

07/07/2006

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

RIGHT NUMBER: 73-2159

NAME AND ADDRESS: CHARLESVIEW LLC
1819 E SOUTHERN AVE #B-10
MESA AZ 85204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.290 CFS
1,407.000 AFY

PRIORITY DATE: 08/08/1966

POINT OF DIVERSION:

T13N R23E S29 SENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
3.290 CFS
1,407.00 AFY

PLACE OF USE: IRRIGATION Within CUSTER County

T13N R23E S20	NESW	39.00	T13N R23E S20	SWSW	37.00
T13N R23E S20	SESW	38.00	T13N R23E S20	SWSE	38.00
T13N R23E S20	SESE	40.00	T13N R23E S29	NENE	36.00
T13N R23E S29	NWNE	38.00	T13N R23E S29	SWNE	33.00
T13N R23E S29	SENE	37.00	T13N R23E S29	NENW	34.00
T13N R23E S29	SENW	32.00			

402 ACRES TOTAL

Right Nos. 73-15A, 73-150C, 73-2159, 73-2162, 73-4001, 73-4003,
73-10023 and 73-10024 are limited to the irrigation of a combined total of 926
acres 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



AUG 31 2001

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: **A73-02159**
Date Received: 12/ 1/1989
Receipt No: M005285
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILE**

1. Name: DONALD L BARNES
Address: HC 62 BOX 2190
MAY ID

208-876-4483

83253

AND/OR

Name: DEBRA L BARNES
Address: HC 62 BOX 2190
MAY ID

208-876-4483

83253

2. Date of Priority: AUG 8, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	23E	29	NE	NE	SE		CUSTER

5. Description of diverting works:

#1 WELL 40 HP MOTOR OPEN DISCHARGE WITH DITCHES TO RIVER OR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.290		

7. Total Quantity Appropriated is:

3.290 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1005.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A7302159



MICROFILMED

NOV 15 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	23E	20	NE		SW		IRR	39.0
			SW		SW		IRR	37.0
			SE		SW		IRR	38.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
							Section Acres	192.0
		29	NE		NE		IRR	36.0
			NW		NE		IRR	38.0
			SW		NE		IRR	33.0
			SE		NE		IRR	37.0
			NE		NW		IRR	34.0
			SE		NW		IRR	32.0
							Section Acres	210.0
							Total Acres	402.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED OWNERSHIP 12/26/95/JT/HWJ

15. Basis of Claim: LICENSE

Water Right Number: 33073

MICROFILMED
NOV 15 1996

580
X

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: A73-02159
Date Received: 11/15/1989
Receipt No: MOD 5285
Received By: JAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W. WUNSCH 208-879-4732
Address: P.O. BOX 406
CHALLIS, ID 83226

AND/OR

Name: SHIRLEY M. WUNSCH 208-879-4732
Address: P.O. BOX 406
CHALLIS, ID 83226

2. Date of Priority: AUG 08, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	23E	29	NE	NE	SE		CUSTER

5. Description of diverting works:
#1 WELL 40 HP MOTOR OPEN DISCHARGE WITH DITCHES TO RIVER OR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.290		

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

8. Total consumptive use is 1005.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	23E	20	NE		SW		IRR	39.0
			SW		SW		IRR	37.0
			SE		SW		IRR	38.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
			Section Acres					192.0
		29	NE		NE		IRR	36.0
			NW		NE		IRR	38.0
			SW		NE		IRR	33.0
			SE		NE		IRR	37.0
			NE		NW		IRR	34.0
			SE		NW		IRR	32.0
			Section Acres					210.0
			Total Acres					402.0

OK

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33073

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 X 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 Wunsch Date: 1 Dec 89
Shirley M. Wunsch Date: 12-1-89

State of Idaho)
County of Custer) SS.

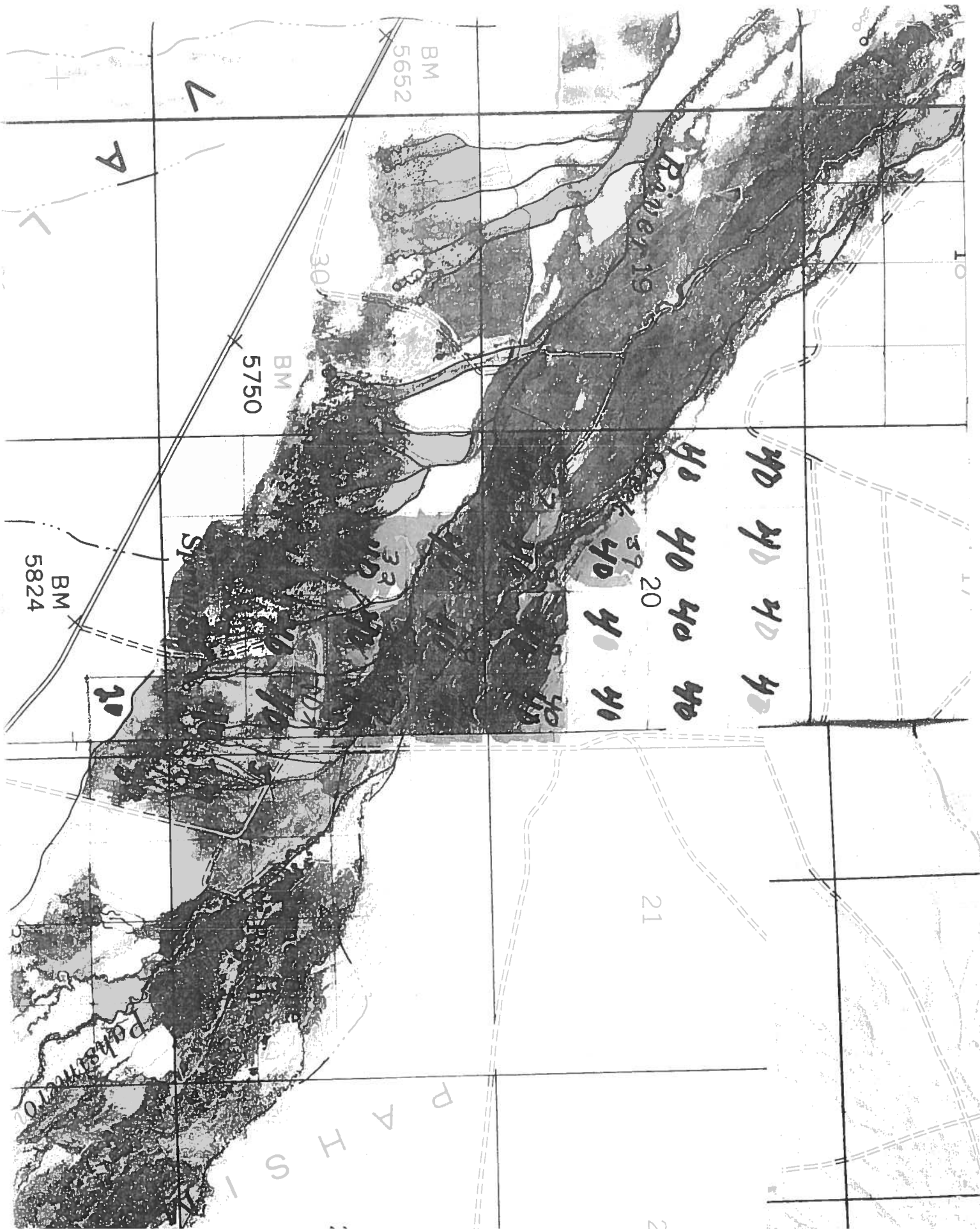
Subscribed and sworn (or affirmed) before me this 1 day
of Dec 19 89

John Dal Corral
Notary Public

Seal

Residing at Bon Id

My Commission Expires 6/1/94



2007 DEC 17 PM 2 05

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

In Re SRBA

A. Subcase 73-2159

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Charlesview LLC
Address: 1819 E. Southern Ave #B-10
Mesa, AZ 85204

Daytime Phone: (208) 880-8544

Name & Address of Attorney, if any:

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

Name: Charlesview LLC
Address: 1819 E. Southern Ave. #B-10
Mesa, AZ 85204

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

1. ☐ Name and Address
Should be: _____
2. ☒ Source
Should be: 3 Wells, located in Section 29 SENE and Section 20 SWNW Township 13N Range 23E.
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: 3 Wells, located in Section 29 SENE and Section 20 SWNW Township 13N Range 23E.
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☒ Period of Year
Should be: As per historical use. April 1st to November 1st or otherwise consistent with all other irrigation users in the Basin.
9. ☐ Place of Use
Should be: _____
10. 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): Refer to Limited Power of Attorney on File with IDWR.

F. VERIFICATION (Must be completed)

State of Idaho)
)ss.
County of Ada)

Brett MacNeil, duly sworn, upon oath, deposes and says:

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

[Signature]

Subscribed and sworn to before me on: 12/17/07



[Signature]

Notary Public for South A Spode Co

Residing at: Nampa

My Commission Expires: 8/12/2011

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 12/17, 2006, 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:

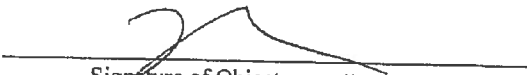
Name: Charlesview LLC
Address: 1819 E. Southern Ave. #B-10
Mesa, AZ 85204

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 7, 2006

CHARLESVIEW, LLC
1819 E SOUTHERN AVE #B-10
MESA AZ 85204

RE: Snake River Basin Adjudication (SRBA)

Notice of Claim to a Water Right No. 73-15A, 73-150C, 73-174C, 73-188B,
73-2147, 73-2159, 73-2162, 73-4001, 73-4003, 73-4004A, 73-10023,
73-10024, 73-10025

Dear Claimants:

We have processed the change in ownership for the above referenced Notice of Claim. Enclosed is a copy of the Claims for your files. I have forwarded a copy of your documents to our Allocations sections to process change of ownership on water permit 73-7113 and water right 73-10022 which was partially decreed in 2000. These rights may require additional fees and or documentation. Allocations will be contacting you soon.

If your mailing address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water rights. If you have any questions concerning this letter, please do not hesitate to contact me at (208) 287-4910.

Sincerely,

Danni M. Smith
SRBA Admin Asst 1

Cc; Don & Debra Barnes

Enclosures

SCANNED

JUN 06 2006

SCANNED

AUG 31 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DECEMBER 27, 1995

DONALD L BARNES
HC 62 BOX 2190
MAY ID 83253

RE: CHANGE IN OWNERSHIP FOR A73-02159, -02162, -10022,
-00174C, -04003, -10023, -04001, -10025, -10024, -00015A,
-04004A, -00188B, -02147, AND -00150C

Dear Mr. Barnes:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jo Thompson".

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED

NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: See Attached sheet

[] Name and Address of Former Owner/Claimant(s)(Seller): Charles W. Wunsch

[] New Owner/Claimant (Purchaser): Donald L. Barnes or Debra L. Barnes

[] New Mailing Address: HC 62 Box 2190
May, ID 83253

[] New Telephone Number: (208) ~~944~~ - 4483
876

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) [Signature] Date 7-1-95

[] Signature of Former Owner/Claimant(s) [Signature] Date _____
Charles W. Wunsch Date 6-29-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 15 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Attachment for Don Barnes
Change of ownership

A73-02159 ✓✓ 1 copy

-02162 ✓✓

-10022 ✓✓ - R -

-00174C ✓✓

-04003 ✓✓

-10023 ✓✓ - R -

-04001 ✓✓

-10025 ✓✓ - R -

-10024 ✓✓ - R -

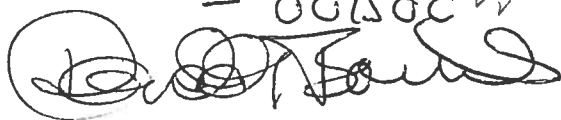
-00015A ✓✓

-04004A ✓✓

-00188B ✓✓

-02147 ✓✓

-00150C ✓✓



- R -

MICROFILMED

NOV 15 1996

FLYING JOSEPH RANCH, LLC
Barnes Ranch - Well No. 1

N 44 deg 25.854 min
W 113 deg 45.006 min

