

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 63-4291
Date Received: 1/11/1990
Receipt No: W007533
Received By:

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

1. Name of Claimant(s)

MYRON GRANT PETERSON
33747 APPLE VALLEY RD
PARMA ID USA 83660

Phone: (208) 722-5342

2. Date of Priority: 06/01/1911

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05W	18	NE NE	CANYON	

5. Description of diverting works:

15 HP PUMP W/PIPELINE FOR GRAVITY FLOW IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05W	18	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	13
			SW	NE	IRRIGATION	5
			SE	NE	IRRIGATION	2
					Section Acres	50
					Total Acres	50

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 5/5/2003

NOTE: THE PRIORITY DATE WAS CHANGED TO THE CORRECT DATE OF FIRST USE WHICH WAS 1911 RATHER THAN 1945.

15. Basis of Claim: Statutory Claim

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

RECEIVED

MAR - 3 2003

**WATER RESOURCES
WESTERN 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4291	63-4291	—			—
		—			—
		—			—
		—			—
		—			—

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 usually attached to your deed or on file with the county).

OR

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 **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)

C Grant Peterson
1300 Grant Lane Nyssa, ORE.

4. New Owner/Claimant(s)

Myron Peterson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

33747 Apple Valley ORE

City, State and ZIP Code

PARMA ID 83660

New Telephone Number

(208) 722-5342 cell # 208-484-7804

5. Date you acquired the property

January 9, 2003

RECORDER'S INFORMATION:

Prepared by:
Yturri Rose LLP
P.O. Box S
Ontario, OR 97914

Until a change is requested, all tax
statements shall be sent to:
Myron Peterson
33747 Apple Valley Ln.
Parma, ID 93660

After recording return to:
Yturri Rose LLP
P.O. Box S
Ontario, OR 97914

RECEIVED
JUN 11 2003
YTURRI ROSE

REQUEST
TYPE
FEE
9.00

BY
C. Noel Hales
CANYON CNTY RECORDER

2003 JUN 9 AM 11 09

RECORDED

200301305

BARGAIN AND SALE DEED
(Distribution from Trust Following Death of Grantor)

GRANTOR, CLIFFORD D. MEFFORD, Trustee of the C. GRANT PETERSON TRUST u/t/d June 8, 2000, of 2465 Haven Drive, Eagle, ID 83616, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto MYRON GRANT PETERSON, whose current address is 33747 Apple Valley Ln., Parma, Idaho, County of Canyon, State of Idaho, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in the County of Canyon, Idaho:

See Exhibit A attached hereto and by
this reference incorporate herein.

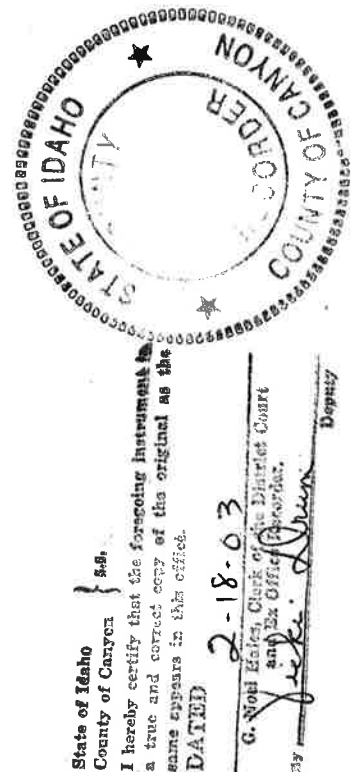
TOGETHER with all improvements, water, water rights, ditch rights, easements, hereditaments and appurtenances thereto.

Grantor, for himself, his heirs and assigns does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee, his heirs and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 19 day of December, 2002.

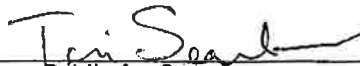
Clifford D. Mefford, Trustee
Clifford D. Mefford, Trustee of the C. Grant Peterson
Trust u/t/d June 8, 2000



State of Oregon)
) ss.
County of Malheur)

This instrument was acknowledged before me on this 19 day of December, 2002, by Clifford D. Mefford, Trustee of the C. Grant Peterson Trust u/t/d June 8, 2000.

Before me:



Notary Public for Oregon



Red Bluffs

63-4291

6N 5W S-18

SENE

9 ac

63-4291
6N 5W S-18

NENE

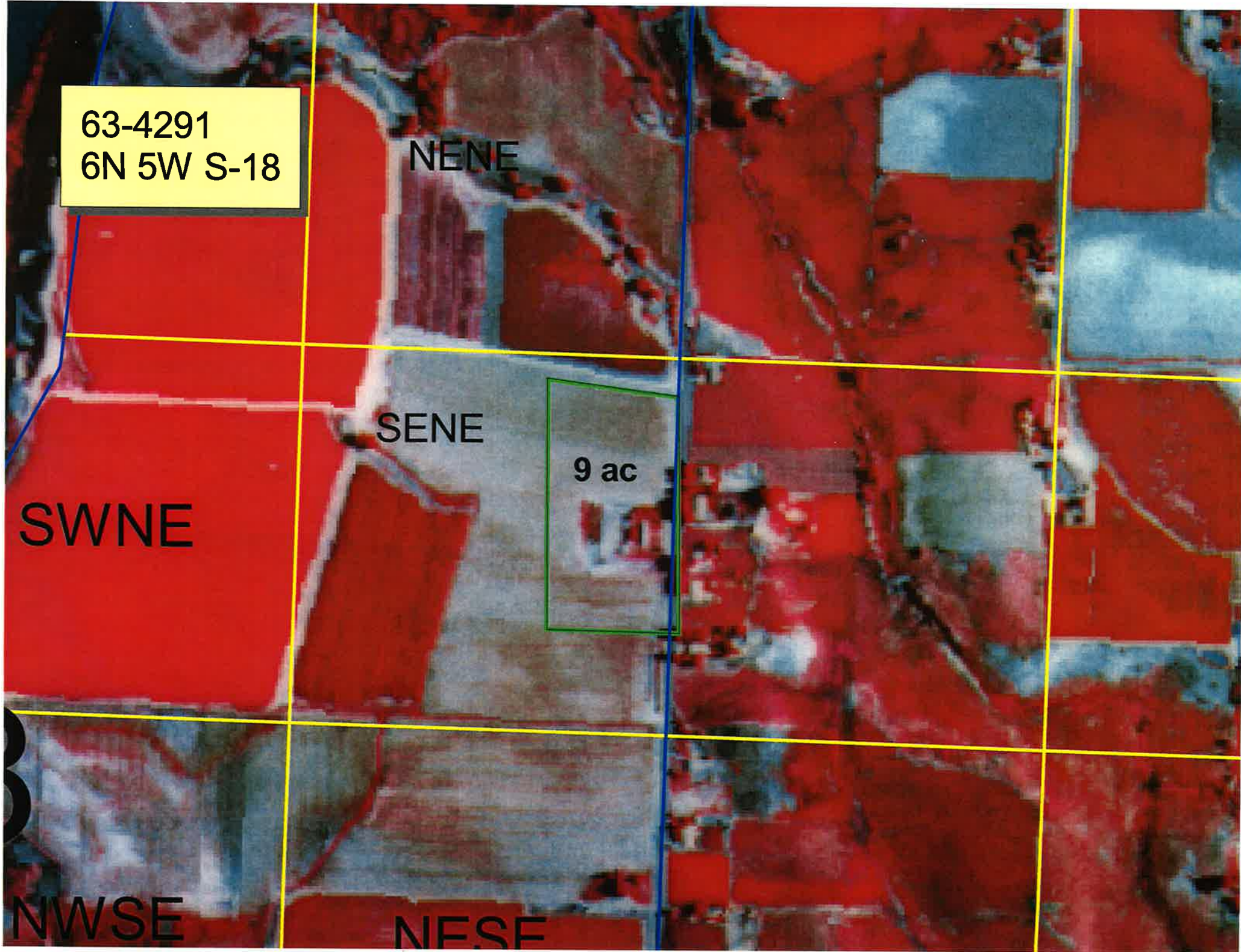
SENE

9 ac

SWNE

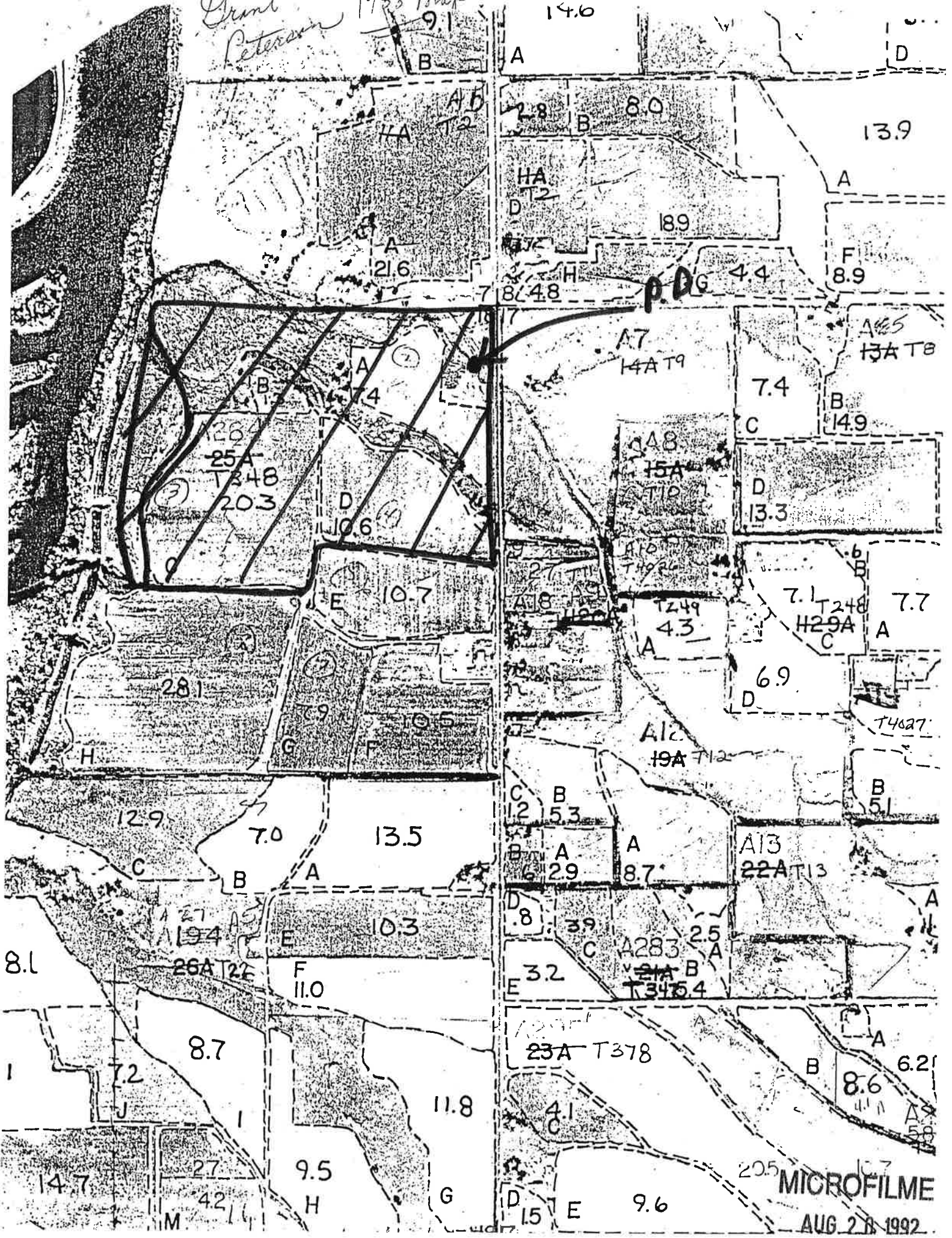
NWSE

NESE



Grant Peterson 1988 map

14.6



MICROFILME
AUG 28 1992

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: A63-04291
Date Received: 1/11/1990
Receipt No: W087533
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. GRANT PETERSON 503-372-5128
Address: 1300 GRANT LN.
NYSSA, OR 97913

2. Date of Priority: JUN 01, 1911

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05W	18	NE	NE			CANYON

5. Description of diverting works:
15 HP PUMP W/PIPELINE FOR GRAVITY FLOW IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	18	NE	NE		IRR	30.0
			NW	NE		IRR	13.0
			SW	NE		IRR	5.0

A63-04291

Page 1

Date: 01/11/90

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05W	18	SE	NE	IRR	2.0
Section Acres						50.0
Total Acres						50.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE.

14. Remarks:
NOTE: THE PRIORITY DATE WAS CHANGED TO THE CORRECT DATE OF FIRST
USE WHICH WAS 1911 RATHER THAN 1945.

15. Basis of Claim: STATUTORY CLAIM

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

Signature of Claimant(s): C. Grant Peterson Date: 1-11-90

Date: _____

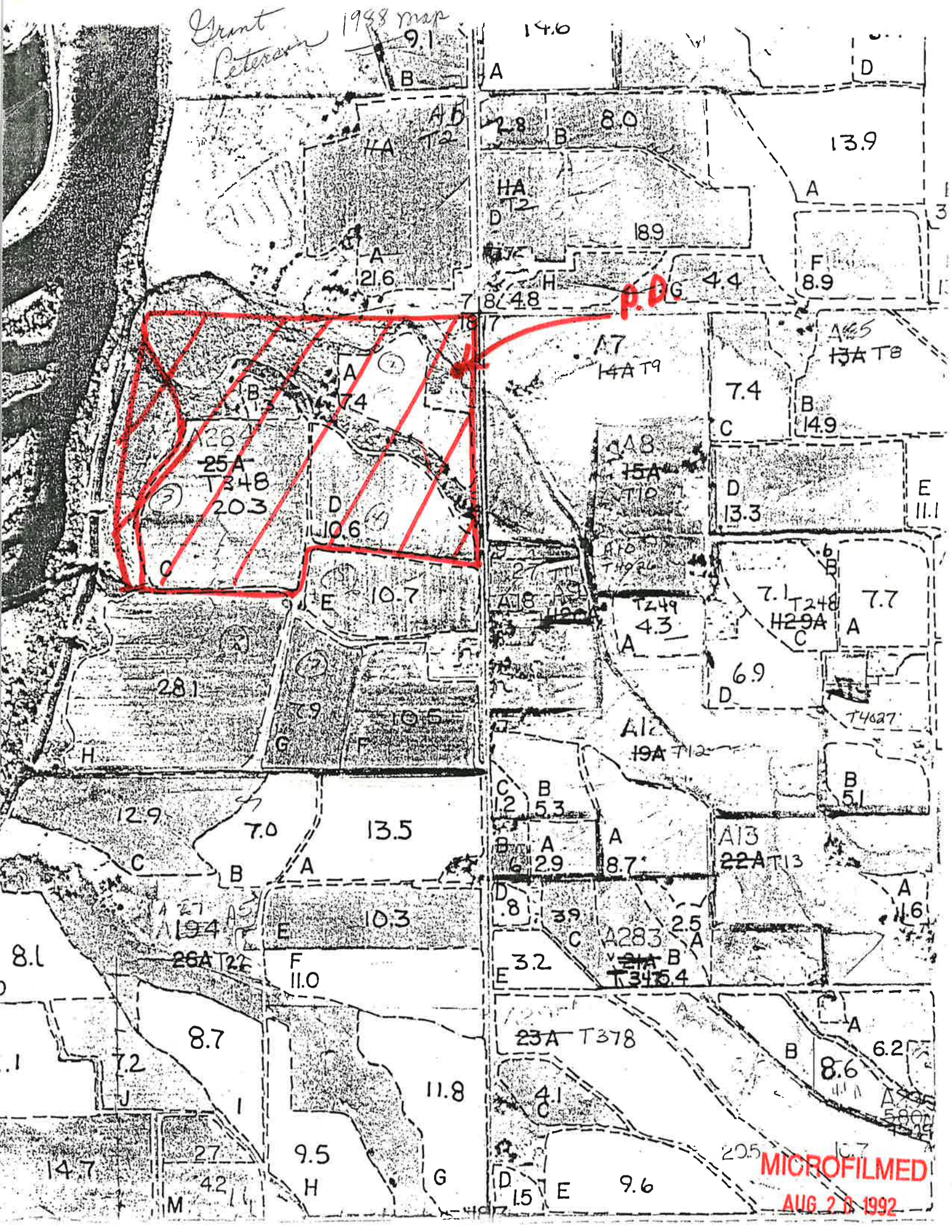
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of January 19 90
Seal

Jan Thute
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

Grant Peterson 1998 map



MICROFILMED
AUG 28 1992

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that C. Grant Peterson

(name of claimant)

of Rt. 1, Box 9, Nyssa, Oregon 97913, claims a right to the diversion and beneficial use of
(mailing address)

The extent and nature of said claim is as follows:

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount _____ Use _____ Period of Use: From _____ To _____

(cfs, gpm
or a/f)

(dom., irri.,
stock, etc.)

(both dates inclusive)

- (4) Priority claimed: (the date water was first applied to beneficial use) spring of 1945

(5) A) Point of diversion: (give location of point where water is diverted from its source)

Additional points of diversion:

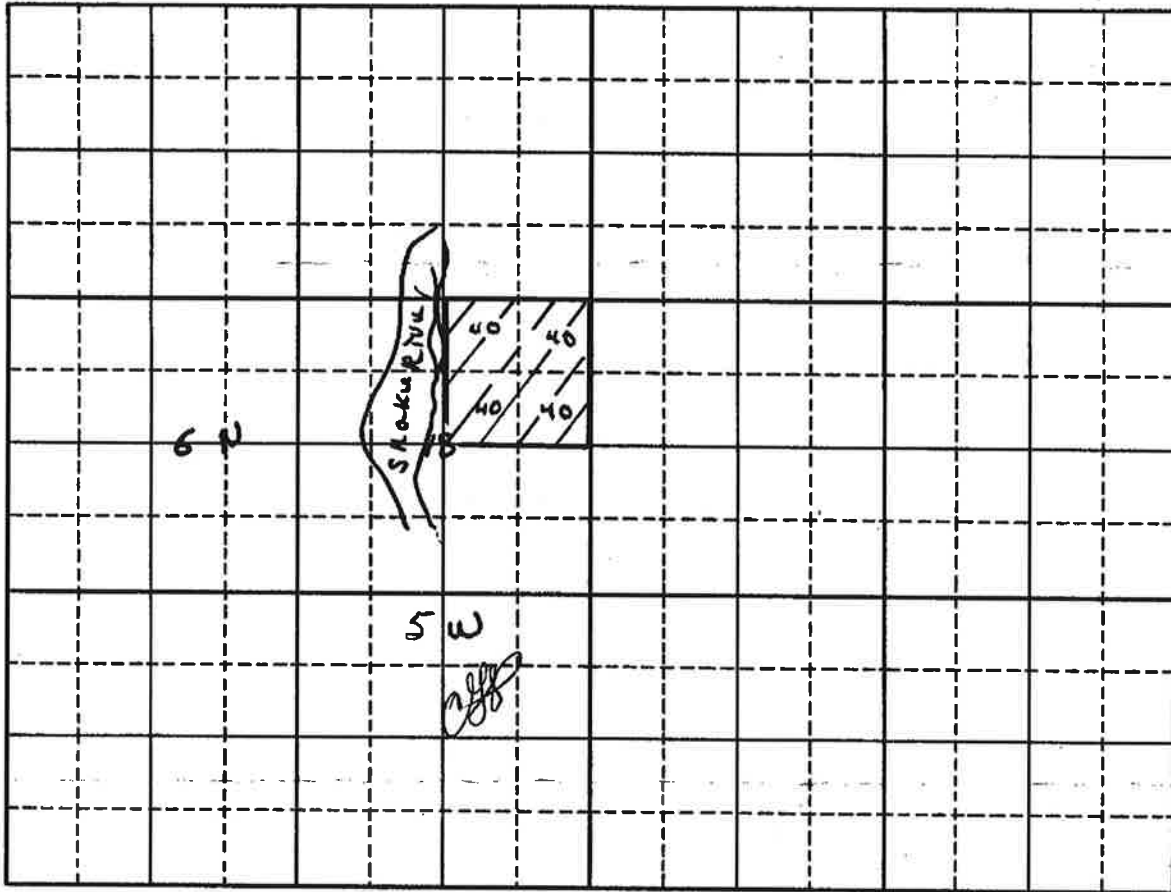
etc.) Give sizes and capacities; be as specific as possible. pump from drain to ditch

- [illegible]

Total No. of acres 160

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



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 Ada) ss.

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.

Sworn to before me this 24th day of

C. Grant Peterson
(Claimant)

19 75

Carol L. Atkinson
Notary Public

Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>1115</u>	Date <u>2/11/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>1115</u>	Date <u>2/11/75</u>		claimant by:	
\$10.00 fee received by <u>1115</u>	Date <u>2/11/75</u>			
Approved for publication by <u>1115</u>	Date <u>3-18-75</u>			
Published in <u>Farmer's Review</u>				
Dates <u>March 6 & 13</u>				

11/13/2006

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

RIGHT NUMBER: 63-4291
NAME AND ADDRESS: MYRON GRANT PETERSON
33747 APPLE VALLEY RD
PARMA ID 83660
SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER
QUANTITY: 1.000 CFS
This right when combined with all other rights shall provide no more than .02
cfs per acre.
PRIORITY DATE: 08/20/1949
POINT OF DIVERSION:

T06N R05W S18 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.000 CFS

PLACE OF USE: IRRIGATION in CANYON County

T06N R05W S17 Lot 4 SWSE	2.50	T06N R05W S18 NENE	24.00
T06N R05W S18 Lot 1 NWNE	18.00	T06N R05W S18 Lot 2 SWNE	4.00
T06N R05W S18 SENE	1.50		

50 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.

Ownership changed by DH 5/5/2003

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Farmers Cooperative Ditch Co., Ltd.

EXCEPTION 2

Starting at SE corner SENE
S18 thence

N 0 d 13 m w 545.65 ✓

S 89 d 47 m w 314

N 0 d 13 m w 240

N 89 d 47 m E 714

S 0 d 13 m E 240

63-4291
6N 5W S-18
"Exception"

NENE

SENE

SWNE

1.7 ac

2nd
Exception
OK

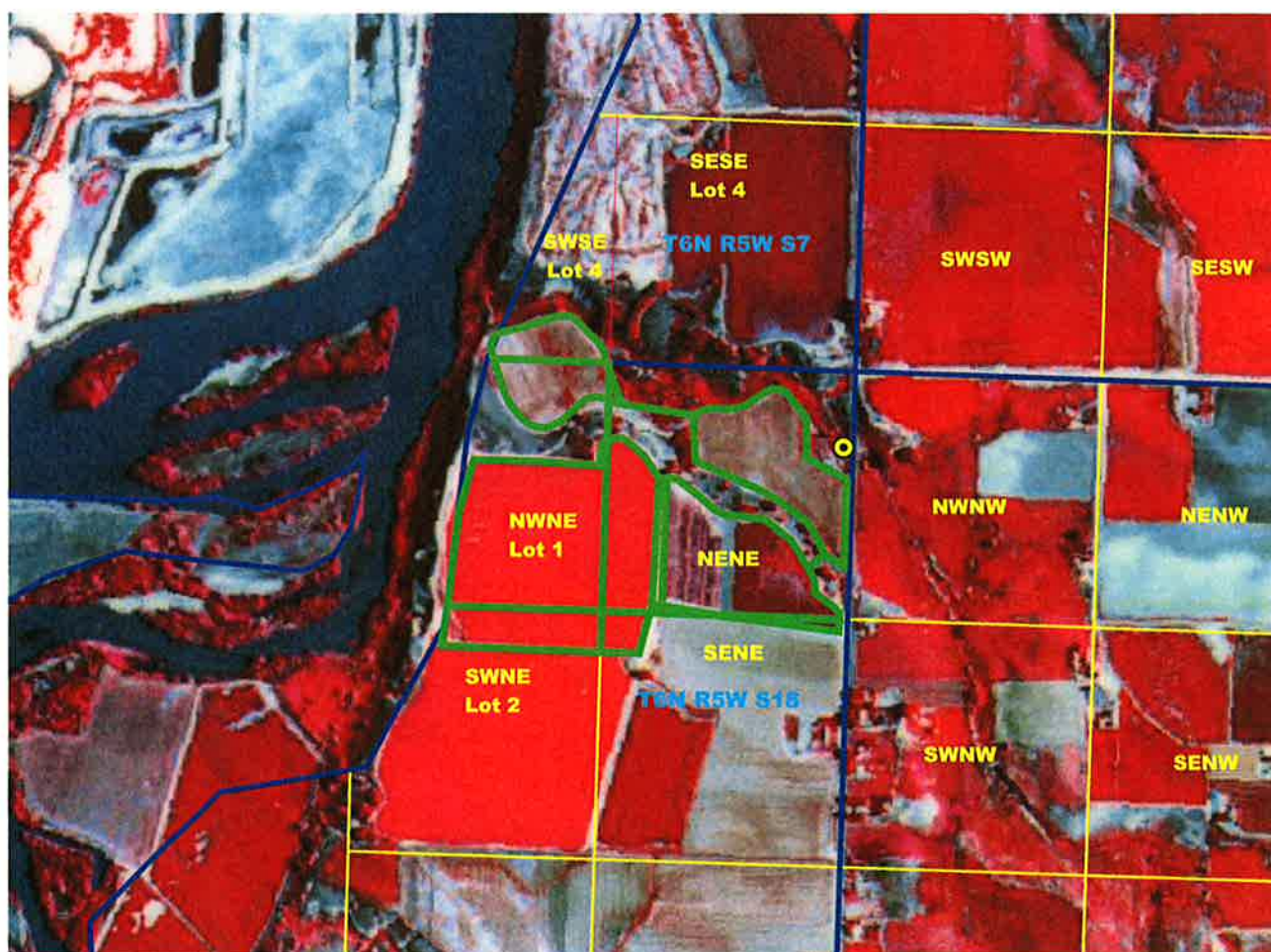
WSE

NESE



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R5W SECTION(S) 18
WATER RIGHT(S) : 63-4291



0.5 0 0.5 1 Miles

Total Irrigated Acres = 50 acre(s)

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: November 2006



MEMORANDUM

TO: ADJUDICATION FILES 63-4291

FROM: DANIEL A. NELSON

DATE: 11/13/06

SUBJECT: FINAL CLAIM REVIEW

This claim was recommended as disallowed during the preliminary report. However, the owner supplied the needed documentation for evidence of priority and set a time for me to visit the property and do a field examination of the property. During my examination, I found a pump that diverted water up the side of a ravine to cement ditch where it discharges. From this point the water is moved to two fields on top of the ravine and then discharged back down the ravine to irrigate the fields at the bottom of the ravine.

During the exam, I found a total of 50 acres being irrigated. The 40-acre tract descriptions on the claim were not accurate, but I did change them in the recommendation. I calculated the capacity of the pump to 1.15 cfs, and the claim only requested a diversion rate of 1.00 cfs or an inch per acre for 50 acres. I am recommending this claim for 1.00 cfs for 50 acres of irrigation. No volume amount is required on this claim, since it is a surface water right.

This ground has recently been sold, and the change of ownership information has not been received yet. The original owner stated he had personal knowledge of the water being used back to 1969, but had heard from the previous owner that the water was in use between 1911 and 1945. I have looked at the 1939 aerial photography and it is inconclusive as to whether or not this ground was irrigated at that time. The original owner then sent a copy of an agreement for a possible subdivision of this property dated 1949. The document speaks to the easement required to move the water from creek to the various subdivision plots. With this documentation, I am recommending that this claim be recommended with the 9/20/1949 date.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

WATER RIGHT NUMBER: 63-4291 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRON GRANT PETERSON 33747 APPLE VALLEY RD PARMA, ID 83660 (208)722-5342
Original Owner	C GRANT PETERSON 1300 GRANT LN NYSSA, OR 97913 (503)372-5128

Priority Date: 08/20/1949

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4NE1/4	Sec. 18, Twp 06N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 05W 17															2.5 L 4		2.5
06N 05W 18	24.0 L 1	18.0 L 1	4.0 L 2	1.5													47.5

Total Acres: 50

Conditions of Approval:

1. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.
2. Use of this right is combined with water from Farmers Cooperative Ditch Co., Ltd.
3. C18 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.
4. Ownership changed by DH 5/5/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

Remarks:Comments:

1. dnelson 9/17/2006 Claim Review

Comment: I wrote a letter requesting evidence of priority to the claimant on 5/8/2006 and the letter was not returned. I checked the Canyon County tax records available to our office, and found this was the correct owner and address. Since there was no response to the letter, I assume they are no longer interested in pursuing this claim. I have recommended this claim as disallowed due to no beneficial use found.

2. dnelson 9/17/2006 Text

Comment: NOTE: THE PRIORITY DATE WAS CHANGED TO THE CORRECT DATE OF FIRST USE WHICH WAS 1911 RATHER THAN 1945.

3. dnelson 11/13/2006 Final Claim Review

Comment: This claim was recommended as disallowed during the preliminary report. However, the owner supplied the needed documentation for evidence of priority and set a time for me to visit the property and do a field examination of the property. During my examination, I found a pump that diverted water up the side of a ravine to cement ditch where it discharges. From this point the water is moved to two fields on top of the ravine and then discharged back down the ravine to irrigate the fields at the bottom of the ravine.

During the exam, I found a total of 50 acres being irrigated. The 40-acre tract descriptions on the claim were not accurate, but I did change them in the recommendation. I calculated the capacity of the pump to 1.15 cfs, and the claim only requested a diversion rate of 1.00 cfs or an inch per acre for 50 acres. I am recommending this claim for 1.00 cfs for 50 acres of irrigation. No volume amount is required on this claim, since it is a surface water right.

This ground has recently been sold, and the change of ownership information has not been received yet. The original owner stated he had personal knowledge of the water being used back to 1969, but had heard from the previous owner that the water was in use between 1911 and 1945. I have looked at the 1939 aerial photography and it is inconclusive as to whether or not this ground was irrigated at that time. The original owner then sent a copy of an agreement for a possible subdivision of this property dated 1949. The document speaks to the easement required to move the water from creek to the various subdivision plots. With this documentation, I am recommending that this claim be recommended with the 9/20/1949 date.

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:

State or Federal: S

Owner Name Connector:

Water District Number:

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

Summary	04/23/2006	scurtis	Active
Summary	09/17/2006	dnelson	Active
Priority Date	11/13/2006 11:20:54 AM	dnelson	Active
POD	11/13/2006 11:22:26 AM	dnelson	Active
Source	11/13/2006 11:23:14 AM	dnelson	Active
POU	11/13/2006 11:25:42 AM	dnelson	Active
Use	11/13/2006 11:26:13 AM	dnelson	Active
Season	11/13/2006 11:26:58 AM	dnelson	Active
Quantity	11/13/2006 11:27:44 AM	dnelson	Active
Summary	11/13/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	11/13/2006 11:20:55 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Two affidavits from owner and a water easement agreement.
POD	11/13/2006 11:22:27 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	11/13/2006 11:21:54 AM	dnelson	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

Source	11/13/2006 11:23:14 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Agent
POU	11/13/2006 11:25:33 AM	dnelson	Updated shape for Active POU
POU	11/13/2006 11:25:43 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Agent
Use	11/13/2006 11:26:14 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Agent
Season	11/13/2006 11:26:58 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

Quantity	11/13/2006 11:27:44 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Field Exam by Agent using Theoretical calculation.
Summary	11/13/2006 11:28:50 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (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?
Summary	4/23/2006 5:28:02 PM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
Summary	9/17/2006 8:51:57 AM	dnelson	(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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4291

WATER RIGHT NUMBER: 63-4291

Owner Type Name and Address
 Current Owner MYRON GRANT PETERSON
 33747 APPLE VALLEY RD
 PARMA, ID 83660
 (208)722-5342
 Original Owner C GRANT PETERSON
 1300 GRANT LN
 NYSSA, OR 97913
 (503)372-5128

Priority Date: 06/01/1911

Basis: Statutory Claim

Status: Active

Source Tributary
 UNNAMED STREAM SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 10/31 1.000 CFS
 Total Diversion: 1.000 CFS

Location of Point(s) of Diversion

UNNAMED STREAM NE1/4NE1/4 Sec. 18, Twp 06N, Rge 05W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	05W	18	30.0	13.0	5.0	2.0	50.0
Total Acres: 50			24	18	4	1.5	

Conditions of Approval:

1. Ownership changed by DH 5/5/2003 - EXPLAN.
2. NOTE: THE PRIORITY DATE WAS CHANGED TO THE CORRECT DATE OF FIRST USE WHICH WAS 1911 RATHER THAN 1945.

Dates and Other Information:

Claim Received Date: 1/11/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 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:

Condition W
 Farmer's coop.

E60 all rights combined
 limited to 200 cfs/acre.

8-20-1949 - per affidavit agreement

Volume
 NO FDU
 Required.

OK

OK

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
010 Westinghouse	Westinghouse 15 HP	15	21-30518	Deere	85700

2.) Lift (distance from pump to water) 4 FT.

3.) How was lift determined (well log, measurement, owner)? measured

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) 33 psi used topo maps + 5 psi for discharge. ~ 2265-2200 = 65 FTH₂O / 2.31 = 28 psi + 5 psi = 33 psi

5.) Was a measurement made? _____ If no can a measurement be made at a latter time? _____

6.) What type of measurement device was used? _____

7.) Is there a pump curve available for pump? _____

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

9.) Please outline all acres irrigated on attached aerial photo. ☒ DONE

10.) Please clearly mark all points of diversion on map and GPS. ☒ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

☒ DONE

12.) Pictures taken of place of use and point of diversion. ☒ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

The water for this claim is diverted from the PID and run up the Gully Incline. (Running parallel to Highway) where it open discharges into a present ditch. That irrigates the upper fields (south fields). The water up top is then diverted back down the hill to irrigate the bottom fields.

Farmer's Cooperative Ditch Company water is diverted into same ditch system at the same location as the well discharge.

DATE EXAM CONDUCTED 11-2-06

FIELD EXAMINER

Daniel A. Nelson



SWSE
Lot 4
2.5 acres

T6N R5W S7

NWNE
Lot 1
18 acres

NENE
24 acres

SENE
1.5 acres

SWNE
Lot 2
4 acres

T6N R5W S18

GROUNDWATER THEORETICAL ANALYSIS

FILE: 63-4291

DATE: 11-2-06

BY: DAN Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (\text{HP}) \times (\text{EFF.}))}{\text{TDH}}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$Q = \frac{(8.8 \times (15 \text{ HP}) \times (0.70))}{80.23} = 1.15 \text{ cfs.}$

$[(4) + (33 \times 2.31)] = 80.23$

LIFT FROM:

Measurement (X)

Owner ()

Area estimate ()

Well Logs ()

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate (X)

Owner Gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: I Estimated The Pressure By
Calculating The Pressure Required To
LIFT The Water 65 FT (per topo map)
To The Discharge point, 65 FT / 2.31 = 28 PSI.
I Then added an additional 5 PSI For
The open Discharge.

This Claim Should be Limited To
an inch or 0.02 cfs / acre For 50 acres
50 x 0.02 = 1.00 cfs.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 11/2/2006

FILE NUMBER 63-4291



The photo above left shows the pump used to divert the unnamed drain. The photo above right shows where the water is diverted from the unnamed drain to the pump house.

The photo below left shows the where the water is discharged above the hill. The photo below right shows the ditch that the water is discharged into. Canal water is diverted into this point as well.



PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 11/2/2006

FILE NUMBER 63-4291



This photo shows where the water diverted at the top of the hill flows back down the hill to the ditches for the bottom fields or northern most fields.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 11/2/2006

FILE NUMBER 63-4291



These are photos of the place of use. The top photo shows the bottom west field (northern most field closest to Snake River).

The middle photo shows the bottom east field (northern most field closest to Highway 95).



The bottom photo shows the upper fields (southern fields. The upper fields are on a plateau and the bottom fields are in a ravine.







State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 13, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RICK FARMER
5016 SARAH CT
FRUITLAND ID 83619

RE: RECOMMENDATION FOR 63-4219

Dear Mr. Farmer:

I have enclosed a copy of the recommendation I will be submitting to the Snake River Basin Adjudication (SRBA) for the above claim. I have also enclosed a change of ownership form for you to put this right in your name. Please note in question 2 that you will need to supply a copy of a Warranty Deed and current map of the property you now own.

I am sending the recommendation of this claim for your review, but I will not have the opportunity to make any changes to the claim before it is submitted to the court. You will want to look over this recommendation and make sure it is correct. If not you will need to file an objection to the court against the recommendation. If you need any assistance in filing the objection, I would be happy to help you with that process, but you may want to get an attorney at that point to advise on how to proceed with that process.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

To Whom It May Concern:

11-04-06

The attached "Mutual Term Lease" between James P. Lane and Hattie M Golen etal. was so the our property could have access to the unnamed stream to irrigate our property.

Signed: Myron G. Peterson

A handwritten signature in blue ink that reads "Myron G. Peterson". The signature is written in a cursive style and is positioned over a horizontal line.

RECEIVED

NOV 09 2006

WATER RESOURCES
WESTERN REGION

ORCHARD TRACT of the OREGONIDAHO ORCHARD COMPANY.

Know All Men By These Presents
That, Oregon Idaho Orchard Company, organized under
the laws of the State of Oregon, a certain copy of the Com-
pany's Charter filed with the Secretary of State of Idaho,
does hereby certify that it is the owner of the lands repre-
sented on this Map and designated as ORCHARD TRACT
in the OREGONIDAHO ORCHARD COMPANY and situated in
Maine, Sect. 7, Lot 6 in Section 7, Lots 1 and 2 and East half
of Northwest Quarter of Section 18, all in Township 12
Range 5 W. Base Meridian.

And Be It Further Known: That Oregon Idaho Orchard
Company does hereby dedicate all the Streets
shown on this Map to the use of the Public.

In Witness Whereof the said Oregon Idaho Orchard
Company by resolution of its Board of Directors has caused
these presents to be subscribed by its President and Sec-
retary and its corporate Name and Seal to be hereunto
fixed this 11th day of April, 1908.

Oregon Idaho Orchard Company.
By P. R. B. B. B. President
W. H. B. B. B. Secretary

State of Oregon,
County of Marion 133

On this 11th day of April, 1908, before me,
a Notary Public in and for
said County, personally appeared

P. R. B. B. B. and W. H. B. B. B.
known to me to be the President and Secretary, respectively,
of Oregon Idaho Orchard Company, the corporation that
executed the above instrument, and acknowledged to me
that such corporation executed the same.

In these words I have handed out my hand and
affixed my official seal this day and year in the certificate
first above written.

C. C. B. B. B.
Notary Public for Oregon.

State of Oregon,
County of Marion 133

I, P. L. Lockwood, do hereby certify that I am the
Engineer who made the survey of the subdivision
shown on this Map.

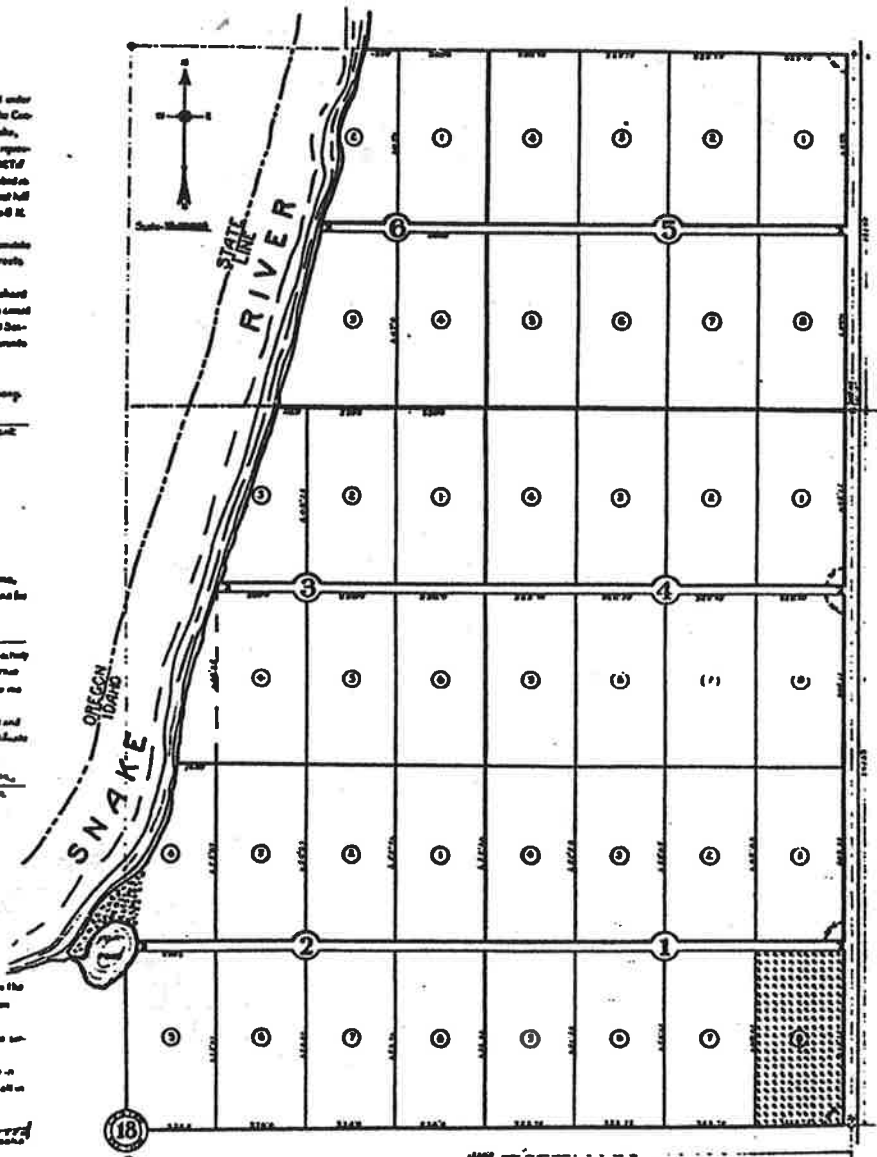
And that this Map correctly represents the sur-
vey as made by me.

The lands represented on this Map are, Lot 6 in
Section 7, Lots 1 and 2 and East half of Northwest Quarter
of Section 18, all in Township 12 Range 5 W. Base Meridian, in Idaho.

P. L. Lockwood
Civil Engineer for Idaho

Subscribed and sworn to before me this 11th day
of April, 1908.

C. C. B. B. B.
Notary Public for Oregon.



This Map is attached solely for the purpose
of showing the location of the land and
the Company assumes no liability for
variations, if any.

and thereafter.
parties of the first part all e that they have been h and w cor uously during all the time
her of them claimed an interest in the premises and are now h and ;

James P. Lane, a bachelor
-TO-
Hattie M. Golden, a widow and M.W. Fagen
and wife, Fern Fagen

405219 ✓

Assign 89-434707

MUTUAL TERM LEASE
Dated, 20, 1949
Rec. Dec. 15, 1953. 1:12 PM
Book 4 Leases, Page 413.

Signed: James P. Lane, Party of the first part, Hattie M. Golden, M.W. Fagen, Fern Fagen, Parties of the second part.

Ack. CCI. August 20, 1949 by JAMES P. LANE, A BACHELOR AND M.W. Fagen and wife Fern Fagen before Ernest Anderson N.P. for I. Residing at Parma, I. (S)

Ack. CCI. Sept. 13, 1949 by HATTIE M. GOLDEN, a widow before H.A. Tatum N.P. for I. Residing at Caldwell, I. (S)

WHEREAS, James P. Lane, a bachelor, a resident of the C of C S of I. hereinafter designated as the party of the first part, is now the owner of the following described real property, situated in the C of C of I., to-wit:-

Tract "A"
That portion of Lot 4, Section 7, Twp. 6 NR 5 WBM, lying S or Srly from a line located N and Nrly, par. to and 20 feet distant from and along the entire distance that the drain ditch traverses through said Lot 4, aforesaid, as said drain ditch runs from the S line of said Lot 4, aforesaid, in a NWly direction AND WHEREAS, Hattie M. Golden, a widow, and M.W. Fagen, and wife Fern Fagen, all residents of the C of C S of I., hereinafter designated as the parties of the second part, are now the owners of or have an int. in and to the following described real property, situated in the C of C S of I. to-wit:

A tract of land located within the E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of Section 18 Twp. 6 NR 5 WBM specifically desc. as follows, to-wit:

Commencing at a point on the E line of the said E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of Section 18, aforesaid 20 feet S from the Center line of the drain ditch, thence running in a NWly direction on a line parallel to and 10 feet S or Srly from the center line of the said drain ditch, for a distance of 360 feet, thence due N to the S line of Lot 4, Sec. 7 Twp. 6 NR 5 WBM, thence E to the NE corner of the E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of said Section 18, aforesaid, thence due S to the point and place of beginning.

AND WHEREAS, The party of the first part desires to lease from the parties of the second part, for a term of 75 years, the tract or parcel of land hereinabove described as "Tract B".

AND WHEREAS, The parties of the second part desire to lease from the party of the first part, for a term of 75 years, the tract or parcel of land hereinabove described as "Tract A".

WHEREFORE, THIS INSTRUMENT, Made and entered into in duplicate this 20th day of August, 1949, by and between JAMES P. LANE, a bachelor, the party of the first part, and HATTIE M. GOLDEN, a widow, and M.W. FAGEN, and wife Fern Fagen, the parties of the second part, WITNESSETH;

That in consideration of the parties of the second part leasing unto the party of the first part, the real property hereinabove described, as "Tract B", the party of the first part hereby agrees to lease unto the parties of the second part, the real property hereinabove described as "Tract A", and the second parties do by these presents, remise, lease, rent and farm let unto the party of the first part, for the term hereinafter set forth, the real property in CCI, hereinbefore described as "Tract B", and the party of the first part does by these presents, remise, lease, rent and farm let unto the parties of the second part, for the term hereinafter set forth, the real property in CC I, hereinbefore desc. as "Tract A".

That the term of this lease shall be 75 years commencing on the first day of September, 1949, and terminating on the 1st day of September, 2024, and then to be fully complete and ended.

The provisions of this lease are hereby made applicable to and binding upon the heirs, executors, administrators, successors and assigns of the respective parties, and the provisions hereof shall be a covenant that shall run with the said leased lands for and during the term hereof.

Each respective party or parties hereto shall be permitted to erect and maintain buildings, fences and other structures on the respective tract or parcel of land hereby leased to them or him, as well as such structures and appurtenances as may be desired by each party hereto for the full and proper enjoyment and use of the leased property, PROVIDED HOWEVER, That upon the expiration of the term of this lease, each party or parties hereto shall be privileged to remove from the respective tract or parcel of land such buildings, fences and structures as he may have erected thereon.

The party of the first part agrees to pay when due, and before they shall become delinquent, all taxes of every kind, nature and description that are now due or which may hereafter be levied and assessed upon the real property hereinbefore described as "Tract A", and,

The parties of the second part agree to pay when due, and severally before they shall become delinquent, all taxes of every kind, nature and description that are now due or which may hereafter be levied and assessed upon the real property hereinbefore described as "Tract B".

Hattie M. Golden
-TO-
George Otani, and wife, MARY OTANI,

405220 ✓

ASSIGNMENT OF INTEREST IN ATTACHED
MUTUAL TERM LEASE
Dated, Jany. 12, 1950
Rec. Dec. 15, 1953. 1:14 PM
Book 13 Assn., Page 373.
Cons. \$1.00 and OVCs.

Signed: Hattie M. Golden, Assignor

To Whom It May Concern:

10-27-06

I, Myron Grant Peterson, recollect irrigating my father's property located at: Section 18, Township 6N, Range 5W, the NE ¼ section. . We used the unnamed stream as supplemental irrigation in the farm year of 1969. Hence water right number A63-04291. In addition, I remember discussing with him and the Otanis (the prior owners) the mistake with the water right date being switched from 1911 to 1945. They stated that they knew of the water usage dating back to 1911 with the owners before them, the Lanes. Hence that priority date was corrected to 1911.

Signed,

Myron G Peterson

10-29-06

Myron Grant Peterson

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

WATER RIGHT NUMBER: 63-4291 V1

Owner Type Name and Address
 Current Owner MYRON GRANT PETERSON
 33747 APPLE VALLEY RD
 PARMA, ID 83660
 (208)722-5342
 Original Owner C GRANT PETERSON
 1300 GRANT LN
 NYSSA, OR 97913
 (503)372-5128

Priority Date: 06/01/1911

Basis:

Status:

DISALLOWED

*Recommended
 # U. Doncy
 Received.
 11-9-06.*

Source

UNNAMED STREAM

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Diversion Rate

1.000 CFS

Annual VolumeTotal Diversion:

1.000 CFS

Location of Point(s) of Diversion

UNNAMED STREAM

NE1/4NE1/4

Sec. 18, Twp 06N, Rge 05W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	05W	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			30.0	13.0	5.0	2.0													50.0

Total Acres: 50

Conditions of Approval:

1. P03 No beneficial use found.
2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
3. C18 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.
4. Ownership changed by DH 5/5/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4291 V1

Remarks:Comments:

1. dnelson 9/17/2006 Claim Review

Comment: I wrote a letter requesting evidence of priority to the claimant on 5/8/2006 and the letter was not returned. I checked the Canyon County tax records available to our office, and found this was the correct owner and address. Since there was no response to the letter, I assume they are no longer interested in pursuing this claim. I have recommended this claim as disallowed due to no beneficial use found.

2. dnelson 9/17/2006 Text

Comment: NOTE: THE PRIORITY DATE WAS CHANGED TO THE CORRECT DATE OF FIRST USE WHICH WAS 1911 RATHER THAN 1945.

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:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/23/2006	scurtis	Disallowed
Summary			09/17/2006	dnelson	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/23/2006 5:28:02 PM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 8, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MYRON GRANT PETERSON
33737 APPLE VALLEY RD
PARMA ID 83660

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-4291

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

Page 2
Peterson

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by June 2, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a long horizontal flourish extending to the right.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4291

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

Receipt Details for ID W007533

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/11/1990 2:23:26 PM	1/11/1990	Western	\$100.00	Check
Payer		PETERSON, C. GRANT		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
407			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4291		\$100.00	Claim

[Print Report](#)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 5, 2003

MYRON GRANT PETERSON
33747 APPLE VALLEY RD
PARMA ID 83660

Re: Notice of Claim to a Water Right No. 63-4291

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

CLAIM TO A WATER RIGHT

11/2/20

(name of claimant)

(mailing address)

The extent and nature of said claim is as follows:

- claimed: _____ April 1 To Oct. 31

Amount Use Period of Use: From To

(cfs, gpm)
or a/d

(dom., irri.,
stock, etc.)

(both dates inclusive)

- gallons per minute.

- spring of 1945¹⁹⁴⁵

A) Point of diversion: (give location of point where water is diverted from its source)

NE ¼ NE ¼, Sec. 18, Twp. 6 N, Rgc. 5 W, B. M. County of Canyon

花

pump from drain to ditch

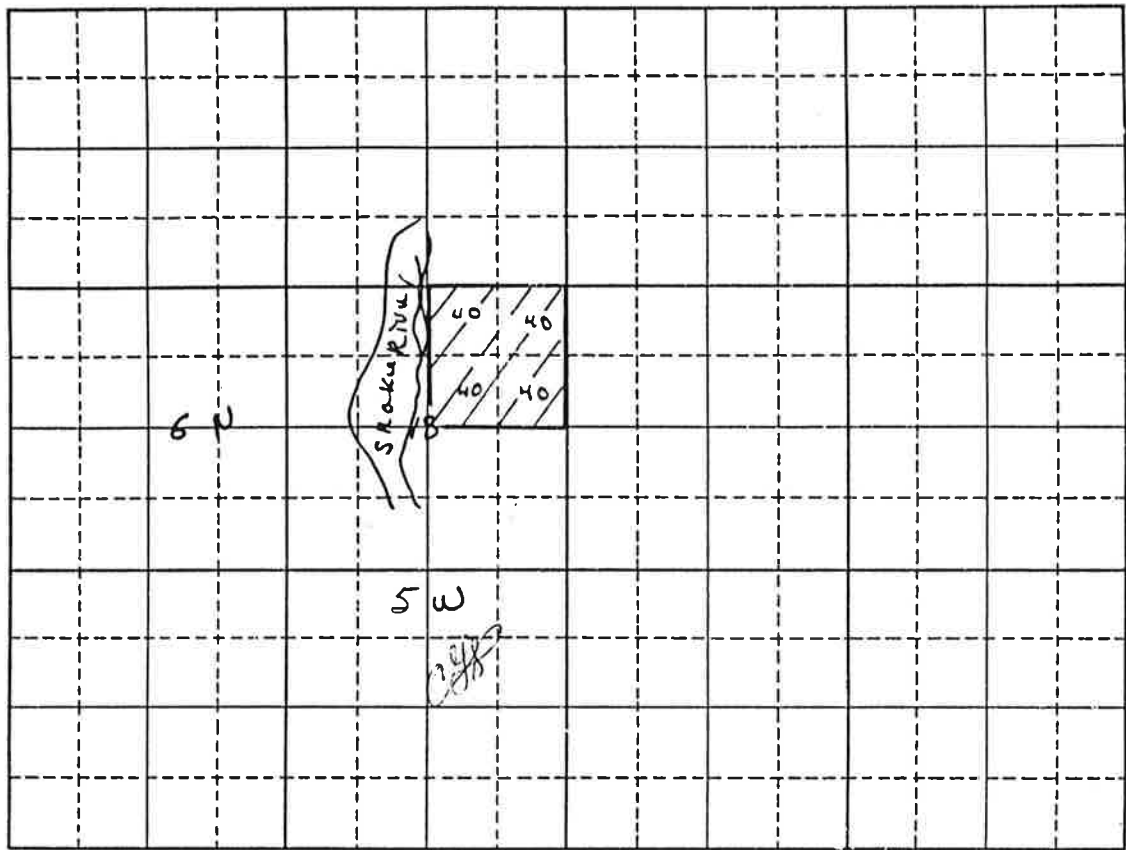
- not for irrigation, place an "X" in appropriate box to show location.

Total No. of acres 160

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



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 Ada) ss.

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 affiants knowledge.

Sworn to before me this 24th day of

C. Grant Peterson
(Claimant) 19 75

Notary Public

Residing at

Boise, Id

My commission expires

12-26-78

For Department Use Only

Received by <u> </u>	Date <u>2/11/75</u>	Exception filed by: <u> </u>	Forwarded to <u> </u>	Date <u> </u>
Prelim. check by <u> </u>	Date <u>2/11/75</u>		claimant by: <u> </u>	
\$10.00 fee received by <u> </u>	Date <u>2/11/75</u>	<u>2-11-75</u>		
Approved for publication by <u> </u>	Date <u>2-15-75</u>			
Published in <u> </u>				
Dates <u>March 6 & 13</u>				

Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Rec	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Rec	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Rec	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Rec	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Rec	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Rec	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Claim	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	06N05W18	38	30	40	40					15			20	40	40	40	40	343
Rec	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	06N05W18	X	X	X	X					X			X	X	X	X	X	0
Claim	63 2889	C N S FARMS,	FARMERS DITCH, WASTE WATER	06N05W18								30	30								60
Claim	63 8590	KENNETH B NELSON, NORMA I NELSON,	GROUND WATER	06N05W18															35	20	55
Right	63 15194	CNS FARMS,	GROUND WATER	06N05W18									X								0
Right	63 21320	EMBASSY INC,	GROUND WATER	06N05W18										X							0

Idaho Dept. of Water Resources Place of Use Comparison Report

Right	63 26461	CHARLES E JOHNSON, ROBERT A JOHNSON,	GROUND WATER	06N05W18													X					0
Right	63 30164	JAMES E GREENWAY, NANCY A GREENWAY,	GROUND WATER	06N05W18													X					0
Right	63 8590	CHARLES E JOHNSON, ROBERT A JOHNSON,	GROUND WATER	06N05W18																35	20	55
Claim	63 4851	FARMERS COOPERATIVE DITCH CO,	SAND HOLLOW DRAIN	06N05W18	38	30	40	40					15				20	40	40	40	40	343
Re	63 4851	FARMERS COOPERATIVE DITCH CO,	SAND HOLLOW DRAIN	06N05W18	X	X	X	X					X				X	X	X	X	X	0
Claim	3 2045	EMBASSY INC,	SNAKE RIVER	06N05W18					8	15												23
Claim	3 2051	EMBASSY INC,	SNAKE RIVER	06N05W18												30						30
Rec	3 2045	EMBASSY INC,	SNAKE RIVER	06N05W18					8	15												23
Rec	3 2051	EMBASSY INC,	SNAKE RIVER	06N05W18												30						30
Right	3 2051	EMBASSY INC,	SNAKE RIVER	06N05W18												30						30
Claim	63 2152	C N S FARMS,	SPRING	06N05W18									X									0
Claim	63 2152	C N S FARMS,	SPRING	06N05W18									25									25
Right	63 2152	ROBERT R CLARK,	SPRING	06N05W18									25									25
Right	63 4291	C GRANT PETERSON,	UNNAMED DITCH	06N05W18	40	40	40	40														160
Claim	63 4291	MYRON GRANT PETERSON,	UNNAMED STREAM	06N05W18	30	13	5	2														50
Rec	63 4291	MYRON GRANT PETERSON,	UNNAMED STREAM	06N05W18	30	13	5	2														50
Permit	63 31142	FLOYD STUTHEIT,	WASTE WATER	06N05W18													14					14
Right	63 2889	LULA M STANDAL,	WASTE WATER	06N05W18									40	30								70

Exhibit A

All of Blocks 1, 2, 3, and 4 of the Orchard Tract of Oregon-Idaho Orchard Company Plat thereof, filed June 11, 1910, in Book 3 of Plats, at page 59, in the office of the County Recorder, Canyon County, Idaho; otherwise described as all of Lots 1 and 2 and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 18, Township 6 North, Range 5 West of the Boise Meridian, in Canyon County, Idaho; **EXCEPTING THEREFROM** a tract of land described as follows: **Commencing** at the Northeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 18, thence South 0°13' East along the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 136.41 feet to the TRUE POINT OF BEGINNING, thence continuing South 0°13' East 834.14 feet, thence North 88°18'45" West along the centerline of an existing irrigation ditch 463.46 feet, thence North 0°13' West parallel with the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 883.39 feet to the center of an existing lane, thence South 82°16'15" East along the centerline of said lane 467.69 feet to the TRUE POINT OF BEGINNING.

Part 1

ALSO

The following described parcel of land situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Township 6 North, Range 5 West of the Boise Meridian, in Canyon County, Idaho, particularly described as follows: **Commencing** at the Northeast corner of the said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence South 0°13' East, along the East boundary of the said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 136.41 feet to the TRUE POINT OF BEGINNING; thence continuing South 0°13' East, along the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 834.14 feet; thence North 88°18'45" West along the center line of an existing irrigation lateral a distance of 463.46 feet; thence leaving said lateral and running North 0°13' West parallel with the East boundary of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, a distance of 883.39 feet to the centerline of an existing lane; thence South 82°16'15" East along the centerline of said lane, a distance of 467.69 feet to the TRUE POINT OF BEGINNING; **EXCEPTING HOWEVER**, from the above described portion thereof, the following parcel or portion thereof, to-wit: **Commencing** at the Southeast corner of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence North 0°13'00" West, along the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ a distance of 545.65 feet to the TRUE POINT OF BEGINNING; thence South 89°47'00" West a distance of 314.00 feet; thence North 0°13'00" West parallel with the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 240 feet; thence North 89°47'00" East a distance of 314 feet to a point on the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence South 0°13'00" East along the East boundary of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 240 feet to the TRUE POINT OF BEGINNING. All of the above described property being also known as a portion of Lots 1, 2, 7, and 8, Block 1 Orchard Tract of the Oregon Idaho Orchard Company, according to the plat thereof filed June 11, 1910 in Book 3 of Plats at Page 59, in the office of the County Recorder for Canyon County, Idaho; **EXCEPTING THEREFROM** rights of way for roads on the recorded Plat of said subdivision.

Part 2: Same as Part 1