

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 22 2021
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-4092	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: C Wallace Chatterton

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Chatterton Land & Livestock c/o Steven B. Chatterton

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

Mailing address

5203 E Maple Creek Rd

City

Franklin

State

ID

ZIP

83237

Telephone

Steven: 1-208-406-7915

Email

dustyrd@gmail.com

dgchatt@gmail.com

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 7-31-1995 priority date 6-1-1880

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.

- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.

- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an

IRS Form W-9

8. Signature: Steven B Chatterton

Signature of new owner/claimant

Title, if applicable

member

Date

2-17-21

- Signature: Debbie Chatterton

Signature of new owner/claimant

Title, if applicable

member

Date

2-17-21

For IDWR Office Use Only:

Received by JB

Date

2/22/2021

Receipt No.

5046655

Receipt Amt.

\$175. -

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Returned 11/14/2022

Processed by

Refund Request sent

Date

IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

1/30/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 13-4092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C WALLACE CHATTERTON RT 1 FRANKLIN, ID 83237

Priority Date: 06/01/1880

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
FLAT CANYON CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	4.5 CFS	
Total Diversion			4.5 CFS	

Location of Point(s) of Diversion:

FLAT CANYON CREEK	SENE	Sec. 23	Township 16S	Range 40E	FRANKLIN County
FLAT CANYON CREEK	SESW	Sec. 24	Township 16S	Range 40E	FRANKLIN County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FRANKLIN County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16S	40E	22		NENW 4			SWNW 1			SENE 26				
				NESW 26			SESW 15							

23

NESE	15
NENE	24
NENW	17

NWSE	36
NWNE	23
NWNW	1

SWSE	10
SWNE	13
SWNW	1

SESE	2
SENE	13
SENE	8

Total Acres: 235

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

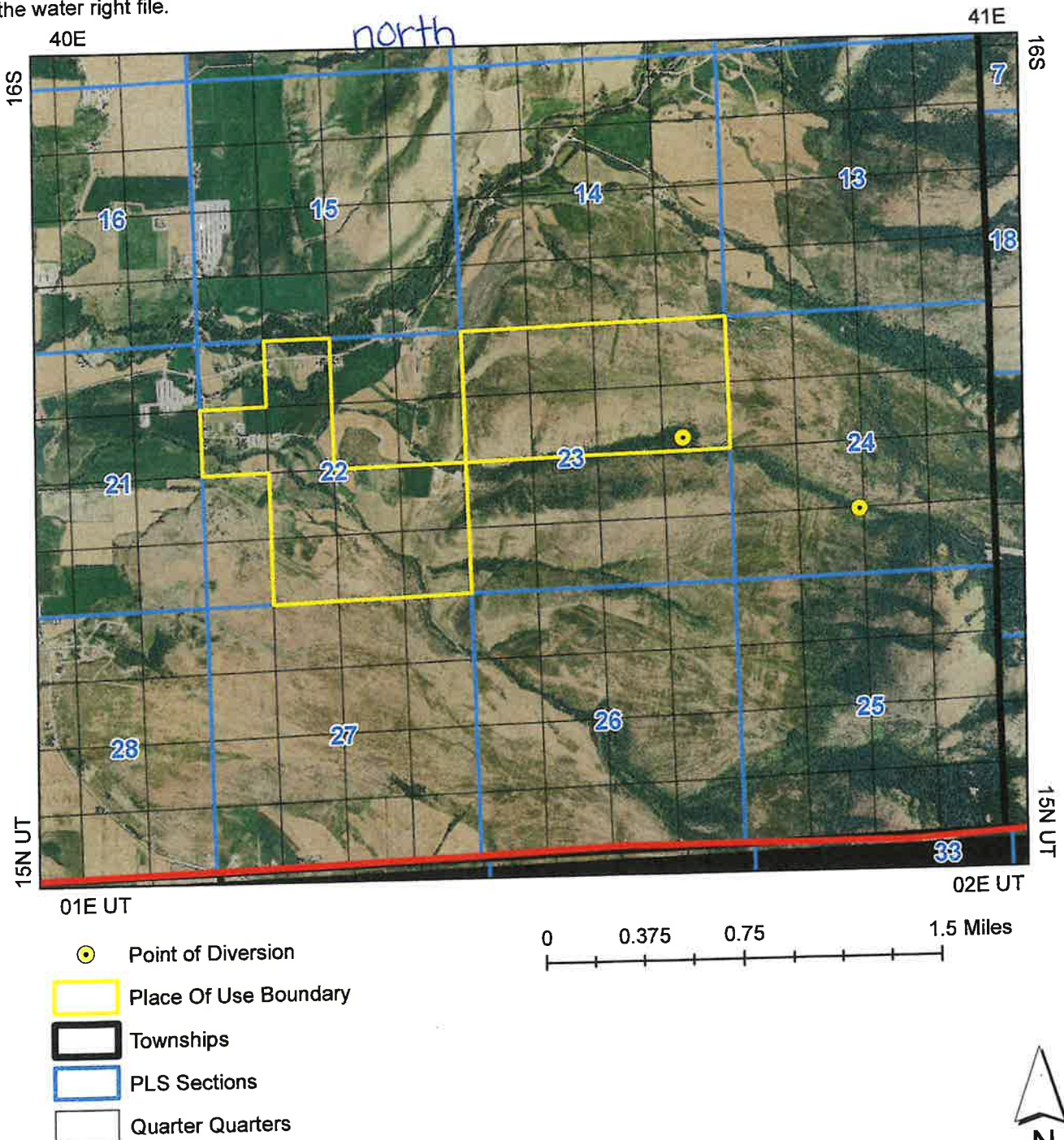
Mitigation Plan: False

State of Idaho
Department of Water Resources

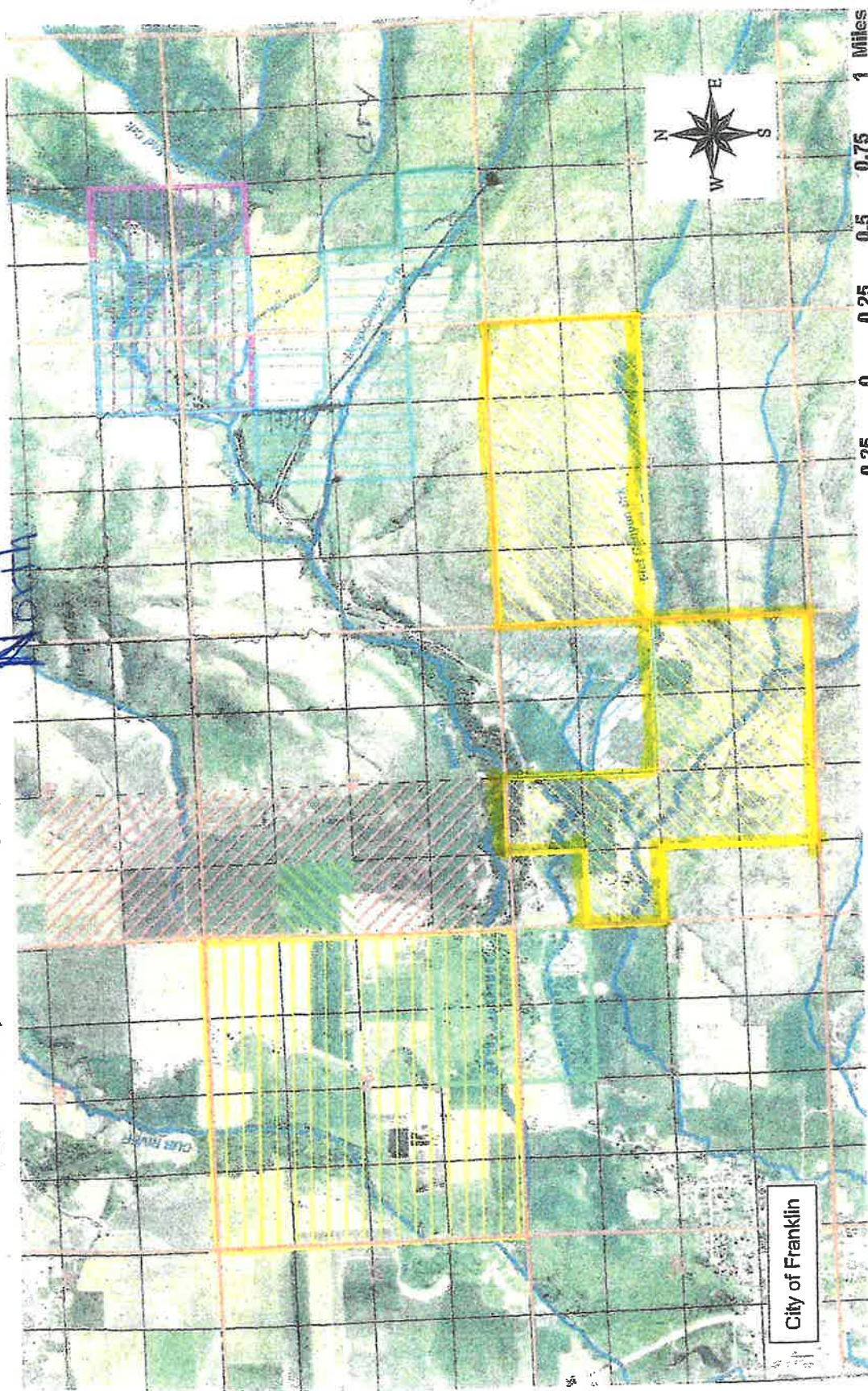
Water Right
13-4092

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Historical Surface Water Irrigation Water Rights Decrees TWP. 16S, RNG. 40E (Maple Creek & Tributaries near Franklin, Idaho)



- Maple Creek**
- 13-42 (4/1/1885 - 2.5 cfs: City of Franklin)
 - 13-47 (4/1/1862 - 3.98 cfs: Dixie Branch Ditch)
 - 13-48 (4/1/1876 - 5.45 cfs: Flack, Stockdale, Stalker)
 - 13-49 (4/1/1872 - 0.2 cfs, 5 ac: Gayman)
 - 13-50 (4/1/1881 - 0.8 cfs: Woodward)
 - 13-54 (4/1/1882 - 0.6 cfs: Oliverson)
 - 13-146 (4/1/1894 - 4.0 cfs: Samuel Morgan-not shown)
- Flat Canyon Creek**
- 13-4092 (6/1/1880 - 4.5 cfs: Chatterton)
 - 13-4112 (6/1/1880 - 1.5 cfs: Earley)
- Wastewater**
- 13-4109 (1/20/1902 - 2.0 cfs: Hawkes)
- Deep Canyon Creek**
- 13-53 (4/1/1883 - 11.4 cfs: Chatterton, Lowe, Gibson)
- Crooked Creek**
- 13-4098 (4/1/1876 - 3.03 cfs: Gibson)
- Legend**
- Stream
 - PLSS Township Boundaries
 - PLSS Section Lines
 - 40's
- Scale**
- 0 0.25 0.5 0.75 1 Miles

lands and to his heirs and assigns forever) all that certain lot, piece or parcel of land situate, lying and being in the County of Franklin, State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at a point 33 rods North and 3 rods West from the Northeast corner of Section 37, Township 13 South, Range 20 West of Boise Meridian, thence South 4 rods; thence East 2 rods, 15 feet; thence North 4 rods; thence West 1 rod, 15 feet; thence North 4 rods; thence West 2 rods; thence South 2 rods to the place of beginning.

This deed made for nominal consideration and to clear title.

Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

To HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident unto the said party of the second part, and his heirs and assigns forever. And the said party of the first part and her heirs and assigns forever in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said party of the first part, and her heirs and assigns against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and defend these premises forever against.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the 20th day first above written.

Signed, sealed and Delivered in the Presence of

E. M. Gendie

(Not Public)

STATE OF IDAHO

County of Franklin

On this 20th day of June, in the year 1916, before me, a Notary Public in and for said County and State, personally appeared Alice Gendie, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

To HERETOFOR, I have verified the said and verified by official seal, the day and year of this verification first above written.

E. M. Gendie,
Notary Public

Residence Preston, Idaho

STATE OF IDAHO

County of Franklin

I hereby certify that this instrument was filed for record in the office of E. M. Gendie at 2:40 P. M., July 19, 1916.

C. L. Swenson, Notary Public Recorder

(Signature) Deputy

(Signature)

WITNESSETH

THIS INSTRUMENT, made this 20th day of July in the year, A. D. one thousand nine hundred forty six, between Almeda Chatterton, a widow, of the County of Franklin, State of Idaho, party of the first part, and C. Wallace Chatterton of the County of Franklin, State of Idaho, parties of the second part,

WITNESSETH that the said party of the first part, for and in consideration of the sum of One Dollar DOLLARS lawful money of the United States of America, to her in hand paid, of the said party of the second part, the receipt whereof is hereby acknowledged,

N 1/2 of
Sec 2:

7-20-1946

7-7-10

Almeda Chatterton
C. Wallace Chatterton

do by these presents demise, release and forever quitclaim unto the said party of the second part, and to his heirs and assigns forever, all his certain lot piece or parcel of land, situate, lying and being in Franklin County, State of Idaho, and bounded and particularly described as follows to-wit:

The North Half of Section 20, Township 19 South, Range 10 East of the Boise Meridian, containing 320 acres.

Together with one third of the entire flow of Flat Canyon Creek save the first 25 hours flow of each week; together with a culinary water right of 312 gallons of water per day from the Lewiston Water Company, and together with all other ditch and water rights for irrigation of said premises, or for domestic use thereon, to which Samuel S. Verhinson and Eda E. Verhinson, or the said premises, were on the 26th day of January 1918, or thereafter acquired, and which were then or thereafter acquired and used on said premises however evidenced, and together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and being the same real estate conveyed to the Union Central Life Insurance Company, by deed dated November 27, 1915, and recorded in Book 22 at page 277 of the records of Franklin County, Idaho.

Together with all and singular the tenements, water rights, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion, reversions, remainders, and remainders, rents, the issues, and the profits thereof:

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said party of the second part, unto his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed in the presence of

Almeda Chatterton

STATE OF IDAHO,

County of Franklin,

On this 26th day of July in the year 1941, before me, J. N. Larson a Notary Public in and for said County, personally appeared Almeda Chatterton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. My commission expires May 1st 1943.

(Seal)

J. N. Larson
Notary Public

STATE OF IDAHO

Address: Preston, Idaho

County Franklin --10

I hereby certify that this deed was filed for record at the request of G. Wallace Chatterton at 11:40 a.m., July 20, 1941.

Fees, \$1.00

G. L. Swenson: Ex-Officio

By *[Signature]* Notary

QUIT CLAIM DEED

This indenture, made the 23rd day of January, in the year of our Lord One Thousand Nine Hundred and forty-two, between William A. Skidmore, also known as W. A. Skidmore, a widower, and Bertha Hobbs, of Preston, Franklin County, Idaho, William A. Skidmore, of Pocatello, Benewah County, Idaho, James Wright, of Elmore, Franklin County, Idaho, Fern Verrell, of Grange, Benewah County, Idaho, and Harold Nelson, of Lathrop, Custer County, Idaho, heirs at law of Ellen Marinda Skidmore, deceased, the parties of the first part, and

Chatterton Land & Livestock L.L.C.
194155

L. A. Skabelund

#2973
320 Ac.

Quit Claim deed
Alameda to go
Chatterton

C. Wallace CHATTERTON

223
24

July 20, 1946 26

N 1/2 sec 23 T 16 R 40 EDM - 320 acres
entire flow of Flat Canyon Creek save the first 36 hours each week
turning water right 360 gallons water per day from Leavitt
and other ditch water rights described
Book 28 page 410

Recorded at request of
Merrill & Merrill

194158 1-6

10:31 AM AUG 28 1995 -212

Grant Deed

Elliott Larsen, Recorder
by Camille Larsen
Franklin County, Idaho

For Value Received, Aletha Chatterton, an unmarried woman, Steven B. Chatterton and Debbie Lee G. Chatterton, husband and wife, and Terry B. Chatterton and Sharon A. Chatterton, husband and wife, as Grantors, do hereby grant, bargain, sell and convey unto Chatterton Land & Livestock, L.L.C. whose address is

5203 Maple Creek Rd.
Franklin, Idaho 83237

the following described premises in Franklin County, Idaho, to-wit:

Legal Description is attached as Exhibit A.

This conveyance is made together with any and all tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining, and the rents, issues and profits thereof. This conveyance is also made subject to all liens and encumbrances of record.

DATED this 31 day of July, 1995.

7 31 95

Dated

Steven B. Chatterton

Steven B. Chatterton

7 31 95

Dated

Debbie Lee G. Chatterton

Debbie Lee G. Chatterton

7-31-95

Dated

Terry B. Chatterton

Terry B. Chatterton

7-31-95

Dated

Sharon A. Chatterton

Sharon A. Chatterton

194158 2-6

7-31-95

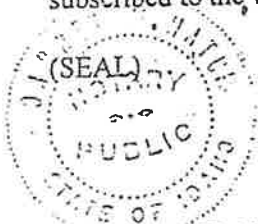
Dated

Althea B Chatterton

Althea Chatterton

STATE OF IDAHO)
COUNTY OF Franklin) ss.

On this 31 day of July, 1995, a Notary Public in and for said State, personally appeared STEVEN B. CHATTERTON and DEBBIE LEE G. CHATTERTON, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

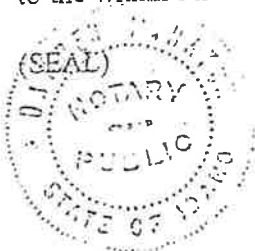


Steven B. Chatterton
NOTARY PUBLIC STATE OF IDAHO

Residing at: Franklin, Id
Commission expires: 1 May 1999

STATE OF IDAHO)
COUNTY OF Franklin) ss.

On this 31 day of July, 1995, a Notary Public in and for said State, personally appeared TERRY B. CHATTERTON and SHARON A. CHATTERTON, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Steven B. Chatterton
NOTARY PUBLIC STATE OF IDAHO

Residing at: Franklin Id
Commission expires: 1 May 1999

194158 3-6

STATE OF IDAHO)
COUNTY OF *Franklin* : ss.

On this 31 day of July, 1995, a Notary Public in and for said State, personally appeared ALETHA CHATTERTON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Julian M. Latch

NOTARY PUBLIC STATE OF IDAHO
Residing at: *Franklin, Idaho*
Commission expires: *1 May 1999*

194158 4-6

Township 16 South, Range 40 East of the Boise Meridian

Section 14: SE $\frac{1}{4}$, S4SW $\frac{1}{4}$.
 Section 13: Commencing at the SW corner of SW $\frac{1}{4}$ said Section 13, thence North 80 rods; thence East 62 rods; thence South 80 rods; thence West 62 rods to the place of beginning.
 Section 22: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT: Beginning at the NW corner of SE $\frac{1}{4}$ said Section 22, running thence West 520 feet; thence South 675 feet; thence East 114 feet West of South- more or less, to point 114 feet West of South- east corner NE $\frac{1}{4}$ SW $\frac{1}{4}$ said section 22; thence East 1142 feet; thence North 80 rods to place of beginning.

Beginning at the NW corner of SW $\frac{1}{4}$ said Section 22; thence running East 103 rods; thence Southwest 494 rods; thence West 544 rods; thence Northwest 23 rods; thence running 11 rods to section line; thence 15 rods North to place of beginning.

Beginning 15 rods South from Northwest corner SW $\frac{1}{4}$ said Section 22; thence running East 11 rods; thence Southeast 23 rods; thence East 544 rods; thence Southeast 36 rods to point 25 rods 15 links North of point 60 rods West of Southeast corner, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 22; thence continue running Southeast 62 rods; more or less, to point 10 rods North of said Southeast corner of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 22; thence South 10 rods; thence West 160 rods; thence North 65 rods to place of beginning.

Beginning at a point 431.10 feet East of point 2083.60 feet North of the South Quarter corner of said Section 22, running thence North 72°36' West 107.00 feet; thence North 17°24' East 100.00 feet; thence South 72°36' East 107.00 feet; thence South 17°24' West 100.00 feet to place of beginning.

Beginning at Northeast corner SW $\frac{1}{4}$ Section 22, thence South 520 feet; more or less, to creek, thence following said creek Northwest to point 50 feet, more or less South and 950 feet, more or less, West of point of beginning, thence Northeast 55 feet, more or less to latitudinal center line of said Section 22, thence East to point of beginning.

Section 23: NE $\frac{1}{4}$.

PARCEL 2: Township 16 South, Range 40 East of the Boise Meridian.

Section 14: Commencing at the Southeast corner of the Northwest Quarter of Section 14, running thence North 110 feet; thence North 75°58' West 297 feet; thence North 84°25' West 250 feet; thence North 47°27' West 200 feet; thence North 54°25' West 74 feet; thence South 85°35' West 702 feet; thence South 68°17' West 500 feet; thence South 46°47' West 212 feet; thence South 69°58' West 285 feet; thence South 24°10' West 756 feet to the West boundary of said Section 14; thence South 496 feet; thence East 80 rods; thence North 80 rods; thence East 80 rods to beginning.

EXCEPTING therefrom the following described tract, to-wit: Commencing at a point 496 feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 14, running thence North 24°10' East 756 feet; thence North 69°58' East 285 feet to the West side of county road; thence Southwesterly along West side of county road to a point 180 feet, more or less, South of the place of beginning; thence North 180 feet, more or less, to the place of beginning.

ALSO, the Northeast Quarter of the Southwest Quarter of Section 14.

EXHIBIT

WR# 4321
 WR# 13-53

Flat #4092
 Canyon

Water Run
 Flat #4092
 Canyon

WR# 13-53

WR# 13-53

EXHIBIT
Page 2
WR# 13-53

WR# 4320

194158 5-6

ALSO, commencing at a point 1007 feet East and South 27°12' West 556 feet from the Northwest corner of the Southwest Quarter of the Northwest Quarter of section 14, and running thence South 27°12' West 630 feet; thence East bearing to the South 225 feet, more or less, thence North 39°18' East 360 feet; thence North 55° West 304 feet, to place of beginning.

original
Lowe

EXCEPT: Commencing at a point 1007 feet East from the Northwest corner of the SW 1/4 of Section 14, and running thence South 27°12' West 556 feet; thence South 55° East 304 feet, more or less, to the TRUE POINT OF BEGINNING, said point being on the Westerly boundary line of the Maple Creek Road; thence North 55° West 190 feet; thence Northerly following parallel to road right of way 160 feet; thence Easterly 190 feet, more or less, to road right of way; thence Southerly following road right of way 160 feet to the point of beginning.

Trust

Steve & Debra

ALSO: RIGHT OF WAY EASEMENT 10 feet on each side of the following described center line: Commencing at a point 1007 feet East from the Northwest corner of the SW 1/4 of Section 14, and running thence South 27°12' West 556 feet; thence South 55° East 210 feet, more or less to the TRUE POINT OF BEGINNING, thence South 47° West 13 rods, more or less, to the center of a present water spring location. Also, 1/2 interest to the said spring with adjoining lands for ingress and egress, to the said spring and water lines.

PARCEL 3:
Township 16 South, Range 40 East of the Boise Meridian
Section 22: Commencing at a point 16 rods West of the Southeast corner of the Northwest Quarter of Section 22, thence North 87 rods, more or less, to the South boundary line of Amy Leah Morrison; thence following South boundary line of Amy Leah Morrison and running Westerly 2 rods; thence bearing slightly Southward along boundary line 16 rods, more or less, to a point 82 rods North of the South line of said Northwest Quarter said section; thence Northwest 16 rods to a point 97 rods North of the South line of said Quarter Section; thence Southeast 40 rods to a point 54 rods North of the South line of said Quarter section; thence Southwest 9 rods to a point 45.5 rods of the South line of said Quarter section; thence West 45 rods; thence South 2 rods; thence West 6 rods; thence South 21 rods; thence Eastward and bearing slightly to the North and following Spring Creek 64 rods to a point 28 rods North of the South line of said Quarter Section; thence Southwest 30 rods to the South line of said Quarter Section; thence East 44 rods and 20 links to the place of beginning.

WR# 4092
Flat Canyon

WR# 7637
Spring

Beginning at a point 28 rods North of the South line of the Northwest Quarter of said Section 22, and 47 rods West of the East line of said Quarter section to the true place of beginning; thence in a Southwesterly direction about 17 rods, more or less, to Ox-Killer Creek; (being the Easterly boundary line of Robert G. Lowe) thence in a Northwesterly direction following the middle of said Ox-Killer Creek to a point where said Ox-Killer Creek flows into Spring Creek; thence in an Easterly direction following up the middle of said Spring Creek about 23 rods to the place of beginning.

A right of way one rod wide from a point 44 rods North of the South line of said Quarter Section and 54 rods East of the West line of said Quarter section; thence West 60 rods; thence North 73 rods to the county road, said description being the South and West line of said right of way.

194158 66

EXHIBIT
18603

Commencing at the Southeast Corner of the NW 1/4 of said Section 22; thence running West 16 rods; thence North 110 rods, more or less, the South property line of Victor Porter; thence East 16 rods; thence South to the place of beginning.

Commencing at the Northeast corner of the SW 1/4 of said Section 22, running thence South 42 rods; thence in a Northwesterly direction to a point 59 rods West of the place of beginning; thence East 59 rods to the place of beginning.

EXCEPT: Commencing at a point 360 feet North, more or less, and 772 feet East of the Southwest corner of the Northwest Quarter of Section 22, said point being on the North bank of Creek and ALSO BEING THE TRUE PLACE OF BEGINNING, thence running Easterly following said Creek 175 feet; thence North 275 feet; thence West 175 feet, more or less, to a point directly North of the place of beginning; thence South to the place of beginning. ALSO, the Southeast Quarter of the Southwest Quarter of Section 22,

Also, beginning at the Southwest corner of the Southeast Quarter of Section 22, and running thence East 905 feet; thence North 1320 feet; thence West 905 feet; thence South 1320 feet to the place of beginning.

Also, beginning at the Southeast corner of the North half of the Southwest Quarter of Section 22, thence running North 10 rods; thence Northwest 48 rods; thence Southwest 25 rods and 15 links; thence East 60 rods to the place of beginning.

SUBJECT TO ALL MORTGAGES.

WR#
8040
Dairy House
Water Right
4092
Flat Canyon



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 14, 2022

CHATTERTON LAND & LIVESTOCK
5203 E MAPLE CREEK RD
FRANKLIN ID 83237

RE: Change in Ownership
Water Rights: 13-4092

Dear Sir/Madam:

On February 22, 2021, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership. On August 24, 2022, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your change in ownership any time in the future. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the Assignment.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Monday, November 14, 2022 4:26 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E046655
Amount: \$25.00
Payable to CHATTERTON LAZY JC RANCH LLC
5203 E MAPLE CREEK RD
FRANKLIN ID 83237

Reason: Ownership Change/Security Interest filed for 4 water rights, paid \$100.00. Additional Information requested for one of the ownership changes but not received. Other water rights complete. Therefore, the applicant is entitled to a partial refund of this receipt.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov

mailed Stephanie 9/28/2022

From: Barg, Jonie
To: dqchatt@gmail.com; dustyrd@gmail.com
Subject: Ownership Change Correspondence
Date: Tuesday, September 20, 2022 3:27:00 PM

RE: Change in Ownership Water Right No. 13-4092

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of ownership:** Thank you for supplying additional information. For the department to update the owner of the water solely into Chatterton Land and Livestock, where there is a portion on someone else's property, notice to the property owner of record is required. Please supply proof that the property owner has been notified of the Notice of Change in Water Right Ownership. Please see *Idaho code 42-248 (6) If the person filing the notice of a change of water right ownership does not own the land identified as the place of use for the water right, the notice shall be accompanied by evidence that written notice of the change of water right ownership has been mailed or hand-delivered to the landowner of record, as identified in the records of the county recorder.*

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. **If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.**

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov

Barg, Jonie

From: Eastern Info
Sent: Tuesday, September 20, 2022 9:25 AM
To: Barg, Jonie
Subject: FW: Water Right 13-4092
Attachments: Farm maps to show continuous use back to 1987.pdf

Thank You,

Christina Henman
Administrative Assistant

From: Debbie Chatterton <dgchatt@gmail.com>
Sent: Monday, September 19, 2022 11:32 PM
To: Eastern Info <easterninfo@idwr.idaho.gov>
Subject: RE: Water Right 13-4092

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Jonie Barg:

This water right claim was passed to Dad, C Wallace Chatterton, from his Mother in 1946. inst# 76218. It was attached to Section 23 T16 R40. It included 1/3 of the entire flow of Flat Canyon Creek save the first 36 hours of each week together with 360 gallons of water from the Lewiston water right (which is now Franklin City's).

C Wallace bought property from Woodward's in section 22 in 1964. Inst # 114266 In 1969 C Wallace Chatterton bought property from Darvel Fuhrman in S22 T16 R40. inst # 124370. In 1970 C Wallace bought property from Lester Lowe in section 22 including more than 20 acres in SW1/4 of SE 1/4 of S22 T16 R40. inst # 138626. I believe the 10 acre declaration is covered by this ownership. All of these descriptions are included in our most recent deed instr # 194158 made in 1995.

As for the southern point of the field in SWSE 1/4 and SESE 1/4, it has been cultivated, cared for and used by us since before 1964. See attached maps to show continuous use back to 1987. The border on the east was surveyed by Burke Bentley in 2013 inst # 259340. The Property line follows the road on the east side of the field. The road goes south until it ends at a locked gate then turns west and follows Lowes lane. It is fenced on the south side of the lane and has been considered the border since before 1964.

We were not aware that part of this land might not be included in our description. I'm sure that C. Wallace Chatterton believed that it was. The total water right 13-4092 is Chattertons and should be put into the name of Chatterton Land and Livestock. The 10 and 2 could be put into SWSE T16 R40.

Thanks,
Debbie Chatterton

Farm maps -
1987 - 2008 - 2020
continuous use
in section 22
T14 R40





Tract 1363
Farm 3254

0.07 0 0.07 0.14 0.21 0.28 Miles



Map Printed: Jul 2, 2008



2019 Program Year

Map Created March 19, 2019

Farm 3254

Tract 1363

Common Land Unit

Tract Boundary

PLSS

County Boundary

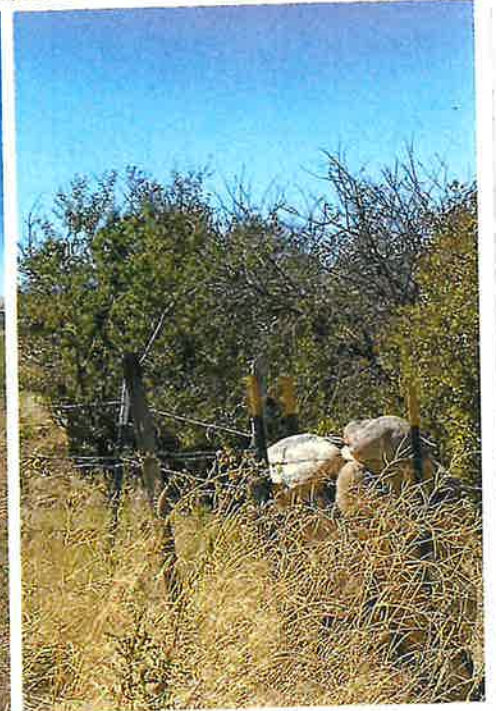
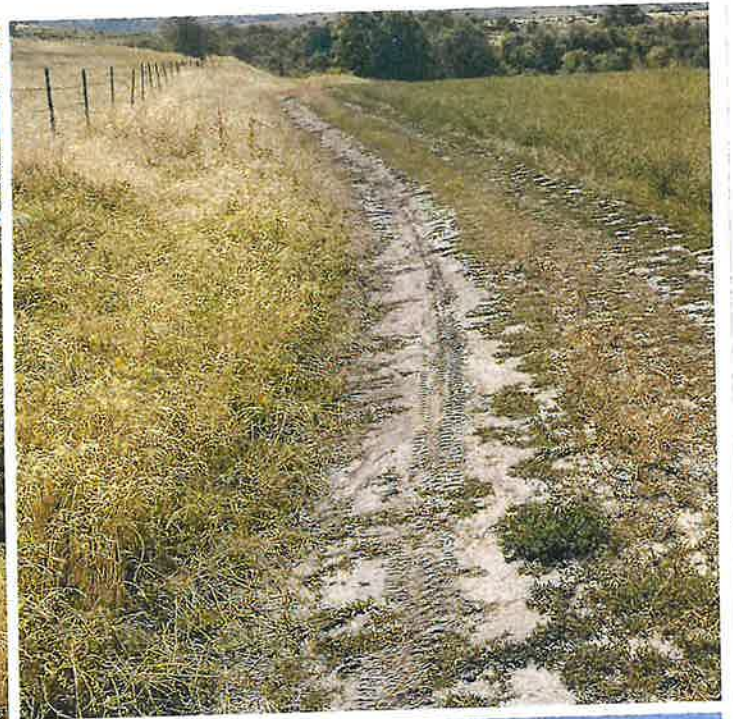
Non-Cropland

Cropland

Wetland Determination Identifiers

Tract Cropland Total 87.37 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or relied actual ownership, rather it depicts the information provided directly from the National Wetlands Inventory (NWI) and National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data as is and assumes all risks associated with its use. USDA neither warrants nor represents that the information is accurate, complete, or that it is free of errors. The user is responsible for the accuracy, completeness, and timeliness of the information. Wetland determinations do not represent a legal determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations. © 2019 USDA Natural Resources Conservation Service (NRCS)





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 24, 2022

CHATTERTON LAND & LIVESTOCK
5203 E MAPLE CREEK RD
FRANKLIN ID 83237

RE: Change in Ownership Water Right No. 13-4092

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of ownership/additional filing fee:** The department acknowledges receipt of an ownership change for water right number 13-4092. There are some discrepancies in the ownership of the property appurtenant to the place of use and the place of use of the water right. The portion in question is located in the SWSE T16S R40E Section 22 and SESE T16S R40E Section 22. Please see the map attached there are 2 acres within the SESE which Chatterton Land and Livestock does not own any property and a portion of the water right in SWSE may also be appurtenant to that same parcel. Please provide evidence of ownership of the property or a release from the property or if you believe a split is required, please submit an additional filing fee for a split. The additional fee would be \$75.00.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

AUG 29 2022