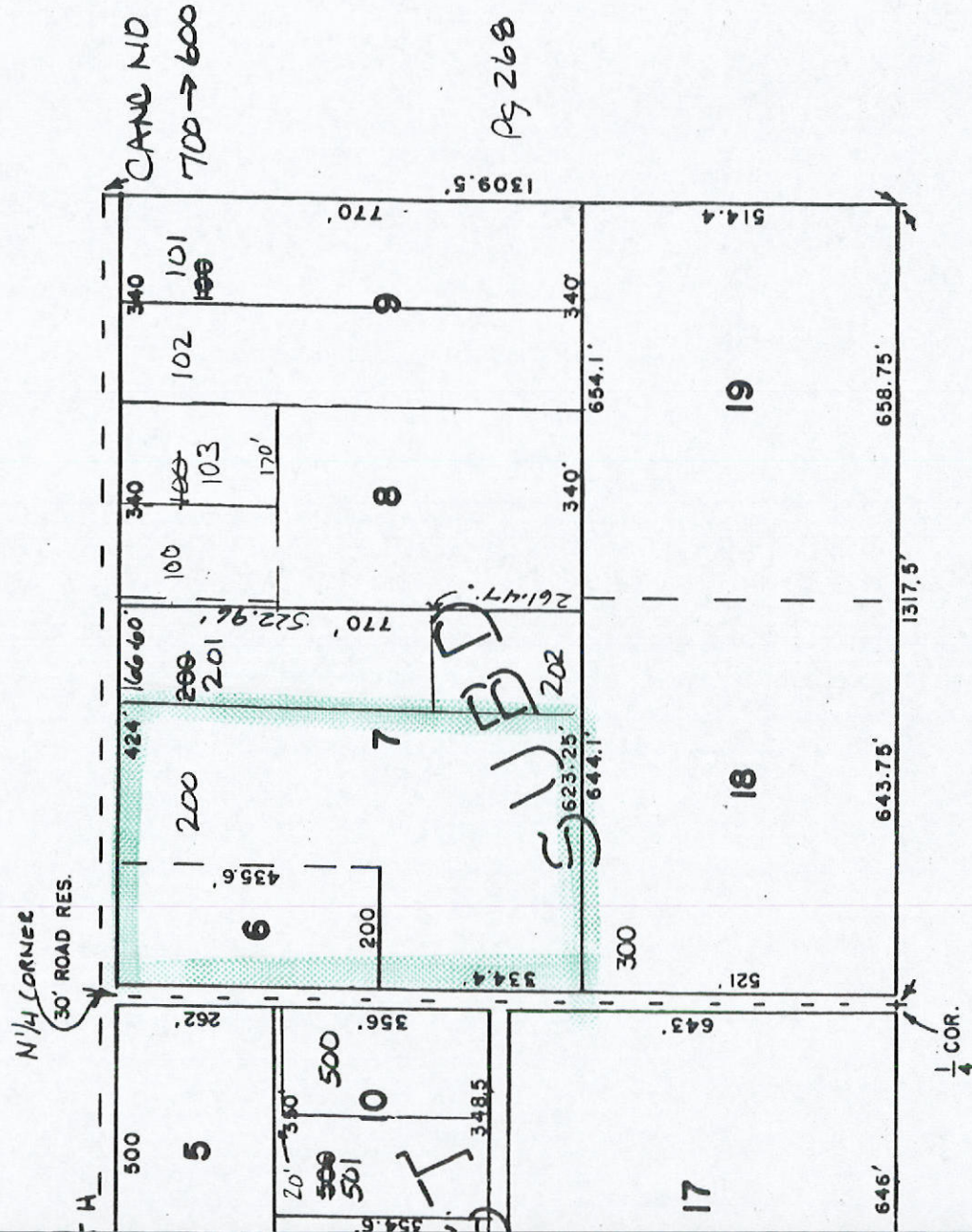
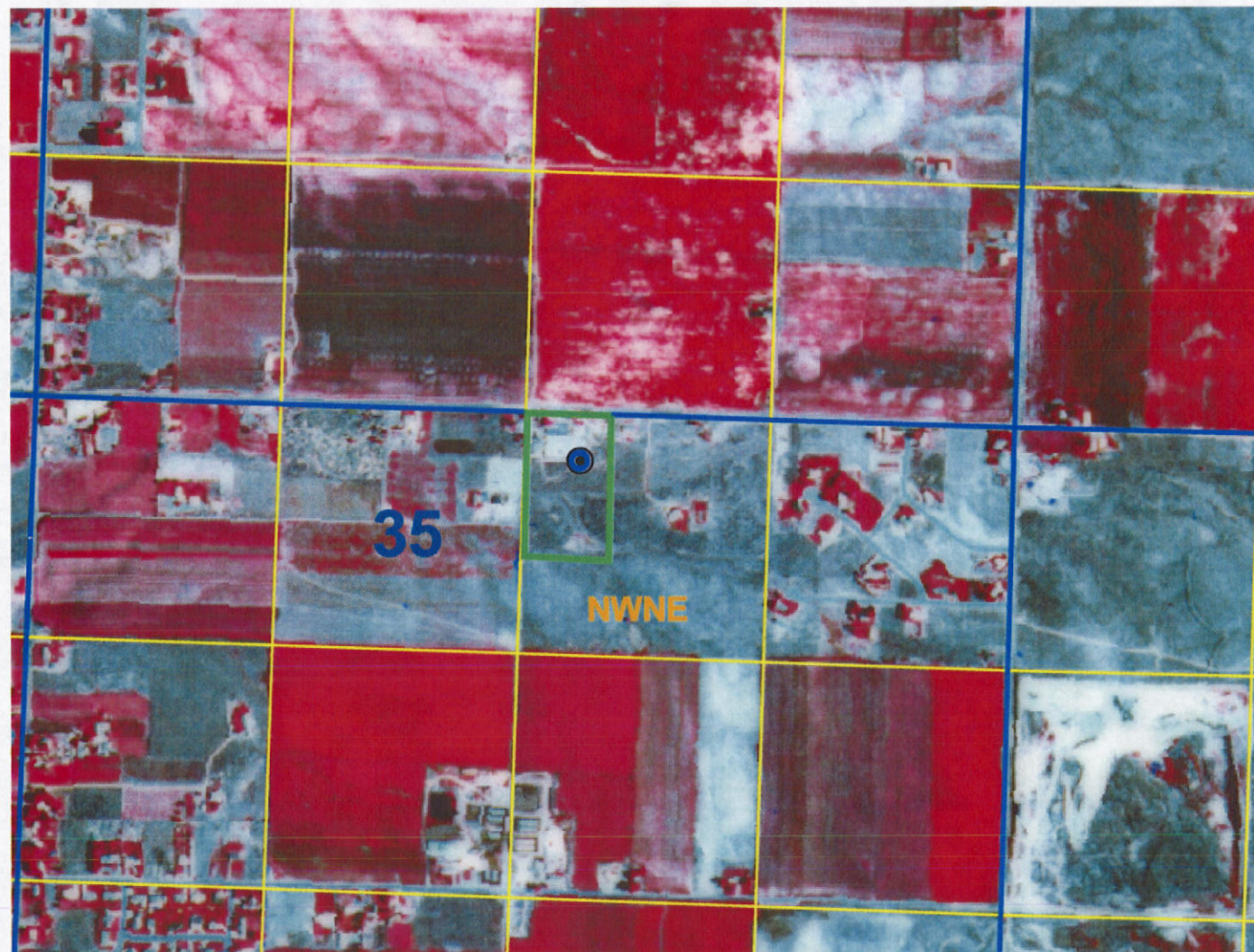
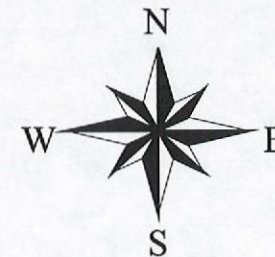


Z



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03969

OWNER(S): STARKS

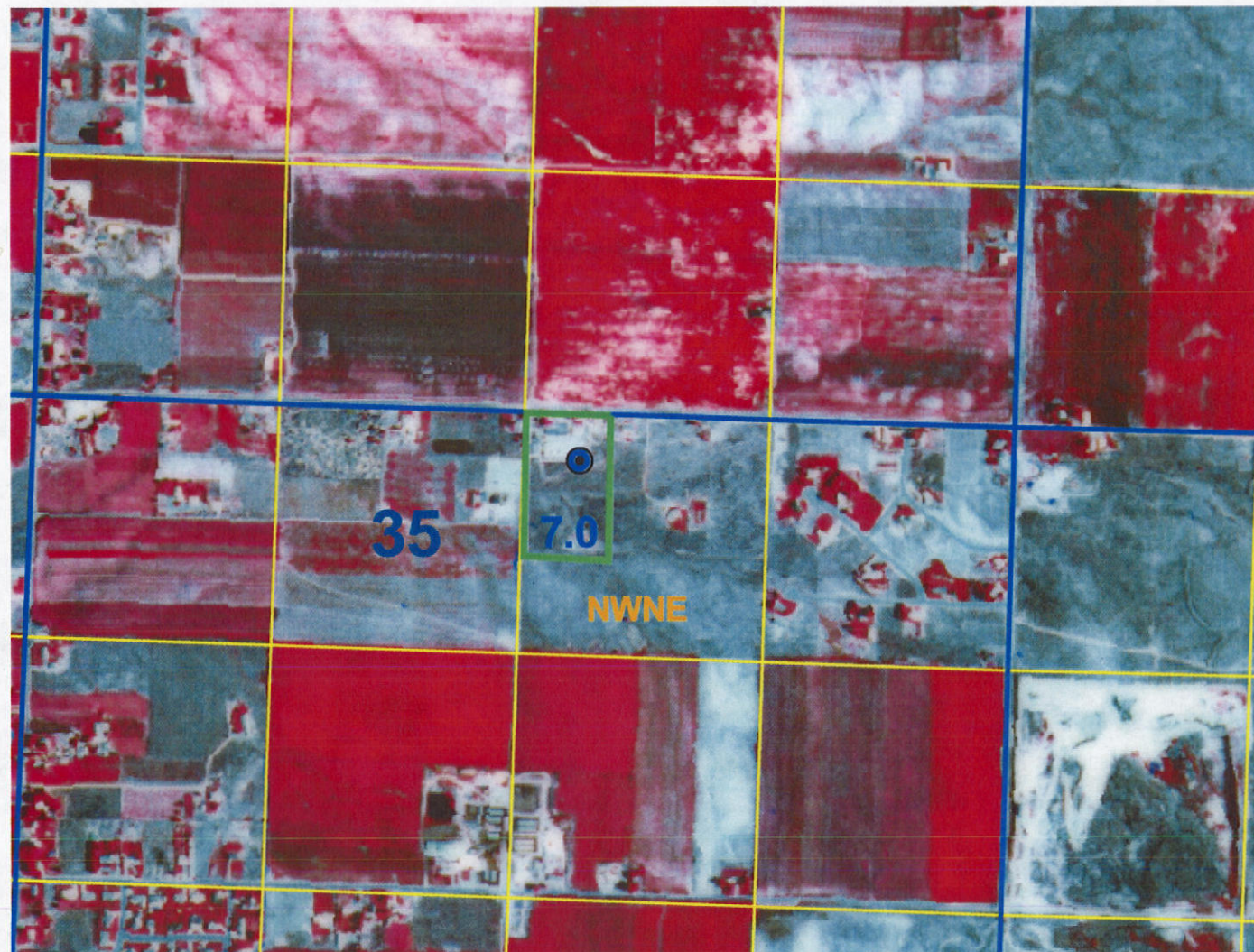
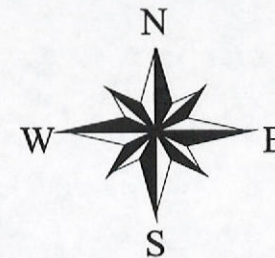
DATE: DECEMBER 26, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S35



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03969

OWNER(S): STARKS

DATE: DECEMBER 26, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

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: A65-03969
Date Received: 2/20/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES T. STARKS 208-642-2112
Address: 2573 NE 7TH AVE
PAYETTE, ID 83661

2. Date of Priority: APR 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	35	NW	NE			PAYETTE

5. Description of diverting works:
WELL, 5 HP PUMP. 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.520		125.70

7. Total Quantity Appropriated is:
0.660 C.F.S. (and/or) 1.20 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
09N	05W	35	NW	NE		IRR	7.0

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: A65-03969
Date Received: 2-20-90
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES T. STARKS
Address: 2573 NE 7TH AVE
PAYETTE, ID

83661

208-642-2112

RECEIVED

FEB 20 1990

2. Date of Priority: APR 01, 1940

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
09N	05W	35	NW	NE		

County
PAYETTE

5. Description of diverting works:

well, pump, pipe
Domestic 5 HP 6"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION <i>pasture</i>	03/15	11/15	0.140		
DOMESTIC <i>home</i>	01/01	12/31	0.040		1.20
COMMERCIAL <i>greenhouse</i>	01/01	12/31	0.520		125.70

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

1.20 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
09N	05W	35	NW	NE		IRR	7.0

Section Acres 7.0

A65-03969

Page 1

Date: 02/05/90

MICROFILMED

SEP 22 1992

10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: PAYETTE

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): Charles P. Marks Date: 2/14/90
_____ Date: _____

State of Idaho)
County of Payette) ss.

Subscribed and sworn (or affirmed) before me this 14th day

of February 19 90

Charles Pepple
Notary Public

Seal

Residing at Lewistown, Id.

My Commission Expires 1-27-93

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Starks CLAIM IDENT. NO. Acres-03969

DATE RECEIVED 2-20-90 CK # AMOUNT \$ exempt YES ☒ NO ☐ Required Info? ☐

1. Is the name and address complete with zip code? ☒ ☐ *
2. Is a priority date entered? ☐ ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☐ ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ ☐ *
3. (a) Is a source entered? ☐ ☐ *
(b) Is a tributary to entered? (if required) ☐ N/A ☐ ☐
4. Is the legal description of the p.d. sufficient? ☐ ☐ *
5. Is there a description of the diverting works? ☐ ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ ☐ *
Is the period of use included? ☐ ☐
Is a quantity claimed for each use? ☐ ☐ *
7. Is a total quantity claimed entered? ☐ ☐
8. If required is a consumptive use entered? ☐ N/A ☐ ☐
Is the consumptive use correct? ☐ N/A ☐ ☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ ☐ *
11. Is (are) the county(ies) entered? ☐ ☐
12. Is the ownership of p.u. checked? ☐ ☐
13. Are other water rights listed or "none" indicated? ☐ ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ N/A ☐ ☐
15. Is the basis of the claim indicated? ☐ ☐
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ N/A ☐ ☐
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ ☐ *
20. Is the fee enclosed correct? ☐ Exempt ☒ ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A ☒ ☐
22. Should this claim be data entered? ☐ ☒

Claim checked by: RLT Date: 5-11-90

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: [Signature] Date: 5/30/90
Claim data entered by: [Signature] Date: 5/30/90
Sent to claimant by: [Signature] Checked by: RLT Date: 5/29

Comments:

MICROFILMED

SEP 22 1992

06/12/2002

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

RIGHT NUMBER: 65-3969

NAME AND ADDRESS: DONALD R MC INTYRE
733 SUNSET DR
ONTARIO ID 97914

EVALYN K MC INTYRE
733 SUNSET DR
ONTARIO ID 97914

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.66 CFS
126.9 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION:

T09N R05W S35 NWNE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.520 CFS 125.70 AFY
IRRIGATION	03/15 11/15	0.140 CFS
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

THE COMMERCIAL USE IS A GREENHOUSE

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S35 NWNE 7.0

COMMERCIAL same as IRRIGATION

DOMESTIC same as IRRIGATION

7 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

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

In Re SRBA

) SUBCASE NO. 65-3969
)
)
)
)
)

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

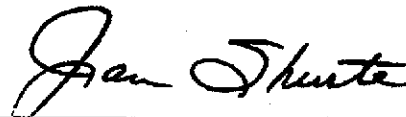
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 14, 2002

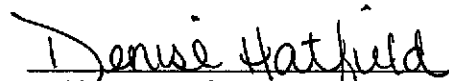


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 14, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Charles T Starks
2573 NE 7th Ave
Payette ID 83661
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Donald R Mc Intyre
Evalyn K Mc Intyre
733 Sunset Dr
Ontario OR 97914
4. One Copy to:
Each party in the subcase or attorney of record:
N/A
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**JUN 11 2002**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checkmark in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-3969	65-3969	—	_____	_____	—
_____	_____	—	_____	_____	—
_____	_____	—	_____	_____	—
_____	_____	—	_____	_____	—
_____	_____	—	_____	_____	—

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *as of 6-11-02 no fee issued OK to change*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Charles T. Starks
4. New Owner/Claimant(s) Donald R. and Evelyn K. McIntyre
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 733 Sunset Drive
- City, State and ZIP Code Ontario, OR 97914
- New Telephone Number 541 889-4771
5. Date you acquired the property 6-10-02

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Donald R. McIntyre
Analyn K. McIntyre

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by SA Date 6.11.02 Fee \$0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

301815

WARRANTY DEED

COPY

Order No.:4060200756

FOR VALUE RECEIVED

Payette County Board of Community Guardians, Guardians and Conservators of the Estates of Charles Starks and Cleo Starks, incapacitated persons.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Donald R. McIntyre and Evalyn K. McIntyre, Husband and Wife

whose current address is

733 Sunset Drive Ontario, OR 97914

the grantee(s), the following described premises, in Payette County, Idaho, TO WIT:

In Shawhan's First Subdivision of Payette Heights, as per Plat in Book 2, Page 12, Plat Records, Payette County, Idaho:

Blocks 6 & 7, EXCEPTING THEREFROM that portion of Block 7 described as follows:

Beginning at the NE corner of said Block 7;

thence South 0°10'30" East along the East line of said Block 7 a distance of 522.96 feet; thence North 89°45'00" West 166.60 feet;

thence North 0°10'30" West 522.96 feet to a point on the North line of said Block 7;

thence South 89°45'00" East along the North line 166.60 feet to the True Point of Beginning;

AND FURTHER EXCEPTING THEREFROM the following described parcel of land:

A portion of Block 7 of Shawhan's First Subdivision, Payette County, Idaho, and is more particularly described as follows:

Beginning at a point 522.96 feet South of the NE corner of said Block 7;

thence continuing South along the East side line of said Block 7 a distance of 240 feet, more or less, to the SE corner of said Block 7;

thence North 89°45'00" West a distance of 166.60 feet to a point;

thence North 0°10'30" West a distance of 240 feet, more or less, to a point due West of the Point of Beginning;

thence East a distance of 166.60 feet to the True Point of Beginning;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 10, 2002

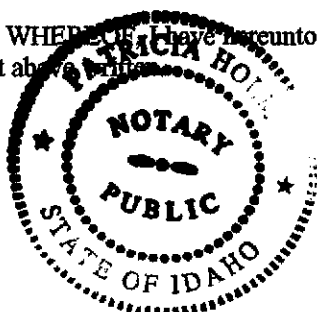
Payette County Board of Community Guardians,
Guardians and Conservators of the Estates of Charles
Starks and Cleo Starks, incapacitated persons

By: Lynn Madsen
Lynn Madsen, Member

State of Idaho }
County of Payette } ss.

On this 10 day of June, in the year 2002, before me, a Notary Public in and for said state, personally appeared Lynn Madsen known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Payette Co. Board of Community Guardians, and acknowledged to me that she executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Patricia H. Stigile
Notary Public for the State of Idaho
Residing at: Payette
Commission Expires: 10-27-05

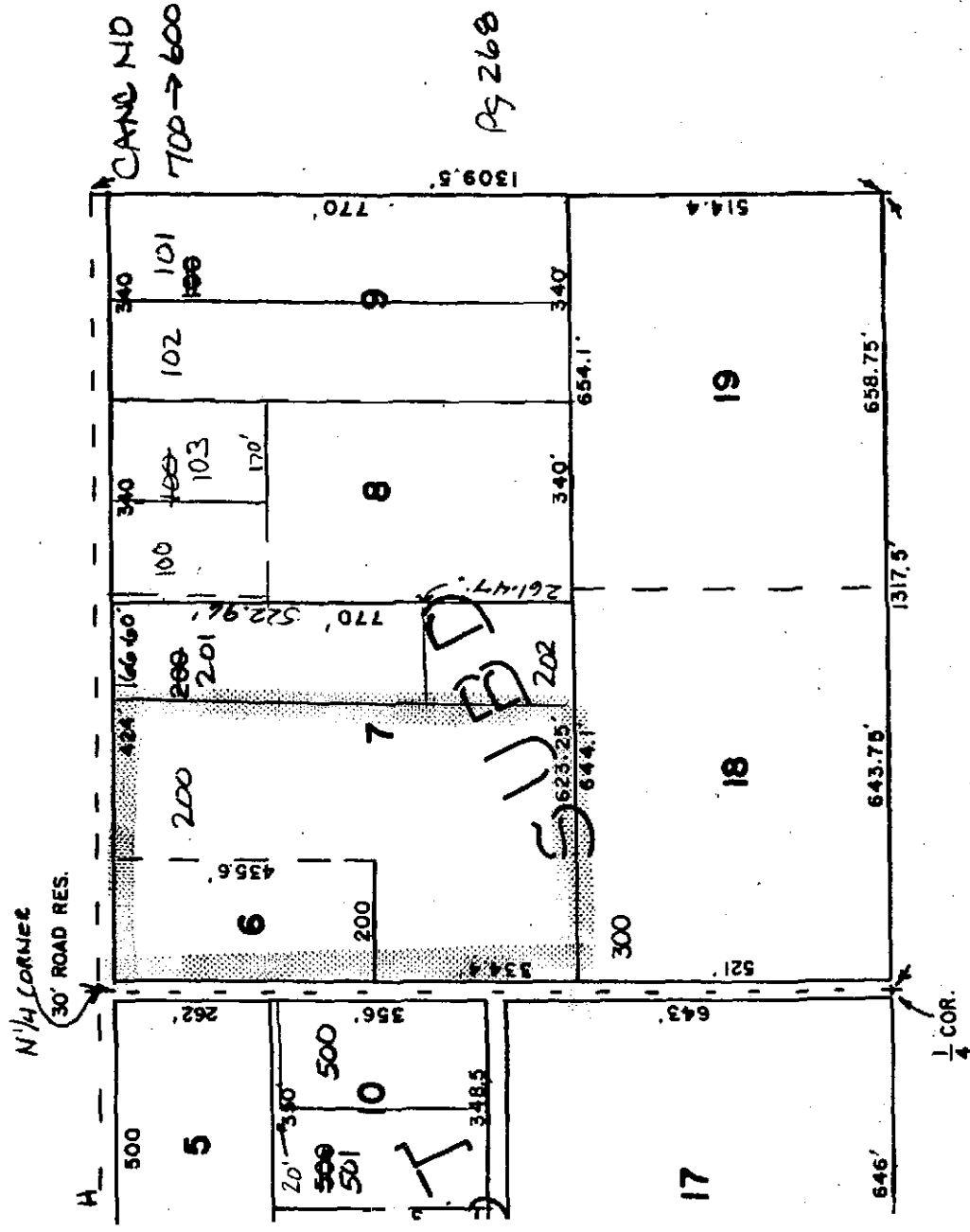
301815
STATE OF IDAHO }
County of Payette } ss

I hereby certify that this instrument was filed for record at the request of
ALLIANCE TITLE & ESCROW CORP.

Time 4:40 PM
Date June 10, 2002
Instrument # 301815
By LAURA L. STIGILE
Notary Public

fee
\$30

THE SKETCH BELOW IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISES AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS IN ANY DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.



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 DETER-
MINATION OF THE RIGHT TO THE USE OF
SURFACE AND GROUNDWATERS OF THE
PAYETTE RIVER DRAINAGE BASIN.

CIVIL NO. 3867

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROPOSED FINDING
OF WATER RIGHTS

IDWR
WESTERN REGION
92 SOUTH COLE ROAD
BROADBENT BUSINESS PARK
BOISE, IDAHO 83705
(208) 384-2190
327-7900

Dear Wateruser:

In connection with the above entitled action you or your predecessors filed one or more Claims to a Water Right in the Payette River Drainage Basin. Your water rights have been recommended to the court as described below:

DESCRIPTION OF COLUMN HEADINGS AND ABBREVIATIONS ON REVERSE SIDE

MAR 05, 1979

INDICATES TOTAL

SOURCE: GROUNDWATER

CLAIM NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR CLAIM
65-3969	STARKS, CHARLES T. ROUTE 1 BOX 43, PAYETTE, IDAHO 83301	4/ 1/1940	IRRIGATION	3/15 11/15	--- AFA .14 CFS	NWNE S35 T 9N R 5W	NWNE(7) S35 T 9N R 5W #7*	BENEFICIAL USE
			DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS		SAME AS OTHER USE	
			COMMERCIAL	1/ 1 12/31	125.70 AFA .52 CFS *---*AFA *.60*CFS		SAME AS OTHER USE	

If you do not agree with these findings you should follow the procedure set forth in Section 42-1410, Idaho Code, which states in part that "Any claimant who desires to object to the report shall file his objections with the Court (Third Judicial District) within 60 days of the date of mailing of such report by the Director of the Department of Water Resources and shall also send a copy of such objections to the Director of the Department of Water Resources." Since this mailing constitutes your portion of the report, the 60 day period began with the date of postmark.

Copies of the entire Proposed Finding, including Findings of Fact and Conclusions of Law, are on file for your review at: the County Courthouses in Payette, Emmett, Cascade and Idaho City; the ASCS Offices in Payette, Emmett, and Donnelly; the U.S. Post Offices in New Plymouth, Garden Valley, and McCall; the schools in Horseshoe Bend and Sweet; various irrigation company offices; and at the Western Region Office of the Department of Water Resources. If you do not have access to these copies, and would like to review the report, please contact this office.

If a change in ownership has occurred, just give this form to the new owner since the water right remains with the land.

If you have no objections, there is nothing more you need to do to confirm your water right unless the court receives an objection to it from another person. Simply save this mailing as evidence of your right. You will be notified if any future actions change your water right.

Sincerely,

DAVID B. SHAW
WESTERN REGION SUPERVISOR

006554

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

MAP NO.

WATER RIGHT

65-3969

Notice is hereby given that:

(Name of Claimant)

(Mailing Address)

claims a right to the diversion

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) Apr 1, 1940
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) groundwater
- (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)
- | | |
|--|--|
| Use <u>Irrig.</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Apr 1</u> To <u>Oct 31</u>
(Mo., Day) (Both Dates Inclusive) (Mo., Day) |
| Use <u>Dom.</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Jan 1</u> To <u>Dec 31</u>
(Mo., Day) (Both Dates Inclusive) (Mo., Day) |
| Use <u>Commercial</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Jan 1</u> To <u>Dec 31</u>
(Mo., Day) (Both Dates Inclusive) (Mo., Day) |
- (4) Quantity of water claimed: 0.66 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. NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 35, Twp. 9N, Rge. 5W, 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 on drill well

- (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.

[illegible]

Total No. of acres 10

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

Comms. Use for 12 greenhouses
Down for 1 house

- (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 Bik 627, Shawhan's 151 Sub

- (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

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

State of

County of:

On this 17th day of Feb

a notary public, personally appeared _____
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.

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

RETURN SERVICE REQUESTED

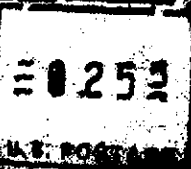
65-3969

Sent again 6/24/02 →

PRESORTED
FIRST CLASS



PS
METER
7110094



RECEIVED

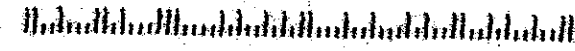
JUN 20 2002

WATER RESOURCES
WESTERN REGION

CHARLES T STARKS
2573 NE 7TH AVE

STARKS 573 836612005 1801 06 06/18/02
RETURN TO SENDER
STARKS
511 N 4TH ST
PAYETTE ID 83661-2317
RETURN TO SENDER

DAAGTME 83705-5082





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 14, 2002

DONALD R MC INTYRE
EVALYN K MC INTYRE
733 SUNSET DR
ONTARIO OR 97914

RE: Water Right No. 65-3969

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

cc: Charles T Starks

12/26/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3969
NAME AND ADDRESS: CHARLES T STARKS
2573 NE 7TH AVE
PAYETTE, ID 83661

SOURCE: GROUND WATER

QUANTITY: 0.66 CFS
126.9 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION: T09N R05W S35 NWNE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.14 CFS
COMMERCIAL	01-01 12-31	0.52 CFS
		125.70 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
		1.20 AFY

THE COMMERCIAL USE IS A GREENHOUSE

PLACE OF USE:

IRRIGATION Within PAYETTE County
T09N R05W S35 NWNE 7
COMMERCIAL Use same as IRRIGATION DOMESTIC Use same as IRRIGATION
7 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

03/09/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-3969

CHARLES T STARKS

2573 NE 7TH AVE

PAYETTE ID 83661

Telephone Number: (208)642-2112

RECEIVED

APR 03 2001

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/28/01 SIGNATURE: Charles T. Starks
Please print your name: Charles T. Starks

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ5809NP
No. A65-03969

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/26/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES T STARKS 2573 NE 7TH AVE PAYETTE ID 83661 (208) 642-2112	04/01/1940	IRRIGATION COMMERCIAL DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.140 CFS 0.520 CFS 0.040 CFS	125.70 AFA 1.20 AFA
TOTAL DIVERSION:					0.660 CFS	~~1.20 AFA~~ 126.90

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09N R05W S35 NWNE

PAYETTE 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	05W	35	:			07		:					:					:						7.0
TOTAL ACRES																							7.0	

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: PAYETTE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Audit: 05/25/90 SRBA 03/30/95 POST-STD

C18 + N10 + N12.

Use: Commercial = greenhouse.

WR5809NP
No. 65-03969

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/11/00
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES T. STARKS ROUTE 1 BOX 43 PAYETTE ID 83661	04/01/1940	IRRIGATION COMMERCIAL DOMESTIC	03/15 11/15 01/01 12/31 01/01 12/31	0.140 CFS 0.520 CFS 0.040 CFS	125.70 AFA 1.20 AFA
TOTAL DIVERSION:					0.660 CFS	1.20 AFA

Water Source: GROUNDWATER Tributary to: Stage: DECREED
Point(s) of Diversion: T09N R05W S35 NWNE PAYETTE 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	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
09N	05W 35	:		07	:					:				:				7.0
TOTAL ACRES																	7.0	

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	04/01/1940
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-03969 Date: 1-24-07

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	35		7															7
GIS					7															7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 192

POD_ID #(s): 139

Total Claimed Acres: 7

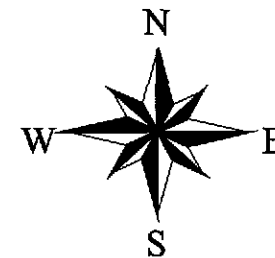
Total GIS Acres: 7

COMMENTS:

per PRBA blue line & county tax data

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S35



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03969

OWNER(S): STARKS

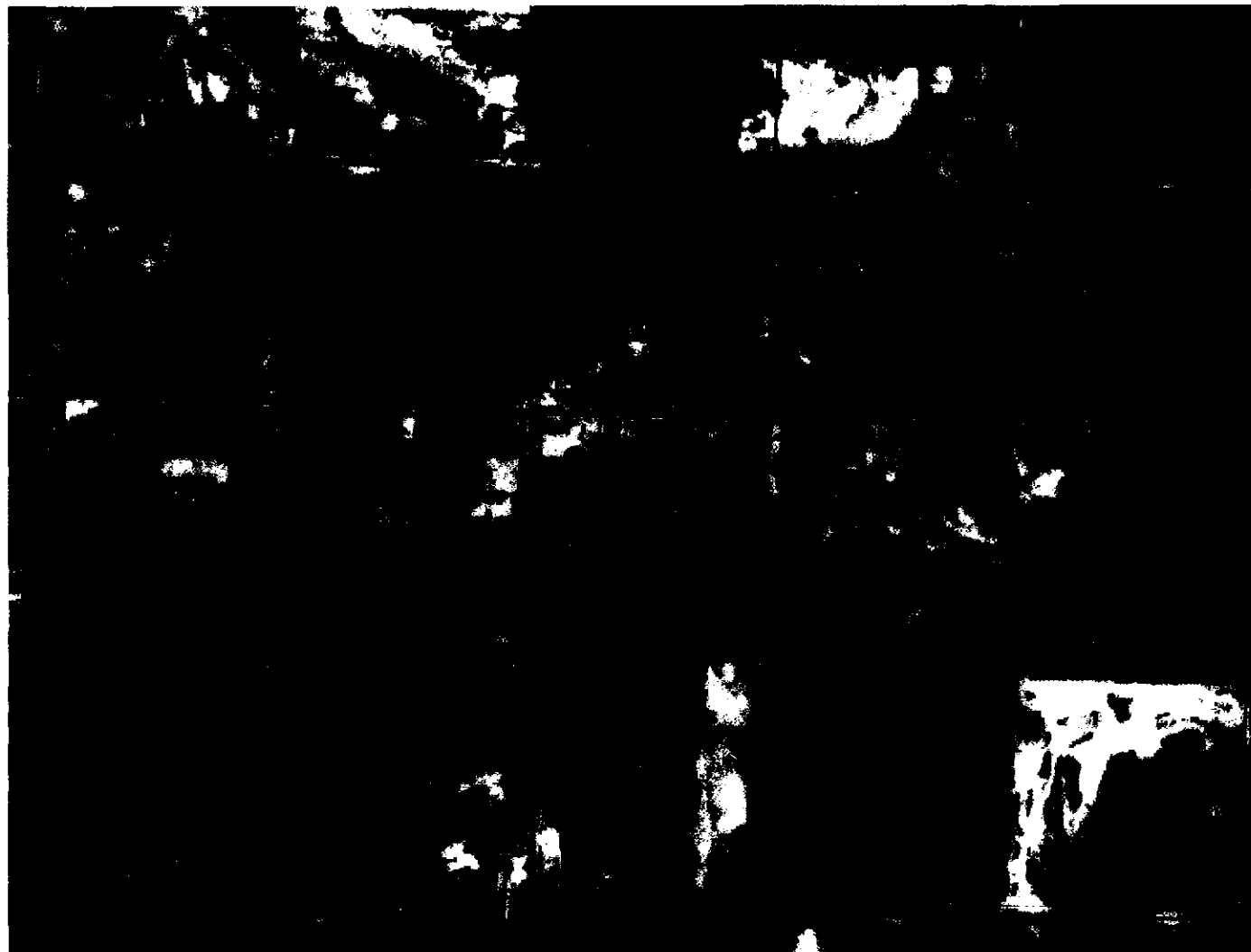
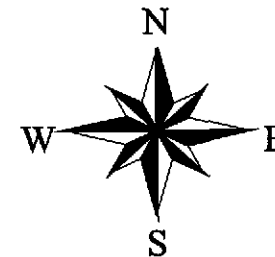
DATE: DECEMBER 26, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R05W, S35



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▬ PLACE OF USE
- ▬ 1/4 1/4 LINES
- ▬ SECTION LINES

6 ACRES
6 SECTION NUMBERS

CLAIM(S): 65-03969

OWNER(S): STARKS

DATE: DECEMBER 26, 2000

By: Mel Schulte

0 0.25 0.5 0.75 Miles