

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1236

RIGHT NUMBER: 37-12353

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION: T02N R18E S05 SESENE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T02N R18E S05 SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

#

no parcel #

✓

D-29-78

Claim proofread by: (NW)

1103

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. A37 12353

1. Owner: Peter Trust c/o Parry Thomas Phone No. 208 622 4987

Phone No. 208 622 4987

Current Address: Box 642 Sun Valley

2. Accompanied by: _____ EXAM. DATE: 5-15-90

EXAM. DATE: 5-15-90

Address: _____ **Phone No.** _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ **Copies Attached**

2. Other water rights with same point of diversion: _____

☐ Copies Attached ☐ Copies of Field Exam's Attached☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

☐ Alternative diagram attached

Scale: 1" = _____.

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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 Copies or more.
FEB 26 1993

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible					

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NE	S	2N	18E	Blaine	Flying Heart Ranch #1 Lot 122

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	S				X													

Do not use this space

D. FLOW M

1.

Mea

2. Measu



Calib. Date

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Totals:				

2. Recommended Amendments

- | | |
|---|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above |

J. AUTHENTICATION

Field Examiner's Name _____
Signature *Kenneth Dunn*
Certification Date 6-19-90
Field Report Preparation Date _____



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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: A37-12353
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 PARRY THOMAS
P.O. BOX 642
SUN VALLEY, ID 83353

2. Date of Priority: APR 01, 1883

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 10" CASING, 91' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

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

A37-12353

Page 1

Date: 01/12/90

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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:
NONE

14. Remarks:
REPLACEMENT WELL DRILLED 8/8/1988 TO REPLACE OLD HOMESTEAD WELL.
FLYING HEART RANCH NO. L.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A37-12353

Date Received 10-26-88

Receipt Number C004931

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

OCT 26 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Peter Trust Jerome D. Mack-Trustee Phone (208) 622-4987

Mailing Address aba River Grove Farm c/o E. Parry Thomas P.O.Box 642 Zip 83353
Sun Valley, Idaho

2. Date of Priority (Only one (1) per claim) April 1, 1883

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. Location of point of diversion is: Township 2N Range 18E

Section 5, SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Blaine Flying Heart Ranch No 1 Sub Lot 6

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well with pump and piping to old homestead.
New well drilled August 8, 1988 to replace old homestead well. New well is 10 inch
diameter, 91 feet deep.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For Domestic purposes from Jan 1 to Dec 31 amount .04 cfs.
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 cfs (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) One household served

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Copies: White-State, Yellow-Claimant
FEB 26 1993

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
2N	18E	5				D												

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 (X)

14. Remarks: _____

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2-3

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. Brachey Date 10/26/98
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 Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of Oct. 19 98

SEAL

Notary Public Kimberly J. Idz

Residing at Kimberly Idz

My Commission Expires 6/30/01

Last Name Peter Trust Ident No. _____

F H 6

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Copies White-State, Yellow-Claimant
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IDAHO



- Survey Point Found
- Brass Cap Found
- 3/8" X 30" Rebar Set
- └ Lot Corner
- Floodway
- L.R.E. Floodplain

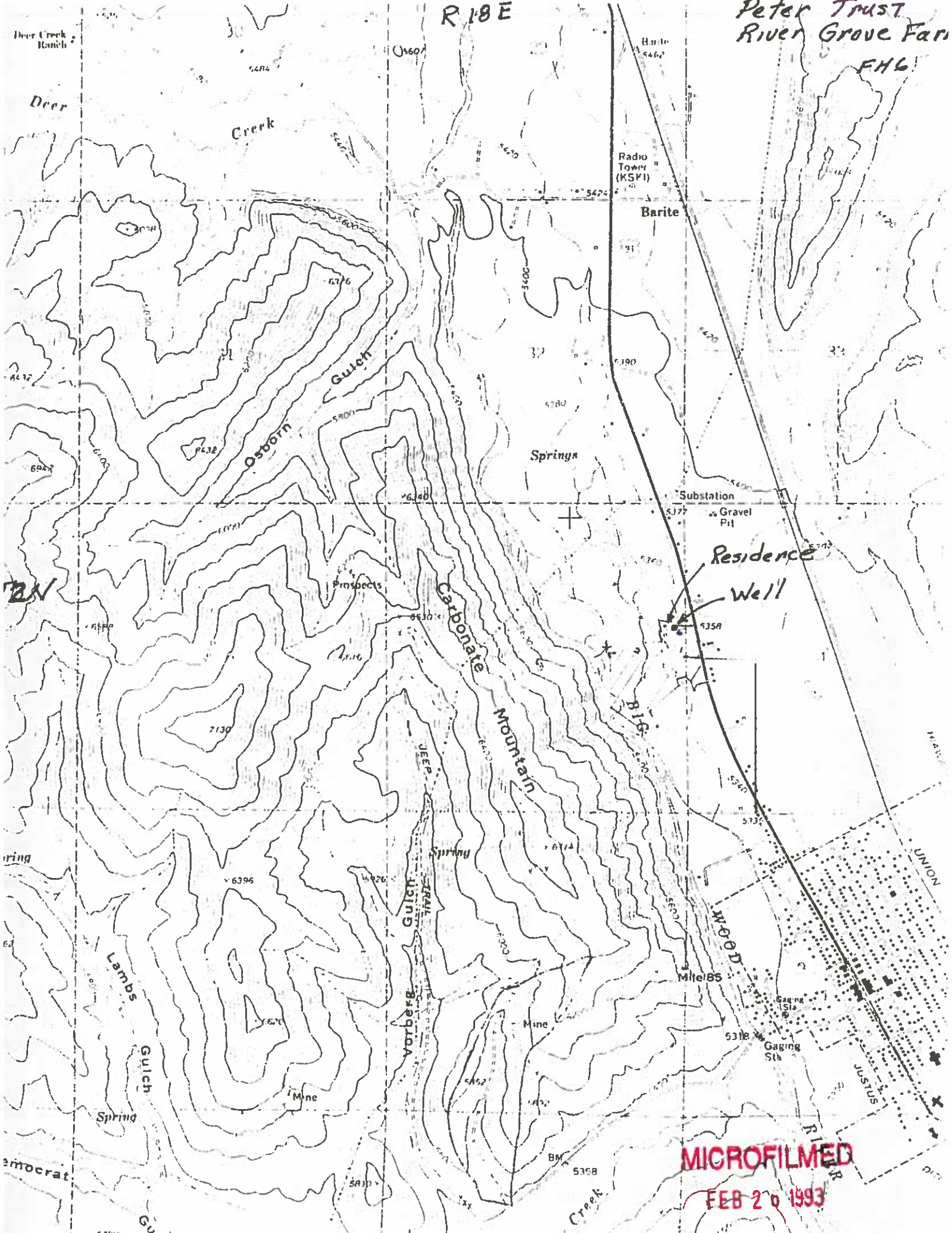
NOTES

2. No dump shall be placed outside of a building envelope.
3. Temporary cut-de-sac shall be abandoned upon completion of, after access to State Highway through land to the north.
4. Wherever possible natural drainage ways should not be subverted.
5. Forces shall not extend into floodway, nor shall the river be controlled in any manner.
6. A 15 foot aqueduct and fishermen easement is dedicated along the easterly bank of the Big Wood River. Said easement shall shift with the river bank if the river changes its location.
7. Parts of this subdivision are subject to flood hazard.
8. Present driveway off State Highway 15 to be abandoned when Aspen Lakes Drive is completed.

Prepared by
PHILIP F. PUCHNER
Consulting Engineer
Ketchum, Idaho
January, 1979

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Feb 20 1993



Peter Trust
River Grove Farm
FH6

R18E

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FEB 26 1993

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]
[Signature]

[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

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FEB 20 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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FEB 26 1993

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

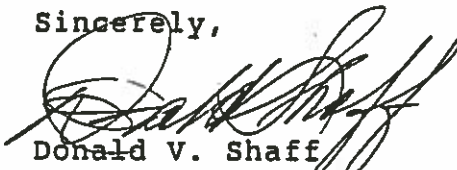
Claim No. A37-00862 is based on a decreed right which does not include recreation use. If you wish to claim a water right for recreation use, you must file a separate claim. This claim has been partially accepted for the decreed amount of water for irrigation with a fee of \$210. A copy of the acceptable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

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FEB 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 13, 1989

Re: A37-12353

PETER TRUST JEROME D MACK TRUSTEE
ABA RIVER GROVE FARM
C/O PARRY THOMAS
P O BOX 642
SUN VALLEY ID 83353
Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 26 1993

SRBA CLAIM REVIEW ANALYSIS SHEET (D & S CLAIMS)

ITEM
NO.CHANGED ?
YES NO

1. Peter Trust () (x)

2. () ()

3. (x) GROUNDWATER OR 3B. () (x)

4. T 2N R 18E SEC 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, LOT ____ CO. Blaine () (x)

5. () ()

6. () ()

7. () ()

8. () ()

9. () ()

10. T 2N R 18E SEC 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, LOT ____ USE Domestic () (x)

T ____ R ____ SEC ____, ____ $\frac{1}{4}$ ____, LOT ____ USE ____ () ()

11. () ()

12. () ()

13. Flying Heart Ranch No. 1, Lot 132 (x) ()

14. () ()

15. () ()

FIELD INSPECTED BY A. Kenneth Dunn DATE 5/15/1990

COMMENTS:

DWR REVIEW AND DATA BASE MODIFICATION BY hht DATE 6/15/1990MICROFILMED
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