

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 63-8434
Date Received: 2/28/1990
Receipt No: W009861
Received By:

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

1. Name of Claimant(s)

H DAVID CHRISTENSEN
18250 VAN SLYKE RD
WILDER ID USA 83676

Phone: (208) 454-0593

SANDRA JOY CHRISTENSEN
18250 VAN SLYKE RD
WILDER ID USA 83676

Phone: (208) 454-0593

2. Date of Priority: 03/15/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04W	19	NW SW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	7/01	9/01	0.04	5

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	19	SW	SW	INDUSTRIAL	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

Industrial use is for a mint still.

Processed change in ownership this day. kw 11/1/2006

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.

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

RECEIVED

OCT 18 2000

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8434					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Charles A & Marcheta Joy Tharrington
22368 Lower Pleasant Rd Road
4. New Owner/Claimant(s) Caldwell, Id 83605
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address H. David & Sandra Joy Christensen
 City, State and ZIP Code 18250 Van Slyke Rd. Wilder, Id. 83676
 New Telephone Number (208) 454-0593
5. Date you acquired the property 9-24-2004

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

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

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

7.

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

H. David Christensen

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by <i>fw</i> AJ	Date <i>11/1/06</i>	WR _____ Date _____

158729

RECORDED

NOV 22 AM 10 42

CANYON COUNTY RECORDER

**DEED OF DISTRIBUTION BY
PERSONAL REPRESENTATIVE**

THIS DEED is made and executed by Marcheta J. Tharrington, as personal representative of THE ESTATE OF CHARLES A. THARRINGTON, DECEASED, hereinafter referred to as the "Grantor," to MARCHETA J. THARRINGTON, hereinafter referred to as the "Grantee," whose address is 22368 Lower Pleasant Ridge Road, Greenleaf, Idaho 83626.

WHEREAS, Marcheta J. Tharrington is the qualified personal representative of said estate, filed as Probate Case Number CV04-4240 in Canyon County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, in accordance with the provisions of uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor estate hereby quitclaims, transfers and conveys to Grantee all of the Grantor estate's interest in the following described real property in Canyon County, Idaho:

This parcel is a portion of Government Lots 3 and 4 and a portion of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter, of Section 19, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Southwest corner of said Government Lot 3; thence North 00 degree 57' 57" East along the West boundary of said Government Lot 3 a distance of 480.86 feet to a point on the centerline of the Golden Gate Canal as it now exists; thence traversing said centerline as follows:

South 79 degrees 14' 15" East a distance of 455.03 feet along a curve to the right having central angle of 34 degrees 43' 39", a radius of 452.64 feet, and arc length of 274.35 feet and a long chord which bears South 61 degrees 52' 26" East a distance of 270.17 feet to the TRUE POINT OF BEGINNING; thence leaving said centerline and bearing North 87 degrees 43' 38" East a distance of 189.17 feet; thence North 00 degrees 57' 57" East parallel with the West Boundary of said Government Lot 3 a distance of 49.80 feet; thence North 89 degrees 35' 44" East a distance of 322.08 feet to a point on the centerline of the Greenleaf Drain; thence

REQUEST Marcheta Tharrington
TYPE Deed FEE \$6.00

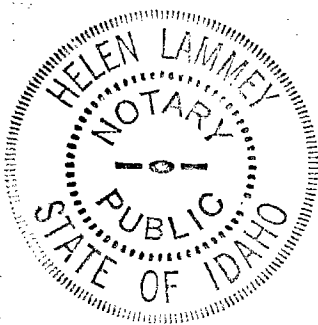
South 02 degrees 57' 02" East along said centerline a distance of 902.42 feet to a point on the centerline of the Golden Gate Canal as it now exists; thence traversing said centerline as follows:

Along a curve to the right having a central angle of 73 degrees 17' 35", a radius of 172.17 feet, an arc length of 220.24 feet and a long chord which bears North 61 degrees 45' 51" West a distance of 205.53 feet;
North 25 degrees 43' 29" West a distance of 365.90 feet;
North 24 degrees 24' 23" West a distance of 312.42 feet;
Along a curve to the left having a central angle of 20 degrees 06' 13", a radius of 452.64 feet and arc length of 158.82 feet and a long chord which bears North 34 degrees 27' 30" West a distance of 158.01 feet to the TRUE POINT OF BEGINNING.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

Dated this 21st day of October, 2004.

THE ESTATE OF CHARLES A. THARRINGTON,
DECEASED



Marcheta J. Tharrington
Marcheta J. Tharrington
Personal Representative

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE - 1

10-22-04
Canyon County
Exp- 12-31-04
Helen Lamme
Caldwell, Id.
83605

Y-E State Fee 3

THE NEW SUNSHINE CEILING

2

2015011

OC90612
2748
LEGAL: NW4 SW4 & SW4 SW4 SEC 32 4N 4W

CUSTOMER INVOICE
For Deed of Reconveyance

DATE: 9/24/2004

MAILED TO: H DAVID & SANDRA CHRISTENSEN
18250 VAN SLYKE ROAD
WILDER, ID 83676

GRANTOR: H DAVID CHRISTENSEN AND SANDRA JOY CHRISTENSEN, HUSBAND
AND WIFE

LEGAL: NW4 SW4 & SW4 SW4 SEC 32 4N 4W

RECONVEYANCE, PROCESSING AND RECORDING FEES FOR DEED OF TRUST
INSTRUMENT NUMBER 200404467, RECORDS OF CANYON COUNTY, IDAHO.

BILLED	\$43.00
<u>PAID</u>	<u>\$43.00</u>
DUE	\$0

CHECK # 2748
LOAN # 313103701

WE APPRECIATE YOUR BUSINESS. THANK YOU!

Pioneer Title Company
8151 W. Rifleman Street
Boise, Idaho 83704

OC90612

200462784

RECORDED

Nov 12 PM 4 42

04111111

CANYON COUNTY RECORDER

BY *Simmons*

TITLEONE

REQUEST

TYPE MISC FEE 15-

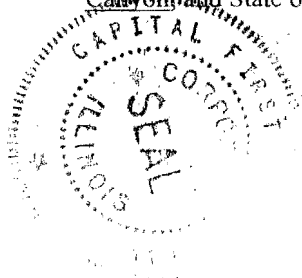
Recordation
Requested By:
Capital First Corporation
1312 Jackson Street
P.O. Box 27
Eldorado, IL 62930

ACCOMMODATION

RELEASE BY CORPORATION

KNOW ALL MEN BY THESE PRESENTS THAT

Capital First Corporation, a Corporation created and existing under and by the virtue of the laws of the State of Illinois, for and in consideration of One Dollar, and for other good and valuable consideration, the receipt whereof is hereby confessed, does hereby Remise, Convey, Release, Discharge and Quit claim unto Tri Mint Farms, Inc., an Idaho Corporation, and Hyrum David Christensen and Sandra J. Christensen, husband and wife, and Charles A. Tharrington, also known as Charles Tharrington and Marchetta Joy Tharrington, also known as Joy Tharrington, husband and wife, individually, of the County of Canyon and State of Idaho, all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by a certain Mortgage (Mortgage or Deed of Trust) bearing date July 12, 2002 Recorded in the Recorder's office of Canyon County, in the State of Idaho, recorded in Instrument No. 200231949 to the premises therein described, situated in the County of Canyon and State of Idaho.



IN TESTIMONY WHEREOF, the said Corporation has caused its corporate seal to be affixed and these presents to be signed by its President and attested by its Credit Analyst on November 1, 2004

By *Alan Hoskins* President

Attest *Brent J. Ford* Credit Analyst

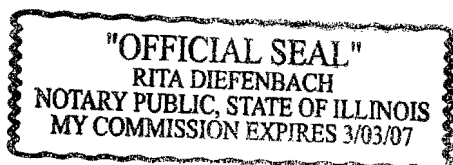
STATE OF ILLINOIS }
Saline County, } as

I, Rita Diefenbach, in and for said County, in the State of aforesaid, do hereby certify that Alan Hoskins, personally known to me to be the President of the Capital First Corporation. A Corporation, and Brent J. Ford personally know to me to be the Credit Analyst of said Corporation, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such respective officers, they signed and delivered the said instrument of writing of said Corporation and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said Corporation.

Given under my hand and notarial seal, on November 1, 2004

Rita Diefenbach

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED



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: A63-08434
Date Received: 2/28/1990
Receipt No: W009861
Received By: One

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES A. THARRINGTON 208-459-3024
Address: 22368 LOWER PLEASANT RIDGE RD.
CALDWELL, ID 83605

AND/OR

Name: MARCHETA JOY THARRINGTON 208-459-3024
Address: 22368 LOWER PLEASANT RIDGE RD.
CALDWELL, ID 83605

2. Date of Priority: MAR 15, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	19	NW	SW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	07/01	09/01	0.040		5.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 5.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A63-08434

Page 1

Date: 02/28/90

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	19	SW	SW		INDUST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Industrial use is for a mint still.

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: 1

For Individuals:

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

Signature of Claimant(s): Charles A. Harrington Date: 2-28-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of Feb 19 90

[Signature]
Notary Public

Seal

Residing at Boise Id

My Commission Expires 9/15/1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A
0004310839 OCT 06 2006
MAILED FROM ZIP CODE 83702
\$ 00.87⁰

RECEIVED

OCT 12 2006

WATER RESOURCES
WESTERN REGION

22368 Lower Pleasant Ridge Rd
Greenleaf 83626

63-8434

Resent 10-13-06

11/01/2006

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

RIGHT NUMBER: 63-8434

NAME AND ADDRESS: H DAVID CHRISTENSEN
18250 VAN SLYKE RD
WILDER ID 83676

SANDRA JOY CHRISTENSEN
18250 VAN SLYKE RD
WILDER ID 83676

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
5.000 AFY

PRIORITY DATE: 03/15/1977

POINT OF DIVERSION:

T04N R04W S19 NWSW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.040 CFS 5.00 AFY
Industrial use is for a shop.		

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R04W S19 Lot 3 NWSW

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

Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

OCT 16 2006

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-8434

~~CHARLES A. THARRINGTON~~
~~22368 LOWER PLEASANT RIDGE RD~~
~~CALDWELL ID 83605~~
~~Telephone Number: (208) 459-3024~~

~~MARCHETA JOY THARRINGTON~~
~~22368 LOWER PLEASANT RIDGE RD~~
~~CALDWELL ID 83605~~
~~Telephone Number: (208) 459-3024~~

H. David Christensen
18250 Lower Slyke Rd.
Wildor, Id 83676 208-454-0593

Sandra Joy Christensen
18250 Lower Slyke Rd.
Wildor, Id 83676 208-454-0593

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10-16-06

SIGNATURE:

H. David Christensen

Please print your name:

H. David Christensen

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

✓fw

05/23/2006

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

RIGHT NUMBER: 63-8434

NAME AND ADDRESS: CHARLES A THARRINGTON
22368 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605

MARCHETA JOY THARRINGTON
22368 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
5.000 AFY

PRIORITY DATE: 03/15/1977

POINT OF DIVERSION:

T04N R04W S19 NWSW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.040 CFS

5.00 AFY

Industrial use is for a shop.

PLACE OF USE: INDUSTRIAL Within CANYON County

T04N R04W S19 Lot 3 NWSW

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

Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8434

WATER RIGHT NUMBER: 63-8434 ✓

Owner TypeName and Address

Current Owner

MARCHETA JOY THARRINGTON ✓
 22368 LOWER PLEASANT RIDGE RD ✓
 CALDWELL, ID 83605 ✓
 (208) 454-0593 ✓

Current Owner

CHARLES A THARRINGTON ✓
 22368 LOWER PLEASANT RIDGE RD ✓
 CALDWELL, ID 83605 ✓
 (208) 459-3024 ✓

459-3024 per claim

Priority Date: 03/15/1977

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

INDUSTRIAL

7/01 to 9/01

0.040 CFS

5.00 AF

Total Diversion:

0.040 CFS

5.00 AF

Location of Point(s) of Diversion

GROUND WATER ✓

CANYON County ✓

GL3 (NW1/4SW1/4) ✓

Sec. 19, ✓ Twp 04N, ✓ Rge 04W, ✓ B.M.

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	04W	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

L3
 per transfer
 3733 approved
 7/12/1990.

Conditions of Approval:

1. R09 Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
2. Industrial use is for a mint still.

Remarks:

shop.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8434

WATER RIGHT NUMBER: 63-8434

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES A THARRINGTON 22368 LOWER PLEASANT RIDGE RD CALDWELL, ID 83605 (208)459-3024
Current Owner	MARCHETA JOY THARRINGTON 22368 LOWER PLEASANT RIDGE RD CALDWELL, ID 83605 (208) 454-0593

Priority Date: 03/15/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	0.040 CFS	5.00 AF
	<u>Total Diversion:</u>	0.040 CFS	5.00 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NW1/4SW1/4)	Sec. 19, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	19										X							
												L 3							

Conditions of Approval:

1. R09 Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
2. Industrial use is for a mint still.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8434

02/02/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8434	Claim	04N	04W	19	SW	SW		INDUSTRIAL		MARCHETA JOY THARRINGTON
23903	Water Right	04N	04W	19	SW	SW		DOMESTIC		TEN DAVIS COMMUNITY HALL ASSN
11187	Water Right	04N	04W	19	SW	SW	4	IRRIGATION	35/250	CHARLES A THARRINGTON

Receipt Details for ID W009861

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/28/1990 1:42:25 PM	2/28/1990	Western	\$169.00	Check
Payer		CHARLES THARRINGTON		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3918			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR TRANSFER

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$54.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$85.00	APPLICATION FOR PERMIT	620199	1238	0	0	6390
\$30.00	APPLICATION FOR TRANSFER	620199	1238	0	0	6390

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8434		\$54.00	Claim

OK

Print Report

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11187

WATER RIGHT NUMBER: 63-11187

Owner Type Name and Address
 Current Owner CHARLES A THARRINGTON
 Current Owner MARCHETA JOY THARRINGTON
 Priority Date: 02/28/1990
 Basis: License
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to	12/31	0.250 CFS	15.00 AF
IRRIGATION	3/15 to	11/15	1.760 CFS	858.80 AF
	<u>Total Diversion:</u>		2.010 CFS	873.80 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NW1/4SW1/4)	Sec. 19, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 19, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	19									40.0	35.0	35.0	40.0	40.0	40.0			230.0
												L3	L4						
04N	04W	30					20.0												20.0

Total Acres: 250

INDUSTRIAL same as IRRIGATIONConditions of Approval:

- The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
- R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

mint still
63-8434 is for shop per transfer 3733.
NO OK

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11187

Comments:

1. VAULT 1/28/1992 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Licensed Date: 5/17/1994

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

*Exam made '94 -
between '92 & '94 -*

Water Supply Bank:

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3733APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Charles A. And/or MARCERA JOY THARRINGTON Phone 459-3024
Post Office address 22368 Lower Pleasant Ridge Rd. Caldwell, Id. 83605

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Move water right from existing mint still location to a shop location 150' to the northwest.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 63-08434 Priority 3/15/1977 Amount (cfs/ac-ft) 0.04 cfs Nature of Use Industrial Period of Use 1/1 to 12/31
2. Total amount of water being transferred 0.04 cubic feet per second and/or 5.0 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
3		NW	SW	19	4N	4W	Canyon	(PER TOPO: well in center of SW 1/4, S19, T4N, R4W).
								from Appl 63-11187

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	4W	19										LOT 3 I							

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JUL 23 1990

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Water right presently used for mint still is being moved to Shop. Replacement water right for mint still is now app, 63-11187

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

Season to be expanded from [7/1 to 9/1] to year around.
However, total Annual diversion is not intended to be increased.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-8434

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

12th

day of

July

19 90

J. Glen Saylor
 Chief, Water Alloc. Bureau

[Signature]

JUL 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-08434 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other N/A - All owned by licensee

3. Source of water Groundwater tributary to _____

4. Date or priority 3/15/1977

5. Water is used for the following purpose:

amount 0.04 cfs for Industrial purposes from 7/1 to 9/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.04 cubic feet per second and/or 5.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>SW</u>	<u>19</u>	<u>4N</u>	<u>4W</u>	<u>Canyon</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
<u>4N</u>	<u>4W</u>	<u>19</u>											<u>44</u>						

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Total acres _____

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R4W

T4N

R3 19

o P/D & P/U

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JUL 24 1987

See topo + geot lot plat in 63-11187
for well location.

RL 3/12/90

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Charles R. Thompson
(Signature of Applicant)

Subscribed and sworn to before me this 28th day of February, 19 90.

David R. T. Utter
(Notary Public)

My commission expires 9/15/1994

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by DRT Date 2/28/90 Protest filed by _____

Prelim. check by SL Fee \$30

Receipted by DRT Date 2/28/90 W009861

Published in Press-Tribune Copies of protest forwarded by _____

Pub. dates 3/21 & 3/28/90 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DRT Gary S.

Copy of transfer sent to lien holder _____

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JUL 23 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08434

Priority: March 15, 1977 Amount: 0.04 CFS 5.0 AFA

This is to certify, that CHARLES THARRINGTON
JOY THARRINGTON

RT. 6 BOX 189

CALDWELL, ID 83605

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 11, 1977, and has submitted proof to the Department of Water Resources on January 13, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .430 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
INDUSTRIAL	07/01 to 09/01	0.04 CFS	5.0 AFA

LOCATION OF POINT OF DIVERSION(S): NWSW , Sec. 19, Township 04N, Range 04W
CANYON County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

04N 04W 19 SWSW

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
5. Industrial use is for a mint still.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of MARCH, 1989.

Director

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MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

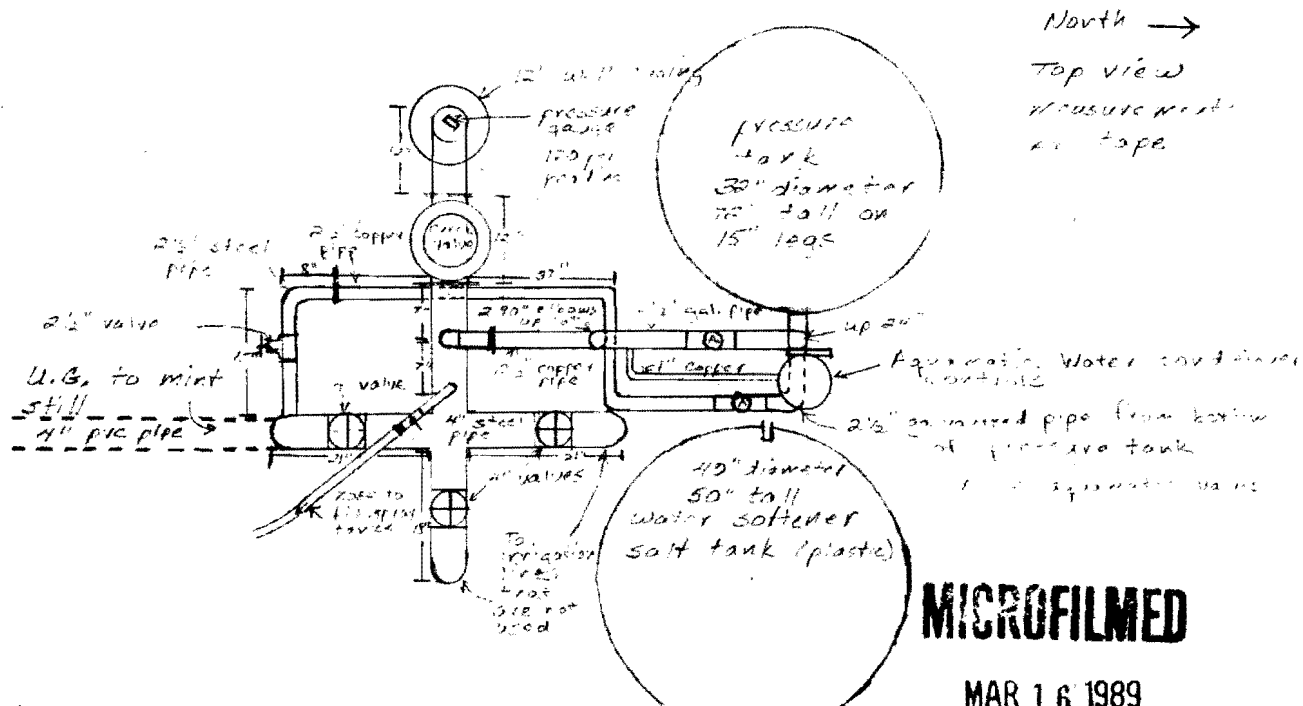
Permit No. 11801 8434
1. Owner: Charles and/or Terrell Wright Phone No. 457-3024
Current Address: Rt. 6 Box 187, Caldwell, ID 83605
2. Accompanied by: Wade Wright EXAM. DATE: 7-24-87
Address: Rt. 2 Wilder, ID Phone No. 482-7505
Relationship to Permit Holder: Employee
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

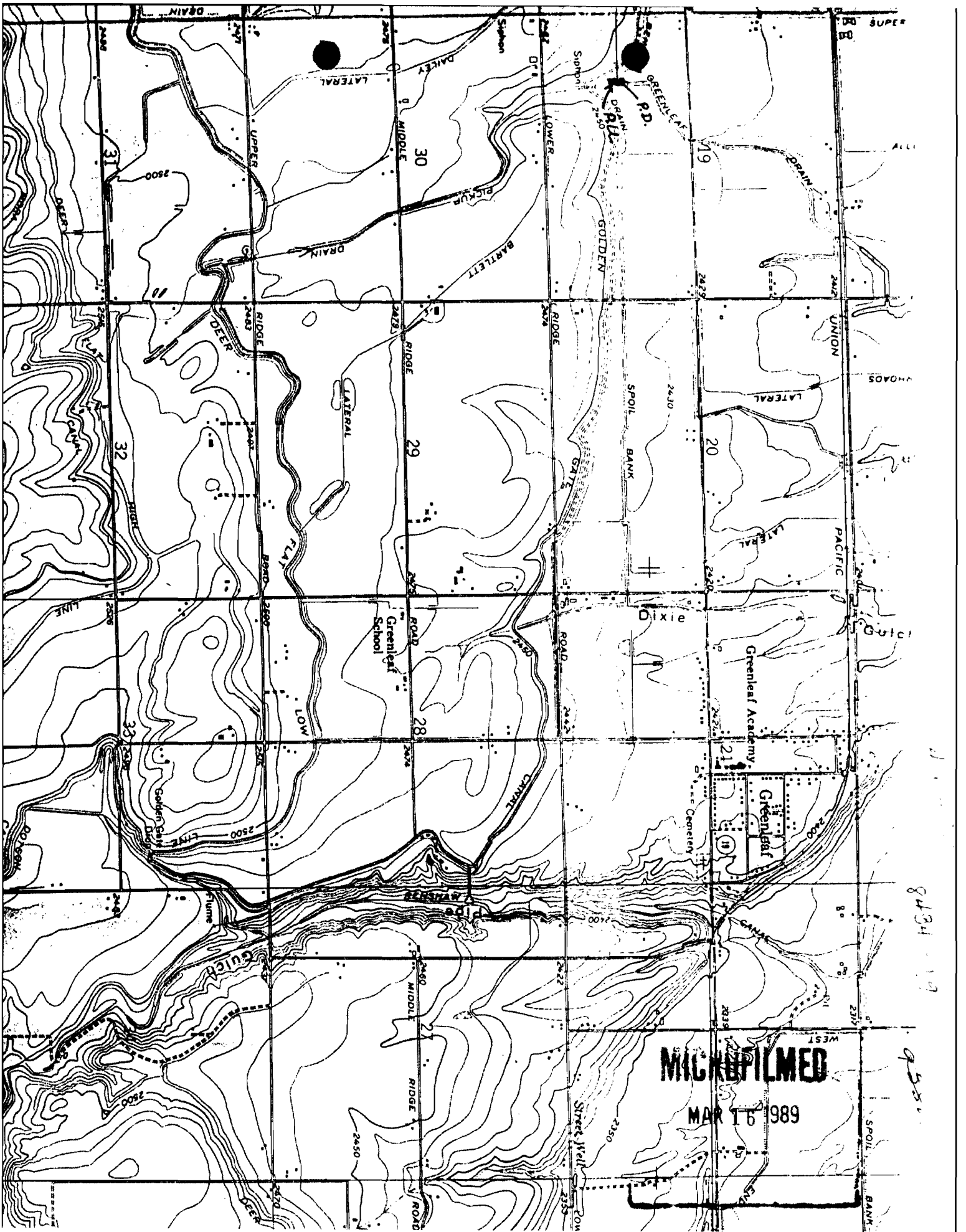


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Scale: 1" = 2'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).



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8434-10

955

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has a 12" cased well, 127' deep with a 20 H.P. submersible pump. Water is pumped through a water softener to reduce buildup of scale in the boiler, and then into the open shed that houses the mint still, approximately 20' south of the pump house. A 4" pvc pipe runs from the pump house underground to the north end of the shed. Upon emerging from

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Unknown	20	Unknown	Unknown	4" discharge

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	19	4N	4W	Canyon	Topographic Map

6. Place(s) of Use:

Indicate Method of Determination Topographic Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	4W	19											X						
													I						

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

measurement
No measurement was possible

No fee paid allow 0.04 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\frac{20 \times 8.8 \times .8}{50 \times 120(2.3)} = 0.43$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ *N/A*

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

0.04 x 63 x 1.98 = 5.0 ofa

No Fee Paid Therefore Volume Limited to 4 AFA

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

the ground the 4" pipe is reduced to 2" galvanized pipe that runs up to the rafters of the shed and over to ~~the~~ the 6 condensers in the central portion of the shed. ^{with} The water is used to condense the mint oil. ~~unpiped~~ ^{unpiped} it goes to the boiler where it is heated. The hot water is piped to each of the 6 distilling stations where it is connected to the mint carts to "cook" the mint. The ^{used} ~~excess~~ water is discharged into the Greenleaf drain ditch approx. 100' East of the mint still. The well does not produce an adequate flow of water for irrigation.

NO IRRIGATION USE

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Industrial	7-1	9-1	0.04	5.0 ~~5.0~~ 4.0
Totals:			0.04	5.0 ~~5.0~~ 4.0

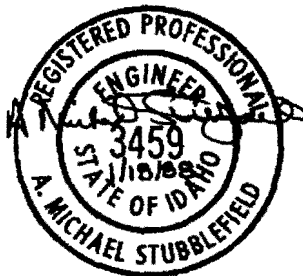
2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
 Signature Carter Fritschle 1/7/88
 Certification Date _____
 Field Report Preparation Date 7-24-87

CONSULTANT SEAL



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAR 16 1989

63-8434



P.D. from door looking
North west into the
pump house. Well casing
is visible left of center



P.U.
Looking
South west
at mat still.

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MAR 16 1989

Identification No. _____

Application No. 63-8434

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant CHARLES &/or JOY THARRINGTON Phone: 459-3024
post office address Route 2, Box 246 Caldwell, ID
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 4N
Range 4W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.20 for irrigation purpose from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.60 for industrial purpose from 7-1 to 9-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump into diversion ditch to
gravity flow

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 40 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 125,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 4N
Range 4W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: mint still

NOT RECORDED

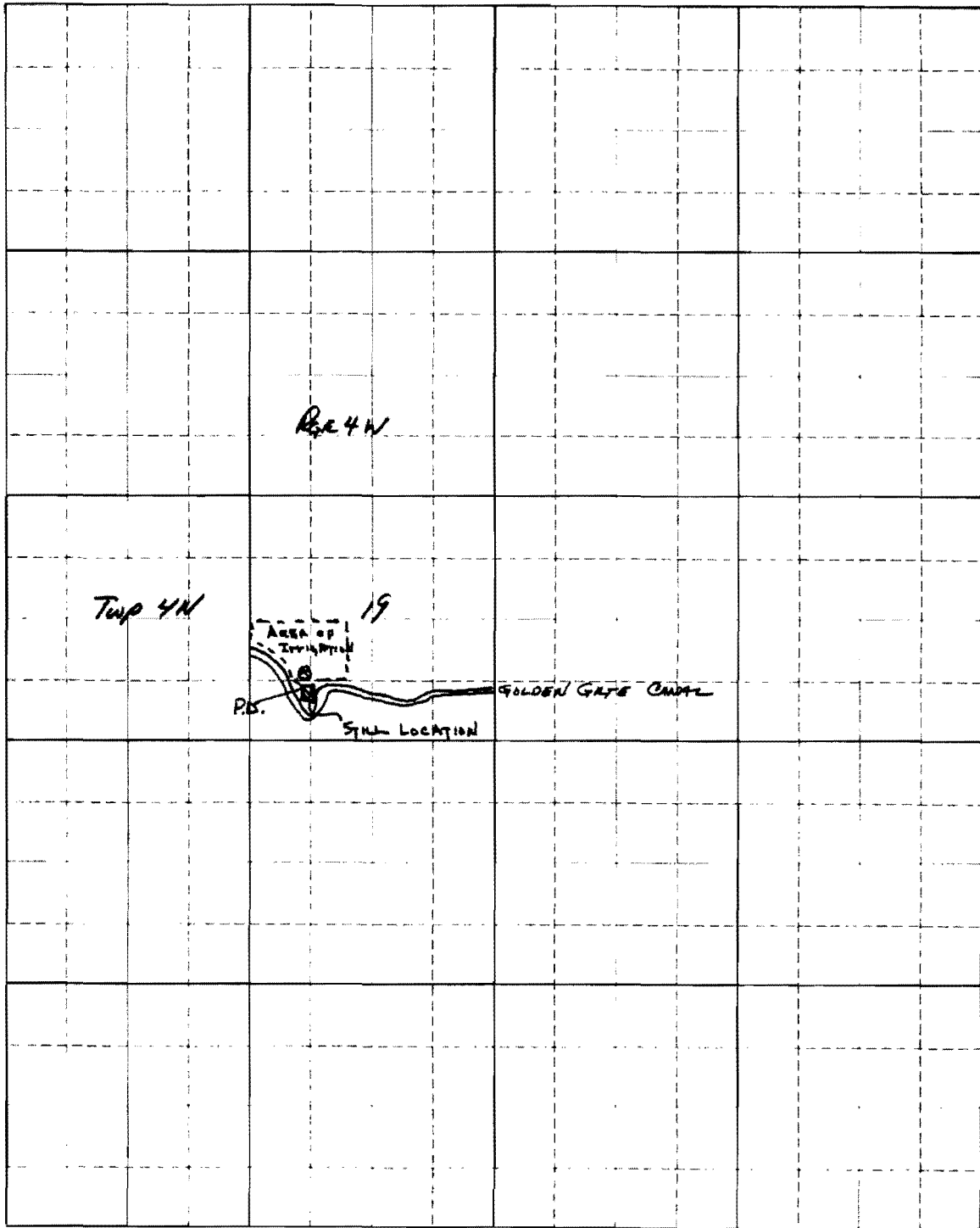
[illegible]

none

Mint still will be operated during a period when irrigation right is being used. The combined use will not exceed 1.2 cfs.

10. Remarks _____

11. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

Charles Harrington
(Applicant)