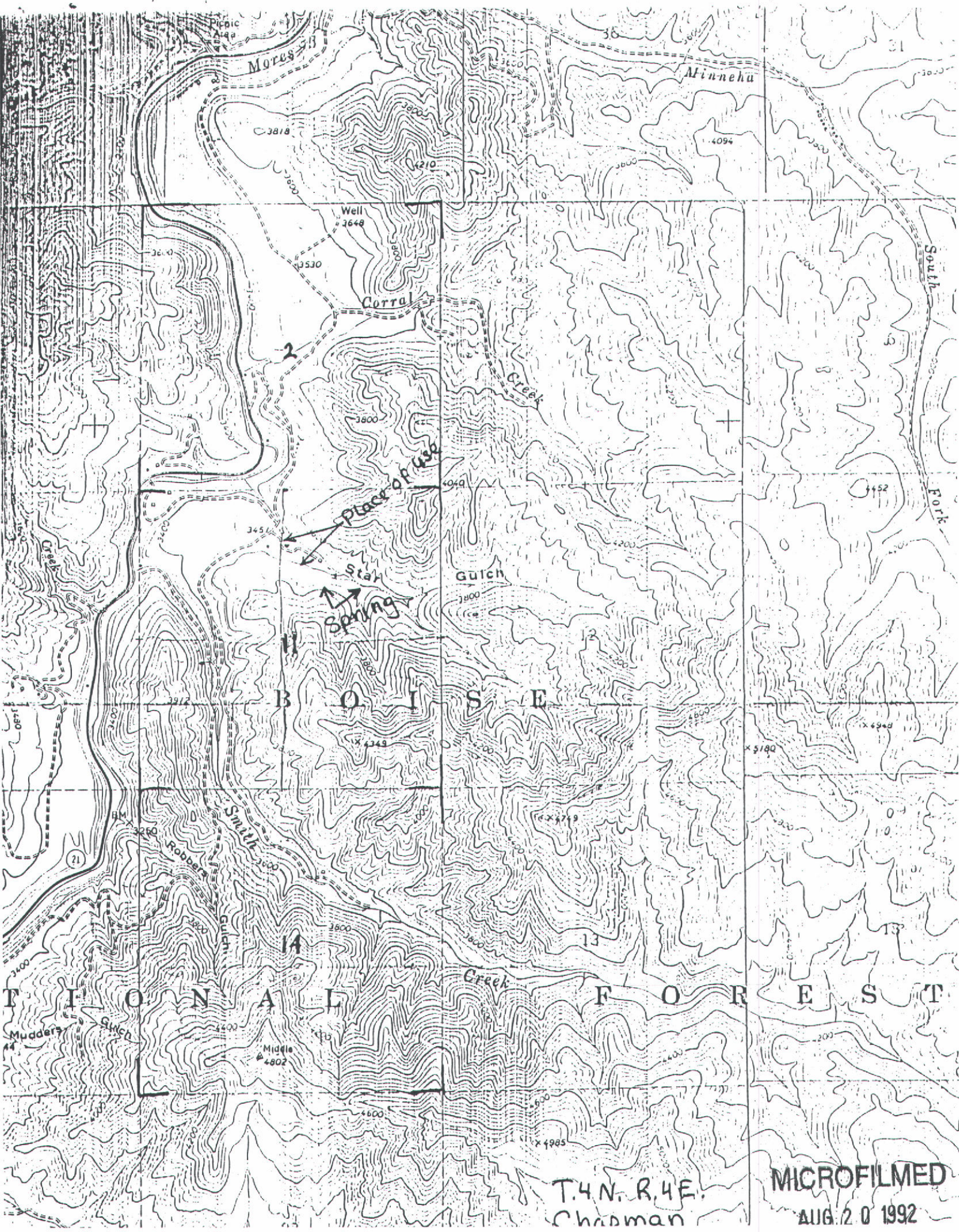




T.4 N. R.4 E.
Chapman

MICROFILMED
AUG 20 1992

#63-5108

T04N, R04E

8-27-2001

NWNE

ped

Old Star
Gulch

ped

Spring
NESENE

11

Old Spring

NWWSU,
SIA

A63-5108

PHOTOS TAKEN 08/27/2001



PHOTO #1
POINT OF DIVERSION
ON STAR GULCH
LOOKING EAST UP
THE CREEK



PHOTO #2
SPRING POD IN THE
NESENE, S11, 4N, 4E

A63-5108

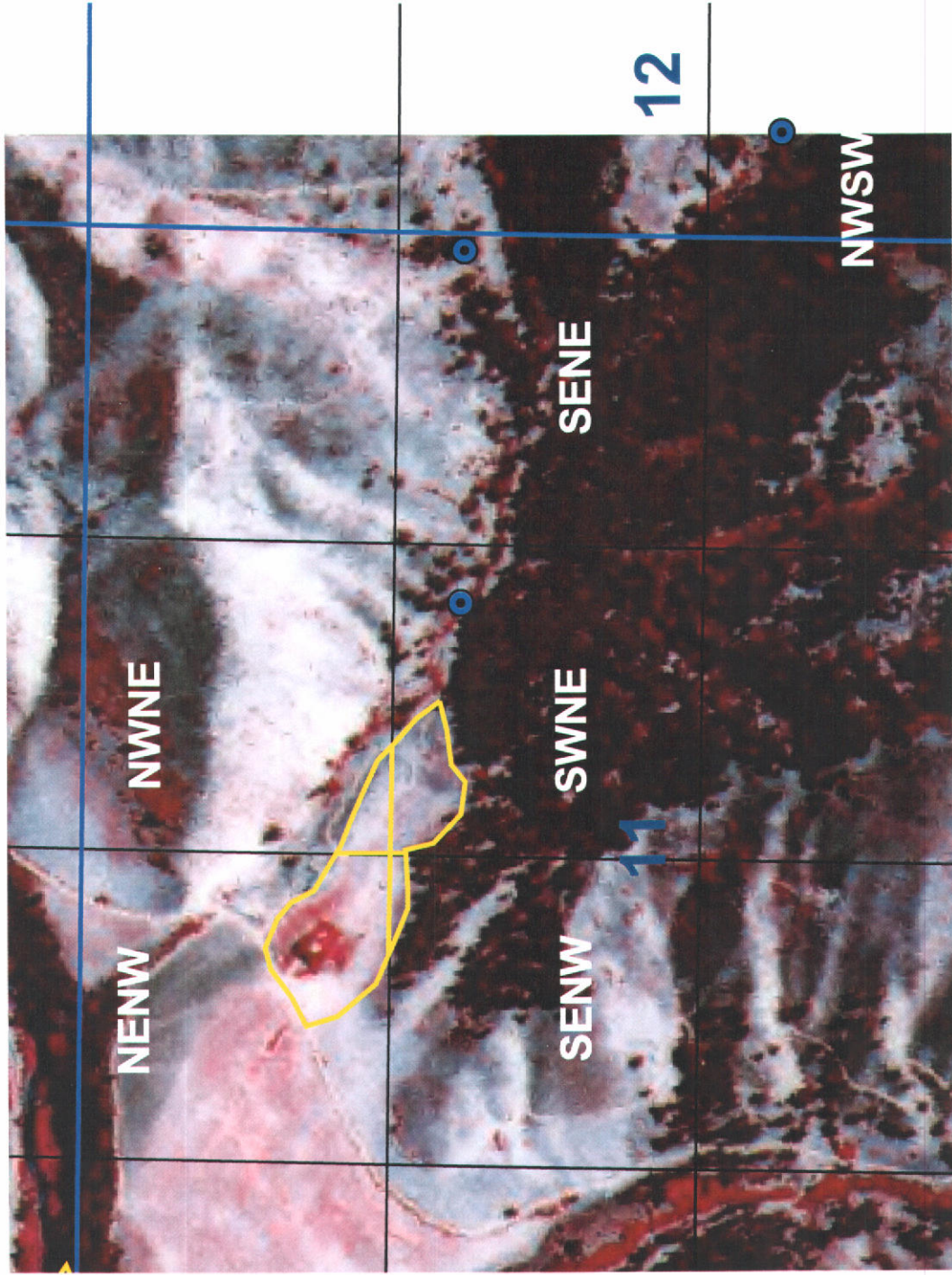
PHOTOS TAKEN 08/27/2001



PHOTO #3
SPRING POD IN THE
NWNWSW, S12, 4N, 4E

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S11



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

12

11

CLAIM(S): 63-5108

OWNER(S): CHAPMAN RANCH LLC

DATE: NOVEMBER 16, 2001

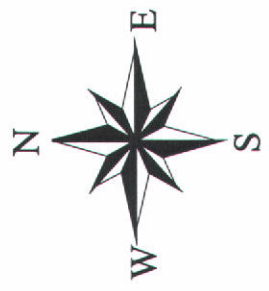
by: Mel Schulte

0.75 Miles

0.5

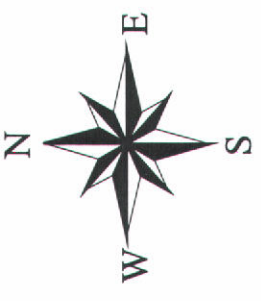
0.25

0



IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S11



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

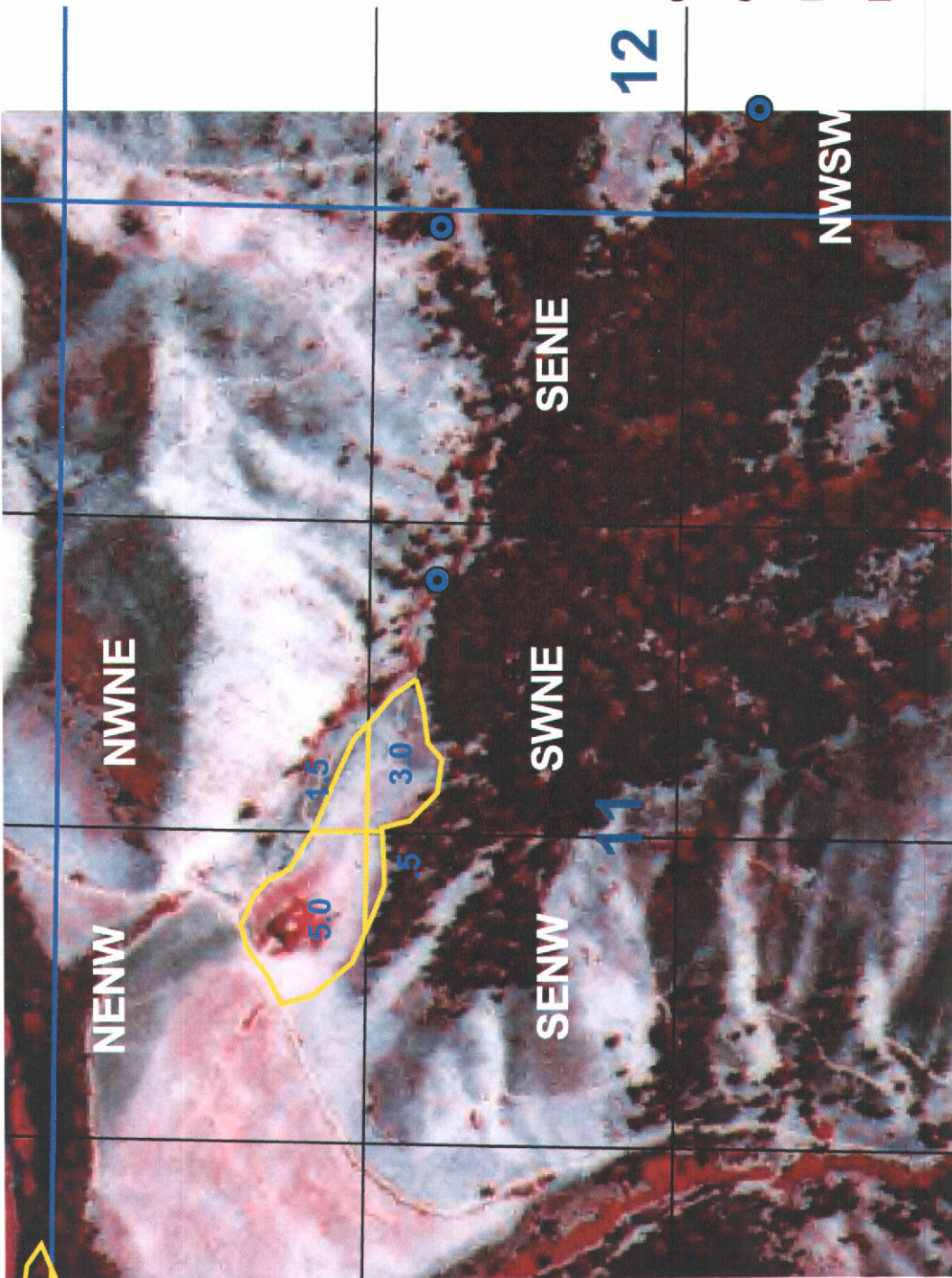
6 SECTION NUMBERS

CLAIM(S): 63-5108

OWNER(S): CHAPMAN RANCH LLC

DATE: NOVEMBER 16, 2001

by: Mel Schulte



0.75 Miles

0.5

0.25

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 63-5108
Date Received: 5/22/1989
Receipt No: W002927
Received By:

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

1. Name of Claimant(s): CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID USA 83702

Phone: (208) 342-3563

2. Date of Priority: 02/26/1887

3. Source: STAR GULCH CREEK Trib. to: MORES CREEK
 SPRING STAR GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04E	11	SW NE	BOISE	
04N	04E	11	SE NE	BOISE	

5. Description of diverting works:

DITCH, 2 PIPELINES, (1" & 2"), CISTERN IN SPRING (2-3000 GAL. CAP.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.2	
STOCKWATER	4/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.26 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	11	NW NE NW NE NW NE		DOMESTIC STOCKWATER IRRIGATION	10
					Section Acres	10
					Total Acres	10

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:

14. Remarks:

SOURCES ARE STAR GULCH CK., TRIB. MORES CK.; SPRING, TRIB. STAR GULCH CK
Ownership changed by DB 8/22/2001

15. Basis of Claim: Statutory Claim

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

RECEIVED
AUG 21 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
<u>A63-2472</u>					
<u>A63-5108</u>					
<u>A63-15684</u>					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

Chapman Ranch LLC
 Name Connector (Check one): ☒ and ☐ or ☐ and/or ☐
737 N. 7th St.
~~25 Adams Ranch Rd.~~
Bosse, ID 83702.
() 342-3563

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) *Robert Chapman*
(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 <u><i>D</i></u> _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

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 63-5108
Date Received: 5/22/89
Receipt No: W002927
Received By:

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

1. Name of Claimant(s): HORACE CHAPMAN Phone: (208)343-0076
40 ADAMS RD
BOISE ID USA 83716
- EARL CHAPMAN Phone: (208)343-0076
40 ADAMS RD
BOISE ID USA 83716

2. Date of Priority: 02/26/1887

3. Source: STAR GULCH CREEK Trib. to: MORES CREEK
SPRING STAR GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	04E	11	SW	NE		BOISE	
04N	04E	11	SE	NE		BOISE	

5. Description of diverting works:

DITCH, 2 PIPELINES, (1" & 2"), CISTERN IN SPRING (2-3000 GAL. CAP.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.2	
STOCKWATER	4/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.26 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	11	NW NE NW NE NW NE		DOMESTIC STOCKWATER IRRIGATION	10
					Section Acres	10
					Total Acres	10

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:

14. Remarks:

SOURCES ARE STAR GULCH CK., TRIB. MORES CK.; SPRING, TRIB. STAR GULCH CK

15. Basis of Claim: Statutory Claim

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: A63-05108
Date Received: 5/19/1989
Receipt No: W002927
Received By: DE MTH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HORACE CHAPMAN 208-343-0076
Address: C/O IDAHO CITY STAGE
HC 33 BOX 1470
BOISE, ID 83706

AND

Name: EARL CHAPMAN 208-343-0076
Address: C/O IDAHO CITY STAGE
HC 33 BOX 1470
BOISE, ID 83706

2. Date of Priority: FEB 26, 1887

3. Source: STAR GULCH CREEK Trib. to: MORES CREEK
SPRING STAR GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	11	SW	NE			BOISE
			SE	NE			BOISE

5. Description of diverting works:
DITCH, 2 PIPELINES, (1" & 2"), CISTERN IN SPRING (2-3000 GAL. CAP.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		
STOCKWATER	04/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/12 RANGE, CHICKENS, 12 HEAD HORSES AND COWS

S/12 RANGE, CHICKENS, 12 HEAD HORSES AND COWS

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	04E	11	NW	NE		IRR	10.0
			NW	NE		DOMEST	
			NW	NE		STOCK	

Section Acres 10.0

Total Acres 10.0

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:

SOURCES ARE STAR GULCH CK., TRIB. MORES CK.; SPRING, TRIB. STAR GULCH CK.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED

AUG 20 1992

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)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A-63-05108
Date Received 5-19-89-LW
Receipt Number W002927

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Horace Chapman and Earl Chapman Phone (208) 343-0076
Mailing Address HC 33, Box 1470, Boise, Idaho Zip 83706
2. Date of Priority (Only one (1) per claim) February 26, 1887
3. Source of water supply (a) Star Gulch Creek Spring
which is tributary to (b) Mores Creek/Star Gulch Creek
4. a. Location of existing point of diversion is: Township 4N Range 4E Section 11,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of Boise
Additional points of diversion if any: SE 1/4 of NE 1/4
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditch, two pipelines (1" and 2"),
cistern in spring (2-3000 gal. capacity).

MICROFILMED

AUG 20 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount 0.200 or _____

For Stockwater purposes from 4/01 to 12/31 amount 0.020 or _____

For Domestic purposes from 1/01 to 12/31 amount 0.040 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.260 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) S/12 Range, Chickens, 12 head of horses and cows.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	4E	11		10															10
4N	4E	11		IRR															
4N	4E	11		D															
4N	4E	11		S															

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Boise

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

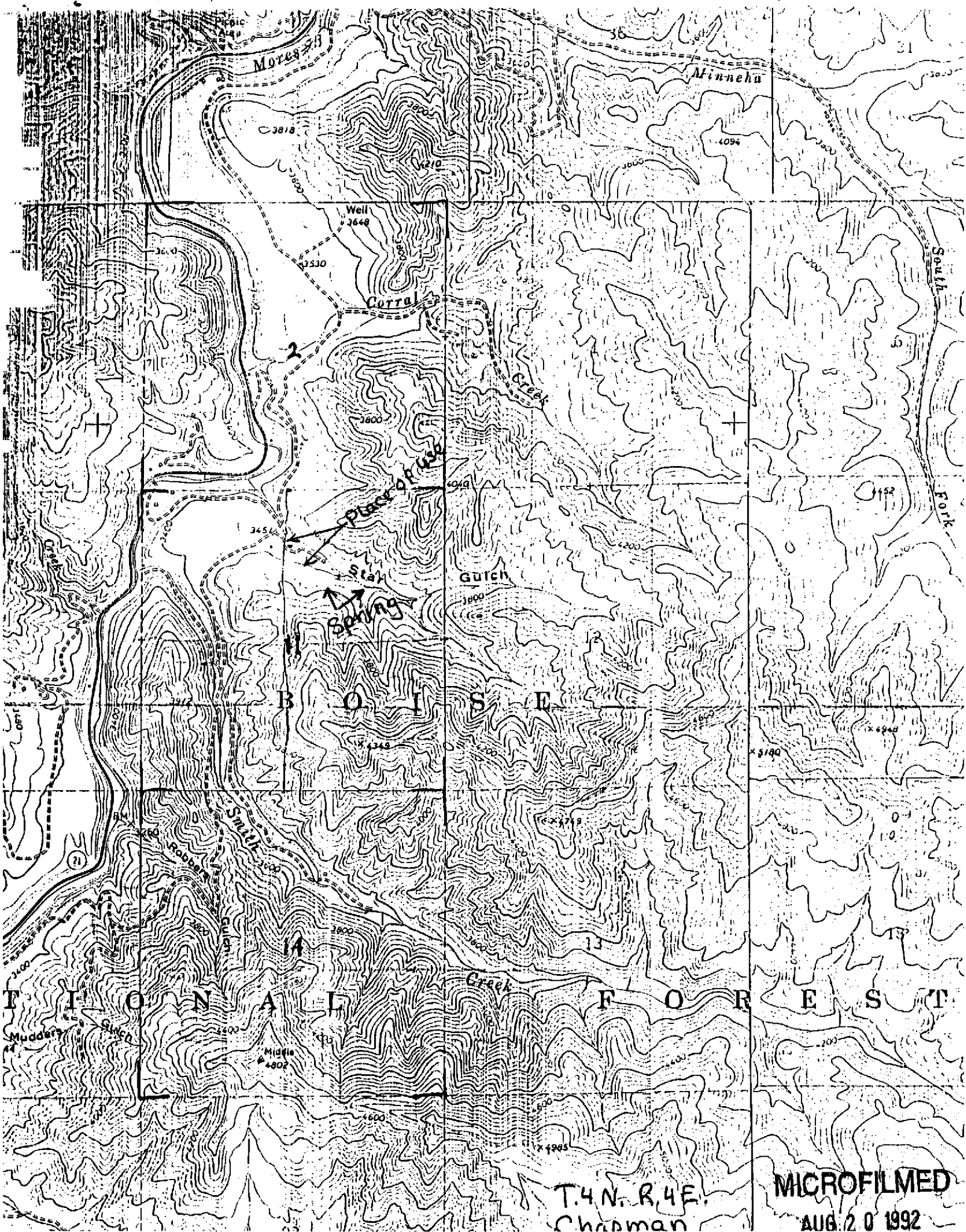
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Sources are Star Gulch Ck., Trib. Mores Ck.; Spring, Trib. Star Gulch Ck.

Last Name Chapman Ident No. _____

MICROFILMED
Copies: White -State, Yellow-Claimant
AUG 20 1992



T.4 N. R.4 E.
Chapman

MICROFILMED
AUG. 20 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____ Statutory Claim _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Earl Chapman Date 5/17/89

Horan Chapman Date 5/17/89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17th day of May 19 89

SEAL

Notary Public Barbara Allen

Residing at Caldwell, Idaho

My Commission Expires 4/26/1995

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Barry Marcus will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Barry Marcus

Address 737 N 7th Boise 83702

Date 5/17/89

Last Name Chapman Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 20 1992

163091

163091
REQUEST Marcus, Merrick + Montgomery
96 DEC 15 AM 10:02
BOISE COUNTY RECORDER
BY Shirley George
TYPE Deed FEE \$21.00

QUITCLAIM DEED

FOR VALUE RECEIVED, Horace Chapman, a single man; Earl Chapman, a single man; Craig Marcus and Lynne Marcus, husband and wife; and Barry Marcus, a married man dealing with his sole and separate property, do hereby convey, release, remise and forever quitclaim unto CHAPMAN RANCH L.L.C., whose current address is: 737 North 7th Street, Boise, Idaho 83702, the following described premises, located in Boise County, Idaho, more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT A FOR COMPLETE LEGAL DESCRIPTION

together with their appurtenances.

DATED this 6th day of ^{December}~~November~~, 1996.

Horace Chapman
Horace Chapman, a single man

Earl Chapman
Earl Chapman, a single man

Craig Marcus
Craig Marcus, a married man

Lynne Marcus
Lynne Marcus, a married woman

Barry Marcus
Barry Marcus, a married man dealing with his sole and separate property

STATE OF IDAHO)

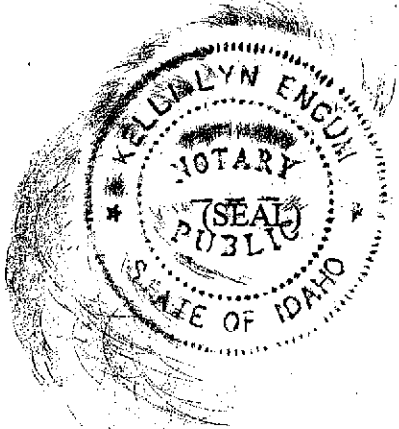
: ss.

County of Ada)

December

On this 6th day of ~~November~~, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared Horace Chapman and Earl Chapman, 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.

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



Kelli Lyn Engum

Notary Public for Idaho

Residing at Caldwell, Idaho

My Commission Expires: 10/14/98

STATE OF IDAHO)

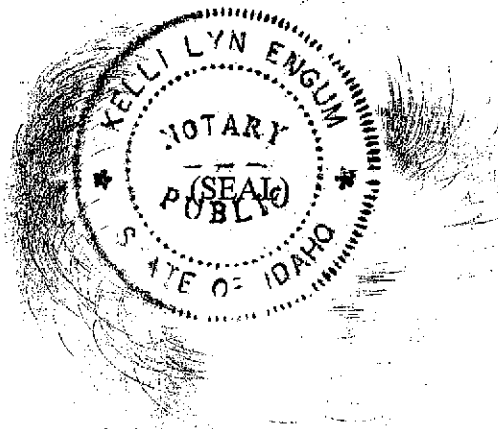
: ss.

County of Ada)

December

On this 11th day of ~~November~~, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared Craig Marcus and Lynne Marcus, 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.

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



Kelli Lyn Engum

Notary Public for Idaho

Residing at Caldwell, Idaho

My Commission Expires: 10/14/98

STATE OF IDAHO)

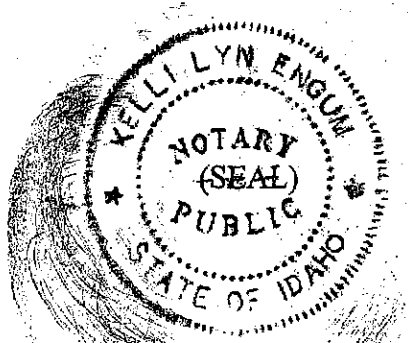
: ss.

County of Ada)

December

On this 6th day of ~~November~~, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared Barry Marcus, 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.

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



Kelli Lyn Engum

Notary Public for Idaho

Residing at Caldwell, Idaho

My Commission Expires: 10/14/98

EXHIBIT A

1. The following described land in Township 4 North, Range 3 East B.M.:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11.

2. The following described land in Township 4 North, Range 4 East B.M.:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 3 and 4, all in Section 1 but excepting therefrom the area of the High Corral subdivision as shown on the plat thereof on file in the office of the County Recorder of Boise County, Idaho which lies within said Section 1.

Lots 1, 2, and 3, that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and East of Mores Creek, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2 excepting therefrom the area of the High Corral Subdivision as shown on the plat thereof on file in the office of the County Recorder of Boise County, Idaho lying within said Section 2.

That part and parcel of the S $\frac{1}{2}$ NE $\frac{1}{4}$ which lies East of the Idaho State Highway #21 containing approximately 15 acres, that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying to the East of the easternmost bank of Mores Creek, that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ that lies on the East side of Mores Creek beginning at the North 1/16th corner common to Sections 10 and 11 thence North 0°12'30" West along the Section line between Sections 10 and 11 to the intersection with the left bank of Mores Creek (facing downstream) thence Southerly along the left bank of Mores Creek to the South boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ thence Easterly along the South boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ containing one acre more or less, all in Section 10.

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 11.

NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 12.

NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 14 excepting therefrom the area of Rimview Subdivision No. 2 according to the plat thereof on file in the office of the County Recorder of Boise County, Idaho which lies within said Section 14.

That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying Easterly of the Easternmost bank of Mores Creek, that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and East of the Southern and Eastern bank of Mores Creek, that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying to the East of the Eastern bank of Mores Creek, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 3 all in Section 15 excepting the areas of

Rimview Subdivision #1 and the areas of Rimview Subdivision #2 as shown on the plats thereof on file in the office of the County Recorder of Boise County, Idaho lying within said Section 15.

EXCEPTING THEREFROM Those parcels of property which have previously been conveyed to Barry Marcus by Deeds of Gift dated May 14, 1996 and October 10, 1996, which parcels are more particularly described on Exhibit A-1 attached hereto and by reference made a part hereof.

3. The following described land in Township 5 North, Range 4 East B.M.:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 35 subject to an existing contract of sale to Cumer Green.

SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35 subject to an existing contract of sale for approximately 3 acres to Lee Denton.

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35 subject to an existing contract of sale to John Fisher.

SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35.

4. All water rights, mineral rights, improvements, and other appurtenances appurtenant to the above described real property.

5. All lots owned in High Corral Subdivision as shown on the plat thereof on file in the office of the County Recorder of Boise County, Idaho.

EXHIBIT A-1

Parcel No. 1:

A part of the NW $\frac{1}{4}$, Section 11, T. 4 N., R. 4 E., B.M., Boise County, Idaho, described more particularly as follows:

Beginning at the section corner common to Sections 2, 3, 10 and 11, T. 4 N., R. 4 E., B.M.;

Thence N. 88°41'51" E., along the section line common to Section 2 and 11, T. 4 N., R. 4 E., B.M. a distance of 2,089.73 feet;

Thence S. 64°05'53" W., a distance of 401.46 feet;

Thence S. 87°45'30" W., a distance of 868.97 feet;

Thence S. 47°59'12" W., a distance of 592.42 feet;

Thence S. 31°04'09" W., a distance of 403.43 feet;

Thence S. 31°10'33" W., a distance of 193.40 feet;

Thence S. 23°16'48" W., a distance of 269.37 feet

to the N. 1/16 corner common to Sections 10 and 11, T. 4 N., R. 4 E., B.M.;

Thence N. 0°12'30" W. along the section line common to Sections 10 and 11, T. 4 N., R. 4 E., B.M. a distance of 1,316.86 feet to the point of beginning, containing 16.75 acres more or less.

Parcel No. 2:

A part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T. 4 N., R. 4 E., B.M., described more particularly as follows:

Beginning at the $\frac{1}{4}$ corner common to Sections 2 and 11, T. 4 N., R. 4 E., B.M.;

Thence S. 88°41'51" W. 490.00 feet along the section line common to Sections 2 and 11, T. 4 N., R. 4 E., B.M., Thence S. 64°05'53" W. 401.46 feet; Thence S.

74°02'30" E. 357.48 feet; Thence S. 39°56' E. 465.14 feet; Thence N. 18°01'30" E. 674.58 feet to the point of beginning, containing 5.689 acres more or less.

Parcel 3:

That part of the NE~~1~~/~~4~~ Section 10, T. 4 N., R. 4 E., B.M., that lies on the East side of Mores Creek, Boise County, Idaho and described more particularly as follows:

Beginning at the N. 1/16 corner common to Sections 10 and 11, T. 4 N., R. 4 E., B.M.;

Thence N. 0°12'30" W. along the section line between Sections 10 and 11 to the intersection with the left bank of Mores Creek; Thence Southerly along the left bank of Mores Creek to the South boundary of the NE~~1~~/~~4~~ Section 10, T. 4 N., R. 4 E., B.M.; Thence easterly along the South boundary of said NE~~1~~/~~4~~ Section 10 to the point of beginning, containing one acre, more or less.

Parcel No. 4:

That part of the SW~~1~~/~~4~~ Section 2, T. 4 N., R. 4 E., B.M., that lies on the South and East side of Mores Creek, Boise County, Idaho, containing 10 acres more or less.

Parcel No. 5:

Lot 1 of Mores Creek Heights Subdivision, according to the official plat thereof, recorded as Instrument No. 95549, records of Boise County, Idaho.

RECEIVED

JUL 12 2001

WATER RESOURCES
WESTERN REGION

Snake River Basin Adjudication
Change in Address of Notice of Claim

63-15684, -5332, -2412, -15677

Claim Number(s): 63-5334, -15683, -5373, -5109, -5108

Previous Mailing Address: HC 33 Box 1470 Boise ID
83706

New Mailing Address: 40 Adams R.D. Boise ID
83716

Telephone Number: (208) 343 0076

Signature of Claimant(s): Horace Chapman

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Chapman, Norace

CLAIM IDENT. NO.

63-5108

DATE RECEIVED

5-19-89

CK #

5476

AMOUNT \$

60 -

YES

NO

Reg
In

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?

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/AIs the consumptive use correct? N/A9. 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. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)

17. Is the claim signed by the claimant, and is the signature appropriate?

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? Exempt21. If this claim is based on an existing water right, has the identification number been entered? N/A

22. Should this claim be receipted and data entered?

Claim checked by:

LW

Date:

6-6-89Claim must be returned to claimant: (Yes) (No)Claimant must be sent a copy of amended claim for approval: (Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

MICROFILMED

AUG 20 1992

A63-5108

1. Ownership?

2. GPS - Star Gulch POD in SENE, S11
" Springs - SWNE, S11

3. POD - 10 acres? - NWNE, S11.
Dom - NWNE, S11.

→ Both POD's in SWNE?

GPS - #015 344016
290697 = Springs

#017 344169
290292 Springs

#018 343571
290704 Star Gulch

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-05108

2004 SEP 24 PM 4:23

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED

NAME AND ADDRESS: CHAPMAN RANCH LLC
737 N 7TH ST
BOISE, ID 83702

SOURCE: STAR GULCH TRIBUTARY: MORES CREEK
SPRING TRIBUTARY: STAR GULCH

QUANTITY: 0.26 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 63-15684 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 02/26/1887

POINT OF DIVERSION: T04N R04E S11 NESWNE Within Boise County
S12 NESWNE
NNWNSW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.20 CFS
Stockwater	01-01 TO 12-31	0.02 CFS
Domestic	01-01 TO 12-31	0.04 CFS

DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1
AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER
DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED
FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM
OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF
AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S.
DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE
BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER
CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND
ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO
STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE
OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL
BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK
RESERVOIR AND/OR LAKE LOWELL AS DECREED IN SRBA CASE NO. 39576.

PLACE OF USE: Irrigation Within Boise County
T04N R04E S11 NWNE 1.5 SWNE 3.0
NENW 5.0 SENW 0.5
10.0 Acres Total
Stockwater Within Boise County
T04N R04E S11 NENW
Domestic Within Boise County
T04N R04E S11 NENW

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

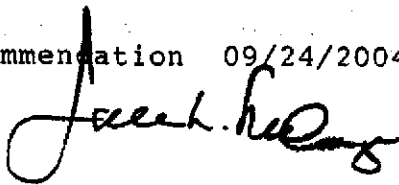
OTHER PROVISIONS (continued)

NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

Recommendation 09/24/2004



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

08/12/2003

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

RIGHT NUMBER: 63-5108

NAME AND ADDRESS: CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID 83702

SOURCE: SPRING
STAR GULCH CREEK

TRIBUTARY: STAR GULCH
TRIBUTARY: MORES CREEK

QUANTITY: 0.260 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 63-15684 SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

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

PRIORITY DATE: 02/26/1887

POINT OF
DIVERSION: T04N R04E S11 NESWNE Within BOISE County
T04N R04E S11 NESENE Within BOISE County
T04N R04E S12 NWNWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.200 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S11	NWNE	1.5	T04N R04E S11	SWNE	3.0
T04N R04E S11	NENW	5.0	T04N R04E S11	SENE	0.5

STOCKWATER Within BOISE County

T04N R04E S11 NENW

DOMESTIC Within BOISE County

T04N R04E S11 NENW

10 ACRES TOTAL

08/12/2003

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

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 AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

DOMESTIC USE IS FOR 1 HOME

STOCKWATER, 12 HORSES AND RANGE CATTLE

Dr
Dr
Deke
EPB

RECEIVED

SEP 10 2003

Department of Water Resources

Barry Marcus, ISB No. 1181
MARCUS, MERRICK, CHRISTIAN & HARDEE, LLP
Attorneys at Law
737 North 7th Street
Boise, Idaho 83702
Telephone: (208) 342-3563
Telefax: (208) 342-2170
Attorneys for Claimants

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

In Re:	)	NOTICE OF APPEARANCE
	)	
SRBA	)	SUBCASE NOS: 63-2472
	)	63-31074
Case No. 39576	)	63-19A
	)	63-5332
	)	63-15677
	)	63-31173
	)	63-15684
	)	63-5108
	)	63-5334
	/	

TO: ALL PARTIES IN INTEREST:

COMES NOW, Barry Marcus of the law firm Marcus, Merrick, Christian & Hardee, and hereby enters his appearance in the above-entitled matter as attorney for the following named Claimants:

<u>Name & Address</u>	<u>Claim No(s).</u>
Chapman Ranch LLC 737 N. 7 th St. Boise, ID 83702	63-2472
Barry Marcus 737 N. 7 th St. Boise, ID 83702	63-31074 63-15677
Larry R. Smith Alda L. Smith 8442 W. Beachside Ct. Boise, ID 83703	63-19A
Osprey Land Co. 737 N. 7 th St. Boise, ID 83702	63-5332 63-5334
Hide Associates Partnership Boise Holcomb, Inc. 737 N. 7 th St. Boise, ID 83702	63-31173
Chapman Ranch, LLC 737 N. 7 th St. Boise, ID 83702	63-15684 63-5108

Dated this 5 day of September, 2003.

MARCUS, MERRICK, CHRISTIAN & HARDEE, L.L.P.

By Barry Marcus
Barry Marcus
Attorneys for Claimants

CERTIFICATE OF SERVICE

I hereby certify that on this 5 day of September, 2003, I caused to be served a true and correct copy of the foregoing **NOTICE OF APPEARANCE** in the above-referenced matter by the method indicated below, and addressed to the following:

Boise Project Board of Control

Represented by:

Albert P. Barker

Amy D. Chestnut

205 N. 10th St., Ste. 520

P.O. Box 2139

Boise, ID 83701-2139

 HAND DELIVER
 X U.S. MAIL
 OVERNIGHT MAIL
 TELECOPY (FAX)

United States of America

Represented by:

David Negri

U.S. Department of Justice

Environment & Natural Resource

550 W. Fort Street, MSC 033

Boise, ID 83724

 HAND DELIVER
 X U.S. MAIL
 OVERNIGHT MAIL
 TELECOPY (FAX)

Director of IDWR

P.O. Box 83720

Boise, ID 83720-0098

 HAND DELIVER
 X U.S. MAIL
 OVERNIGHT MAIL
 TELECOPY (FAX)

Michael Sweeney

28 N. Fork Clear Creek Rd.

Boise, ID 83716

 HAND DELIVER
 X U.S. MAIL
 OVERNIGHT MAIL
 TELECOPY (FAX)

Barry Marcus

RECEIVED

FEB 4 - 2003

Department of Water Resources

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)

A. Subcase 63-5108
(Insert water right number)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Chapman Ranch LLC
Address: 737 N 7th St
Boise, ID 83702

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

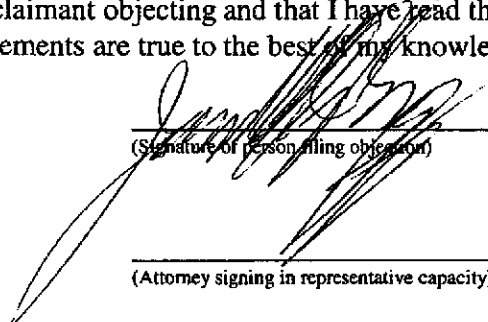
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

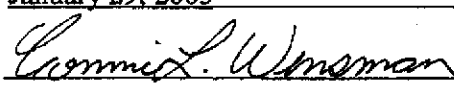
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003

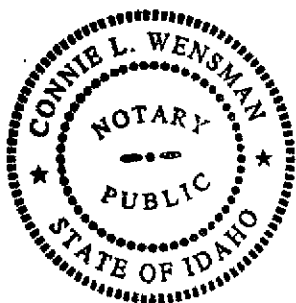


Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Chapman Ranch LLC

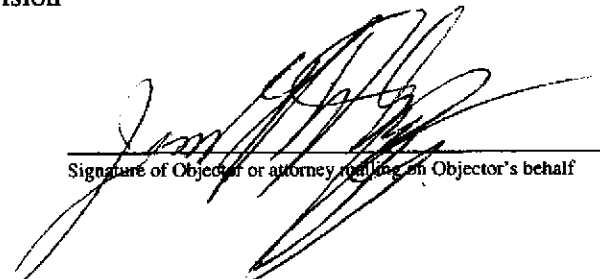
Address: 737 N 7th St
Boise, ID 83702

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

**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

A. Subcase Number: See Attachment A
(Insert water right number)

**STANDARD FORM 1
OBJECTION RECEIVED**

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: See Attachment B
Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S): The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

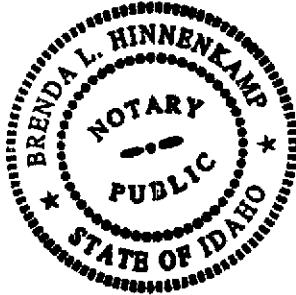
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert P. Barker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

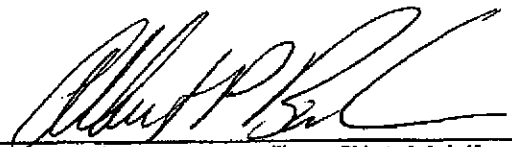
Name: See Attachment B
Address:

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT B

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R. Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

02/26/2002

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

RIGHT NUMBER: 63-5108

NAME AND ADDRESS: CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID 83702

SOURCE: SPRING
STAR GULCH

TRIBUTARY: STAR GULCH
TRIBUTARY: MORES CREEK

QUANTITY: 0.26 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 63-15684 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

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

PRIORITY DATE: 02/26/1887

POINT OF DIVERSION:

T04N R04E S11 NESWNE Within BOISE County

T04N R04E S11 NESENE Within BOISE County

T04N R04E S12 NWNWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.200 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T04N R04E S11 NENW

STOCKWATER Within BOISE County

T04N R04E S11 NENW

IRRIGATION Within BOISE County

T04N R04E S11	NWNE	1.5	T04N R04E S11	SWNE	3.0
T04N R04E S11	NENW	5.0	T04N R04E S11	SENE	0.5

10 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 AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

DOMESTIC USE IS FOR 1 HOME
STOCKWATER, 12 HORSES AND RANGE CATTLE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 463-5108

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 2-26-1887
(If the priority date, based on your exam, seems questionable, explain below.)

Posted notice & affidavits. Posted notice indicates use from Star Gulch was mining but claimant contends water was also used for other purposes.

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: *an additional spring in S12. was not included in the claim by mistake.*

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:

Township 4N Range 4E Section 12 1/4 NW 1/4 NW 1/4 SW - add
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

- ☐ Changes Exam found:

Domestic # of homes: 1 Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: Dom Township 4N Range 4E Section 11 1/4 NE 1/4 NW
Use: Dom Township 4N Range 4E Section 11 1/4 " 1/4 "
Use: Dom Township " Range " Section 11 1/4 NE 1/4 NW 5 ac
Use: _____ Township _____ Range _____ Section _____ 1/4 NW 1/4 NE 1.5 ac
SE NW 1.5 ac
SW NE 3 ac

Remarks: (Comments pertinent to field examination) See additional attachment

03-15084 overlaps domestic use.

C18, N9, N14

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-27-2001

FIELD EXAMINER: _____

Print Name

Mel Schulte

Signature

3-5108

NESENE

Spring

NUMUSU,
SIA

NAME

100

00546-8

WATER RESOURCES
WESTERN REGION

2. Our water right in Smith Creek is identified as A63-02472. Our water right out of Star Gulch is identified as A63-05108.

3. I was one of the owners of the Chapman Ranch prior to its conveyance to Chapman Ranch, LLC in 1997. The Chapman Ranch consists of approximately 2,000 acres. It adjoins State Highway 21 on the east.

4. My direct involvement with the Chapman Ranch began in 1940. I am familiar with the use of water on the Chapman Ranch during every year since 1940. My brother and I and our partner, Bill Adams, owned the Chapman Ranch and did all of the work involved in diverting water from Star Gulch and Smith Creek each year to irrigate the ranch and provide stock water. Historically, water was diverted from these creeks and used to irrigate the ranch each year up to and including 2001.

5. Historically, we used Star Gulch water to irrigate approximately ten acres located in the NW ¼ of the NE ¼ of Section 11, Township 4 N. Range 4 E. for pasture and for stock water. The last year that this water was used for irrigation and/or stock water was 2001.

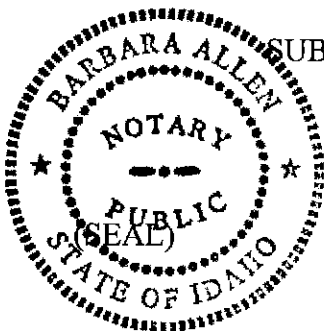
6. Historically, the water we diverted from Smith Creek was used for stock water and for irrigating approximately 80 acres located in the NW ¼ of Section 11, T. 4 E., B.M. where we grow alfalfa and wild grass. The last year that this water was used for irrigation was 2001. The Ranch was last grazed in 1999.

Dated this 2nd day of ^{October}~~September~~, 2001.

Horace Chapman
Horace Chapman

SUBSCRIBED AND SWORN TO before me this 2nd day of ^{October}~~September~~, 2001.

Barbara Allen
Notary Public for State of Idaho
Residing at Caldwell, Idaho
My Commission Expires: 5/1/2007



**WATER RESOURCES
WESTERN REGION**

2. I have lived on the Chapman Ranch next to Mores Creek in Boise County for the last five years. I was born and raised on Mores Creek near the Chapman Ranch and have been familiar with the use of water from Minneha Creek, Smith Creek, Corral Creek and the Star Gulch all of my life. I am 67 years old.

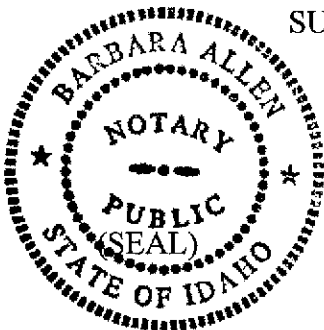
3. During my life the Chapman Ranch was occupied by Bill Adams, Horace Chapman and Earl Chapman. Bill Adams and Earl Chapman are deceased. Horace Chapman still lives on the Ranch. Horace, Bill and Earl diverted all of the water that was available in Minneha Creek, Smith Creek, Corral Creek and Star Gulch for irrigation and stock watering on the Chapman Ranch. This is true for the last five years and for each prior year as far back as I can remember-at least back to the late 1930's. During this entire time no other person diverted water from these sources that I am aware of. The only exception is that no water has been used out of Minneha Creek or Corral Creek during 2000 and 2001 because of construction of the Osprey Subdivision.

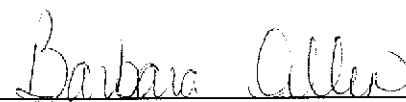
4. The amount of water that Horace, Bill and Earl diverted from these sources varied from year to year, depending on the rainfall. However, they diverted all of the water that was available at their points of diversion each year, less some minor seepage around their dams.

Dated this 2nd day of October, 2001.


Darrell Fisher

SUBSCRIBED AND SWORN TO before me this 2nd day of October, 2001.




Notary Public for State of Idaho
Residing at Caldwell, Idaho
My Commission Expires: 5/1/2007

Star Gulch

Notice of Water Right.

We the undersigned Claim four hundred inches of this water, in this Gulch known as Star Gulch, Situated about three quarters of a mile above Smiths Gulch, on the Idaho City and Boise City Wagon road, to be used for mining purposes, and to be conveyed by ditch to Place Claim on Mores Creek.

Located February 26th 1887

John, Peeke
John, Ritchie
Nathaniel, Ritchie

Recorded at request of Nathaniel Ritchie Feb.
28th 1887 at 10 min past 9 o'clock A.M.

Lin. Carroll
Recorder

State of Idaho }
County of Boise }
SS. I hereby certify that the foregoing in-
strument is a full true and correct copy
of the original recorded in this office.
David
ARLENE C. KOLAR, Auditor and Recorder
By _____ Deputy

A63-5108

PHOTOS TAKEN 08/27/2001



PHOTO #1
POINT OF DIVERSION
ON STAR GULCH
LOOKING EAST UP
THE CREEK



PHOTO #2
SPRING POD IN THE
NESENE, S11, 4N, 4E

A63-5108

PHOTOS TAKEN 08/27/2001

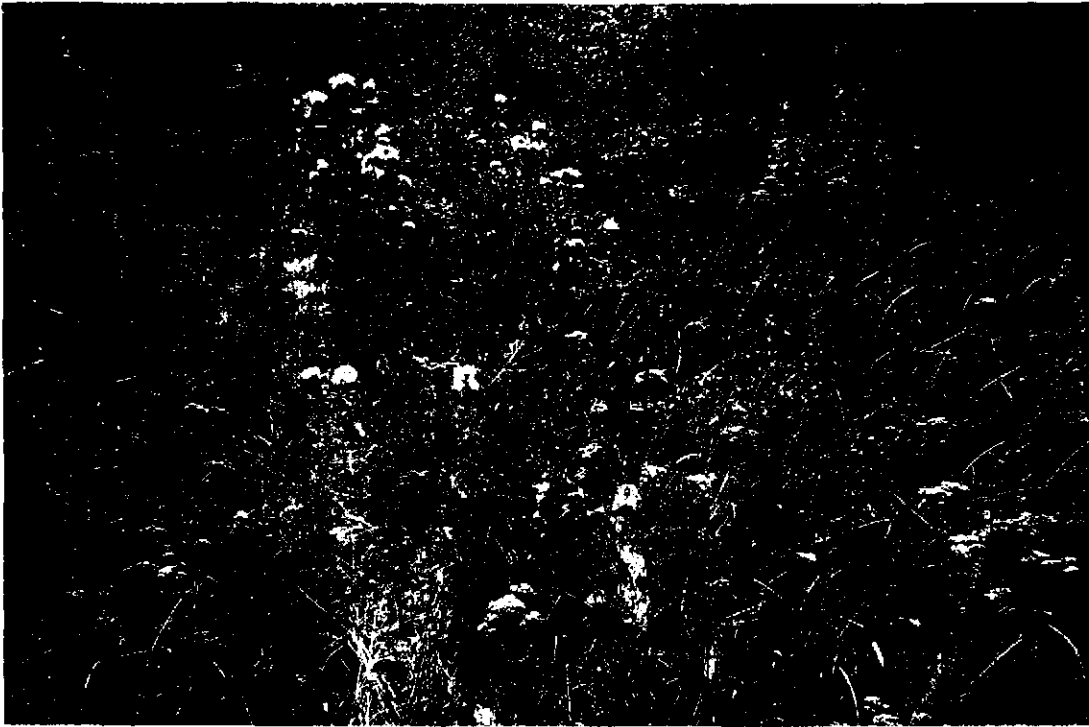
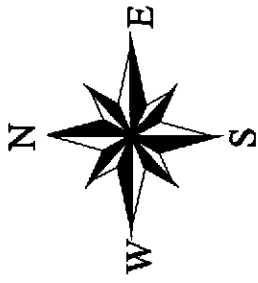


PHOTO #3
SPRING POD IN THE
NWNWSW, S12, 4N, 4E

IDAHO DEPARTMENT OF WATER RESOURCES
T04N, R04E, S11



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

12

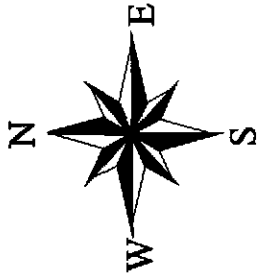
CLAIM(S): 63-5108

OWNER(S): CHAPMAN RANCH LLC

DATE: NOVEMBER 16, 2001

by: Mel Schulte

IDAHO DEPARTMENT OF WATER RESOURCES
T04N, R04E, S11



12

1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5108

OWNER(S): CHAPMAN RANCH LLC

DATE: NOVEMBER 16, 2001

by: Mel Schulte

0 0.25 0.5 0.75 Miles



Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW
Claim	63 15677	HORACE CHAPMAN	SPRING	04N04E11											
Claim	63 15677	HORACE CHAPMAN	SPRING	04N04E11											
Claim	63 15683	EARL CHAPMAN	GROUND WATER	04N04E11											
Claim	63 5108	HORACE CHAPMAN	EARL CHAPMAN	04N04E11											
Claim	63 5108	HORACE CHAPMAN	EARL CHAPMAN	04N04E11											
Claim	63 15684	HORACE CHAPMAN	SPRING	04N04E11											
Right	63 5108	EARL CHAPMAN	SPRING, STAR GI	04N04E11											
Claim	63 15684	HORACE CHAPMAN	SPRING	04N04E11											
Claim	63 15683	EARL CHAPMAN	GROUND WATER	04N04E11											
Claim	63 2472	HORACE CHAPMAN	SMITH CREEK	04N04E11											
Rec	63 15676	EARL CHAPMAN	GROUND WATER	04N04E11											
Claim	63 15676	HORACE CHAPMAN	GROUND WATER	04N04E11											
Claim	63 5108	HORACE CHAPMAN	EARL CHAPMAN	04N04E11											
Right	63 2472	THOMAS C MAY	SMITH CREEK	04N04E11											

No overlap

SESW NESE NWSE SWSE SESE Total

1.5
0
0
10
0
0
10
1
0
80
0
1
0
80



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

August 21, 2001

CHAPMAN RANCH LLC
737 N 7TH ST
BOISE ID 83702

Re: Notice of Claim to a Water Right No. 63-02472, 63-05108 & 63-15684

Dear Claimant(s):

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

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

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 claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



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

August 15, 2001

HORACE CHAPMAN
40 ADAMS RD
BOISE ID 83716

Re: Claim No(s) 63-5108

63-5109, 63-5332, 63-5334

63-5373, 63-15677, 63-15683

63-15684

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures



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

July 18, 2001

HORACE CHAPMAN
EARL CHAPMAN
40 ADAMS RD
BOISE ID 83716

Re: Notice of Claim to a Water Right No. 63-15684, 63-05332, 63-2472, 63-15677,
63-05334, 63-15683, 63-05373, 63-05108 & 63-05109

Dear Claimant(s):

Enclosed are copies of the above referenced claims, which reflect the change in address.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5108

WATER RIGHT NUMBER: 63-5108

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL CHAPMAN C/O IDAHO CITY STAGE BOISE, ID 83706
Current Owner	HORACE CHAPMAN C/O IDAHO CITY STAGE BOISE, ID 83706

Priority Date: 02/26/1887

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	STAR GULCH CREEK
STAR GULCH CREEK	MORES CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
IRRIGATION	4/01 to 11/01	0.200 CFS	
	<u>Total Diversion:</u>	0.250 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4NE1/4	Sec. 11, Twp 04N, Rge 04E, B.M.
BOISE County		
STAR GULCH CREEK	SW1/4NE1/4	Sec. 11, Twp 04N, Rge 04E, B.M.
BOISE County		

Place of UseIRRIGATION Within BOISE County

T04N R04E S11 NWNE 10.0

Total Acres: 10

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

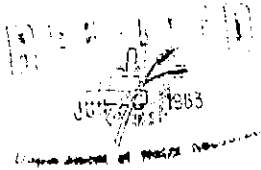
- General SOURCES ARE STAR GULCH CK., TRIB. MORES CK.; SPRING, TRIB. STAR GULCH CK.^^

Comments:Dates and Other Information:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Department of
Western Water Resources



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Horace Chapman and Earl Chapman
(Name of Claimant)

c/o Idaho City Stage, Boise, Idaho 83706 Telephone No. 343-0076
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) February 26, 1887

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
1 Star Gulch Cr. 2 Spring tributary to Mores Creek 2 Star Gulch Creek

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		(Both dates inclusive)	
				(Mo., Day)	To	(Mo., Day)	To
Quantity <u>.04</u>		Use <u>Domestic</u>		Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>		
Quantity <u>.2 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>		
Quantity <u>.02 cfs</u>		Use <u>Stock water</u>		Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>		
Quantity		Use		Period of Use From	To		
Quantity		Use		Period of Use From	To		

(4) .25 cfs TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4 Sec. 11 Twp. 4 N. Rge. 4 E. B.M., County of Boise
Additional points of diversion:

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. Describe any changes in the system and give the date of the change. Cistern in spring (2000 - 3000 gal. capacity) ditch out of creek.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4E	11			10														10

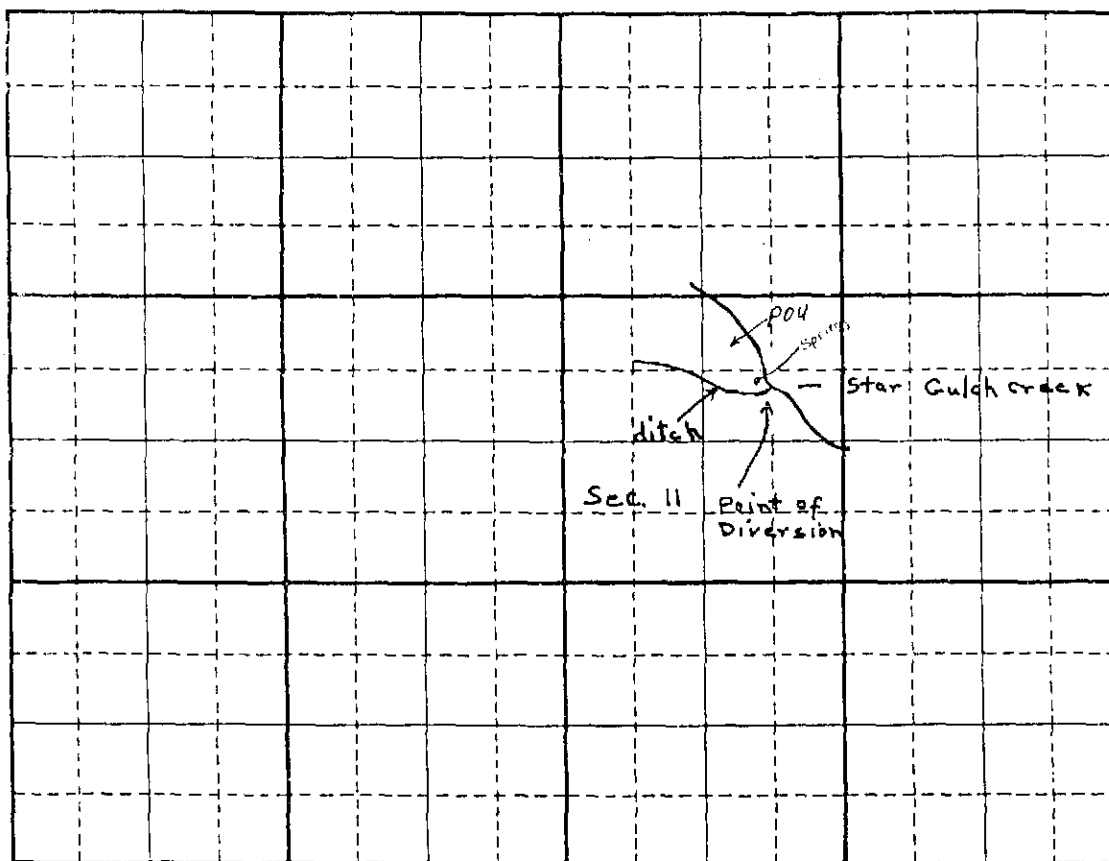
No. of acres 10

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use for one house, water for chickens, horses and cattle.

NOTE Include here the type and number of stock (watered): Chickens - 12 head of horses and cows.

(7) If you are claiming water as a member of an organization, list name of organization:

Remarks See certified copy of John Peeke, John Ritchie and Nathaniel Ritchie Notice of Water Right (1887) attached. This water right was commenced pursuant to the Act of February 10, 1881.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Carl Chapman
Norm Chapman
(Claimant)

Sworn to before me this 27th day of May, 1983.

Alice L. Hoover
Notary Public for State of Idaho
Residing at Boise, Idaho

My commission expires 10/14/85

FOR DEPARTMENT USE ONLY			
Received by <u>SP</u>	Date <u>5/2/83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>LLS</u>	Date <u>6/28/83</u>		claimant by:
\$30.00 fee received by <u>SP</u>	Date <u>6/7/83</u>	<u>22955</u>	
Published in <u>Boise Journal</u>	Date <u>10/29 & 11/3/83</u>		
Dates <u>8/24 & 8/31/80</u>			