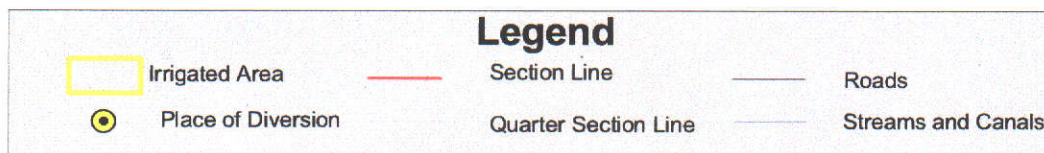
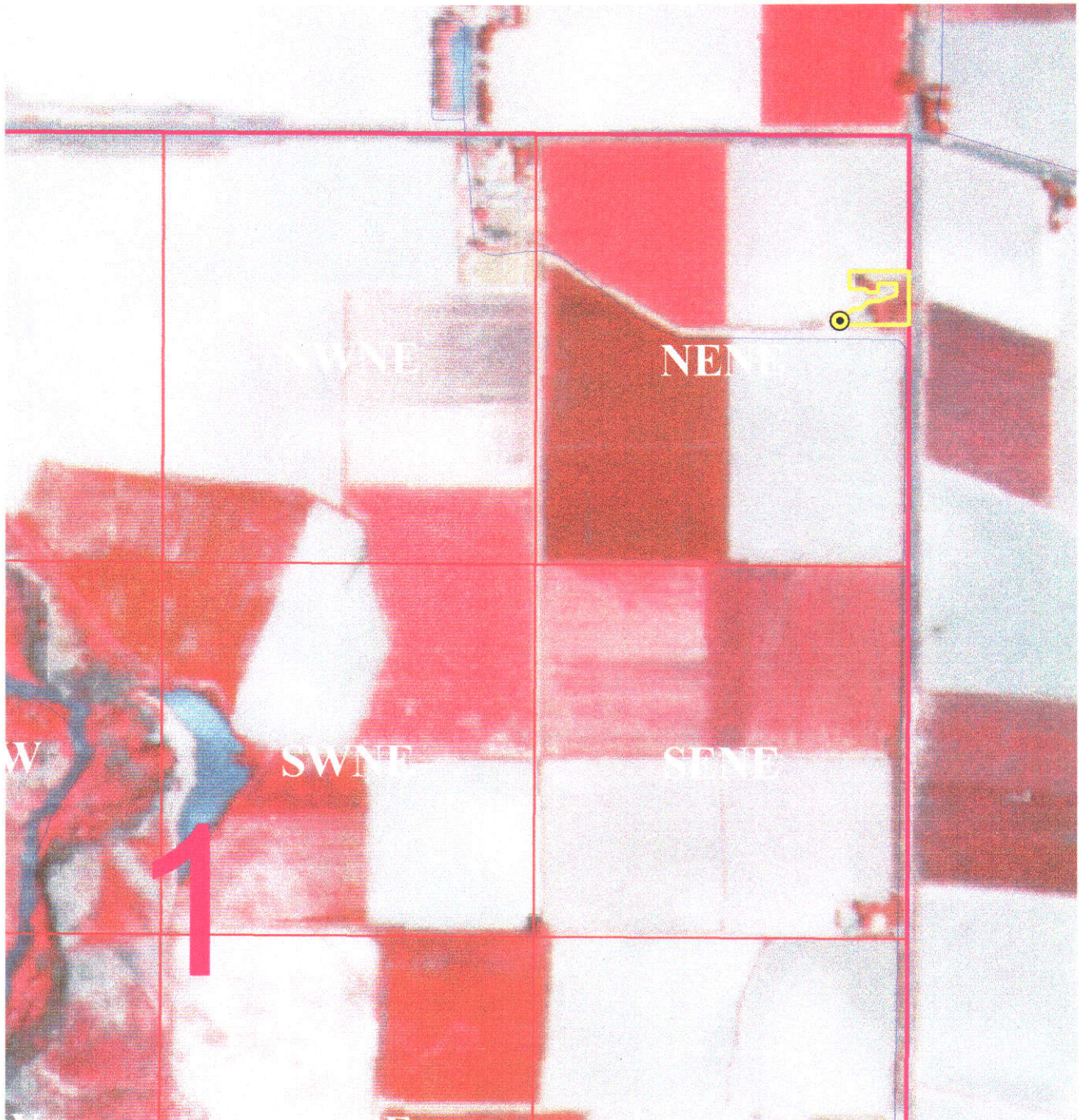


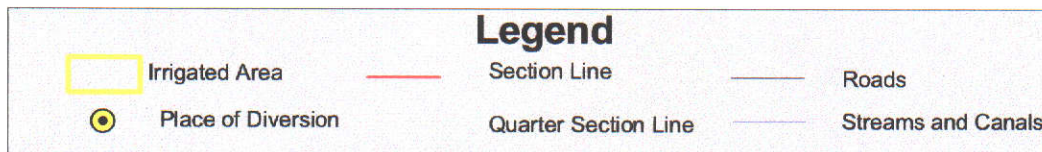
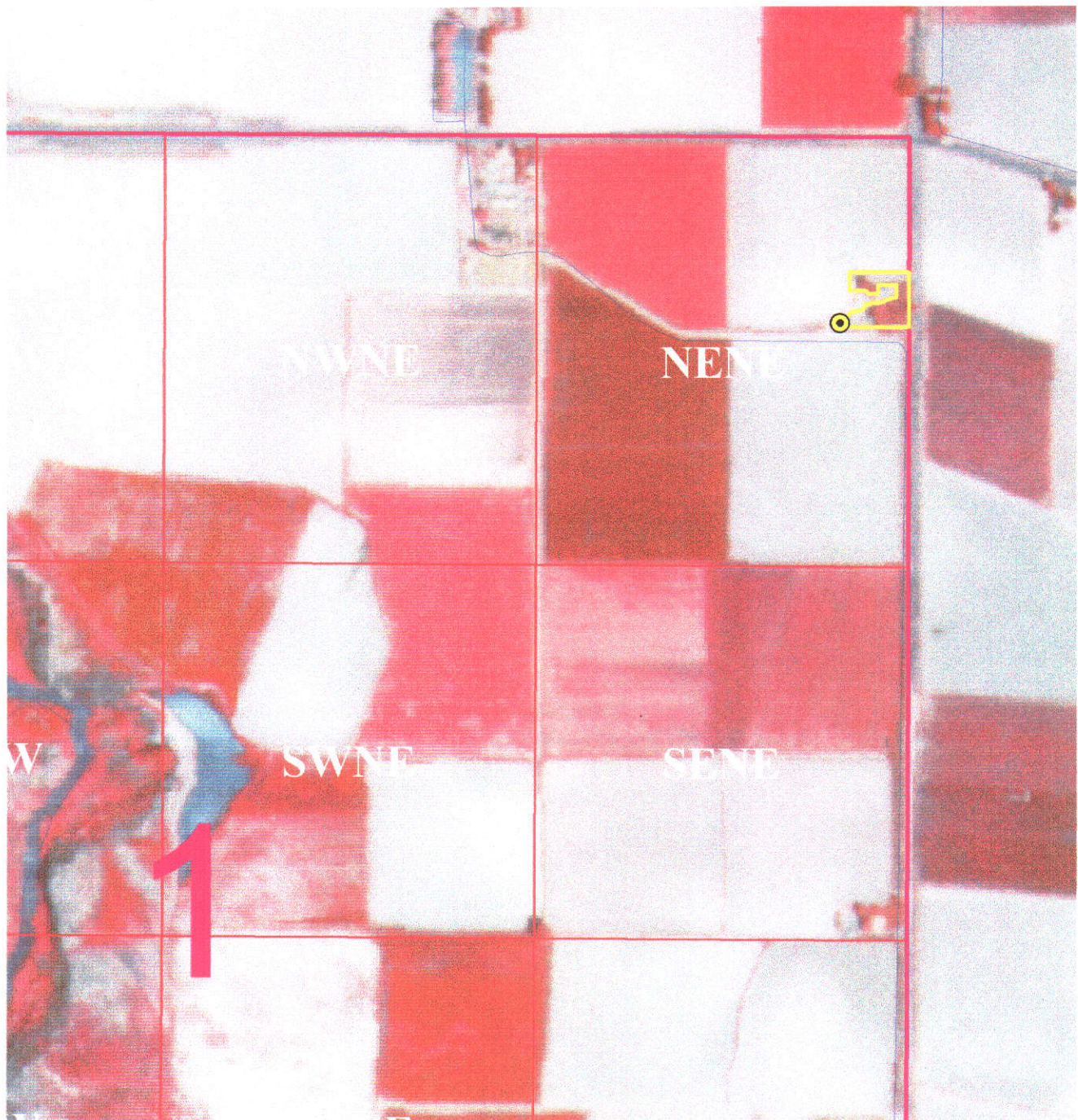
Water Right Claim Number 47-04396
Township , 10S16E

01/23/2001



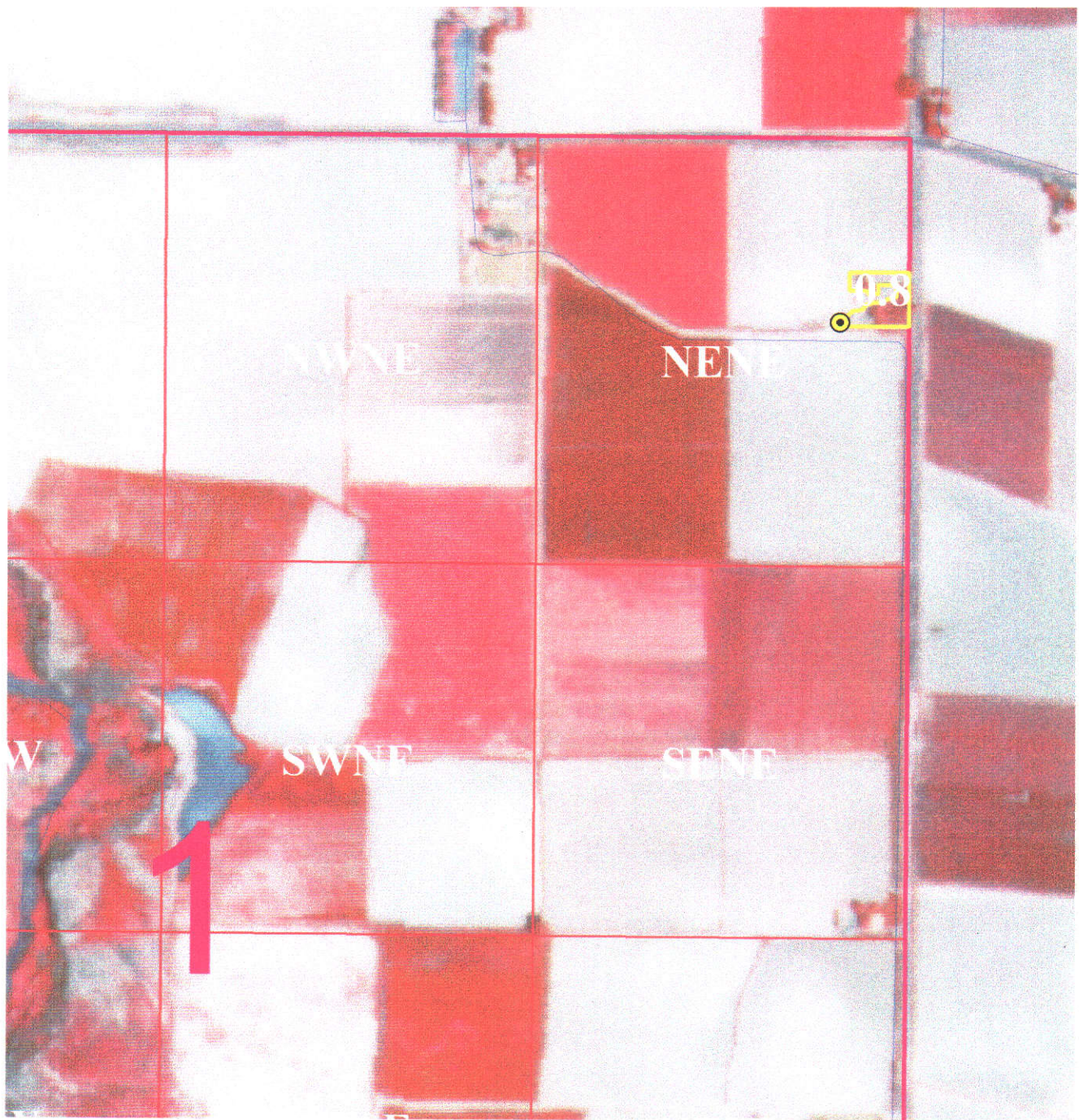
Water Right Claim Number 47-04396
Township , 10S16E

01/23/2001



Water Right Claim Number 47-04396
Township , 10S16E

01/23/2001



Irrigated Area

Place of Diversion

Legend

Section Line

Quarter Section Line

Roads

Streams and Canals



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: A47-04396
Date Received: 11/10/1988
Receipt No: S003742
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID F SCHUBERT 208-734-0594
Address: 754 QUINCY
TWIN FALLS ID 83301
AND/OR
Name: SHERRY SCHUBERT MC ALLISTER 208-736-2050
Address: 1651 SUNWAY N
TWIN FALLS ID 83301

2. Date of Priority: JAN 1, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	16E	1	NE	NE	NE	1	TWIN FALLS

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
STOCKWATER	01/01	12/31	0.019		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE, 12 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	16E	1	NE NE		IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: Oct, 1993

LEGAL DESCRIPTION OF PROPERTY: Township 10 S Range 16 E
 Section 1, 1/4 of 1/4 of 1/4 Govt. Lot 4, BM.
 Lot 1, Block, , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

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

[] Water Right Number(s)
Assigned by IDWR: A47-04396

[] Name and Address of Former Owner/Claimant(s) (Seller): Sherry Schubert McAllister
1651 Sunway N.
Twin Falls, ID 83301

[] New Owner/Claimant (Buyer): David F. Schubert
754 Quincy
Twin Falls, ID 83301

[] New Telephone Number: (208) 736-2050 - McAllister
(208) 734-0594 - Schubert

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

undivided 1/2 share of property + water rights
to each of above

[] Attach proof of ownership, describe proof attached: This is not a sale. It is a change (addition) due to family inheritance.

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

[] Signature of New Owner/Claimant(s): Sherry Schubert McAllister Date 3-8-95

[] Signature of Former Owner/Claimant(s): Sherry Schubert McAllister Date March 8, 1995
+ current

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-9-95 By: SC

Further Action Needed:

None

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

MAR 09 1995

Department of Water Resources
Southern Region

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

NOV 28 1996

RECEIVED

MAR 09 1995

Department of Water Resources
Southern Region

March 8, 1995

To: Idaho Department of Water Resources

Re: A47-04396

My name is Sherry Schubert McAllister. I reside at 1651 Sunway North, Twin Falls, Idaho. I reside on the property whose legal description is:

Lot 1, Section 1, Township 10, Range 16 East
of the Boise Meridian, County of Twin Falls,
State of Idaho.

My family has owned this farm since 1917 and has continued to operate it, even though we have not always done the farming ourselves. Our basis for a priority date of 1-1-1920 for irrigation, stockwater and domestic use of a well on this property to service the household and approximately two acres of ground was my aunt Agnes Schubert's recollection of its drilling and initial use at that time. She was 15 years old and living on the property in 1920. She stated that the well had been used to water--at different times--cattle, dairy cows, pigs and horses, numbering from 3 to 12 at one time. There was also a small orchard west of where the garage now sits which at times benefitted from the well's water.

I lived on this farm for the first time in 1946. During the late 1940's, 50's and 60's, when I did not live on the farm, my father Melvin Schubert and I, as part of the family, visited here regularly to oversee the farm's operation. During these regular visits we were aware that the well continued to be used both for the household and for stockwater. I moved here again permanently in 1973. My brother David Schubert and I share ownership of the property now. Frank Schubert, who purchased the property in 1917 and had the well drilled in 1920, aunt Agnes Schubert and father Melvin Schubert are deceased.

Sherry Schubert McAllister
Sherry Schubert McAllister

March 9, 1995
Date

Guenna Piccott
Notary Public
Comm. expires 6/24/99

3-9-95
Date

NOV 28 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-04396

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

February 27, 1995 8:56am

NAME:

SHERRY SCHUBERT MCALLISTER

CALLIN

RE:

PROOF OF PRIORITY

SHE ASKED ABOUT THE WATER RIGHTS AND WE DISTINGUISHED BETWEEN HER D/S WELL AND THE TFCC SHARES ON THE 46 ACRE FARM. THIS PROOF IS FOR THE D/S WELL USED ON TWO ACRES OF IRRIG. SUGGESTED SEVERAL SOURCES OF POSSIBLE PROOF AS OUTLINED IN THE BROCHURE AND SHE WILL LOOK SOME MORE.

SHE MENTIONED THE ADDRESSES AND CLAIMANTS ARE NOT CORRECT... HER AUNT (AGNES) IS DECEASED AND HER BROTHER (DAVID F. SCHUBERT) SHOULD NOW BE LISTED. I WILL SEND HER A CHANGE OF OWNERSHIP FORM. I TOLD HER SHE CAN SIGN THE FORM AND MAKE THESE CHANGES.

ADDRESS: 1651 SUNWAY N., T.F.

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04396
SHERRY SCHUBERT MC ALLISTER
RT. 4 BOX 7250
TWIN FALLS ID 83301

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996

GOVERNOR
Governor PHILIP E. BATTA. KEITH HIGGINSON
Director

January 10, 1995

A47-04396
AGNES L. SCHUBERT
754 QUINCY
TWIN FALLS

ID 83301

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed.

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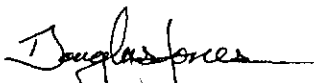
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

NOV 28 1996

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: A47-04396
Date Received: 11/09/1988
Receipt No: S003705
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHERRY SCHUBERT MC ALLISTER
Address: RT. 4 BOX 7250
TWIN FALLS, ID 83301

AND/OR

Name: AGNES L. SCHUBERT
Address: 754 QUINCY
TWIN FALLS, ID 83301

208-734-0594

2. Date of Priority: JAN 01, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	16E	1	NE	NE		1	TWIN FALLS

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
STOCKWATER	01/01	12/31	0.019		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE, 12 HORSES

A47-04396

Page 1

Date: 11/09/88

RECORDED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	16E	1	NE NE		IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

RECORDED

MAR 11 1989

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 a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): James L. Schubert Date: 11/9/88

Date: _____

State of Idaho)
County of SE) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Nov 19 88

Lori White
Notary Public

Seal

Residing at SE
My Commission Expires 5/95

Log for claim 47-04396

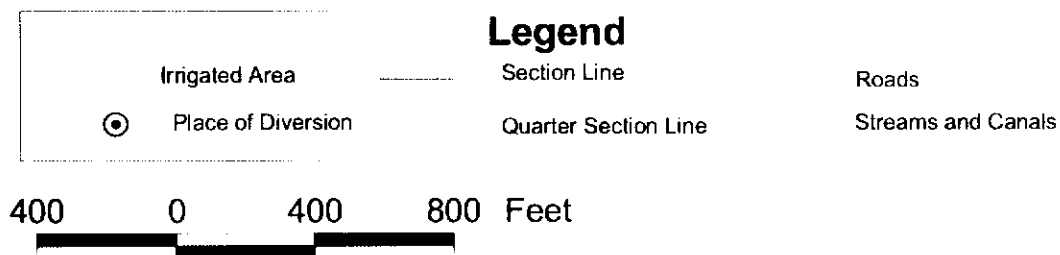
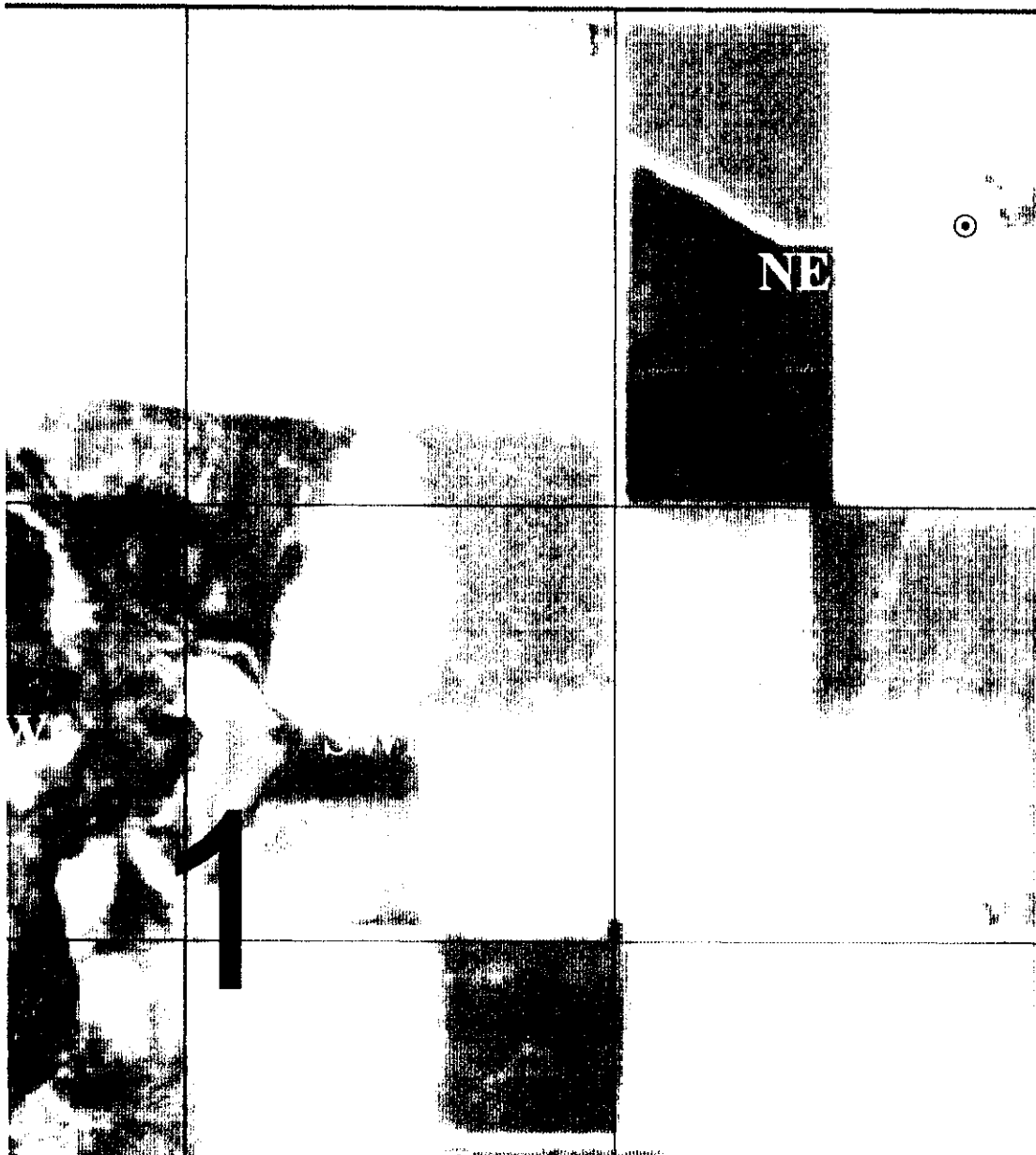
Spatial Dynamics BTD

1/23/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s16e	1	NENE	2	0.8	
Totals:			2	0.8	

Water Right Claim Number 47-04396
Township , 10S16E

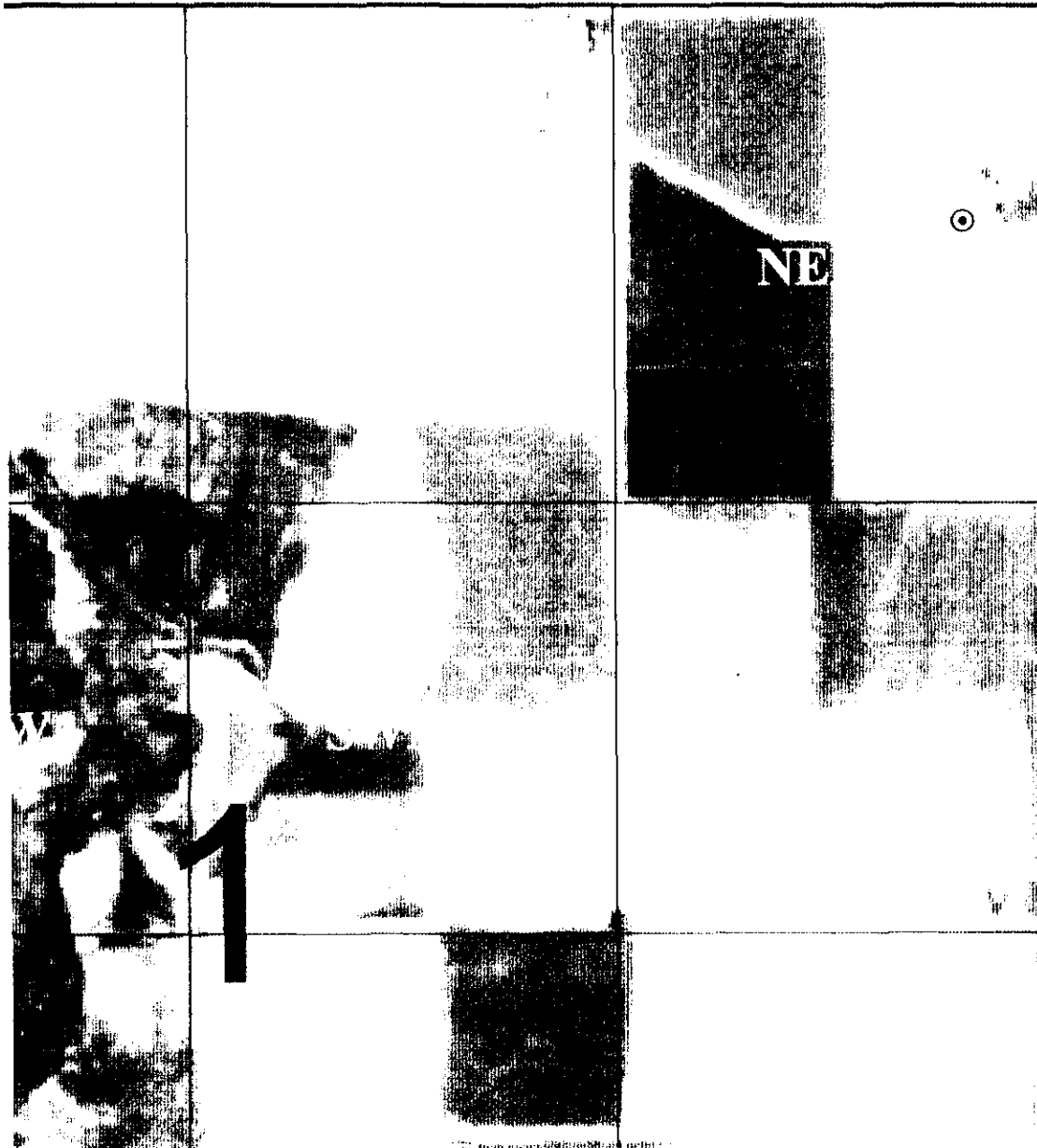
01/23/2001



*Spatial
DYNAMICS*

Water Right Claim Number 47-04396
Township , 10S16E

01/23/2001



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals

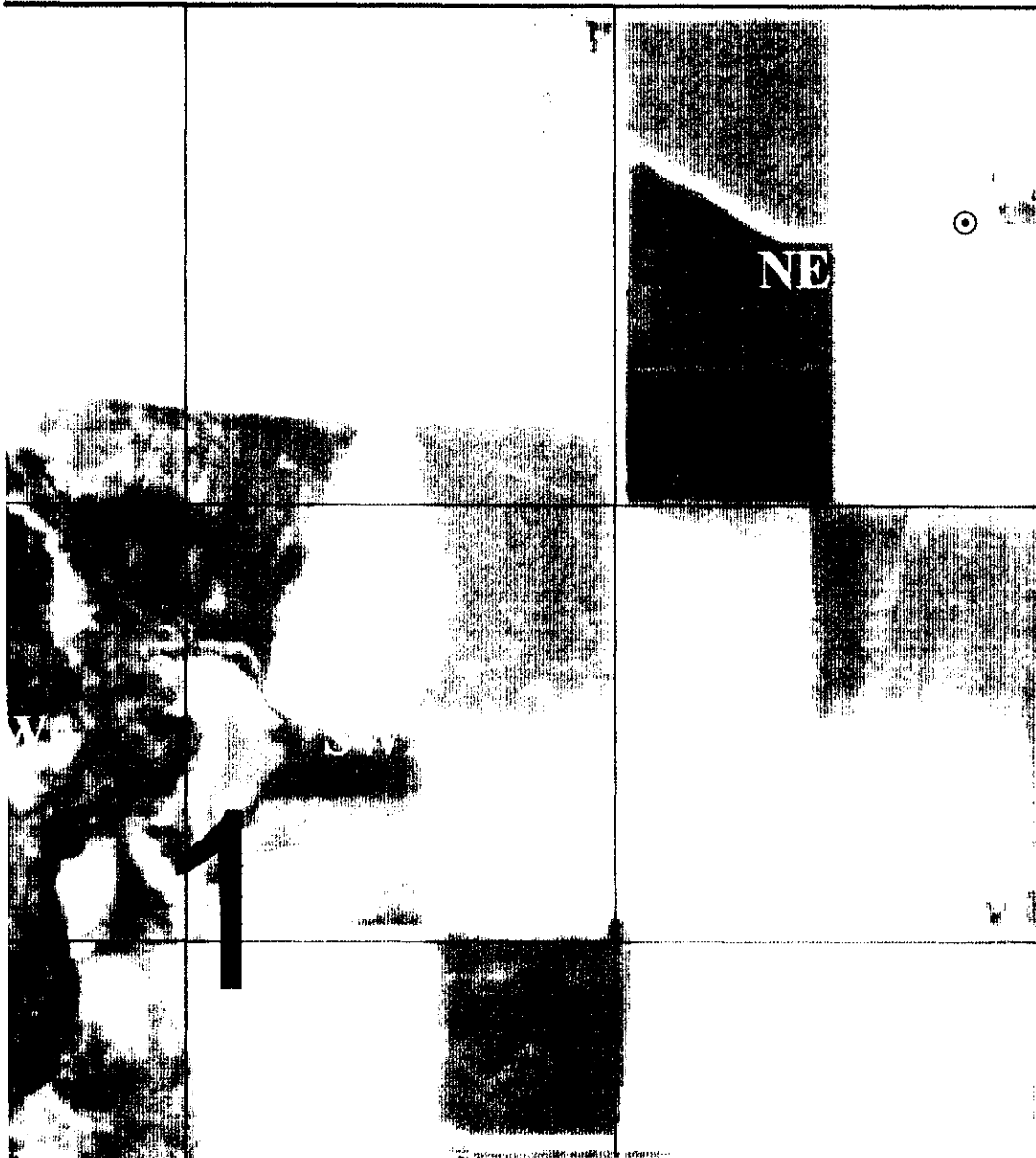


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04396
Township , 10S16E

01/23/2001



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet

*Spatial
Dynamics*

AJ5809NP
No. A47-04396

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 123

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID F SCHUBERT 754 QUINCY TWIN FALLS ID 83301 (208) 734-0594	01/01/1920	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.040 CFS 0.019 CFS 0.040 CFS	
					TOTAL DIVERSION:	0.099 CFS
C	SHERRY SCHUBERT MC ALLISTER 1651 SUNWAY N TWIN FALLS ID 83301 (208) 736-2050					

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R16E S01 Lot01(NENE)

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	16E	1	:	02																:	2.0
																				TOTAL ACRES	2.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: TWIN FALLS

Non-Irrigation Uses: S/75 RANGE, 12 HORSES

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020922

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

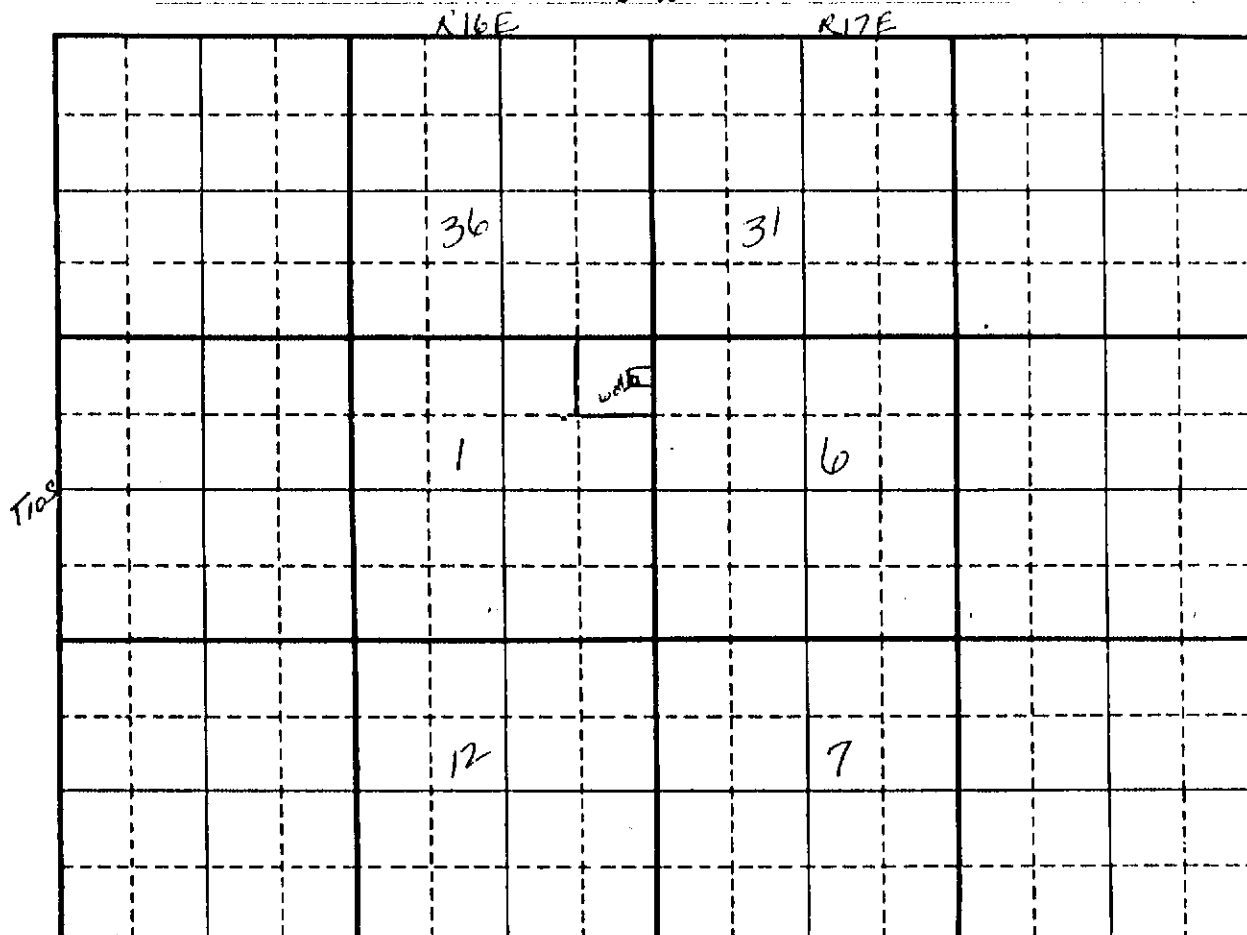
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/09/88 WHITE 03/09/95 SCLELLAN 03/30/95 POST-STD

UNRECORDED

- (B) Remarks Attachments to this claim:
1. Map showing location of water well and land irrigated
 2. Affidavit establishing Date of Priority
 3. Affidavit Establishing type and number of stock watered



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of June, 1983.

Sherry Schubert McAllister
(Claimant)

Loren O. Kalma
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JF [signature] Date 6-15-83 Exception filed by: _____ Date _____
Prelim. check by [signature] Date _____
\$30.00 fee received by [signature] Date 6-15-83 # 30300
Published in [signature]
Dates 7/8 + 7/11-1983

Forwarded to claimant by: _____ Date _____

Map-Schubert/McAllister

MICROFILMED

FILER QUADRANGLE

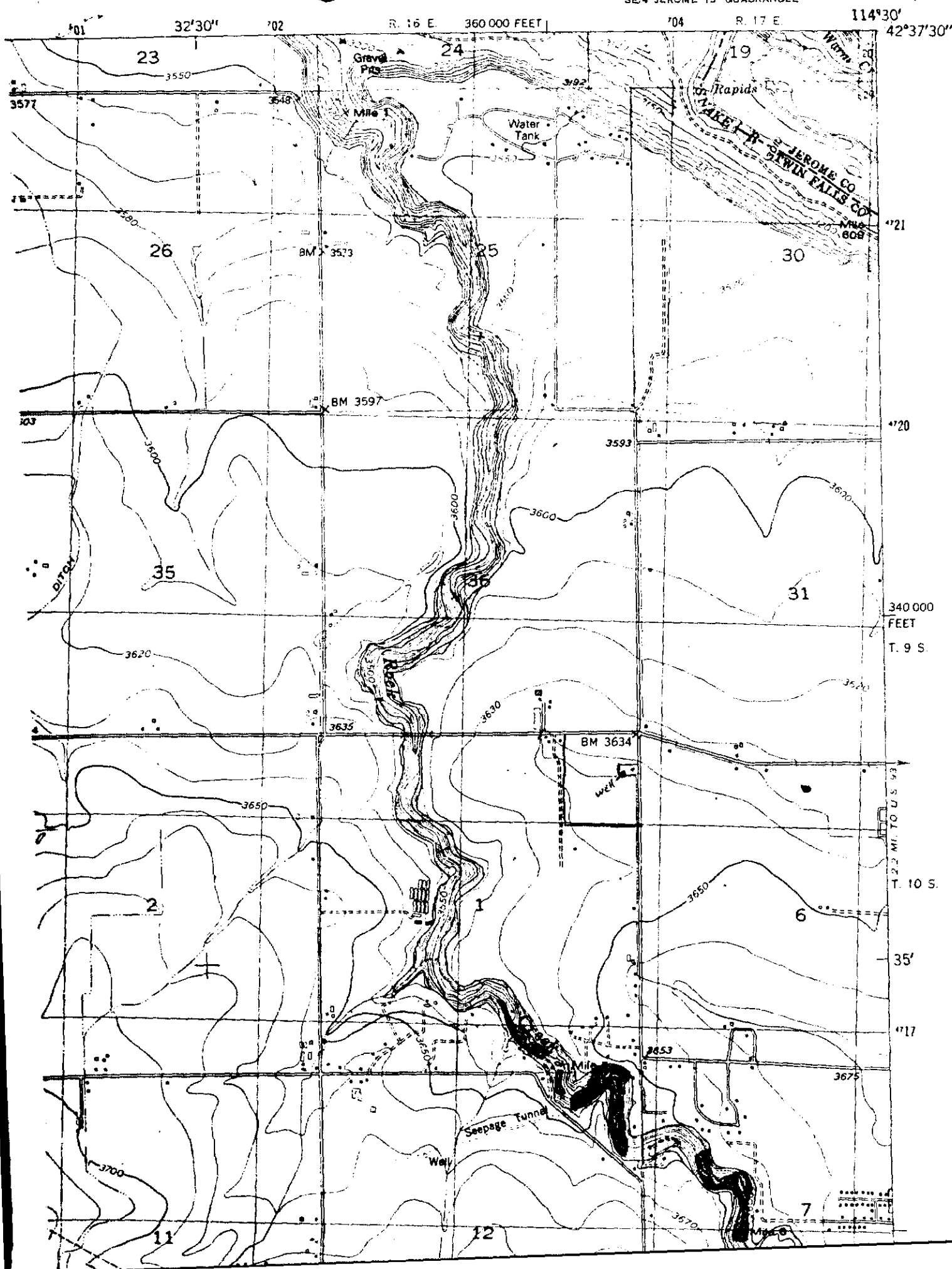
IDAHO

7.5 MIN

SERIES (TOPOGRAPHIC)

SE/4 JEROME 15' QUADRANGLE

3189 N.W.
(FALLS CITY)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Genevieve I. Loughmiller &/or George Loughmiller
(Name of Claimant)

Rt. 1, Twin Falls, Idaho, 83301
(Mailing Address)

Telephone No. None
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.25 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>Mar 15</u> To <u>Nov. 15</u>
Quantity	<u>0.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>Jan. 1</u> To <u>Dec. 31</u>
Quantity	<u>0.02 cfs</u>	Use	<u>Stockwater</u>	Period of Use From	<u>Jan. 1</u> To <u>Dec. 31</u>
Quantity		Use		Period of Use From	
Quantity		Use		Period of Use From	

- (4) 0.25 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
2 pts SE 1/4 SE 1/4, Sec. 22 Twp. 12S Rge. 16E B.M., County of Twin Falls
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well with 12 H.P. centrifugal pump delivering to sprinklers & house. (old)
Well with 1 1/2 H.P. (new)

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
12S	16E	22																40	40

No. of acres 40

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

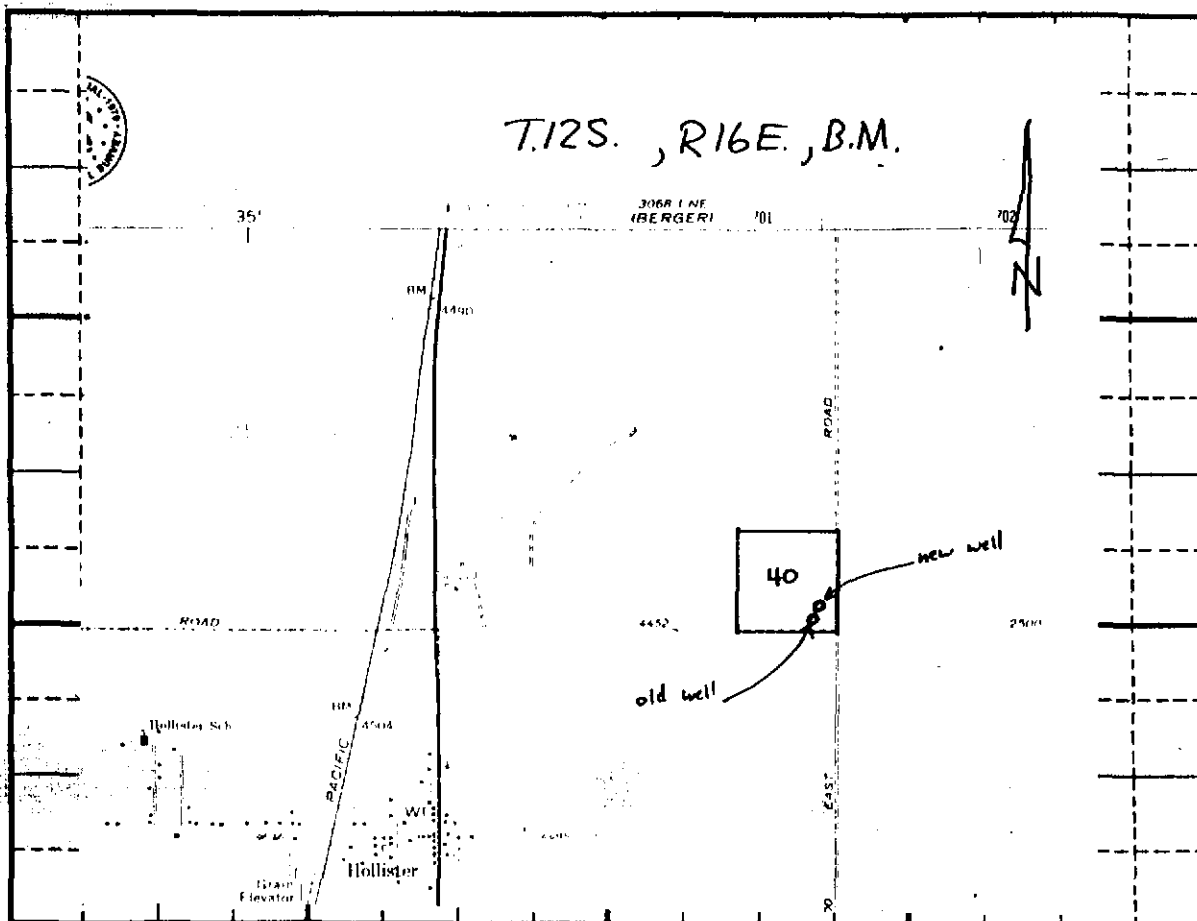
Culinary water for 1 house.

NOTE: Include here the type and number of stock watered: 40 range cattle

- (7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILM

- 18) Remarks Original well was drilled in around 1910 and was first pumped in 1950.
Replacement well for domestic use and stockwater was drilled in 1981.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 31 day of May, 1983.

George Loughmiller
(Claimant)

Loren O. Kachner
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADA Date 5/31/83 Exception filed by: _____ Date _____
Prelim. check by RS Date 6/16/83
\$20.00 fee received by ADA Date 5/31/83 # 20219
Published in Twin Falls News
Dates 4/8 + 9/15/83