

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOUR
RECOMMENDED WATER RIGHTS ACQUIRED UNDER ST

RIGHT NUMBER: 47-12607

NAME & ADDRESS: JACOB A PETTER
TENA PETTER
RT 1 BOX 159
BUHL ID 83316

SOURCE: GROUNDWATER

QUANTITY: 0.2 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
GALLONS PER DAY.

PRIORITY DATE: 06/01/1978

POINT OF DIVERSION: T10S R14E S28 NENWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
STOCKWATER

PLACE OF USE: STOCKWATER Within TWIN FALLS Cou
T10S R14E S28 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WA

THE QUANTITY OF WATER DECREED FOR THIS WATER
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
371 DAIRY COWS
10S14E283000

O.K.
8-3-98
K K C

FEB-18-1997
0005

1

RIGHT NUMBER: 47-12607

NAME AND ADDRESS: JACOB A PETTER
TENA PETTER
RT 1 BOX 159
BUHL ID 83316

SOURCE: GROUNDWATER

QUANTITY: 0.2 CFS

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

PRIORITY DATE: 06/01/1978

POINT OF DIVERSION: T10S R14E S28 NENWNW Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.2 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T10S R14E S28 NWNW

OTHER MATTERS 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
371 DAIRY COWS
10S14E283000

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

January 18, 1995

ATTENTION: Mr. Douglas Jones, P.E.
Water Rights Supervisor

RECEIVED

JAN 18 1995

Department of Water Resources
Southern Region

Dear Mr. Jones:

In 1978 I was the owner of the property on Route 1 in
Buhl, Township 10 South, Range 14 East, Section 28 NENWNW in
Twin Falls County.

In 1978 I built a new milking parlor and at that time dug
a new well beside the barn. The dairy facility was suited for
400+ cows at that time, and shortly thereafter we had 400+
mature cows on the place as well as some young stock.

Sincerely yours,

H. C. Loman

H. C. Loman
Route 1
Buhl, Idaho 83316

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 18 day of JANUARY, 1995, before me, a notary public
in and for said State, personally appeared H. C. LOMAN known to me to be the
person whose name is subscribed to the within instrument, and acknowledged to
me that he executed the same.

Robert Jones
Robert Jones Notary Public
Residing at Twin Falls, Idaho
Comm. Expires: 12-20-2000

966101370
MICROFILMED
DEC 10 1996

KRAFT GENERAL FOODS
KRAFT USA

DEC 23 1994
Department of Water Resource
Southern Region Office

December 16, 1994

Department Of Water Resources
222 Shoshone East
Twin Falls, Idaho 83301

Dear Sir:

The Jack Petter dairy located approximately 1150 East 3700 North of Buhl, Idaho is currently selling Grade "A" milk to Kraft. I have personal knowledge that this dairy facility has been in operation since 1978.

There are two water wells on this property. The one in question is located near the barn. This water well has been used primarily for dairy livestock. The barn, corrals, and water well were designed to handle a minimum of 400 milking cows plus associated dairy livestock. The well has been in continuous use since 1978.

The other water well has been used primarily for domestic household purposes.

Sincerely,



David Brown
Dairy Farm Specialist
Environmental Health Specialist, State of Idaho, # 197
Registered Hazardous Substances Professional, NEHA, # 207

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DEC 10 1996



*GOVERNOR'S OFFICE*
Governor PHILIP E. BATTR. KEITH HIGGINSON
Director

January 10, 1995

A47-12607

JACOB A PETTER

TENA PETTER

RT 1 BOX 159

BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
DEC 10 1996

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: A47-12607
Date Received: 2/01/1989
Receipt No: M002307
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACOB A. PETTER 208-543-6704
Address: RT 1 BOX 159
BUHL, ID 83316

AND/OR
Name: TENA PETTER 208-543-6704
Address: RT 1 BOX 159
BUHL, ID 83316

2. Date of Priority: JUN 01, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	14E	28	NE	NW	NW		TWIN FALLS

5. Description of diverting works:
180'X8" WELL, 2HP PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 DAIRY COWS

A47-12607

Page 1

Date: 02/01/89

MICROFILMED
MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	14E	28	NW NW		STOCK	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
CANAL WATER, A47-12606

14. Remarks:

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

Identification No. 447-12607

Date Received 12-20-88

Receipt Number MO02307

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

RECEIVED
DEC 20 1988

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jacob A. Petter OR Tena Phone (208) 543-6704

Mailing Address Rt 1 Box 159, Bull, Idaho Zip 83316

2. Date of Priority (Only one per claim) 6-1 1978 Month/Day/Year

3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 10 South Range 14 East

Section 28 NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Twin Falls

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 8" casing 180' deep 2 HP submersible,
pipe to milk drain; stock watering

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For ~~DOMESTIC~~ purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

For STOCK purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.28 (cfs)
(Both dates are inclusive)

7. Total quantity claimed 0.28 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Dairy Cows - 300 Head

MICROFILMED

MAR 17 1993

10. Place of use is: Township: 10 South Range 14 East
Section 28, NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Twin Falls for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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.
1 BRIG. w/ Twin Falls Canal Co. A47-12606

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

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

Signature of Claimant (s) X Jacob A. Petter Date 12-20-1988
_____ 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 _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Twin Falls } SS.

Subscribed and sworn (or affirmed) before me this 20th day of December 1988

SEAL

Notary Public Anna Baunhoff

Residing at Borise Idaho

My Commission Expires 12-7-1994

Last Name Petter Ident No. A47-12607

Copies: White-State, Yellow-Claimant

MICROFILMED
MAR 17 1993

U G E U V

AUG 29 1994

Department of Water Resource

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: **A47-12607**
Date Received: 12/20/1988
Receipt No: M002307
Received By: _____

AMENDED

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

AMENDED

1. Name: JACOB A PETTER
Address: RT 1 BOX 159
BUHL ID

208-543-6704

83316

AND/OR

Name: TENA PETTER
Address: RT 1 BOX 159
BUHL ID

208-543-6704

83316

2. Date of Priority: JUN 1, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	14E	28	NE	NW	NW		TWIN FALLS

5. Description of diverting works:
180' X 8" WELL, 2HP PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 371 DAIRY COWS

MICROFILMED
OCT 28 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	14E	28	NW NW		STOCK	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
47-12606 SUPPLIES WATER IN BARN

14. Remarks:

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): Jacob A. Pettit Date: 8-26-94
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of AUGUST 19 94

Robert H. Jones
Notary Public

Seal

Residing at Twin Falls Idaho
My Commission Expires 12-20-94

MICROFILMED
OCT 28 1994

WATER RIGHT NUMBER - A47-12607

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
PETTER

JACOB A.

1 - RT 1 BOX 159

2 -

3 -

CITY- BUHL

STATE- ID ZIP- 83316

PHONE - 208-543-6704

PETTER

TENA

1 - RT 1 BOX 159

2 -

3 -

CITY- BUHL

STATE- ID ZIP- 83316

PHONE - 208-543-6704

+ - - PRIORITY DATE - - +
06/01/1978

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

10S 14E 28 NE NW NW (83) TWIN FALLS

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.200

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.200 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

10S 14E 28 NW NW 04 STOCKWATER (83) TWIN FALLS

+ - - DIVERSION MEANS - 180'X8" WELL, 2HP PUMP, PIPE

+ - - NON-IRRIGATION USE - S/300 DAIRY COWS

+ - - OTHER RIGHTS FOR SAME USE - ^{TWIN FALLS} CANAL WATER, A47-12606

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

