

T06N R02W
S23

Idaho Department of Water Resources

Claims: 65-02468

Prepared by:

RON HOWERTON

Date: 18 SEP 00

 Place of use

 POD

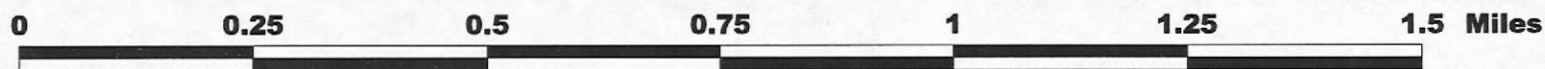
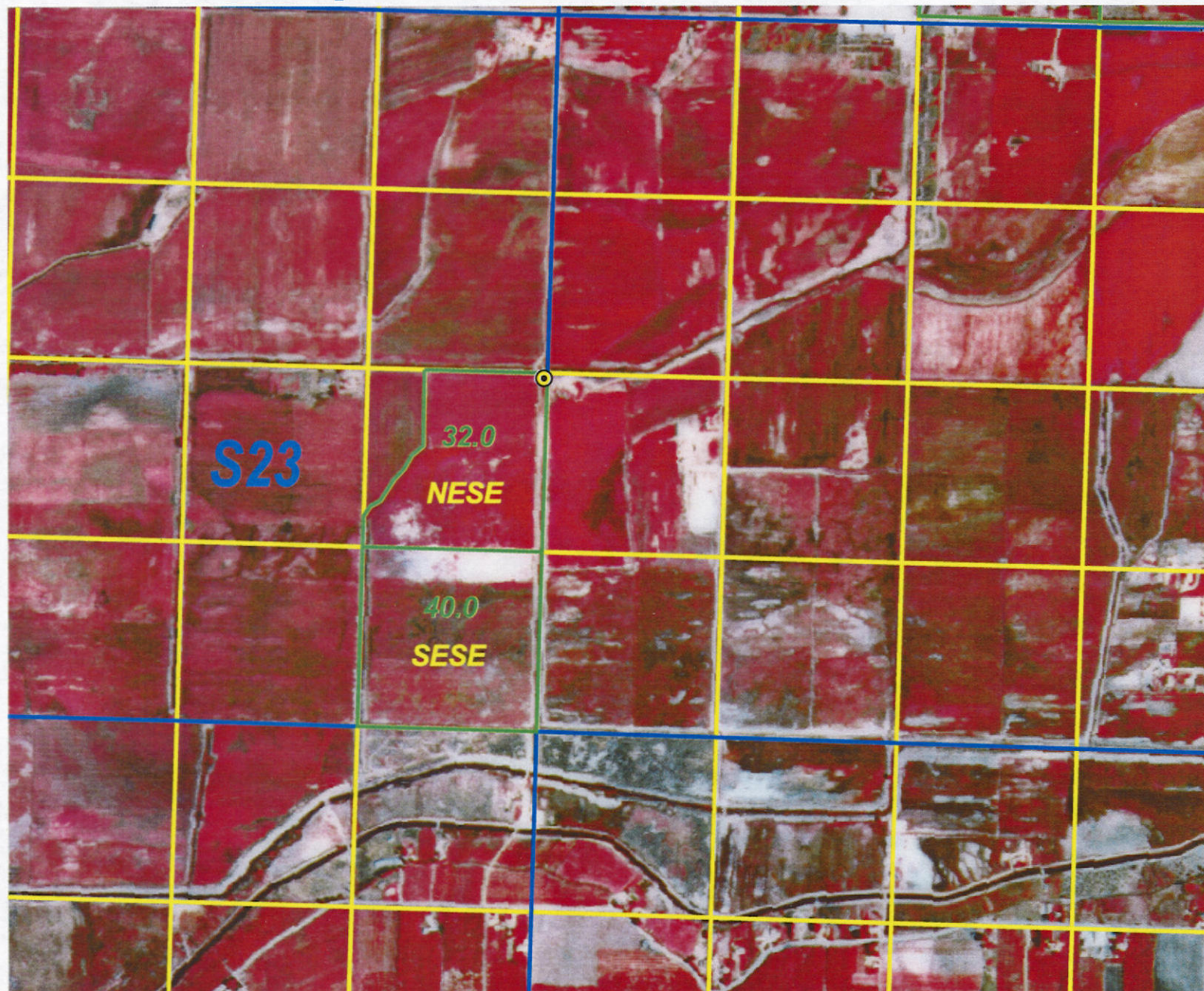
 SECTION

 1/4 1/4

72 Acres



1987 NAPP



**T06N R02W
S23**

Idaho Department of Water Resources

Claims: 65-02468

Prepared by:

RON HOWERTON

Date: 18 SEP 00

 **Place of use**

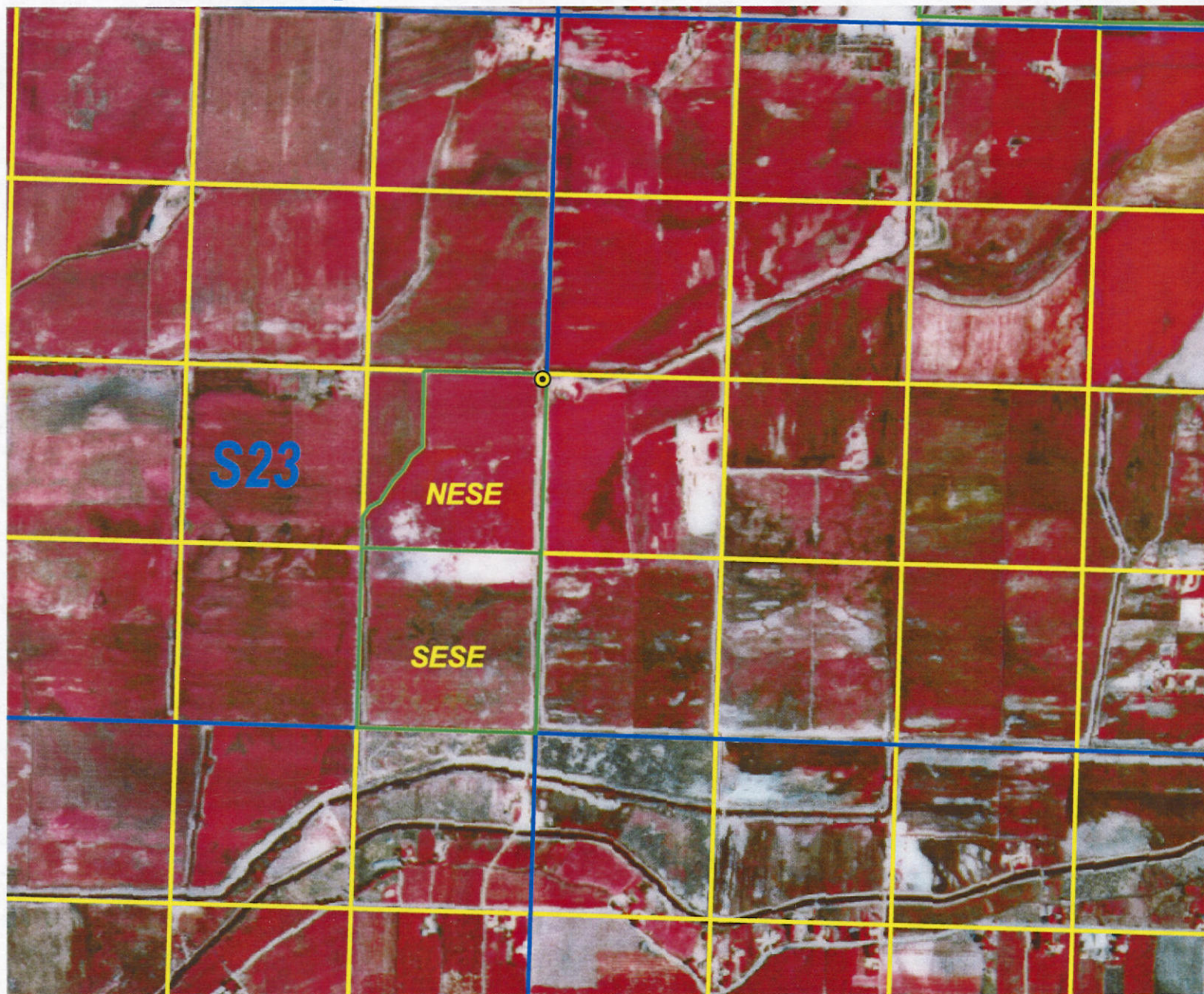
 **POD**

 **SECTION**

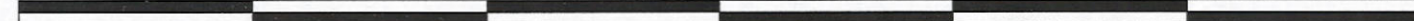
 **1/4 1/4**

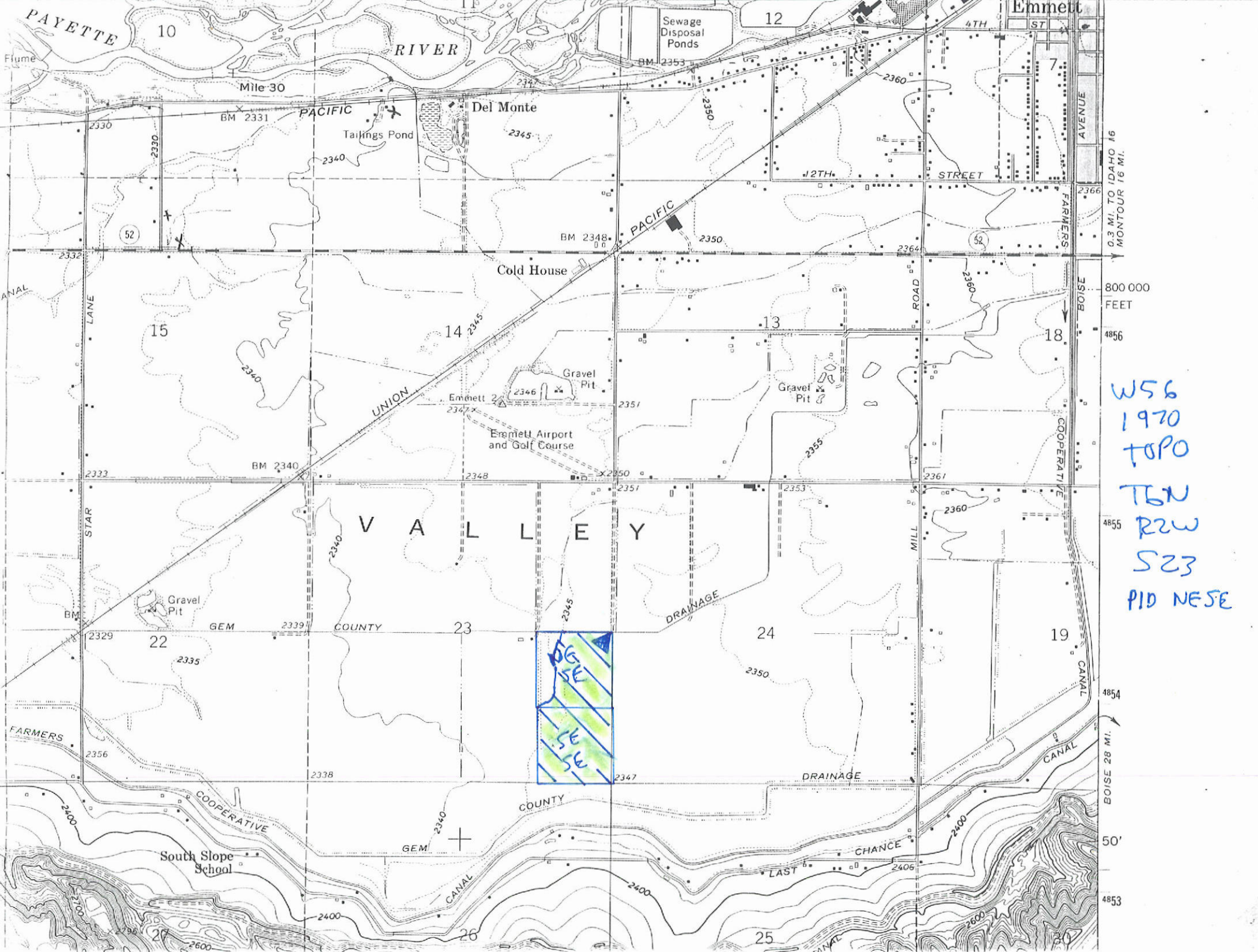


1987 NAPP

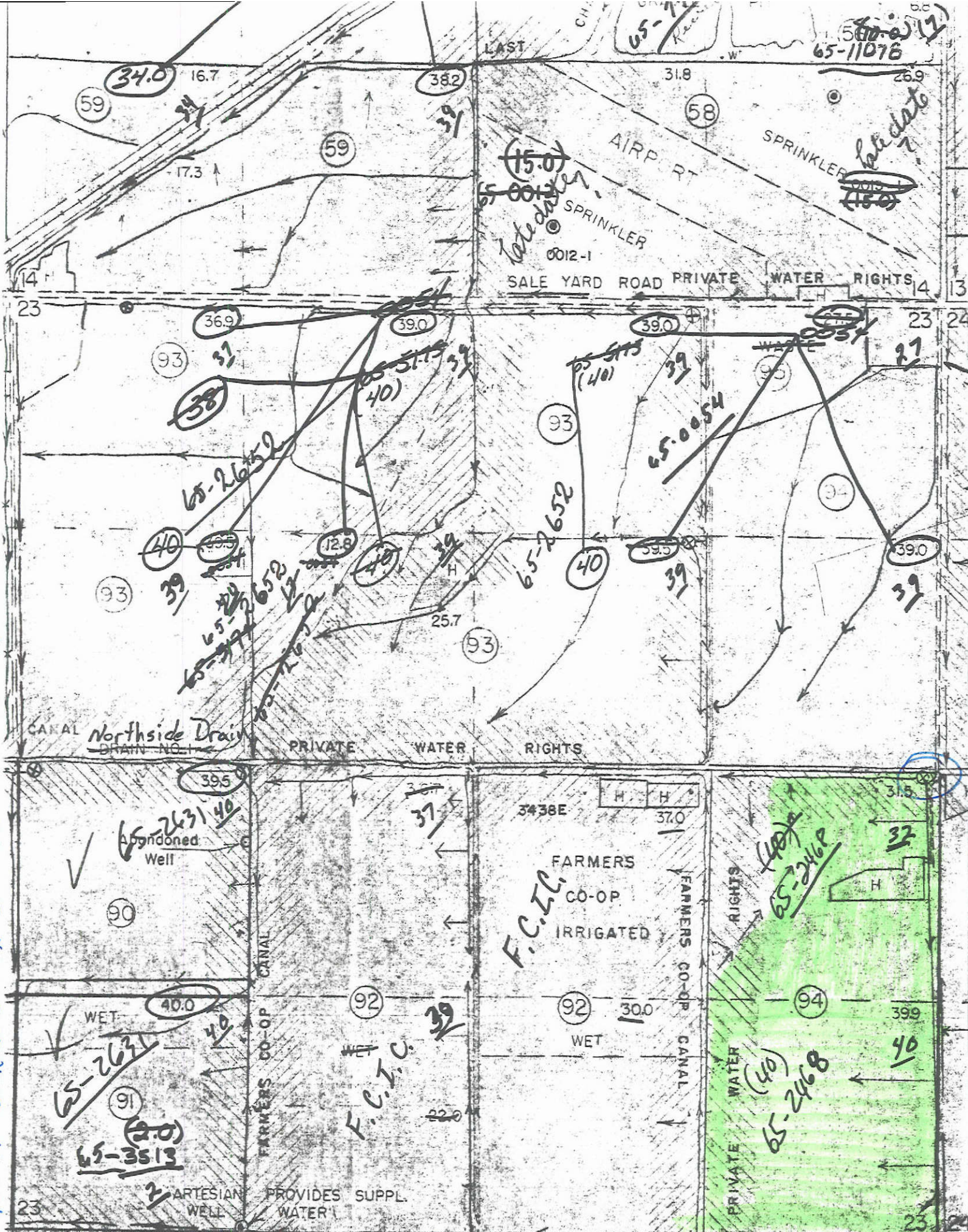


0 0.25 0.5 0.75 1 1.25 1.5 Miles





PRBA BLUELINE MAP D T6N R2W 5E3



VANDERPOH, Mark

39. ULVE, Roy

40. ULVE, Roy

(39) MOONEY, Boyd O

(40) HAMPTON, Nathan

60. LEVERS, Mable G

61. MARTIN, Harold

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: A65-02468

Date Received: 12/26/1989

Receipt No: X999999

Received By: _____

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

1. Name: CHARTERS MOUNTAIN RANCH INC 208-462-3082
Address: JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY ID 83622

2. Date of Priority: MAY 20, 1946

3. Source: NORTHSIDE DRAIN Trib. to: TUNNEL NO. SEVEN WASTEWAY

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	23	NE	SE			GEM

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	1.600		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	23	NE	SE		IRR	32.0
			SE	SE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
					Total Acres	72.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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AUG 03 1994

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 03 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

APR - 1 1993

DATE OF CLOSING: _____

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 6N Range 2WSection 23, NESE 1/4 & SESE 1/4 of 1/4 Govt. Lot

Lot _____ Block _____ Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A65-02468

Assigned by IDWR: ~~XXXXXX Certificate #19865 (copy attached)~~

Department of Water Resources
Western Regional Office

☐ Name and Address of Former Owner/Claimant(s)(Seller): George Pulley and Billie Pulley

2001 W. Salesyard Road

Emmett, Idaho 83617

☐ New Owner/Claimant (Purchaser):

JOHN McCALLUM, President
CHARTERS MOUNTAIN RANCH, INC. Teresa McCallum, Secretary

☐ New Mailing Address:

P.O. Box 143

Garden Valley, Idaho 83622

☐ New Telephone Number: (208) 462-3082

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

Memorandum of Contract and Copy of Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

CHARTERS MOUNTAIN RANCH, INC.

☐ Signature of New Owner/Claimant(s)

John McCallum

Date

Teresa McCallum

Date

☐ Signature of Former Owner/Claimant(s):

George Pulley

Date

Billie Pulley

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-5-93 By: JAN

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 4-5-93 By: JAN

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

POOR ORIGINAL

State of Idaho

License and Certificate of Water Right

Water License No. 19865 Priority May 20, 1946 Amount 1.6 second feet

THIS IS TO CERTIFY that **KARL G. WIKLUND**

of **Route 1, Emmett, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **May 20**, 19 **46**; that Permit No. 19865 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.6** second feet, was issued thereunder on **May 20**, 19 **49**, showing that said works were completed on the **19th** day of **May**, 19 **49**; and that on the **2nd** day of **July**, 19 **49**

KARL G. WIKLUND

of **Emmett**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of waste water from drain ch ~~and~~ ^{Gem County} of Drainage District # **1**, for the purpose of irrigation and domestic use, under Use Permit No. **19865** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses, at page **4582**, on the **28th** day of **April**, 19 **50**;

The right hereby confirmed dates from **May 20**, 19 **46**;

The Point of Diversion is located in the **NE ¼ SE ¼**, Sec. **23**, Tp **6 N.**, R. **2 W.**, B. M. **Gem** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.6** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	2 W.	23	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	--
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Number of Acres Actually Irrigated	-	80

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AUG 03 1994

3-17199

MEMORANDUM OF CONTRACT

NOTICE IS HEREBY GIVEN THAT GEORGE A. PULLEY and BILLIE L. PULLEY, husband and wife, dealing with her sole and separate property, agreed to sell the following described real property and entered into an Agreement to Sell Real Estate, as sellers, wherein

CHARTERS MOUNTAIN RANCH, INC., an Idaho corporation, husband and wife, whose address is: P.O. Box 143, Garden Valley, ID 83622, as buyers, agreed to buy the said real property, situate in the County of Gem, State of Idaho, to-wit:

- TRACT I:** The E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Twp. 6 N., R. 2 W., B.M.
EXCEPTING THEREFROM the North 25 feet and the West 30 feet for roads; and
EXCEPTING THEREFROM the South 5 feet thereof for ditch purposes.
- TRACT II:** The E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Twp. 6 N., R. 2 W., B.M.
LESS a strip of land 40 foot wide, being 20 feet on each side of the following described center strip:
Commencing 20 feet West of the East $\frac{1}{4}$ corner of Section 23, T. 6 N., R. 2 W., B.M.;
thence South 2635 feet to a point 5 feet North of the South line of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 23.
- TRACT III:** The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15, Twp. 6 N., R. 2 W., B.M.
- TRACT IV:** The East $\frac{3}{4}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15, Twp. 6 N., R. 2 W., B.M.
EXCEPTING THEREFROM the following described tract of land, being 6.36 acres, more or less:
A tract of land situate in a portion of the East $\frac{3}{4}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 15, Twp. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows:
Beginning at the Section corner common to Sections 14, 15, 22, and 23, Twp. 6 N., R. 2 W., marked by a found brass cap monument, THE REAL POINT OF BEGINNING; thence N.89°53'31"W., 600.00 feet along the South line of the SE $\frac{1}{4}$ to a set PK nail and washer P.L.S. 6552; thence N.00°05'34"E., 462.00 feet to a set 1/2" iron pin P.L. S. 6552; thence S.89°53'32"E., 600.00 feet to a point on the East line of the SE $\frac{1}{4}$ and marked by a set 1/2" iron pin P.L.S. 6552; thence S.00°05'34"W., 462.00 feet along the East line of the SE $\frac{1}{4}$ to the point of beginning.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Pursuant to the terms of said contract, title has been reserved in said seller until the buyer fully performs the covenants thereof, at which time, a warranty deed from said seller to said buyer shall be delivered to said buyer, to be recorded by the buyer, his heirs, successors, agents, or assigns.

DATED this 27 day of March, 1993.

CHARTERS MOUNTAIN RANCH, INC.

By: George A. Pulley

recorded
3/31/93

George A. Pulley

Billie L. Pulley

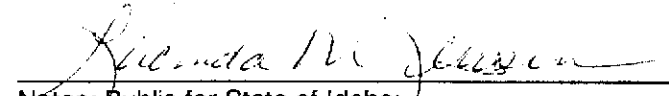
By: Billie L. Pulley

(MICROFILMED)

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 29 day of March, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE A. PULLEY and BILLIE L. PULLEY, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

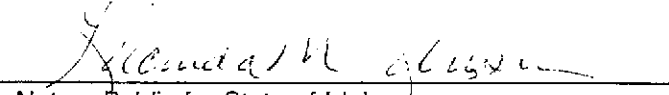


Notary Public for State of Idaho;
Residing at Emmett, Idaho.
Commission expires: 6-30-94

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 29 day of MARCH, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared John B. McCallum and Teresa M. McCallum, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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 State of Idaho;
Residing at Emmett, Idaho.
Commission Expires: 6-30-94

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AUG 03 1994

WARRANTY DEED

FOR VALUE RECEIVED, GEORGE A. PULLEY and BILLIE L. PULLEY, husband and wife, being one and the same persons as George Pulley and Billie Louise Pulley, the grantors, hereby grant, bargain, sell and convey unto

CHARTERS MOUNTAIN RANCH, INC., an Idaho corporation, husband and wife

the grantee(s), whose current address is: P.O. Box 143, Garden Valley, ID 83622

the following described premises, being situate in Gem County, Idaho, to-wit:

- TRACT I: The E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Twp. 6 N., R. 2 W., B.M.
EXCEPTING THEREFROM the North 25 feet and the West 30 feet for roads; and
EXCEPTING THEREFROM the South 5 feet thereof for ditch purposes.
- TRACT II: The E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Twp. 6 N., R. 2 W., B.M.
LESS a strip of land 40 foot wide, being 20 feet on each side of the following described center strip:
Commencing 20 feet West of the East $\frac{1}{4}$ corner of Section 23, T. 6 N., R. 2 W., B.M.; thence South 2635 feet to a point 5 feet North of the South line of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 23.
- TRACT III: The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15, Twp. 6 N., R. 2 W., B.M.
- TRACT IV: The East $\frac{3}{4}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15, Twp. 6 N., R. 2 W., B.M.
EXCEPTING THEREFROM the following described tract of land, being 6.36 acres, more or less:
A tract of land situate in a portion of the East $\frac{3}{4}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 15, Twp. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows:
Beginning at the Section corner common to Sections 14, 15, 22, and 23, Twp. 6 N., R. 2 W., marked by a found brass cap monument, THE REAL POINT OF BEGINNING; thence N.89°53'31"W., 600.00 feet along the South line of the SE $\frac{1}{4}$ to a set PK nail and washer P.L.S. 6552; thence N.00°05'34"E., 462.00 feet to a set 1/2" iron pin P.L. S. 6552; thence S.89°53'32"E., 600.00 feet to a point on the East line of the SE $\frac{1}{4}$ and marked by a set 1/2" iron pin P.L.S. 6552; thence S.00°05'34"W., 462.00 feet along the East line of the SE $\frac{1}{4}$ to the point of beginning.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee, and grantor does not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting, surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems, hazardous materials and toxic wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said Grantees, their heirs or assigns

Warranty Deed

held in escrow
MICROFILMED
AUG 03 1994

forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise agreed, and they will warrant and defend the same from all lawful claims whatsoever.

DATED this 29 day of March, 1993.

George A. Pulley

Billie L. Pulley

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 29 day of March, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE A. PULLEY and BILLIE L. PULLEY, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Linda M. Harrison
Notary Public for State of Idaho;
Residing at Emmett, Idaho.
Commission expires 6/30/94

**SECURITY TITLE COMPANY
OF IDAHO**

RECEIVED

APR - 1 1993

Please Reply To: 1022 South Washington Avenue
P.O. Box 622
Emmett, ID 83617
208-365-4486
FAX 208-365-4541

Department of Water Resources

Water Resources Department
State Office
1301 N. Orchard St.
Boise, Idaho 83720

ESCROW NO. 3-17199

RE: Pulley to Charters Mountain Ranch

DATE: 3-31-93

RECEIVED
APR 2 1993

In connection with the above numbered Escrow, we enclose the following:

Department of Water Resources
Western Regional Office

- | | |
|--|------------------|
| () Our check # | in the sum of \$ |
| () Deed recorded | Instrument No. |
| () Deed of Trust recorded | Instrument No. |
| () Note dated | in the sum of \$ |
| () Title Insurance Policy No. | |
| () Fire Insurance Binder | |
| () Copy of Closing Statement | |
| () Copy of Escrow Instructions | |
| () Assignment of Trust Fund | |
| () Change of ownership agreement | |
| (X) New Property Owner notice of change of water right ownership | |
| (X) Memorandum of Contract and Copy of Warranty Deed | |
| () | |

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,
Security Title Company of Idaho

By: _____

Cindy J. [Signature]

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AUG 03 1994

**SECURITY TITLE COMPANY
OF IDAHO**

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: A65-02468
Date Received: 12/26/1989
Receipt No: X999999
Received By: RA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE PULLEY 208-386-3807
Address: 2001 SALES YARD ROAD
EMMETT, ID 83617
AND/OR
Name: BILLIE PULLEY 208-386-3807
Address: 2001 SALES YARD ROAD
EMMETT, ID 83617
2. Date of Priority: MAY 20, 1946
3. Source: NORTHSIDE DRAIN Trib. to: TUNNEL NO. SEVEN WASTEWAY
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	23	NE	SE			GEM
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	1.600		
7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	02W	23	NE	SE		IRR	32.0
			SE	SE		IRR	40.0
						Section Acres	72.0
						Total Acres	72.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): George A Pulley Date: 12/26/1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of December 19 89

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

2
STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

65-2468



- ☐ MOVED, LEFT NO ADDRESS
- ☐ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET - NUMBER
- ☐ DO NOT RE-MAIL IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEIPT
- ☐ BOX CLOSED NO ORDER

FWD EXPIRED

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JUL 09 2002
WATER RESOURCES
WESTERN REGION



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H METER 531715

Department of Water Resources
JUL - 5 2002

No New Address Found

NAME AND ADDRESS:

CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY, ID 83622

SOURCE:

NORTHSIDE DRAIN

TR

57



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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-02468

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JUL - 5 2002

Department of Water Resources

NAME AND ADDRESS: CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY, ID 83622

SOURCE: NORTHSIDE DRAIN TRIBUTARY: TUNNEL NO 7 WASTEWAY

QUANTITY: 1.60 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 05/20/1946

POINT OF DIVERSION: T06N R02W S23 NESE Within Gem County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 11-15	1.60 CFS

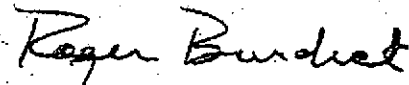
PLACE OF USE: Irrigation Within Gem County
T06N R02W S23 NESE 32.0 SESE 40.0
72.0 Acres. Total

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

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. I.C. SECTION 42-1412(6).

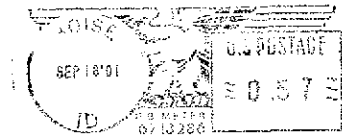
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

ADDRESS SERVICE
REQUESTED



RECEIVED

SEP 21 2001

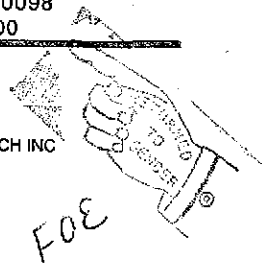
Department of Water Resources

65-2468

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
PO Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY ID 83622





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2001

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in Basin 65 for the Payette River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have 120 days in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Emmett, Payette, Weiser, Idaho City, and Cascade, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed the first part of next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

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

RIGHT NUMBER: 65-2468

NAME AND ADDRESS: CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY ID 83622

SOURCE: NORTHSIDE DRAIN

TRIBUTARY: TUNNEL NO 7 WASTEWAY

QUANTITY: 1.600 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED
AT THE FIELD HEADGATE.

PRIORITY DATE: 05/20/1946

POINT OF
DIVERSION:

T06N R02W S23 NESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.600 CFS

PLACE OF USE: IRRIGATION Within GEM County

T06N R02W S23	NESE	32.0	T06N R02W S23	SESE	40.0
---------------	------	------	---------------	------	------

72 ACRES TOTAL

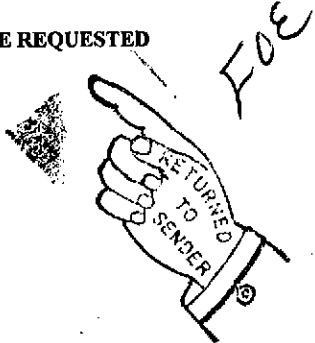
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



65-2488
CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY, ID 83622

Ron

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PAID
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MAY 10 2001
WATER RESOURCES
WESTERN REGION





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

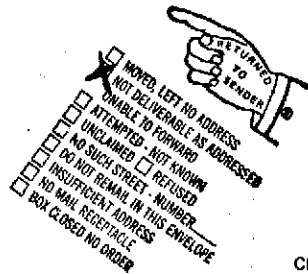
If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



FOE

CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY ID 83622

RECEIVED

MAR 15 2001

WATER RESOURCES
WESTERN REGION

65-02468

Sent again 3/16/01 To:

Rt1 Box 451

Glenns Ferry 83623

RIGHT NUMBER: 65-2468

NAME AND ADDRESS: CHARTERS MOUNTAIN RANCH INC
JOHN MC CALLUM
TERESA MC CALLUM
PO BOX 143
GARDEN VALLEY ID 83622

SOURCE: NORTHSIDE DRAIN

TRIBUTARY: TUNNEL NO. SEVEN
WASTEWAY

QUANTITY: 1.60 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT THE FIELD HEADGATE.

PRIORITY DATE: 05/20/1946

POINT OF DIVERSION:

T06N R02W S23 NESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.600 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T06N R02W S23	NESE	32.0	T06N R02W S23	SESE	40.0
---------------	------	------	---------------	------	------

72 ACRES TOTAL

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

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: Decreed

DATE: 08/24/00
PAGE: 1

C. 18

WR5809NP
No. 65-02468

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLADYS WIKLUND ROUTE 1 EMMETT ID 83617	05/20/1946	IRRIGATION	03/15 11/15	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	

Water Source: NORTHSIDE DRAIN

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion: T06N R02W S23

NESE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06N	02W	23	:					:					:					:	32				:	72.0
																					TOTAL ACRES			72.0

Pou County: GEM

Dates:	App. Received:	Priority Date:	05/20/1946
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

**T06N R02W
S23**

Idaho Department of Water Resources

Claims: 65-02468

Prepared by:

RON HOWERTON

Date: 18 SEP 00

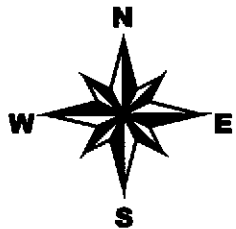
 **Place of use**

 **POD**

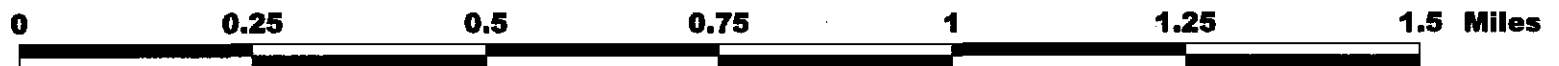
 **SECTION**

 **1/4 1/4**

72 Acres



1987 NAPP



**T06N R02W
S23**

Idaho Department of Water Resources

Claims: 65-02468

Prepared by:

RON HOWERTON

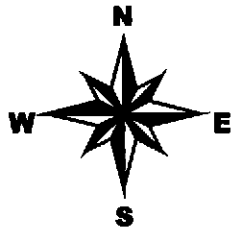
Date: 18 SEP 00

 **Place of use**

 **POD**

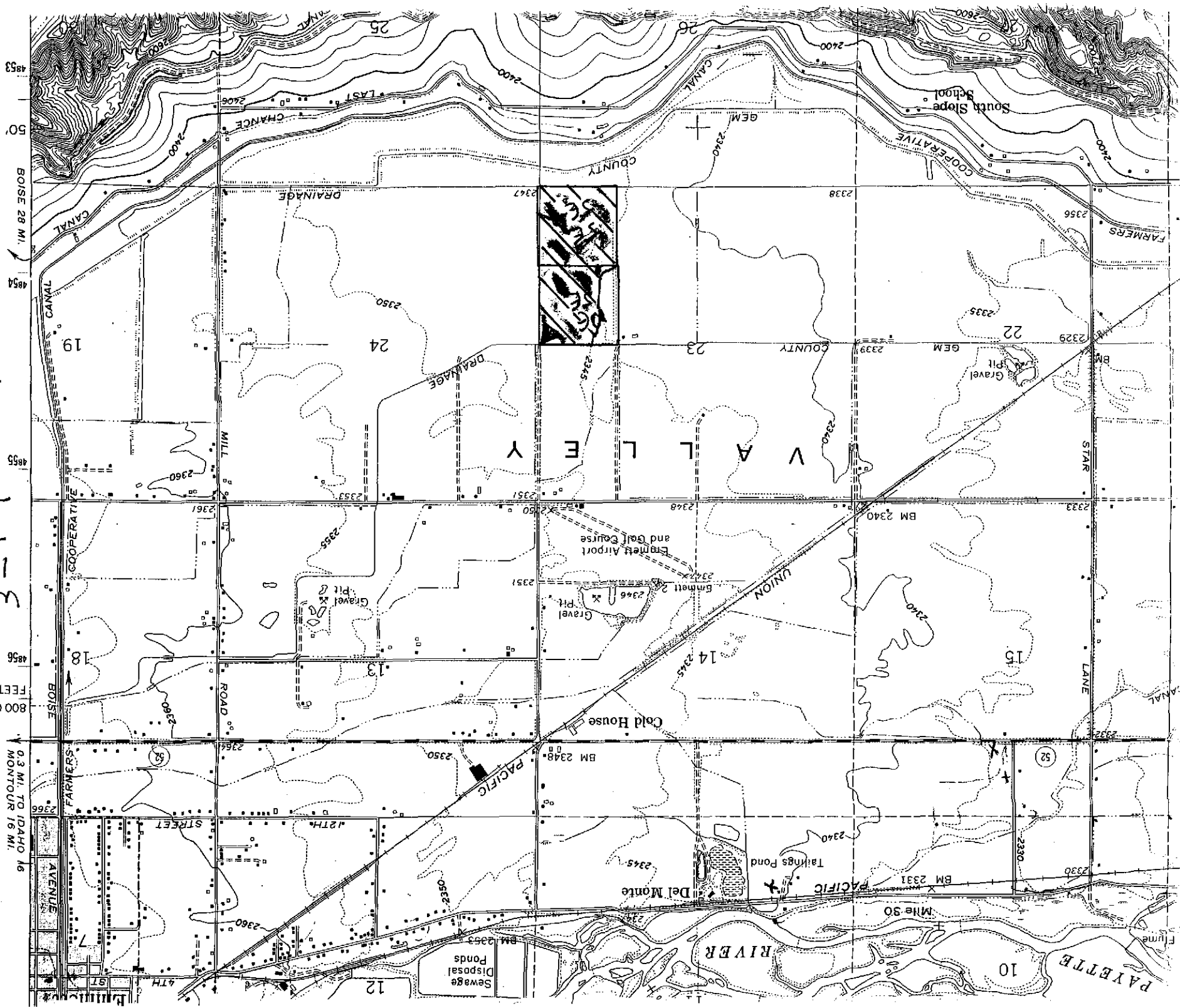
 **SECTION**

 **1/4 1/4**



1987 NAPP

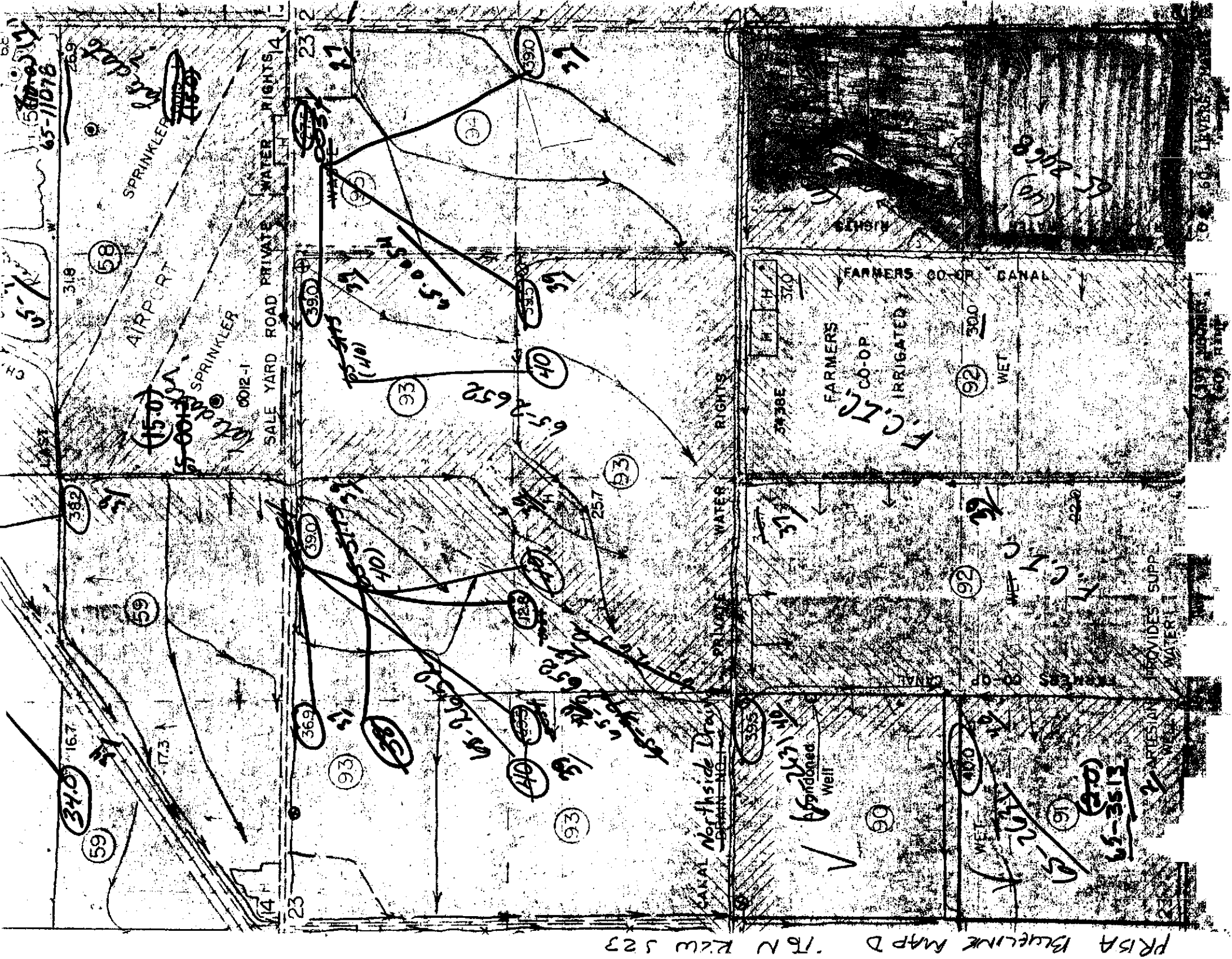




BOISE 28 MI. ↗
FEET
800 000
0.3 MI. TO IDAHO 16
MONTAUR 16 MI.

WSG 1970
T6N
R2W
S23
P1D N55E

PRISA BLUELINE MAP D. 16 N. K2W 523



Post # 8094

HO

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-2468

RECEIVED

SEP 7 1971

Notice is hereby given that Gladys Wiklund

(Name of Claimant)

Rt. 1 Emmett, Idaho 83619

(Mailing Address)

Department of Water Administration

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 5-20-1946

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) West Water

annexed drain Drainage District No. 7

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

Use 449 Irrigation 324 AF Period of Use From 4/15 To 10/15

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Both Dates Inclusive)

Use Period of Use From To

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Both Dates Inclusive)

Use Period of Use From To

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Both Dates Inclusive)

(4) Quantity of water claimed: 1.6444 Cubic Feet Per Second, or Acre Feet Per Annum, and/or Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SE 1/4 Sec. 23 Twp. 6N Rge. 2W B.M.; additional points:

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. pump from drain

(6) 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	23													400			400	800
															32			32	72

Total No. of acres. 800

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Irrigation of 80.0 acres

(7) Effluent, sewage waste, or return water from this use is discharged into drain ditch

(8) If you are claiming water as member of an organization, list name of organization

(9) Remarks lot #4, map D

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. # 19865

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

September 7, 1971

(Date)

Individual

Gladys Wiklund

(Signature of Claimant)

Organization

(Signature of Spouse)

CIA

(Signature of Authorized Agent)

State of Idaho

County of Gem

On this 7th day of September, 1971, in the year 1971,

a notary public, personally appeared GLADYS V. WIKLUND known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they, corporation, partnership or executed the same.

Notary Public residing at Boise, Idaho

My commission expires May 26, 1974

MEMORANDUM

TO FILE NOS: ✓ A65-02468, A65-18218, 65-13399,
65-13559, 65-13655

FROM: Maria Minicucci, Western Region SRBA staff *MM*

DATE: August 13, 1996

RE: Request for information

Mr. Trent Marcus from the Law firm of Marcus, Merrizk, and Montgomery came into the office today with a request for copies of specific SRBA claim files and water right files. The following copies were provided to Mr. Marcus:

65-05696	Decreed water right	Profile report
65-13399	Permit	Entire permit file
65-13558	Permit	Profile report
65-13559	Permit	Entire permit file
65-13655	Appl. for permit	Entire application file
A65-02468	SRBA claim	Entire claim file
A65-18218	SRBA claim	Entire claim file

Mr. Marcus' firm was billed for 156 copies and 3 hours of research time.

MICROFILMED

OCT 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 5, 1993

Re: Notice of Claim to a Water Right No. A65-02468

Charters Mountain Ranch, Inc.
John Mc Callum
Teresa Mc Callum
P.O. Box 143
Garden Valley, ID 83622

Mr. & Mrs. Mc Callum:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

MICROFILMED
AUG 03 1994