24 2015

CERTIFICATE OF MAILING

I certify that on 1-21, 2011, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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. Copies to:

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

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Edward Lawson
Lawson Laski Clark & Pogue PLLC
PO Box 3310
Ketchum ID 83340

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83701

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

SCANNED

JUL 24 2015

01/12/2011

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

RIGHT NUMBER: 37-4420

NAME AND ADDRESS: PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.200 CFS
3.10 AFY

PRIORITY DATE: 08/09/1969

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	3.10 AFY
DIVERSION TO STORAGE	04/15 10/31	3.200 CFS
RECREATION STORAGE	01/01 12/31	3.10 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 NESE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 NESE

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

The pond established by the storage of water under the rights listed below shall not exceed a total capacity of 3.1 acre-feet. Combined right Nos.: 37-4420 and 37-8249

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

SCANNED
JUL 24 2015

01/12/2011

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

RIGHT NUMBER: 37-8249

NAME AND ADDRESS: PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
3.10 AFY

This right is supplemental to surface water and the combined annual volume shall not exceed 3.1 afa.

PRIORITY DATE: 09/12/1985

POINT OF
DIVERSION:

T02N R18E S5 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	07/01 09/30	0.210 CFS
AESTHETIC STORAGE	07/01 09/30	3.10 AFY

PLACE OF USE: AESTHETIC STORAGE in BLAINE County

T02N R18E S05 NESE

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

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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 - License

SCANNED
JUL 24 2015

01/12/2011

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

RIGHT NUMBER: 37-22255

NAME AND ADDRESS: PETER TRUST LP
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.850 CFS

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 SENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	2.850 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S04 NWSW 7.20	T02N R18E S04 SWSW	15.00
	T02N R18E S05 NESE 35.00	T02N R18E S05 SESE	6.50
	63.7 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 - Decreed

This right is a split from former right 37-862 .

Property is also known as River Grove Farm Subd., less Lots 7 & 11.

SCANNED
JUL 24 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

January 21, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

EDWARD LAWSON
LAWSON LASKI CLARK & POGUE PLLC
PO BOX 3310
KETCHUM ID 83340

RE: SRBA Claim(s) 37-4420, 37-8249, 37-22255

Dear Counselor:

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: Albert Barker, Barker Rosholt & Simpson
Craig Hobdey, Hobdey & Hobdey

SCANNED
JUL 24 2015

From:

12/19/2008 11:55

#291 P.001/001

THOMAS & MACK CO.

A NEVADA LIMITED LIABILITY COMPANY

NEVADA FINANCIAL CENTER
2300 WEST SAHARA AVENUE, BOX ONE
LAS VEGAS, NEVADA 89102
TELEPHONE (702) 920-2800
FACSIMILE (702) 920-2825

RECEIVED

AUG 05 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 19, 2008

Mr. Jeff Cooper
Idaho Department of Water Resources
VIA FACSIMILE: 208-736-3037

RE: Peter Trust LP Water Right Transfer
for Irrigation Right 37-22255

Dear Mr. Cooper:

Pursuant to our conversation this morning, I am authorizing E. Parry Thomas (my father) and/or Peter Sturdivant (my brother-in-law) to act of behalf of and as agent for the Peter Trust Limited Partnership in any and all matters concerning the requested water right transfer 37-22255 affecting our property in Hailey commonly referred to as the River Grove Farm.

As I explained this morning, the Peter Trust Limited Partnership is the successor in interest to the Peter Trust. The Peter Trust was an Age-21 Trust which transferred all property interests to its beneficiaries over 20 years ago. These beneficiaries maintained common ownership of the property interests under the Peter Trust Limited Partnership, a Nevada Limited Partnership, with the Thomas Management, LLC serving as the General Partner. I am the managing partner of both the Peter Trust Limited Partnership and Thomas Management, LLC. I believe the documents evidencing my status as manager of these entities have been provided by Brockway Engineering. Should you need any other information, please contact me directly at 702-920-2851.

Sincerely,



Thomas A. Thomas
Managing Partner
Peter Trust Limited Partnership
Manager
Thomas Management, LLC

SCANNED

FEB 23 2011

SCANNED

SCANNED

JUL 24 2015

LAWSON LASKI CLARK & POGUE, PLLC
ATTORNEYS AT LAW

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

RECEIVED

AUG 05 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

MEMORANDUM

Date: 8/4/2010
File No.: 10245-002
To: Trish Fawcett
Firm: IDWR Southern Region
From: Heather O'Leary, Intern to Jim Laski
Re: *Peter Trust, LP*

COMMENT:

Enclosed please find the Notice of Change in Water Right Ownership Form, Deed, and Power of Attorney Letter to Mr. Jeff Cooper which grants Peter Sturdivant the authority to act as agent to Peter Thomas.

Please do not hesitate to call if you have any questions or need any further information. Thank you.

cc: Kelly Christensen (via email)(w/ encl.)

SCANNED

FEB 23 2011

SCANNED

JUL 24 2015

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 26 2010	
By _____	Clerk
_____	Deputy Clerk

**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 No. 37-04420

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris
c/o Concerned Water Users
P.O. Box 1200
Bellevue, ID 83313

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

Name and Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700
Attorney for O'Gara, Stevenson,
Molyneux, Van Der Meulen, Eakin,
Sherbine & Bashaw

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Telephone: (208) 934-4420
Attorney for Big Wood Canal Company

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

Name: Peter M. Thomas Trust, Jerome D. Mack Trustee
Address: c/o E. Parry Thomas
P. O. Box 642, Sun Valley, ID 83353

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

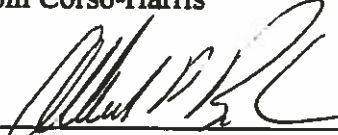
1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be:
4. ☒ **Priority Date**
Should be: See "E" below.
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☒ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be:
10. ☒ **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):

Monitoring and measurement devices should be required. The right must be administered by the water master. This right seeks excessive diversion for small pond.

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris

Big Wood Canal Company

By: 

Albert P. Barker, Attorney

By: 

Craig Hobdey, Attorney

F.

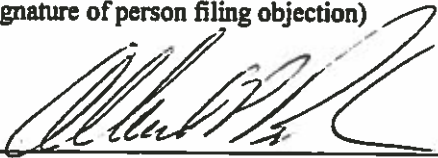
VERIFICATION

State of IDAHO)
) ss.
County of Ada)

Albert P. Barker, duly sworn, upon oath, deposes and says:

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)

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, May 25, 2010 7:53 AM
To: 'eal@lawsonlaski.com'; 'Craig Hobdey'; 'Albert Barker'; 'Charles G. Brockway'
Cc: Kelly, Vicki; Spencer, Nick
Subject: 37-4420 amended claim questions

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is a series of questions that I have composed after reviewing the amended claim and comparing that amendment to information available in other claims, primarily 37-8249 and 37-862 as split.

Currently available information does not well support irrigation from storage as structured in the amended claim. Once the questions are resolved I should be able to complete the amended director's report for this right.

Thanks,



37-4420
discussion.doc

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

SCANNED
JUL 24 2015

37-4420 discussion

The amended claim identifies 3.20 cfs for diversion to storage during the irrigation season. Is this rate in addition to the historically diverted 3.20 cfs claimed through 37-862 (now split into 37-22255 and 37-22256)? I have not had time to check with the water master to check the delivery records for this system. I see that the pond volume is claimed year round for recreation, aesthetics, and irrigation storage but the diversion to storage is for the current irrigation season standard. As there is information that the pond was bentonite lined thereby limiting the majority of seepage losses, I assume that diversion to storage was not claimed outside the irrigation season for that reason.

In reviewing the amended claim and comparing it with other information available, primarily in the back file for 37-8249, several questions come to mind. The focus is primarily on irrigation from storage as it does not seem compatible with some of the other uses and/or rights.

It is not clear how much of the pond volume can be utilized for irrigation purposes. In reviewing the quad map for this area it appears that this area is relatively flat. This would suggest that the pond volume was created more by excavation rather than a dike 12 ft high. There are photos of the pond in the back file for 37-8249 but it does not show the dike area, however it does show that the ground around the home appears to substantiate that the area is relatively flat. Could you provide information substantiating how much of the pond volume can be drawn down to be utilized for irrigation from storage and if any of the volume would be considered "dead" storage?

The claim is asserting a diversion to storage for 3.20 cfs during the standard irrigation season. I have not checked with the water master to confirm when 1969 consumptive use rights are normally curtailed but with a 1969 priority date once the initial volume available for irrigation from storage has been utilized under normal circumstances I do not believe that water would be available to refill the irrigation storage volume. This would directly impact the irrigation from storage volume. 263.9 afa seems to greatly overstate the irrigation from storage capacity.

Documents available indicate that one of the purposes was to stock trout and have them available for recreational fishing. This seems to conflict with irrigation from storage. If the pond is drained multiple times during the irrigation season what happens to the fish? Are they replanted after each draining?

Right 37-8249 was developed to keep the pond fresh/full when surface water was not available. Ground water from that right is not licensed for diversion from storage for irrigation purposes nor is it to be utilized to refill the pond to compensate for irrigation from storage. It was not anticipated that ground water would be used for irrigation purposes. Could you explain how the relationship between 37-8249 and the irrigation from storage component of 37-4420 works?

SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4420 V1

WATER RIGHT NUMBER: 37-4420 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RIVER GROVE FARM PO BOX 642 SUN VALLEY, ID 83353
Representative	CHARLES E BROCKWAY 2016 N WASHINGTON ST #4 TWIN FALLS, ID 83301 (208)736-8543
Original Owner	E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353-0642 (208)622-4987
Current Owner	PETER M THOMAS TRUST JEROME D MACK TRUSTEE C/O E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353 (208)622-4987

Priority Date: 05/14/1886

Basis: Statutory Claim

Status: Disallowed

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

*Rec Stor Div. 3.1 AF in season
lost 3.20 cfs*

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01	to 12/31		3.10 AF
FISH PROPAGATION STORAGE	1/01	to 12/31		3.10 AF
<u>Total Diversion:</u>				3.10 AF

Location of Point(s) of Diversion

BIG WOOD RIVER

NW1/4SE1/4NE1/4

Sec. 5, Twp 02N, Rge 18E, B.M.

BLAINE County

Place of Use

RECREATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	18E	5				X	

FISH PROPAGATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE

SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4420 V1

		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 18E	5													X				

Conditions of Approval:

1. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
2. P01 No lawful appropriation shown.

Remarks:

Comments:

1. csaxton 1/17/2007 EOP
Comment: No evidence of priority was submitted per Dave Tuthill November 2006.

SubCase:

SubCase Number: 37-4420
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Dave Tuthill
Basis of Claim: Statutory Claim
Date Filed: 11/13/2007 Objection Status: Active

Water Supply Bank:

SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4420

WATER RIGHT NUMBER: 37-4420

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETER TRUST DBA RIVER GROVE FARM C/O E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353 (208)622-4987
Original Owner	RIVER GROVE FARM PO BOX 642 SUN VALLEY, ID 83353
Original Owner	E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353-0642 (208)622-4987
Representative	CHARLES E BROCKWAY 2016 N WASHINGTON ST #4 TWIN FALLS, ID 83301 (208)736-8543

Priority Date: 08/09/1969

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
PURDUM SLOUGH	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	01/01 to 12/31		3.10 AF
<u>Total Diversion:</u>			3.10 AF

Location of Point(s) of Diversion

PURDUM SLOUGH	NW1/4SE1/4NE1/4	Sec. 5, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4													X				

Conditions of Approval:

SCANNED

JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4420

1. 37-862A and 37-862B use same POD.
37-8249 ground water license provides make up water for pond when surface water supply is inadequate.

Remarks:

Comments:

SubCase:

SubCase Number: 37-4420
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Dave Tuthill
Basis of Claim: Statutory Claim
Date Filed: 11/13/2007 Objection Status: Active

Water Supply Bank:

SCANNED

JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-4420

WATER RIGHT NUMBER: 37-4420

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353-0642 (208)622-4987
Current Owner	RIVER GROVE FARM PO BOX 642 SUN VALLEY, ID 83353

Priority Date: 05/14/1886

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC STORAGE	1/01 to 12/31		10.00 AF
RECREATION STORAGE	1/01 to 12/31		10.00 AF
<u>Total Diversion:</u>			10.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SE1/4	Sec. 5, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
02N	18E	5																	X	

Conditions of Approval:Remarks:Comments:

SCANNED
JUL 24 2015

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-4420

SubCase:

SubCase Number: 37-4420
Class: 1
SF5 Filed Date:
Special Master Recorn Signed Date:
Attorney Assigned:
Adjudication Agent: Dave Tuthill
Basis of Claim: Statutory Claim
Date Filed: 11/13/2007 Objection Status: Active

Water Supply Bank:

SCANNED
JUL 24 2015

LAWSON LASKI CLARK & POGUE, PLLC

ATTORNEYS AT LAW

675 SUN VALLEY ROAD, SUITE A
POST OFFICE Box 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

MULTIPLE PARTY FACSIMILE COVERSHEET

Date: 12/11/2009 Pages (including cover page): 6

File No. 10245-002

To:	Albert P. Barker, Esq.	Fax: (208) 344-6034
To:	Craig D. Hobdey, Esq.	Fax: (208) 934-4420
To:	Michael P. Lawrence, Esq.	
To:	Christopher H. Meyer, Esq.	Fax: (208) 388-1300
To:	Scott L. Campbell, Esq.	
To:	Andrew J. Waldera, Esq.	Fax: (208) 385-5384
To:	Natural Resources Division Chief	
To:	Idaho Attorney General	Fax: (208) 854-8072
To:	United States Department of Justice	Fax: (208) 854-8072
To:	IDWR Document Depository	Fax: (208) 287-6701
To:	Nicholas B. Spencer, Esq.	
To:	Deputy Attorney General	Fax: (208) 287-6700
To:	Big Wood Canal Company	Fax: (208) 886-2010

From: Deb Erickson, Assistant to Edward A. Lawson

Re: *In Re SRBA Case No. 39576*
Peter Trust LP - Subcase No. 37-4420

Comments:

Attached is an Amended Notice of Claim to a Water Right for subcase no. 37-4420.
Thank you.

ORIGINAL WILL:

BE SENT BY MAIL

BE SENT BY FEDEX/OVERNIGHT COURIER

BE SENT BY MESSENGER

X NOT BE SENT

CALL BACK: If the transmission to you was incomplete or not legible, please call the individual above listed at (208) 725-0055 or call the FAX operator at (208) 725-0055.

Confidentiality Notice: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.

SCANNED
JUL 24 2015

37-4420 - June 25 ADR Due.

July ~~16~~²³ Obj Due

Aug 13 Resp

8249 - Jan 8 Deadline to file Application to correct legal with Dept.

577CH • May e-mail on history

22255 } 862 ownership issues 9
22256 }

{ July 30 @ Southern Region
10:00 AM.
Aug 18 9:30 Status Conf.

SCANNED
JUL 24 2015

Peter M. Thomas Trust

Fri Apr 24 10:00

37-4420 Rec for disallowal

Obj PM Thomas. 1969 aerial photo shows pond
therefore right valid.

initial thoughts Pond does exist in 1969 photo.
but other elements of Claim are questionable
Source?: unnamed stream created via spring
seeps. Pond appears to be on the channel.

Original statutory claim appears to better
describe use.

Claimed P/D (as amended) is on Bruce Willis
property. Claimed P/U (as amended) appears to be wrong
Sec Probably should be 5

Per tax lot info Pond is in Lot 1C

Source OK.
37-7767

Amended claim states 37-862A and 862B use same
P/D

37-8249 PM Thomas Obj P/D should be 2N 18E Sec 5 SE 1/4

Well log indicates P/D in Sec 4, NW 1/4 Sec 4 NW 1/4
License date 3-24-1990 PC Doc Pg 21 Field Exam PC doc Pg 26 → 2

Amended Obj: include permit approval conditions etc

The license puts everything in Sec 4
whereas mapping suggests everything should be
in Sec 5.

PL Doc for 37-8249 (WR) (Pg 1 sketch) (Pg 10 quad map) (Pg 11 Aerial photo)

JUL 24 2015

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 37-4420

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

Filed Nov 13-2007

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Peter M. Thomas Trust, River Grove Farms

Address: P.O. Box 642

Sun Valley, ID 83353

Daytime Phone: (208) 622-4987

Name & Address of Attorney, if any:

Edward Lawson

P.O. Box 3310

Sun Valley, ID 83340

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

Name: Peter M. Thomas Trust, River Grove Farms

Address: P.O. Box 642

Sun Valley, ID 83353

SCANNED

JUL 24 2015

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: Purdum Slough as claimed
3. ☒ **Quantity**
Should be: 3.1 acre-ft as claimed
4. ☒ **Priority Date** OK-KKC
Should be: 8/9/1969 - verified on USGS aerial photo
5. ☒ **Point of Diversion**
Should be: TWP. 2N, RNG. 18E, Sec. 5 NWSENE as claimed
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Aesthetic Storage as claimed
8. ☒ **Period of Year**
Should be: 1/1-12/31 as claimed
9. ☒ **Place of Use**
Should be: Pond identified in claim.
10. ☐ **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 OBJECTIONS(S):** _____

Attached USGS photo shows pond existed prior to August, 1969

F.

VERIFICATION (must be completed)

State of Idaho)

County of Blaine) ss.

Edward A. Lawson, 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)

SA Lawson
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

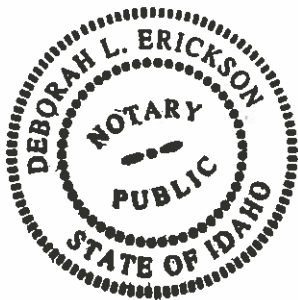
November 13, 2007

Deborah Erickson

Notary Public for Idaho

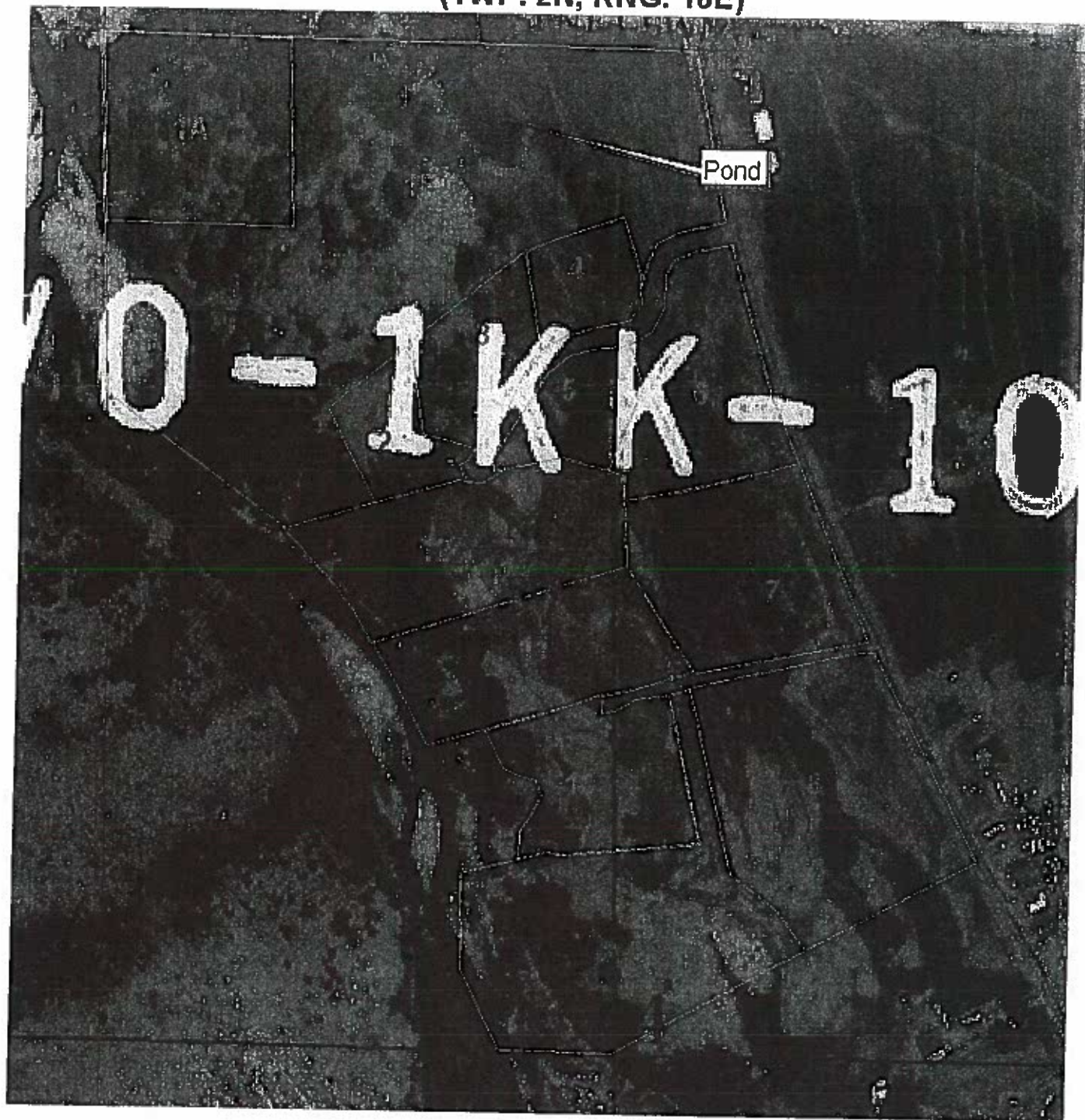
Residing at: Hailey, ID

My Commission Expires: 10.09.10



SCANNED
JUL 24 2015

**River Grove Ranch
(Parry Thomas / Peter Trust)
(TWP. 2N, RNG. 18E)**



USGS August 9, 1969 Aerial Photo (CVO-1KK-103)

**Submitted As Evidence of Priority
(Aesthetic, Recreation, Wildlife Storage)**

-  River Grove Ranch Lots
-  40's
-  Sections



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 November 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to (vca Fed Exp)

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: Peter M. Thomas Trust

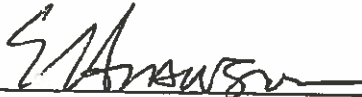
Address: P.O. Box 642
Sun Valley, ID 83353

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

Peter Thomas Trust
Oliver Family Trust

37-4420

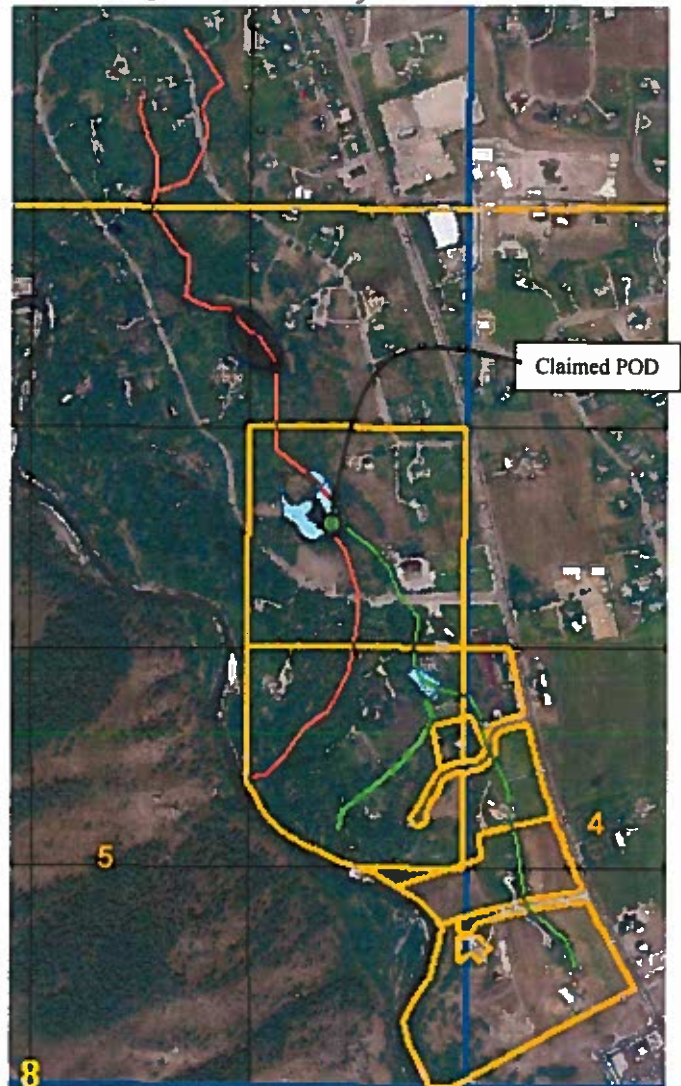
In item 5 of the amended claim the system is described as flow being diverted from a pond on the Willis property through an overflow section through a ditch along a natural channel and through a 3' parshall flume to the subdivision and is further described as recreation storage of a 3.1 af pond in Lot 1B. One of the maps attached to the amended claim identifies both channels coming out of the pond in Sec 5 NESE as being the Purdum Slough.

The pond is identified in an attached aerial photo as being in Sec 5 NESE but is claimed in Sec 4 NESE. The tax lot information that the department has identifies the lot where the pond is located as Lot 1C. If this is correct then the POU will need to be amended to correctly identify the POU.

In item 6 the claimed uses are Storage and Recreation at 3.1 af each. Storage use is not a stand alone use and as it stands the department would likely recommend the use as recreation storage only. If the water is being diverted from the pond on the Willis property then a diversion to storage component should be a part of the claim. If the flow is actually going through a natural channel then the point of diversion would be where the pond dike diverts the water within the natural channel. Those items are conflicting statements. Either way, recreation storage (based upon claimant intent) should be a component of the claim.

The pond is identified as 3.1 af in item 6 and in item 8 total consumptive use is described as 2.0 af. How are those volumes related?

The features overlaid on the aerial photo are not necessarily what I know is correct, rather, it reflects my current understanding of the relationships of the features identified in this claim and other claims held by Peter Thomas Trust and the Oliver Family Trust. I put the features together from several sources including the claim files for 37-4420, USGS quad map, and available aerial photography.



Red orange line possible channel from Willis pond to the Big Wood.
Green lines possible ditch or unnamed stream channel.

Orange lines are associated with the subdivision lots for the Peter Thomas Trust, Oliver Family and others.
Blue polygons approximate ponds.

2004 aerial photo 2N, 18E Sec 5

SCANNED
JUL 24 2015

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that the PETER TRUST, in consideration of the sum of TWELVE THOUSAND DOLLARS (\$12,000.00), in hand paid, by BRUCE WILLIS, the receipt of which is hereby acknowledged, have granted, bargained, sold, conveyed, transferred, and delivered and by these presents to bargain, sell, grant, convey, transfer, and deliver unto BRUCE WILLIS, those non-consumptive water rights as set forth in Right No. 37-00577AH, with all rights appurtenant thereto.

To have and to hold the same unto BRUCE WILLIS, his executors, administrators, and assigns, forever;

I do for myself, my executors, administrators, and assigns, covenant and agree to warrant exclusive right and title to said water right hereby sold unto BRUCE WILLIS, his executors, administrators, and assigns, against all and every person and persons whomsoever;

I do for myself, my executors, administrators and assigns, warrant and represent to BRUCE WILLIS that the Title conveyed is good, its transfer is rightful; and that said water has been, or shall be, delivered from any security interest or other lien or encumbrance thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6th day of December, 1991.

PETER TRUST

By: [Signature]

STATE OF IDAHO)
) ss.
County of Blaine)

On this the 6th day of December, 1991, before me the undersigned Notary Public, personally appeared Peter Thomas, being first duly sworn and known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he/she executed the same for the purpose contained therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

[Signature]
Notary Public for Idaho

Residing at: Ketchikan, Alaska

SCANNED
JUL 24 2015

Tuthill, Dave

To: Christopher Meyer
Cc: Jill Eshman; Charles (father) Brockway
Subject: RE: Followup questions re Dene Oliver

Chris, sorry to not return your telephone call earlier today -- it appears that in this email you have restated the question on your call, plus you have asked some additional questions below. I will respond below...

Regards, Dave

-----Original Message-----

From: Christopher Meyer [mailto:ChrisMeyer@GivensPursley.com]
Sent: Friday, December 01, 2006 11:16 AM
To: Tuthill, Dave
Cc: Jill Eshman; Charles (father) Brockway
Subject: Followup questions re Dene Oliver

Dave,

Follow up questions on Water Right No. 37-862:

- (1) Why isn't the notice of claim dated 10-26-88 (signed by Chuck Brockway) valid? Is there a problem with the power of attorney? [Tuthill, Dave] We do have a copy of the power of attorney. What we don't have is an original claim. It appears to me that the original claim was returned to Chuck Brockway, accompanied by a version of the claim that did not include the "recreation" use that Chuck appears to have added by hand to the original typewritten claim. It appears that the fee was paid -- we were merely soliciting a claim that did not include this additional use. Under the circumstances, if we receive the signed claim I think that we can honor the date of original receipt relative to forfeiture concerns (10/26/1988).
- (2) Why is there a separate computer-generated notice of claim dated 1-5-1989? And why is it marked "VOIDED"? [Tuthill, Dave] The receipt number C004931 is marked "Voided", as it was replaced by receipt number C004956. /the computer generated claim is the version that did not include the extra use of "recreation", for which we were seeking a signed version.
- (3) If Parry Thomas (i.e., Peter Trust) doesn't have a valid claim, can he submit an affidavit, power of attorney, or other explanation to correct the problem, thus validating the original 1988 claim? [Tuthill, Dave] He could merely submit an original claim now.
- (4) If for some reason the answer to question #3 is "no", can Mr. Thomas simply submit a new claim now? [Tuthill, Dave] Yes.

Thanks much, Dave.

-Chris

cc: Jill Eshman (co-counsel for Dene Oliver); Chuck Brockway (representing Mr. Thomas)

Contact information for sender:

Christopher H. Meyer
Givens Pursley LLP
601 West Bannock Street
P.O. Box 2720
Boise, ID 83701
Direct: 208-388-1236
Fax: 208-388-1300
Cell: 208-407-2792
Email: chrismeyer@givenspursley.com
Firm Website: www.givenspursley.com

SCANNED
JUL 24 2015

12/1/2006

Tuthill, Dave

To: Christopher Meyer; Jill Eshman; Charles (father) Brockway
Subject: RE: Question about Water Right No. 37-862 (Parry Thomas right)

Chris,

Three of the four claims filed in the name of the Peter Trust have problems. I can't tell from your email if you are representing the Trust, or if it is Chuck or Jill or someone else, but in my initial review I have found the following that I am sending to all three of you as a step toward sorting this out:

- 37-862
 - No signed claim in the file
 - Watermaster shows delivery of the right so this part is ok
 - Will not recommend in Director's Report if valid claim is not filed
- 37-4420
 - No evidence of priority
 - May 14, 1886 claimed as a priority date for recreation storage and fish propagation
 - Right not included in Frost decree
 - It is very unusual for uses like this to have old priorities
 - Must recommend for disallowal unless priority date information is provided
 - Volume claimed of 3.1 af is ok (see 37-8249)
- 37-577CH
 - This is a split of the W.T. Riley right
 - Bill of Sale appears to have potentially conveyed this right to Bruce Willis (attached)
 - Appears to be delivered to Bruce Willis per Watermaster Records
- 37-8249
 - This one appears to be ok (see draft recommendation attached)

Thanks for the inquiry -- please advise...

Regards, Dave

-----Original Message-----

From: Christopher Meyer [mailto:ChrisMeyer@GivensPursley.com]
Sent: Friday, November 17, 2006 2:00 PM
To: Tuthill, Dave; Jill Eshman; Charles (father) Brockway
Subject: Question about Water Right No. 37-862 (Parry Thomas right)

To: David Tuthill
From: Chris Meyer

Dave,

SCANNED
JUL 24 2015

11/26/2006

This follows our prior conversation about Water Right No. 37-862, the right held by a trust controlled by Parry Thomas in Hailey, ID.

You said that you would like to see a settlement agreement worked out among the various neighbors in the subdivision.

I have initiated efforts aimed that that.

My question today has to do with the SRBA claim by the Peter Trust (for Mr. Parry).

The computerized claim form has written on it "VOIDED" and "No Signed Copy 1-26-90".

Do we have a problem here?

If there really is no proper SRBA claim, can we fix that so that it relates back to the original filing of the SRBA claim in 1988?

-Chris

cc:

Chuck Brockway (representing Mr. Thomas, the neighbor)

Jill Eshman (also representing Mr. Oliver, my client)

Contact information for sender:

Christopher H. Meyer

Givens Pursley LLP

601 West Bannock Street

P.O. Box 2720

Boise, ID 83701

Direct: 208-388-1236

Fax: 208-388-1300

Cell: 208-407-2792

Email: chrismeyer@givenspursley.com

Firm Website: www.givenspursley.com

SCANNED
JUL 24 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-04420

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	YES		See 5-17-90	
POINT OF DIV.				
SOURCE				
PLACE OF USE				
DIV. AMOUNT				
CONSUMPTIVE USE				
USES				
PERIOD OF USE				
BASIS OF CLAIM				

REMARKS:

MICROFILMED
MAR 01 1993
JUL 24 2015

GENERAL INFORMATION

Claim number: A37-04420

LAST: JEROME D. MACK, TRUSTEE

FIRST: PETER TRUST

ADDRESS: ABA RIVER GROVE FARM

40 PARRY THOMAS

P.O. BOX 642

CITY: SUN VALLEY

STATE: ID

ZIP: 83353

PHONE: (208) 622-4987

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: BROCKWAY

FIRST: CHARLES E.

ADDRESS: 706 SUNRISE BLVD, NORTH

CITY: TWIN FALLS

STATE: ID

ZIP: 83301

PHONE: () -

OWNER CODE: R

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER () -

DATE OF FIELD EXAM: __/__/__ APPOINTMENT MADE? Y() N(), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

SCANNED
JUL 24 2015

MICROFILMED
MAR 01 1993

PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-04420

STAGE 5

STAGE 5

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

REVIEWED BY _____ DATE _____

SCANNED
JUL 24 2015

MICROFILMED
MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-D4420

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>5</u>	<u>NW</u>	<u>SE</u>	<u>NE</u>	—	<u>BLAINE</u>

SOURCE: PURDUM SLOUGH TRIB: BIG WOOD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>5</u>	—	<u>NE</u>	<u>SE</u>	—	<u>BLAINE</u>

SOURCE: UNNAMED STREAM TRIB: BIG WOOD RIVER

C. REVIEW - FIELD EXAM NEEDED? Y() N()

		ATTACHED	OR	SEE FILE
VERIFIED	() TOPO MAP/ORTHO-PQ	YES()	NO()	_____
WITH:	() ASCS MAP	YES()	NO()	_____
	() WATERMASTER RECORDS	YES()	NO()	_____
	() FIELD EXAM	YES()	NO()	_____
	() OTHER _____	YES()	NO()	_____

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	—	—	_____
—	—	—	—	—	—	—	_____
—	—	—	—	—	—	—	_____

SOURCE: _____ TRIB: _____

REVIEWED BY _____ DATE _____

SCANNED

JUL 24 2015

MICROFILMED

MAR 01 1993

PAGE 5.

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-04420

FIELD EXAM REQUIRED: Y() N()

PRESUMPTION FLAG: Y() N()

ROOT WATER RIGHT NUMBERS 37-04420

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 5 NE SE</u>	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
—	— / —	— / —	—	—	—
TOTAL ACRES					

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS: STORAGE RIGHT

REVIEWED BY _____

DATE _____

SCANNED
JUL 24 2015

MICROFILMED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>RECREATION - STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>3.1</u> CFS
FOR	<u>FISH PROP. - STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>3.1</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>RECREATION - STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>10.0</u> CFS
FOR	<u>ESTHETIC - STORAGE</u>	FROM ____ TO ____	_____ CFS
FOR	<u>AESTHETIC - STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>10.0</u> CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON? Y() N()

RECOMMENDED AS CLAIMED? Y() N()

RECOMMEND TO IDWR STANDARDS OR OTHER? Y() N()

REMARKS:

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

REVIEWED BY _____

DATE _____

SCANNED
JUL 24 2015
MICROFILMED
MAR 01 1993

PAGE 7.
DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-04420

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)

SRBA CLAIMED RATE: 3.1 ^{AF} CFS IDWR ROOT RIGHT RATE: 10.0 CFS ^{AF}
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☒) N()

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y() N() If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: _____

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES _____ X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

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

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

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES _____ X CONSUMPTIVE RATE FOR AREA _____ A.F./ACRE =

TOTAL CONSUMPTIVE USE _____ ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y() N() SEE ATTACHED SHEET? Y() N()

RECOMMENDED DIVERSION RATE: _____ CFS

RECOMMENDED CONSUMPTIVE USE: _____ AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY _____ DATE _____

SCANNED
JUL 24 2015

MICROFILMED
MAR 01 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE _____

OTHER SRBA CLAIMS CFS/ACRE _____

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # _____	SPLITS # _____	_____ CFS
_____ CFS	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	TOTAL CFS _____	

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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ADDITIONAL ACREAGE FORM

TWN.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	5													H				
		5													R				

TOTAL NUMBER OF ACRES 0

REMARKS: _____

REVIEWED BY _____

DATE _____

SCANNED
JUL 24 2015
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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-04420	02N	18E	5	NW	SE	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A37-00862A	R37-00862
A37-07767	R37-00862A
A37-00862	R37-07767

WR RECORDS IN SAME 40 ACRE TRACT

37-08444
37-08446
37-08561

SOURCE: PURDUM SLOUGH

TRIB: BIG WOOD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04420	02N	18E	5		NE	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

37-08199
37-08200
37-08217
37-08102

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A37-12188	R37-08199
A37-08199	R37-08217
A37-08217	R37-12188
A37-08200	R37-08200

SOURCE: UNNAMED STREAM

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: _____

TRIB: _____

REVIEWED BY: _____

DATE: _____

SCANNED

JUL 24 2015

MICROFILMED

MAR 01 1993

Water Right Number - 37-04420

Adj. Flag Translation: Standard Water Right Number

Old (D) Number

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RIVER GROVE FARM1 -
2 - P.O. BOX 642
3 -
City- SUN VALLEY
Phone -

State- ID Zip- 83353

THOMAS

E. PARRY

1 -
2 - P.O. BOX 642
3 -
City- SUN VALLEY
Phone -

State- ID Zip- 83353

+ - - Priority Date - - +
05/14/1886+ - - Region - - - +
17+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - - +

+ - - Source - - - - - +
UNNAMED STREAM+ - - Tributary - - - - - +
BIG WOOD RIVER+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 5 NE SE (13) BLAINE

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume47 - RECREATION STORAGE 01/01 12/31 10.00
53 - AESTHETIC STORAGE 01/01 12/31 10.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
10.00+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02N 18E 5 NE SE 47 RECREATION STORAGE (13) BLAINE

Total Acres:

+ - - Diversion Means - DAM, HEADGATE, POND

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +
No Remarks found.

SCANNED

JUL 24 2015

MICROFILMED

MAR 01 1993

Water right number - 37-04420

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - - +

+ - - - - Decree Defendant - - - - +

- Decree Date - +
00/00/0000

+ - - Audit Fields - 04/11/86

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/11/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

SCANNED

JUL 24 2015

MICROFILMED
MAR 01 1993

Water Right Number - A37-04420

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***

PETER TRUST, JEROME D. MACK, TRUSTEE

1 - ABA RIVER GROVE FARM

2 - C/O E. PARRY THOMAS

3 - P.O. BOX 642

City- SUN VALLEY

Phone - 208-622-4987

State- ID Zip- 83353

*** O - ORIGINAL OWNER ***

THOMAS

E. PARRY

1 -

2 - P.O. BOX 642

3 -

City- SUN VALLEY

Phone - 208-000-0000

State- ID Zip- 83353

RIVER GROVE FARM

1 -

2 - P.O. BOX 642

3 -

City- SUN VALLEY

Phone - 208-000-0000

State- ID Zip- 83353

*** R - REPRESENTATIVE ***

BROCKWAY

CHARLES E.

1 - 706 SUNRISE BLVD. NORTH

2 -

3 -

City- TWIN FALLS

Phone - 208-000-0000

State- ID Zip- 83301

+ - - Priority Date - - +
05/14/1886+ - - Region - - - +
17

+ - - Stage - - - +

+ - - Status - - - +

S - STATUTORY CLAIM

+ - - Source - - - - - +
PURDUM SLOUGH+ - - Tributary - - - - - +
BIG WOOD RIVER+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)

02N 18E 5 NW SE NE (13) BLAINE

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

47 - RECREATION STORAGE

01/01 12/31

3.10

20 - FISH PROP. STORAGE

01/01 12/31

3.10

+ - Total Div. Rate - + + - Total Div. Volume - +
3.10

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

+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 18E 5 NE SE 20 FISH PROP. STORAGE (13) BLAINE
02N 18E 5 NE SE 47 RECREATION STORAGE (13) BLAINESCANNED
JUL 24 2015
MICROFILMED
MAR 01 1993

Water right number - A37-04420

Adj. flag translation: Adjudication Temporary Work Area

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - - Diversion Means - DAM, HEADGATE, POND

+ - - Non-Irrigation Use - H/FISH POND; RECREATION

+ - - Other Rights for Same Use - 37-08249, 37-00862

Remarks
No Remarks found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

+ - - Audit Fields - WHITE

+ - - Adjudication Rights Dates and Flags Area - - - - -

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	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/11/1986	Old Judicial District	-
Claim Received Date	- 10/26/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C004931	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

SCANNED
JUL 24 2015MICROFILMED
MAR 01 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 17, 1989

Mr. Charles E. Brockway
706 Sunrise Blvd., North
Twin Falls, ID 83301

BLAINE

RE: Peter Trust, Jerome D. Mack, Trustee
ABA River Grove Farm

Dear Chuck:

During the staff review of the above referenced claims, several problems were encountered which may require additional action on your part in order to claim all the water rights which you were attempting to claim for your client.

There are three claims which are acceptable as submitted. You will find copies of these attached. They are:

A37-12353 with a fee of	\$25.00
A37-12354 with a fee of	\$25.00
A37-04420 with a fee of	\$50.47

There are three additional claims which will be dealt with individually. First, Claim A37-08200 is based on a permit which has not yet had Proof of Beneficial Use submitted to the Department. According to the Rules and Regulations, if Proof of Beneficial Use was not filed by November 19, 1987, you are not required to file a claim, however, you may file this claim if you want. You are given this opportunity to withdraw the claim. Therefore, I am returning this claim with no action taken.

If you wish to submit a claim for #37-08200, please return it with a copy of this letter and we will apply funds from the outstanding balance. If this claim is re-submitted please be aware that the priority date on the permit is 11/07/1984. Also, a signature is needed on page 4.

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JUL 24 2015

MICROFILMED
MAR 01 1993

Mr. Charles E. Brockway
January 17, 1989
Page 2

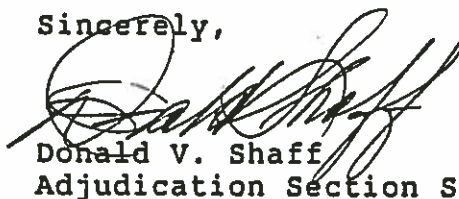
Claim No. A37-00862 is based on a decreed right which does not include recreation use. If you wish to claim a water right for recreation use, you must file a separate claim. This claim has been partially accepted for the decreed amount of water for irrigation with a fee of \$210. A copy of the acceptable claim is attached.

Claim No. A37-08249 is based on a permit for Fish Propagation. The claim you submitted added irrigation and domestic uses. We have partially accepted the permitted amount of water for fish propagation and rejected the other uses and applied a fee of \$59.80. A copy is attached. You may claim the expanded uses under the "presumption" statute §42-1416, Idaho Code, on a separate claim, however, you should be aware that these additional uses are in violation of the mandatory permit requirements. The possibility does exist that the expansion claim you file may be protested or disallowed. You might file an application for permit which would begin the permit process for your client to acquire a valid water right which is not in violation of the mandatory permit requirements.

Please also find a receipt in the amount of \$1060.80 which was submitted with the claims. The balance of 690.53 is being held pending your action. You may request a refund of this balance at any time or you may apply it to fees for additional claims which you may submit.

Feel free to contact this office if you have any questions or need assistance.

Sincerely,



Donald V. Shaff
Adjudication Section Supervisor

DVS:HH:db
Enclosures

Long Claim Form Completed (3)
A37-08200, A37-00862, A37-08249
Receipt #C004956
Long Claim Form w/Instructions (4)

SCANNED
JUL 24 2015

MICROFILMED
MAR 01 1993

Water Right Number - 37-04420

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
RIVER GROVE FARM

THOMAS

E. PARRY

1 -
2 - P.O. BOX 642
3 -
City- SUN VALLEY
Phone -
1 -
2 - P.O. BOX 642
3 -
City- SUN VALLEY
Phone -

State- ID Zip- 83353

State- ID Zip- 83353

+ - - Priority Date - - +
05/14/1886+ - - Region - - - +
17+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - +
UNNAMED STREAM+ - - Tributary - - - - +
BIG WOOD RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
02N	18E	5	NE SE		(13)	BLAINE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
47	RECREATION STORAGE	01/01	12/31		10.00
53	AESTHETIC STORAGE	01/01	12/31		10.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	10.00			

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	5	NE SE			47	RECREATION STORAGE	(13) BLAINE

Total Acres:

+ - - Diversion Means - DAM, HEADGATE, POND

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - -
No Remarks found.

SCANNED

JUN 24 2015

MICROFILMED

MAR 01 1993

Adj. flag translation: Standard Water Right Number

SCANNED

De-free Date 00/00/0000

77

RECEIVED

MAR 01 1993

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/11/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

R PROOF
CVR
MAPS
PHOTOS
MISC

SCANNED
JUL 24 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-04420

LAST: THOMAS
ADDRESS: P.O. BOX 642
CITY: SUN VALLEY
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: E. PARRY

STATE: ID ZIP: 83353

SCANNED
JUL 24 2 50 PM '90

LAST: RIVER GROVE FARM
ADDRESS: P.O. BOX 642
CITY: SUN VALLEY
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST:

STATE: ID ZIP: 83353

LAST: BROCKWAY
ADDRESS: 706 SUNRISE BLVD. NORTH
CITY: TWIN FALLS
PHONE NUMBER: 208-000-0000
OWNER CODE: R

FIRST: CHARLES E.

STATE: ID ZIP: 83301

LAST: PETER TRUST, JEROME D. MACK, TRUSTEE
ADDRESS: ABA RIVER GROVE FARM
C/O E. PARRY THOMAS
P.O. BOX 642
CITY: SUN VALLEY
PHONE NUMBER: 208-622-4987

FIRST:

STATE: ID ZIP: 83353

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
OCT 26 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) ____ - ____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____ - ____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

SCANNED
JUL 24 2015

MICROFILMED

OCT 26 1994

A. AJ CLAIM: = A37-04420 PRIORITY DATE: 05-14-1886 STAGE: S
B. WR RECORD: = 37-04420 PRIORITY DATE: 05-14-1886 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

_____SCANNED
JUL 24 2015

=====

RECOMMENDED PRIORITY DATE:
05-14-1886

REVIEWED BY _____

DATE _____
=====MICROFILMED
OCT 26 1994

SCANNED
JUL 24 2015

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-04420	02N	18E	5	NW	SE	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A37-00862A	R37-00862
A37-07767	R37-00862A
A37-00862	R37-07767
	37-08444
	37-08446
	37-08561

SOURCE: PURDUM SLOUGH

TRIB: BIG WOOD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04420	02N	18E	5		NE	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
37-08199	A37-12188
37-08200	A37-08199
37-08217	A37-08217
37-08102	R37-08199
-	R37-08217
-	R37-12188
-	A37-08200
-	R37-08200

SOURCE: UNNAMED STREAM

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

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

MICROFILMED
OCT 26 1994

REMARKS:

SCANNED
OCT 14 2014

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

---	---	---	---	---	---	---	---
-----	-----	-----	-----	-----	-----	-----	-----

SOURCE: _____

TRIB: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED

OCT 4 6 1998

A. ROOT WATER RIGHT NUMBERS: A37-04420
R37-04420

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	5	NE	SE		BROCKWAY , CHARLES E.	A37-04420 /	37-04420 /			
						HANSING , PATRICIA P.	A37-12188 /	- /			
						BROCKWAY , CHARLES E.	A37-00862 /40.0	37-00862 /			
						HANSING , PATRICIA P.	A37-00862A / 1.4	- /			
						HANSING , PATRICIA P.	A37-08199 /	37-08199 /			
						HANSING , PATRICIA P.	A37-08200 / 2.0	37-08200 /			2.0
						HANSING , PATRICIA P.	A37-08217 / 1.4	37-08217 /			1.4
						BROCKWAY , CHARLES E.	R37-00862 /40.0	- /			
						HANSING , PATRICIA P.	R37-00862A / 1.4	- /			
						BROCKWAY , CHARLES E.	R37-04420 /	- /			
						HANSING , PATRICIA P.	R37-08199 /	- /			
						HANSING , PATRICIA P.	R37-08200 / 2.0	- /			
						HANSING , PATRICIA P.	R37-08217 / 1.4	- /			
						HANSING , PATRICIA P.	R37-12188 /	- /			
						THOMAS , E. PARRY		37-08102 /			
02N	18E	5	NE	SE		BROCKWAY , CHARLES E.	A37-04420 /	37-04420 /			
						HANSING , PATRICIA P.	A37-12188 /	- /			
						BROCKWAY , CHARLES E.	A37-00862 /40.0	37-00862 /			
						HANSING , PATRICIA P.	A37-00862A / 1.4	- /			
						HANSING , PATRICIA P.	A37-08199 /	37-08199 /			
						HANSING , PATRICIA P.	A37-08200 / 2.0	37-08200 /			2.0
						HANSING , PATRICIA P.	A37-08217 / 1.4	37-08217 /			1.4
						BROCKWAY , CHARLES E.	R37-00862 /40.0	- /			
						HANSING , PATRICIA P.	R37-00862A / 1.4	- /			
						BROCKWAY , CHARLES E.	R37-04420 /	- /			
						HANSING , PATRICIA P.	R37-08199 /	- /			
						HANSING , PATRICIA P.	R37-08200 / 2.0	- /			
						HANSING , PATRICIA P.	R37-08217 / 1.4	- /			
						HANSING , PATRICIA P.	R37-12188 /	- /			
						THOMAS , E. PARRY		37-08102 /			
TOTAL ACRES							A37-04420				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER

MICROFILMED
OCT 26 1994

PRESUMPTION FLAG:

REMARKS:

SCANNED
11/17/2015

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED

OCT 26 1994

SCANNED
JUL 24 2015

A. AJ CLAIMED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
A37-04420	RECREATION STORAGE	01-01	12-31		3.10 AF/A
A37-04420	FISH PROP. STORAGE	01-01	12-31		3.10 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED					3.10 AF/A

B. WR RECORDED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
37-04420	RECREATION STORAGE	01-01	12-31		10.00 AF/A
37-04420	AESTHETIC STORAGE	01-01	12-31		10.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED					10.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Explain in remarks, below.

REMARKS:

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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: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?

FIELD

DATABASE EXAMINER

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

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 37-08249, 37-00862

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-12188	PURDOM SLOUGH	HANSING , PATRICIA P.	0.100			
A37-08200	GROUNDWATER	HANSING , PATRICIA P.	0.110	0.036		
A37-08217	GROUNDWATER	HANSING , PATRICIA P.	0.260	0.130	0.50	0.25
R37-00862	BIG WOOD RIVER	BROCKWAY , CHARLES E.	3.200	0.020		
R37-00862A	BIG WOOD RIVER	HANSING , PATRICIA P.	0.040	0.020		
R37-08200	GROUNDWATER	HANSING , PATRICIA P.	0.110	0.036		
R37-08217	GROUNDWATER	HANSING , PATRICIA P.	0.260	0.130	0.50	0.25

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-04420	RECREATION STORAGE	BROCKWAY , CHARLES E.	FROM 01-01 TO 12-31		3.10 AF/A
A37-04420	FISH PROP. STORAGE	BROCKWAY , CHARLES E.	FROM 01-01 TO 12-31		3.10 AF/A
A37-12188	DOMESTIC	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.060 CFS	
A37-08199	RECREATION	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS	
A37-08199	RECREATION STORAGE	HANSING , PATRICIA P.	FROM 01-01 TO 12-31		.30 AF/A
A37-08199	AESTHETIC	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS	
A37-08199	AESTHETIC STORAGE	HANSING , PATRICIA P.	FROM 01-01 TO 12-31		.30 AF/A
A37-08200	STOCKWATER	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.010 CFS	
A37-08200	DOMESTIC	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.040 CFS	
A37-08217	RECREATION	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS	
A37-08217	AESTHETIC	HANSING , PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS	

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A37-08217	AESTHETIC STORAGE	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.50 AF/A
R37-04420	RECREATION STORAGE	BROCKWAY, CHARLES E.	FROM 01-01 TO 12-31	3.10 AF/A
R37-04420	FISH PROP. STORAGE	BROCKWAY, CHARLES E.	FROM 01-01 TO 12-31	3.10 AF/A
R37-08199	RECREATION	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS
R37-08199	RECREATION STORAGE	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.30 AF/A
R37-08199	AESTHETIC	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS
R37-08199	AESTHETIC STORAGE	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.30 AF/A
R37-08200	STOCKWATER	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.010 CFS
R37-08200	DOMESTIC	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.040 CFS
R37-08217	RECREATION	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS
R37-08217	AESTHETIC	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.200 CFS
R37-08217	RECREATION STORAGE	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.50 AF/A
R37-08217	AESTHETIC STORAGE	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.50 AF/A
R37-12188	DOMESTIC	HANSING, PATRICIA P.	FROM 01-01 TO 12-31	.060 CFS

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 JUL 24 2009

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
 (Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
 ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
 TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 3.10 AF/A
 ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
 TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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JUL 21 2015

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
TOTAL FOR THIS RIGHT								

REVIEWED BY: _____

DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-04420

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-04420		R37-04420		37-04420	
A37-04420	R37-04420		R37-04420		37-04420	

TOTAL CFS

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
YFIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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 JUL 24 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/23/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-04420

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 DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES	Y							
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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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0/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Peter Trust CLAIM NO. A37-04420

DATE RECEIVED 26 Oct 1988 CK # 2812 AMOUNT \$ 1060.00

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

stet claim

2F

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JUL 24 2015

Claim checked by: MICHAEL

Comments: no need. Diversion Rate to Storage?

MAR 01 1993