

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SUBCASE NO(s). 61-11854
	)	
Case No. 39576	)	STANDARD FORM 5/
	)	STIPULATION TO
	)	WITHDRAW OBJECTION

TO ALL INTERESTED PARTIES:

Please take notice that Charter Mountain Ranch, Inc. hereby withdraws its objection filed on June 10, 1999 for subcase number: 61-11854.

DISCUSSION

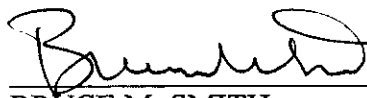
Charter Mountain Ranch, Inc. objected to the season of use element as reported in the Director's Report for Irrigation & Other Uses, Reporting Area 6, IDWR Basin 61 on February 16, 1999. Thereafter, this water right recommendation was included in the *Amended Director's Report Re: Season of Use Element for Irrigation Claims for Cold Springs Creek & Tributaries for Basin 61* ("Amended Director's Report") filed with the court on or about September 14, 2001.

Since the season of use element has been resolved with the filing of the Amended Director's Report, the parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.



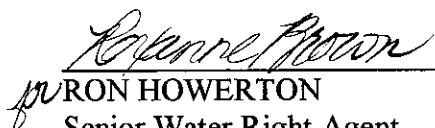
CLAIMANT/OBJECTOR:

Charter Mountain Ranch, Inc.

 4/26/02

BRUCE M. SMITH Date
Attorney for Charter Mountain Ranch, Inc.

IDWR Concurrence:

 4/30/02
for RON HOWERTON Date
Senior Water Right Agent

 4/30/02
CANDICE M. McHUGH Date
Deputy Attorney General



CERTIFICATE OF MAILING

I certify that on 5-1, 2002, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Hand-delivered

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Bruce M. Smith
225 North 9th Street, Suite 420
Boise, ID 83702

/s/
Signature of person or attorney mailing the form

B-8

03/28/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 61-11854
NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC
RT 1 BOX 451
GLENN'S FERRY ID 83623

SOURCE: SPRINGS TRIBUTARY: COLD SPRINGS CREEK

QUANTITY: 0.420 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.22 CFS. COMBINED RIGHT NOS.: 61-00301,
61-02095, 61-02199, 61-02209, 61-11887.

PRIORITY DATE: 04/01/1910

POINT OF
DIVERSION: T04S R09E S16 SESWNE Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02/15 11/15	0.420 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T04S R09E S29	NENE	33.0	T04S R09E S29	SENE	39.0
T04S R09E S29	NESE	27.0	T04S R09E S29	NWSE	36.0
T04S R09E S29	SWSE	26.0			

161 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 1371.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 61-00301, 61-00333, 61-00334, 61-00335, 61-00336,
61-00337, 61-00338, 61-00339, 61-00340, 61-00343, 61-00364, 61-02008,
61-02095, 61-02199, 61-02209, 61-10363, 61-11844, 61-11847, 61-00332 &
61-11887.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN
BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE
FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN
BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE
NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use