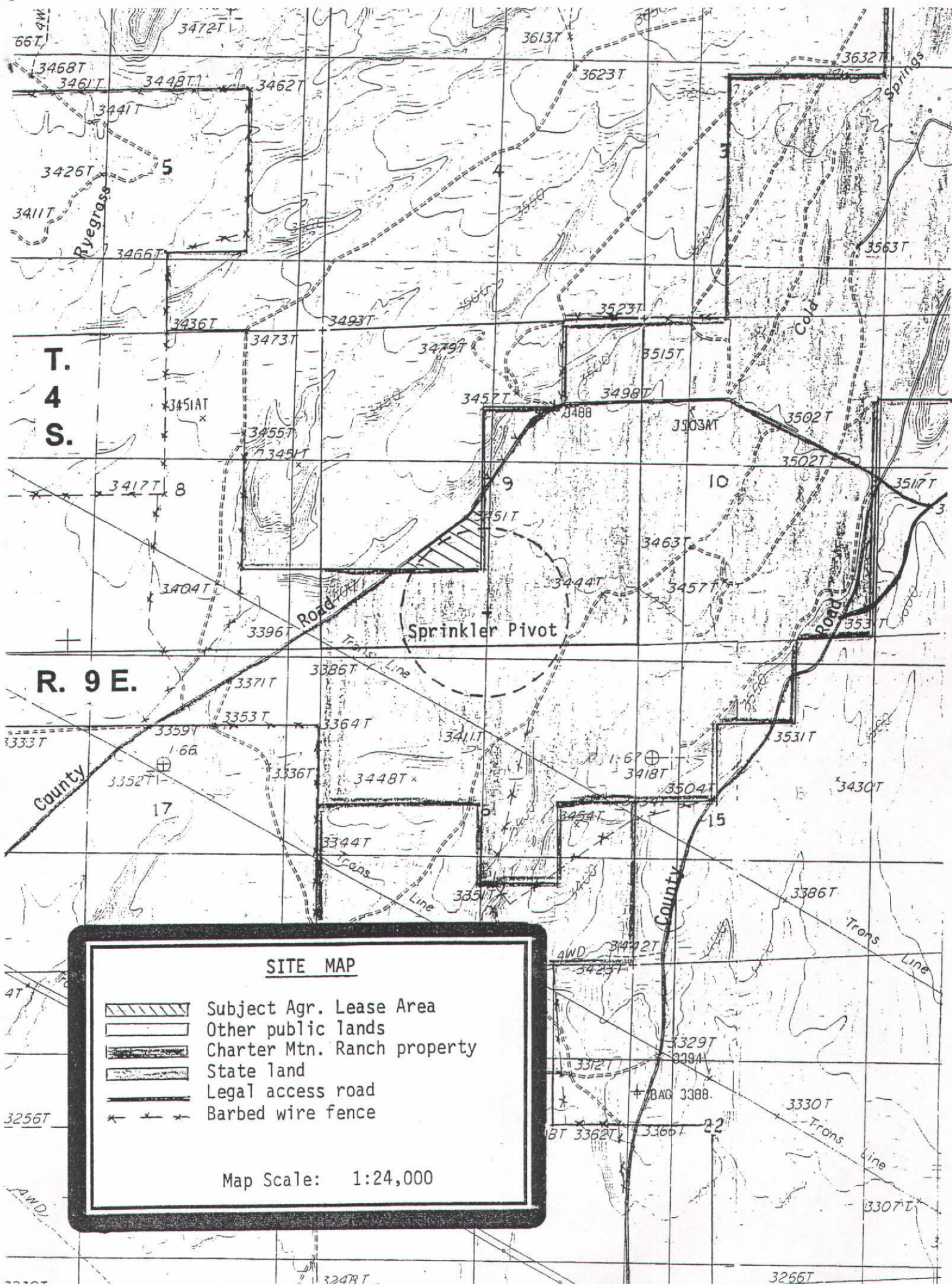




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

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 61-2095A  
Date Received: 12/7/1989  
Receipt No: X777777  
Received By:

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

1. Name of Claimant(s)

CHARTER MOUNTAIN RANCH INC Phone:

RT 1 BOX 451  
GLENN'S FERRY ID USA 83623

2. Date of Priority: 03/07/1953

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04S      | 09E   | 10      | NE NW NW              | ELMORE |      |
| 04S      | 09E   | 10      | NE SW NE              | ELMORE |      |

5. Description of diverting works:

WELL W/PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

| Purpose    | From To    | C.F.S. | (or) A.F.A |
|------------|------------|--------|------------|
| IRRIGATION | 3/15 11/15 | 2.95   |            |

7. Total Quantity Appropriated is:  
2.95 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 |
|----------|-------|---------|----------------|------------|-------|
| 04S      | 09E   | 9       | NW SE          | IRRIGATION | 30    |

|     |     |    |    |    |               |     |
|-----|-----|----|----|----|---------------|-----|
|     |     |    | SW | SE | IRRIGATION    | 40  |
|     |     |    | NE | NE | IRRIGATION    | 6   |
|     |     |    | SW | NE | IRRIGATION    | 18  |
|     |     |    | SE | NE | IRRIGATION    | 20  |
|     |     |    | SE | SW | IRRIGATION    | 20  |
|     |     |    | NE | SE | IRRIGATION    | 30  |
|     |     |    | SE | SE | IRRIGATION    | 15  |
|     |     |    |    |    | Section Acres | 179 |
| 04S | 09E | 10 | NE | NW | IRRIGATION    | 16  |
|     |     |    |    |    | Section Acres | 16  |
| 04S | 09E | 16 | NW | NE | IRRIGATION    | 40  |
|     |     |    | NE | NW | IRRIGATION    | 40  |
|     |     |    | NW | NW | IRRIGATION    | 30  |
|     |     |    |    |    | Section Acres | 110 |
|     |     |    |    |    | Total Acres   | 305 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

OTHER RIGHTS ARE: CLAIM NO.'S A61-00333, 00334, 00335, 00336, 00340, 00364, 02008, 02100, 02199, 02209, 07288 & APP. NO. 61-07393.  
 COMBINED WITH A61-02095B. SEE A61-02095.  
 CHANGE OF OWNERSHIP 5/8/1997 MTS

15. Basis of Claim: License

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 Organizations:

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
Title  
\_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of  
Title  
\_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this  
of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public

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: A61-02095A  
Date Received: 12/ 7/1989  
Receipt No: X777777  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CHARTER MOUNTAIN RANCH, INC  
Address: PO BOX 1656  
ST CROIX VI 00851

2. Date of Priority: MAR 7, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04S      | 09E   | 3       |        | SE     | SW  |     | ELMORE |
|          |       | 10      |        | NW     | NW  |     | ELMORE |

5. Description of diverting works:  
WELL W/PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.950 |      |        |

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

8. Total consumptive use is 915.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04S      | 09E   | 9       | NE     | NE  |     | IRR | 6.0   |
|          |       |         | SW     | NE  |     | IRR | 18.0  |
|          |       |         | SE     | NE  |     | IRR | 20.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 04S      | 09E   | 9       | SE     | SW  |     | IRR           | 20.0  |
|          |       |         | NE     | SE  |     | IRR           | 30.0  |
|          |       |         | NW     | SE  |     | IRR           | 30.0  |
|          |       |         | SW     | SE  |     | IRR           | 40.0  |
|          |       |         | SE     | SE  |     | IRR           | 15.0  |
|          |       |         |        |     |     | Section Acres | 179.0 |
|          |       | 10      | NE     | NW  |     | IRR           | 16.0  |
|          |       |         |        |     |     | Section Acres | 16.0  |
|          |       | 16      | NW     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | NW  |     | IRR           | 40.0  |
|          |       |         | NW     | NW  |     | IRR           | 30.0  |
|          |       |         |        |     |     | Section Acres | 110.0 |
|          |       |         |        |     |     | Total Acres   | 305.0 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:  
SEE REMARKS.

14. Remarks:

OTHER RIGHTS ARE: CLAIM NO.'S A61-00333, 00334, 00335, 00336, 00340, 00364, 02008, 02100, 02199, 02209, 07288 & APP. NO. 61-07393.

THIS CLAIM IS A RESULT OF A SPLIT OF A61-02095 THAT CAME ABOUT AS A RESULT OF FIELD EXAMINATIONS AND A CLAIM REVIEW THAT REVEALED THERE WERE MAJOR CHANGES TO THE ORIGINAL LICENSE RECOGNIZED AS ACCOMPLISHED TRANSFERS.

CHANGE OF OWNERSHIP 5/8/1997 MTS

15. Basis of Claim: LICENSE

Water Right Number: 23876

(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.

**For Individuals:**

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
Date: \_\_\_\_\_

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

Seal

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: **A61-02095A**

Date Received: 12/ 7/1989

Receipt No: ~~W006957~~ X77777

Received By: \_\_\_\_\_

**AMENDED**

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

**AMENDED**

1. Name: WH MCGREW 208-366-2480  
Address: PO BOX 965  
GLENNS FERRY ID 83623

OR

Name: HELEN B MCGREW 208-366-2480  
Address: PO BOX 965  
GLENNS FERRY ID 83623

2. Date of Priority: MAR 7, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04S      | 09E   | 3       |        | SE     | SW  |     | ELMORE |
|          |       | 10      |        | NW     | NW  |     | ELMORE |

5. Description of diverting works:  
WELL W/PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.950 |      |        |

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

8. Total consumptive use is 915.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE.

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 04S      | 09E   | 9       | NE  |    | NE  |     | IRR           | 6.0   |
|          |       |         | SW  |    | NE  |     | IRR           | 18.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 20.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 30.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 15.0  |
|          |       |         |     |    |     |     | Section Acres | 179.0 |
|          |       | 10      | NE  |    | NW  |     | IRR           | 16.0  |
|          |       |         |     |    |     |     | Section Acres | 16.0  |
|          |       | 16      | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 30.0  |
|          |       |         |     |    |     |     | Section Acres | 110.0 |
|          |       |         |     |    |     |     | Total Acres   | 305.0 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:  
SEE REMARKS.

14. Remarks:

OTHER RIGHTS ARE: CLAIM NO.'S A61-00333, 00334, 00335, 00336, 00340, 00364, 02008, 02100, 02199, 02209, 07288 & APP. NO. 61-07393.

THIS CLAIM IS A RESULT OF A SPLIT OF A61-02095 THAT CAME ABOUT AS A RESULT OF FIELD EXAMINATIONS AND A CLAIM REVIEW THAT REVEALED THERE WERE MAJOR CHANGES TO THE ORIGINAL LICENSE RECOGNIZED AS ACCOMPLISHED TRANSFERS.

15. Basis of Claim: LICENSE

Water Right Number: 23876

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 \_\_\_\_\_

AJ0743NP  
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

11/14/98 12:03:14  
Page 1

Water Right Number - A61-02095A Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 23876

+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
COMBINED RIGHT

1 -  
2 -  
3 -  
City- ST CROIX  
Phone - 208-000-0000

State- VI Zip- 00851

\*\*\* O - ORIGINAL OWNER \*\*\*  
MCGREW

1 - PO BOX 965  
2 -  
3 -  
City- GLENNS FERRY  
Phone - 208-366-2480

State- ID Zip- 83623

WALKER

WORTH E

1 -  
2 -  
3 -  
City- GLENNS FERRY  
Phone - 208-000-0000

State- ID Zip- XXXXX

MCGREW

HELEN B

1 - PO BOX 965  
2 -  
3 -  
City- GLENNS FERRY  
Phone - 208-366-2480

State- ID Zip- 83623

CHARTER MOUNTAIN RANCH, INC

State- VI Zip- 00851

City- ST CROIX  
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
03/07/1993 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER  
COMBINED RIGHT

SEE REMARKS

+ - - - - - - - - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot Rflg County

04S 09E 3 SE SW (39) ELMORE  
10 NW NW (39) ELMORE

+ - - - - - - - - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

2.950

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
2.950 915.0

|                      |           |            |                       |           |            |                       |           |           |           |           |
|----------------------|-----------|------------|-----------------------|-----------|------------|-----------------------|-----------|-----------|-----------|-----------|
| + + + + +            | - - - - - | - - - - -  | - - - - -             | - - - - - | - - - - -  | - - - - -             | - - - - - | - - - - - | - - - - - | - - - - - |
| Court Report Filing  | -         | 00/00/0000 | Field Inspection Made | -         | 00/00/0000 | Civil Case Number     | -         | 39576     |           |           |
| Objection Filed Date | -         | 00/00/0000 | Field Inspection Flag | -         |            | Old Case Number       | -         |           |           |           |
| Response Filed Date  | -         | 00/00/0000 | Verified Date         | -         | 00/00/0000 | Old Judicial District | -         |           |           |           |

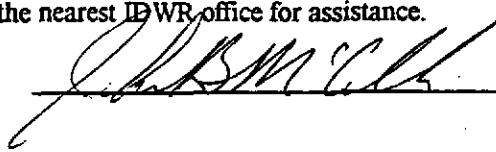


STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

RECEIVED

MAR 11 1997

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

1. Water Right Number(s) (LIST ATTACHED)  
Adjudication Claim Number(s) \_\_\_\_\_
2. The following **REQUIRED** information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) WILLIAM H. MCGREW & HELEN BRANDT MCGREW  
PO BOX 965 GLENNS FERRY, ID 83623
4. New Owner/Claimant(s) CHARTER MOUNTAIN RANCH, INC.  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
New Mailing Address PO Box 1656  
City, State and ZIP Code St Croix, USVI 00851  
New Telephone Number ( ) -
5. Date you acquired the property 3-7-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 3/7/97  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by attorney.

# WARRANTY DEED

FOR VALUE RECEIVED

William H. McGrew and Helen Brandt McGrew, husband and wife

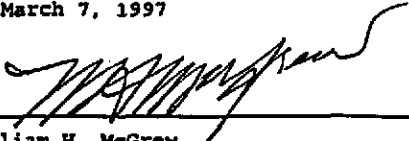
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto  
Charter Mountain Ranch, Inc.

GRANTEE(S), whose current address is: PO BOX 1656 KINGSHILL ST CROIX, USVI 00851  
the following described real property in Elmore County, State of Idaho,  
more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: March 7, 1997

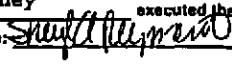
  
William H. McGrew

  
Helen Brandt McGrew

STATE OF Idaho, County of Elmore, ss.

On this 7th day of March  
in the year of 1997, before me, the undersigned, a Notary  
Public in and for said State, personally appeared  
William H. McGrew, Helen Brandt McGrew

known or identified to me to be the person<sup>s</sup> whose name  
are subscribed to the within instrument, and  
they executed the same.

Signature: 

Name: Sheri A. Reymont  
(Type or print)

Residing at: Mountain Home

My commission expires: 12-7-99

299283

ELMORE COUNTY, IDAHO ss  
Request of

GUARANTY TITLE, INC.

Time: 4:11 P M

Date: March 7, 1997

Book Page

DOLores RODISON

Recorder

By 

Deputy

Fee: \$12.00

LEGAL DESCRIPTION

TRACT I-A:

Township 3 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 34: SE1/4NE1/4  
Section 35: Lot 4 and NW1/4SW1/4

Township 4 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 2: Lot 4, SW1/4NW1/4 and NW1/4SW1/4

Section 3: NW1/4NE1/4SE1/4NE1/4 and SE1/4NE1/4, Less  
S1/2NE1/4SW1/4SE1/4NE1/4  
and N1/2SE1/4SW1/4SE1/2NE1/4, and Lot 1, SW1/4NE1/4,  
SE1/4NW1/4, E1/2SW1/4 and all of SE1/4, Less  
NW1/4NE1/4SW1/4SE1/4

Section 8: SE1/4SE1/4

Section 9: E1/2SE1/4, SW1/4SW1/4

Section 10: N1/2NE1/4, S1/2NW1/4, SW1/4NE1/4, all of SW1/4 and  
W1/2SE1/4

Section 15: N1/2NW1/4 and SW1/4NW1/4

Section 16: NE1/4NE1/4 and NW1/4SE1/4 and SE1/4NE1/4

Section 17: N1/2N1/2

TRACT I-B:

Township 4 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 29: E1/2NE1/4, N1/2SE1/4 and SW1/4SE1/4

(See Attached)

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

LEGAL DESCRIPTION

TRACT I-C:

Township 4 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 16: NW1/4 and W1/2NE1/4

TRACT I-D:

Township 4 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 8: W1/2NE1/4, SW1/4, W1/2SE1/4

Section 3: S1/2NE1/4SW1/4SE1/4NE1/4, N1/2SE1/4SW1/4SE1/4NE1/4

TRACT I-E:

Township 4 South, Range 9 East, Boise Meridian, Elmore County,  
Idaho

Section 3: NW1/4NE1/4SW1/4SE1/4

Section 9: NE1/4NE1/4, S1/2NE1/4, W1/2SE1/4, SE1/4SW1/4

Section 10: N1/2NW1/4

(See Attached).

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

LEGAL DESCRIPTION

TRACT II:

Township 2 South, Range 10 East, Boise Meridian, Elmore County,  
Idaho

Section 19: N1/2SE1/4, SE1/4SE1/4

Section 20: S1/2S1/2, NW1/4SW1/4

Section 21: S1/2S1/2

Section 22: West 300 feet of SW1/4SW1/4

Section 27: West 300 feet of NW1/4NW1/4

Section 28: N1/2, N1/2S1/2

Section 29: N1/2, N1/2S1/2, SE1/4SE1/4, SW1/4SW1/4 ✓

Section 30: E1/2E1/2

Section 32: W1/2, SE1/4

Township 3 South, Range 10 East, Boise Meridian, Elmore County,  
Idaho

Section 5: N1/2, N1/2S1/2

TOGETHER with and including all grazing, water, mineral, ditch  
and other rights appurtenant thereto.

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

# WARRANTY DEED

FOR VALUE RECEIVED

William H. McGrew and Helen Brandt McGrew, husband and wife

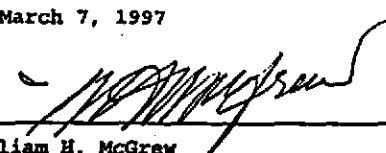
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto  
Charter Mountain Ranch, Inc.

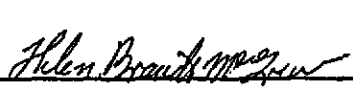
GRANTEE(S), whose current address is: PO BOX 1656 KINGSHILL ST CROIX, USVI 00851  
the following described real property in Elmore County, State of Idaho,  
more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: March 7, 1997

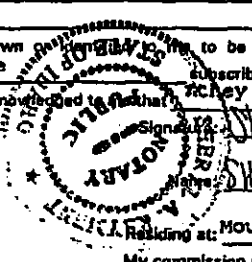
  
William H. McGrew

  
Helen Brandt McGrew

STATE OF Idaho, County of Elmore, ss.

On this 7th day of March  
in the year of 1997, before me, the undersigned, a Notary  
Public in and for said State, personally appeared  
William H. McGrew, Helen Brandt McGrew

known to be the person whose name  
are subscribed to the within instrument, and  
acknowledged to me that they executed the same.

  
My commission expires: 12-31-99

299284

ELMORE COUNTY, IDAHO ss  
Request of

GUARANTY TITLE, INC.

Time 4:12 P M  
Date March 7, 1997  
Book \_\_\_\_\_ Page \_\_\_\_\_

LOLONES ROBISON

Recorder

By   
#6.0

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

Tract I:

Township 2 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 24: S1/2SE1/4

Section 25: NE1/4, N1/2SE1/4, SE1/4SE1/4

Township 2 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 14: Lot 3, lying North of existing County Road  
Lot 4

Section 15: Lots 1 and 2  
Lot 3, lying North of existing County Road  
Lot 4, lying North of existing County Road  
SW1/4SE1/4, lying North of existing County Road  
N1/2SW1/4  
S1/2NW1/4

Section 19: Lot 4, SW1/4SE1/4, SE1/4SW1/4,  
NE1/4SW1/4, lying South of existing County Road

Section 30: Lots 1, 2, 3 and 4, E1/2W1/2, W1/2E1/2

TRACT II:

Township 4 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 10: NW1/4SW1/4, E1/2SW1/4, SW1/4SE1/4

Section 15: NE1/4NW1/4, W1/2NE1/4

TOGETHER with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

# WARRANTY DEED

## FOR VALUE RECEIVED

William H. McGrew and Helen Brandt McGrew, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto  
Charter Mountain Ranch, Inc.

GRANTEE(S), whose current address is: PO BOX 1656 KINGSHILL ST CROIX, USVI 00851  
the following described real property in Elmore County, State of Idaho,  
more particularly described as follows, to wit:

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: March 7, 1997

William H. McGrew

Helen Brandt McGrew

STATE OF Idaho, County of Elmore, ss.

On this 7th day of March  
In the year of 1997, before me, the undersigned, a Notary  
Public in and for said State, personally appeared  
William H. McGrew, Helen Brandt McGrew

known and acknowledged to be the person whose name  
are subscribed to the within instrument, and  
acknowledged to me that they executed the same.

Notary Public  
Signature: Shirley A. Raymond  
Residing at: Mountain Home  
My commission expires: 12-27-99

299285

ELMORE COUNTY, IDAHO ss  
Request of  
GUARANTY TITLE, INC.

Time 4:13 P M  
Date March 7, 1997  
Book \_\_\_\_\_ Page \_\_\_\_\_

DOLORES ROBISON

Recorder

By [Signature]  
Deputy  
Fee \$6.00

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

Township 2 South, Range 10, East, Boise Meridian, Elmore County, Idaho

Section 15: S1/2SW1/4

Section 22: W1/2NE1/4, N1/2SW1/4, E1/2NW1/4  
East 1020 feet of SW1/4SW1/4 (Tax 2),  
SE1/4SW1/4, SE1/4

Section 27: NE1/4, NE1/4NW1/4,  
East 1020 feet of NW1/4NW1/4 (Tax 2)  
S1/2NW1/4, NE1/4SW1/4, N1/2SE1/4

Section 29: SW1/4SE1/4, SE1/4SW1/4

Section 31: Lots 1, 2, 3, 4, E1/2, E1/2W1/2

Section 32: NE1/4

Section 33: E1/2NW1/4, W1/2SW1/4, SE1/4SW1/4, W1/2NW1/4

Township 3 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 5: S1/2SW1/4

Section 6: Lots 1, 2, 3, 4, S1/2NE1/4, SE1/4NW1/4, E1/2SE1/4

TOGETHER with and including all grazing, water, mineral, ditch and other  
rights appurtenant thereto.

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

# WARRANTY DEED

## FOR VALUE RECEIVED

William H. McGrew and Helen Brandt McGrew, husband and wife

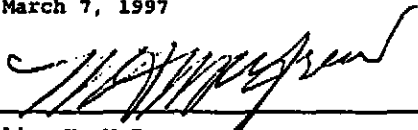
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto  
Charter Mountain Ranch, Inc.

GRANTEE(S), whose current address is: PO BOX 1656 KINGSHILL ST CROIX, USVI 00851  
the following described real property in Elmore County, State of Idaho,  
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(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: March 7, 1997

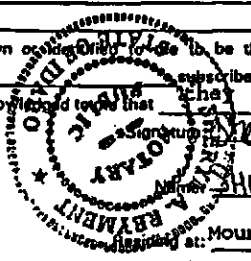
  
William H. McGrew

  
Helen Brandt McGrew

STATE OF Idaho, County of Elmore, ss.

On this 7th day of March  
in the year of 1997, before me, the undersigned, a Notary  
Public in and for said State, personally appeared  
William H. McGrew, Helen Brandt McGrew

known to me to be the person whose name  
are subscribed to the within instrument, and  
acknowledged to me that they executed the same.

  
Sheryl A. Payment  
My commission expires: 12-27-99

299286

ELMORE COUNTY, IDAHO ss  
Request of

GUARANTY TITLE INC.

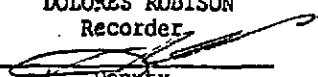
Time 4:14 PM

Date March 7, 1997

Book Page

DOLORES ROBISON

Recorder

By 

Fee Deputy

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

Township 3 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 26: SW1/4 and W1/2SE1/4

Section 27: SE1/4SE1/4

Section 34: NE1/4NE1/4

Section 35: NW1/4, W1/2NE1/4, NE1/4SW1/4, NE1/4SW1/4 and Lot 3

TOGETHER with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.

RECEIVED

MAR 11 1997

WATER RESOURCES  
WESTERN REGION

Carter's Draft Rec.  
5/23/02 for SF5

05/07/2002

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

RIGHT NUMBER: 61-2095A  
NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC  
RT 1 BOX 451  
GLENN'S FERRY ID 83623

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY:

~~2.930 CFS~~  
1260 AFY

3.05 CFS

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.34 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3203.6 AF.

RIGHT NOS. 61-2095A, 61-2199A AND 61-2209A ARE LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2392 AF.

PRIORITY DATE: 03/07/1953

POINT OF

DIVERSION: T04S R09E S10 NESWNE Within ELMORE County  
T04S R09E S10 NENWNW Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 03/15 11/15          | 2.930 CFS<br>1260.0 AFY |

PLACE OF USE: IRRIGATION Within ELMORE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T04S R09E S03 | NESW | 3.7  | T04S R09E S03 | SESW | 21.0 |
| T04S R09E S03 | NESE | 0.9  | T04S R09E S03 | NWSE | 3.7  |
| T04S R09E S03 | SWSE | 16.8 | T04S R09E S03 | SESE | 22.0 |
| T04S R09E S08 | SESE | 2.5  | T04S R09E S09 | SWNE | 22.0 |
| T04S R09E S09 | SENE | 41.0 | T04S R09E S09 | SWSW | 25.0 |
| T04S R09E S09 | SESW | 40.0 | T04S R09E S09 | NESE | 38.0 |
| T04S R09E S09 | NWSE | 40.0 | T04S R09E S09 | SWSE | 41.0 |
| T04S R09E S09 | SESE | 28.0 | T04S R09E S10 | NENE | 7.4  |
| T04S R09E S10 | NWNE | 16.0 | T04S R09E S10 | SWNE | 4.6  |
| T04S R09E S10 | NENW | 11.0 | T04S R09E S10 | NWNW | 3.3  |
| T04S R09E S10 | SWNW | 29.0 | T04S R09E S10 | NESW | 22.0 |
| T04S R09E S10 | SWSW | 18.6 | T04S R09E S10 | SESW | 38.0 |
| T04S R09E S10 | NWSE | 28.0 | T04S R09E S10 | SWSE | 11.0 |
| T04S R09E S15 | NENW | 16.0 | T04S R09E S15 | NWNW | 23.8 |
| T04S R09E S15 | SWNW | 10.6 | T04S R09E S16 | NENE | 32.0 |
| T04S R09E S16 | NWNE | 18.0 | T04S R09E S16 | SWNE | 6.9  |
| T04S R09E S16 | SENE | 28.0 | T04S R09E S16 | NENW | 38.0 |
| T04S R09E S16 | NWNW | 40.0 | T04S R09E S16 | SWNW | 5.9  |
| T04S R09E S16 | SESW | 4.8  | T04S R09E S16 | NESE | 2.0  |
| T04S R09E S17 | NENE | 36.0 | T04S R09E S17 | NWNE | 4.4  |

800.9 ACRES TOTAL

05/07/2002

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

---

RIGHT NOS. 61-2095A, 61-2199A, 61-2209A AND 61-11887A ARE LIMITED TO THE IRRIGATION OF 800.9 ACRES WITHIN A PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-301A, 61-301B, 61-332, 61-333, 61-334, 61-335, 61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364, 61-2008, 61-2095A, 61-2199A, 61-2209A, 61-10363, 61-11844, 61-11847, 61-11854 AND 61-11887A ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1368 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 61-2095A, 61-2199A AND 61-2209A ARE LIMITED TO THE IRRIGATION OF 598 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 61-11887A IS AN ENLARGEMENT OF RIGHT NOS. 61-2095A, 61-2199A AND 61-2209A PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 61-2095A, 61-2095B, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-11887A AND 61-11887B ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.

03/26/2002

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

RIGHT NUMBER: 61-2095A

NAME AND ADDRESS: CHARTER MOUNTAIN RANCH INC  
RT 1 BOX 451  
GLENNS FERRY ID 83623

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.93 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 2440 AF. COMBINED RIGHT NOS.:  
61-02209A, 61-2209B, 61-2095B, 61-02199A, 61-2199B, 61-11887A, 61-11887B.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 9.53 CFS. COMBINED RIGHT NOS.: 61-02199A,  
61-2199B, 61-02209A, 61-2209B, 61-2095B & 61-11887A, 61-11887B.

PRIORITY DATE: 03/07/1953

POINT OF DIVERSION:

T04S R09E S10 NESWNW Within ELMORE County

T04S R09E S10 NENWNW Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 11/15

2.930 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T04S R09E S03 | NESW | 3.7  | T04S R09E S03 | SESW | 21.0 |
| T04S R09E S03 | NESE | 0.9  | T04S R09E S03 | NWSE | 3.7  |
| T04S R09E S03 | SWSE | 16.8 | T04S R09E S03 | SESE | 22.0 |
| T04S R09E S08 | SESE | 2.5  | T04S R09E S09 | SWNE | 22.0 |
| T04S R09E S09 | SENE | 41.0 | T04S R09E S09 | SWSW | 25.0 |
| T04S R09E S09 | SESW | 40.0 | T04S R09E S09 | NESE | 38.0 |
| T04S R09E S09 | NWSE | 40.0 | T04S R09E S09 | SWSE | 41.0 |
| T04S R09E S09 | SESE | 28.0 | T04S R09E S10 | NENE | 7.4  |
| T04S R09E S10 | NWNE | 16.0 | T04S R09E S10 | SWNE | 4.6  |
| T04S R09E S10 | NENW | 11.0 | T04S R09E S10 | NWNW | 3.3  |
| T04S R09E S10 | SWNW | 29.0 | T04S R09E S10 | NESW | 22.0 |
| T04S R09E S10 | SWSW | 18.6 | T04S R09E S10 | SESW | 38.0 |
| T04S R09E S10 | NWSE | 28.0 | T04S R09E S10 | SWSE | 11.0 |
| T04S R09E S15 | NENW | 16.0 | T04S R09E S15 | NWNW | 23.8 |
| T04S R09E S15 | SWNW | 10.6 | T04S R09E S16 | NENE | 32.0 |
| T04S R09E S16 | NWNE | 18.0 | T04S R09E S16 | SWNE | 6.9  |
| T04S R09E S16 | SENE | 28.0 | T04S R09E S16 | NENW | 38.0 |
| T04S R09E S16 | NWNW | 40.0 | T04S R09E S16 | SWNW | 5.9  |
| T04S R09E S16 | SENW | 4.8  | T04S R09E S16 | NESE | 2.0  |
| T04S R09E S17 | NENE | 36.0 | T04S R09E S17 | NWNE | 4.4  |

800.9 ACRES TOTAL

Water Right 61-2095A

1

03/26/2002

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

---

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF 305 ACRES WITHIN A PLACE OF USE OF 816.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED NOS: 61-2095B, 61-2209A, 61-2209B, 61-2199A, 61-2199B, 61-11887A, 61-11887B.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1368.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-301A, 61-332, 61-333, 61-334, 61-335, 61-336, 61-337, 61-338, 61-339, 61-340, 61-343, 61-364, 61-2008, 61-2199A, 61-2199B, 61-2209A, 61-2209B, 61-2095B, 61-10363, 61-11844, 61-11847, 61-11854, 61-11887A, 61-11887B.

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.

EXPLANATORY MATERIAL: License

RIGHT NOS. 61-11887A & 61-11887B ARE ENLARGEMENTS OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RECEIVED

JUN 15 1999

Department of Water Resources  
Adjudication BureauIN 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 61-02095

(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 Land Management, Idaho State OfficeAddress: 1387 South Vinnell WayBoise, Idaho 83709-1657Daytime Phone: see below

Name &amp; Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494United States Department of Justice; Environment and Natural Resource Division; General Litigation Section  
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Charter Mountain Ranch, Inc.Address: P.O. Box 1656 St. Croix, VI 00851

Name:

Address:

Name:

Address:

Name:

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: \_\_\_\_\_

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

**VERIFICATION (Must be Completed)**

State of Idaho )

) ss.

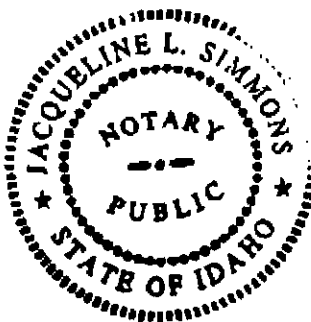
County of Ada)

Fredric W. Price, Water Rights Specialist, 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.

Fredric W. Price  
(Signature of person filing objection)

Larry A. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 14, 1999

Jacqueline L. Simmons

Notary Public for IdahoResiding at: BoiseMy Commission Expires: 04-07-2005

## 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 June 15th, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

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:

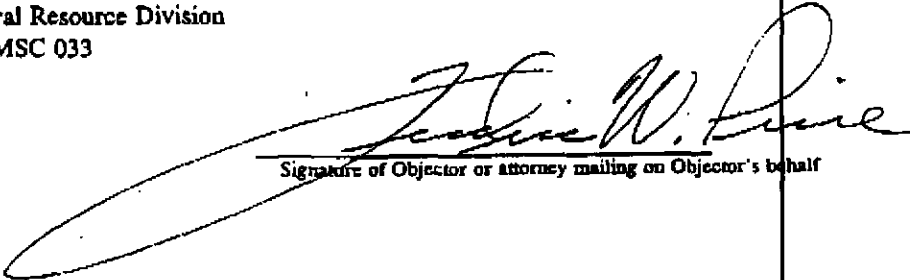
Name: Charter Mountain Ranch, Inc.  
Address: P.O. Box 1656 St. Croix, VI 00851  
Name:  
Address:  
Name:  
Address:  
Name:  
Address:

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
Signature of Objector or attorney mailing on Objector's behalf

A75856NP

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

DATE: FEB-12-1999  
PAGE: A-242

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-02095

NAME & ADDRESS: CHARTER MOUNTAIN RANCH INC  
PO BOX 1656  
ST CROIX VI 00851

-PAULON BLM; USE NOT AUTHORIZED

SOURCE: GROUNDWATER

QUANTITY: 3.11 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2440 AF. COMBINED  
RIGHT NOS.: 61-02209, 61-02199 & 61-11887.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 9.53 CFS. COMBINED RIGHT NOS.:  
61-02199, 61-02209 & 61-11887.

PRIORITY DATE: 03/07/1953

POINT OF DIVERSION: T04S R09E S10

NESWNE ✓  
NENWNW ✓

Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
03-15 11-15

QUANTITY  
3.11 CFS

PLACE OF USE:

IRRIGATION

T04S R09E S03

Within ELMORE County

NESW 3.7 ✓

SESW 21 ✓

NESE 0.9 ✓

NWSE 3.7 ✓

SWSE 16.8 ✓

SESE 22 ✓

SESE 2.5 ✓

SWNE 22 ✓

SENE 41 ✓

NESW 16 BLM

SWSW 25 ✓

SESW 40 ✓

NESE 38 ✓

NWSE 40 ✓

SWSE 41 ✓

SESE 28 ✓

NENE 7.4 ✓

NWNE 16 ✓

SWNE 4.6 ✓

NENW 11 ✓

NWNW 3.3 ✓

SWNW 29 ✓

NESW 22 ✓

SWSW 18.6 ✓

SESW 38 ✓

NENW 16 ✓

NWNW 23.8 ✓

SWNW 10.6 ✓

SENE 29 ✓

NENE 32 ✓

NWNE 18 ✓

SWNE 6.9 ✓

SESW 4.8 ✓

NENW 38 ✓

NESE 2 ✓

NWNW 40 ✓

SWNW 5.9 ✓

NENE 36 ✓

NWNE 4.4 ✓

S17

816.9 ACRES TOTAL

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-12-1999  
PAGE: A-143

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-02095 (CONT)

PLACE OF USE: (CONT)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 409 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1371.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00301, 61-00332, 61-00333, 61-00334, 61-00335, 61-00336, 61-00337, 61-00338, 61-00339, 61-00340, 61-00343, 61-00364, 61-02008, 61-02199, 61-02209, 61-00301, 61-10363, 61-11844, 61-11847, 61-11854 & 61-11887.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE  
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.  
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 61-02199, 61-02209 & 61-11887..  
RIGHT NO. 61-11887 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

|                |   |                                 |
|----------------|---|---------------------------------|
| In the SRBA    | ) | Water Rights: See attached list |
|                | ) |                                 |
| Case No. 39576 | ) |                                 |
|                | ) | NOTICE OF ADMINISTRATIVE        |
|                | ) | PROCEEDING                      |

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- IDWR projects the Administrative Proceeding shall be completed no later than:**

DATED: June 14, 1999

Jan Thunke

Page 1

## INSTRUCTIONS FOR MAILING

Mail this form, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

## CERTIFICATE OF MAILING

I certify that on June 14, 1999, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls , Idaho 83303-2707
2. One Copy to Claimant:  
  
Charter Mountain Ranch  
Route 1 Box 451  
Glenns Ferry ID 83623
3. One Copy to:  
Each party in the subcase, or attorney of record:  
  
Rosholt, Robertson & Tucker  
Attorneys at Law  
1221 W Idaho Suite 600  
PO Box 2139  
Boise ID 83701-2139

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

**Attachment A**  
**Water Right List**

61-00301  
61-00332  
61-00333  
61-00334  
61-00335  
61-00336  
61-00337  
61-00338  
61-00339  
61-00340  
61-00343  
61-00364  
61-02008  
61-02012  
61-02095  
61-02100  
61-02199  
61-02209  
A61-10363  
A61-11844  
A61-11847  
A61-11887

2095 & 2209

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Lower Snake River District  
Boise Field Office  
3948 Development Avenue  
Boise, Idaho 83705-5389

AGRICULTURAL LEASE IDI-33470

THE LEASE, made and entered into by the United States of America, by and through the Bureau of Land Management (BLM), hereinafter referred to as "LESSOR", and John B. and Teresa M. McCallum, also known as Charter Mountain Ranch, Inc., Rt. 1 Box 451, Glens Ferry, ID 83623, hereinafter referred to as "LESSEE", pursuant and subject to the provisions of Title III, Section 302 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1732, 90 Stat. 2762).

The Lessor and the Lessee are jointly referred to herein as the "Parties." As used herein, the "Authorized Officer" refers to the Bureau of Land Management official having the delegated authority to execute and administer this lease. Unless otherwise indicated, such authority may be exercised by the Four Rivers Field Manager or the Lower Snake River District Manager.

WITNESSETH

WHEREAS THE LESSOR, for and in consideration of the payment of current fair market rental in advance or other valuable consideration, does hereby grant to the Lessee, its licensees, permittees, and agents the right and privilege to cultivate with only acceptable farming practices the public lands described below provided the Lessee complies with the terms and conditions specified herein:

Boise Meridian, Owyhee County, Idaho

T. 4 S., R. 9 E., Section 9: NE $\frac{1}{4}$ SW $\frac{1}{4}$ \*

Containing 16.53 acres

(\*) Portion only, refer to attached map.

FARMING LEASE CONDITIONS

1. The lease shall be issued for a 10 year term which may be renewable with the consent of the Lessor's authorized officer subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public's interest.

2. The Lessee agrees:

a) To observe all Federal, State, County and local laws, regulations, and ordinances

which are applicable to the premises.

b) To conduct all actions and operations in an orderly manner, and in accordance with all applicable laws, regulations, and ordinances.

c) Not to commit waste or injury to the land, or to utilize the land for any purpose other than that for which this lease is issued.

d) To take all reasonable precautions to prevent and suppress any wildfire that may result in damage and to extinguish all fires before leaving the premises unattended.

c) To take all precautions to prevent pollution of surface and ground waters on or in the vicinity of the leased land.

3. The Lessee shall notify the Lessor of any change of name or mailing address within 45 days of such address change.

4. The Lessee shall notify the Lessor within 30 days following a change in ownership of private land that is contiguous to the leased land. The purpose of this notification is to ensure the timely filing of an application for assignment of this lease and other related rights-of-way to the new owner(s).

5. The United States retains the right to authorize use of the leased area for other compatible uses (including the subsurface and airspace).

6. This lease shall be issued subject to all valid existing rights and shall not excuse the Lessee from obtaining any additional approvals lawfully required by other Federal, State or local agencies.

7. Any cultural and/or paleontological resource (fossil(s) or historic or prehistoric site or object) discovered by the Lessee, or any person working on his behalf, on public land shall be immediately reported to the Lessor. Lessee shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Lessor. An evaluation of the discovery will be made by the Lessor to determine appropriate values. The Lessee will be responsible for the cost of this evaluation and for the results of the decision to properly mitigate the situation, after consultation with the Lessee.

8. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall mean the use of all herbicides, rodenticides, and insecticides used on the premises. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the Authorized Officer. Emergency

use of pesticides shall be approved in writing by the Lessor prior to such use.

9. The Lessee shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the Lessee shall comply with the Toxic Substance Control Act of 1976 as amended, 15 U.S.C. §2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the leased land or on facilities authorized under this lease. (See 40 CFR §702-799 and especially, provisions on polychlorinated biphenyl, 40 CFR §761.1 - 761.193.) Additionally, any release of toxic substances (leaks, spill, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or reportable release or spill of any toxic substances shall be furnished to the Lessor concurrent with the filing of the reports to the involved Federal or State agency.

10. Pursuant to 43 CFR §2920.9-3, in the event of noncompliance with applicable Federal regulation or special stipulations, the Lessor may suspend, terminate or cancel this lease following written notice and an opportunity for the Lessee to cure the default. If the Lessee fails to cure the default within the time allowed, the lease may be terminated. If terminated the Lessee shall be allowed a reasonable period in which to remove all personal property or improvements. Personal property or improvements remaining after this period shall become the sole property of the United States. The Lessee shall remain liable for actions that occurred during the term of the lease, and for the costs incurred by the United States in the removal of equipment, machinery, or improvements and reclamation of the property.

11. The Lessee agrees to defend, indemnify, and hold harmless the United States against any liability rising from any activity within the lease area, including the release of hazardous substances or hazardous waste. This agreement applies without regard to whether an action or release is caused by the Lessee, its licensee(s), permittee(s) or unrelated third party.

12. The Lessor reserves all leasable, locatable, and salable mineral resources and deposits in the subject lands together with the right to prospect for, mine, and remove the same under applicable laws and regulations.

13. A relinquishment of this lease, upon acceptance by the Lessor, will be effective on the date it is filed and accepted, provided that, a relinquishment will not relieve the Lessee from liability where the Lessee is in default under any of the terms or conditions of this lease or for any reclamation of the lands.

14. The public lands identified in this lease may not be subleased with adjacent private land to any other farmer or person without prior written consent by the authorized officer. Any approved sub-lessee must adhere to and agree to be subject to all the provisions in this lease prior to their use occurring.

15. This lease shall be binding on all parties and shall inure to the benefit of the heirs, executors, administrators, successors, or assigns of the Lessee hereto.
16. The Lessee shall maintain the premises and improvements thereon to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the Lessor.
17. Any and all signs erected or maintained on the lands leased by the Lessee shall be approved in writing by the authorized officer.
18. The Lessor reserves the right to inspect the leased land at any time and to suspend or prohibit use of any facilities on it, if in the judgement of the Lessor, continued operation would endanger human life and/or property. Such suspension or prohibition will remain in effect until the hazard(s) has been eliminated to the satisfaction of the Lessor. It is understood that such suspension will only be ordered for substantive reasons.
19. No subdivision of the property is permitted for any reason.
20. All farming production costs, including but not limited to, labor, seed, cultivation, watering, vehicle usage, machinery, harvesting, and storage, shall be the sole expense of the Lessee as his expense in doing business under this lease.
21. Title to water associated with this lease shall continue to be legally authorized by the Idaho State Department of Water Resources (IDWR). Failure of the Lessee to remain in compliance with IDWR requirements regarding the use of water to the satisfaction of the authorized officer will result in the automatic termination of this lease in accordance with 43 CFR §2920.9-3. No rights to the public lands accrue due to their description as the place of use or place of crossing in conjunction with a water right, beyond those described specifically by this lease nor beyond the lease's term.
22. The Lessee shall cause title to water associated with this lease to be transferred to the sole name of the United States within three months from the issuing date of this lease. The Lessee shall maintain title to .20 cfs (or 3.98 acre feet) of irrigation water associated with this lease solely in the name of the United States during the term of this lease. If this lease is either terminated or not renewed all water rights transferred, as required above to the Lessor, shall be returned to the Lessee and revested to his sole ownership and enjoyment thereof. This water reversion will be at the Lessee's initiative and at his expense.
23. The subject lands shall not, nor this lease itself, be used as collateral in securing any loans of the Lessee or used as a means of obtaining financial underwriting for operation of the farm or any other private endeavor. The Lessee must at all times keep the title of United States to the property free and clear of all liens and encumbrances.
24. The subject lands shall not be included in any Conservation Reserve Program (CRP) of the USDA, Consolidated Farm Service Agency (CFSA) nor shall they be included in formulas or

participation acreage in calculation of deficiency payments or other purposes as a result of crops grown on the lands. Also, they shall not be included in any CFSA program that causes Federal money to be used in making payments to the Lessee.

25. Unrestricted and unabated legal access to the subject lands, both public and private, shall be allowed by either party for all operations under this lease and for administrative purposes to ensure compliance with the terms of the lease.

27. Members of Congress. No member of or Delegate to Congress or Resident Commissioner may benefit from this lease either directly or indirectly, except when the lease provides a general benefit to a corporation.

28. If the lease is either terminated or relinquished or the subject lands are to remain idle for more than two consecutive years they shall be rehabilitated with a seed mixture consisting of four wing saltbush, 1 lb./ac.; Sandburg bluegrass, 3 lbs/ac.; bluebunch wheatgrass (Secar or Snake River varieties), 5 lb./ac., and Wyoming big sage (pure live seed) .10 lb./ac. The prescribed fourwing and grass species mixture shall be drill seeded using a depth gauge not to exceed a depth of 1/2" during planting. The sage brush shall be broadcast seeded after drilling the other species. All seeding operations shall be completed by November 15th of the year prior to when the lands are to remain fallow or in the year the last crop is to be grown. If the seeding is unsuccessful, additional plantings may be required until, in the judgement of the Lessor, the planting has been established.

### HABITAT IMPROVEMENT

NOW THEREFORE: The parties to this lease, in consideration of the mutual covenants and benefits herein contained and for the advantages and mutual benefits accruing by this lease, to each of them, hereby covenant, contract and agree:

1. The Lessor shall provide and allow the farming and cultivation of 16.53 acres of public lands as shown on Attachment A, using customary farming practices and methods of operation. For the 16.53 acres of public lands allowed to be cultivated the Lessee will allow wildlife, normal and usual to the area, use of the fringe areas for purposes of nesting, escape cover, and food requirements. Care will be taken to not deliberate disrupt their use of the land during nesting periods or while traversing the parcel.

2. The Lessee will maintain the site in good conditions, watering in sufficient amounts and at appropriate times to fully mature and sustain the crops planted in as good of condition as possible. This will improve the food and cover potential for wildlife purposes as well as provide a monetary benefit to the Lessee.

3. When possible, any unharvested food and cover plots shall be left undisturbed throughout the winter months.

5. As required by Title 43 CFR §2920.8 the Lessee is required to pay rental for this use, which has been determined to be \$ 330.00 per year. This rent shall be updated, at least every 5 years, as appropriate for this use, to ensure fair market rental is obtained, as required.

♠ ♠ ♠ ♠ ♠ ♠ ♠ ♠

WITNESS WHEREOF:

**John B. McCallum - Lessee**

Daryl L. Albiston

- - - and - - -

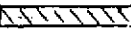
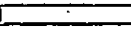
**Teresa M. McCallum - Lessee**

Four Rivers Field Manager  
Title

Date \_\_\_\_\_

Date \_\_\_\_\_

# **SITE MAP**

-  Subject Agr. Lease Area
-  Other public lands
-  Charter Mtn. Ranch property
-  State land
-  Legal access road
-  Barbed wire fence

Map Scale: 1:24,000

