

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72555

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Randy and/or Peggy Peterson Phone 208 588 2532
Post Office address Route 1, Box 32, Darlington Idaho 83255

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes More efficient delivery of the water right
change Acres to reflect current system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-77</u>	<u>6-1-1888</u>	<u>3.04</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>
				to
				to
				to

2. Total amount of water being transferred 3.04 cubic feet per second and/or acre-feet per annum.3. Source of water Big Lost River tributary to Sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NE	18	7N	24E	Custer	Streeter
	NW	SE	SW	20	7N	24E	Custer	Swanger

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	24E	20			37					1	30			14	3	39	14	9	147

Total acres 147

PART 1

6. General Information:

a. Description of diversion system _____

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None, the water remains in the same place

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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Page 1

Transfer No. 72535
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 34-77

Priority Date: 06/01/1888

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG LOST RIVER

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01 10/15	3.04 CFS		
	Total Diversion	3.04 CFS		

Source and Point(s) of Diversion:

BIG LOST RIVER SESWNE 07N 24E 18 CUSTER

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		
07N 24E 20			39.0					3.0	30.0				15.0	5.0	39.0	8.0	8.0	147.0

Total Acres: 147

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-02380 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.972 CFS.
2. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-02380 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 203 ACRES IN A SINGLE IRRIGATION SEASON.
4. 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. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER DELIVERED THROUGH THE STREETER DITCH.

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Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. 72555
Receipt No. _____

Current Water Right No. 34-77

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?



EXISTING
POD

T7N
R24E

18

19

20

NEW
POD

7N

24E 20

NENE

NE



POD

SWANSON

SE SE

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12555

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this

(Signature of Applicant)

day of January, 192006

(Notary Public)

My commission expires

6/23/06

FOR DEPARTMENT USE ONLY

Transfer contains 1 pages and 4 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by SC Date 11/23/04 EO 315.80

Published in Challis Messenger Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

WARRANTY DEED

220505

For Value Received

EDWARD H. WILLIAMS and ELVERA M. WILLIAMS, husband
and wife,

the grantor S. do hereby grant, bargain, sell and convey unto RANDY D. PEHRSON and PEGGY E.
PEHRSON, husband and wife,

the grantee S, whose current address is P. O. Box 238, Mackay, ID 83251,

the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

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

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

Dated: JAN
December 1, 1980.

Edward H. Williams
Edward H. Williams

Elvera M. Williams
Elvera M. Williams

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of Custer County Title

at 1
this 19
192000, in my o
of Deeds at page

ATTACHMENT 1 OF 4

INST

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

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

Dated: JAN December 1, 1980.

Edward H. Williams
Edward H. Williams

Elvera M. Williams
Elvera M. Williams

STATE OF IDAHO
COUNTY OF Custer } ss
On this 1st day of January, in the year 1980, before me, a Notary Public, personally appeared EDWARD H. WILLIAMS & ELVERA M. WILLIAMS, husband and wife, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

James R. Bennett
Notary Public
Residing at Challis, Idaho.

My Com. Expires: 1-13-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Custer County Title

at 1 minutes past 3 o'clock P.M.,
this 19th day of January,
192000, in my office, and duly recorded in Book
of Deeds at page —

Ethel M. Peck
Ex-Officio Recorder

By Janet Dargis Deputy.

Fees \$ 6.00
Mail to:

INSTRUMENT No. 220359

Chicago Title Insurance
Company of Idaho

T 72555
ATTACHMENT 2 OF 6

A fraction of the $E\frac{1}{2}SE\frac{1}{4}$, Section 20, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at a point 968 feet North $58^{\circ}30'$ West of the Section corner common to Sections 28, 29, 20, and 21, Township 7 North, Range 24 East, Boise Meridian; which point is also the Southwest corner of the land described in the Deed to Lew R. Greene, recorded March 29, 1971, as instrument No. 130634, records of Custer County; thence North 46° West 711.5 feet to a corner stake, which is on the West boundary line of said East one-half of the Southeast quarter ($E\frac{1}{2}SE\frac{1}{4}$); thence North along said West boundary line 1456 feet to a corner stake, which is on the South boundary line of U.S. Highway 93-A right of way; thence South $46^{\circ}30'$ East 1698 feet along said right of way line to a stake, which is the Northwest corner of the land described in the deed to Mabel M. Miller, recorded May 21, 1962, in Book 34 of Deeds, Page 374, records of said County; thence South 44° West 1072 feet to the point of beginning.

EXCEPTING THEREFROM the following described parcels:

Beginning at a point 968 feet North $58^{\circ}30'$ West of the section corner common to Sections 28, 29, 20 and 21, Township 7 North, Range 24 East, Boise Meridian, which point is also the Southwest corner of the land described in the deed to Lew R. Greene, recorded March 29, 1971, as instrument No. 130634, records of Custer County, Idaho, the true point of beginning; thence North 44° East 320 feet to a point; thence North 46° West 160 feet to a point; thence South 44° West 320 feet; thence South 46° East 160 feet, more or less to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

Beginning at a point 968 feet North $58^{\circ}30'$ West of the section corner common to Sections 28, 29, 20 and 21, Township 7 North, Range 24 East, Boise Meridian, which point is also the Southwest corner of the land described in the deed to Lew R. Greene, recorded March 29, 1971, as instrument No. 130634, records of Custer County, Idaho, thence North 46° West 711.5 feet to a corner stake, which is on the West boundary line of the East one-half of the $E\frac{1}{2}SE\frac{1}{4}$ the true point of beginning; thence North 250 feet to a point; thence due East 250 feet to a point; thence due South 500 feet, more or less to the right of way of Beverland Lane, thence North 46° West 275 feet, more or less to the POINT OF BEGINNING.

TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.
Section 20: $SW\frac{1}{4}NE\frac{1}{4}$, less Highway right-of-way, $SW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$.
Section 29: $E\frac{1}{2}NW\frac{1}{4}$

A fraction of the $SE\frac{1}{4}NW\frac{1}{4}$ Section 20, Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho, described as follows:

Beginning at the Southeast corner of said $SE\frac{1}{4}NW\frac{1}{4}$, thence West 400 feet, thence due North 150 feet, thence due East 400 feet, thence due South 150 feet to the place of beginning.

PARCEL NUMBER
RP07N24E201212A
80,420
203,190

TOT MV 283,610

TOT ACS 187,504

ATTACHMENT T 72555 4 OF 6

USTER COUNTY TAX COLLECTOR
 .0. BOX 350
 HALLIS, IDAHO 83226

BILL# 4773
 CODE AREA 9-0000

PARCEL NUMBER
 RP07N24E208413A
 10,940

	1ST HALF DUE	TAX	2ND HALF DUE	TAX	FULL DUE	TOT MV	
AX	77.64		77.64		155.28		
ATE		LATE		LATE			
NT		INT		INT			
OST		COST		COST			
OT		TOT		TOT		TOT ACS	28.905

PEHRSON RANDY D
 & PEHRSON PEGGY W
 RT 1 BOX 32
 DARLINGTON ID 83255

TRACTS 162 & 05-31
 SEC 20 T7N R24E

★★★ IMPORTANT ★★★
 PLEASE READ BOTH FRONT AND BACK
 ★★★ MONTHLY PAYMENTS ARE ACCEPTED ★★★

TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

RECEIPT NOT VALID UNTIL CHECK CLEARS
 THANK YOU

Received Time Jan. 25. - 8:50AM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	20.16
SCHOOL #192	.004570466	50.00
LOST RIVER HWY	.000722841	7.90
B.L.R. CEMETERY	.000159864	1.74
SO. CUSTER FIRE	.000863245	9.44
MACKAY LIBRARY	.000358078	3.92
L R HOSPITAL	.001458370	15.94
S C AMBULANCE	.000297317	3.24
MACKAY MOS ABAT	.000269217	2.94
DISTRICT TOTAL	.010542436	115.28
SOLID WASTE		40.00
AMOUNT DUE		155.28

T 12555
 ATTACHMENT 5 OF 6

	1ST HALF DUE		2ND HALF DUE		FULL DUE		
AX	77.64	TAX	77.64	TAX	155.28	TOT HV	10,940
ATE		LATE		LATE			
NT		INT		INT			
DST		COST		COST			
DT		TOT		TOT		TOT ACS	28.905

PEHRSON RANDY D
& PEHRSON PEGGY W
RT 1 BOX 32
DARLINGTON ID 83255

TRACTS 162 & 05-31
SEC 20 T7N R24E

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

ECEIPT NOT VALID UNTIL CHECK CLEARS
HANK YOU

Received Time Jan. 25. 8:48AM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	20.16
SCHOOL #182	.004570466	50.00
LOST RIVER HWY	.000722841	7.90
B.L.R. CEMETERY	.000159864	1.74
SO. CUSTER FIRE	.000863245	9.44
MACKAY LIBRARY	.000358078	3.92
L R HOSPITAL	.001458370	15.94
S C AMBULANCE	.000297317	3.24
MACKAY MOS ABAT	.000269217	2.94
DISTRICT TOTAL	.010542436	115.28
SOLID WASTE		40.00
AMOUNT DUE		155.28