

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: **A29-12899**
Date Received: 12/18/1996
Receipt No: EO 22 832
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ALBERT SHEPHERD
Address: 6331 N OLD HWY 191
MALAD ID

208-766-4857

83252

2. Date of Priority: OCT 10, 1911

3. Source: REESE CREEK

Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Instream Flow							
----------------------------------	--	--	--	--	--	--	--

11S	36E	32	SW	NE			BANNOCK
-----	-----	----	----	----	--	--	---------

Ending Point of Instream Flow							
-------------------------------	--	--	--	--	--	--	--

11S	36E	29	SE	SE			BANNOCK
-----	-----	----	----	----	--	--	---------

5. Description of diverting works:
IN STREAM FLOW FOR STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	29	SE	SE		STOCK	
		32	NE	NE		STOCK	
			NW	NE		STOCK	
			SW	NE		STOCK	

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 200 CATTLE

ORIGINAL DEVELOPMENT/USE BY JIM JONES ABOUT 1911 (PER JOE BILLMAN

15. Basis of Claim: BENEFICIAL USE

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

A 29-12899

Date Received

12/18/96

Receipt Number

E 022892

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ALBERT M. SHEPHERD Phone (208) 766 4857
Mailing Address 6331 N OLD HWY 191 MALAD Zip 83252

2. Date of Priority (Only one (1) per claim) OCT. 10, 1911

3. Source of water supply (a) REESE CREEK (NORTH & SOUTH FORK)
which is tributary to (b) MARCH CREEK

4. a. Location of existing point of diversion is: Township 45 Range 36E Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 11 S Range 36E Section 32, _____ 1/4 of SW 1/4 of NE

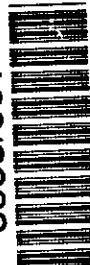
Govt. Lot _____ B.M., County of DANNOCK

ending point is: Township 11 S Range 36E Section 29, _____ 1/4 of SE 1/4 of

SE 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. (NONE)

A2912899



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For STOCK WATER purposes from 1/1 to 12/31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .05 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 200 HEAD CATTLE / HORSES

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>11S</u>	<u>36E</u>	<u>29</u>																<u>5</u>	
<u>11S</u>	<u>36E</u>	<u>32</u>	<u>5</u>	<u>5</u>	<u>5</u>														

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

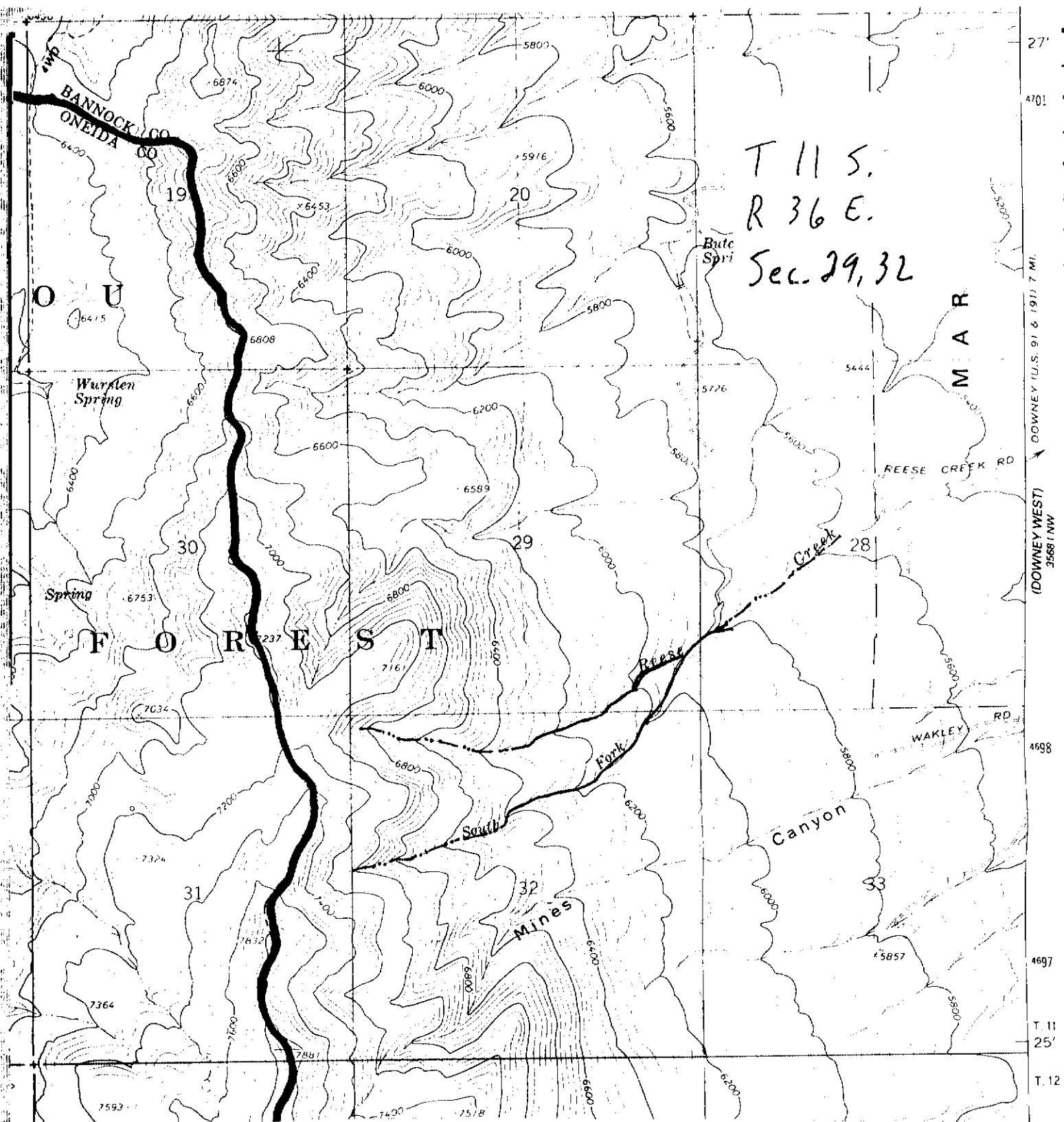
14. Remarks: PREVIOUS STOCK/DOMESTIC USE: TIM JONES, BILL MORRISON, PUGHMAN RANCHES.
ORIGINAL DEVELOPMENT/USE BY TIM JONES
ABOUT 1911 (PER JOE BILLMAN)

Last Name SHEPHERD Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

HECHERO

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments NONE

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Albert M. Shepherd Date 12-18-96

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day of December 19 97

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls

My Commission Expires 6-14-2000

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name SHEPHERD Ident. Number _____

Copies White-State, Yellow-Claimant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 29 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

A:29-12900

OK ~~MA~~

1. Water Right No(s):

A29-12087 A29-12899 A29-12901

Adjudication Claim No(s):

change A
change R2. *This is odd, but because
Danni and Don Staff say
it's okay, it's okay.*

st be submitted with this form:

LE POLICY, CONTRACT OF SALE or other legal document indicating your
ghts or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

IAP for parcel of ten acres or less. (These are usually attached to your deed or

OR

involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL
nd point(s) of diversion clearly marked.3. Name and Address of Former
Owner/ClaimantJOE L. BILLMAN740N. LINCOLN POCAHELLO ID. 83204

4. New Owner/Claimant(s)

ALBERT M. KATHY J. MICHAEL J. SHEPHERDName Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

6331 NORTH OLD HWY 191

City, State and ZIP Code

MALAD ID 83252

New Telephone Number

(208) 766 4857

5. Date you acquired the property

4-1-966. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or
adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces
below. If necessary, attach additional pages.

Number of acres you irrigate

Number and type of stock

200 COW - HORSE

Diversion rate in CFS

Number of homes

Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right
or claim, please contact the nearest IDWR office for assistance.7. Signature of New Owner
or Claimant(s)Albert M. & Shepherd, Kathy J. Shepherd
Michael J. Shepherd

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

AJ0749NP
No. A29-12899

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/13/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHY J SHEPHERD	10/10/1911	STOCKWATER	01-01 12-31	0.05 CFS	
C	ALBERT M SHEPHERD					
C	MICHAEL J SHEPHERD					
	6331 N OLD HWY 191			TOTAL DIVERSION:	0.05 CFS	
	MALAD ID 83252					
	(208) 766-4857					

Water Source: REESE CREEK

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11S R36E S32
Point(s) of Ending Stream Reach: T11S R36E S29

SWNE
SESE

BANNOCK County
BANNOCK County

Place of use Legal Description for: STOCKWATER

NE										NW				SW				SE						
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
11S	36E	29	:								:						:							
11S	36E	32	:	S		S		S			:						:						S	

POU County: BANNOCK

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/4-13-98

EXP STOCKWATER, 200 CATTLE
ORIGINAL DEVELOPMENT/USE BY JIM JONES ABOUT 1911 (PER JOE BILLMAN

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 13, 1998

KATHY SHEPHERD
ALBERT SHEPHERD
MICHAEL SHEPHERD
6331 N OLD HWY 191
MALAD ID 83252

RE: CHANGE IN OWNERSHIP FOR A29-12087, A29-12899,
A29-12900, A29-12901

Dear Ms. Shepherd, Mr. Shepherd & Mr. Shepherd:

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(s).

Enclosed is a copy 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 this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

AJ0743NP
(00-124)

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

01/15/98 13:14:58
Page 1

Water Right Number - R29-12899

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SHEPHERD

ALBERT

1 - 6331 N OLD HWY 191

2 -

3 -

City- MALAD

Phone - 208-766-4857

State- ID Zip- 83252

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/10/1911 . 15 EASTERN J - BENEFICIAL USE .

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
REESE CREEK MARSH CREEK

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
11S 36E 32 SW NE B (5) BANNOCK *
29 SE SE E (5) BANNOCK *

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.050 .

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.050 . 0.0

+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11S 36E 29 SE SE . 04 STOCKWATER (5) BANNOCK
11S 36E 32 NE NE 04 STOCKWATER (5) BANNOCK
11S 36E 32 NW NE 04 STOCKWATER (5) BANNOCK
11S 36E 32 SW NE . 04 STOCKWATER (5) BANNOCK

Total Acres:

+ - - Diversion Means - IN STREAM FLOW FOR STOCKWATER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - - +

EXP STOCKWATER, 200 CATTLE
PARCEL NOS. R4431012100, R4431012200, R4431012500 .

AJ0743NP
(00-124)

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

01/15/98 13:14:58
Page 2

Water right number - R29-12899

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 09/30/1997 User Id: AJU5-ECA Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.
Date: 01/15/1998 User Id: DSMITH Subject: COPIED FROM REMARKS
ORIGINAL DEVELOPMENT/USE BY JIM JONES ABOUT 1911 (PER JOE BILLMAN)

+ - - Audit Fields - - +
01/15/98 DSMITH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 01/15/1998 | Old Judicial District | - |
| Claim Received Date | - 12/18/1996 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E022832 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

JOKRB#
22498

AJ5856NP

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

DATE: AUG-22-1997

PAGE: A-82

RIGHT NUMBER: 29-12899

NAME & ADDRESS: ALBERT SHEPHERD ✓
6331 N OLD HWY 191
MALAD ID 83252

SOURCE: REESE CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.05 CFS

PRIORITY DATE: 10/10/1911

POINT OF DIVERSION: T11S R36E S32
S29SWNE (INSTREAM BEGINNING POINT) Within BANNOCK County
SESE (INSTREAM ENDING POINT)

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
STOCKWATERPERIOD OF USE
01-01 12-31QUANTITY
0.05 CFS

PLACE OF USE:

R4431012100

STOCKWATER
T11S R36E S29
S32Within BANNOCK County
SESE ✓
NENE280 acres
NWNEno improvements
SWNEEXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 200 CATTLE
ORIGINAL DEVELOPMENT/USE BY JIM JONES ABOUT 1911 (PER JOE BILLMAN)~~also sec. 11~~~~R4431012000 40 acres SW4 SE4 no improvements~~sec. 32R4431012200 80 acres W2 NE4 ~~80 acres~~ no improv.

R4431012500 80 acres E2 NE4 no improvements

Verified by Stensky Date: 9-17-97Verification Source: Computer Printout

RIGHT NUMBER: 29-12899

NAME AND ADDRESS: KATHY J SHEPHERD
6331 N OLD HWY 191
MALAD ID 83252

ALBERT M SHEPHERD
6331 N OLD HWY 191
MALAD ID 83252

MICHAEL J SHEPHERD
6331 N OLD HWY 191
MALAD ID 83252

SOURCE: SOUTH FORK REESE CREEK

TRIBUTARY: REESE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/10/1911

POINT OF DIVERSION:

T11S R36E S29 SESE End of Stream Flow Within BANNOCK County

T11S R36E S32 SWNE Begin of Stream Flow Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|---------------|-----------|
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE:

STOCKWATER Within BANNOCK County

| | | | |
|---------------|------|---------------|------|
| T11S R36E S29 | SESE | T11S R36E S32 | NENE |
| T11S R36E S32 | SWNE | | |

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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: Beneficial Use

STOCKWATER, 200 CATTLE
PARCEL NOS. R4431012100, R4431012200, R4431012500