

04/12/2005

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

RIGHT NUMBER: 75-7154

NAME AND ADDRESS: JAMES R PETERSON JR
45 ORGAN PIPE CACTUS DR
AJO AZ 85321

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS
1.500 AFY

PRIORITY DATE: 10/09/1979

POINT OF DIVERSION:

T23N R17E S30 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
0.020 CFS
1.50 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R17E S30 NWNW 0.5

0.5 ACRES TOTAL

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

Place of use also known as Lot 21, Amarlu Subd. No. 1, HES #199.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

Idaho Dept. of Water Resources

Water Right No. 75-7154



0.06 0 0.06 0.12 Miles



sponsored by:

Adjudication

Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702
- 208.327.4800 -

-  **Place of Use**
-  **Township/Range**
-  **Sections**
-  **QQ**

Roxanne Brown
April 12, 2005
1993/94 True Color Photography



SCANNED

OCT 1 2001

M E M O R A N D U M

Date: April 13, 1999

To: Files

From: Jennifer Hoagland, Technical Records Specialist

Re: CHANGE OF OWNERSHIP FROM HARDING TO PETTERSON

MR. PETTERSON SUBMITTED A CHANGE OF OWNERSHIP ON LICENSE 75-07154. AGENT SCOTT VAN HOFF DISCOVERED HE NEEDED TO FILE IN THE ADJUDICATION ON THIS LICENSE. MR. PETTERSON FILED THE ADJUDICATION CLAIM ON 4-13-99 IN ADDITION TO SUBMITTING A CHANGE OF OWNERSHIP. THE CHANGE OF OWNERSHIP WAS NOT NECESSARY BUT WE KEPT IT IN THE FILE FOR THE MAPS AND WARRANTY DEEDS.



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JIM PETTERSON
45 ORGAN PIPE CACTUS DR
AJO AZ 85321

Dear Mr. Petterson:

I have received your "notice of change in ownership". Thank you for including complete records with your notice. I have reviewed this water right and discovered that a "notice of claim" for the Snake River Basin Adjudication (SRBA) has not been filed. A claim in the SRBA is required of all water users within the basin even if the water user has a prior license. The deadline to file is long past and a late fee is now required with all late claims. I have enclosed the necessary forms and instructions for filing your SRBA claim. I have also enclosed additional information that explains the SRBA process. Please contact our office if you have any additional questions or if we can be of any further assistance.

Sincerely,

Scott D. Van Hoff
Water Resources Agent

Eric Verner

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 75-07154
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Marion & Sandra Harding
2650 E. 400 N. - St. Anthony, ID 83445
4. New Owner/Claimant(s) James R. Petterson, Jr.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 45 Organ Pipe Cactus Dr.
City, State and ZIP Code Ajo, AZ 85321
New Telephone Number (520) 387-5721
5. Date you acquired the property January 7, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) James R. Petterson Jr.
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Warranty Deed

For Value Received

MARION D. HARDING AND SANDRA HARDING, HUSBAND AND WIFE

the grantor S, do hereby grant, bargain, sell and convey unto

JAMES R. PETTERSON, JR., A SINGLE PERSON

whose current address is

45 Organ Pipe Dr.
Ajo, AZ 85321

the grantee, the following described premises, in LEMHI County Idaho, to wit:

LOT 21 OF AMARLU SUBDIVISION NO. 1 ACCORDING TO THE OFFICIAL PLAT
THEREOF FILED FOR RECORD IN BOOK 2 OF PLATS AT PAGE NO. 2, RECORDS
OF LEMHI COUNTY, IDAHO...

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

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

Dated: January 8, 1998

Marion D. Harding
Marion D. Harding

Sandra Harding
Sandra Harding

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____, before me, a notary public in and for said State, personally appeared

Marion D. Harding & Sandra Harding

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

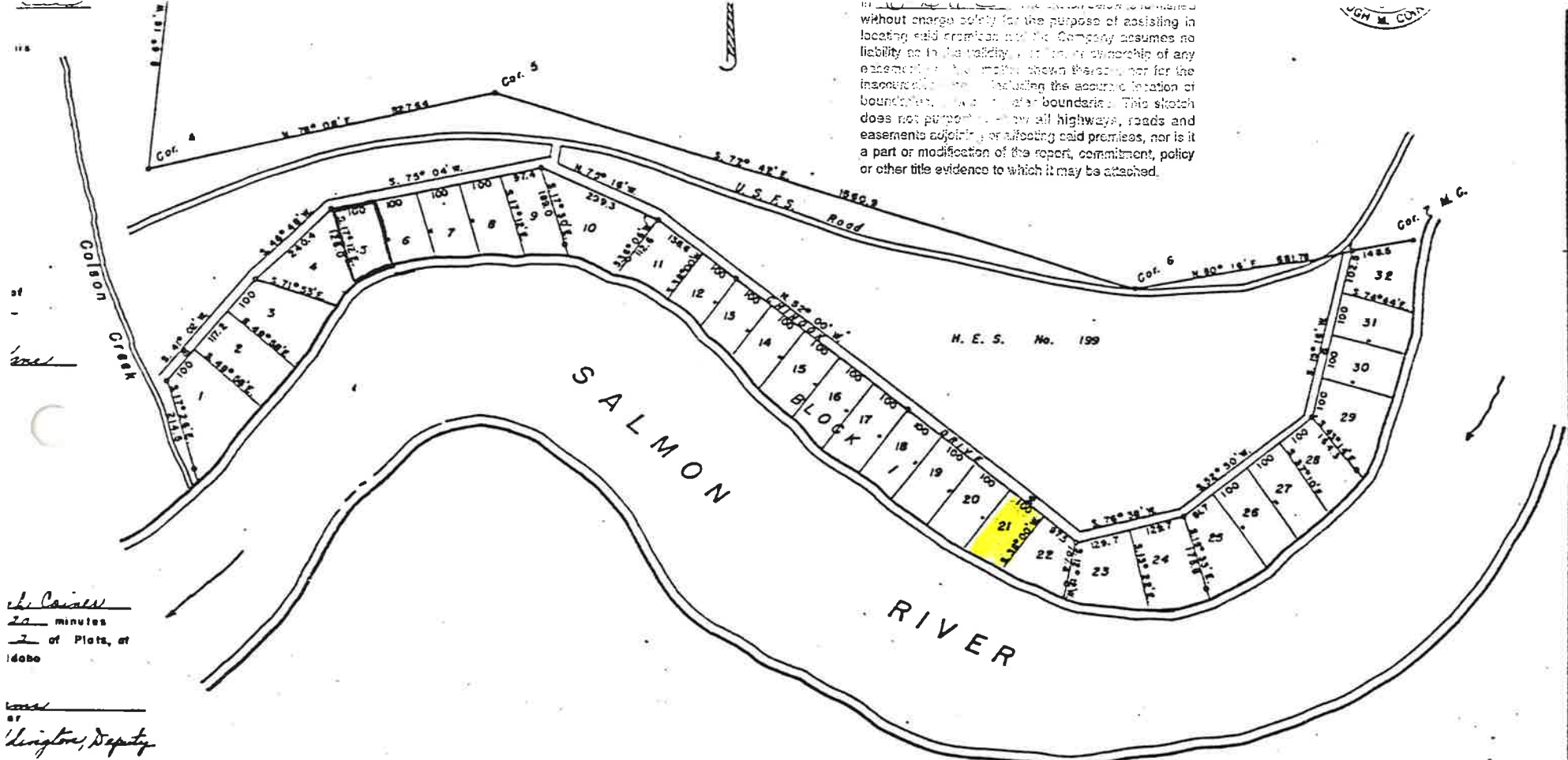
Lauree M. Santee
Notary Public
Residing at Salmon, Idaho
Comm. Expires 6-19-2001

235567

State of Idaho)
County of Lemhi)
This instrument was filed for record at the request of *Alliance Title*
at 2:30 o'clock PM 1-8 1998
and duly filed and indexed in the records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder
By *Patt Bunn* Deputy
Fee \$63.00
Return to _____

without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, or the ownership of any easements or other matters shown thereon nor for the inaccuracy of the same including the accurate location of boundaries, or the location of boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.



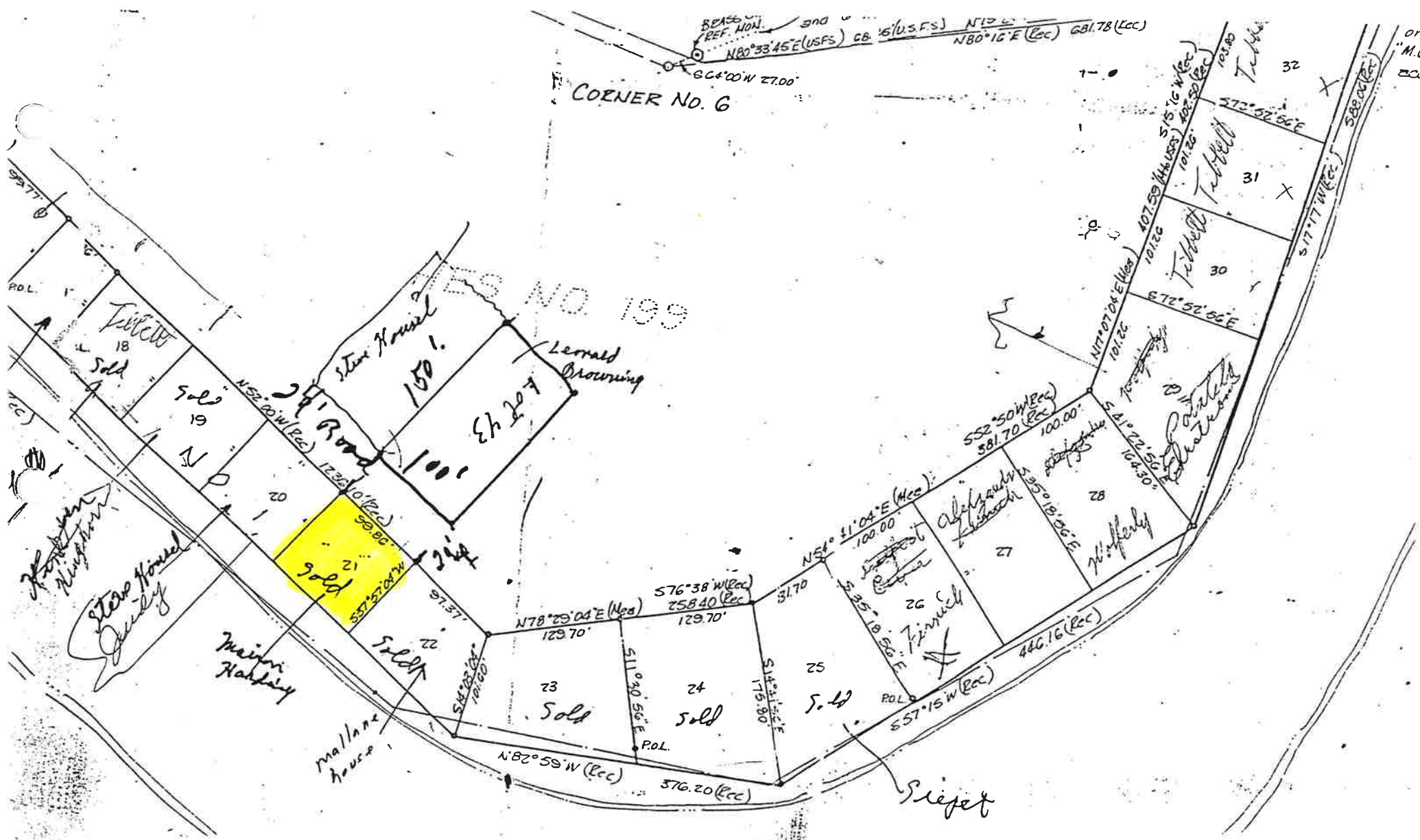
L. Cairnes
 20 minutes
 2 of Plate, of
 14000
 or
Clington, Deputy

AMARLU SUBDIVISION

No. 1, of
 H.E.S. No. 199
 in

Appx. T. 23 N., R. 17 E., Boise Meridian

4-26-62



State of Idaho
Department of Water Resources

RECEIVED

MAR 12 1980

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE
WATER RIGHT NO. 75-07154

Priority: October 9, 1979 Amount: 0.02 CFS 1.5 AFA

This is to certify, that MARION HARDING
RT. 1 BOX 154-A

ST. ANTHONY, ID 83445 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated October 9, 1979, and
has submitted proof to the Department of Water Resources on October 14, 1980, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .020 cfs of water from:

SALMON RIVER tributary to SNAKE RIVER

source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	1.5 AFA

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 30, Township 23N, Range 17E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N 17E 30	NWNW 0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Lot 21, Amarlu Subd. No. 1, HES #199.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 9TH
day of MARCH, 1989.

Acting for the Director

Norman Cygany

SCANNED

OCT 17 2001

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: A75-07154
Date Received: 4/13/1999
Receipt No: E024896
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JAMES R PETTERSON JR 520-387-5721
Address: 45 ORGAN PIPE CACTUS DR
AJ0 AZ 85321

2. Date of Priority: OCT 9, 1979

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	17E	30	NW	NW			LEMHI

5. Description of diverting works:
PUMP, 220 FT OF 4 INCH DIAMETER PIPE FROM RIVER TO PROPERTY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		1.50

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	17E	30	NW	NW		IRR	0.5

Section Acres 0.5

Total Acres 0.5

A7507154



11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

75-07154

14. Remarks:

PROPERTY AKA LOT 21 AMARLU SUBDIVISION NO. 1, HES #199

15. Basis of Claim: LICENSE

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 A75-07154
Date Received 4-13-99
Receipt Number E024896

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

Please type or print clearly

1. Name of Claimant (s) James R. Petterson, Jr. Phone (520) 387-5721
Mailing Address 45 Organ Pipe Cactus Dr., Ajo, AZ. Zip 85321
2. Date of Priority (Only one (1) per claim) October 9, 1979
3. Source of water supply (a) Salmon River
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 23N Range 17E Section 30,
NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

The diversion consists of a gasoline powered ^{pump} generator placed at the
river's edge that pumps water through 120 feet of 4 inch diameter plastic
pipe up to the fruit orchard on my property. The intake for the pump is
a piece of 3 inch diameter plastic pipe which extends 3 feet into the
river, as measured from the river's edge.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) na

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
23N	17E	30						Lot 21 0.5											0.5

Total number of acres irrigated 0.5

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

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.

Water Right #75-07154 or None ()

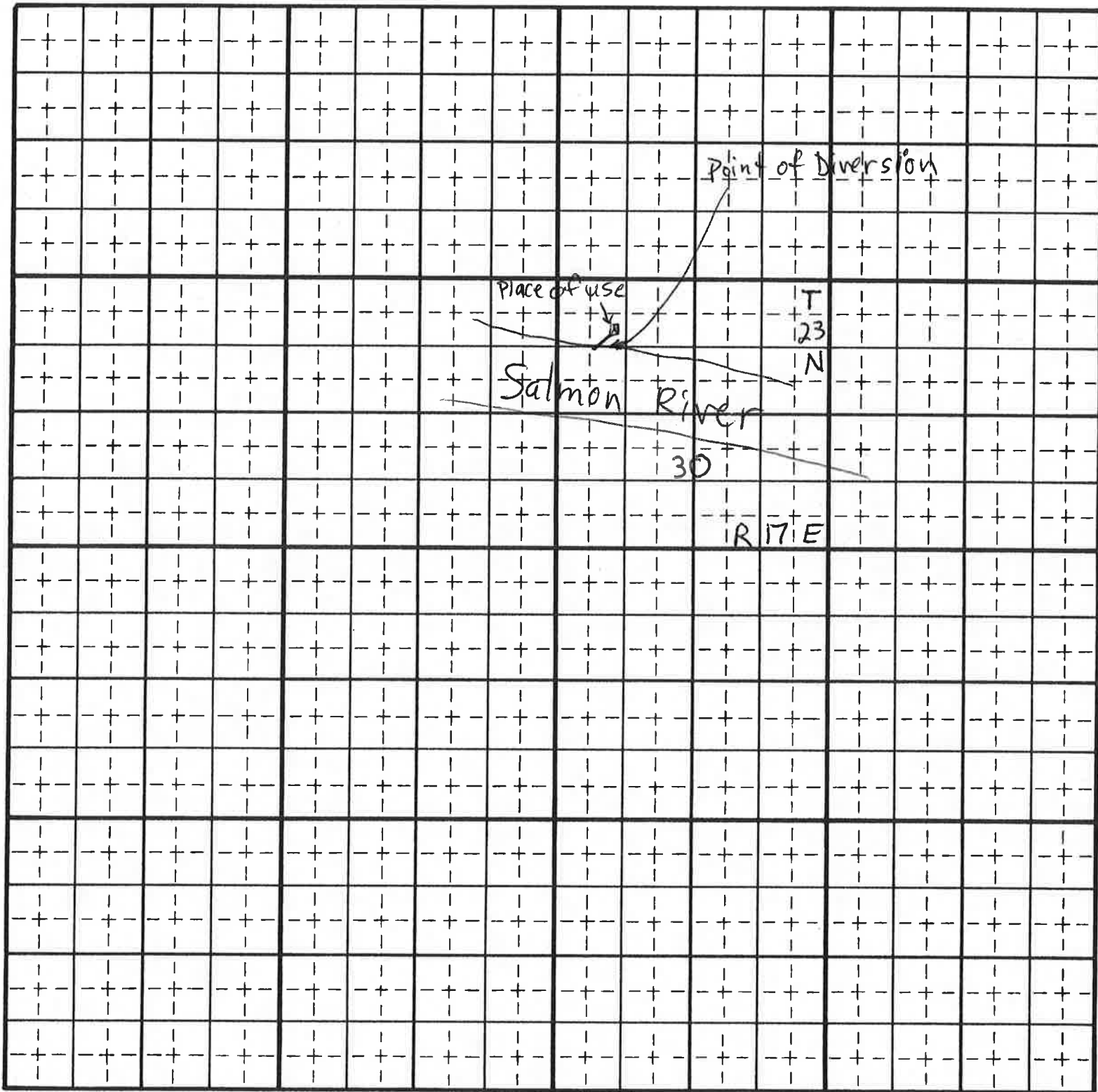
14. Remarks: Place of use also known as Lot 21, Amarly Sybd., No 1, HES #199

Last Name Peterson, Jr. Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Peterson, Jr. Ident No. _____

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 75-07154

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 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) James R. Peterson Jr. Date Dec. 23, 1998

Date _____

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

of _____ Title _____, 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 North Dakota)
~~Idaho~~)
County of Cass) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of December 1998

SEAL

Notary Public Donna Holm

Residing at Fargo, ND

My Commission Expires _____

Please Print Name

DONNA HOLM
Notary Public, CASS COUNTY, N. DAK.
My Commission Expires NOV. 25, 1999

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Peterson, Jr. Ident. Number _____

Copies White-State, Yellow-Claimant