

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T9N R4E

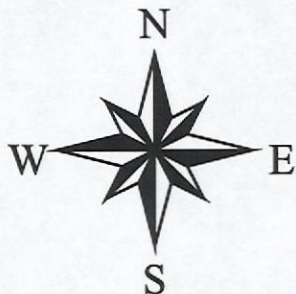
WATER RIGHT(S): 65-05633

OWNER(S): CHARTERS MTN. RANCH INC

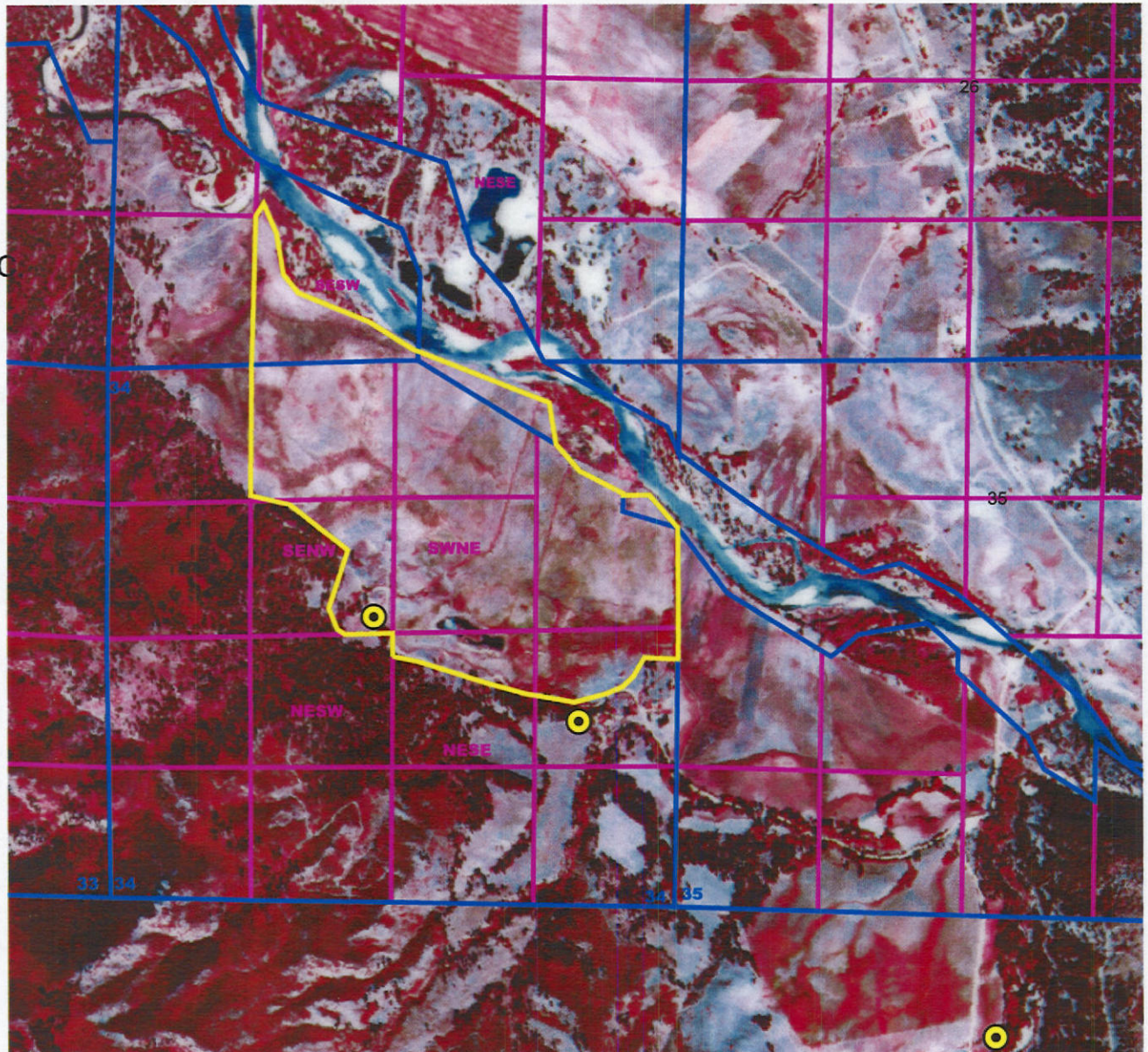
PREPARED BY SCOTT VAN HOFF

02 JAN. 2000

-  POINT OF DIVERSION
-  PLACE OF USE
-  SECTION LINES
-  QUARTER SECTION LINES

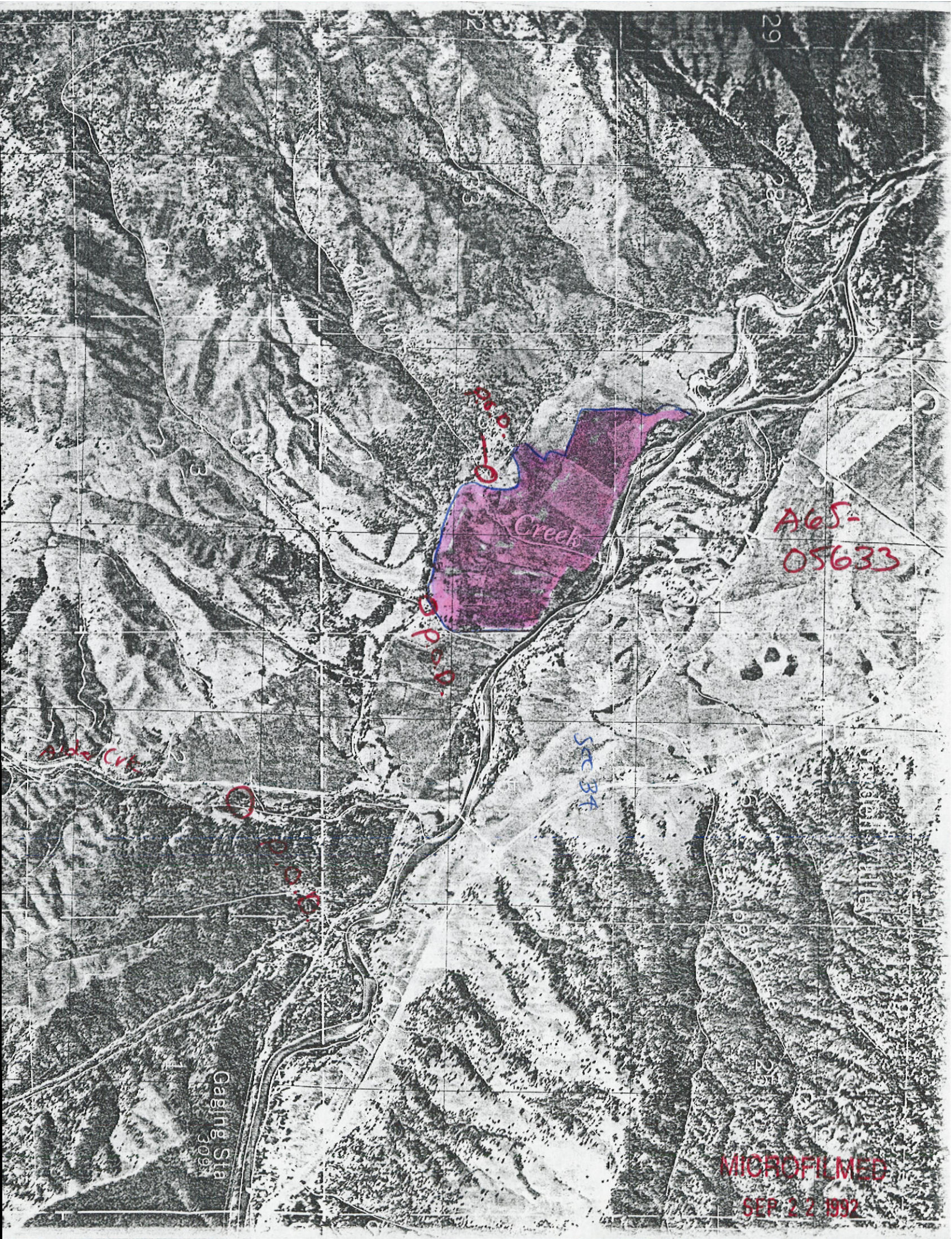


NAPP 1987



0 0.25 0.5 Miles





A65-05633

Creek

A65-05633

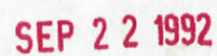
A65-05633

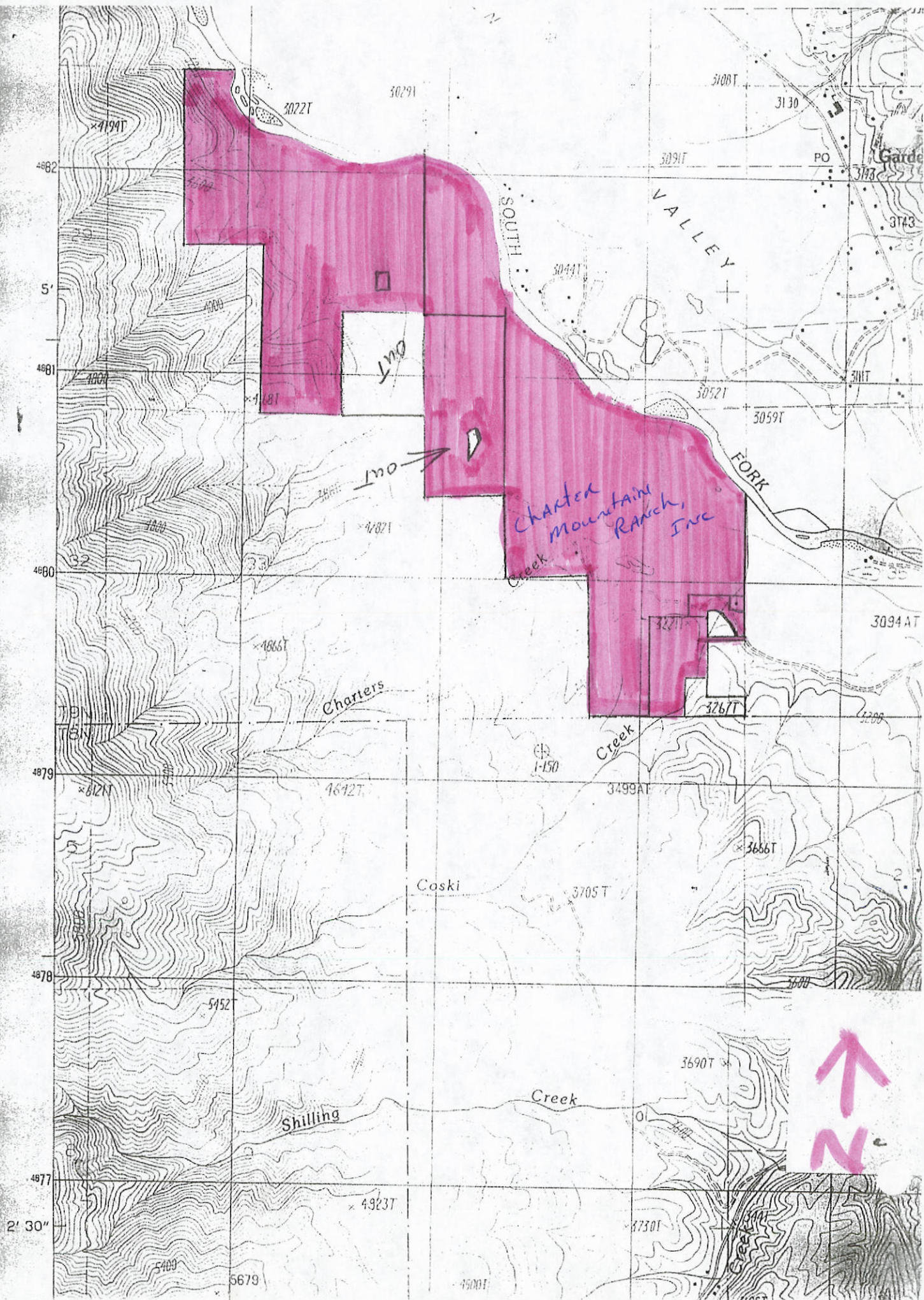
A65-05633

SEC 34

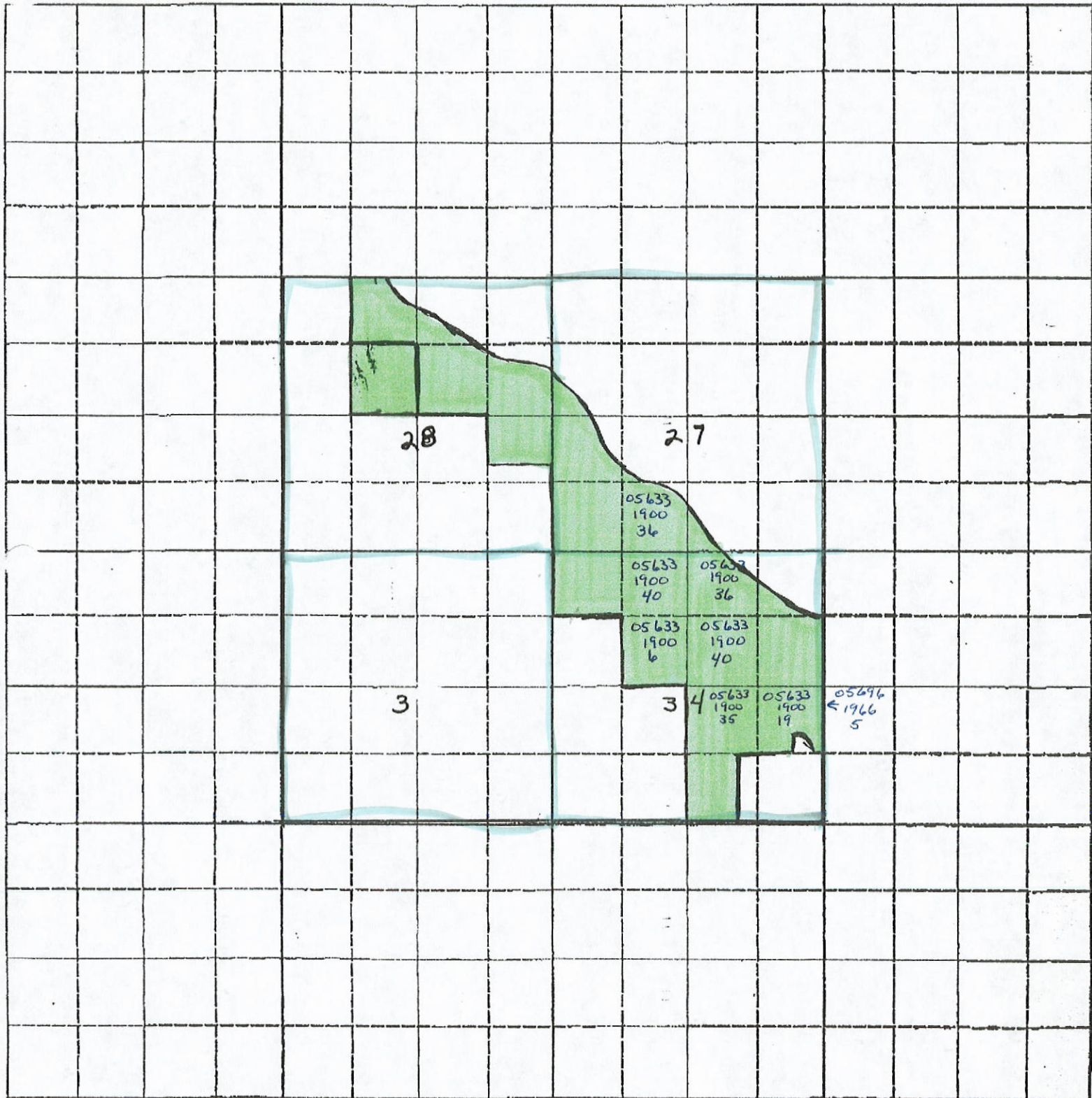
Gaeling Sta
3094

MICROFILMED
SEP 22 1992





13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John B. McCall
(Applicant)

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: A65-05633
Date Received: 5/05/1989
Receipt No: X999999
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DORA MURRAY 208-365-6386
Address: 1053 LILAC LANE
EMMETT, ID 83617

AND/OR

Name: GUY CANADAY 208-365-5160
Address: 1057 LILAC LANE
EMMETT, ID 83617

2. Date of Priority: APR 01, 1900

3. Source: ALDER CREEK Trib. to: PAYETTE RIVER, SOUTH FORK
CHARTERS CREEK PAYETTE RIVER, SOUTH FORK
COSKI CREEK PAYETTE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	04E	2	SW		NE		BOISE
09N	04E	34	SE		NW		BOISE
			NE		SE		BOISE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.270		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100-200 HEAD RANGE CATTLE INSTREAM STOCK WATERING

A65-05633

Page 1

Date: 05/05/89

MICROFILMED
SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	04E	27	SE	SW ✓	7	IRR 17.0
					Section Acres	17.0
		34	NW	NE ✓	2	IRR 36.0
			SW	NE		IRR 40.0
			SE	NE ✓	3	IRR 50.0
			NE	NW		IRR 40.0
			SE	NW ✓		IRR 6.0
			NE	SE ✓		IRR 19.0
			NW	SE ✓		IRR 8.0
					Section Acres	199.0
					Total Acres	216.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

DESCRIPTION OF DIVERTING WORKS:

ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG.

CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH

DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH.

SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC.

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 Individuals:

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

Signature of Claimant(s): *Sara Murray* Date: *X 5-5-89*
Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this *5* day

of *May* 19 *89*

Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994

AJ5809NP
No. R65-05633

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/28/00
PAGE: 32

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARTERS MOUNTAIN RANCH INC RT 1 BOX 451 GLENNS FERRY ID 83623 (208) 366-7931	04/01/1900	IRRIGATION	04-01 11-01	5.270 CFS	
TOTAL DIVERSION:					5.270 CFS	

Water Source: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion:	T08N R04E S02	SWNE		BOISE County
	T09N R04E S34	SENE	NESE	BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09N	04E	27	:													07-17				:	17.0
09N	04E	34	:			02-36		40	03-50	:	40			06				19	08	:	199.0
																			TOTAL ACRES	:	216.0

POU County: BOISE

Other Rights: NONE

Conditions of Approval:

- C18 - 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.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/03/2000 User-ID: SVANHOF Subject: COPIED FROM REMARKS

AJ5809NP
No. R65-05633

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/28/00
PAGE: 33

Comments: Date: 01/03/2000 User-ID: SVANHOFF Subject: COPIED FROM REMARKS
THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

DESCRIPTION OF DIVERTING WORKS:
ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG.
CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH
DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH.

SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC

Date: 01/03/2000 User-ID: SVANHOFF Subject: CHANGE OF OWNERSHIP
OWNERSHIP CHANGED 01/02/2000 SVH

Audit: 01/03/00 SVANHOFF 01/25/00 SVANHOFF

AJ5809NP
No. R65-05633

IDAHO DEPARTMENT OF WATER RESOURCES
ADMINISTRATION CLAIM PROFILE REPORT

DATE: 01/13/00
PAGE: 29

OWNER CODE: C NAME & ADDRESS: CHARTERS MTN RANCH INC
RT1 BOX 451
GLENN'S FERRY ID 83623
(208) 366-7931
PRIORITY DATE: 04/01/1900
WATER USE: IRRIGATION
USE PERIOD FROM TO: 04-01 11-01
DIVERSION RATE: 5.270 CFS
DIVERSION VOLUME: 5.270 CFS
TOTAL DIVERSION: 5.270 CFS

Water Source: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T08N R04E S02 SWNE
T09N R04E S34 SENW NESE
BOISE County
BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N	04E	27	:																	17.0
09N	04E	34	:		02-36		40	03-50			40				06			19	08	199.0
																			TOTAL ACRES	216.0

POU County: BOISE

Other Rights: NONE

Conditions of Approval:

- C18 - 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.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-12001 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Y
Presumption Flag:

delete this condition
- 65-12001 has lapsed.
See WRS (water rights
query). I found this
by checking to see if
65-12001 had it men-
tioned also (as an overlap)
No claim filed + in /ing
water rights & discovered
it has lapsed.

AJ5809NP
No. R65-05633

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/13/00
PAGE: 30

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Comments: Date: 01/03/2000 User-ID: SVANHOFF Subject: COPIED FROM REMARKS
THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.
DESCRIPTION OF DIVERTING WORKS:
ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG.
CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH
DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH.

SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC

Date: 01/03/2000 User-ID: SVANHOFF Subject: CHANGE OF OWNERSHIP
OWNERSHIP CHANGED 01/02/2000 SVH

Audit: 01/03/00 SVANHOFF

AJ0749NP
No. R65-05633

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/03/00
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE      VOLUME
-----
C CHARTERS MTN. RANCH INC    04/01/1900    IRRIGATION    04-01 11-01    5.270 CFS
  RT1 BOX 451
  GLENN'S FERRY ID 83623
  (208) 366-7931
                                     TOTAL DIVERSION: 5.270 CFS
=====
```

Water Source: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T08N R04E S02 SWNE BOISE County
T09N R04E S34 SENW NESE BOISE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE					
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
09N	04E	27	:								:								:						: 17.0
09N	04E	34	:		02-36		40	03-50	:	40			06	:					:	19	08				: 199.0
																							TOTAL ACRES	216.0	

POU County: BOISE

Other Rights: NONE

Conditions of Approval:

- C18 - 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.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-12001 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Y
Presumption Flag:

WESTERN REGION

OWNER (S): Charters mtr Ranch Inc.

CLAIM NUMBERS: 65-5633

AGENT: Scott Van Hoff DATE 1-12-00

RIGHT NO				NE				NW				SW				SE			
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
65-5633	9N	4E	27												17				
			34		36	40	50	40		6						19	8		
																			17
																			199
																			216

P.O.D. TOWNSHIP RANGE SEC. SOURCE

8N 4E 2 SWNE

9N 4E 34 SENW + NESE

POLYGON CREATED ON 327

POLYGON # () () () () UPDATED BY sdvh

ATTRIBUTES OF B65-POU.SHP (1312) () () () ()

ATTRIBUTES OF B65-POD.SHP (1316) (1317) (1318) () ()

 B65-DBPOU.DBF UPDATED BY sdvh

 B65-DBPOD.DBF UPDATED BY sdvh

NOTES:

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

T9N R4E

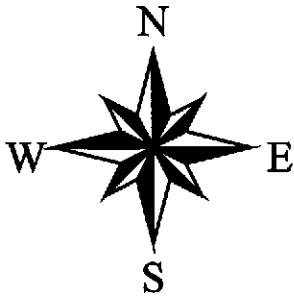
WATER RIGHT(S): 65-05633

OWNER(S): CHARTERS MTN. RANCH INC

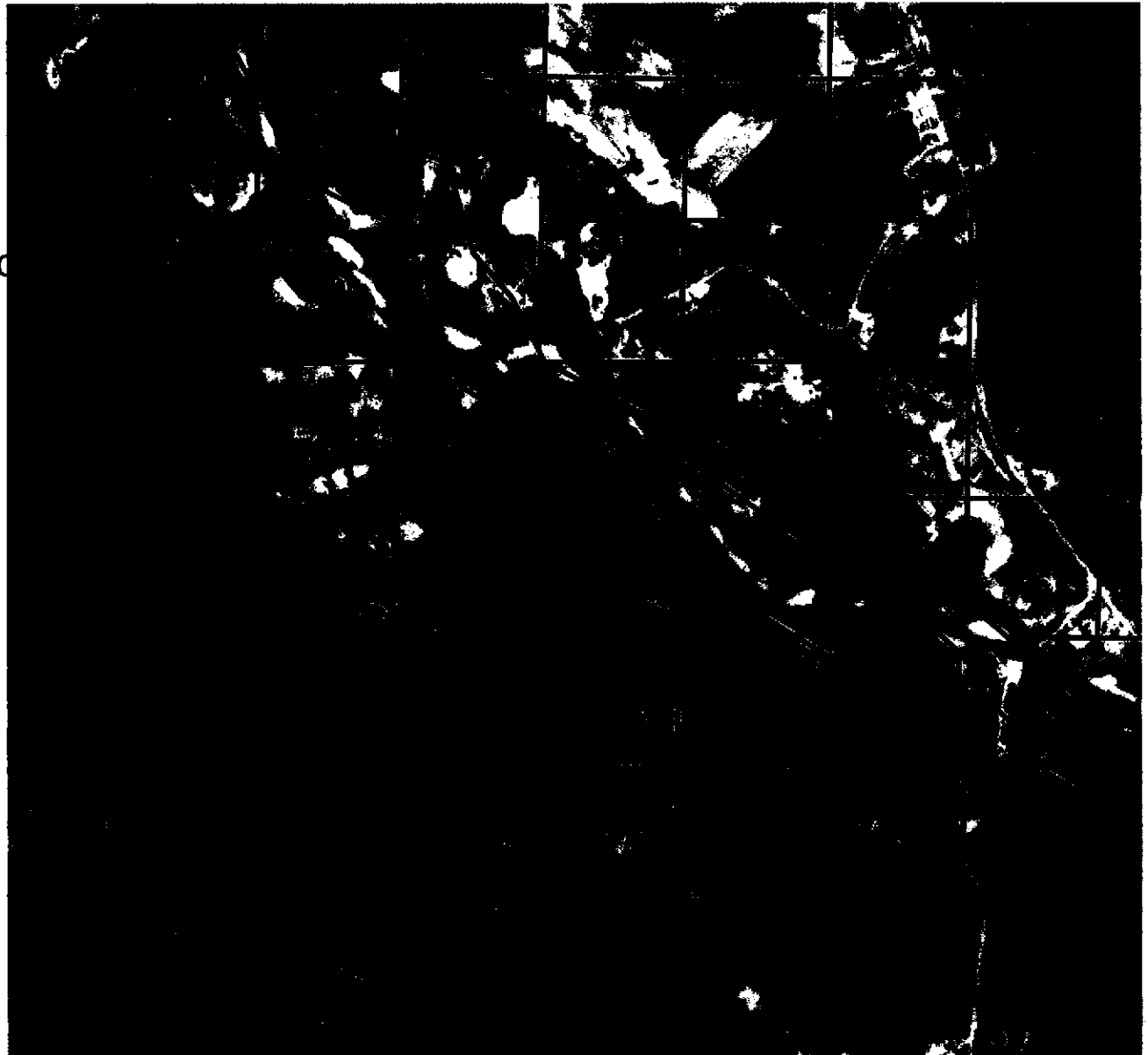
PREPARED BY SCOTT VAN HOFF

02 JAN. 2000

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES



NAPP 1987



0 0.25 0.5 Miles

A horizontal scale bar with three segments. The first segment is labeled '0', the second '0.25', and the third '0.5 Miles'. The bar is black with white outlines.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:47:10
01/03/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-05633

LAST: MURRAY
ADDRESS: 1053 LILAC LANE
CITY: EMMETT
PHONE NUMBER: 208-365-6386

FIRST: DORA
STATE: ID ZIP: 83617

OWNER CODE: C

LAST: CANADAY
ADDRESS: 1057 LILAC LANE
CITY: EMMETT
PHONE NUMBER: 208-365-5160

FIRST: GUY
STATE: ID ZIP: 83617

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

DESCRIPTION OF DIVERTING WORKS:

ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG.
CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH
DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH.

SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

- A. AJ CLAIM: # A65-05633 PRIORITY DATE: 04-01-1900 STAGE: J
- B. WR RECORD: # 65-05633 PRIORITY DATE: 04-01-1900 STAGE: J
- C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()
- D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()
- E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N()
- F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
- PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()
- FIELD EXAM COMPLETED N/A() Y() N()
- FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()
- LICENSE ISSUED N/A() Y() N()
- * IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.
- G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y() N()
- * FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.
- H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-05633	08N	04E	2		SW	NE			BOISE		
A65-05633	09N	04E	34		SE	NW			BOISE		
A65-05633	09N	04E	34		NE	SE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-05634	65-05634
A65-05695	65-05695
A65-05696	65-07137
A65-07137	R65-05696
A65-08850	R65-08850
A65-10954	R65-10954

WR RECORDS IN SAME 40 ACRE TRACT

65-05634
65-05695
65-05696
65-07137
65-08850
65-10954

SOURCE: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

TRIB: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-05633	08N	04E	2		SW	NE			BOISE		
65-05633	09N	04E	34		SE	NW			BOISE		
65-05633	09N	04E	34		NE	SE			BOISE		

OTHER WR RECORDS WITH SAME WR POD

65-05634
65-05695
65-05696
65-07137
65-08850
65-10954

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-05634	65-05634
A65-05695	65-05695
A65-05696	65-07137
A65-07137	R65-05696
A65-08850	R65-08850
A65-10954	R65-10954

SOURCE: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

TRIB: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	04E	2		SW	NE			BOISE		
09N	04E	34		SE	NW			BOISE		
09N	04E	34		NE	SE			BOISE		
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: ALDER CREEK

TRIB: PAYETTE RIVER, SOUTH FORK

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-05633

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	04E	27	SE	SW	7	MURRAY, DORA	A65-05633 / 17.0	65-05633 / 17.0	35.0		
			SE	SW	7	MC CALLUM, JOHN B		65-13399 / 36.0			
09N	04E	34	NW	NE	2	MURRAY, DORA	A65-05633 / 36.0	65-05633 / 36.0	27.0		
			NW	NE	2	MC CALLUM, JOHN B		65-13399 / 30.0			
09N	04E	34	SW	NE		MURRAY, DORA	A65-05633 / 40.0	65-05633 / 40.0	16.0		
			SW	NE		MC CALLUM, JOHN B		65-13399 / 40.0			
09N	04E	34	SE	NE	3	MURRAY, DORA	A65-05633 / 50.0	65-05633 / 50.0	42.0		
			SE	NE	3	MC CALLUM, JOHN B		65-13399 / 37.0			
09N	04E	34	NE	NW		MURRAY, DORA	A65-05633 / 40.0	65-05633 / 40.0	40.0		40.0
			NE	NW		MC CALLUM, JOHN B		65-13399 / 40.0			
09N	04E	34	SE	NW		MURRAY, DORA	A65-05633 / 6.0	65-05633 / 6.0	4.0		
			SE	NW		MURRAY, DORA	A65-05634 /	65-05634 /			
			SE	NW		CANADAY, GUY	65-05634 /	- /			
			SE	NW		MC CALLUM, JOHN B		65-13399 / 30.0			
09N	04E	34	NE	SE		MURRAY, DORA	A65-05633 / 19.0	65-05633 / 19.0	22.0		
			NE	SE		BUCKLEY, ROY B	A65-07137 /	65-07137 / 3.0			
			NE	SE		BUCKLEY, ROY B	A65-10954 / 5.0	65-10954 / 5.0			
			NE	SE		HUTCHISON, ORIS J	A65-05695 /	65-05695 /			
			NE	SE		BUCKLEY, ROY B	65-07137 /	- /			
			NE	SE		BUCKLEY, ROY B	R65-10954 / 5.0	- /			
			NE	SE		CHARTERS MOUNTAIN RANCH INC	R65-05696 / 3.0	65-05696 / 3.0			
			NE	SE		HUTCHISON, ORIS J	65-05695 /	- /			
			NE	SE		CHARTERS MOUNTAIN RANCH INC	A65-05696 / 3.0	- /			
			NE	SE		MC CALLUM, JOHN B		65-13399 / 30.0			
09N	04E	34	NW	SE		MURRAY, DORA	A65-05633 / 8.0	65-05633 / 8.0			
			NW	SE		MC CALLUM, JOHN B		65-13399 / 35.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A65-05633	216.00	216.00	186.00
-------------	-----------	--------	--------	--------

POU COUNTY: BOISE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-05633	ALDER CREEK	MURRAY, DORA	5.270	0.024		
	CHARTERS CREEK					
R65-05696	COSKI CREEK	CHARTERS MOUNTAIN RANCH INC	0.040	0.013		
	ALDER CREEK					
A65-05696	COSKI CREEK	CHARTERS MOUNTAIN RANCH INC	0.040	0.013		
	ALDER CREEK					
R65-10954	COSKI CREEK	BUCKLEY, ROY B	0.090	0.018	0.20	0.04
A65-10954	COSKI CREEK	BUCKLEY, ROY B	0.090	0.018		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-05634	DOMESTIC	MURRAY, DORA	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-05634	DOMESTIC	CANADAY, GUY	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-07137	DOMESTIC	BUCKLEY, ROY B	FROM 01-01 TO 12-31	0.020 CFS	
A65-07137	STOCKWATER	BUCKLEY, ROY B	FROM 01-01 TO 12-31	0.020 CFS	
A65-05695	DOMESTIC	HUTCHISON, ORIS J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07137	DOMESTIC	BUCKLEY, ROY B	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-07137	STOCKWATER	BUCKLEY, ROY B	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
65-05695	DOMESTIC	HUTCHISON, ORIS J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

Y(____) N(____)

Y() N()

NOTES:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-05633 IRRIGATION	FROM 04-01 TO 11-01	5.270 CFS	
TOTAL DIVERSION RATE/VOLUME		5.270 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-05633 IRRIGATION	FROM 04-01 TO 11-01	5.270 CFS	
TOTAL DIVERSION RATE/VOLUME		5.270 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

10

CLAIM NUMBER: A65-05633

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 5.270 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 5.270 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE 5.270	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			5.270	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED: S/100-200 HEAD RANGE CATTLE INSTREAM STOCK WATERING

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-05633

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 5.270	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-05633	5.270	-		65-05633	5.270
TOTAL CFS		5.270				5.270

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:47:10
01/03/00

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QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-05633

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:48:24
01/03/00
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-05633

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DORA MURRAY	04/01/1900	IRRIGATION	04-01 11-01	5.270 CFS	
C	GUY CANADAY					
TOTAL DIVERSION:					5.270 CFS	

Water Source: ALDER CREEK
CHARTERS CREEK
COSKI CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK
PAYETTE RIVER, SOUTH FORK

Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R04E S02 SWNE BOISE County
T09N R04E S34 SENW NESE BOISE 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		
09N	04E	27	:					:					:					:					:	17.0
09N	04E	34	:		02-36		40 03-50	:		40		06	:					:	19	08			:	199.0
TOTAL ACRES																						216.0		

POU County: BOISE

Non-Irrigation Uses: S/100-200 HEAD RANGE CATTLE INSTREAM STOCK WATERING

Other Rights: NONE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
DESCRIPTION OF DIVERTING WORKS:
ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG.
CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH
DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH.

SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Y
Presumption Flag:

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 11

INDICATES TOTAL

SOURCE: ALDER CREEK

TRIBUTARY TO: SOUTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-5633	MURRAY, DORA & CANADAY, GUY GARDEN VALLEY, IDAHO 83622 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1900	IRRIGATION	4/ 1 11/ 1	--- AFA 5.27 CFS	SWNE S 2 T 8N R 4E SENE S34 T 9N R 4E NESE S34 T 9N R 4E	SWNE(40) SEAW(6) NESE(19) NWSE(8) NENE(40) LOT 2(36) LOT 3(50) S34 T 9N R 4E LOT 7(17) S27 T 9N R 4E *216*	BENEFICIAL USE
65-10925	YENSEN, ELZIE & LINDSTROM, SHIRLEY BOX 12, GARDEN VALLEY, IDAHO 83622	9/15/1910	IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS	SESE S10 T 8N R 4E	SESE(1) S10 T 8N R 4E NENE(4) S15 T 8N R 4E *5*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *17.70*AFA *.10*CFS		SAME AS OTHER USE	
65-10539	DONLEY, DOUGLAS & DONLEY, JANICE GARDEN VALLEY, IDAHO 83622	5/ 1/1911	IRRIGATION	4/ 1 11/ 1	--- AFA .30 CFS	LOT 7 S35 T 9N R 4E SWSE S35 T 9N R 4E	LOT 7(14) S35 T 9N R 4E *14*	BENEFICIAL USE
65-8850	BARNES, LARRY B. & CHENEY, RCH. MGR., CHARLES BOX 2797, BOISE, IDAHO 83701 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-11329 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1920	IRRIGATION	4/ 1 11/ 1	--- AFA 2.51 CFS	SWNE S 2 T 8N R 4E	SWNW(10) SESW(8) LOT 7(7) LOT 5(51) LOT 6(27) S35 T 9N R 4E *103*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	3.29 AFA .06 CFS *---*AFA *2.57*CFS		SAME AS OTHER USE	
65-5682	MC KIE, EARL & MC KIE, GENEVA C. BOX 208, MERIDIAN, IDAHO 83642	6/ 1/1920	IRRIGATION	4/ 1 11/ 1	--- AFA 2.92 CFS	SESW S 2 T 8N R 4E	SWNW(1) SEAW(34) NESW(4) LOT 2(5) LOT 3(40) LOT 4(17) S 2 T 8N R 4E SWSW(4) SESW(16) S35 T 9N R 4E *121*	BENEFICIAL USE
65-11001	VOGEL, MARJORIE 3916 WEST CLEMENT, BOISE, IDAHO 83704	4/ 1/1935	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	SESE S10 T 8N R 4E	SESE S10 T 8N R 4E	BENEFICIAL USE

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

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

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION RESOLVING
WATER OF THE PAYETTE RIVER	)	OBJECTION OF
DRAINAGE.	)	LARRY B. BARNES

COME NOW R. Keith Higginson, Director of the Idaho Department of Water Resources; Larry B. Barnes; George and Dora Murray ("Murrays"), husband and wife; and Guy and Marilyn Canaday ("Canadays"), husband and wife; through their respective counsel, stipulate that water right No. 65-8850 have its priority date changed from 6/1/1920 to 4/1/1900. The 1900 priority date is the same as for water right No. 65-5633 held by the Murrays and Canadays. Both these water rights divert from Alder Creek (tributary to the South Fork, Payette River) with a similar distribution system. This stipulation resolves the objection of Larry B. Barnes which was allowed to be filed by order of District Judge

Gilbert C. Norris in May 1980.

DATED this _____ day of _____, 1988.

JIM JONES
Attorney General

JOSEPHINE P. BEEMAN
Deputy Attorney General
Idaho Department of Water
Resources

DATED this _____ day of _____, 1988.

BERNE JENSEN
Counsel for Larry B. Barnes

DATED this _____ day of _____, 1988.

CLARENCE H. HIGER
Counsel for George and Dora
Murray and Guy and Marilyn
Canaday

The above stipulation having come before the court, it is
hereby approved this _____ day of _____, 1988.

JIM R. DOOLITTLE
District Judge

S.K. Goldtrap and
Anna C. Goldtrap wife.

WARRANTY DEED

Dated April 17, 1888
Ackl April 17, 1888
Filed April 20, 1888
Book 16 of Deeds, Page 132
Consid \$2000.00

15.

TO
William Charters,

Grant, Bargain, Sell, Alien, Convey and Confirm the Lots 2 and 3, and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Section 34, Township 9 North, Range 4 East, ~~for the Boise Meridian~~. Also a water right and ditch covering the South end of said land, taking the water from the Gulch coursing down through the premises in a Northerly direction also an un-divided $\frac{1}{3}$ interest of, in and to that certain ditch and water right belonging to said land, and by which the same is irrigated which said ditch takes the water from Alder Creek, and conveyed the same along the west bank thereof, to the lands and farms of N. Witzell, and said parties of the first and second part, the above described land and water ditches and rights being the same formerly owned by A. Bael, deceased, and purchased by said party of the first part, of and from the estate of said A. Bael, deceased. Subject to a certain Mortgage executed by parties of the first part, to Martha E. McCarthy, bearing date November 25, 1885, secures payment of \$1500.00, evidence by a certain promissory note executed by party of the first part, to Martha E. McCarthy, due one year after date, with interest thereon from date, at the rate of 1 $\frac{1}{4}$ % per month, Mortgage recorded in Book 4 of Mortgages, Pages 684, 5, 6, and 7, the consideration money shall be appropriated toward the payment of Note and Mortgage now due.

Acknowledged by the Grantors, before T.S. Hart. Judge of the Probate Court, County of Boise, Idaho. Seal.

Two Witnesses.

William Charters.

DECLARATION OF HOMESTEAD:

16.

TO
Whom it may Concern.

Dated June 6, 1904
Ackl June 6, 1904.
Filed June 7, 1904.
Book 1 of Declar-of Homestead, Pg 198

Declaration of Homestead on the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 34, Township 9 North, and the Lots 2 and 3, and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Section 34, Township 9 North, Range 4 East, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, of Section 34, and the Lots 6 and 7, of Section 27, Township 9 North, Range 4 East. B.M. Recites that he and family actually reside on said land, that his family consists of himself and five children, estimated value \$5000.00

Acknowledged by William Charters, before James McDivitt, Notary Public, Boise County, Idaho. Seal.

Probate Judge.

11. Addison Bail. Deceased,
BY J.B. McLaughlin.
Administrator.

____ TO _____
S.K. Goldtrap.

ADMINISTRATORS DEED:

Dated January 2, 1882
Ackl January 2, 1882.
Filed January 2, 1881
Book 15 of Deeds, Page 251.
Consid \$1000.00

Grants, Bargains, Sells, and Conveys the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the Lots 2 and 3, of Section 34, Township 9 North, Range 4 East, in the District of Lands, Subject to sale at Boise City, Idaho Territory, together with water rights.

Acknowledged by J.B. Laughlin, Administrator, before C.S. Kingsley, Notary Public, Boise County, Idaho. Seal.

Jno. V. R. Witt.

12. _____ TO _____
Nicholaus. Haug.

MORTGAGE:

Dated July 8, 1880
Ackl July 8, 1880
Filed July 8, 1880
Book 4 of Mtgs, Page 281
Consid \$2000.00

Mortgages the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, of Section 34, and the Lots 6 and 7, of Section 27, Township 9 North, Range 4 East, in the District of Lands subject to sale in Boise City, Idaho Territory, 170.05 Acres.

Secures one Note of even date herewith for \$2000.00, on or before 12 months after date, with interest at 1 $\frac{1}{2}$ %, per month, payable at the end of every six months.

On the margin of the record appears the following:-

I hereby acknowledge full and complete satisfaction of the within and foregoing mortgage, dated July 10th, 1880, and that all taxes assessed against said Mortgage have been paid.

N. Haug.

Acknowledged by J.V.R. Witt, before Jonas W. Brown. Notary Public. County of Boise. Idaho. Seal.

Two Witnesses.

CFs CALCS:

LOSS CONSTANT FROM LOSER PROGRAM
SEE 65-8850

1.219

$$4.32 \text{ CFs} \times 1.219 = 5.27 \text{ CFs}$$

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

POISE
MAP NG

WATER RIGHT

65-5633

(Name of Claimant)

(Mailing Address)

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) 4/1/1900
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) (3 Streams) Alder, Charter & Coski (aka Triad So. Fr. Payette R)
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive) 11/1/11
- Use Irrigation 5.27 CFS Period of Use From 4/1 To 10/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both Dates Inclusive)
- (4) Quantity of water claimed: 5.27 CFS 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 Alder Creek SW NE
Sec. 2, Twp. 3N, Rge. 4E, B.M.; additional points: Coski Creek - NESE, SEC. 34
Charter Creek - SENW, SEC. 34, T 9 N, R 4 E
- 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.
Gravity ditch
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 216.0

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
- (7) Effluent, sewage waste, or return water from this use is discharged into
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks
- (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.:

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.

Individual

3/28/1972
(Date)

Individual Dora M. Murray
(Signature of Claimant)

(Signature of Claimant)

State of Idaho

Organization
Seal

County of Alameda

(Signature of Authorized Agent)

On this 28 day of March, in the year 1972

a notary public, personally appeared

Dora Murray

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 _____

My commission expires.

7/29/1975

10/26/78 ~~22~~

12/14/77 

J.V.R.Witt.

QUIT CLAIM DEED:

7. — TO —

William Charters.

Dated January 8, 1881.
Ackd January 8, 1881
Filed January 10, 1881
Book 15 of Deeds, Page 114.
Consid \$2800.00

Remise, Release and forever Quit-claim the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, of Section 34, and the Lots 6 and 7, of Section 27, Township 9 North, Range 4 East, B.M. containin 170.05 Acres. With all right, title and interest in a certain Water-right and ditch, for irrigation purposes, taking waters of Alder Creek, owned by first party, and N. Wetzel, and Estate of A. Bail, being the un-divided $\frac{1}{2}$ interest in said water-right and ditch.

Acknowledged by J.V.R.Witt, before Jonas W. Brown. Notary Public, County of Boise, Idaho, Seal.

One Witness.

William Charters.

MORTGAGE:

— TO —

8. N. Haug.

Dated January 8, 1881
Ackd January 8, 1881.
Filed January 10, 1881.
Book 4 of Mtgs, Page 324.
Consid \$1600.00

Mortgages the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, of Section 34, and the Lots 6 and 7, of 27, Township 9 North, Range 4 East, containing 170.05 Acres.

Secures Two Note of even date herewith for \$800.00, each, due in 1 & 2 yrs. after date, with interest thereon at 1 $\frac{1}{4}$ % per month, Payable at the end of every 12 months

Acknowledged by Mortgagors before Jonas W. Brown. Notary Boise County. Idaho. Seal.

IN THE MATTER OF:

AFFIDAVIT

Peyette River Ad.

State of Idaho

County of

Boise

A. W. Rane

being first duly sworn,

deposes and says:

I can remember water
in the Charter - Wetzel ditch
as early as the year 1907 -
I was born in 1897 and
have lived in Garden Valley all
my life.

RECEIVED

SEP 22 1977

Department of Water Resources
Western Regional Office

A. W. Rane
(signature)

Subscribed and sworn to before me this 1 day of September 19 77.

M. Benlow Day
(notary public)

Residing at Garden Valley, Idaho
My commission expires none expiring

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of

Boise

Wilbur Tucker

being first duly sworn,

deposes and says:

I was born and raised in Garden Valley in the year 1898 and can remember the Charters-Wetzel ditch being in operation since the year 1912.

RECEIVED
SEP 22 1977

Department of Water Resources
Western Regional Office

Wilbur Tucker
(signature)

Subscribed and sworn to before me this

1

day of

September 19 77.

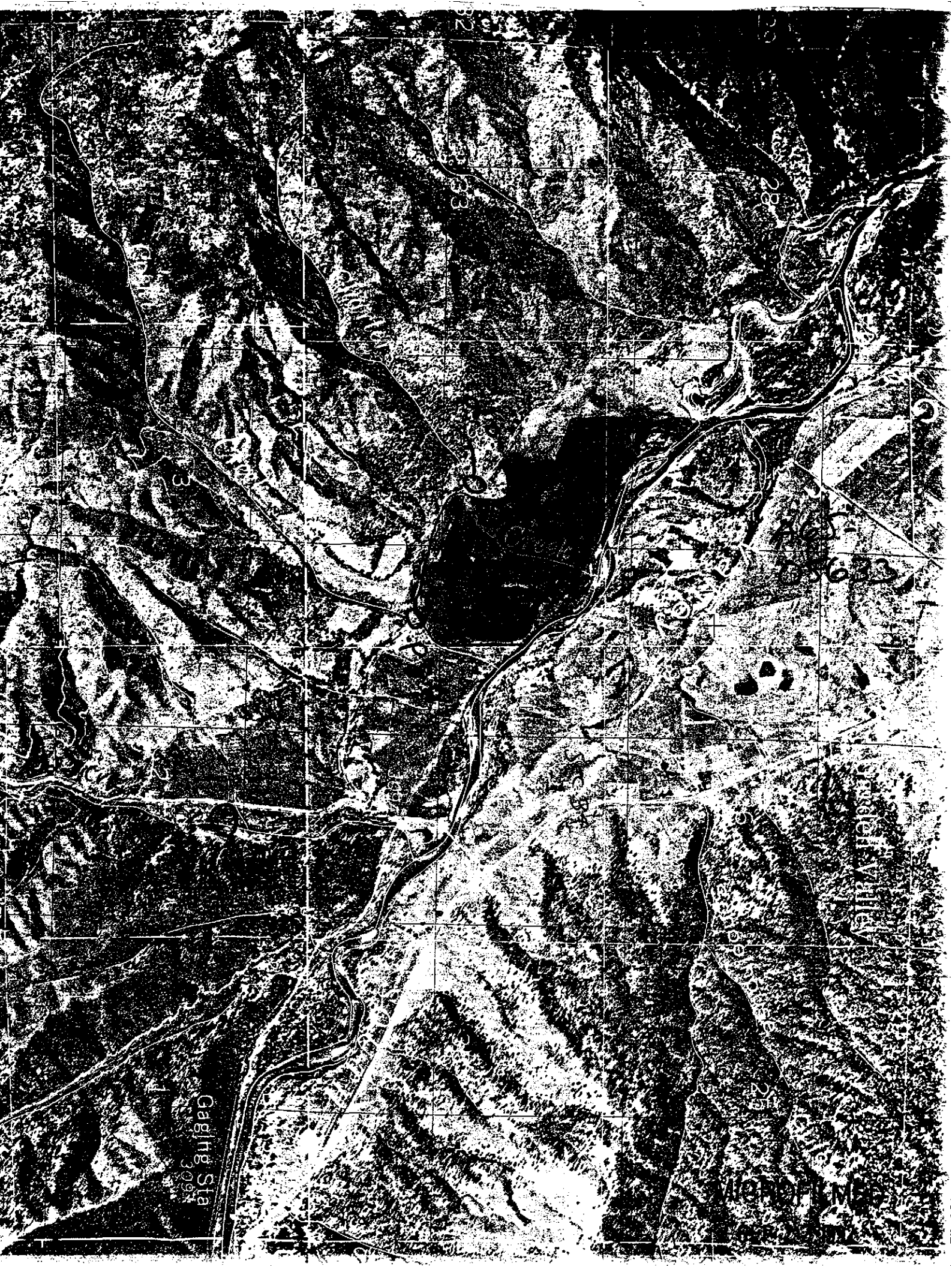
W. Leolah Leary
(notary public)

Residing at

Garden Valley, Idaho

My commission expires

not-expiring.



(180)

18-45-7

(180)

18-45-7

2043

40.86 40.50 40.13 39.76

31.50

31.50

31.00

39.55

31.20

32.40

1134.50

20

2550

1593.28

Agricultural land

40

40

Land Mountainous Soil Rich

West

8000

8000

1483.07

1483.07

MICROFILMED

SEP 22 1992

Scott - Here's a
Youthfork that
was gone when files
pulled. Pkg. review
work. & add to your
list for VFA. (P.S. I'm
dividing the ones I find
up between you & Mel.

Thank, Jan

↑
done

P.S.
Need to
change stage
to Decreed
rather than
B/U - per
stipulation.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 24 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A 65-05633 & A 65-05634
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Guy & DORA MURRAY
1053 Lilac Lane, Emmett Id 83617
4. New Owner/Claimant(s) Charter Mountain Ranch Inc
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address RTL Box 451
City, State and ZIP Code Glenview Ferry, Id 83623
New Telephone Number (208) 366-7931
5. Date you acquired the property Jan. 11, 1990
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) John B. M. Clark
DBA Charter Mountain Ranch Inc
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

QUITCLAIM DEED

Boise County Idaho ss
Request of

Brian F. McCall

Time 12:00 M.T.

Date 8/15/91

144638

Arlene C. Nolar

By *Dale York*
Deputy

Fee \$17.00

FOR VALUE RECEIVED, JOHN B. McCALLUM, a single man, does hereby convey, release, remise and forever quit claim unto CHARTERS MOUNTAIN RANCH, INC., an Idaho corporation, whose address is c/o P.O. Box 6677, Sunny Isle Station, U.S.V.I., 00823, the following-described premises, to wit:

That certain property situate in Boise County, Idaho, and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference,

together with their appurtenances.

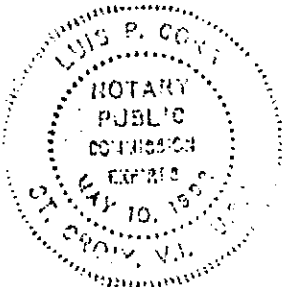
DATED this 25 day of July, 1991.

John B. McCallum
JOHN B. McCALLUM

TERRITORY OF VIRGIN ISLAND)
District of St. Croix) :ss

On this 25 day of July, 1991, before me, a notary public in and for said State, personally appeared JOHN B. McCALLUM, a single man, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS MY SEAL.



Luis P. Corrales
Notary Public for Territory of
the Virgin Islands
Residing at St. Croix
Commission Expires 5/10/92

RECEIVED

APR 24 1998

WATER RESOURCES
WESTERN REGION

QUITCLAIM DEED

Legal Description

PARCEL I

The SW1/4 of the SE1/4, the W1/2 of the SE1/4 of the SE1/4 and the NW1/4 of the SE1/4, all in Section 34, Township 9 North, Range 4 East, Boise Meridian.

PARCEL II

Lots 6 and 7 in Section 27, and the E1/2 of the NW1/4, the SW1/4 of the NE1/4, Lots 2 and 3, and the NE1/4 of the SE1/4, all in Section 34, Township 9 North, Range 4 East, Boise Meridian,

EXCEPTING from said Parcels I & II the following Parcels A, B, C, D, E & F:

PARCEL A

A parcel of land located in the NE1/4 of the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 2 and 3, Township 8 North, Range 4 East, and Sections 34 and 35, Township 9 North, Range 4 East, Boise Meridian; thence North 0°28'57", West 1334.51 feet along the section line common to Sections 34 and 35 to a point; thence

South 87°50'16", West 66.80 feet to an iron pin being the Real Point of beginning; thence

continuing South 87°50'16", West 608.48 feet to an iron pin; thence

North 2°03'52", West 429.28 feet to an iron pin; thence

North 81°46'36", East 118.14 feet to an iron pin; thence

South 79°57'59", East 247.30 feet to an iron pin; thence

South 38°16'19", East 338.84 feet to an iron pin; thence

South 25°02'48", East 125.66 feet to the Real Point Beginning.

PARCEL B

A portion of the NE1/4 of SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a point on the East boundary of the NE1/4 of SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, said point being North 1737 feet along Section line from the SE corner of Section 34, the Real Point of

Beginning; thence

West 217 feet; thence

North 602.20 feet; thence

East 217 feet; thence

South 602.20 feet to the Real Point of Beginning.

PARCEL C

A parcel of land in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Legal Description

Beginning at the Section corner common to Sections 34 & 35, Township 9 North, Range 4 East, Boise Meridian, and Sections 2 and 3, Township 8 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence North 00°06'29" East, 1393.12 feet along the section line common to said Sections 34 and 35 to an iron pin being the Real Point of Beginning; thence continuing North 00°06'29" East, 340.10 feet to an iron pin; thence North 89°53'31" West, 206.62 feet to an iron pin; thence South 23°36'14" East, 154.45 feet to an iron pin; thence South 35°55'16" East, 245.68 feet to the Real Point of Beginning.

PARCEL D

A parcel of land lying in a portion of the NE1/4 SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and being more particularly described as follows:

Beginning at a point marking the Southeast corner of said Section 34; thence North 0°28'57" West 1,334.51 feet along the East line of Section 34 to a point marking the Southeast corner of the said NE1/4 SE1/4 of Section 34, said point being the Real Point of Beginning; thence South 87°50'16" West, 66.80 feet to a point; thence North 25°02'48" West, 125.66 feet to a point; thence North 38°16'19" West 338.84 feet to a point; thence North 79°57'59" West 247.30 feet to a point; thence South 81°46'36" West 118.14 feet to a point; thence North 42°20'00" West 315.00 feet to a point; thence North 70°00'00" East 450.00 feet to a point; thence North 42°09'52" East 284.03 feet to a point; thence North 89°48'50" East 70.00 feet to a point; thence South 0°23'15" East 602.97 feet to a point; thence North 89°43'15" East 211.45 feet to a point on the said East line of Section 34; thence South 0°28'57" East 399.14 feet along the East line of Section 34 to the Real Point of Beginning.

PARCEL E

A parcel of land situate in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the Real Point of Beginning; thence continuing North 89°49'56" East a distance of 601.33 feet to a 5/8 inch iron pin; thence

Legal Description

North 00°33'06" West a distance of 630.30 feet to a 5/8 inch iron pin; thence
North 89°58'10" East a distance of 325.89 feet to a 5/8 inch iron pin; thence
North 00°31'43" West a distance of 629.51 feet to a 5/8 inch iron pin; thence
South 89°53'35" East a distance of 652.32 feet to a 5/8 inch iron pin, the
1/16th corner and a 5/8 inch iron pin; thence
North 00°28'57" West a distance of 78.61 feet to a 5/8 inch iron pin; thence
South 87°50'16" West a distance of 675.28 feet to a 5/8 inch iron pin; thence
North 02°03'52" West a distance of 279.00 feet to a 5/8 inch iron pin; thence
North 90°00'00" West a distance of 898.97 feet to a 5/8 inch iron pin; thence
South 00°36'19" East a distance of 1592.51 feet to a 5/8 inch iron pin and the
Real Point of Beginning.

PARCEL F

The E 1/2 of the SW1/4 SE1/4 SE1/4 Section 34, Township 9 North, Range 4 East,
Boise Meridian, Boise County, Idaho.

4-03-1998 10:59

P. 02/06

QUITCLAIM DEED

For Value Received KATHRYN MCCALLUM, a married woman,

does hereby convey, release, rescind and forever quit claim

unto JOHN B. MCCALLUM, husband of Kathryn McCallum,
the following described premises, to-wit:SEE attached Exhibit, incorporated herein
by this reference, INCLUDING all after-
acquired property interest therein and all
income therefrom;

together with their appurtenances.

Dated: 8/1/98

*Doris Ann Welch**Kathryn McCallum*
KATHRYN MCCALLUM*Doris J. Caldwell*
Treasurer of the Vidalia, IdahoCOUNTY OF BACIN, COUNTY OF BACIN, STATE OF IDAHO
On this 1st day of August, 1998,
before me, a notary public in and for said State, personally
appeared KATHRYN MCCALLUM, a
married woman.I, the undersigned, being the duly qualified and authorized
notary public in and for said State, do hereby certify that
the foregoing instrument was acknowledged to me by the
person whose name is subscribed to the within instrument, and acknowledged to
me that she executed the same.Notary Public
Residence at 17 East 2nd, St. City, Idaho
Commission Expires 8/1/99

STATE OF IDAHO, COUNTY OF Bacin

I hereby certify that this instrument was filed for record at
the request of *Person*at *14:20* minutes past *14* day of *August*
in *98*, in my office, and duly recorded in Book
of Deeds at page *137363**Arline C. Kala*
Notary Public, RecorderBy *Dale Updegraff*File # *12.00* 137363
Map to

RECEIVED

APR 24 1998

WATER RESOURCES
WESTERN REGION

APR-03-1998 10:59

P. 03/06

Legal Description**PARCEL I**

The SW1/4 of the SE1/4, the W1/2 of the SE1/4 of the SW1/4 and the NW1/4 of the SE1/4, all in Section 34, Township 9 North, Range 4 East, Boise Meridian.

PARCEL II

Lots 6 and 7 in Section 27, and the E1/2 of the NW1/4, the SW1/4 of the NE1/4, Lots 2 and 3, and the NE1/4 of the SE1/4, all in Section 31, Township 9 North, Range 4 East, Boise Meridian.

EXCEPTING from said Parcels I & II the following Parcels A, B, C, D, E & F:

PARCEL A

A parcel of land located in the NE1/4 of the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 1 and 9, Township 9 North, Range 4 East, and Sections 34 and 35, Township 9 North, Range 4 East, Boise Meridian; thence North 0°28'57", West 1334.51 feet along the section line common to Sections 34 and 35 to a point; thence South 87°50'16", West 66.80 feet to an iron pin being the Real Point of Beginning; thence continuing South 87°50'16", West 608.48 feet to an iron pin; thence North 2°03'52", West 429.28 feet to an iron pin; thence North 81°46'36", East 118.14 feet to an iron pin; thence South 79°57'59", East 247.30 feet to an iron pin; thence South 32°18'19", East 338.84 feet to an iron pin; thence South 25°02'48", East 125.66 feet to the Real Point Beginning.

PARCEL B

A portion of the NE1/4 of SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a point on the East boundary of the NE1/4 of SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, said point being North 1737 feet along Section line from the SE corner of Section 34, the Real Point of Beginning; thence West 217 feet; thence North 602.20 feet; thence East 217 feet; thence South 602.20 feet to the Real Point of Beginning.

PARCEL C

A parcel of land in the SW1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

HPR-03-1998 10:59

P. 04/06

19

Legal Description

Beginning at the Section corner common to Sections 34 & 35, Township 9 North, Range 4 East, Boise Meridian, and Sections 2 and 3, Township 8 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence North 00°06'29" East, 1393.12 feet along the section line common to said Sections 34 and 35 to an iron pin being the Real Point of Beginning; thence continuing North 00°06'29" East, 340.10 feet to an iron pin; thence North 89°53'31" West, 206.62 feet to an iron pin; thence South 23°36'14" East, 154.45 feet to an iron pin; thence South 35°55'16" East, 245.68 feet to the Real Point of Beginning.

PARCEL D

A parcel of land lying in a portion of the NE1/4 SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and being more particularly described as follows:

Beginning at a point marking the Southeast corner of said Section 34; thence North 0°26'57" West 1,334.51 feet along the East line of Section 34 to a point marking the Southeast corner of the said NE1/4 SE1/4 of Section 34, said point being the Real point of Beginning; thence South 87°50'16" West, 66.80 feet to a point; thence North 25°02'48" West, 125.66 feet to a point; thence North 38°16'19" West 338.84 feet to a point; thence North 79°57'59" West 247.30 feet to a point; thence South 81°46'36" West 118.14 feet to a point; thence North 47°20'00" West 315.00 feet to a point; thence North 70°00'00" East 450.00 feet to a point; thence North 42°09'52" East 284.03 feet to a point; thence North 89°48'50" East 70.00 feet to a point; thence South 0°22'15" East 602.97 feet to a point; thence North 89°43'15" East 211.45 feet to a point on the said East line of Section 34; thence South 0°28'57" East 399.14 feet along the East line of Section 34 to the Real Point of Beginning.

PARCEL E

A parcel of land situate in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the Real Point of Beginning; thence continuing North 89°49'56" East a distance of 601.33 feet to a 5/8 inch iron pin; thence

Legal Description

Beginning at the Section corner common to Sections 34 & 35, Township 9 North, Range 4 East, Boise Meridian, and Sections 2 and 3, Township 8 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence North 00°06'29" East, 1393.12 feet along the section line common to said Sections 34 and 35 to an iron pin being the Real Point of Beginning; thence continuing North 00°06'29" East, 340.10 feet to an iron pin; thence North 87°53'31" West, 206.62 feet to an iron pin; thence South 23°36'14" East, 154.45 feet to an iron pin; thence South 35°55'15" East, 245.66 feet to the Real Point of Beginning.

PARCEL D

A parcel of land lying in a portion of the NE1/4 SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and being more particularly described as follows:

Beginning at a point marking the Southeast corner of said Section 34; thence North 0°28'57" West 1,334.51 feet along the East line of Section 34 to a point marking the Southeast corner of the said NE1/4 SE1/4 of Section 34, said point being the Real Point of Beginning; thence South 87°50'16" West, 66.60 feet to a point; thence North 25°02'48" West, 125.66 feet to a point; thence North 38°16'19" West 338.84 feet to a point; thence North 79°57'59" West 247.30 feet to a point; thence South 81°46'36" West 118.14 feet to a point; thence North 62°20'00" West 315.00 feet to a point; thence North 70°00'00" East 450.00 feet to a point; thence North 62°09'52" East 284.03 feet to a point; thence North 89°48'50" East 70.00 feet to a point; thence South 0°23'15" East 602.97 feet to a point; thence North 89°43'15" East 211.45 feet to a point on the said East line of Section 34; thence South 0°28'57" East 399.14 feet along the East line of Section 34 to the Real Point of Beginning.

PARCEL E

A parcel of land situate in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the Real Point of Beginning; thence continuing North 89°49'56" East a distance of 601.33 feet to a 5/8 inch iron pin; thence

APR-03-1998 11:00

P. 05/06

Legal Description

North 00°33'06" West a distance of 630.30 feet to a 5/8 inch iron pin; thence
North 89°59'10" East a distance of 325.89 feet to a 5/8 inch iron pin; thence
North 00°31'43" West a distance of 629.51 feet to a 5/8 inch iron pin; thence
South 89°53'35" East a distance of 632.32 feet to a 5/8 inch iron pin, the
1/16th corner and a 5/8 inch iron pin; thence
North 00°28'57" West a distance of 78.61 feet to a 5/8 inch iron pin; thence
South 87°50'16" West a distance of 675.28 feet to a 5/8 inch iron pin; thence
North 02°08'32" West a distance of 279.00 feet to a 5/8 inch iron pin; thence
North 90°00'00" West a distance of 896.97 feet to a 5/8 inch iron pin; thence
South 00°36'19" East a distance of 1592.51 feet to a 5/8 inch iron pin and the
Real Point of Beginning.

PARCEL E

The E 1/2 of the SW1/4 SE1/4 SE1/4 Section 34, Township 9 North, Range 6 East,
Boise Meridian, Boise County, Idaho.

TOTAL P.06

CORRECTED WARRANTY DEED

FOR VALUE RECEIVED, GEORGE MURRAY and DORA M. MURRAY, husband and wife, and GUY P. CANADAY and MAROLYN CANADAY, husband and wife, do hereby grant, bargain, sell and convey unto JOHN B. McCALLUM and KATHRYN McCALLUM, husband and wife, whose current address is 12505 Horseshoe Bend Road, Boise, Idaho, the following-described premises, to wit:

That certain real property situate in Boise County, Idaho, and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantee; that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except real property taxes and assessments and easements and restrictions of record or visible on the premises, and that they will warrant and defend the same from all lawful claims whatsoever.

This Corrected Warranty Deed is executed, delivered and recorded to correct that certain Warranty Deed recorded as Instrument No. 135261 on December 18, 1989, Records of Boise County, Idaho.

DATED this 11 day of January, 1990.

RECEIVED

APR 24 1998

WATER RESOURCES
WESTERN REGION

George Murray
GEORGE MURRAY

Dora M. Murray
DORA M. MURRAY

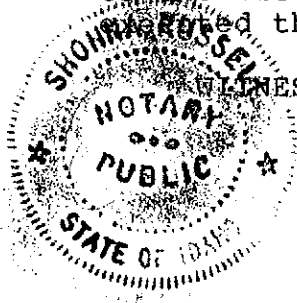
Guy P. Canaday
GUY P. CANADAY

Marolyn Canaday
MAROLYN CANADAY

STATE OF IDAHO)
 :SS
County of Ada)

On this 11 day of January, 1990, before me, a notary public in and for said State, personally appeared GEORGE MURRAY and DORA M. MURRAY, husband and wife, known or

identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



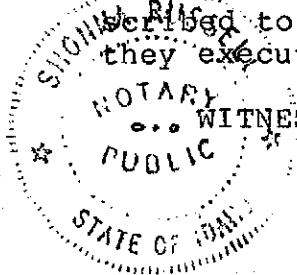
WITNESS MY SEAL.

Shonna Russell

Notary Public for Idaho
Residing at Boise, Idaho

STATE OF IDAHO)
 :SS
County of Ada)

On this 11 day of January, 1990, before me, a notary public in and for said State, personally appeared GUY P. CANADAY and MAROLYN CANADAY, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



WITNESS MY SEAL.

Shonna Russell

Notary Public for Idaho
Residing at Boise, Idaho

Boise County Idaho ss
Request of

Harwood & McCale

Time 12:00 M.T

Date 2/27/90

135795

Arlene C. Kolar

By *Arlene C. Kolar*
Deputy

Fee \$15.00

Legal Description

PARCEL I

The SW1/4 of the SE1/4, the W1/2 of the SE1/4 of the SE1/4 and the NW1/4 of the SE1/4, all in Section 34, Township 9 North, Range 4 East, Boise Meridian.

PARCEL II

Lots 6 and 7 in Section 27, and the E1/2 of the NW1/4, the SW1/4 of the NE1/4, Lots 2 and 3, and the NE1/4 of the SE1/4, all in Section 34, Township 9 North, Range 4 East, Boise Meridian,

EXCEPTING from said Parcels I & II the following Parcels A, B, C, D, E & F:

PARCEL A

A parcel of land located in the NE1/4 of the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the section corner common to Sections 2 and 3, Township 8 North, Range 4 East, and Sections 34 and 35, Township 9 North, Range 4 East, Boise Meridian; thence North 0°28'57", West 1334.51 feet along the section line common to Sections 34 and 35 to a point; thence South 87°50'16", West 66.80 feet to an iron pin being the Real Point of Beginning; thence continuing South 87°50'16", West 608.48 feet to an iron pin; thence North 2°03'52", West 429.28 feet to an iron pin; thence North 81°46'36", East 118.14 feet to an iron pin; thence South 79°57'59", East 247.30 feet to an iron pin; thence South 38°16'19", East 338.84 feet to an iron pin; thence South 25°02'48", East 125.66 feet to the Real Point Beginning.

PARCEL B

A portion of the NE1/4 of SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at a point on the East boundary of the NE1/4 of SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, said point being North 1737 feet along Section line from the SE corner of Section 34, the Real Point of Beginning; thence West 217 feet; thence North 602.20 feet; thence East 217 feet; thence South 602.20 feet to the Real Point of Beginning.

PARCEL C

A parcel of land in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

(Continued)

Legal Description (Continued)

Beginning at the Section corner common to Sections 34 & 35, Township 9 North, Range 4 East, Boise Meridian, and Sections 2 and 3, Township 8 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence North 00°06'29" East, 1393.12 feet along the section line common to said Sections 34 and 35 to an iron pin being the Real Point of Beginning; thence continuing North 00°06'29" East, 340.10 feet to an iron pin; thence North 89°53'31" West, 206.62 feet to an iron pin; thence South 23°36'14" East, 154.45 feet to an iron pin; thence South 35°55'16" East, 245.68 feet to the Real Point of Beginning.

PARCEL D

A parcel of land lying in a portion of the NE1/4 SE1/4, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and being more particularly described as follows:

Beginning at a point marking the Southeast corner of said Section 34; thence North 0°28'57" West 1,334.51 feet along the East line of Section 34 to a point marking the Southeast corner of the said NE1/4 SE1/4 of Section 34, said point being the Real Point of Beginning; thence South 87°50'16" West, 66.80 feet to a point; thence North 25°02'48" West, 125.66 feet to a point; thence North 38°16'19" West 338.84 feet to a point; thence North 79°57'59" West 247.30 feet to a point; thence South 81°46'36" West 118.14 feet to a point; thence North 42°20'00" West 315.00 feet to a point; thence North 70°00'00" East 450.00 feet to a point; thence North 42°09'52" East 284.03 feet to a point; thence North 89°48'50" East 70.00 feet to a point; thence South 0°23'15" East 602.97 feet to a point; thence North 89°43'15" East 211.45 feet to a point on the said East line of Section 34; thence South 0°28'57" East 399.14 feet along the East line of Section 34 to the Real Point of Beginning.

PARCEL E

A parcel of land situate in the SE1/4 of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the South one-quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the Real Point of Beginning; thence continuing North 89°49'56" East a distance of 601.33 feet to a 5/8 inch iron pin; thence

(Continued)

Legal Description (Continued)

North 00°33'06" West a distance of 630.30 feet to a 5/8 inch iron pin; thence
North 89°58'10" East a distance of 325.89 feet to a 5/8 inch iron pin; thence
North 00°31'43" West a distance of 629.51 feet to a 5/8 inch iron pin; thence
South 89°53'35" East a distance of 652.32 feet to a 5/8 inch iron pin, the
1/16th corner and a 5/8 inch iron pin; thence
North 00°28'57" West a distance of 78.61 feet to a 5/8 inch iron pin; thence
South 87°50'16" West a distance of 675.28 feet to a 5/8 inch iron pin; thence
North 02°03'52" West a distance of 279.00 feet to a 5/8 inch iron pin; thence
North 90°00'00" West a distance of 898.97 feet to a 5/8 inch iron pin; thence
South 00°36'19" East a distance of 1592.51 feet to a 5/8 inch iron pin and the
Real Point of Beginning.

PARCEL F

The E 1/2 of the SW1/4 SE1/4 SE1/4 Section 34, Township 9 North, Range 4 East,
Boise Meridian, Boise County, Idaho.

DEC 14 4 07 PM '90
SECRETARY OF STATE

ARTICLES OF INCORPORATION

RECEIVED

APR 24 1998

CHARTERS MOUNTAIN RANCH, INC.

WATER RESOURCES
WESTERN REGION

KNOW ALL MEN BY THESE PRESENTS that these Articles of Incorporation have been executed by the undersigned for the purpose of forming a general business corporation in the State of Idaho under the Idaho Business Corporation Act.

ARTICLE I

Name

The name of the corporation is CHARTERS MOUNTAIN RANCH, INC.

ARTICLE II

Duration

The Corporation shall have perpetual existence.

ARTICLE III

Purposes

The nature of the business of the Corporation and the objects and purposes to be transacted, promoted or carried on by it are: to transact any and all lawful business for which corporations may be incorporated under the Idaho Business Corporation Act.

ARTICLE IV

Authorized Shares

The aggregate number of shares which the Corporation shall have authority to issue is one thousand (1000) with no par value.

ARTICLE V

Registered Office and Agent

The registered office of the Corporation is Suite 1100, West One Plaza, 101 South Capitol Blvd., Boise, Idaho, 83702. The registered agent at that address is BRIAN F. McCOLL.

ARTICLE VI

Directors

The initial Board of Directors shall consist of one (1) Director. The name and address of the person who is to serve as the sole Director until the first annual meeting of Shareholders and until his successor is elected and qualified is as follows:

NAME

ADDRESS

JOHN B. McCALLUM

P.O. Box 6671

Sunny Isle Station

U.S.V.I. 00823

RT 1 Box 457
Glenns Ferry, Id
83623

ARTICLE VII

Incorporator

The name and address of each Incorporator is as follows:

NAME

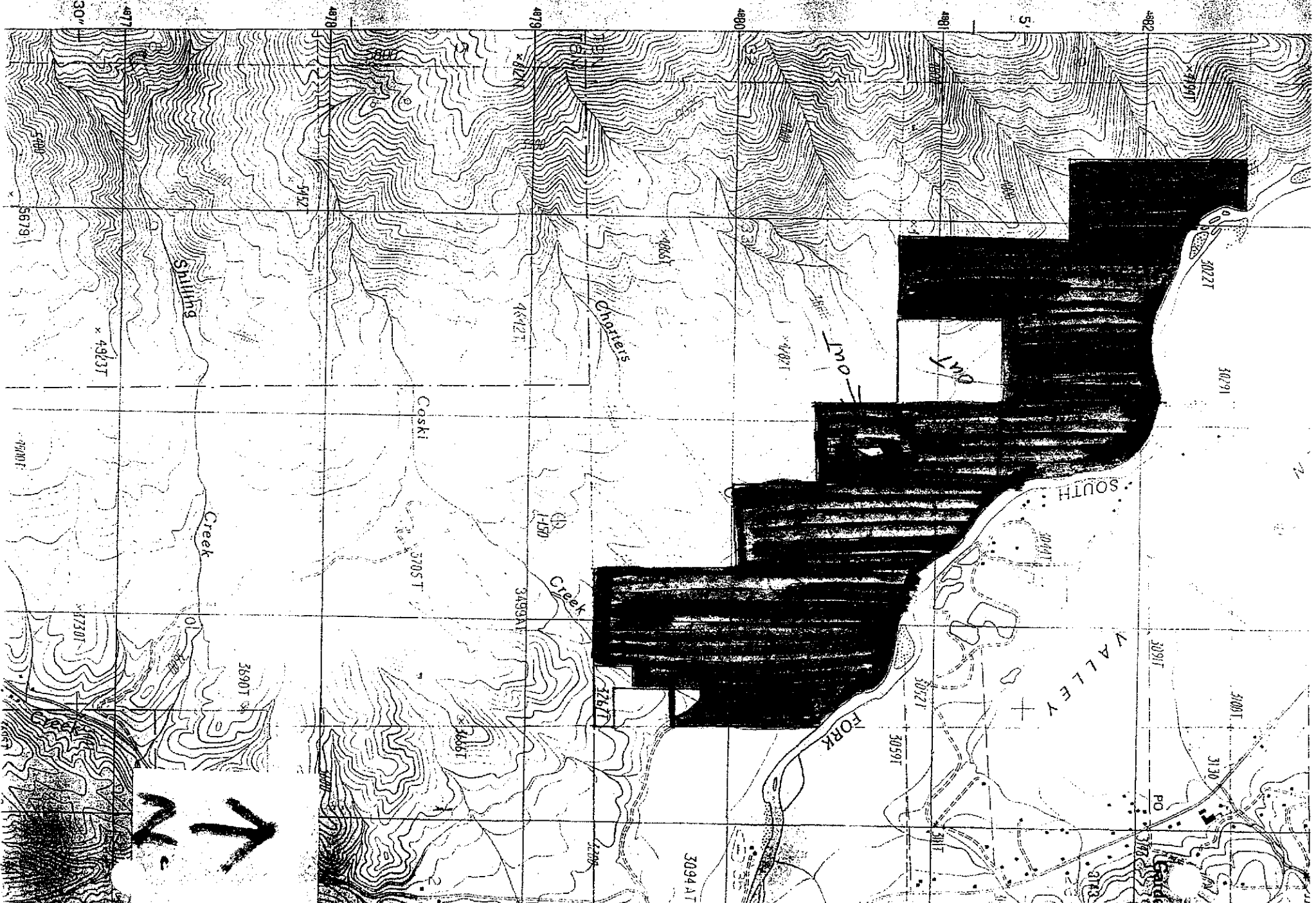
ADDRESS

BRIAN F. McCOLL

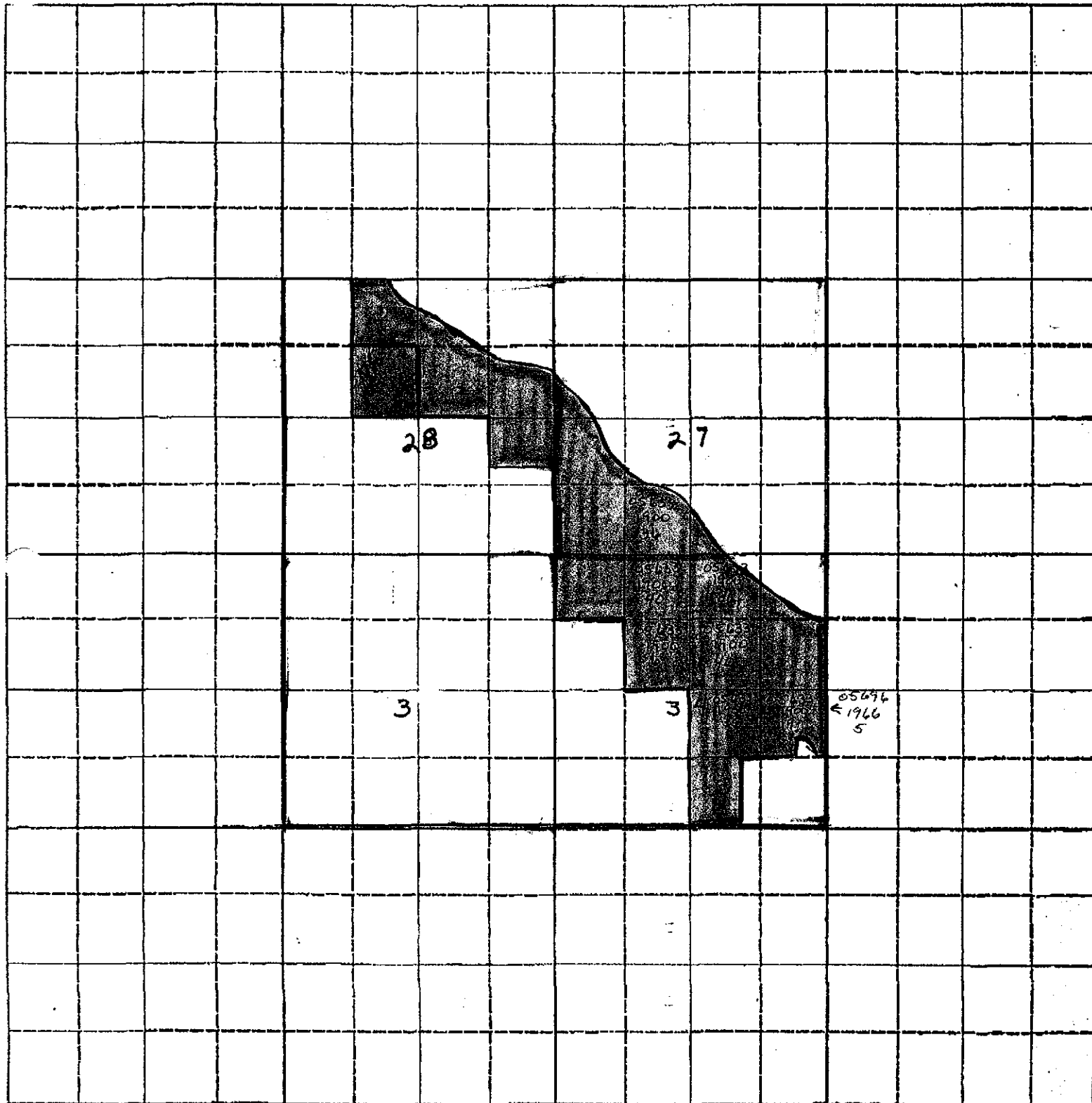
Suite 1100, West One Plaza
101 S. Capitol Blvd.
Boise, ID 83702

IN WITNESS WHEREOF, these Articles of Incorporation have been signed this 1st day of November, 1990.


BRIAN F. McCOLL



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John B. McCall
(Applicant)