

**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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 69576

Ident. Number: 96-4232
Date Received: 4/6/2023
Receipt No: N043193
Claim Fee: \$25.00
Received By: [Signature]

RECEIVED
APR 24 2023
IDWR / NORTH

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day**

1. Name of Claimant(s)

PETERSON TRUST
C/O JACK & CRAIG
8652 LAKESHORE DR
SAGLE ID 83860

Phone: (208) 263-4584

2. Date of Priority: 7/1/1908

3. Source:
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
56N	03W	10	NE NW	1	BONNER	

5. Description of diverting works:

ORIGINAL SOURCE WAS AN UNNAMED SPRING TRIBUTARY TO THE PEND OREILLE RIVER. 1992 WELL WAS DRILLED AND THE SPRING WAS DISCONNECTED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	1/01	12/31	0.04		
STOCKWATER	1/01	12/31	0.02		

7. Total Quantity Appropriated is:

0.06 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

DOMESTIC USE FOR ONE HOME.

9. Place of use:

DOMESTIC within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
56N	03W	10	NE		NW	1	

STOCKWATER same as DOMESTIC

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

AS PER STATUTORY CLAIM 96-4232.

13. Basis of Claim: Statutory Claim

14. 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 CLARK FORK-PEND OREILLE 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: _____

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

Owner Peterson Trust of Peterson Trust
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jack A Peterson Jr. Date 4-7-2023

Printed Name of Authorized Agent Jack A Peterson Jr

Water Right Claim Information:

Ident. Number : 96-4232

- Property was homesteaded in 1890 by the Peterson Family. A log cabin was built by the pond and they lived in that until a second cabin was built and moved to the current home site in the year 1908. The cabin is still part of the main residence; it has been remodeled and added on to.
- The house used water from a spring. That spring ran into a holding tank and from the holding tank water was pumped to the house location.
- Spring was used from 1908 – 1992.
- April of 1992 a well was drilled by Carl Pitts and Son's well drilling. It completely replaced the spring fed water source on the property. The well supplies the house and livestock tanks in certain pen/paddock areas, as well as the garden on the property.
- Spring was abandoned in May 1992 and the holding tank was filled in.

Property has been in the Peterson Family since 1890.

****Please see attached well information from Carl Pitts and Son's dated 1992.**

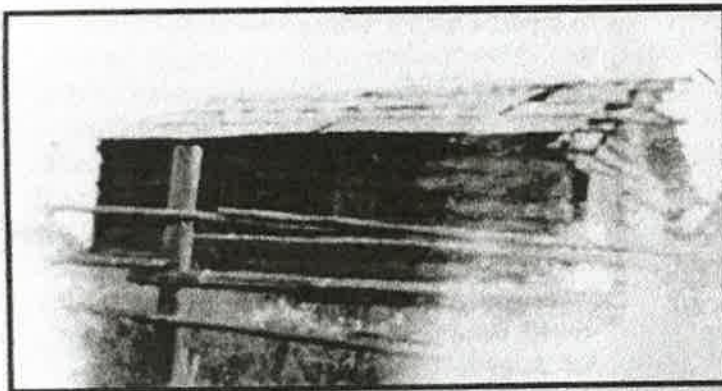
****History of the Peterson Property from the Book: Morton Valley Memories.**

Peterson, Andrew and Helda

Andrew Christ Peterson was born the 28th day of July 1867 in Skagen, Denmark. Helda Johnsson was born the 17th day of October 1860 in Torop, Sweden. They both had dreams of America and greater opportunities. Each, from their own places of abode, headed for America. They met in Omaha, Nebraska and were married there in the Lutheran Church in the late 1880's. In 1890 Andrew Peterson came to Sandpoint, Idaho to see a cousin, James Nelson, who lived in the Vay area (called Valley, as was the Morton area at that time).



Andrew liked the area so much that he filed a homestead claim before going back to Omaha, Nebraska. The following spring of 1891, he and his wife, Helda, moved here, arriving at Sandpoint where Jim Nelson met them at the Northern Pacific railroad station.



Andrew and Helda's homestead cabin.

Since there were very few roads around Sandpoint at that time, they had to travel down the Pend Oreille River for about eight miles in his cousin's rowboat to find the homestead. There was beautiful, heavy, virgin timber all along the shoreline. This is where their homestead claim had been filed in 1890, and they stayed there and began the work of clearing land so they could build a log cabin. They lived in the cabin for about ten years. Their daughters, Lulu, Goldie, Annie, and son, James Andrew, were born in the cabin: Lulu in 1893, Goldie in 1895, Annie in 1897, and James in 1899. A daughter, Lillie, had died as an infant in 1890 before Andrew and Helda came to Idaho. In 1908 they built a second log house which they moved into and later added

to, using lumber. This is the house that stands today. Jim Nelson was a carpenter, and they hired him to build the rest of the house. It cost them \$150 for the carpenter who made it into a nice home. They cleared more land during this time so they could plant crops and a garden. Andrew's first work team was a yoke of oxen that they used until they could afford to get a team of horses. They raised potatoes for market and also sold certified

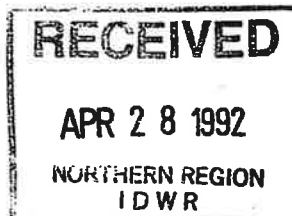


The Peterson potato digger, using three horses.

Drilling Permit No. 96-92-N-67
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT



1. Applicant (please print) Jack Peterson
2. Mailing Address 2805 Lake Shore Rd Sandpoint Idaho
Telephone _____
☒ Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 SE 1/4, or Gov't Lot No. _____
Sec. 10, Twp. 56N, Rge. 3W, County Bonner
Street Address of Well Site 2805 Lake Shore Drive Sandpoint Id.
Lot, block and subdivision _____

4. Proposed use of well:

☒ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

() Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 6 Proposed Maximum Depth 200'

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

6. Construction Start Date Apr. 1 - 28 - 92

7. Anticipated Well Driller Carl Pitts & Sons
NOTE: The actual well driller must be identified prior to drilling.

#168

8. Applicant's signature Jack Peterson Date April 27-92

Title _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is approved

Date

4/28/92 (verbal 4/27/92)

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State at the drilling site.
Jack Peterson
NW 38 Sec 10
SG N 3W
96-92-N-67
by of the drilling permit
5. Approval of this drilling permit does not authorize trespass on the land.
6. This permit does not constitute other local, county, state or federal a
Carl Pitts
168
or construction of a well.
7. This drilling permit does not represent a right to divert and use the water
4/27/92
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Robert L. Hauger
Signature of Authorized Department Representative

Deje. Maj.
Title

Receipt No. N 5396 Recelpted by *[Signature]* Fee \$35.00 Date 4/29/92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Jack Johnson
Address 2805 Lakewood Rd Sandpoint
Drilling Permit No. 96-92-N-67
Water Right Permit No. _____

7. WATER LEVEL

Static water level 44 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness		Diameter		From		To	
<u>3/4</u>	inches	<u>6</u>	inches	+	<u>1</u>	feet	<u>198</u> feet
_____	inches	_____	inches		_____	feet	_____ feet
_____	inches	_____	inches		_____	feet	_____ feet
_____	inches	_____	inches		_____	feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☒ Yes ☐ No
Manufacturer's name Johnson

Type Telescope Model No. 100

Diameter 6 Slot size 8 Set from 178 feet to 188 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing

☐ Overbore to seal depth

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
20+	90	4

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6			Brown Soil		
4	27		Clay + Sand		
97	45		Sand & Silt		
45	90		Fine Sand + Silt		
90	92		Clay		
92	115		Fine Sand + Clay		
115	120		Clay + Sand		
120	135		Fine Sand		
135	160		Clay + Sand		
160	175		Sand + Silt		
175	188		Fine Sand		