

**STANDARD FORM 5/
STIPULATION TO
WITHDRAW OBJECTION**

Please take notice that Charter Mountain Ranch, Inc. hereby withdraws its objection filed on June 10, 1999 for subcase number: 61-00297.

Charter Mountain Ranch, Inc. objected to the name and address and the season of use elements as reported in the Director's Report for Irrigation & Other Uses, Reporting Area 6, IDWR Basin 61 (Director's Report) on February 16, 1999.

Charter Mountain Ranch, Inc. has agreed to withdraw its objection and agrees and stipulates 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.

Charter Mountain Ranch, Inc.

 4/26/02

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

IDWR Concurrence:

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

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

Ry

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

15/
Signature of person or attorney mailing the form



03/27/2002

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

RIGHT NUMBER: 61-297

NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC
RT 1 BOX 451
GLENN'S FERRY ID 83623

SOURCE: LITTLE CANYON CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T04S R10E S10 NWNWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 9/30	2.000 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER SEPTEMBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

RB

PLACE OF USE: IRRIGATION Within ELMORE County

T04S R10E S10	NESW	3.3	T04S R10E S10	NWSW	12.0
T04S R10E S10	SESW	30.0	T04S R10E S10	SWSE	39.0
T04S R10E S15	NWNE	26.0	T04S R10E S15	SWNE	11.0
T04S R10E S15	NENW	3.7			

125 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 61-00298 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 125 ACRES IN A SINGLE IRRIGATION SEASON.

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.

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Boz

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 61-00298 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

RB SMC
By