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In File

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 SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 61-11887A
Date Received: 3/26/2002
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CHARTER MOUNTAIN RANCH INC Phone: (208)366-7931
RT 1 BOX 451
GLENNS FERRY ID USA 83623

2. Date of Priority: 03/15/1977

3. Source: GROUNDWATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	09E	10	NE SW NE	ELMORE	
04S	09E	10	NE NW NW	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.22	

7. Total Quantity Appropriated is:
2.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04S	09E	3	NE SW	IRRIGATION	3.7
			SE SW	IRRIGATION	21
			NE SE	IRRIGATION	0.9
			SW SE	IRRIGATION	16.8

			NW	SE	IRRIGATION	3.7
			SE	SE	IRRIGATION	22
					Section Acres	68.1
04S	09E	8	SE	SE	IRRIGATION	2.5
					Section Acres	2.5
04S	09E	9	NE	SE	IRRIGATION	38
			SW	NE	IRRIGATION	22
			SE	SW	IRRIGATION	40
			SW	SW	IRRIGATION	25
			SW	SE	IRRIGATION	41
			NW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	28
			SE	NE	IRRIGATION	41
					Section Acres	275
04S	09E	10	NW	NW	IRRIGATION	3.3
			NE	NW	IRRIGATION	11
			SW	NW	IRRIGATION	29
			SW	SE	IRRIGATION	11
			SW	SW	IRRIGATION	18.6
			SE	SW	IRRIGATION	38
			NW	NE	IRRIGATION	16
			NE	NE	IRRIGATION	7.4
			SW	NE	IRRIGATION	4.6
			NE	SW	IRRIGATION	22
			NW	SE	IRRIGATION	28
					Section Acres	188.9
04S	09E	15	NW	NW	IRRIGATION	23.8
			SW	NW	IRRIGATION	10.6
			NE	NW	IRRIGATION	16
					Section Acres	50.4
04S	09E	16	NE	NE	IRRIGATION	32
			NW	NE	IRRIGATION	18
			NE	NW	IRRIGATION	38
			SW	NE	IRRIGATION	6.9
			SE	NE	IRRIGATION	28
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	5.9
			SE	NW	IRRIGATION	4.8
			NE	SE	IRRIGATION	2
					Section Acres	175.6
04S	09E	17	NE	NE	IRRIGATION	36
			NW	NE	IRRIGATION	4.4
					Section Acres	40.4
					Total Acres	800.9

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A SPLIT OF 61-11887 AS A RESULT OF AN OBJECTION SETTLEMENT. SEE CLAIM 61-11887 FOR A ADDITIONAL REMARKS.

15. Basis of Claim: Beneficial Use

16. 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 Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 that I am _____ of
Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Carter's Draft Rec.

05/16/2002

5/23/02

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

RIGHT NUMBER: 61-11887A

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

SOURCE: GROUNDWATER

TRIBUTARY:

QUANTITY: 2.360 CFS

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 9.34 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3203.6 AF.

PRIORITY DATE: 03/15/1977

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF
DIVERSION: T04S R09E S10 NESWNE Within ELMORE County
T04S R09E S10 NENWNW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.360 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T04S R09E S03	NESW	3.7	T04S R09E S03	SESW	21.0
T04S R09E S03	NESE	0.9	T04S R09E S03	NWSE	3.7
T04S R09E S03	SWSE	16.8	T04S R09E S03	SESE	22.0
T04S R09E S08	SESE	2.5	T04S R09E S09	SWNE	22.0
T04S R09E S09	SENE	41.0	T04S R09E S09	SWSW	25.0
T04S R09E S09	SESW	40.0	T04S R09E S09	NESE	38.0
T04S R09E S09	NWSE	40.0	T04S R09E S09	SWSE	41.0
T04S R09E S09	SESE	28.0	T04S R09E S10	NENE	7.4
T04S R09E S10	NWNE	16.0	T04S R09E S10	SWNE	4.6
T04S R09E S10	NENW	11.0	T04S R09E S10	NWNW	3.3
T04S R09E S10	SWNW	29.0	T04S R09E S10	NESW	22.0
T04S R09E S10	SWSW	18.6	T04S R09E S10	SESW	38.0
T04S R09E S10	NWSE	28.0	T04S R09E S10	SWSE	11.0
T04S R09E S15	NENW	16.0	T04S R09E S15	NWNW	23.8
T04S R09E S15	SWNW	10.6	T04S R09E S16	NENE	32.0
T04S R09E S16	NWNE	18.0	T04S R09E S16	SWNE	6.9

05/16/2002

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

T04S R09E S16	SENE	28.0	T04S R09E S16	NENW	38.0
T04S R09E S16	NWNW	40.0	T04S R09E S16	SWNW	5.9
T04S R09E S16	SENE	4.8	T04S R09E S16	NESE	2.0
T04S R09E S17	NENE	36.0	T04S R09E S17	NWNE	4.4

800.9 ACRES TOTAL

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE LIMITED TO THE IRRIGATION OF 800.9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. ~~61-301A, 61-301B, 61-332, 61-333, 61-334, 61-335, 61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364, 61-2008, 61-2095A, 61-2199A, 61-2209A, 61-10363, 61-11844, 61-11847, 61-11854 AND 61-11887A~~ ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1368 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS AN ENLARGEMENT OF RIGHT NOS. 61-02095A, 61-02199A AND 61-02209A PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 206.9 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

RIGHT NOS. 61-2095A, 61-2095B, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-11887A AND 61-11887B ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.

*303A has 2095B all of 2199 +
2209A + B.
Should have 2095A, 2199A + 2209A
no B's.*

03/26/2002

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

RIGHT NUMBER: 61-11887A

NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC
RT 1 BOX 451
GLENNS FERRY ID 83623

SOURCE: GROUNDWATER

TRIBUTARY:

QUANTITY: 2.22 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2440 AF. COMBINED RIGHT NOS.:
61-02209A, 61-2209B, 61-02095A, 61-2095B & 61-02199A, 61-2199B 61-11887B.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.53 CFS. COMBINED RIGHT NOS.: 61-02095A,
61-2095B, 61-02209A, 61-2209B & 61-02199A, 61-2199B, 61-11887B.

PRIORITY DATE: 03/15/1977

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T04S R09E S10 NESWNE Within ELMORE County

T04S R09E S10 NENWNW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	<u>2.220 CFS</u>

PLACE OF USE: IRRIGATION Within ELMORE County

T04S R09E S03	NESW	3.7	T04S R09E S03	SESW	21.0
T04S R09E S03	NESE	0.9	T04S R09E S03	NWSE	3.7
T04S R09E S03	SWSE	16.8	T04S R09E S03	SESE	22.0
T04S R09E S08	SESE	2.5	T04S R09E S09	SWNE	22.0
T04S R09E S09	SENE	41.0	T04S R09E S09	SWSW	25.0
T04S R09E S09	SESW	40.0	T04S R09E S09	NESE	38.0
T04S R09E S09	NWSE	40.0	T04S R09E S09	SWSE	41.0
T04S R09E S09	SESE	28.0	T04S R09E S10	NENE	7.4
T04S R09E S10	NWNE	16.0	T04S R09E S10	SWNE	4.6
T04S R09E S10	NENW	11.0	T04S R09E S10	NWNW	3.3
T04S R09E S10	SWNW	29.0	T04S R09E S10	NESW	22.0
T04S R09E S10	SWSW	18.6	T04S R09E S10	SESW	38.0
T04S R09E S10	NWSE	28.0	T04S R09E S10	SWSE	11.0
T04S R09E S15	NENW	16.0	T04S R09E S15	NWNW	23.8
T04S R09E S15	SWNW	10.6	T04S R09E S16	NENE	32.0
T04S R09E S16	NWNE	18.0	T04S R09E S16	SWNE	6.9
T04S R09E S16	SENE	28.0	T04S R09E S16	NENW	38.0
T04S R09E S16	NWNW	40.0	T04S R09E S16	SWNW	5.9
T04S R09E S16	SENW	4.8	T04S R09E S16	NESE	2.0
T04S R09E S17	NENE	36.0	T04S R09E S17	NWNE	4.4
					<u>800.9 ACRES TOTAL</u>

Water Right 61-11887A

1

03/26/2002

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1368.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-301A, 61-301B, 61-332, 61-333, 61-334, 61-335, 61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364, 61-2008, 61-2095A, 61-2095B, 61-02209A, 61-2209B, 61-10363, 61-11844, 61-11847, 61-11854 & 61-02199A, 61-2199B, 61-11887B.

THIS RIGHT WHEN COMBINED WITH 61-11887B IS LIMITED TO THE IRRIGATION OF 206.9 ACRES WITHIN A PLACE OF USE OF 816.9 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT AND 61-11887B ARE ENLARGEMENTS OF RIGHT NOS. 61-02199, 61-02095, AND 61-02209 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT AND 61-11887B IS FOR AN ENLARGEMENT OF 206.9 ACRES WITHIN A PLACE OF USE OF 816.9 ACRES.