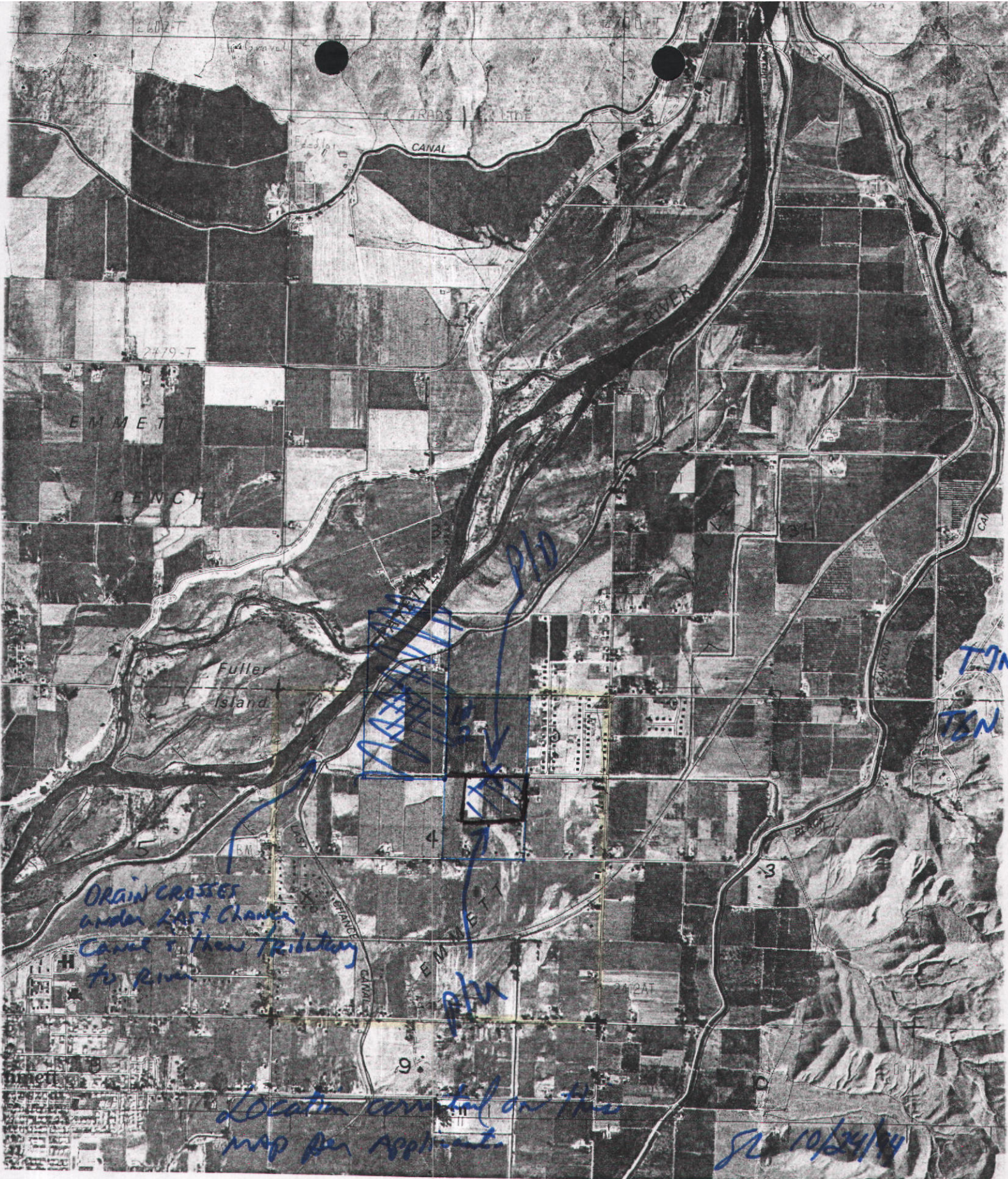




al Survey
65-13566
D. CHARTERS

ot grid ticks: Idaho coordinate
verse Mercator)
ansverse Mercator grid ticks,
sican datum

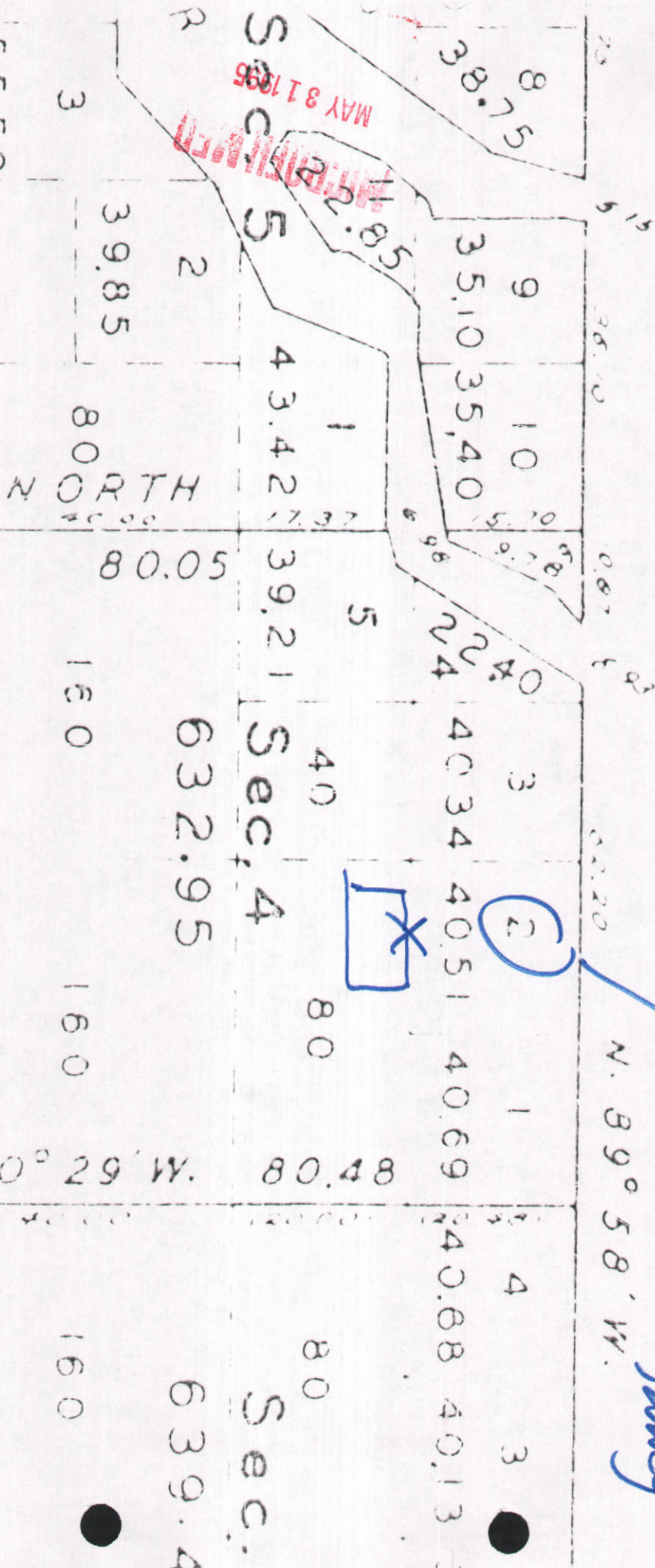
RIW
MAY 31 1995

SCALE 1:24000
Copies Of These Maps Can Be

SN / W 5.4
W 1/2 NE 1/4

1935
Taney

MAY 31 1895
RECORDED



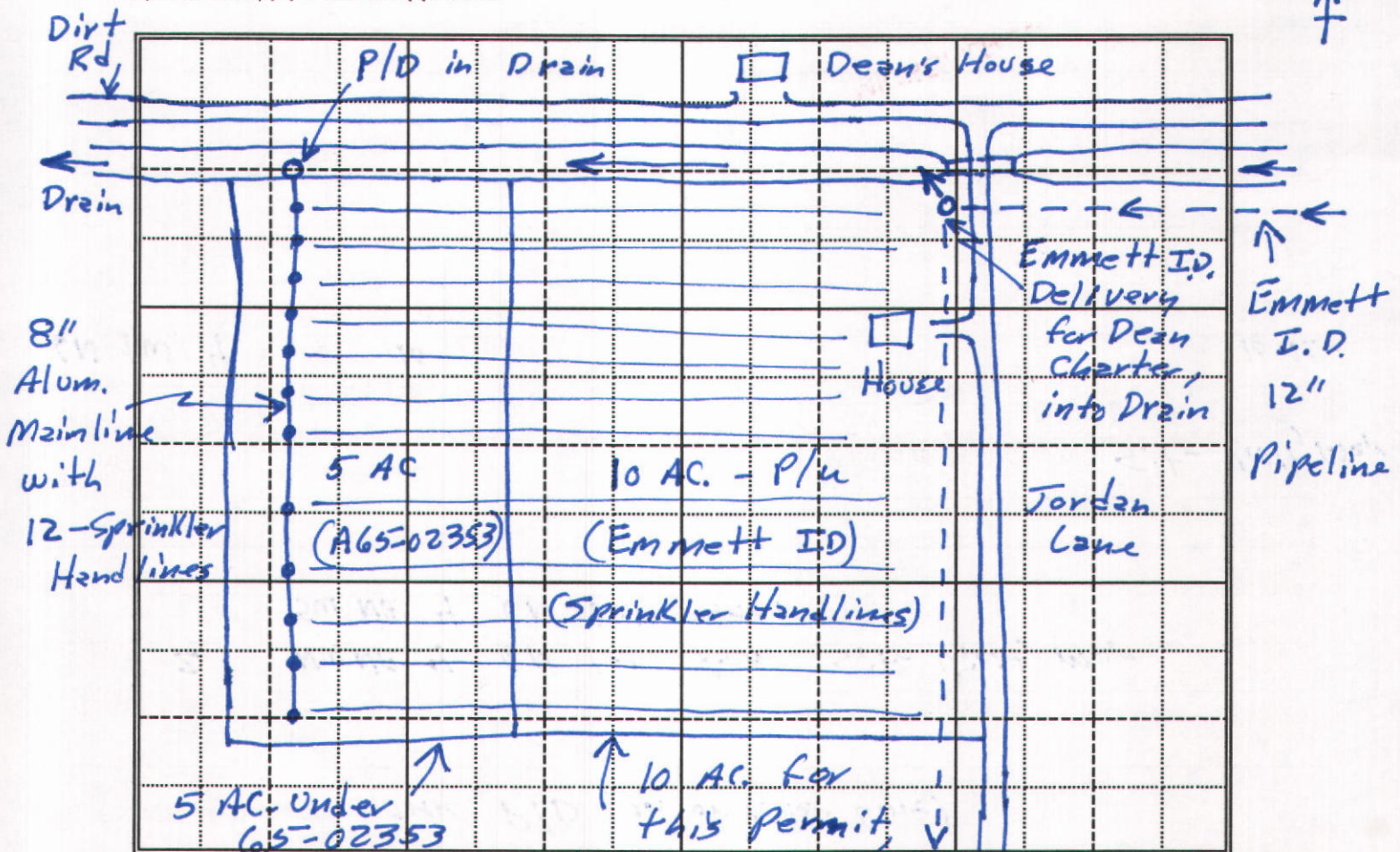
65-13566

55.50
WEST
80.00

S. 89° 51' W.
79.82

N. 89°
78.1

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" =

None Purchased from Doug Minium Larry DeGrange

Also under Emmett I.D.

✓ Copy of USGS 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)

✓ Photo of Diversion and System Attached

4.

Motor Cat: # JML1509T

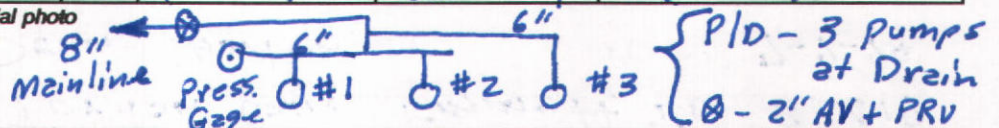
Pump Models B2TPMS

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump #1	Baldor	7½	37R88X77	Berkley	SN #M3912
#2	Baldor	7½	37R88X77	Berkley	SN #M3911
#3	Baldor	7½	(Missing)	Berkley	(Missing)

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

D. FLOW MEASUREMENTS

1.



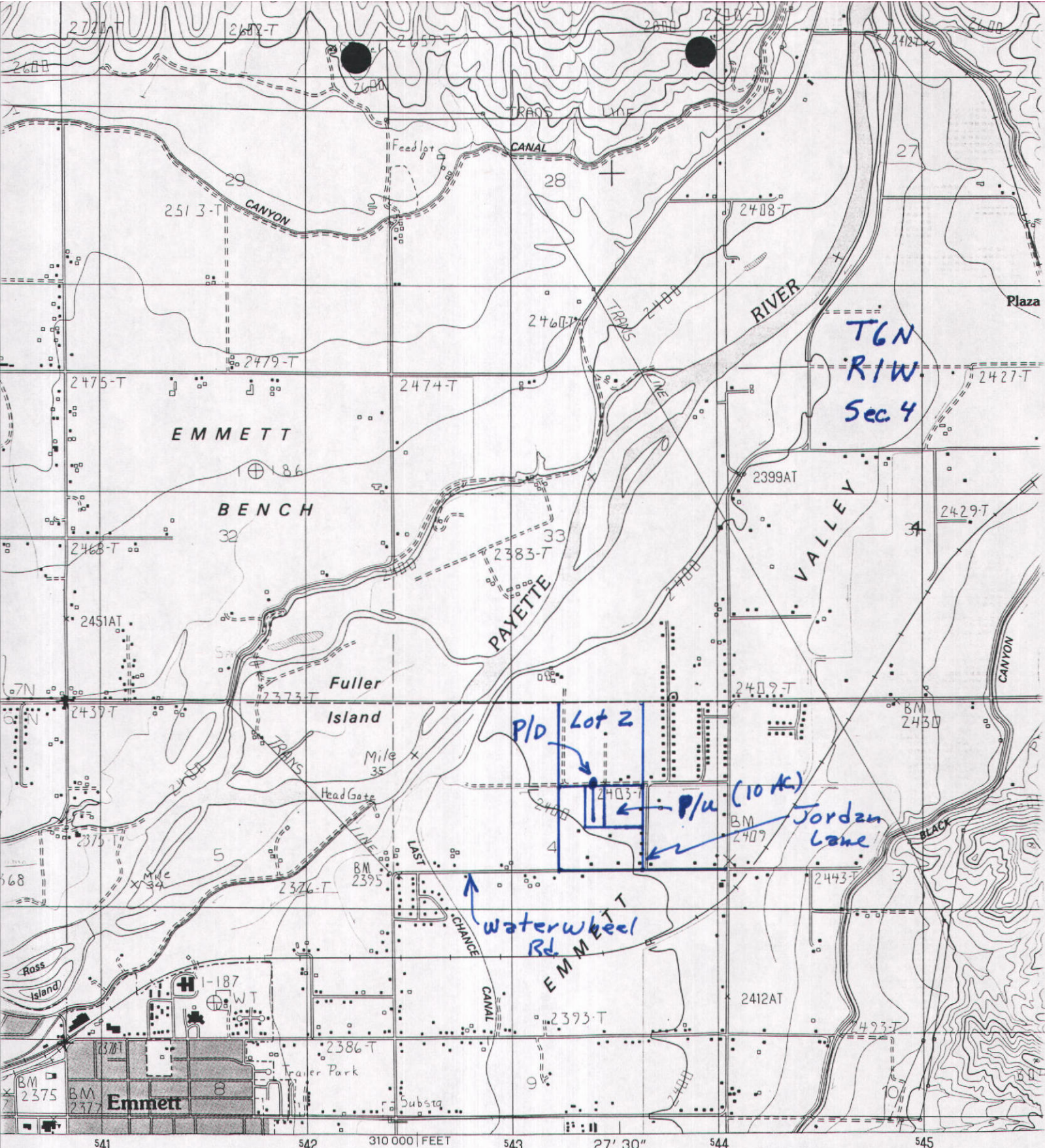
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

MICROFILMED

MAR 7 2003

2. Measurements: None - Operating pressure range is 35-40 psi. 3' lift from Drain.

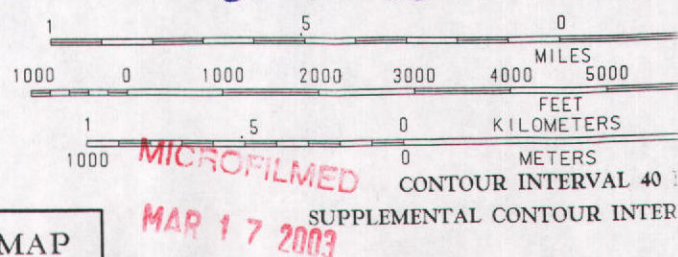
The P/D has 3 identical pump units - 1 pump for each 5 AC.



PREPARED BY THE UNITED STATES GEOLOGICAL SURVEY
 BY USGS, NOS/NOAA
 DERIVED FROM AERIAL PHOTOGRAPHS TAKEN 1980
 CHECKED 1981 MAP EDITED 1985
 PROJECTION TRANSVERSE MERCATOR
 630-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 300-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 MAGNETIC DECLINATION 0°23' EAST
 GEODETIC NORTH DECLINATION 17°30' EAST
 DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 CONFORMABLE WITH the predicted North American Datum of 1983,
 the projection lines as shown by dashed corner ticks
 are north and 77 meters east)
 may be private inholdings within the boundaries of any

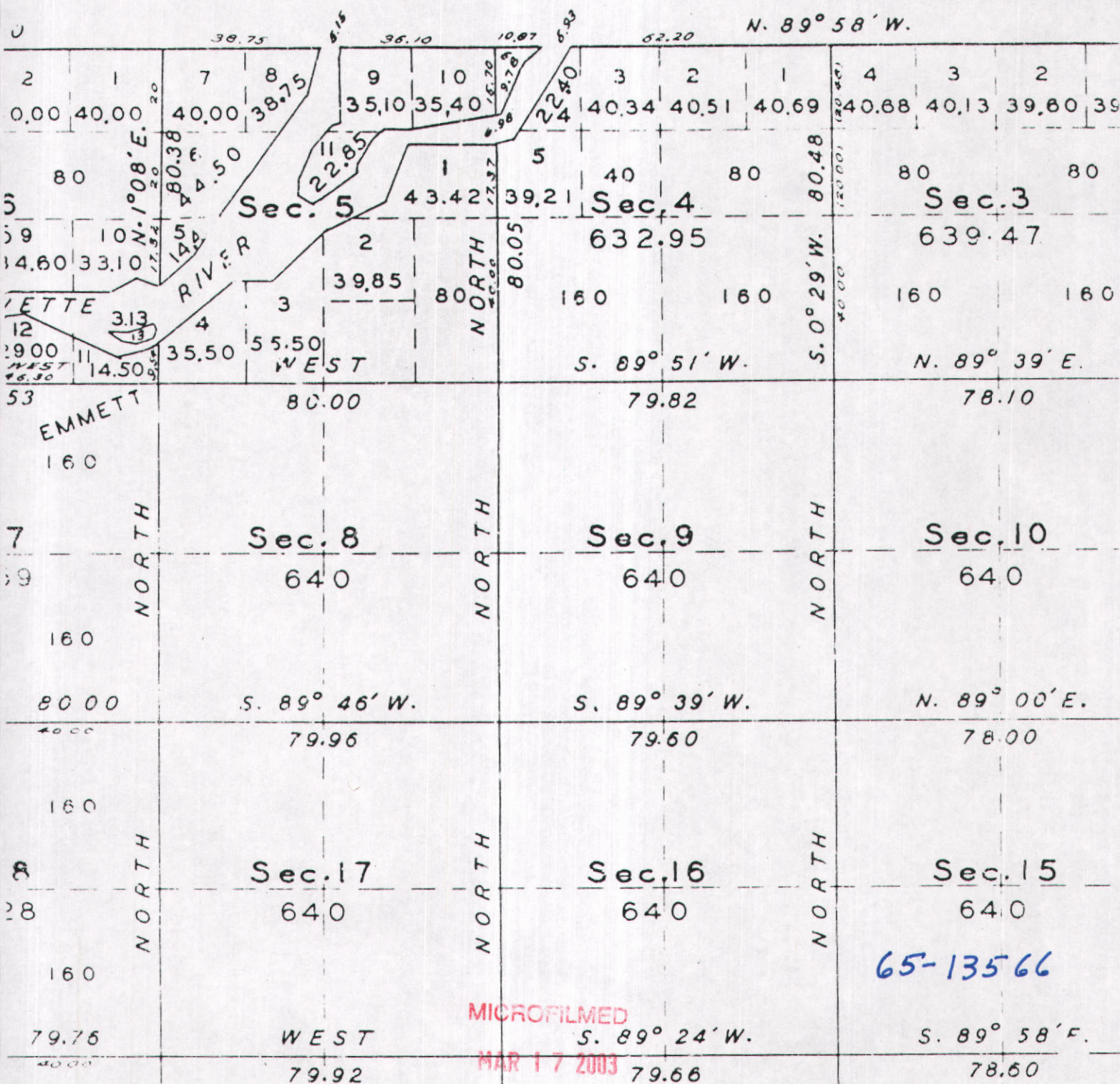
PROVISIONAL MAP
 Produced from original
 manuscript

65-13566 SCALE 1:24 000



NWNE, Lot 2
SWNE

COMPOSITE PLAT OF



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13566

Priority: October 24, 1994

Maximum Diversion Rate 0.16 CFS
Maximum Diversion Volume 36.0 AF

It is hereby certified that DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 24, 1994; and has
submitted Proof of Beneficial Use on April 12, 1996. An examination indicates that the works have a
diversion capacity of 1 1 cfs of water from:

SOURCE

UNNAMED DRAIN

Tributary: PAYETTE RIVER

and a water right has been established as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.16 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN NW¼SW¼NE¼ Sec. 4, Twp 06N, Rge 01W, B.M. GEM 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	
06N 01W 4			80														80

Total Acres: 8

CONDITIONS OF APPROVAL

1. Right 65-2353A is also diverted through the point of diversion described above.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. Source known locally as Frozen Dog Wasteway.

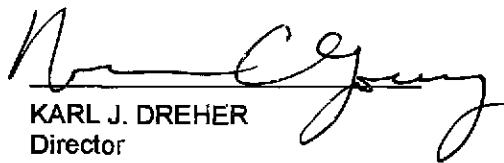
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of DECEMBER, 2002.

MICHAEL M. L...

Acting for

KARL J. DREHER
Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 12 1996

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has ~~developed~~ ^{have completed all} development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13566 Telephone No. 208-365-2244
2. Name(s) of Permit Holder(s): DEAN Charters
3. Mailing Address: 1507 Jordan Lane Emmett Idaho 83617
4. Source of Water: Draw ditch If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
 - a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
 - b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 10 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.20 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>X</u>
	Has the measuring device been installed?	Yes _____	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	or	No <u>X</u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Dean Charters Telephone Number: 208 365 2244
Address: 1507 Jordan Lane Emmett Idaho 83617

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Dean Charters Date: 4/11-96
(include your title, if on behalf of company or organization)

APR 30 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13566

Proposed Priority: October 24, 1994 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **DEAN CHARTERS**
1507 JORDAN LN
EMMETT ID 83617

has applied for a permit to appropriate water from:
UNNAMED DRAIN tributary of **PAYETTE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 4, Township 06N, Range 01W
SWNE, Sec. 4, Township 06N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	01W	4	SWNE	10.0		10.0

Total number of acres irrigated: 10.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1996**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. Single point of diversion located on or near line between Lot 2 (NWNE) and SWNE, S04, T06N, R01W.

MAY 31 1995

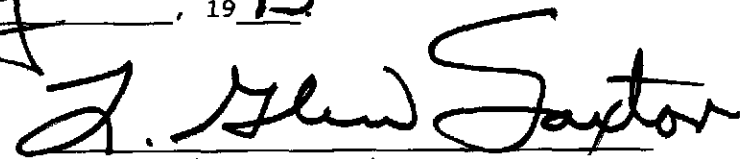
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13566

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

3rd day of May, 1995


for
R. Keith Higginson, Director

MAY 31 1995

RECEIVED

APR 19 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 65-13566

RECEIVED

OCT 24 1994

WATER RESOURCES
WESTERN REGION

1. Name: DEAN CHARTERS
Address: 1507 JORDAN LN
EMMETT ID 83617

208-365-2244

2. Source: UNNAMED DRAIN

3. Location of Point of Diversion:

Lot 2
(NWNE)
SWNE

Trib. to: PAYETTE RIVER

NE NW Sec. 4, Township 06N, Range 01W
SE SW Sec. 33, Township 07N, Range 01W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.200		

5. Total quantity to be appropriated is:

0.200 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

PUMP IN DRAIN DITCH

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is inches; proposed depth of well is
feet.

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	SWNE	ACRES	ACRES	ACRES	TOTAL
06N	01W	4	NE NW	5			5 10
07N	01W	33	SE SW	5			5

Total number of acres irrigated: 10

d'base updated 10/24/94 per Applicant's revised map... -52

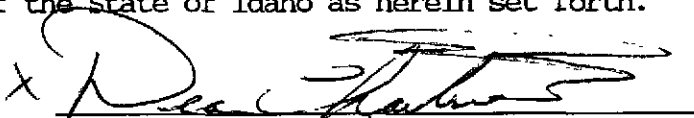
9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Single point of diversion located on or near line between ^{Lot 2 (NWNE)} ~~SESW~~,
~~S33, T07N, R01W~~ and ~~NENW~~, S4, T06N, R01W.
_{SWNE}

11. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

Received by SL Date 10/24/94 Time 11:58 Preliminary check by Cyt

Fee \$ 50⁰⁰ Receipted by SL # 10018254 Date 10/11/94

Publication prepared by AT Date 1-25-95 Published in Messenger Index

Publication approved AT Date 4-6-95

D.O.P. = 10/24 when signed Appl. received - appl. generated & paid for
on 10/17 but not signed & returned until 10/24. -SL

* d'base updated 10/24/94 per Applicant's revised map.

MAY 31 1995
-SL

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 10/24/94
Time: 13:51:28

Water Right Number: 65-13566

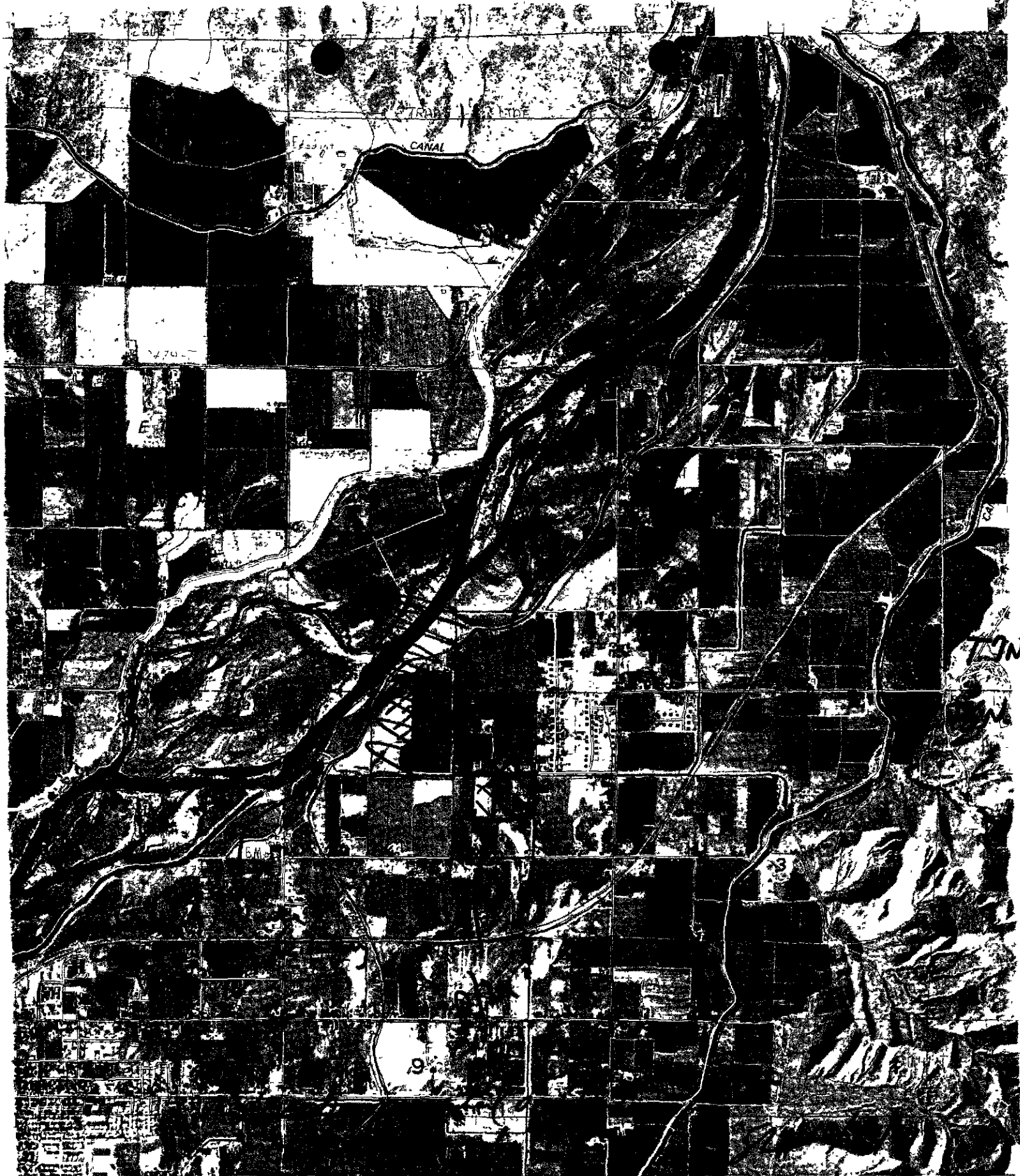
Comment Date: 10/17/1994 User ID: SLESTER

Subject: TRIBUTARY & OTHER RIGHTS

Drain ditch goes under Last Chance Canal and then to Payette River. Land already irrigated from Payette River via Emmett Irrig District. Application prepared in office 10/17/94 for applicant's father who made office visit. Father took application home & it was signed and map corrected by applicant. Father returned appl. to office 10/24/94; completed application therefore not received until 10/24, which is the date of priority for this filing.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

MAY 31 1995



al Survey 65-13566 310,000 FEET

from 1:76,000-scale D. CHARTERS
August 1, 1974

of grid ticks, Idaho coordinate
verse Mercator)
inverse Mercator grid tick

R/W

SCALE 1:24,000

MAY 31 1996

Copies Of These Maps Can Be



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2002

DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617

RE: License No. 65-13566 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JAN 2 2003

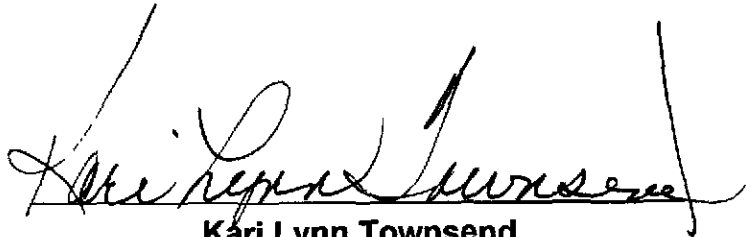
CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

65-13566

**DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICAC, LLC
DEC 27 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: December 20, 2002
To: Water Right File 65-13566
From: S. Keen
Re: License Review

License review and data entry by S. Keen on 12/20/2002.

OVERLAPS.

This right shares a point of diversion and distribution system with decreed right 65-2353A. The place of use is irrigated with water from Emmett Irrigation District as well as water diverted under this right. I did not recommend conditions making this right supplemental to EID water because both sources are surface water so it will not matter which source is used.

POINT OF DIVERSION

The examiner recommended two legal descriptions because he could not discern which one contained the point of diversion. The decreed point of diversion for 65-2353A is the SWNE of Sec. 4. Because the two rights share a point of diversion, I am recommending this right be licensed with the point of diversion described as the SWNE of Sec. 4.

PLACE OF USE

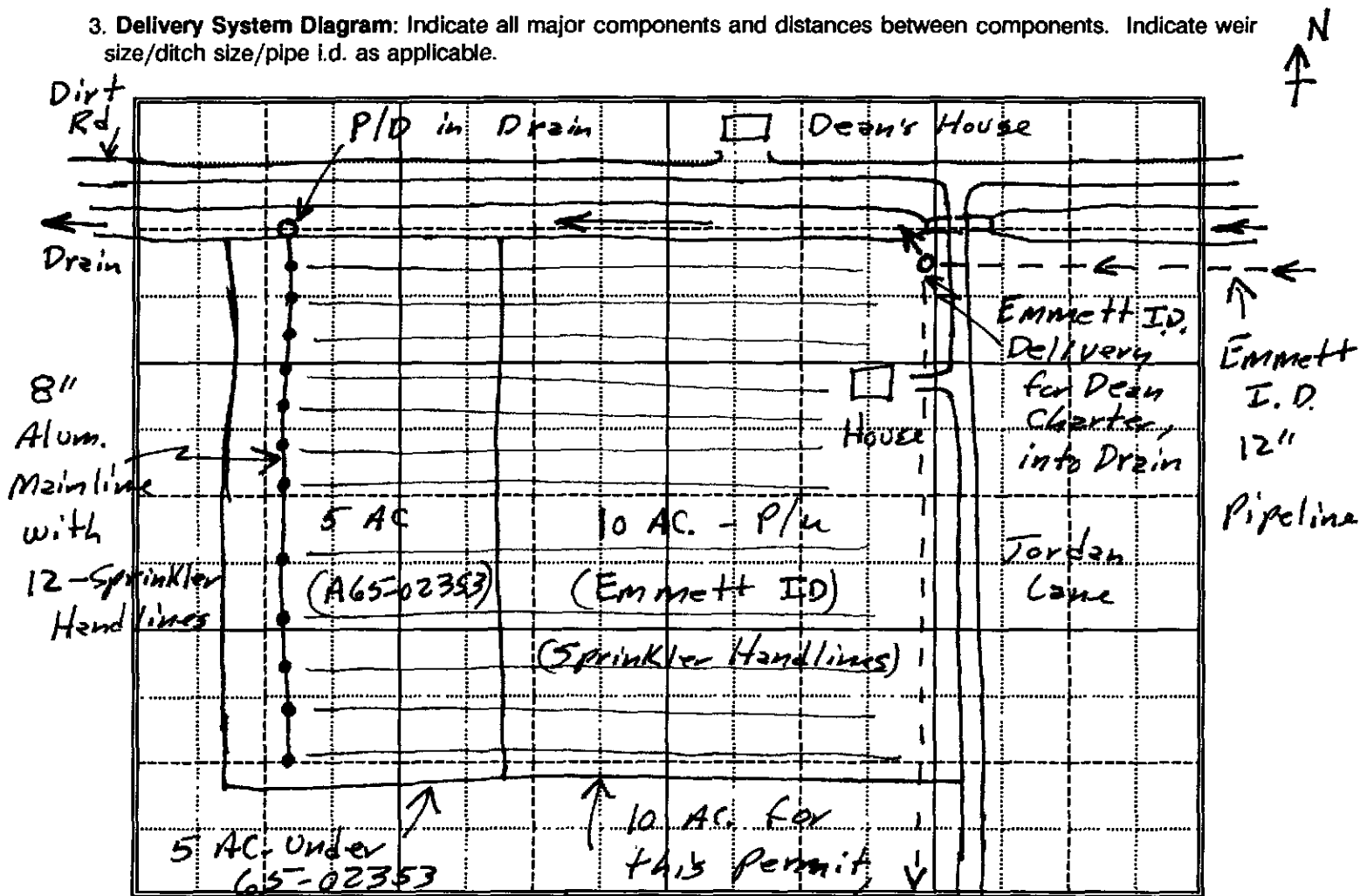
The examiner did not account for the homestead when recommending 10 acres. The digitized place of use, including the lawns around the house and outbuildings, is barely 8 acres.

MICRO...

...

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None
 Purchased from Doug Minium
 Copy of USGS 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)
 Photo of Diversion and System Attached
 Also under Emmett I.D.
 Larry DeGrange

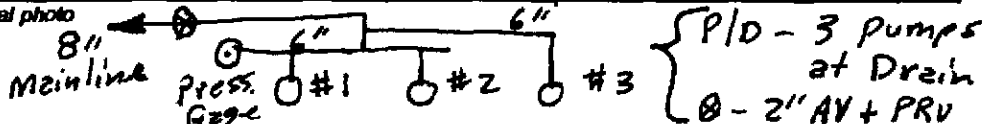
4. Motor Cat: # JML1509T Pump Models B2TPMS

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump #1	Baldor	7½	37R88X77	Berkley	SN #M3912
#2	Baldor	7½	37R88X77	Berkley	SN #M3911
#3	Baldor	7½	(missing)	Berkley	(missing)

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

D. FLOW MEASUREMENTS

1.



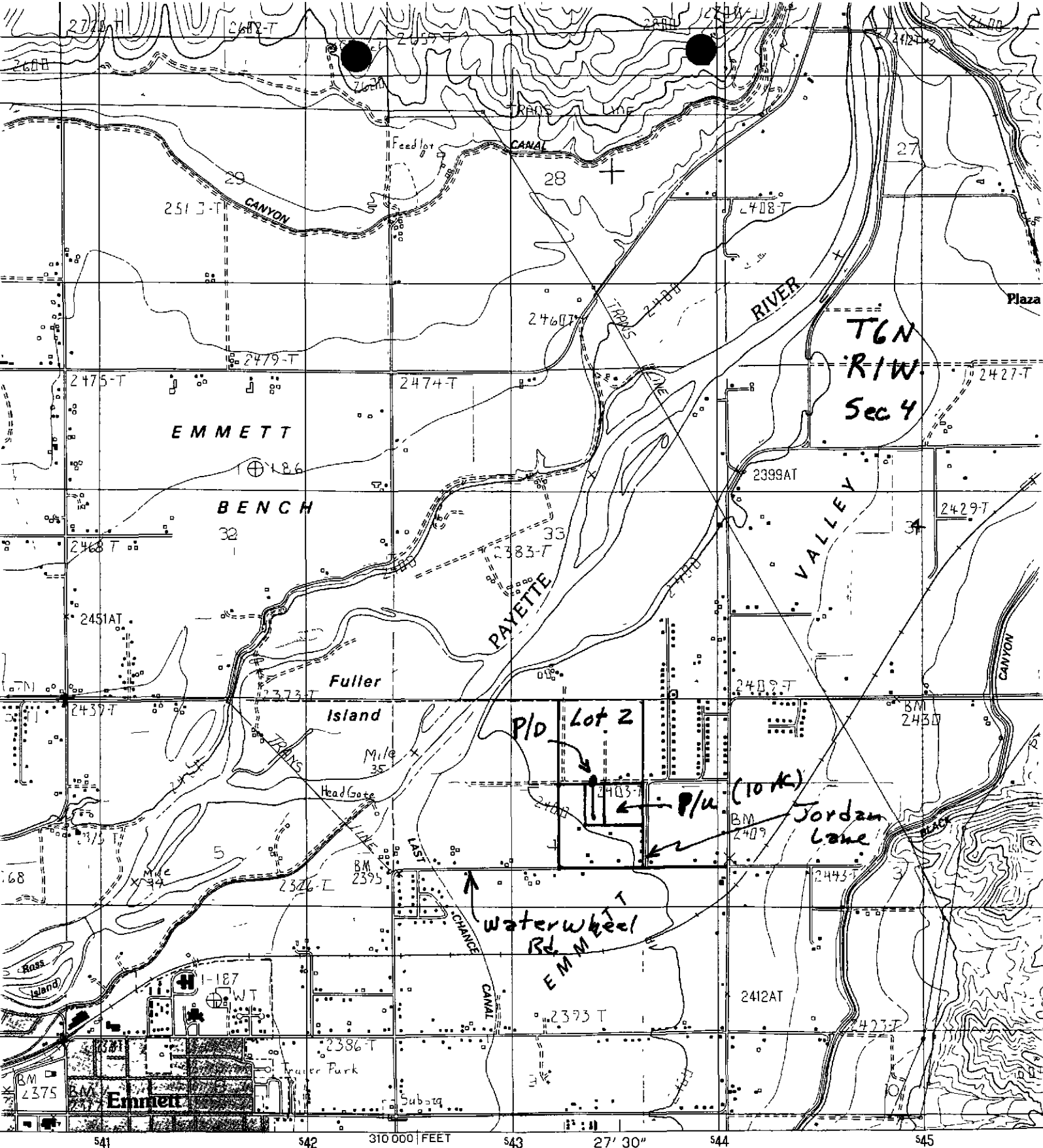
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
					MILBRO	12/1/11
						12/1/11

2. Measurements: None - Operating Pressure range is 35-40 PSI.
 3' lift from Drain.

The P/D has 3 identical pump units - 1 pump for each 5 AC.

E. NARRATIVE/REMARKS/COMMENTS

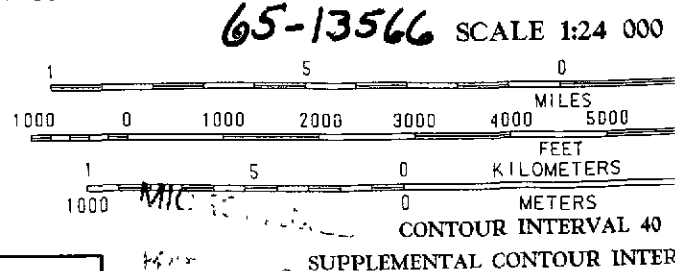
1. This permit is for 10 Ac. of irrigation that is also served by the Emmett Irrigation District. The 10 Ac. tract only gets $5/8$ " of water per Ac. for its shares in the Emmett I.D. The Emmett I.D. water is delivered from a 12" pipeline into a drain at the NE Corner of the 10 Ac. Tract. The Emmett I.D. water, and drain water under this permit, is then pumped from the drain using a 3 unit pumping plant. The pumping plant also serves 5 Ac. under WR 65-02353. This 5 Ac. tract was purchased by Dean Charters from Larry De Grange in 1993.
 2. The pumping plant has 3 identical $7\frac{1}{2}$ Hp units which pump drain water through an 8" Alum. mainline. The mainline has 12 handline sprinklers that are used to irrigate the 5 Ac. tract under 65-02353 and the 10 Ac. under this permit. Each pump unit serves 5 Ac. The pumping plant has a pressure gage, a 2" air valve and a PRV. There is no flow measuring device, and the power box can be locked (cond. 4).
 3. The 10 Ac. + 5 Ac. Tracts were once served by East Chance Ditch Co., but now the 10 Ac. tract is under Emmett I.D., and the 5 Ac. tract is not under either district. The drain water provides supplemental supply to the $5/8$ " supplied by Emmett I.D. for the 10 Ac.
- Have conditions of permit approval been met? ☒ yes ☐ no
4. Larry De Grange sold both the 5 Ac. and 10 Ac. Tracts to Dean Charter in 1993. Doug Minium filed A65-02353 on 19 Ac. which includes the 5 Ac. Tract that Dean Charter bought from Larry De Grange.



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 BY USGS, NOS/NOAA
 D FROM AERIAL PHOTOGRAPHS TAKEN 1980
 CHECKED 1981 MAP EDITED 1985
 ION TRANSVERSE MERCATOR
 O-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 300-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 ID DECLINATION 0°23' EAST
 GNETHIC NORTH DECLINATION 17°30' EAST
 DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 TAL DATUM 1927 NORTH AMERICAN DATUM
 e on the predicted North American Datum of 1983,
 he projection lines as shown by dashed corner ticks
 ers north and 77 meters east)
 may be private holdings within the boundaries of any

PROVISIONAL MAP
 Produced from original

NORTH

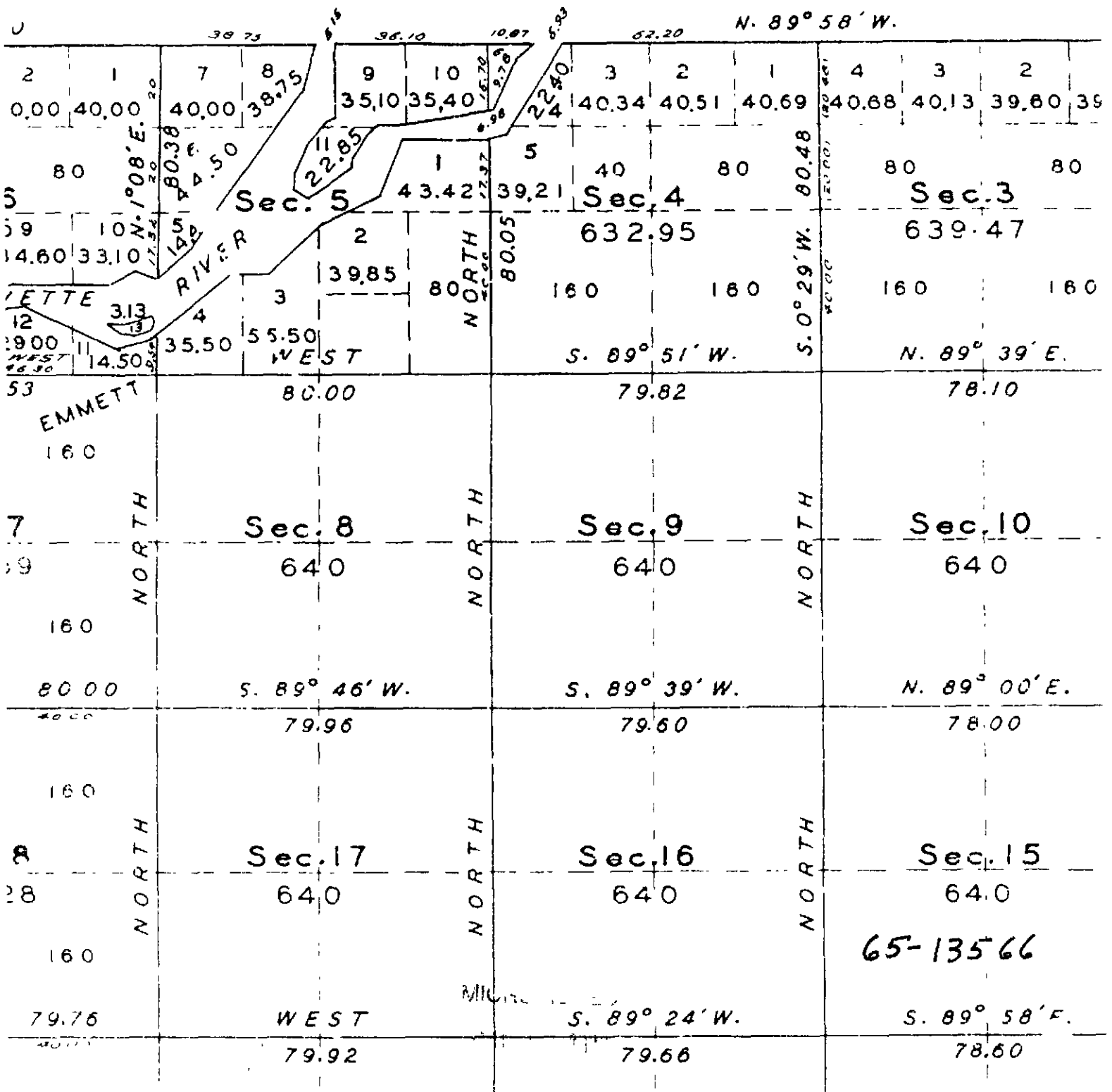


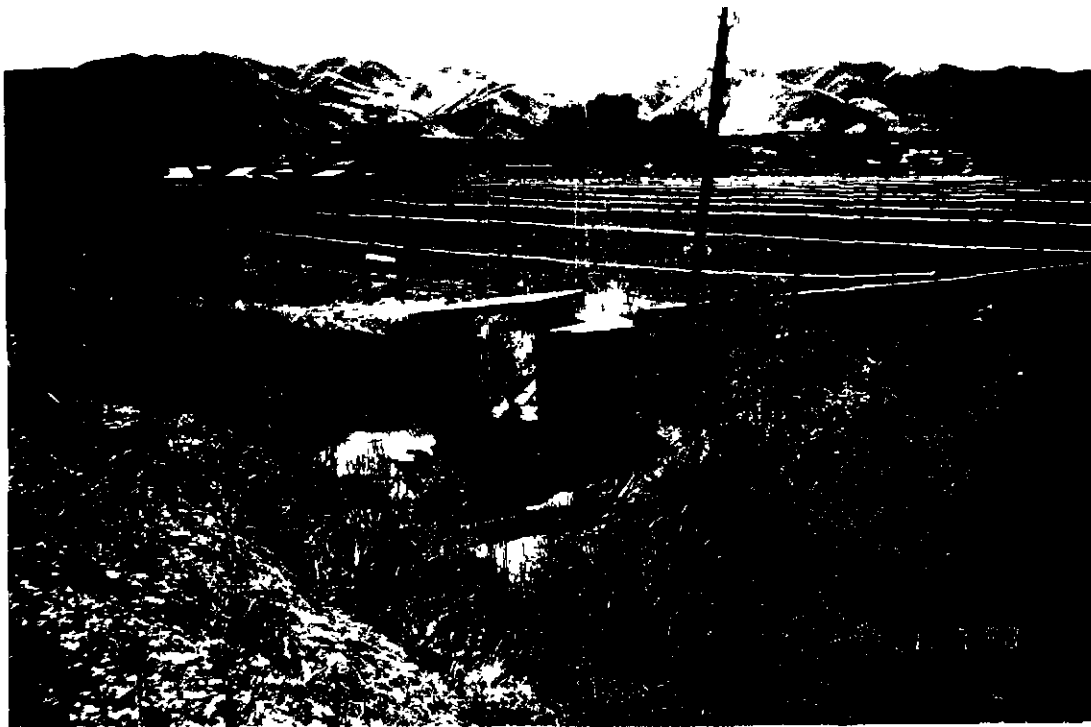
T6N
RIW

Sec. 4

NWNE, Lot 2
SWNE

COMPOSITE PLAT OF
NORTH. RANGE N° 1 WEST OF





View Looking
Southeast

1 of 2

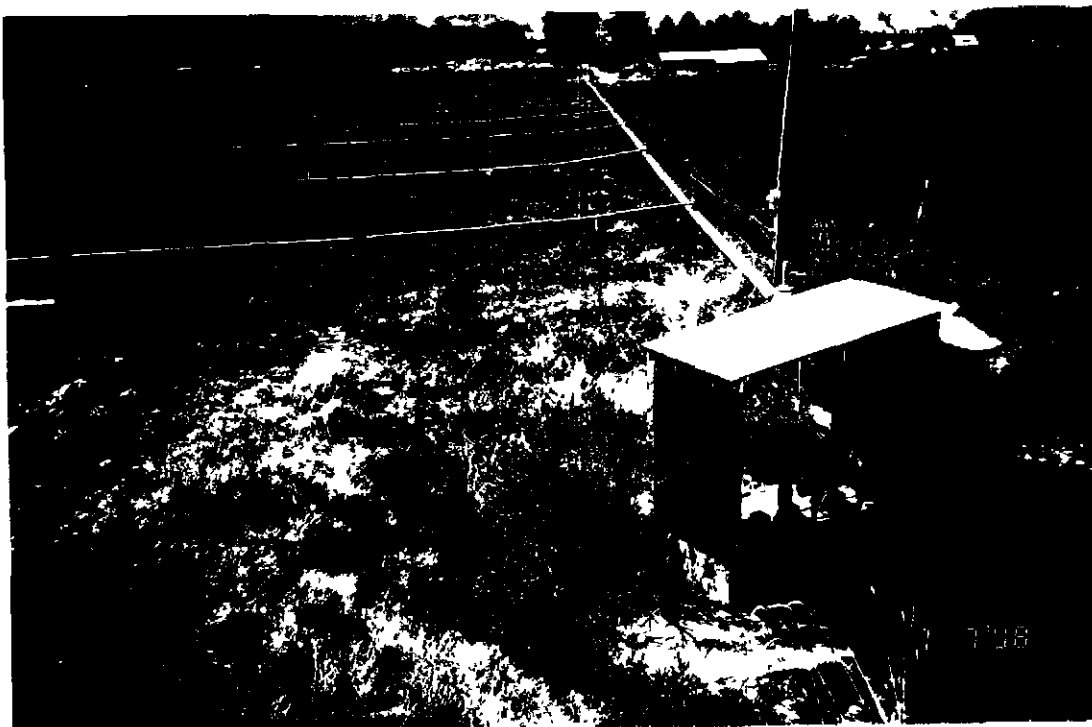
P/D

3 unit

Pumping
Plant in
Drain.

P/u

8" mainline
and sprinkler
handlines on
5 Ac. and
10 Ac. Tracts.
(Combined)



P/D, P/u

3 unit
Pumping Plant,
8" mainline,
and sprinkler
handlines.

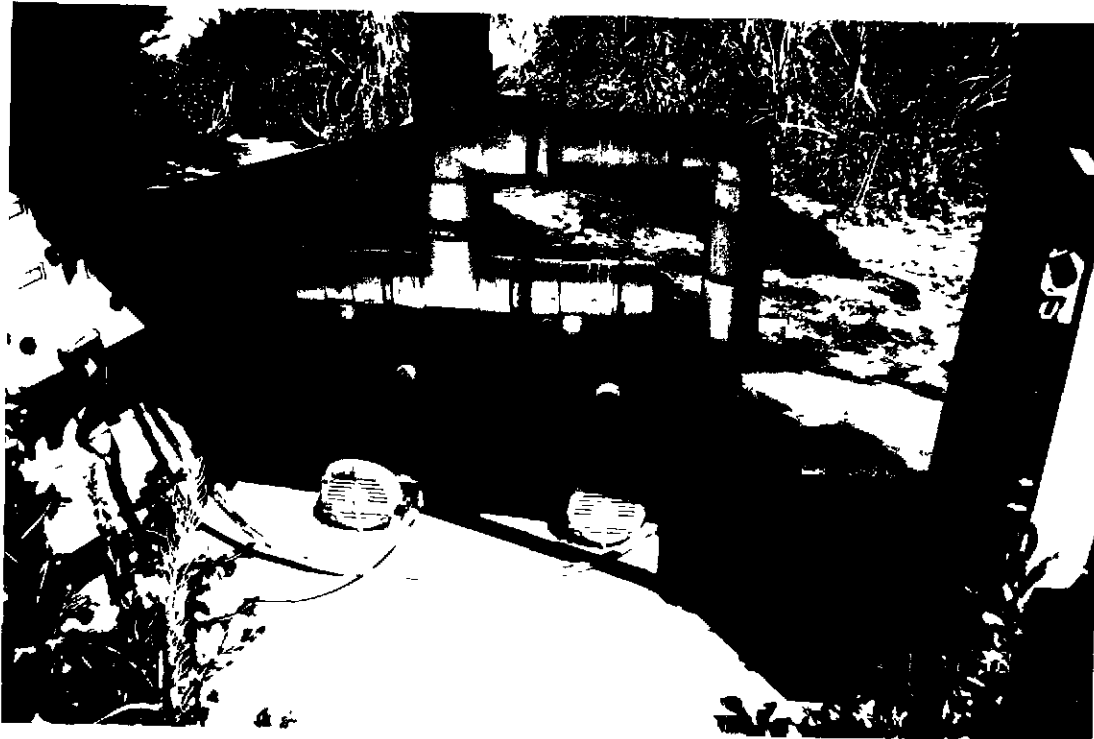
View
Looking
South

65-13566

2 of 2

P/D

3 unit
pumping
plant
in drain.



Drain at
Jordan
Lane and
delivery
point for
Emmett
I.D. water.

Emmett I.D.
flowing into
drain from
8" pipe
water next to
48" CMP
culvert.



Valve Box on 12"
Emmett I.D. pipeline
is CMP standpipe by Road.

65-13566

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13566 Reviewed by [Signature] Date 4-16-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u> - <u> </u> = <u> </u> + <u> </u>	<u> </u>
Date proof due	<u> </u>		<u> </u>
No. of days late	<u> </u>		<u> </u>
Priority Date	<u> </u>		<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

*Inform of measurement condition
Proof acceptable*

DATA ENTRY

New Address [Signature] Proof Made 4-12-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 18, 1996

DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13566

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that one of the conditions of your water right permit requires that the permit holder install and maintain a lockable controlling device on the diverting works (refer to condition # 4 of your permit.) This condition must be complied with before the license examination.

If you have questions concerning the field examination, please contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
APR 30 1996

February 28, 1996

DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13566

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

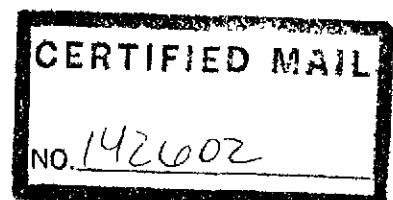
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

FEB 30 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

~~CONFIDENTIAL~~
R. KEITH HIGGINSON
DIRECTOR

May 4, 1995

DEAN CHARTERS
1507 JORDAN LN
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13566

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

~~CONFIDENTIAL~~

MAY 31 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13566 Name: Charters Date: 4/28/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W018254 Priority: 10/24/94 ✓ Gvmt Lts:

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District(~~dem~~) - 005 (req) WD # 65 <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
In WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R + L Peak); 064(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU)
OTHER CONDITIONS:
STANDARD REMARKS: - 0053
BENEFICIAL USE DUE: - 5-1-1996
COMMENTS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
APR 19 1995

Department of Water Resources

INITIAL REVIEW BY: gyl DATE: 4/7/94 APPLICATION: 65-13566

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ___ No* In form to receipt:

Gov't. Lots:
NO P/D
P/U

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☐	Critical groundwater area:
☐	☐	Groundwater management area:
☐	☐	1992 moratorium
☐	☐	Copy to SCA staff (perennial stream, non-pump diversion):
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒	☐	*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
☐	☐	<u>Letters of approval, Emmett Irig / Last Chance Canal</u>
☐	☐	DATE REQUESTED: _____
☒	☐	Additional information on reverse side:

PROCESSING

APPLICATION NO. 65-13566

YES NO

☒ ☐
☐ ☐
☐ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☒ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other Black Canyon I.D.

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest 2-21-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DM

Measuring device required:

Measuring port required:

Water delivered by water master? District # by WM

Special conditions of approval or cover letter:

Tribs not presently regulated

☒ See below for additional information

Recommended Date or Priority 10/24/1994

Recommended by: DM

Date 4/17/1995

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Numerous overlaps - None appear to conflict. Charters
has decreed domestic right and also irrigation from
Last Chance - this does not show on O-lap review.

RECEIVED

MAR 23 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

Ginger Johnson being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
March 15, 1995,
and ending with the issue of
March 22, 1995
Ginger Johnson

Subscribed and sworn to me this
22nd day of
March, 1995

Notary Public

Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21st, 1997

My Commission Expires _____

the State of Idaho

DERBONNE, BETTY L
3940 HANCOCK ST #202
SAN DIEGO, CA 92110
Source: UNNAMED STREAMS
Source: FIR TREE GULCH
Diversion Pt. LOT 1 (NENE)

65-13598

Tributary: SQUAW CREEK
Tributary: SQUAW CREEK
Sec 21 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
NENE Sec 27 T 10N R 01E in GEM County.
NWNE Sec 27 T 10N R 01E in GEM County

Use IRRIGATION (4 000 CFS) { 32.00 AF)
IRRIGATION STORAGE (32.00 AF)
IRRIGATION FROM STORAGE
WILDLIFE (4.000 CFS) (32.00 AF)
WILDLIFE STORAGE
DIVERSION TO STORAGE (4.000 CFS)
Total Diversion: (4.000 CFS)
Date Filed: 2/23/1995
In: GEM County
T10N R01E S22 NESW NWSW SWSW SESW
S26 SWSE
S27 NWNW
NENE NWNE NENW

200.0 ACRES TOTAL

DERBONNE, BETTY L
3940 HANCOCK ST #202
SAN DIEGO, CA 92110
Source: SPRINGS
Diversion Pt

65-13599

Tributary: SQUAW CREEK
NESENW Sec 22 T 10N R 01E in GEM County.
SESENW Sec 22 T 10N R 01E in GEM County.
NENESW Sec 22 T 10N R 01E in GEM County.
SESENW Sec 22 T 10N R 01E in GEM County.
SWNWSE Sec 22 T 10N R 01E in GEM County.
SENWSE Sec 22 T 10N R 01E in GEM County

Use IRRIGATION (2.800 CFS)
STOCKWATER (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (2.870 CFS)
Date Filed: 2/23/1995
In: GEM County
T10N R01E S22 SWNE SESW NWSE SWSE
S26 NWNW
S27 NENE NWNE NENW

140.0 ACRES TOTAL

NEWELL, DEANA J
NEWELL, CHARLIE W
PO BOX 100
HORSESHOE BEND, ID 83629
Source: SPRING
Diversion Pt
Use: STOCKWATER
DOMESTIC
Total Diversion
Date Filed: 3/1/1995
In: GEM County
T07N R01E S14

65-13603

Tributary: PAYETTE RIVER
NWNWSE Sec 14 T 07N R 01E in GEM County
(0.020 CFS)
(0.040 CFS)
(0.060 CFS)

CHARTERS, DEAN
1507 JORDAN LN
EMMETT, ID 83617
Source: UNNAMED DRAIN
Diversion Pt: LOT 2

65-13566

Tributary: PAYETTE RIVER
(NWNE) Sec 4 T 06N R 01W in GEM County
SWNE Sec 4 T 06N R 01W in GEM County
(0.20 CFS)
(0.20 CFS)

Use: IRRIGATION (0.20 CFS)
Total Diversion (0.20 CFS)
Date Filed: 10/24/1994
In: GEM County
T06N R01W S04 SWNE

10.0 ACRES TOTAL

HAW CREEK RANCH INC
PO BOX 785
EMMETT, ID 83617
Source: GROUNDWATER
Diversion Pt

65-13592

NENW Sec 17 T 07N R 01W in GEM County
(1.00 CFS)
(1.00 CFS)

Use IRRIGATION (1.00 CFS)
Total Diversion (1.00 CFS)
Date Filed: 1/12/1995
In: GEM County
T07N R01W S08 SESW
S17 NENW NWNW SWNW SENW
S18 NWSW SWSW
NESE SESE

360.0 ACRES TOTAL

This right will irrigate 50 acres per year in a 360 acre rotation area.

HAW CREEK RANCH INC
PO BOX 785
EMMETT, ID 83617
Source: GROUNDWATER
Diversion Pt

65-13591

NENE Sec 8 T 07N R 01W in GEM County
NWNE Sec 8 T 07N R 01W in GEM County
SWNE Sec 8 T 07N R 01W in GEM County.
SENE Sec 8 T 07N R 01W in GEM County

Use IRRIGATION (1.00 CFS)
Total Diversion (1.00 CFS)
Date Filed: 1/12/1995
In: GEM County
T07N R01W S08 NENE NWNE SWNE SENE
S09 NWNW SWNW

240.0 ACRES TOTAL

A single well in the NE 1/4 will irrigate 50 acres per year in a 240 acre rotation area.

WOODIE, RON
WOODIE, JUDY
PO BOX 785
EMMETT, ID 83617
Source: SPRING
Diversion Pt

65-13590

Tributary: HAW CREEK
NENESW Sec 3 T 07N R 01W in GEM County.
(0.30 CFS)
(0.30 CFS)

Use: STOCKWATER (0.30 CFS)
Total Diversion (0.30 CFS)
Date Filed: 1/12/1995
In: GEM County
T07N R01W S03 NESW

WOODIE, RON
WOODIE, JUDY
PO BOX 785 EMMETT, ID 83617
Source: SPRING
Diversion Pt: LOT 3

65-13589

Tributary: HAW CREEK
(SWNENW) Sec 3 T 07N R 01W in GEM County.
(0.30 CFS)
(0.30 CFS)

Use: STOCKWATER (0.30 CFS)
Total Diversion (0.30 CFS)
Date Filed: 1/12/1995
In: GEM County
T07N R01W S03 Lot 3(NENW)

Permits will be subject to all prior water rights. Protests may be submitted based on
the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this
application must be filed with the Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00
on or before APRIL 3, 1995. The protestant must also send a copy of the protest to
the applicant.

R KEITH HIGGINSON, Director

Pub. 3 - 15, 22, 1995

Legal Notice No. 2170
Published in the Messenger Index

MAY 31 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 27, 1995

BLACK CANYON IRR DIST
PO BOX 226
NOTUS ID 83656

Re: Application for of Water Right No. 65-13566 in the Name of
Dean Charters

Dear Sir:

Enclosed is a copy of the above referenced application for
water right.

Please review the application and return any comments you might
have within two weeks. If you have questions or need
information, feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application

MAY 31 1995

Last Chance Ditch Company

Emmett, Idaho

Jan. 14, 1995

Dear Sir:

The Last Chance Ditch Co. has no objection to Dean Charters pumping water from the "Frozen Log" drain ditch. This water is part of Dean Charters waste water, from his acreage to the North.

The ground to the North is irrigated by Last Chance Ditch Co. water.

Last Chance Ditch Co.

W.L. Charters

EMMETT IRRIGATION DISTRICT

222 East Park Street
Emmett, Idaho 83617
(208) 365-4582

December 21, 1994

Bill Charters
1525 Jordan Lane
Emmett, Idaho 83617

Re: Water Right Filing

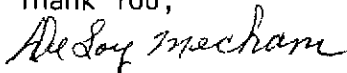
Dear Mr. Charters:

Appreciate you contacting us prior to installing a pump on the Frozen Dog spill.

We have reviewed the situation and found it is not Emmett Irrigation Districts concern. It appears to be either Black Canyon or the Bureau of Reclamations responsibility for the maintenance.

Would suggest you contact one or both of them prior to putting in any permanent structures.

Thank You,



DeLoy Mecham
Board Chairman

DM/wj

MAY 31 1995

WELL	WELL NO	WELL NAME	WELL TYPE	DATE	WELL STATUS	WELL DEPTH
NWNE	65-01932	CHARTERS, W. L	C D	10/10/1927	GROUNDWATER	0.040
		CHARTERS, FLOR	C			
NWNE 2	65-13566	CHARTERS, DEAN	C A	10/24/1994	UNNAMED DRA	0.200

(Menu _____)

SD-0605-2 Township: 06N Range: 01W Section: 4 Tract: SWNE Lot: 82

S	L	R	STATE	O	S	Max #	Records	82		
E	O	D	Water	Name	W	T	Priority	Total		
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversion
---	---	---	---	---	---	---	---	---	---	---
---	SWNE		65-13566	CHARTERS, DEAN	C	A	10/24/1994	UNNAMED DRA	0.200	
---	SWNE		65-01264	MC CUE, H. W.	C	D	04/15/1920	GROUNDWATER	0.040	
---	SWNE		65-01840	DE GRANGE, LAR	C	D	04/01/1925	GROUNDWATER	0.040	
---	SWNE		65-01841	DE GRANGE, LAR	C	D	09/01/1953	GROUNDWATER	0.040	
---	SWNE		65-02353	MINIUM, DOUGLA	C	D	06/01/1928	FROZEN DOG	0.400	
---	SWNE		65-10874	FOSTER, JAMES	C	D	07/01/1974	GROUNDWATER	0.040	
---				FOSTER, SHIRLE	C					
---	SWNE		65-13142	HYDE, ALAN	C	L	01/12/1990	GROUNDWATER	0.040	

65-13566

CHARTERS, DEAN
1507 JORDAN LN
EMMETT, ID 83617

Source: UNNAMED DRAIN

Tributary: PAYETTE RIVER

Diversion Pt: LOT 2 (NWNE) Sec 4 T 06N R 01W in GEM County.
SWNE Sec 4 T 06N R 01W in GEM County.

Use: IRRIGATION (0.20 CFS)
Total Diversion: (0.20 CFS)

Date Filed: 10/ 24/ 1994

In: GEM County
T06N R01W S04 SWNE

10.0 ACRES TOTAL

PAID
MAY 31 1995