

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00304  
Date Received: 9/27/1988  
Receipt No: 500 2560  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: PETERSON FARMS 208-823-4425  
Address: BOX 67  
CAREY, ID 83320

2. Date of Priority: APR 22, 1893

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01N      | 21E   | 30      | NW     | SW     | SE     |     | BLAINE |
| 01S      | 21E   | 16      | NW     | NW     | NW     | R   | BLAINE |
|          |       |         | SE     | NW     | NW     | R   | BLAINE |
|          |       |         | SE     | SW     | NW     | R   | BLAINE |
|          |       |         | NE     | NE     | SW     | R   | BLAINE |
|          |       |         | NE     | SW     | SE     | R   | BLAINE |
|          |       | 22      | NW     | SW     | NW     | R   | BLAINE |
|          |       | 27      | SW     | SW     | NE     | R   | BLAINE |

5. Description of diverting works:  
VIA EAST CANAL, HEADGATES, & PUMPS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.800  |      |        |

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

8. Total consumptive use is 1468.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00304

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Date: 09/27/88

MICROFILMED  
FEB 22 1993

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 01S      | 21E   | 16      | NE  |    | NW  |     | IRR           | 38.4  |
|          |       |         | NW  |    | NW  |     | IRR           | 33.4  |
|          |       |         | SW  |    | NW  |     | IRR           | 36.8  |
|          |       |         | SE  |    | NW  |     | IRR           | 34.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 36.3  |
|          |       |         | NW  |    | SW  |     | IRR           | 30.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 38.2  |
|          |       |         | SE  |    | SE  |     | IRR           | 38.6  |
|          |       |         |     |    |     |     | Section Acres | 285.7 |
|          |       | 21      | NW  |    | NE  |     | IRR           | 38.6  |
|          |       |         | NW  |    | NW  |     | IRR           | 38.6  |
|          |       |         |     |    |     |     | Section Acres | 77.2  |
|          |       | 22      | NE  |    | SW  |     | IRR           | 34.6  |
|          |       |         | NW  |    | SW  |     | IRR           | 18.7  |
|          |       |         |     |    |     |     | Section Acres | 53.3  |
|          |       | 26      | SW  |    | NE  |     | IRR           | 34.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 39.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 39.0  |
|          |       |         |     |    |     |     | Section Acres | 112.0 |
|          |       | 27      | SW  |    | NE  |     | IRR           | 19.5  |
|          |       |         | SE  |    | NE  |     | IRR           | 39.0  |
|          |       |         |     |    |     |     | Section Acres | 58.5  |
|          |       |         |     |    |     |     | Total Acres   | 586.7 |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:  
SEE #A37-00702 REMARKS

14. Remarks:  
TRANS. 847.

15. Basis of Claim: DECREED  
Case Number:

Court :  
Decree date:

S. C. FROST, ET. AL.  
Decree Plaintiff

vs ALTURAS WATER COMPANY, ET. AL.  
Decree Defendant

16. Signature(s)

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

Number of attachments: 2

**For Organizations:**

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

S. James Peterson  
Signature of Authorized Agent

Partner Peterson Farms  
Title and Organization

9-27-88  
Date

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 27th day  
of September 19 88

Roxanne Storey  
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

1S. 21E

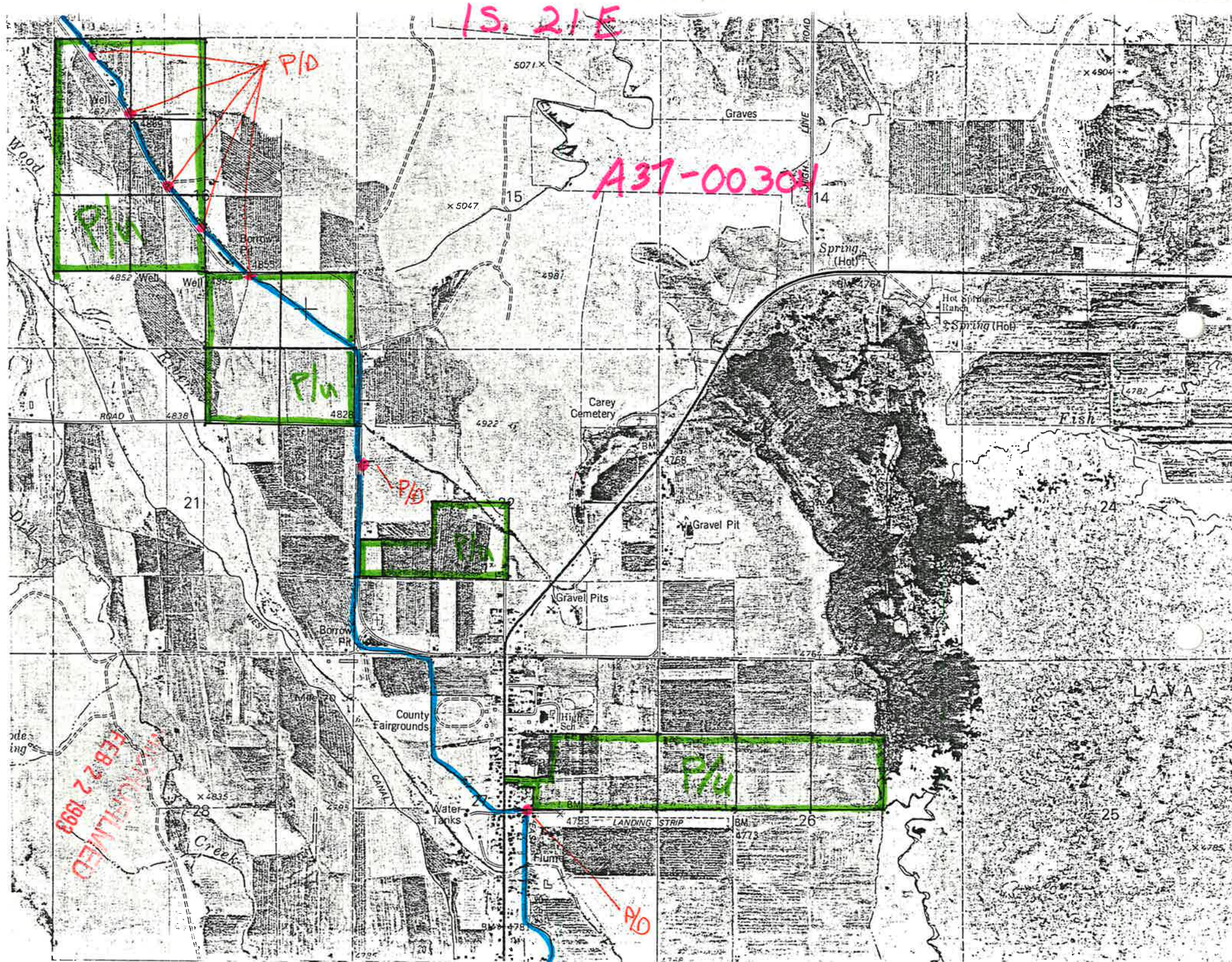
A37-00304

P/D

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FEB 22 1993



10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 01S           | 21E   | 16      | NE     | NW  |     | IRR | 38.4  |
|               |       |         | NW     | NW  |     | IRR | 33.4  |
|               |       |         | SW     | NW  |     | IRR | 36.8  |
|               |       |         | SE     | NW  |     | IRR | 34.0  |
|               |       |         | NE     | SW  |     | IRR | 36.3  |
|               |       |         | NW     | SW  |     | IRR | 30.0  |
|               |       |         | SW     | SE  |     | IRR | 38.2  |
|               |       |         | SE     | SE  |     | IRR | 38.6  |
| Section Acres |       |         |        |     |     |     | 285.7 |
|               |       | 21      | NE     | NE  |     | IRR | 38.6  |
|               |       |         | NW     | SE  |     | IRR | 38.6  |
| Section Acres |       |         |        |     |     |     | 77.2  |
|               |       | 22      | NE     | SW  |     | IRR | 34.6  |
|               |       |         | NW     | SW  |     | IRR | 18.7  |
| Section Acres |       |         |        |     |     |     | 53.3  |
|               |       | 26      | SW     | NE  |     | IRR | 34.0  |
|               |       |         | SW     | NW  |     | IRR | 39.0  |
|               |       |         | SE     | NW  |     | IRR | 39.0  |
| Section Acres |       |         |        |     |     |     | 112.0 |
|               |       | 27      | SW     | NE  |     | IRR | 19.5  |
|               |       |         | SE     | NE  |     | IRR | 39.0  |
| Section Acres |       |         |        |     |     |     | 58.5  |
| Total Acres   |       |         |        |     |     |     | 586.7 |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:  
SEE REMARKS

14. Remarks:

OTHER WATER RT. A37-02499, A37-00016, A37-00017A, A37-00019, A37-00304. THESE RTS WERE NOT ALL DECREED TO ALL THIS LAND BUT HAVE BECOME A PART OF ONE SYSTEM OF PUMPS AND SPRINKLERS. ALL THIS WATER IS COMBINED AND ADDED TO THE STORAGE WATER FOR DELIVERY. CANAL CERT. #656, 2 SHARES; #716, 1/4 SHARE; #791, 7-1/2 SHARES; #823, 15-7/8 SHARES; #846, 5-1/2 SHARES. TOTAL STORAGE 1686 AC-FT. OTHER WR. IS A37-02515A, A WELL. A37-00702 IS THE REFERENCE RT. TO THE ABOVE WR.

A37-00304

MICROFILMED  
FEB 22 1993

10/28/2005

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

RIGHT NUMBER: 37-304

NAME AND ADDRESS: PETERSON FARMS  
PO BOX 67  
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 04/22/1893

POINT OF DIVERSION:

T01N R21E S30 NWSWSE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.800 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T01S R21E S26 | SWNE | 34.0 | T01S R21E S26 | SWNW | 41.0 |
| T01S R21E S26 | SENE | 41.0 | T01S R21E S27 | SWNE | 18.0 |
| T01S R21E S27 | SENE | 41.0 |               |      |      |

175 ACRES TOTAL

This right is limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.

175

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 37-16, 37-17A, 37-19 & 37-304.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through East Canal.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Dist.

Use of this right is combined with water from Little Wood River Irrigation

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-304

WATER RIGHT NUMBER: 37-304

Owner Type                      Name and Address  
 Current Owner                      ADAMSON BROTHERS

CAREY, ID 83320  
 Original Owner                      SUSANNAH HARRIS

, ZZ

Priority Date: 04/22/1893

Basis: Decreed

Status: Active

Source                                              Tributary  
 LITTLE WOOD RIVER                                              MALAD RIVER

| <u>Beneficial Use</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------|-----------|-----------------------|----------------------|
| DOMESTIC                | / to /      |           |                       |                      |
| IRRIGATION              | / to /      |           | 0.800 CFS             |                      |
| <u>Total Diversion:</u> |             |           | 0.800 CFS             |                      |

Location of Point(s) of Diversion

LITTLE WOOD RIVER                      SW1/4SE1/4                      Sec. 30, Twp 01N, Rge 21E, B.M.  
 BLAINE County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 01S | 21E | 26  | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |        |

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

- General                      TRANS. 847.  
                                          P/U INCOMPLETE. SEE FILE.

Comments:

40 → 34

this appears to match the use found in S.26 SWNE as claimed by Peterson Farms. Trans map also showed SWNE of S.26 as the correct poi.

Trans #847 reduced acres from 40 Ac to 200' less on the East edge of the SWSE tract.  
 6/16/04 su