

RECEIVED
JUL 31 2009
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
(for Department use only)

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Name of Renter Peter M Thomas Trust LP Phone 208-622-4987

Mailing address PO Box 642 Sun Valley ID 83353 Email _____

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs) Maximum Volume (ac-ft) Nature of Use Period of Use
2.85 cfs Irrigation 4/1 to 11/1
to _____
to _____
Total: 2.85 cfs

2. Source of water Big Wood River tributary to Malad River

3. Point(s) of Diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
2N	18E	5		SE	SW	NE	Blaine County

4. Lands to be irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	5										9.3	15.7		36			6.2	67.2

If the use is for irrigation, show total number of acres proposed through rental. Total Acres 67.2

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes _____ No X If no, list owner, contact information, and provide documentation of the authority to use the proposed point of diversion. Lucille Ferrante

2. Do you own the land at the proposed place of use?

Yes X No _____ If no, list owner, contact information, and provide documentation of the authority to use the proposed place of use. _____

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system. Proposed 10 hp pump and pipe as defined in Transfer #75052
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
None
3. Will the proposed place of use receive water from any other source?
No X Yes _____ If yes, describe. _____
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. N/A
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental?
No _____ Yes X If yes, describe. Transfer #75052
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation?
No X Yes _____ If yes, describe. _____

E. RENTAL TERM

1. Do you wish to rent water from the Board's bank for more than one (1) year?

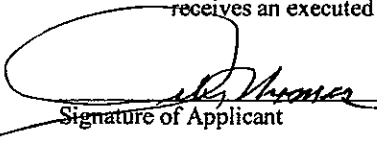
No X Yes _____

If yes, please specify the number of years desired through proposed rental. _____

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.


Signature of Applicant

Peter M Thomas, manager
Thomas Management Co LLC, general partner
Peterson Trust L.P.
Printed Name and Title*

Date 7-29-2009

Signature of Applicant

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Amia L. R. S. S.

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That PETER TRUST, JEROME D. MACK, Trustee

In consideration of \$ 10.00 the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to PETER TRUST LIMITED PARTNERSHIP, A Nevada Limited Partnership,
P.O. Box 98600, Las Vegas, NV 89193

all that real property situate in the _____ County of Blaine
State of Idaho bounded and described as follows:
Idaho

All of Lot 1, RIVER GROVE RANCH SUBDIVISION, BLAINE COUNTY, IDAHO, according to the amended official plat thereof, recorded in Book 15 of Plats, page 10, records of Blaine County, Idaho, excepting the following described parcel:

Commencing at the 1/4 Section corner common to said Section 4 and Section 5; thence S 11°37'22" E. 446.09 feet to the Northeasterly corner of Lot 4, RIVER GROVE RANCH SUBDIVISION, as shown on the official plat thereof, on file with the Blaine County Recorder in Hailey, Idaho, and said corner being the true point of beginning.

Thence S 71°45'22" W. 284.29 feet along the boundary between said Lot 4 and Lot 1;
Thence N 13°06'12" W. 140.32 feet;
Thence N 74°55'06" E. 169.93 feet;
Thence S 56°17'39" E. 165.57 feet to the true point of beginning.

SUBJECT TO:

General taxes.

Easements and restrictions appearing of record.

The Declaration of Protective Covenants for the RIVER GROVE RANCH SUBDIVISION, recorded May 31, 1977, as Instrument No. 173934, records of Blaine County, Idaho. Together with any and all water rights appurtenant thereto.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Witness my hand and seal this 20th day of May, 1991

STATE OF NEVADA
COUNTY OF Clark } ss.

On May 20, 1991

personally appeared before me, a Notary Public,

Jerome D. Mack

who acknowledged that he executed the above instrument.

Signature: [Signature]
(Notary Public)

(Notarial Seal)



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KAREN A. GIGAR

My Appointment Expires Feb. 11, 1995

PETER TRUST, JEROME D. MACK, Trustee

RECORD NO. 1
ORDER NO. 1
INSTRUMENT NO. 1
WHEN RECORDED MAIL TO: Peter Trust, Ltd.,
Partnership, Thomas A. Thomas, Gen.
Partner, P.O. Box 98600,
Las Vegas, NV 89193

BLAINE CO. REQUEST

W. Kneeland, Clerk

MAY JUN -11 A 11 38

330576

CLERK

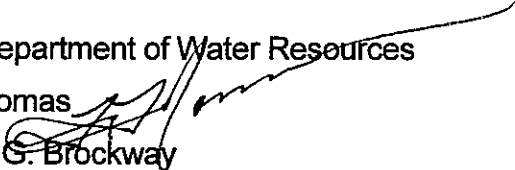
300

MP

Deed

Thomas & Mack Co.

Memorandum

To: Idaho Department of Water Resources
From: Tom Thomas 
CC: Charles G. Brockway
Brockway Engineering
Date: August 29, 2008
Re: Peter Trust LP Water Right Transfer
for Irrigation Right 37-22255

The Peter Trust Limited Partnership has recently submitted an Application for Certificate of Authority for Foreign Limited Partnership in conjunction with an Application for Transfer of Water Right, affecting Right # 37-22255. It is my understanding that the original water right was listed under the Peter Trust, Jerome D. Mack, Trustee. The Peter Trust was an age 21 trust which vested in the beneficiaries and was converted into the Peter Trust Limited Partnership on December 29, 1989, with Thomas Management LLC as General Manager. It should also be noted that Jerome D. Mack passed away in 1998.

I have attached a copy of the Certificate of Existence, the current Annual List of General Partners and a copy of the Limited Partnership Agreement for your review. Should you need any additional information, my direct office line is 702-920-2851.

Sincerely,

Thomas A. Thomas, Managing Member
Thomas Management, LLC

Thomas & Mack Company
2300 West Sahara Ave., Suite 530
Las Vegas, Nevada 89102
702-920-2800

SECRETARY OF STATE



CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, ROSS MILLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **PETER TRUST LIMITED PARTNERSHIP**, as a limited partnership duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since December 29, 1989, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on September 4, 2008.



ROSS MILLER
Secretary of State

By

Kamlesh Bhadwaj
Certification Clerk



APPLICATION FOR CERTIFICATE OF AUTHORITY FOR FOREIGN LIMITED PARTNERSHIP

(Instructions on back of application)

FILED EFFECTIVE

08 SEP - 8 AM 10:15

SECRETARY OF STATE
STATE OF IDAHO

The undersigned limited partnership applies for a Certificate of Authority and states as follows:

1. The name of the limited partnership is:

PETER TRUST LIMITED PARTNERSHIP

2. The name which it shall use in Idaho is: PETER TRUST LIMITED PARTNERSHIP

3. It is formed under the laws of: NEVADA and its date of formation is 12/29/1989

4. The business address of the office located in its jurisdiction of domicile:
2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

5. The address of its principal office in Idaho is:
200 ASPEN LAKES DRIVE (PO BOX 606), HAILEY, ID. 83333

6. The address to which correspondence should be addressed, if different from Item 5, is:
TOM THOMAS - 2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

7. The name and physical street address of the registered agent in Idaho is:
PETER STURDIVANT, 200 ASPEN LAKES DRIVE, (PO BOX 606), HAILEY, ID. 83333

8. This limited partnership ☐ is ☒ is not a limited liability limited partnership.

9. The names and respective business and mailing addresses of its general partners:

Name	Street Address	Mailing Address
THOMAS MANAGEMENT, LLC	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

Dated: 9-3-88

Signature:

THOMAS A. THOMAS

Typed Name:

THOMAS MANAGEMENT, LLC

Capacity:

MANAGER OF GENERAL PARTNER

The signer must be a general partner of the limited partnership.

Customer Acct #:

(If using pre-paid account)

Secretary of State use only

ST Compliance Department of authority
Foreign Agent Revised 07/2008

IDAHO SECRETARY OF STATE
09/08/2008 05:00
CK: 111412 CT: 229501 BH: 1134771
1 @ 100.00 = 100.00 REG FOR LP # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

L 6144

State of Idaho

Office of the Secretary of State

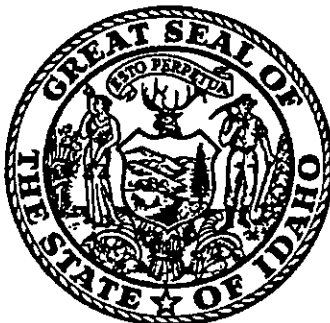
**CERTIFICATE OF AUTHORITY
OF
PETER TRUST LIMITED PARTNERSHIP**

File Number L 6144

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that an Application for Certificate of Authority, duly executed pursuant to the provisions of the Idaho Limited Partnership Act, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Authority to transact business in this State and attach hereto a duplicate of the Application.

Dated: September 8, 2008



Ben Yursa
SECRETARY OF STATE

By *Sally Lenz*

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
CONSENT TO WATER RIGHT POINT OF DIVERSION AND TRANSFER

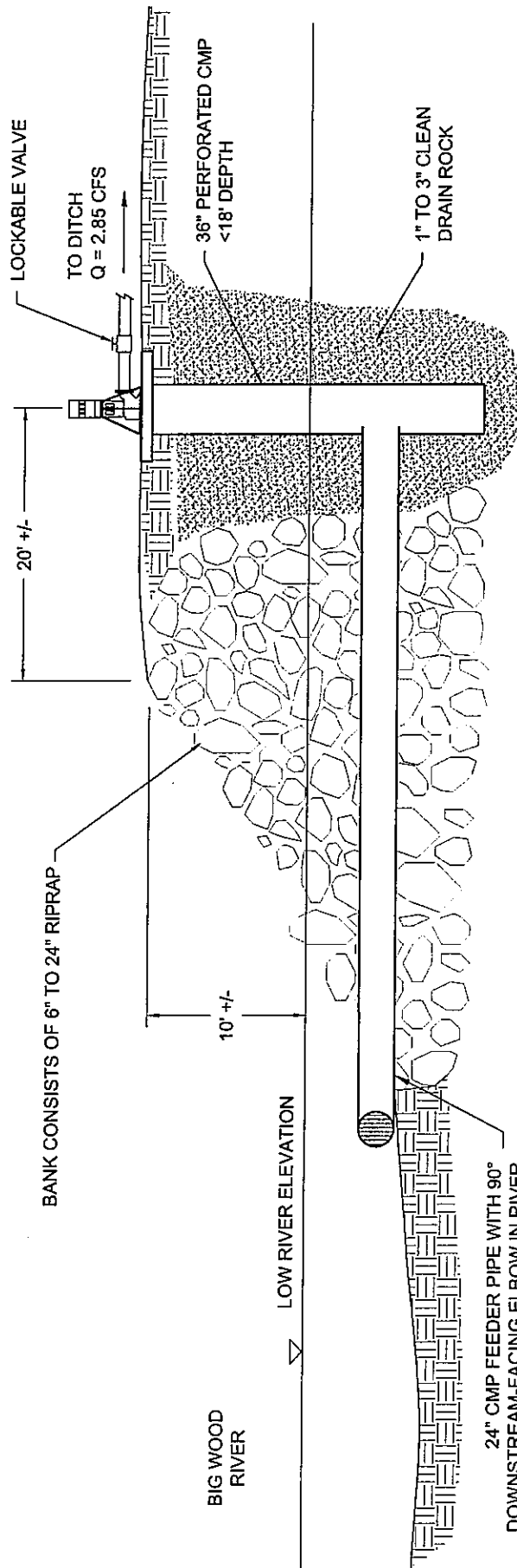
I, Lucille FERRANTE Family TRUST, am the owner of Lot 3, Flying Heart Ranch #1 Subdivision, as recorded in the office of the Assessor, Blaine County, Idaho (the "Property"). I hereby consent to allow water right 37-22255, as described in the records of the Idaho Department of Water Resources, to include one (1) point of diversion on the Property, to be located on the east bank of the Big Wood River in the SESWNE, Section 5, T.2N., R.18E. I further consent to the water right transfer application filed by Peter Trust, LP, which seeks to add said point of diversion to water right 37-22255.

Orlando Ferrante
Orlando Ferrante

8-21-08
Date

Lucille Ferrante
Lucille Ferrante

8-21-08
Date



NOT FOR CONSTRUCTION

THIS DRAWING WAS PREPARED BY BROCKWAY ENGINEERING, PLLC FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE INFORMATION AND REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION IS GRANTED BY BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.				PROJECT # 201-16-2008		PROJECT # 201-16-2008		PROJECT # 201-16-2008	
BROCKWAY ENGINEERING, PLLC HYDRAULICS - HYDROLOGY - WATER RESOURCES 2016 NORTH WASHINGTON, SUITE 4 TWIN FALLS, ID 83301 (208) 736-8543				DESIGNED BY CGB		DRAFTED BY ALR		PROJECT # 201-16-2008	
INCORPORATE FEEDER PIPE ISSUE FOR REVIEW				DATE 10/15/08		DATE 9/25/08		PROJECT # 201-16-2008	
REV A				DESCRIPTION		APPRO. BY		PROJECT # 201-16-2008	
37-22255 RIVER POD - CONCEPTUAL SECTION				DWG# 1		REV 1		PROJECT # 201-16-2008	
PETER TRUST, LP RIVER GROVE RANCH				PROJECT # 201-16-2008		PROJECT # 201-16-2008		PROJECT # 201-16-2008	



0 220 440 880 Feet

**WATER RIGHT TRANSFER
PETER TRUST, LP
37-22255
NAIP 2006 AERIAL PHOTO**

BROCKWAY ENGINEERING, PLLC
SLK - AUG. 20, 2008

Legend

- Additional 37-22255 POD, Pump
- Current 37-22255 Rec POD
- ▨ 37-22255 Rec POU
- ▨ River Grove Ranch Parcels
- ▬ New Pipeline
- ▭ Township Range
- ▭ Sections
- QQ



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

7/30/2009

WATER RIGHT NO. 37-22255

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETER M THOMAS TRUST JEROME D MACK TRUSTEE C/O E PARRY THOMAS PO BOX 642 SUN VALLEY, ID 83353 (208)622-4987
Representative	CHARLES E BROCKWAY 2016 N WASHINGTON ST #4 TWIN FALLS, ID 83301 (208)736-8543

Priority Date: 05/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.85 CFS	
DOMESTIC	01/01	12/31	0.04 CFS	
Total Diversion			2.85 CFS	

Location of Point(s) of Diversion:

BIG WOOD RIVER|NWSENE|Sec. 05|Township 02N|Range 18E|BLAINE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	18E	4		NWSW	9.3		SWSW	15.7						
		5		NESE	36		SESE	6.2						

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 67.2

Conditions of Approval:

1. This right is a split from former right 37-862 .
2. E55 Right Nos. 37-22255, 37-22256 and 37-4312 are limited to the irrigation of a combined total of 19 acres within Section 4 SWSW in a single irrigation season.
3. N12 The quantity of water under this right and 37-22256 for domestic use shall not exceed 13,000 gallons per day.
4. 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.
5. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
6. J01 Property is also known as River Grove Farm Subd., less Lots 7 & 11.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 37

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close