

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Sept 7 1989 and ending with the issue dated Sept 14 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 18th day of Sept - in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Edith M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

RECEIVED

SEP 19 1989

Department of Water Resources
Southern Region Office

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

72-07425

PEDERSEN, JEFFREY P.

PEDERSEN, EILEEN A.

P.O. Box 788 CHALLIS, ID
83226

Source: SPRING Tributary:
SINKS

Diversion Pt: SWNESE Sec 10 T
13N R 18E

SENESE Sec 10 T 13N R 18E

Use: DOMESTIC (.040 CFS)

IRRIGATION (.200 CFS)

Date Filed: 8/09/1989

In: T13N R18E S10 NESE

10.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before SEPTEMBER 25, 1989.

R. KEITH HIGGINSON, Director
Pub: Sept. 7 & 14, 1989.

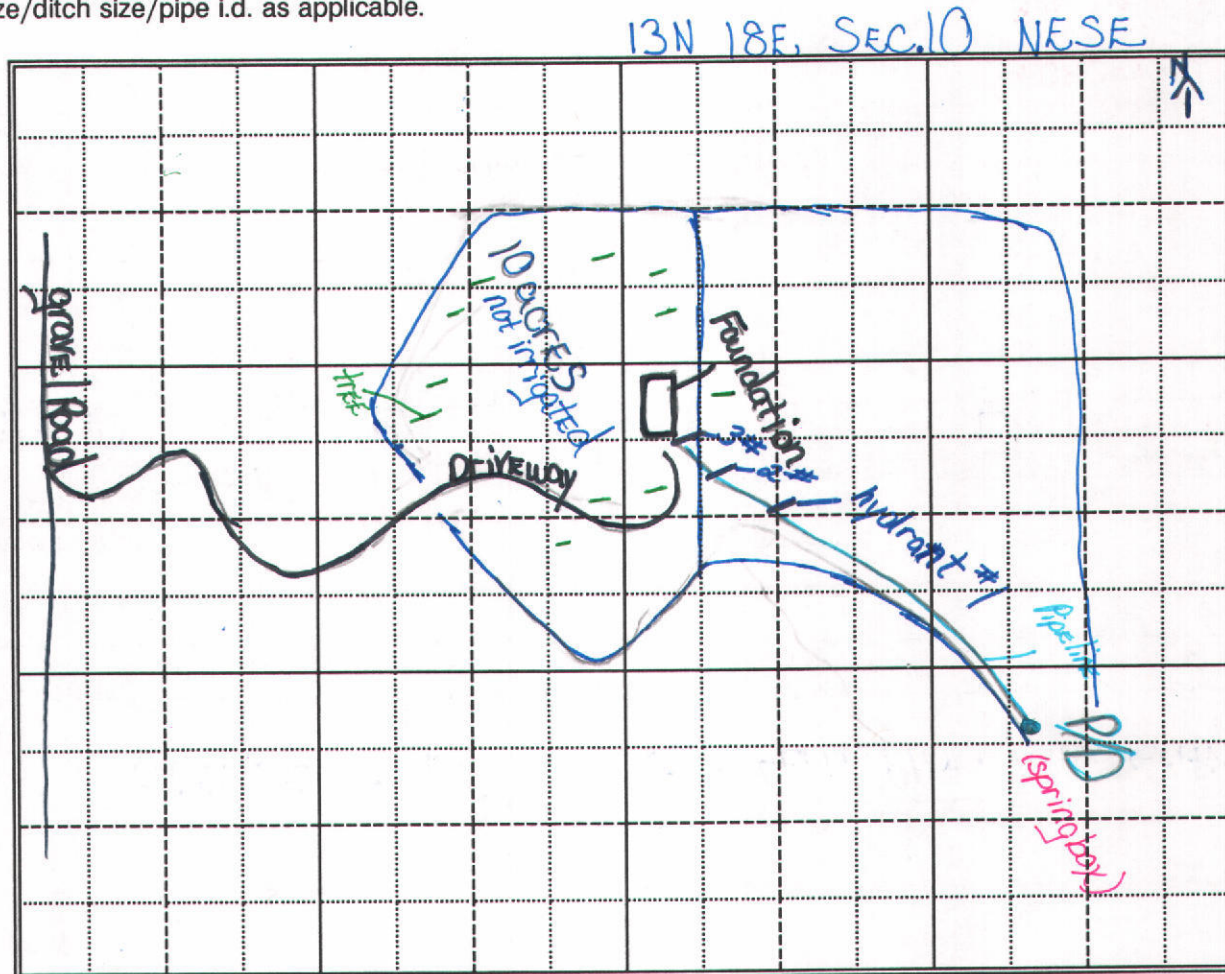
OK
MB

9/22/89

MICROFILMED

MAR 14 1990

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
n/a					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
n/a						

2. Measurements: Bucket + Stopwatch

MICROFILMED

MAR 11 1997

AERIAL
PHOTOS
USES EN
SEC 10
13N 18E

ANDREWS (WELL)

COLE P/D (DOM)
A72-10105 (WELL)

BRYANT P/D
(DOM WELL)

GUERRERO P/D

72-04117

PEDERSON P/D
72-07425

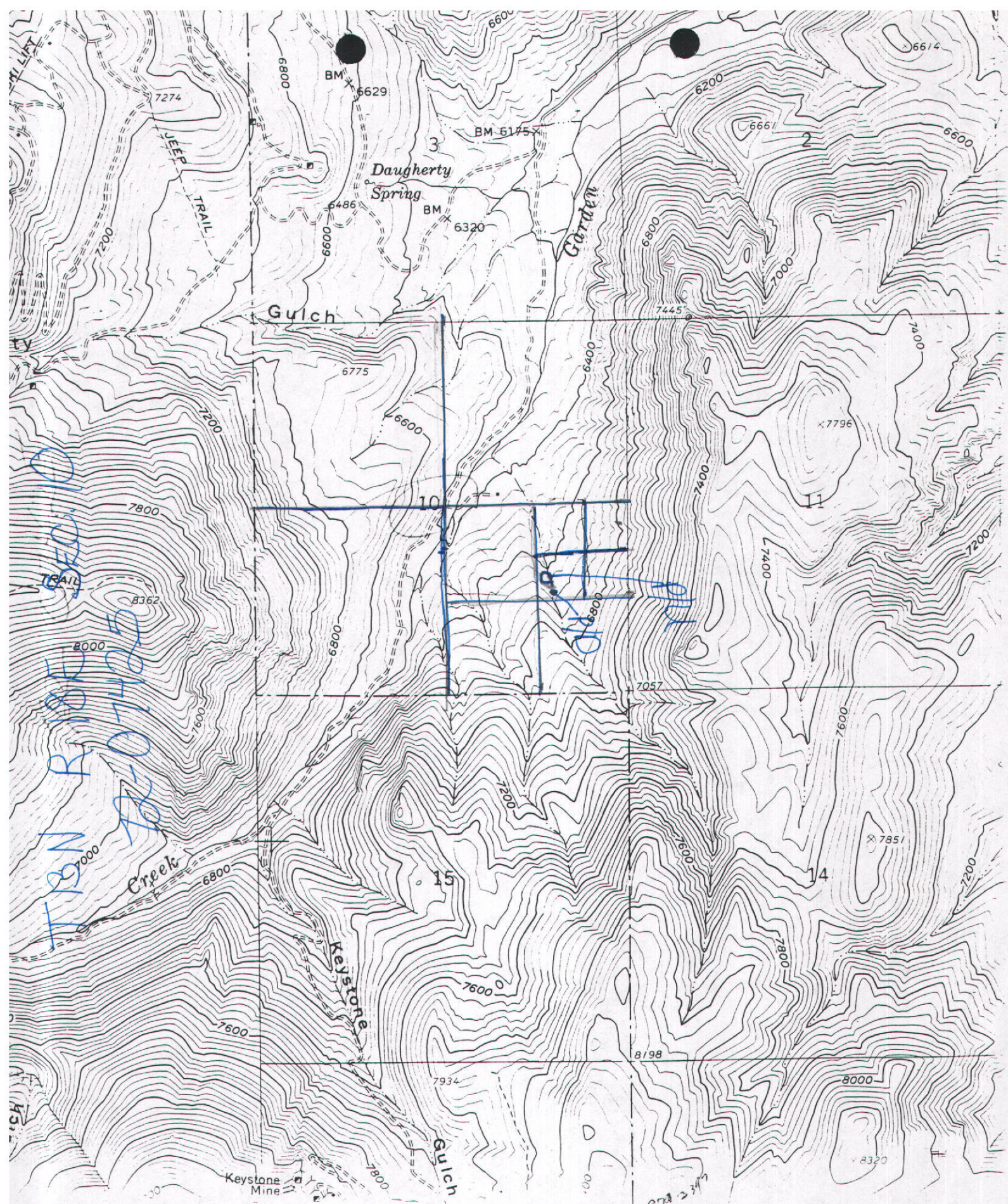
CRANE P/D
(2)

GUERRERO P/D
72-07509

POINT OF DIVERSION COMPARISON
FOR:

TNS 13N; RNG 18E; SEC 10; SE 1/4 B.M.
FOUND DURING A FIELD VISIT ON
6-18-1996 BY KKC AND ADM

CLAIM INIT KKC
MAR 11 1997 R. S. Q/O PREP DATE 6-19-96
P/D 13N 18E 10 SE 1/4 enlarged
PHOTO SCS 241-161 150%
DT & ID 8-29-84



278-2343
MICROFILMED
MAR 11 1997

Ag 1



PEDERSEN 72-07425
PICTURE OF ACTUAL SPRING
FROM NEIGHBORING PROPERTY,
EARL CRANE 72-07541
collection area.



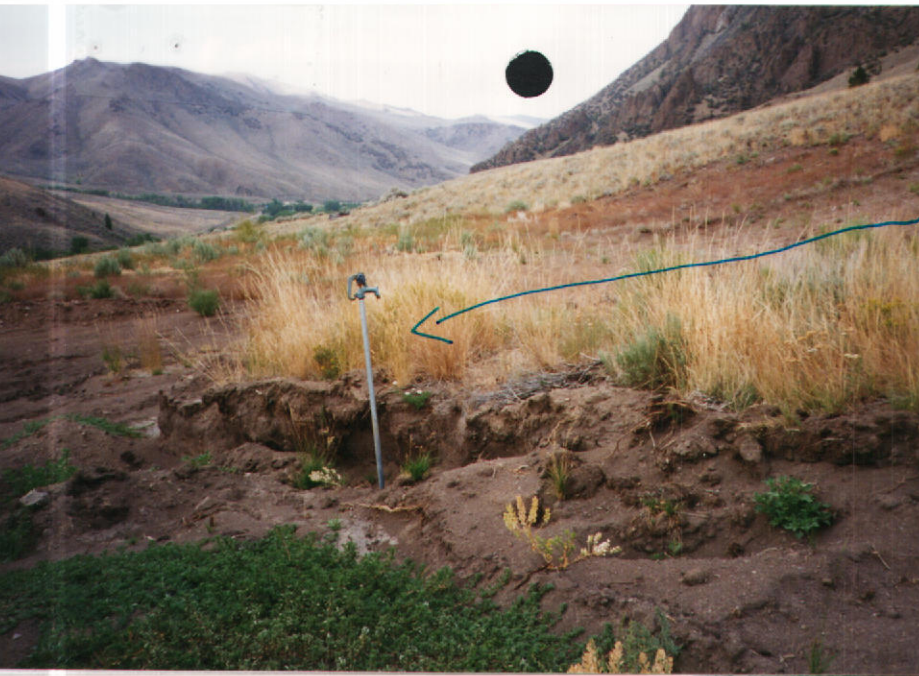
PEDERSEN 72-07425
PLACE OF MEASUREMENT
Pipe from spring box.



PEDERSEN 72-07425
P/D SPRINGBOX

MICROFILMED
MAR 11 1997

PEDERSEN 72-07425
HYDRANT #1



PEDERSEN 72-07425
HYDRANT #3 & FOUNDATION
OF HOUSE



PEDERSEN 72-07425
ONE OF TWENTY TREES



MICROFILMED
MAR 11 1967

pg 3



PEDERSEN 72-07425
DOWNHILL LEFT OVERVIEW
OF PROPERTY



PEDERSEN 72-07425
DOWNHILL RIGHT OVERVIEW
OF PROPERTY

MICROFILMED
MAR 11 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07425

Priority: August 9, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that JEFFREY P PEDERSEN
EILEEN A PEDERSEN

PO BOX 788

CHALLIS ID 83226-0788

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 9, 1989; and has submitted Proof of Beneficial Use on November 9, 1994. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: SWNESE , Sec. 10, Township 13N, Range 18E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 18E 10

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

MICROFILMED

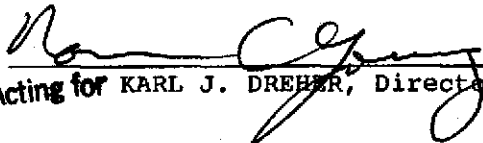
MAR 11 1997

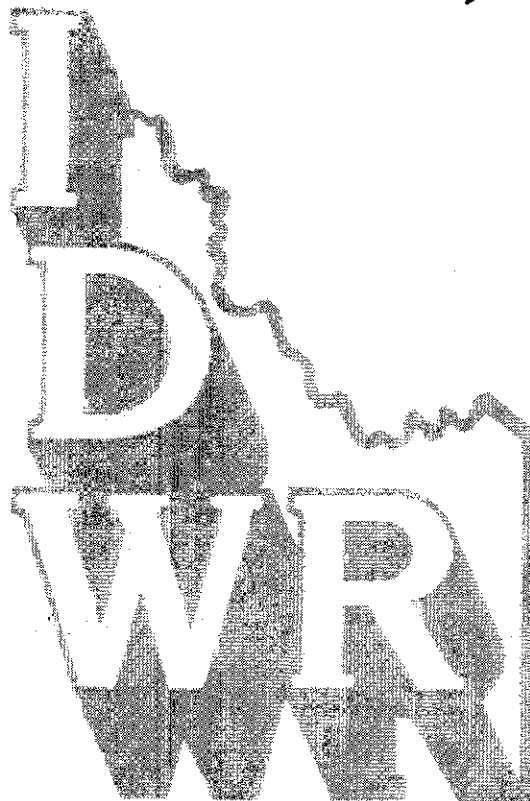
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07425

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 19TH
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



MICROFILMED
MAR 11 1997

RECEIVED

NOV 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 72-07425 Telephone No. 208-879-4211

2. Name(s) of Permit Holder(s): Jeffrey & Eileen Pedersen

3. Mailing Address: P.O. Box 788, Challis, Id. 83226

4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - - -

b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): 25 head horse / mule

Irrigation (No. of acres): 10 Other:

6. Total rate of diversion and/or volume for which proof is submitted: .29 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓
Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓
Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ 500 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Jeff Pedersen Telephone Number: 879-4211 or 879-5423

Address: PO 788 Challis ID 83226

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Jeff Pedersen Date: 11/4/94
(Include your title, if on behalf of company or organization)

Eileen A Pedersen

11/4/94

DEC 29 1994

RECEIVED

NOV 27 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 Fee Received by SK
Date 11-30-92
Receipt No. 0026149

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 72-07425Name(s) of Permit Holder: Jeffrey P. Pedersen, Eileen A. PedersenMailing Address: PO Box 788 Challis, ID 83226Date Proof is Due 12-1-92 Telephone No. 208-879-4211

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Clearing of trees & brush around spring, built 1200'
of road to access spring, spring has been cleaned
out of debris & dug deeper. Property fenced to keep
livestock out of spring. Spring has been Costing \$ 4950.00/00
used with hand line to irrigate trees and small pasture area.
The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

After completing the fence this fall the weather
has limited access to the spring and am unable
to get heavy equipment to spring head.

Permit holder(s) request an extension to Dec 1, 19 94.

FEE: \$15.00

(Signature) Jeffrey P. Pedersen

*If other than permit holder, Power of Attorney must be supplied.

DEC 10 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to December 1, 1994.

Signed this 1st day December, 19 92J. Shun Saxon
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07425

Proposed Priority: August 9, 1989 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **JEFFREY P. PEDERSEN**
EILEEN A. PEDERSEN
P.O. BOX 788
CHALLIS, ID 83226

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.20 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENESE Sec. 10, Township 13N, Range 18E
SWNESE Sec. 10, Township 13N, Range 18E
 CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	18E	10	NESE	10		10
Total number of acres irrigated:						10

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
5. Domestic use is for 1 home.

MICROFILMED

MAR 14 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 72-07425

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

27th day of November, 1989.

J. Keith Saxon

for

R. Keith Higginson, Director



MICROFILMED

MAR 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jeffrey P. and Eileen A. Pedersen Phone (208) 879-4211
Post office address P.O. Box 788 Challis, ID 83226

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is SE ^{NE} ~~SW~~ $\frac{1}{4}$ of SE $\frac{1}{4}$ of Govt. Lot

Sec. 10 Township 13N Range 18E B.M. Custer County; additional

points of diversion if any: None * or SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10 T. 13N R. 18E

4. Water will be used for the following purposes: * Per telecon w/applicant 8-14-89

* 0.04 ~~acre-feet~~ ^{per day} for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

* 0.20 for Irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.20 ~~per day~~ ^{per day} and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Develop spring for domestic use with
walled spring house (minimum 100 GAL. capacity) with 1" drive pipe to hydraulic ram pump.

Hydraulic ram will pump water required amount of feet to 1500-2000 GAL. storage tank
which will be in an enclosed structure. Gravity feed to house. (Ram pump will later be replaced
with electric pump when electric is run to property)

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

Jan 1 to Dec 31 inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water for beneficial use is
5 * years (minimum 1 year).

MICROFILMED

MAR 14 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- e. Other; describe fully. _____

9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	18E	10													D# 10			D	10
																		to	to

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. none

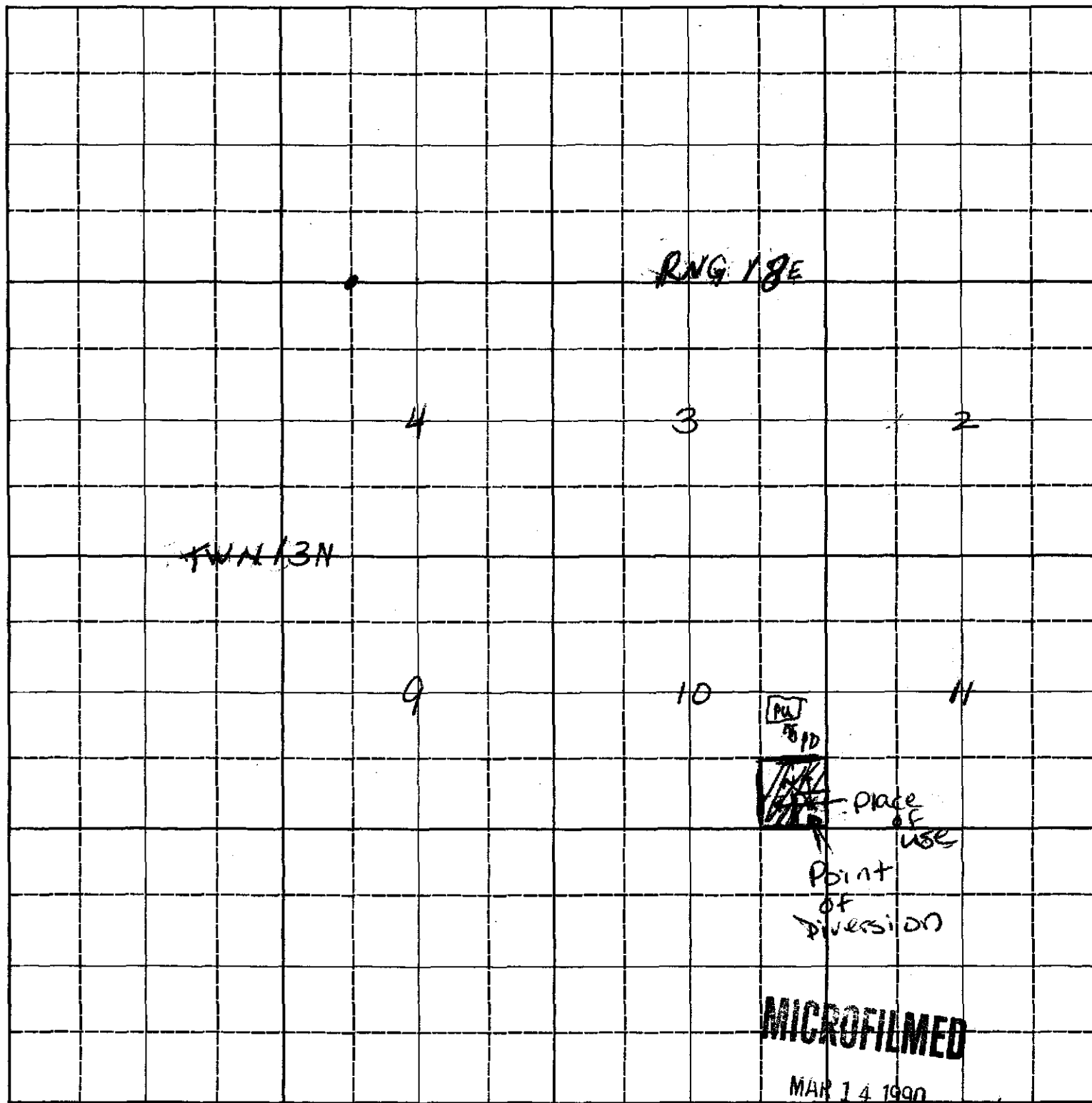
11. a. Who owns the property at the point of diversion? Jeffrey P. and Gilean A. Pedersen
- b. Who owns the land to be irrigated or place of use? " "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Claimants are new owners; are filing to develop spring for domestic use of amount of water reserved for this property as per attached Memorandum of Sale.

MICROFILMED

MAR 14 1990

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Eileen A. Pedersen 8-1-89
(Applicant)

C.A.S. \$30.00

Received by LRP Date 8-9-89 Time 1130AM Preliminary check by J.F. Stanton
Fee \$ 30.00 Receipted by LRP # 500 8804 Date 8-9-89
Publication prepared by M. Baldwin Date 8/18/89 Published in Challis Messenger
Publication approved M. Baldwin Date 9/22/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

MAR 14 1990

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Sept 7 1989 and ending with the issue dated Sept 14 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 18th day of Sept in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Edel M. Peck
Notary Public for Idaho

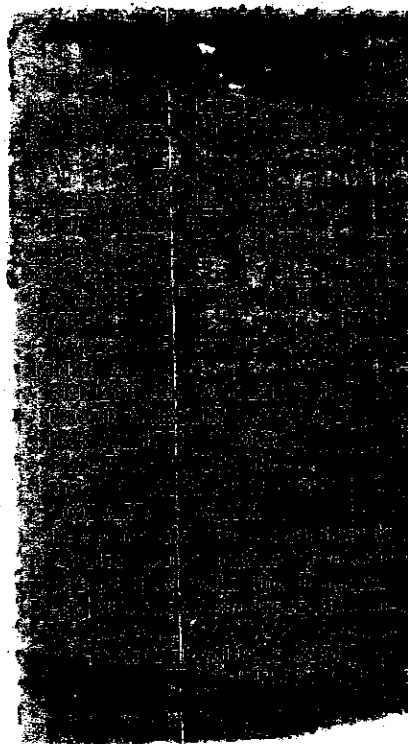
Residing at Challis

My commission expires: 3-21-92

RECEIVED

SEP 19 1989

Department of Water Resources
Southern Region Office



OK
MB

9/22/89

MICROFILMED

MAR 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1997

JEFFREY P PEDERSEN
EILEEN A PEDERSEN
PO BOX 788
CHALLIS ID 83226-0788

RE: WATER RIGHT NO. 72-07425

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

2 MICROFILMED
MAR 11 1997

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

c: Southern Region

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 72-07425

**JEFFREY P PEDERSEN
EILEEN A PEDERSEN
PO BOX 788
CHALLIS ID 83226-0788**



Sharla Curtis
Water Resource Agent

MICROFILMED
4

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 72-7425 Name: Pederson Date: 2/5/97 ✓ Lots ✓

NAME Chng Same Or Address Change?

SOURCE Clarify source
Prelim. Order to Void - Source change.

P/D Amendment Needed? delete SE NESE P39
Overlap(s) none

P/U Amendment Needed? P41
Overlap(s) none
(Gov't use special T's) *P/D & P/U Amend? P37

RATE Permit/proof fee limits 0.20 / 0.20
Measured Quantity = 0.02 cfs Theoretical Quantity = NA cfs
Stop watch bucket = 5 min 8.18 sec = 0.02 cfs.
(HP) 8.8 x 0.70 x
+ (2.31 x) = cfs

Recommended capacity 0.02 cfs
Recommended rate 0.02 cfs

VOLUME Season: (/) 1/1 - 12/31 = 365 days
Calculations:
1 domestic, no lawn = 0.6 AF
Flow limit: 0.02 cfs x 365 days/yr. x 1.9835 = 14.5 AF
Recommended volume 0.6 AF

USES Same Nature of Use? delete irr. P46
Amendment Needed?

REMARKS Multiple p/d's in same 1/4? Use W32
① WBS/1

CONDITIONS

☐ Measuring Device (R01) or Lockable Controlling Works (R02)

☐ Watermaster Control (R04) - WD # _____

☐ Irrigation rate/annual volume overlap

☐ GW irrigation replaces surface water (050)

☐ GW irrigation supplements surface water (065)

☐ Water Quality

☐ Other _____

PRIORITY

App Rod 8/9/89 Due 12/1/94 Rcd 11/9/94
Receipt# 4031633 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? _____ Advanced to: _____
Priority 8/9/89 Examined 8/15/96

COMMENTS:

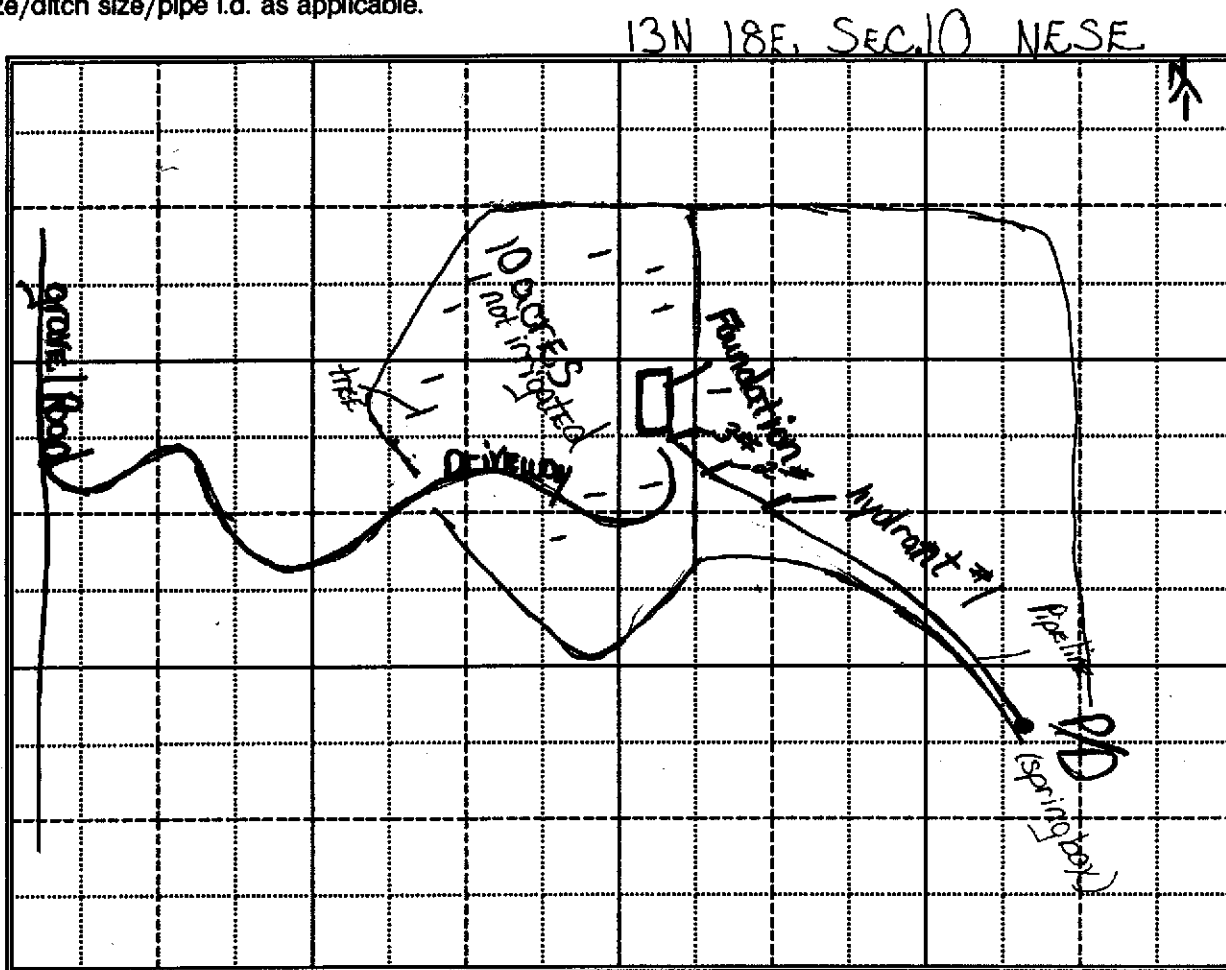
no irr found; license for dom only.

USE	CFS	VOLUME
<u>Dom / 1</u>	<u>0.02</u>	<u>0.6</u>
<u>TOTAL</u>	<u>0.02</u>	<u>0.6</u>

SRBA Overlap none
Adjustment Memo _____
LICENSE LTR: P49
#1 AMEND LTR: /P38
#2 AMEND LTR: P42/P47

MAR 11 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
n/a					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
n/a						

2. Measurements: Bucket + Stopwatch

MICROFILMED

MAR 11 1997

E. NARRATIVE/REMARKS/COMMENTS

This permit is for water coming from a spring. A springbox was the point of diversion in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 10 of township 13N, range 18E. It has been piped from the springbox to three hydrants, according to the permit holder, for 800 ft with an approximate ~~the~~ downslope of 200 ft to the NW.

The permit holder has not been allowed an easement from his neighbor, Dan Guerrero, to run electricity to his property, so there is no pump. He has the foundation of the house. In the winter he runs 20 horses. The land is on a steep gradient. The consumptive use for 20 horses is 240 gallons per day. He has watered 20 trees that he planted.

This place was also visited by Allen Merritt (Southern Regional Manager) and Kelly Christensen (Southern Adj. agent) on 6/11/96 while examining an objection from Guerrero against Cole (A72-10105). They can verify that there is no irrigation but there is evidence of domestic use.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
MAR 11 1997

RECORD
PHOTOS
USGS 21
SEC 10
13N 18E

ANDREWS (WELL)

GUERRERO P/D

72-04117

PEDERSON P/D

72-07425

COLE P/D (D&M)

72-10105 (WELL)

BRYANT P/D

(D&M WELL)

CRANE P/D

(2)

GUERRERO P/D

72-07509

POINT OF DIVERSION COMPARISON
FOR:

TNS 13N; RNG 18E; SEC 10; SE 1/4 B.M.
FOUND DURING A FIELD VISIT ON
6-18-1996 BY KKC AND ADM

CLAIM REMOVED INIT KKC
MAR 11, 1997 S. Q/Q PREP DATE 6-19-96
P/D 13N 18E 10 SE 1/4 enlarged
PHOTO SCS 241-161 150%
DT & ID 8-29-84

T13N R18E

(Birch Ck Drainage)

0601 Sec 10

The Conter Family Ltd. Part.
2 Forrester
166476
131594

F-838

0601

1210

20221
D.C. Gervais

Doris Paul & Mona Frost
Don & Glenda G. Mann
145396

F-78-19
145397 T-78-24
Gary R. & Ellen R.
Muckman

MAR 11 1937
MICROFILMED

740.38
7810
30-26
33-154
740.38
7810
F-78-20
145396
T-85-58
Don & Janet Olson
173701
challis sk. club
197668

St. Anselm
T-79-29
Hawley
197666
197667
197668
197669
197670
197671
197672
197673
197674
197675
197676
197677
197678
197679
197680
197681
197682
197683
197684
197685
197686
197687
197688
197689
197690
197691
197692
197693
197694
197695
197696
197697
197698
197699
197700

challis sk. club
173711
T-85-59
7

Jeffery Pedersen
192285
T-78-20

10 acres
in question

Earl Crane
164075
T-83-49
-1210
519.76'

205110
2636.74'

6601
Barbara Charlotte Layman
209685
Harry Layman

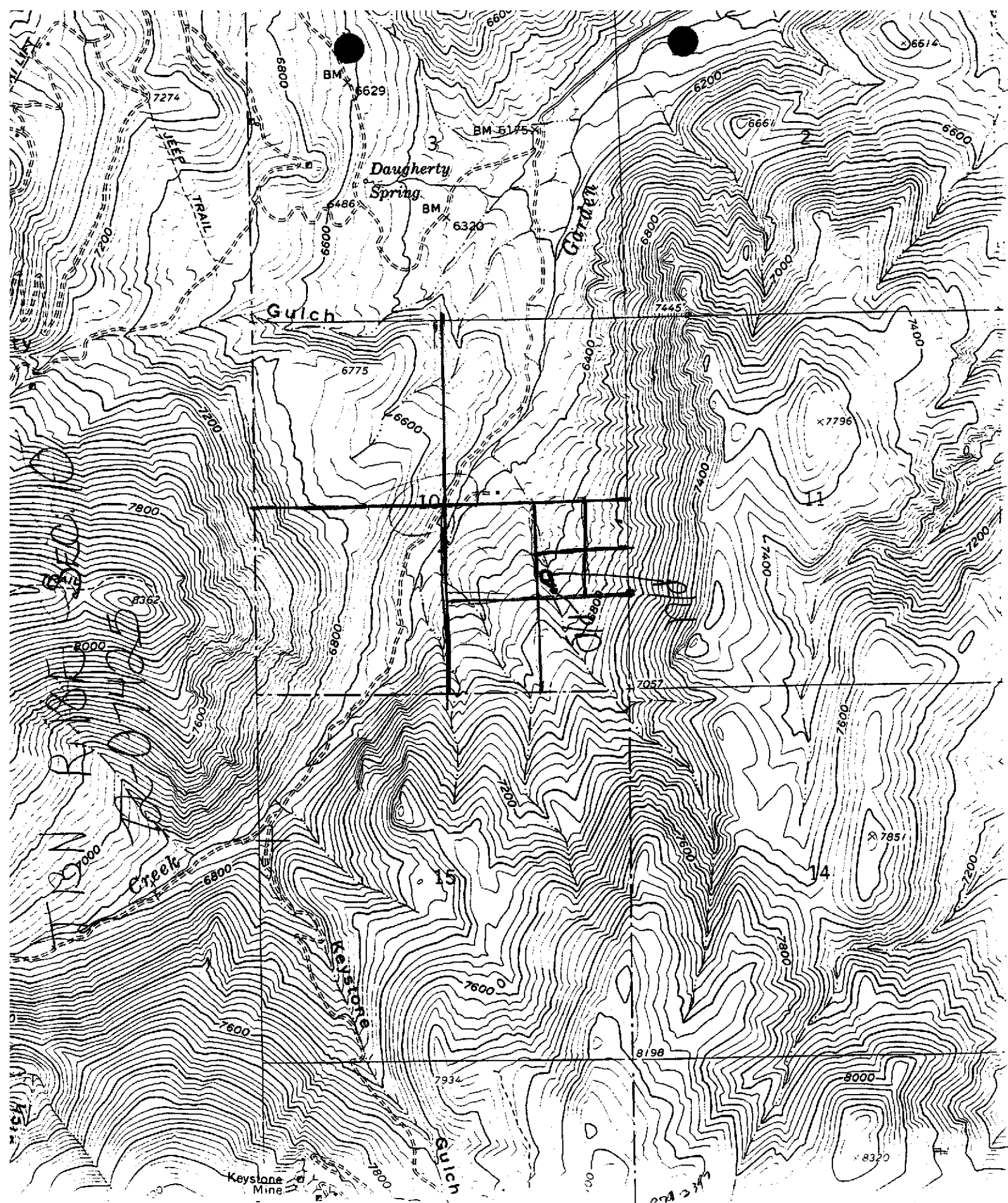
36-169
eddy Jones Layman
210393

Forest Boundary

10 11
15 14

N

Scale 1" = 300'



MICROFILMED
MAR 11 1957

08/26/96 16:14:40
Page 1

Old (D) Number -

State- ID Zip- 83226

00/00/0000

MICROFILMED
MAR 1 1971

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/26/96 16:14:40

Page 2

Water right number - 72-07541

Prefix Translation: WATER RIGHT

+ - - - - - Comments - - - - - +

Date: 07/24/1996 User Id: MBALDWIN Subject: PROTEST

Protest filed on 7/22/96 by D.C. Guerrero.

+ - - Audit Fields - 06/24/96 MBALDWIN 07/01/96 SCURTIS 07/24/96 MBALDWIN

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 07/22/1996	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S018754	Water District -
Licensed Date - 00/00/0000	Appl Received - 01/02/1996	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag- Y
Presumption Flag -		

MICROFILMED
MAR 11 1997

89 1



PEDERSEN 72-07425
PICTURE OF ACTUAL SPRING
FROM NEIGHBORING PROPERTY,
EARL CRANE 72-07541
collection area.

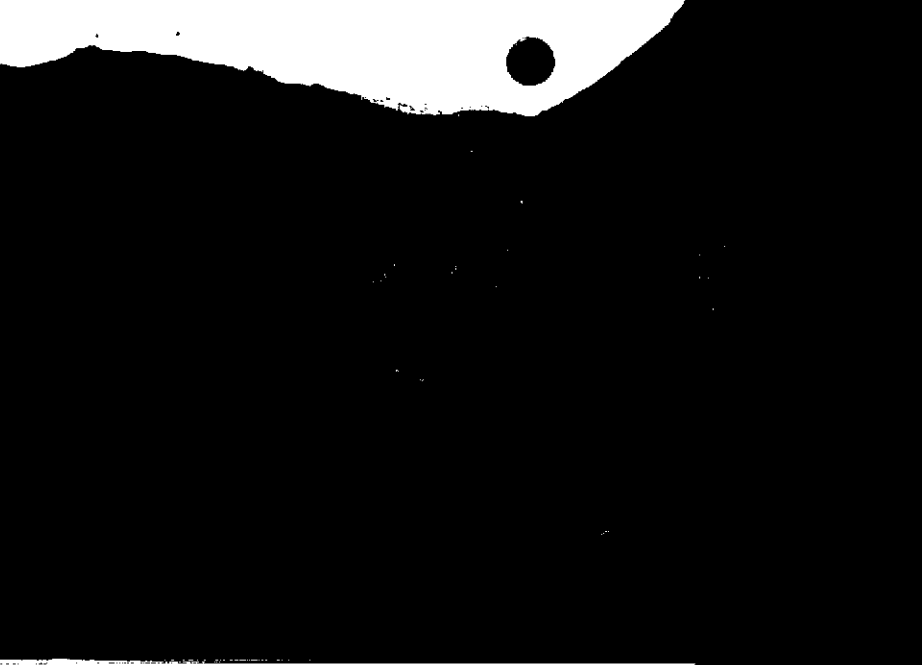


PEDERSEN 72-07425
PLACE OF MEASUREMENT
Pipe from spring box.



PEDERSEN 72-07425
P/D SPRINGBOX

MICROFILMED
MAR 11 1997



PEDERSEN 72-07425
-HYDRANT #1



PEDERSEN 72-07425
-HYDRANT #3 & FOUNDATION
OF HOUSE



PEDERSEN 72-07425
ONE OF TWENTY TREES

MICROFILMED
MAR 11 1977

fig 3



PEDERSEN 72-07425
DOWNHILL LEFT OVERVIEW
OF PROPERTY



PEDERSEN 72-07425
DOWNHILL RIGHT OVERVIEW
OF PROPERTY

MICROFILMED
MAR 11 1987

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 72-07425

Reviewed by Jf

Date 11/21/94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom, Irr

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

Correct? _____

LICENSE EXAMINATION FEE

yes Required?

50.00 Amount Submitted

yes Correct?

MEASURING DEVICE

no Required?

☐ Installed?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received _____

Date proof due _____

No. of days late _____

Priority Date _____

New Priority Date _____

~~_____ - _____ = _____ + _____~~

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 11/9/94

November 22, 1994

JEFFREY P. PEDERSEN
EILEEN A. PEDERSEN
P.O. BOX 788
CHALLIS ID 83226

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07425

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
DEC 29 1994

September 30, 1994

JEFFREY P. PEDERSEN
EILEEN A. PEDERSEN
P.O. BOX 788
CHALLIS ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 72-07425

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

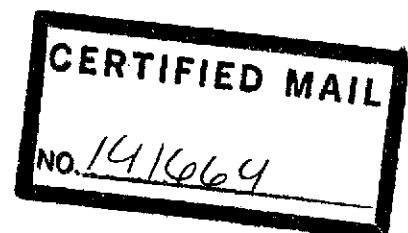
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 29 1994





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 1, 1992

Jeffrey and Eileen Pedersen
PO Box 788
Challis, ID 83226

Re: Permit No. 72-07425

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

DEC 10 1992

**ANALYSIS SHEET
FOR
EXTENSION OF TIME**

Permit No. 72-07425 Reviewed by klg Date 11/30/92

BASIC INFORMATION

11/27/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend approval Based on due diligence
Extend to 12/1/94*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 12/1/92 klg
Change Priority Date _____

September 30, 1992

JEFFREY P. PEDERSEN
EILEEN A. PEDERSEN
P.O. BOX 788
CHALLIS ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 72-07425

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

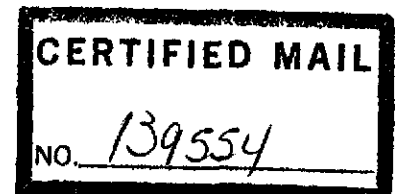
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

DEC 10 1992

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 27, 1989

JEFFREY P. PEDERSEN
EILEEN A. PEDERSEN
P.O. BOX 788
CHALLIS, ID 83226

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P72-07425

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 14 1990

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. Esten DATE 8-14-89 APPLICATION NUMBER 72-07425REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED

OCT 20 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No ~~Publication dates & paper~~, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 9/25/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

26A

See below for additional information

Date of priority recommended 8/9/89
By Loren O. Hahn Date 10/17/89

STATE OFFICE REVIEW

P17

26

See below for additional information

By kw Date 11/17/89

ADDITIONAL INFORMATION

Allow 3 yrs. for development

21-Aug-1989

Jeffrey &/or Eileen Pedersen
P.O. Box 788
Challis, ID 83226

Re: Application for Permit No. 72-07425

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the The Challis Messenger on 9/7 & 9/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

MAR 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

AUGUST 18, 1989

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 25, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECORDED

MAR 14 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

MICROFILMED

MAR 14 1990

72-07425

PEDERSEN, JEFFREY P.
PEDERSEN, EILEEN A.
P.O. BOX 788
CHALLIS, ID 83226

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNESE Sec 10 T 13N R 18E
 SENESE Sec 10 T 13N R 18E

Use: DOMESTIC (.040 CFS)
 IRRIGATION (.200 CFS)

Date Filed: 8/09/1989

In: T13N R18E S10 NESE

10.0 ACRES TOTAL

MICROFILMED

MAR 14 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before SEPTEMBER 25, 1989.

R. KEITH HIGGINSON, Director

Published 9/07/1989 & 9/14/1989

MICROFILMED

MAR 14 1990