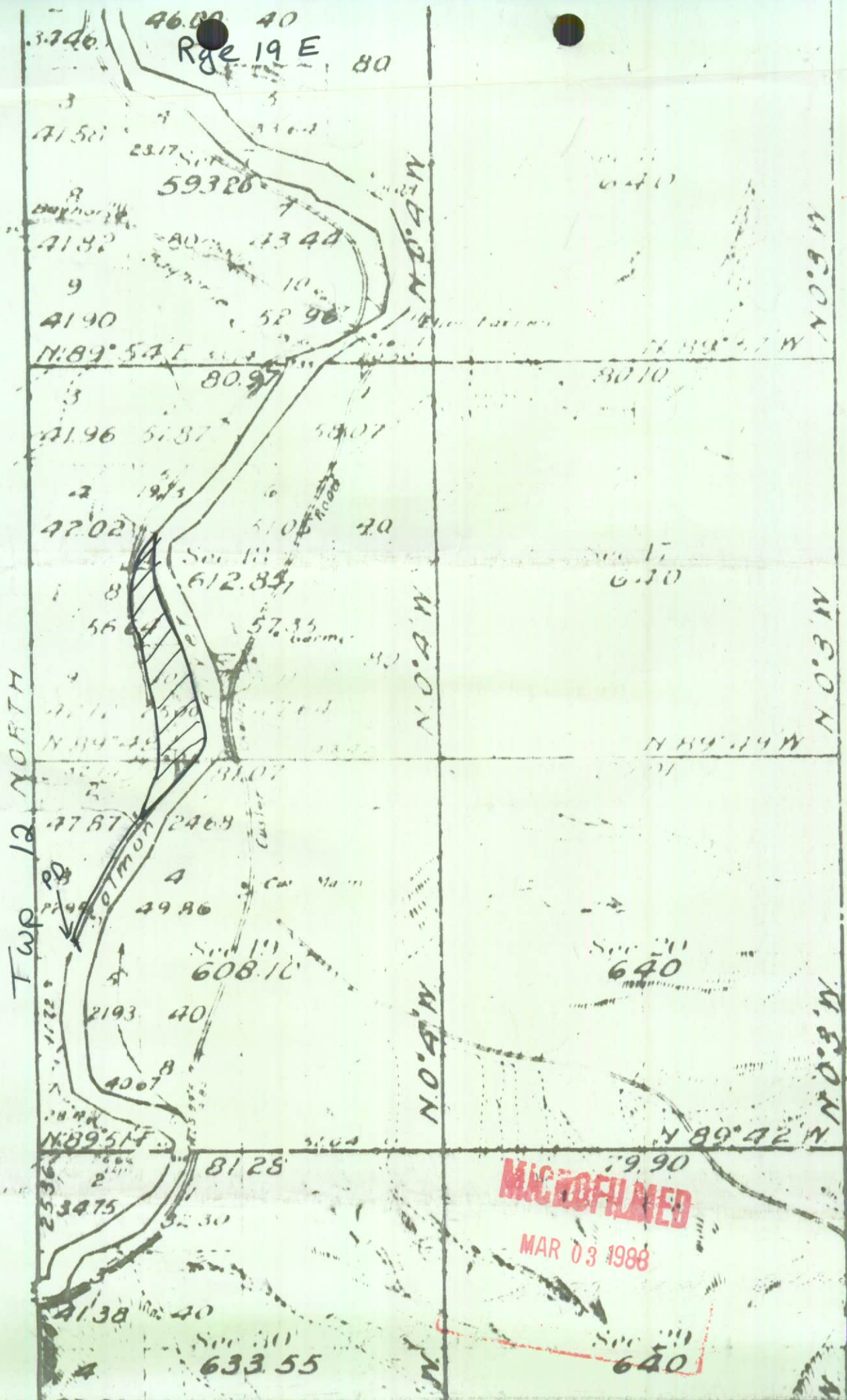




JUL 6 1931

Department of Water Resources

Fred Leuzinger

AFFIDAVIT

Fred Leuzenger
AFFIDAVIT
Frank Maraffi
I, Louie Giampetro, am familiar with

I, Gene Thompson am familiar with

the use of 4.0 cfs fo water from the Salmon River

diverted in Lot #3 Sec 19 Twp 12N. Rgd. 19E used upon

Lot #2 2 acs. Sec 19 Twp 12N. Rge 19E

Lot #8 5 acs. Lot #10 12 Acs. Sec 18 Twp 12N since 1932
Rge 19E

Rge 19E

DATED: 7-23-81

Louis Giampetro
Frank Maraffi
Fred Lenzinger

Frank W. Grapin
Fred Denzinger

Fred Lenzinger

STATE OF IDAHO

)

: 55.

County of

)

On this 23rd day of July, 1981, before me, the undersigned, a Notary Public, in and for said State personally appeared Eric Bengtson, Fred Magnus, Fred Leuzinger known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho

Notary Public for Idaho

Residing at Clayton

My Commission Expires:

MICROFILMED

MAR 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 11, 1981

CLARENCE E. PETERSEN
WESTERNER'S INC.
585 W. 33RD SOUTH
SALT LAKE CITY UT 84115

RE: Claim No. 72-4079

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

MAR 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 11 1981

Department of Water Resources
Southern District of Idaho

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Clarence E. Peterson
Westerners, Inc. (Name of Claimant)
585 West 33rd South St., Salt Lake City, Utah 84115 Telephone No. 801-262-4615
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1922

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Salmon River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
4.0		irrigation		Mar 15	Oct 15
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 4.0 TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
1/4 Lot 3 1/4, Sec. 19 Twp. 12N Rge. 19E B.M., County of Custer
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Rock wingdam in River earth ditch to place of use

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12N	19E	19				Lt 2	2							Lt 8					2
12N	19E	18												Lt 10					17

No. of acres 19

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

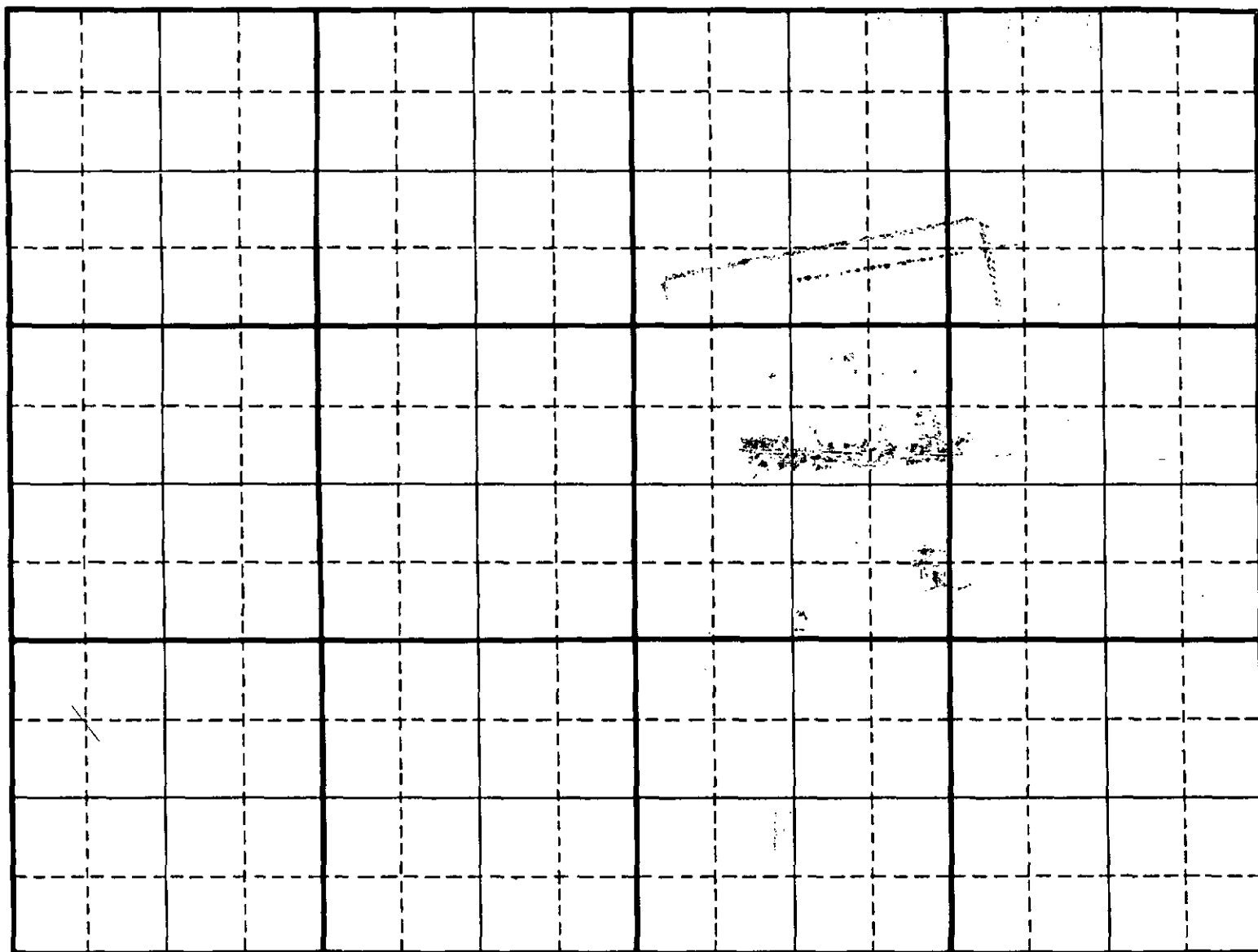
MICROFILMED

MAR 03 1988

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks This right began prior to 1922 but known living witnesses can affirm its use back to 1922. Names of witnesses Raymond Gossi, Louie Giampedraglia, Fred Leuzinger



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Custer) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 9th day of March, 1981

Clarence E. Petersen
(Claimant)
Christine Hughes
Notary Public
Residing at SLC

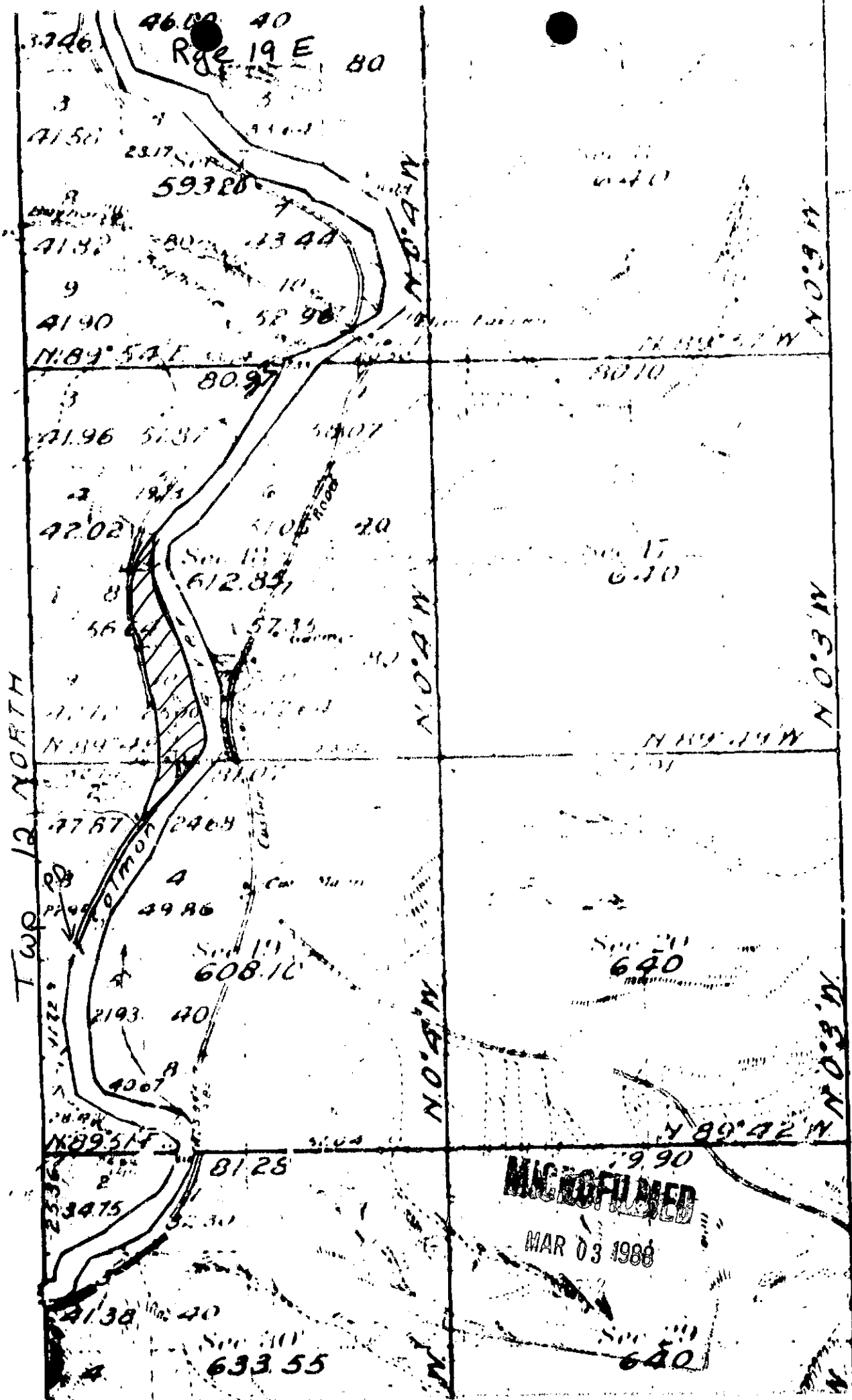
My commission expires Feb 22, 1982

MICROFILM

MAR 03 1988

FOR DEPARTMENT USE ONLY

Received by LHB Date 3-12-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JS Date 3-23-81 claimant by: _____
\$30.00 fee received by masys Date 3/12/81 # 16868
Published in Custer Publishing Co
Dates 4/30 + 5/1/81



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 APR 30
1981 and ending with the issue
dated MAY 7 1981.

Margaret Parks

Subscribed and sworn to before
me this 11 day of May
1981.

Gandra M. James

Notary Public, residing at Challis,
Idaho. My commission expires on

4-30-83

RECORDED

MAR 03 1988

RECEIVED

MAY 18 1981

Department of Water Resources
Southern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have
been submitted for permit to
appropriate the public waters of
the State of Idaho:

72-4079

PETERSEN, CLARENCE E.
WESTERNER'S INC., 585
W. 33RD SOUTH, SALT LAKE
CITY, UT 84115

Source: SALMON RIVER
tributary to SNAKE RIVER

Priority Date: 03/15/1922

Amount: 4.00 CFS

Diversion Point: LOT 03
(SWNW) Sec 19 T 12N R 19E,
CUSTER Co.

Use: IRRIGATION (4.00
CFS) from 03/15 to 10/15

Place of Use: LOT 02 (NENW
Sec 19 T 12N R 19E LOT 08
(NESW) LOT 10 (SESW) Sec 18
T 12N R 19E FOR 19 ACRES

Diversion Means: DAM &
DITCH

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of

the permit must be filed with the
Director of the Idaho Depart-

ment of Water Resources, 1041
Blue Lakes Blvd. North, Twin

Falls, Idaho 83301 and received
on or before MAY 18, 1981.

A. KENNETH DUNN

Director
pub. 4, 1981 & 5/7/81

*oh
macy*

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

22-4029

PETERSEN, CLARENCE E.

WESTERNER'S INC., 585 W. 33RD SOUTH, SALT LAKE CITY, UT 84115

Source: SALMON RIVER tributary to SNAKE RIVER

Priority Date: 03/15/1922

Amount: 4.00 CFS

Diversion Point: LOT 03 (SWNW) Sec 19 T 12N R 19E, CUSTER Co.

Use: IRRIGATION (4.00 CFS) from 03/15 to 10/15

Place of Use: LOT 02 (NENW) Sec 19 T 12N R 19E LOT 03 (NESW) LOT 10 (SESW)
Sec 18 T 12N R 19E FOR 19 ACRES

Diversion Means: DAM & DITCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MAY 18, 1981.

A. KENNETH DUNN

Director

Published 4/30 & 5/7/81.

RECEIVED

MAR 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

APRIL 14, 1981

Custer Publishing Company
P. O. Box 405
Challis, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MAY 18, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECORDED

MAR 03 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

Right Number 72-4079 Applicant PETERSON, Clarence E.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. -None

By ADM Date 5-21-81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W Lawrence Date 5/27/81