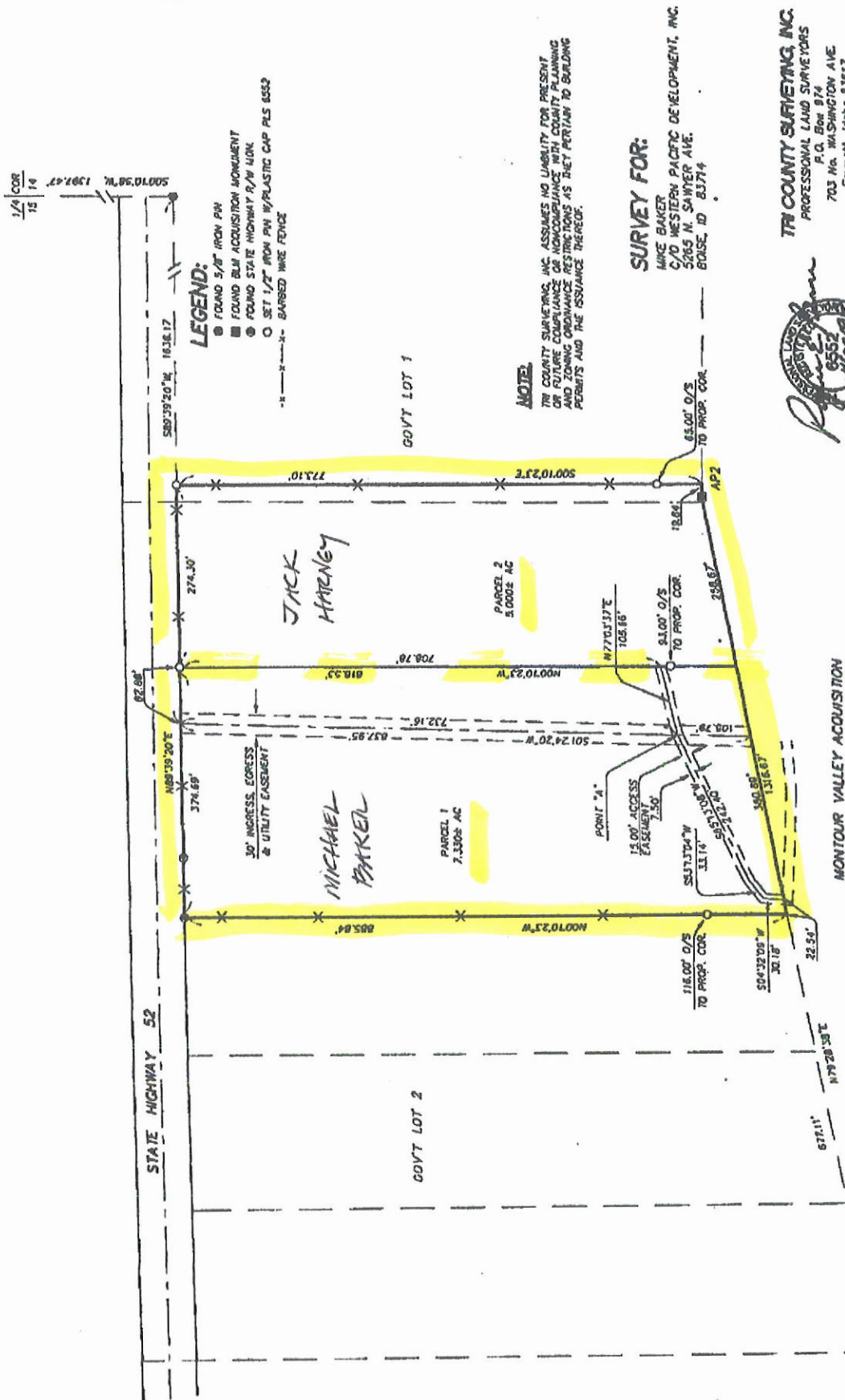
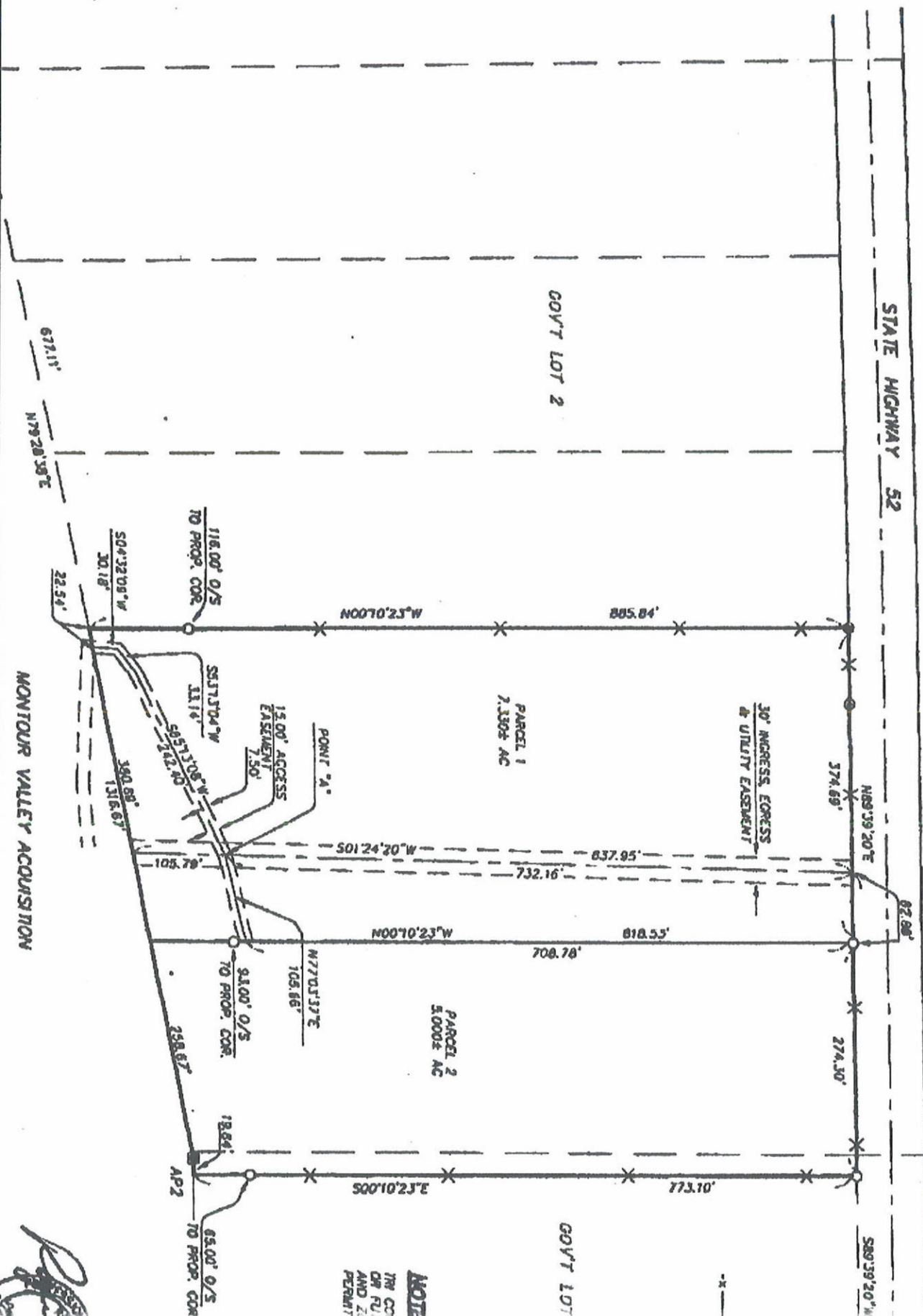


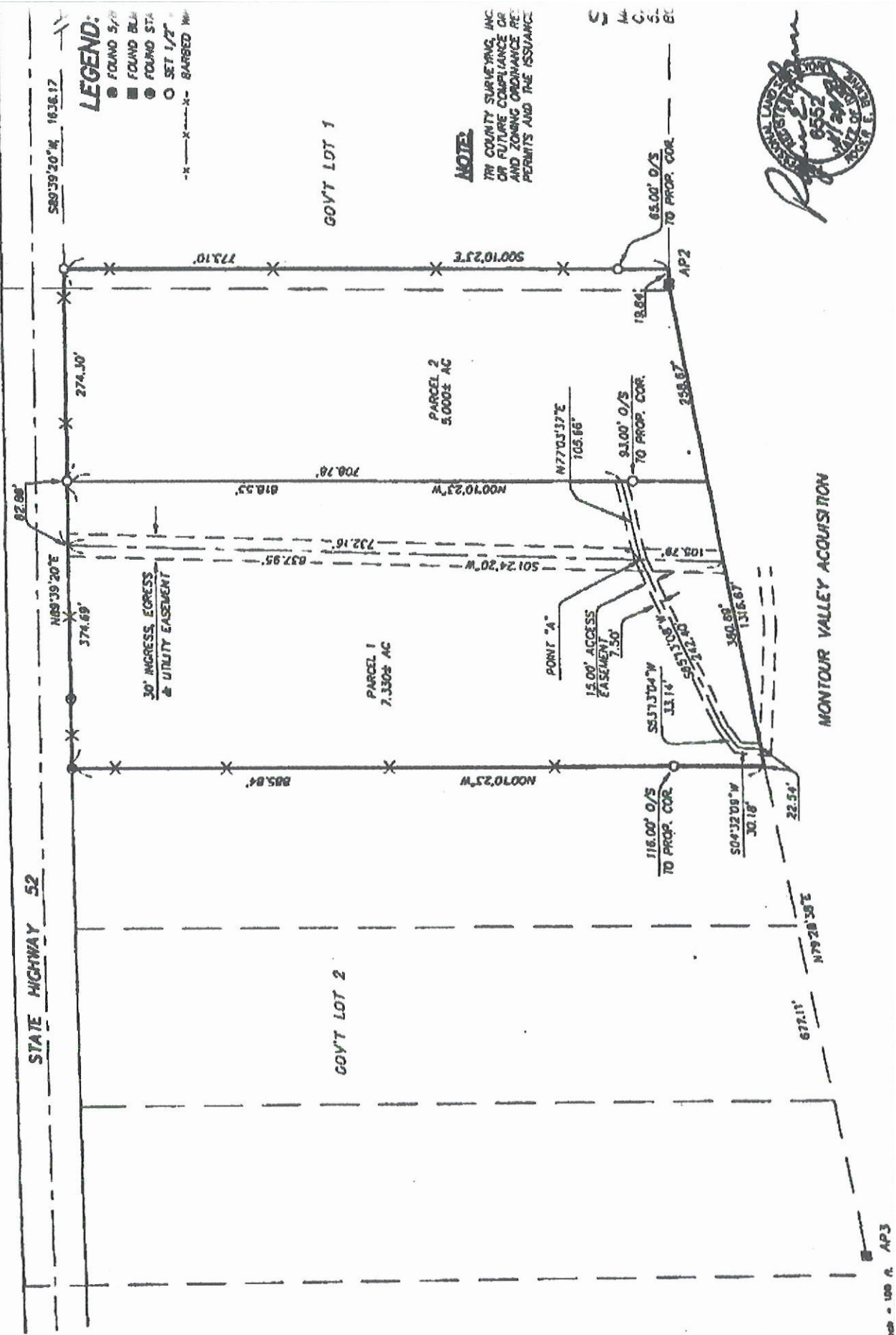
MAP TO ACCOMPANY A LEGAL DESCRIPTION

OF A PORTION OF GOVERNMENT LOTS 1 AND 2 OF
SECTION 15, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN
GEM COUNTY, IDAHO



TRI COUNTY SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
P.O. Box 974
703 N. WASHINGTON AVE
Emmett, Idaho 83617
Phone: (208) 365-7470





IDAHO DEPARTMENT OF WATER RESOURCES 09/20/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

WATER RIGHT: 65-22627

NAME AND ADDRESS: PATRICIA A BAKER
3275 EDSON ST
BOISE ID 83705

MICHAEL W BAKER
3275 EDSON ST
BOISE ID 83705

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS
21.0 AFY

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

PRIORITY DATE: 09/09/1975

POINT OF DIVERSION:

T07N R01E S15 SWSE Lot 2 Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.120 CFS 21.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

PLACE OF USE: IRRIGATION Within GEM County

T07N R01E S15 Lot 2 SWSE 6.0

STOCKWATER same as IRRIGATION

6 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: License

STOCKWATER, 5-6 MIXED STOCK.

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

In Re SRBA

Case No. 39576

Water Rights: 65-7580

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☒ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: September 24, 2001



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 24, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Fred T Charters (*Former Owner*)
Mary Gene Charters
9825 Hwy 52
Horseshoe Bend ID 83629

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Michael W Baker (*Current Owner*)
Patricia A Baker
3275 Edson St
Boise ID 83705

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Jack D Harney (*Current Owner*)
9825 Hwy 52
Horseshoe Bend ID 83629

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JUN 29 2001
WATER RESOURCES
WESTERN REGION

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 checking in the space provided, 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
65-7580	A65-7580	✓			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) are 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) FRED T. CHARTERS & MARY
9824 HWY 52, HORSESHOE BEND
4. New Owner/Claimant(s) MICHAEL W. BAKER & PATRICIA A.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3275 EDSON ST
- City, State and ZIP Code BOISE, ID 83705
- New Telephone Number (208) 345-1920
5. Date you acquired the property 12-22-99

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	.12/21	6 acres NWSE S15 TN 1E
Stock	.02/20	5 or 6 mixed " " " "
Domestic	_____	_____
Other	_____	_____
Total	.12 cfs / 21.2 afa	

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)

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

0224

WARRANTY DEED

Order No.:405990153

FOR VALUE RECEIVED

Donna Thornton, PR for Fred Charters and Attorney In Fact for Mary Jean Charters,
the grantor, does hereby grant, bargain, sell and convey unto
Michael W. Baker and Patricia A. Baker, husband and wife
whose current address is 3275 Edson Street, Boise, Idaho 83705

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

That portion of Government Lot 2 of Section 15, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

COMMENCING at the Northeast corner of the NE ¼ of the SE ¼ of Section 15, T. 7 N., R. 1 E., B.M., Gem County, Idaho; thence
South 00°10'58" West, 1397.47 feet, along the East line of said NE ¼ of the SE ¼ and the East line of Government Lot 1 of Section 15, T. 7 N., R. 1 E., B.M., to a point on the South right-of-way line of State Highway 52 marked by a found 5/8" iron pin; thence
South 89°39'20" West, 1553.29 feet, along said South right-of-way line, to the REAL POINT OF BEGINNING; thence
South 00°10'23" East, 818.53 feet to a point on the North line of the Montour Valley Acquisition; thence
South 79°28'38" West, 380.89 feet, along said North line; thence
North 00°10'23" West, 885.84 feet to a point on said South right-of-way line marked by a found 5/8" iron pin; thence
North 89°39'20" East, 374.69 feet, along said South right-of-way line to the REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner 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 she will warrant and defend the same from all lawful claims whatsoever.

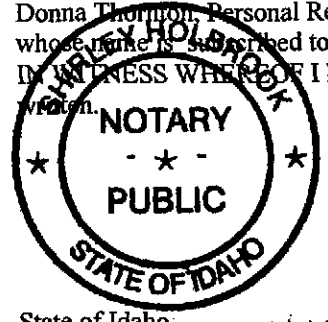
Dated: December 22, 1999

Donna Thornton, PR for Fred Charters and Attorney In Fact for Mary Jean Charters

By: Donna Thornton P.R.

State of Idaho }
County of Gem } ss.

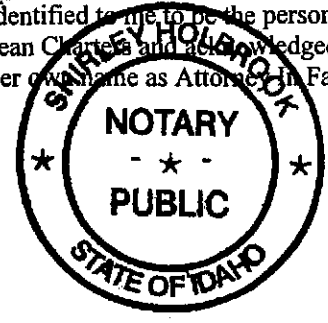
On this 22 day of December, in the year 1999, before me, a Notary Public in and for said state, personally appeared Donna Thornton, Personal Representative of the Estate of Fred Charters known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 04/19/2000

State of Idaho
County of Gem

On this 21st day of December, 1999, before me a Notary Public personally appeared Donna Thornton,, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Mary Jean Charters and acknowledged to me that she subscribed the name of Mary Jean Charters thereto as principal and her own name as Attorney In Fact.



[Signature]
Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2000

209478

Gem County, Idaho) ss
Recorded at request of
Alliance Title & Escrow

Time 12:10 PM

Date December 23, 1999

Book No. 209478

Recorded as a Deed

Susan K. Howard, Clerk
Ex-officio Recorder

By: Judy Bigham
Deputy

Fee \$ 3.00

OF A PORTION OF GOVERNMENT LOTS 1 AND 2 OF
SECTION 15, TOWNSHIP 7 NORTH, RANGE 1 EAST, BOISE MERIDIAN
GEN COUNTY, IDAHO

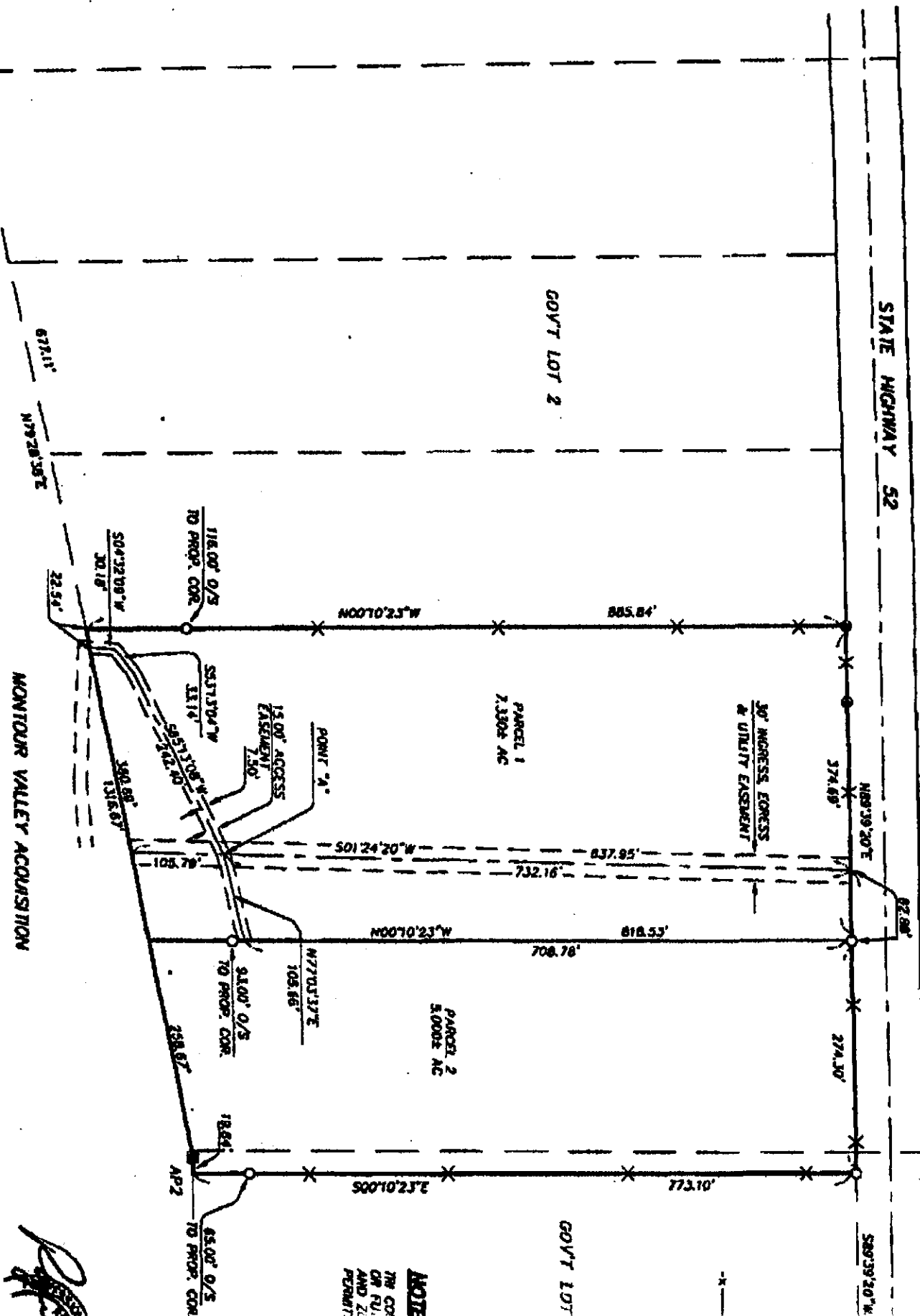


FD-302 (Rev. 5-22-64) 565-7470

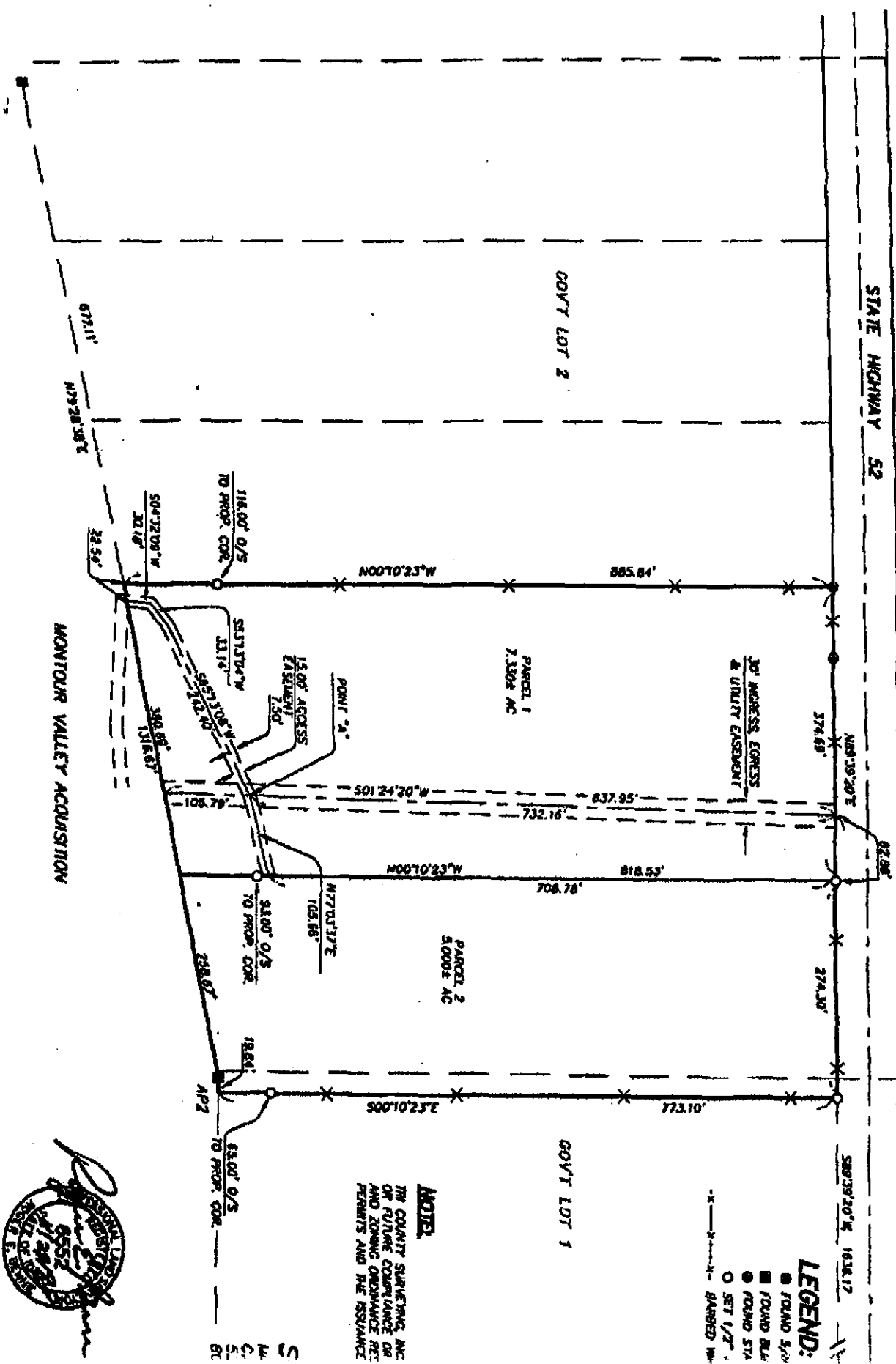
BASE NO 83774

THE COUNTY SURETYING, INC. ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE REQUIREMENTS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

RAFOED MATE FEVLE



24



AJ0749NP
No. R65-07580

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

DATE: 12/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRED T CHARTERS	09/09/1975	IRRIGATION	04-01 11-01	0.200 CFS	35.00 AFA
C	MARY GENE CHARTERS		STOCKWATER	01-01 12-31	0.020 CFS	0.20 AFA
	9825 HWY 52					
	HORSESHOE BEND ID 83629					
	(208) 584-3498					
				TOTAL DIVERSION:	0.200 CFS	35.20 AFA

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T07N R01E S15 SWSE

GEM 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		
07N	01E	15	:																	:	10.0		
																				TOTAL ACRES		:	10.0

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

POU County: GEM

Other Rights: NONE

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: EXP STOCKWATER, 4 HORSES.

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

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

Audit: 12/27/99 SBOCK

Copy of recommendation

605-327-3776
-22678

RECEIVED

SEP 27 2001

WATER RESOURCES
WESTERN REGION

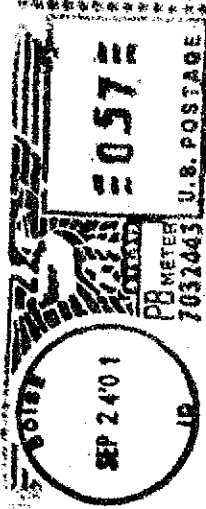
IDAHO DEPARTMENT OF WATER RESOURCES

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

TO

FRED T CHARTERS
MARY GENE CHARTERS
9825 HWY 52
HORSESHOE BEND

RETURNED TO SENDER
REASON FOR RETURN
Unclaimed
Addressee has moved
No such street
No such office in state
No such person in this area



605-327-3776



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MICHAEL W BAKER
PATRICIA A BAKER
3275 EDSON ST
BOISE ID 83705

Re: Original Notice of Claim to a Water Right No. 65-7580

Renumbered Notice of Claim to a Water Right No. 65-22627

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim with a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

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.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosure

cc: Fred T and Mary Gene Charters