

T17N R03E
S22

Idaho Department of Water Resources

Claims: 65-03213C &
65-08418C
Owner : KIRK
Prepared by:
RON HOWERTON
Date: 8 OCT 99

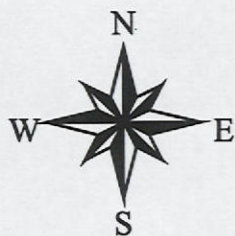
 Place of use

 POD

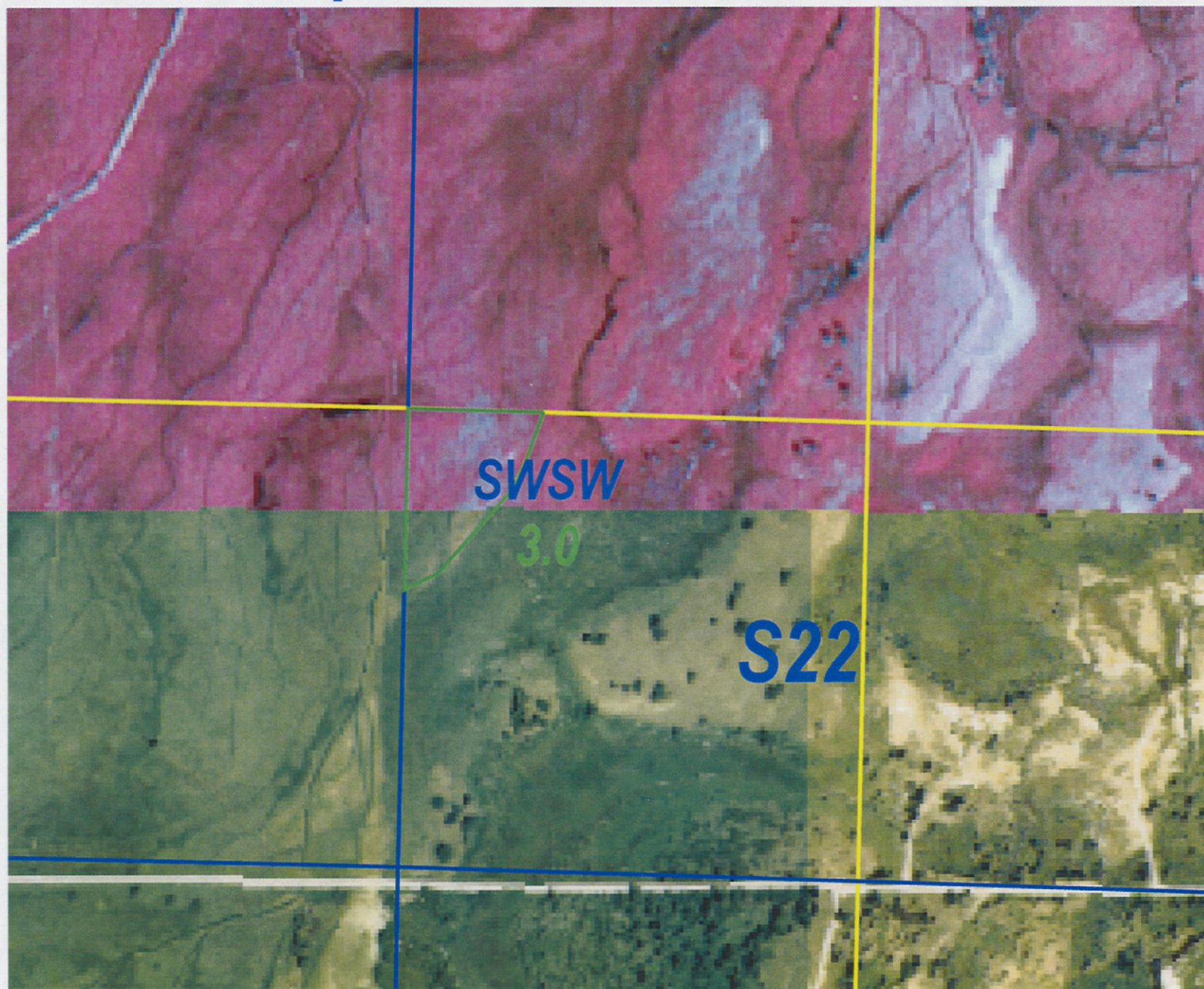
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 Miles

T17N R03E
S22

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65-08418C
Owner : KIRK
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 Place of use

 POD

 SECTION LINES

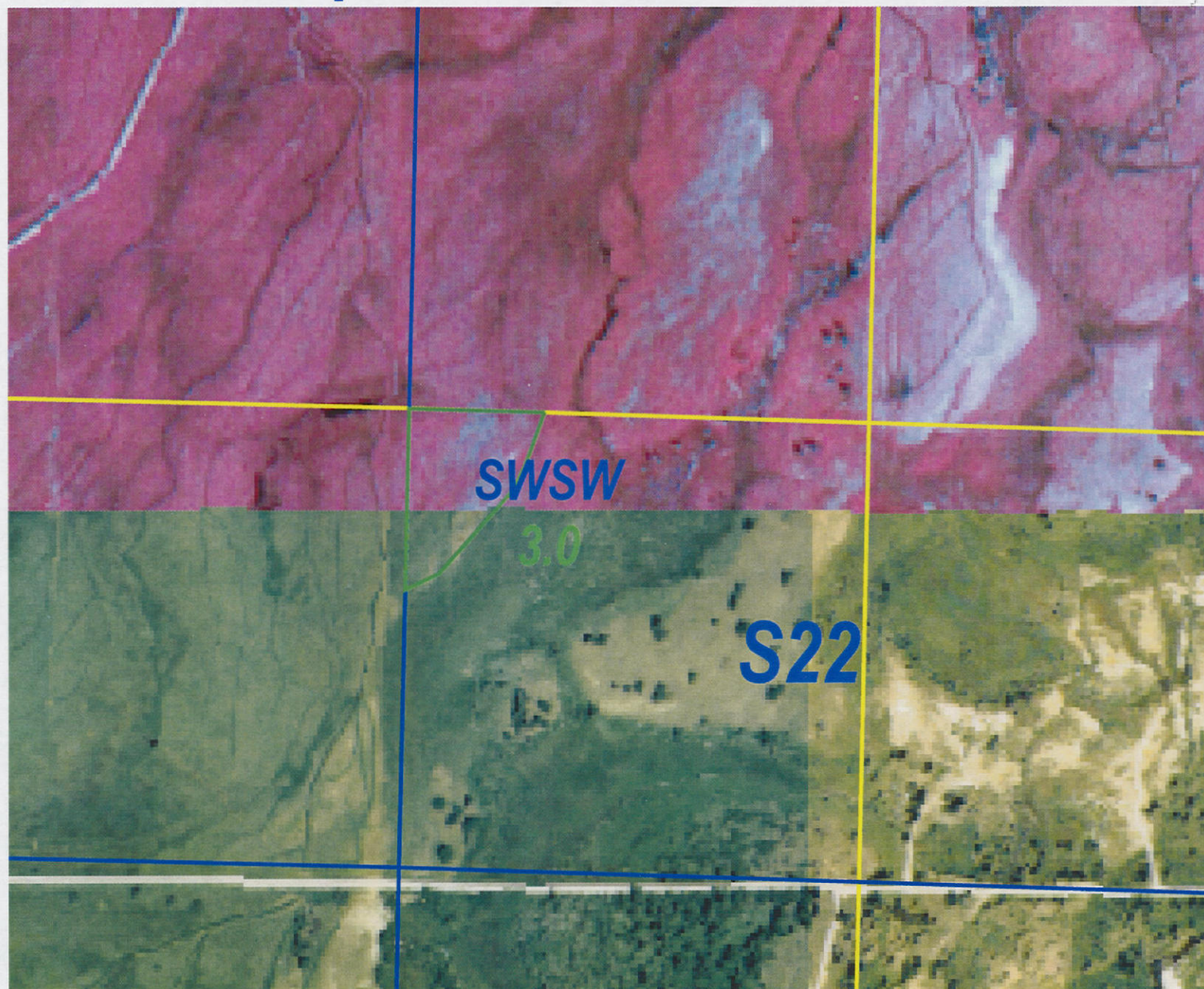
 1/4 1/4 Lines

Acres



1987 NAPP

Idaho Department of Water Resources



0 0.1 0.2 0.3 0.4 0.5 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: **A65-08418C**
Date Received: 11/ 8/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: W DAVID KIRK 208-634-5800
Address: PO BOX 2078
MCCALL ID 83638

2. Date of Priority: JUL 1, 1965

3. Source: UNNAMED STREAM Trib. to: LAKE FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	03E	22		NW	SW		VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		
STOCKWATER	01/01	12/31	0.005		0.17

7. Total Quantity Appropriated is:
0.065 C.F.S. (and/or) 0.17 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 of	Lot	Use	Acres
17N	03E	22	SW	SW		IRR	3.0
			SW	SW		STOCK	

Section Acres 3.0

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A65-08418B FEE PAID UNDER RECEIPT NO. X777777
DB 10/13/99

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

OCT 06 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

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): ~~A65-03213~~; ~~A65-08418~~; A65-03213B; A65-08418B
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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

Ivan D. Phelps (Williamina)
13508 Farm to Market

4. New Owner/Claimant(s)

McCall, ID. 83638

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
Brian W. Charles (Katie)

City, State and ZIP Code

1003 N. 3rd McCall, ID.

New Telephone Number

(208) 634-7988

83638

5. Date you acquired the property

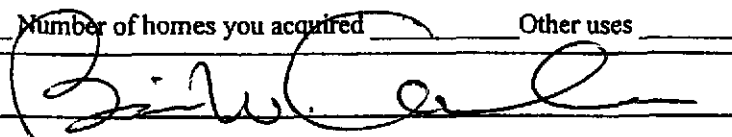
5/11/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)



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.

HW
But

WARRANTY DEED

For Value Received, W. DAVID KIRK, an unmarried man

the Grantors, do hereby grant, bargain, sell and convey unto
BRIAN W. CHARLES and H. KATHRYN KIRK CHARLES
Husband and Wife

whose address is: 1003 NORTH THIRD STREET, McCall, ID 83638
the grantee, the following described premises, to-wit:

THE NW1/4SW1/4 OF SECTION 22, TOWNSHIP 17 NORTH, RANGE 3 EAST,
VALLEY COUNTY, IDAHO; TOGETHER WITH AN EASEMENT FOR INGRESS,
EGRESS AND UTILITIES ALONG THE WEST 35 FEET OF THE SW1/4SW1/4,
SECTION 22, TOWNSHIP 17 NORTH, RANGE 3 EAST.

TOGETHER WITH 25 INCHES OF WATER FROM THE EAST SIDE LAKEFORK ^{Shares}
DITCH COMPANY AND ANY AND ALL OTHER WATER AND MINERAL RIGHTS
APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 1999 taxes and
assessments and that certain Deed of Trust from W. David Kirk to
Ivan D. Phelps and Wilmina M. Phelps and that they warrant
and defend the same from all lawful claims whatsoever.

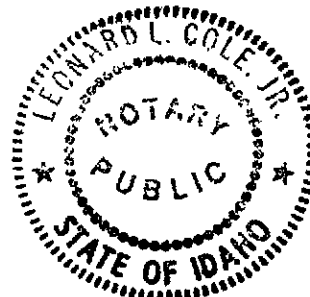
Dated: 5-11-99

W. David Kirk
W. DAVID KIRK

State of Idaho)
County of Valley) ss

On the 11 day of May, 1999 before me, Leonard Cole Jr.
a notary public in and for said State,
personally appeared W. DAVID KIRK
known to me to be the persons whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

Notary Public
Residing at: CASCADE
Commission Expires: 06-14-05



RECORDED
MAY 13 AM 10 22
LELAND HEINRICH
VALLEY COUNTY RECORDER
TYPE: Deed
240071

NEW SPLIT ~~KIRK~~ ALSO ORIGINAL OWNER

AJ0749NP
No. R65-08418A

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

DATE: 08/19/99
PAGE: 1

OWNER
CODE NAME & ADDRESS
C W DAVID KIRK
PO BOX 2078
MCCALL ID 83638
(208) 634-5800

PRIORITY
DATE WATER USE
07/01/1965 IRRIGATION
STOCKWATER

USE PERIOD
FROM TO
04-15 10-15
01-01 12-31

DIVERSION
RATE DIVERSION
VOLUME
~~0.660 CFS~~ 0.06 CFS
~~0.010 CFS~~ 0.005 0.35 AFA

TOTAL DIVERSION:

~~0.670 CFS~~ 0.065 CFS
0.35 AFA 0.175 AFA
Stage: DECREED

Water Source: UNNAMED STREAM

Tributary to: LAKE FORK CREEK

Point(s) of Diversion: T17N R03E S22 NWSW

VALLEY 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
17N	03E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	33.0
																			3	
TOTAL ACRES																			33.0	
																			3	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
17N	03E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
																			3	

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
R65-08418A

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE ✓
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL ✓
- USE.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03213X SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03213X IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 33.0 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP STOCKWATER, 20 RANGE CATTLE
RIGHT NO. 65-08418A IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

A&D

AJ0749NP
No. R65-08418B

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

DATE: 08/19/99
PAGE: 2

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Dates:	Exam Made Date:	Verified Date:	08/19/1999	Objection Filed Date:
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Misc:	Water District Number: 65	Field Inspection Flag:
		Presumption Flag:

Comments: Date: 08/18/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A65-08418 FEE PAID UNDER RECEIPT NO. X999999
RDH 08/18/1999.

Audit: 08/19/99 RHOWERTO

8418B

OLD RIGHT #'S FIELD
ADD: 8418B

SPLIT TREE

CLAIMS A65-08418B

AGENT: Ron Howerton

Date: 10/7/99

SPLIT A65-08418C = .06 CFS @ 3 ACRES FOR KIRK

STOCKWATER= .005 CFS/ .175 AFA @ 10 RANGE CATTLE

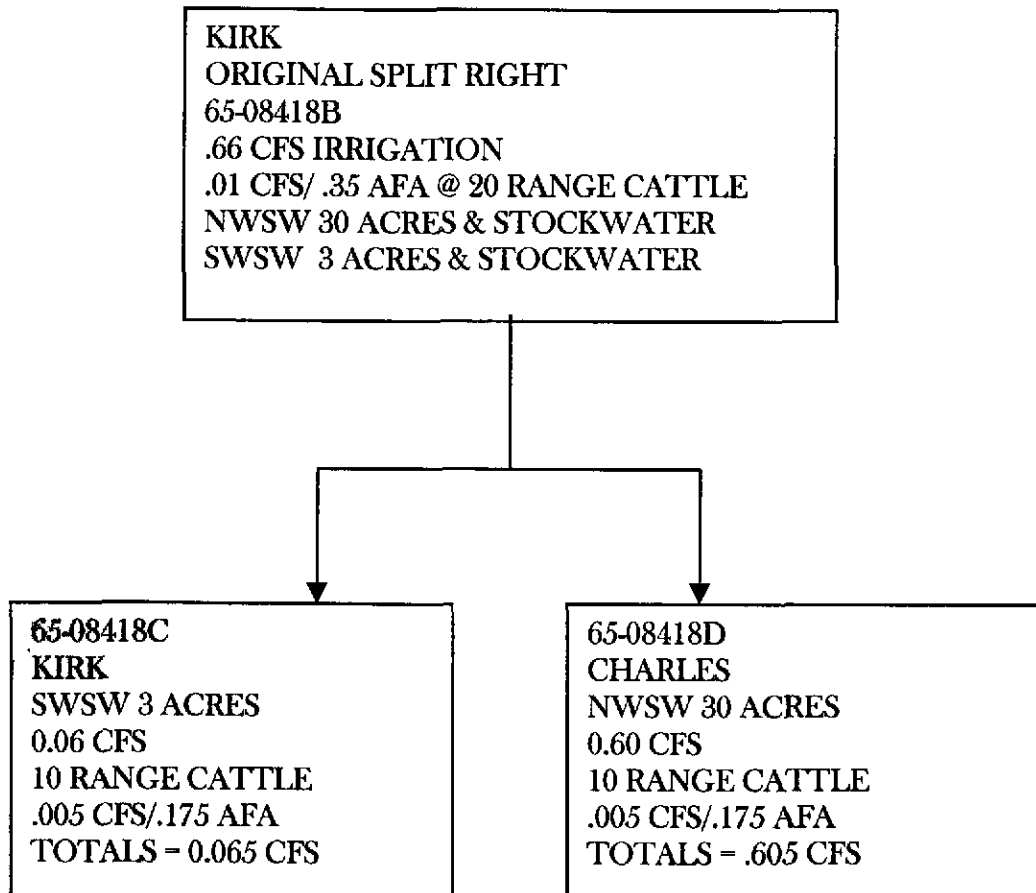
SPLIT A65-08418D = .6 CFS @ 30 ACRES FOR CHARLES

STOCKWATER= .005 CFS/ .175 AFA @ 10 RANGE CATTLE

TOTALS - .66 CFS @ 33 ACRES

.01 CFS/0.35 AFA @ 20 RANGE CATTLE

0.67 CFS/0.35 AFA



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: A65-08418B
Date Received: 11/ 8/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: W DAVID KIRK 208-634-5800
Address: PO BOX 2078
MCCALL ID 83638

2. Date of Priority: JUL 1, 1965

3. Source: UNNAMED STREAM Trib. to: LAKE FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	22	NW	SW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.660		
STOCKWATER	01/01	12/31	0.010		0.35

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) 0.35 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
17N	03E	22	NW	SW		IRR	30.0
			NW	SW		STOCK	
			SW	SW		IRR	3.0
			SW	SW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	33.0
					Total Acres	33.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A65-08418 FEE PAID UNDER RECEIPT NO. X999999
RDH 08/18/1999.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

**T17N R03E
S22**

Idaho Department of Water Resources

Claims: 65-03213C &
65-08418C

Owner : KIRK

Prepared by:
RON HOWERTON

Date: 8 OCT 99

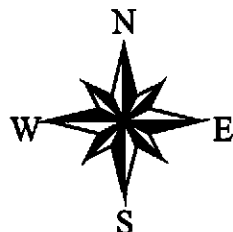
 Place of use

 POD

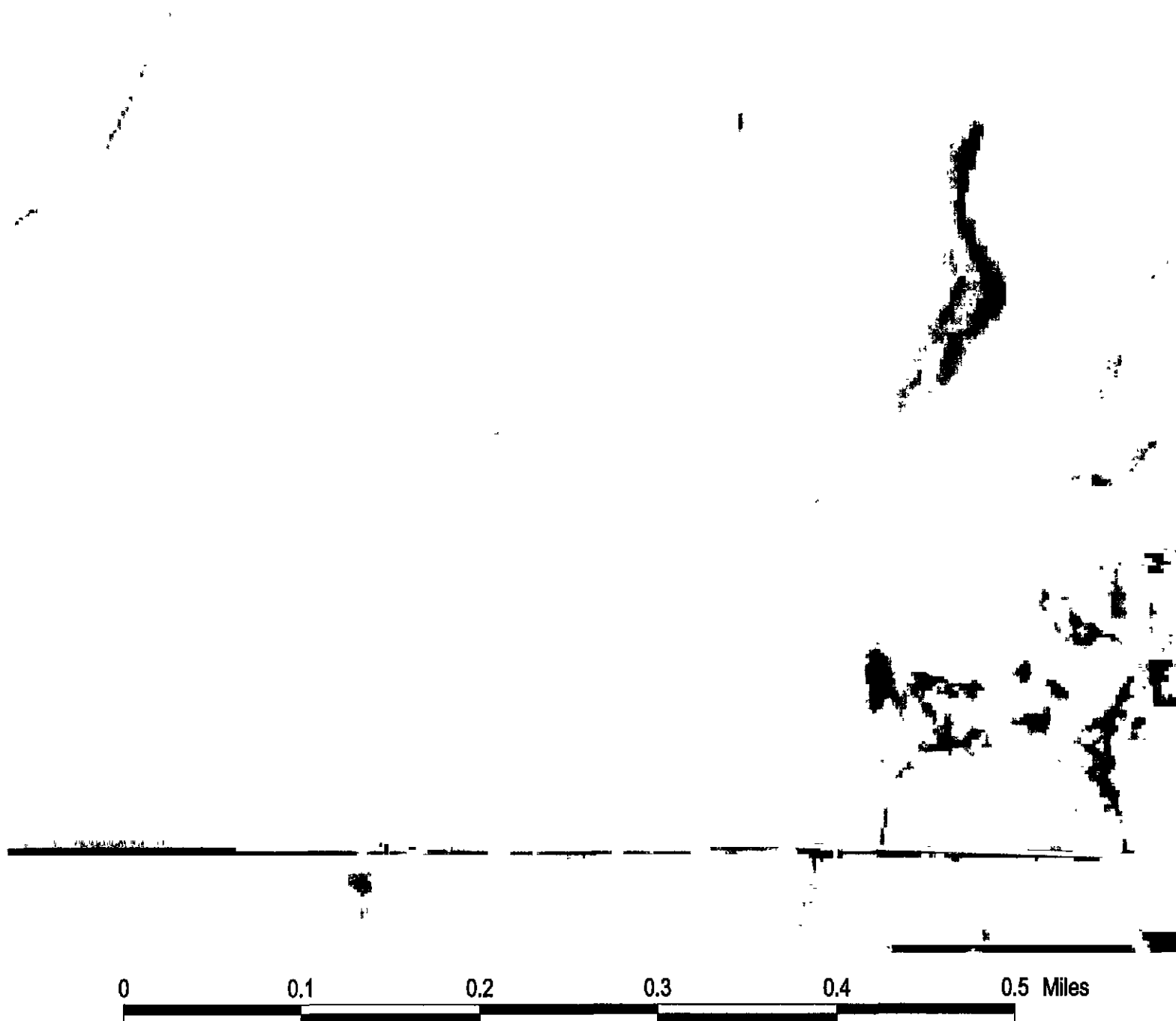
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP



AJ0749NP
No. R65-08418C

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

DATE: 10/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	W DAVID KIRK PO BOX 2078 MC CALL ID 83638 (208) 634-5800	07/01/1965	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.060 CFS 0.005 CFS	0.17 AFA
TOTAL DIVERSION:					0.065 CFS	0.17 AFA

Water Source: UNNAMED STREAM

Tributary to: LAKE FORK CREEK

Stage: DECREED

Point(s) of Diversion: T17N R03E S22 NWSW

VALLEY 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
17N	03E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	3.0
TOTAL ACRES																		3.0	

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
17N	03E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-08418A A65-08418B R65-08418A R65-08418B

Other Water Rights Listing Overlapping Place(s) of Use:
A65-03213 A65-03213B A65-08418 A65-08418B R65-03213 R65-03213B R65-08418 R65-08418B

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- 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.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-03213C SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-03213C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE

AJ0749NP
No. R65-08418C

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

DATE: 10/13/99
PAGE: 2

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Remarks: IRRIGATION SEASON.

EXP STOCKWATER, 10 RANGE CATTLE
RIGHT NO. 65-08418A & D ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS IS A SPLIT OF R65-08418B, PER OWNERSHIP CHANGE.

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

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

Comments: Date: 08/18/1999 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A65-08418B FEE PAID UNDER RECEIPT NO. X777777
DB 10/13/99

Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 10/13/1999 User-ID: DBUFFING Subject: SPLIT CLAIM
THIS IS A SPLIT OF R65-08418B, PER OWNERSHIP CHANGE.

Audit: 10/13/99 DBUFFING

**T17N R03E
S22**

Idaho Department of Water Resources

Claims: 65-03213C &
65-08418C

Owner : KIRK

Prepared by:
RON HOWERTON

Date: 8 OCT 99

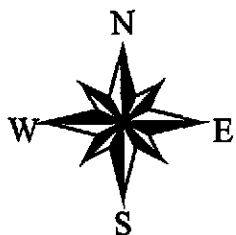
 Place of use

● POD

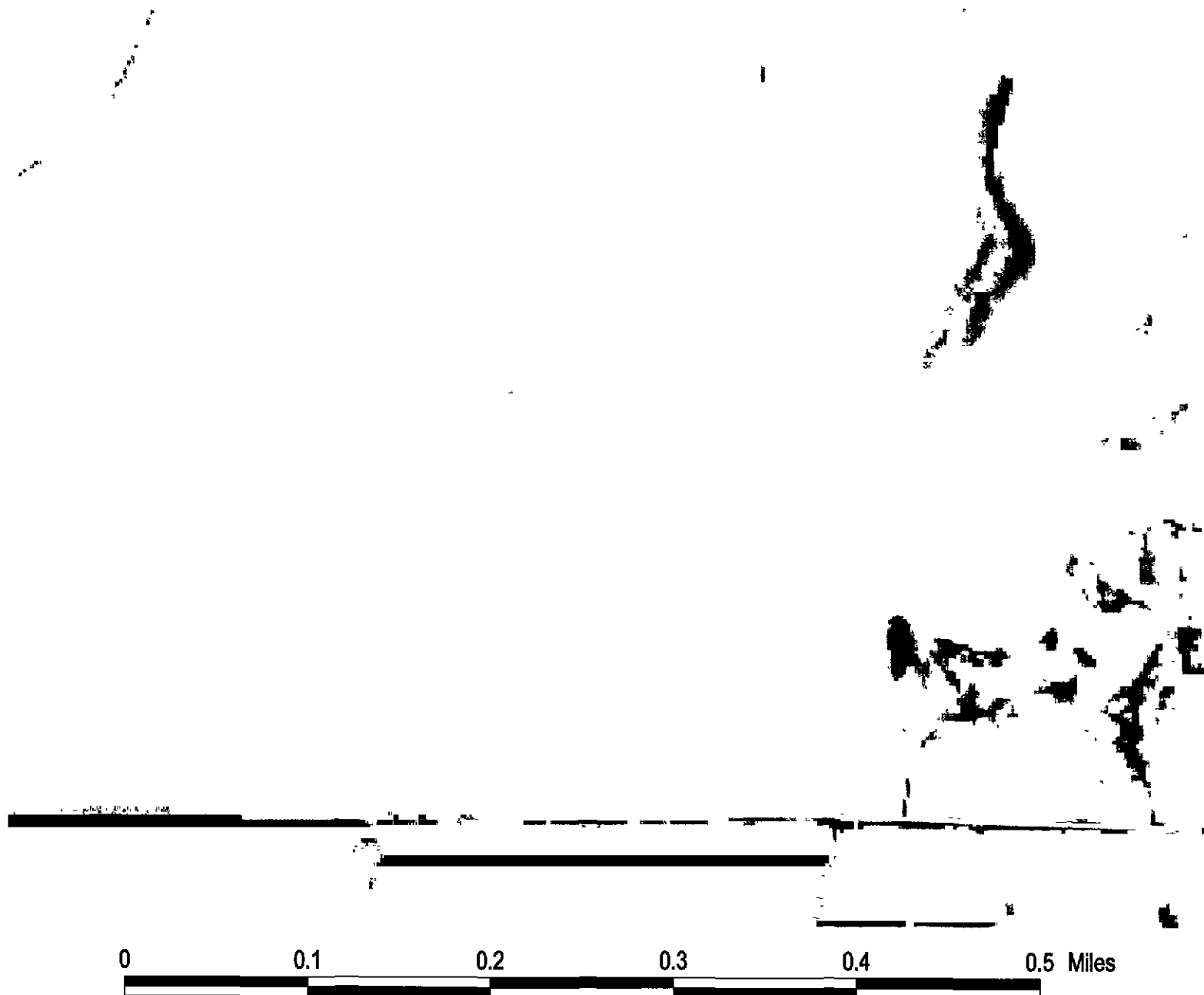
 SECTION LINES

 1/4 1/4 Lines

Acres



1987 NAPP





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

W DAVID KIRK
PO BOX 2078
MC CALL ID 83638

Re: Original Notice of Claim to a Water Right No. A65-08418B

Renumbered to Notice of Claim to a Water Right No. A65-08418C

Dear Claimants:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Sincerely,

Adjudication Section
Western Region Office

DB:d

Enclosure

SEE ORIGINAL
CLAIM FILE
DOCUMENTS IN
CLAIM
NO. A 65 - 8418B