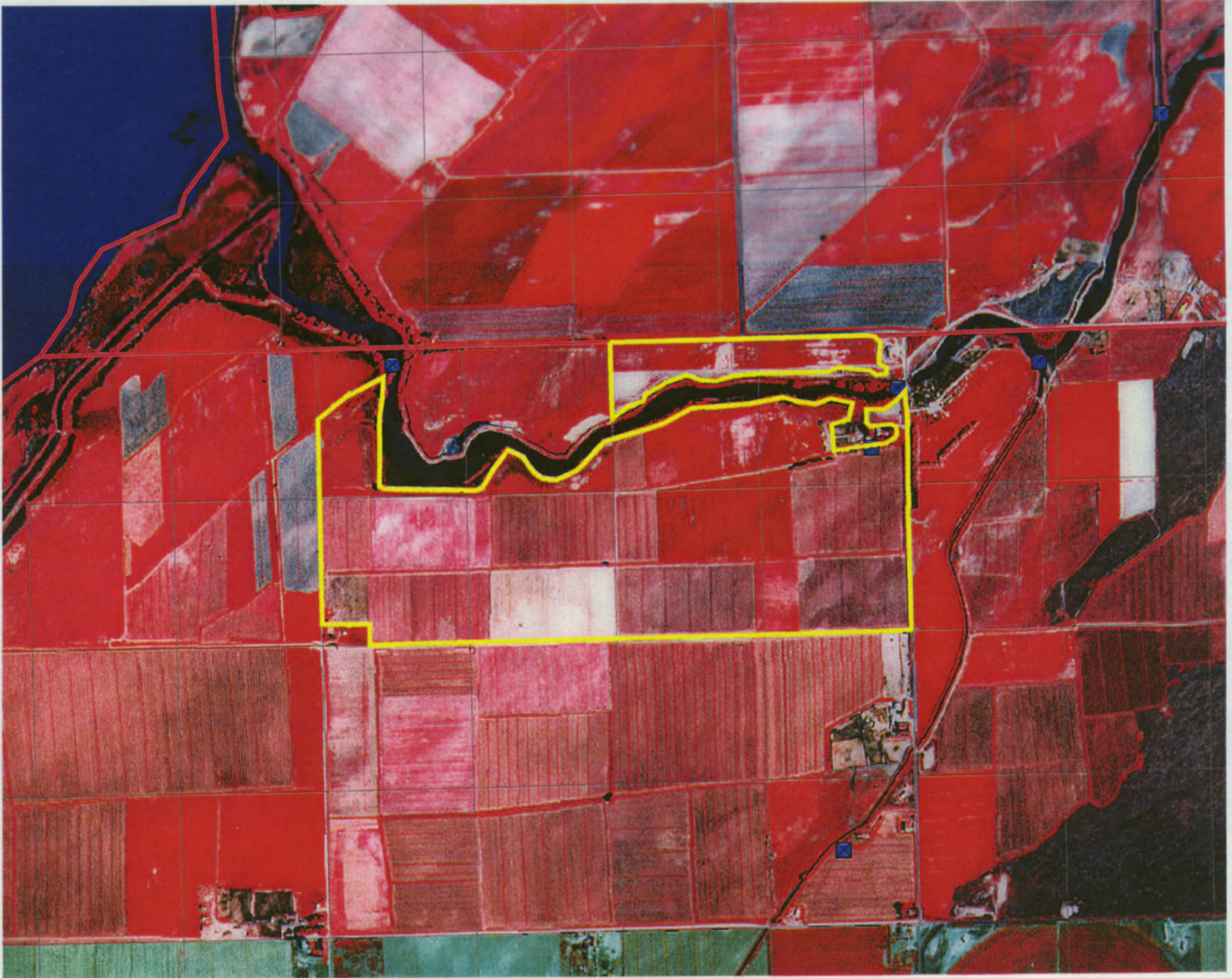


Revised Place of Use

31-19, 31-11337



Idaho Department of Water Resources

Water Right 31-19, 31-11337

Township 6N Range 35E Section 4



0 1320 Feet

- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-00019

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: JALENE SHULDBERG
KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE

QUANTITY: 418.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 418 AF.

PRIORITY DATE: 04/22/1908

POINT OF DIVERSION: T06N R35E S04 NENENE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	418.00 AFY
	Irrigation from Storage	04-01 TO 10-31	418.00 AFY

PLACE OF USE: Irrigation from Storage Within Jefferson County

T06N R35E S04 LOT 1	(NENE) 28.0	LOT 2	(NWNE) 33.0
	SWNE 40.0		SENE 40.0
LOT 3	(NENW) 7.3	LOT 4	(NWNW) 13.0
	SWNW 38.0		SENW 40.0

239.3 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 239.3 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE
AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER
DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS
OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT
NUMBER 307626.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

03/15/2001

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

RIGHT NUMBER: 31-19
NAME AND ADDRESS: JALENE SHULDBERG
KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE

418 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 418 AF.

PRIORITY DATE: 04/22/1908

POINT OF DIVERSION: T06N R35E S4 NENENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	418.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	418.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County			
T06N R35E S4	LOT 1	NENE	28
T06N R35E S4		SWNE	40
T06N R35E S4	LOT 3	NENW	7.3
T06N R35E S4		SWNW	38
T06N R35E S4	LOT 2	NWNE	33
T06N R35E S4		SENE	40
T06N R35E S4	LOT 4	NWNW	13
T06N R35E S4		SENE	40

239.3 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 239.3 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
INDEPENDENT WATER USERS INC.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS
CALCULATED BY MULTIPLYING A DIVERSION RATE OF 1.7 CFS BY A
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO
SEPTEMBER 1ST).

Revised Place of Use

31-19, 31-11337



Idaho Department of Water Resources

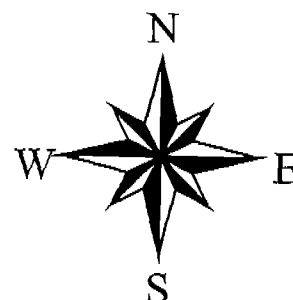
Water Right 31-19, 31-11337

Township 6N Range 35E Section 4



0 1320 Feet

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

12/22/2000

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

RIGHT NUMBER: 31-19

NAME AND ADDRESS: JALENE SHULDBERG
1785 N 1800 E
HAMER, ID 83425
KEITH SHULDBERG
1785 N 1800E
HAMER, ID 83425

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE

418 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 418 AF.

PRIORITY DATE: 04/22/1908

POINT OF DIVERSION: T06N R35E S4 NENENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	418.00 AFY
IRRIGATION FROM STORAGE	04-01 10-31	418.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within
JEFFERSON County

T06N R35E S4	LOT 1	NENE	26	T06N R35E S4	LOT 2	NWNE	33
T06N R35E S4		SWNE	40	T06N R35E S4		SENE	40
T06N R35E S4	LOT 3	NENW	4.1	T06N R35E S4	LOT 4	NWNW	12
T06N R35E S4		SWNW	38	T06N R35E S4		SENW	40

233.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 233.1 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS
CALCULATED BY MULTIPLYING A DIVERSION RATE OF 1.7 CFS BY A
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO
SEPTEMBER 1ST).

11/02/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-19

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEITH SHULDBERG 1785 N 1800E HAMER, ID 83425
Current Owner	JALENE SHULDBERG 1785 N 1800 E HAMER, ID 83425
Original Owner	JAY T FURNESS
Original Owner	ESTHER B FURNESS 1785 N 1800 E HAMER, ID 83425 (208)663-4300

Priority Date: 04/22/1908
Basis: Decreed
Status: Valid

<u>Source</u>	<u>Tributary to</u>
CAMAS CREEK	MUD LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	01/01	12/31		418 AFA	
STORAGE					
IRRIGATION FROM	04/01	10/31		418 AFA	
STORAGE					
Total Diversion				418 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	35E	4	NE NE NE	0	JEFFERSON

IRRIGATION FROM STORAGE Use:
Acre Limit: 233.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE JEFFERSON 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>
06N	35E	4	1	NENE	26	2	NWNE	33		SWNE	40		SENE	40
			3	NENW	4.1	4	NWNW	12		SWNW	38		SENW	40

Total Acres: 233.1

Conditions of Approval:

1. C18 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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 418 AF.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-11337 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 233.1 ACRES IN A SINGLE IRRIGATION SEASON.
4. Quantity THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING THE DIVERSION RATE OF 1.7 CFS BY 2.0 ACRE FEET PER DAY FOR 123 DAYS.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	11/2/00	Volume	Recommended as a volume instead of a rate per careful reading of Suave v Abbot and documentation in file "Mud Lake Storate." 1.7 X 2 X 123 = 418 acre feet.

Dates:

Licensed Date:
 Claim Received Date: 11/16/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 11/01/1930
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	11/2/00 8:24:15 AM	bcontor			In Process
POU	11/2/00 8:35:46 AM	bcontor			In Process
Priority Date	11/2/00 8:19:21 AM	bcontor			In Process
Quantity	11/2/00 8:38:19 AM	bcontor			In Process
Season	11/2/00 8:37:40 AM	bcontor			In Process
Source	11/2/00 8:24:52 AM	bcontor			In Process
Summary	11/2/00 8:39:14 AM		11/2/00 8:39:14 AM	bcontor	Complete
Use	11/2/00 8:36:39 AM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Overall Max Diversion Rate:
 Overall Max Diversion Volume: 418
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	11/2/00 8:24:14 AM	bcontor	1. (NO) The basis is not beneficial use.

POD	11/2/00 8:23:30 AM	bcontor	2. (YES) Parent right has a Point of Diversion.
POU	11/2/00 8:35:45 AM	bcontor	3. (YES) The claimed Point of Diversion can be verified using the water right file.
			8. (NO) Point of Diversion remark was not required.
			9. (NO) Point of Diversion condition was not required.
			Edited point location
			1. (YES) The POU is required.
			2. (NO) The basis of claim is not beneficial use.
			3. (YES) The Parent Right has a POU.
			4. (NO) The claimed POU can not be verified using the water right file.
			5. (YES) There is evidence that there has been a change in the POU.
			6. (NO) The change can not be verified as an accomplished transfer.
			7. (YES) The change is an enlargement of the POU.
			Comment for 7: GIS, interview w/ water user
			8. (YES) An enlargement claim was filed.
			9. (YES) The file contains all the necessary information to verify the POU.
			12. (YES) POU remark was required.
			13. (NO) POU condition was not required.
Priority Date	11/2/00 8:19:19 AM	bcontor	1. (NO) There has not been a later court decree of the water right(s) from the water source.
			4. (NO) The basis of claim is not beneficial use.
			5. (NO) The basis of claim is not a posted notice.
			6. (YES) Parent right has a priority date.
			7. (NO) The basis of claim is not an application or permit.
			12. (YES) The claim is recommended.
			14. (NO) Priority remark was not required.
			15. (NO) Priority condition was not required.
Quantity	11/2/00 8:38:18 AM	bcontor	1. (NO) The basis of claim is not beneficial use.
			2. (NO) The basis of claim is not a posted notice.
			3. (YES) The parent right has a diversion rate and/or diversion volume.
			4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.
			7. (YES) The parent right has an annual diversion volume limit.
			8. (YES) Irrigation is a purpose of use.
			9. (YES) Quantity remark was required.
			10. (NO) Quantity condition was not required.
Season	11/2/00 8:37:38 AM	bcontor	1. (NO) The basis of claim is not beneficial use.
			2. (NO) The parent right does not have a period of use.
			4. (NO) There is not evidence that there has been a change to the period of use.
			9. (YES) The file contains all the necessary information to verify the period of use.
			11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.
			13. (YES) Irrigation is the purposed use.
			15. (NO) Period of Use remark was not required.
			16. (NO) Period of Use condition was not required.
Source	11/2/00 8:24:50 AM	bcontor	1. (NO) The basis is not beneficial use.
			2. (YES) Parent right has a source.
			3. (YES) The claimed source can be verified using the water right file.
			Comment for 7: Field Inspection
			8. (YES) The source is surface water.
			9. (YES) The source is a standard source.
			10. (NO) Source remark was not required.
			11. (NO) Source condition was not required.
Summary	11/2/00 8:39:13 AM	bcontor	1. (NO) The basis of the claim is not beneficial use.
			3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
			5. (YES) General remark was required.
			6. (YES) Explanatory remark was required.
			7. (YES) Additional condition was required.
			8. (YES) Wanted to view the recommended right.
			9. (NO) This is not a split right.
			10. (NO) This is not a combined right.
			11. (NO) Documents were not linked or attached to this file.
			12. (YES) Set the verification date.
Use	11/2/00 8:36:37 AM	bcontor	1. (NO) The basis of claim is not beneficial use.
			2. (YES) The parent right has a purpose of use.
			3. (YES) The claimed purpose of Use can be verified using the water right

file.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

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: A31-00019
Date Received: 11/16/1988
Receipt No: E004090
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KEITH C SHULDBERG
Address: 1785 N 1800 E
HAMER ID

208-663-4644

83425

2. Date of Priority: APR 22, 1908

3. Source: CAMAS CREEK

Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	35E	4	NE	NE	NE		JEFFERSON

5. Description of diverting works:
PUMP TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/01	1.700		

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

A.F.A.

8. Total consumptive use is 644.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	35E	4	NE	NE		IRR	41.2
			NW	NE		IRR	41.2
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

MICROFILMED
NOV 14 1995

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	4	NE	NW		IRR	5.0
			NW	NW		IRR	12.0
			SW	NW		IRR	38.3
			SE	NW		IRR	40.0

Section Acres 257.7

Total Acres 257.7

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
INDEPENDENT WATER USERS

14. Remarks:
SUPERSEDES 31-2032.
CHANGED OWNERSHIP 3/7/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT.

vs Decree Defendant

MICROFILMED
NOV 14 1995

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: A31-00019
Date Received: 11/16/1988
Receipt No: E004090
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY T. FURNESS 208-663-4300
Address: 1785 N. 1800 E.
HAMER, ID 83425

AND/OR

Name: ESTHER B. FURNESS 208-663-4300
Address: 1785 N. 1800 E.
HAMER, ID 83425

2. Date of Priority: APR 22, 1908

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	35E	4	NE	NE	NE		JEFFERSON

5. Description of diverting works:
PUMP TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/01	1.700		

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

8. Total consumptive use is 644.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A3100019



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	4	NE		NE		IRR	41.2
			NW		NE		IRR	41.2
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	5.0
			NW		NW		IRR	12.0
			SW		NW		IRR	38.3
			SE		NW		IRR	40.0

Section Acres 257.7

Total Acres 257.7

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
INDEPENDENT WATER USERS

14. Remarks:
SUPERSEDES 31-2032.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

Decree 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: 0

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):

Gayle B. Furness
Eather B. Furness

Date: 11/16/88

Date: 11/16/88

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 16th day

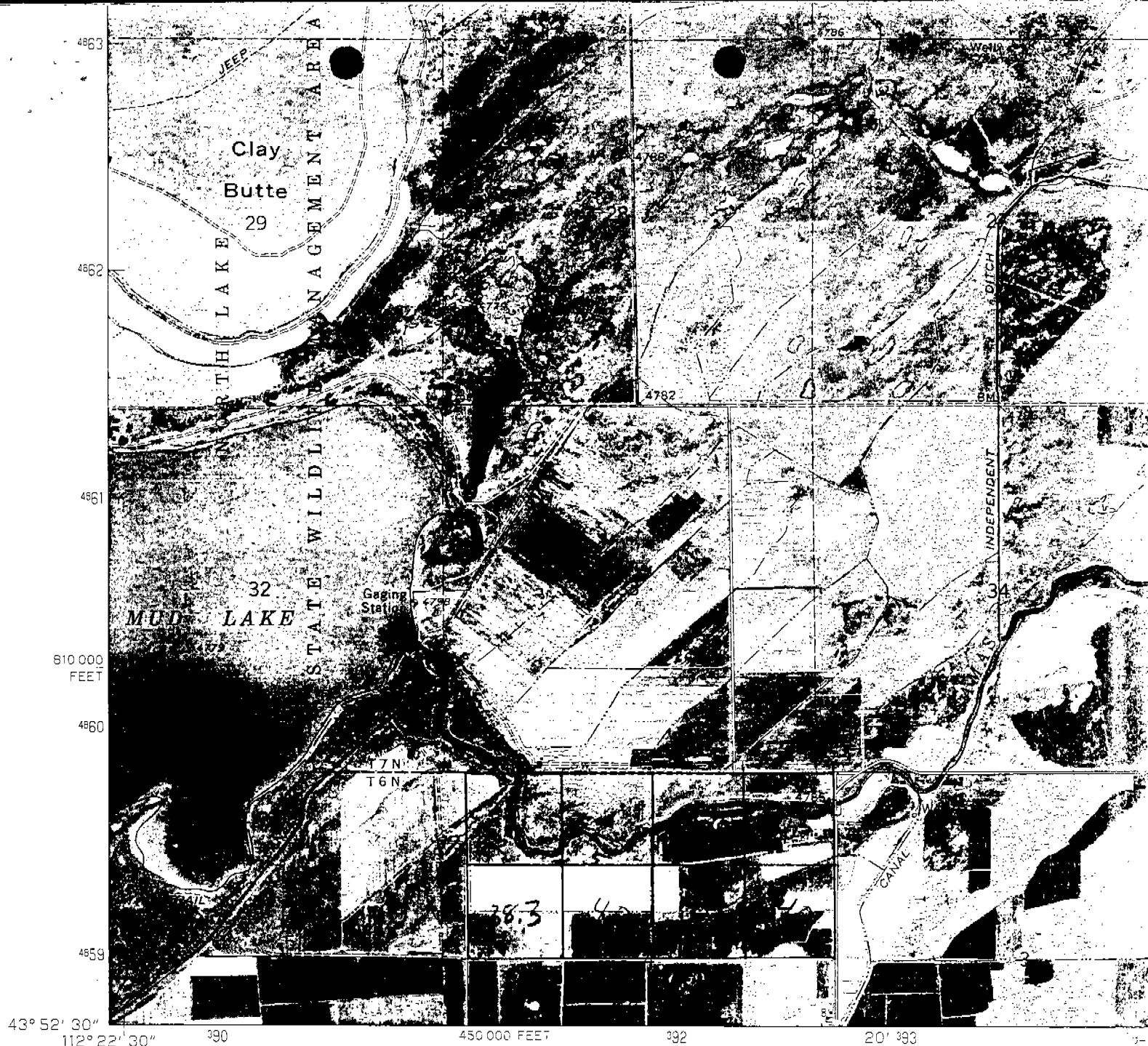
of November 19 88

Anthony L. Olenich
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires 9/12/1994



Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken August 5, 1980

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (Transverse Mercator)

1000-meter Universal Transverse Mercator grid, zone 12 1927 North American Datum

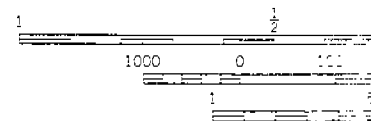
To place on the predicted North American Datum 1983 move the projection lines 12 meters north and 66 meters east as shown by dashed corner ticks

Photoimagery rectified by optical scanning

Where double or mismatched image occur use the mean of image position for map point

Land lines from Rays Lake, Idaho 1:24,000-scale topographic map dated 1964

There may be discrepancies between positions on land lines and photoimagery



NORTH

THIS MAP COMPILED FOR SALE BY U. S. G.

MICROFILMED

NOV 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 15, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KEITH & JALENE SHULDBERG
1785 N 1800 E
HAMER ID 83425

RE: NOTICE OF ERROR

Dear Mr. and Mrs. Shuldberg:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-19 and 31-11337, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen
Records Clerk

01/25/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-19

JALENE SHULDBERG
1785 N 1800 E
HAMER ID 83425
Telephone Number: (208) 663 4644

KEITH SHULDBERG
1785 N 1800 E
HAMER ID 83425

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Please redraw the shape per the NRCS maps.

2. Describe the changes you wish to make in the proposed recommendation:

Please note that the Independent Water is used with this right on this land.

3. Give a brief explanation as to why you disagree with these portions:

these concerns also apply to ~~#31-11337~~ 31-11337

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/15/01 SIGNATURE: Jalene M. Shuldberg
Please print your name: Jalene M Shuldberg

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

*Response: Shape will be redrawn per maps supplied.
Comment will be added for Ind. Water.
Byce A. Corton 2/15/01*

 Claim _____
 Doc Source _____
 Date _____ Sig. _____



Contor, Bryce

From: Contor, Bryce
Sent: Monday, December 18, 2000 9:00 AM
To: Tuthill, Dave; McHugh, Candice
Cc: Carlsen, Ernie
Subject: RE: Guidance please

Thanks.

-----Original Message-----

From: Tuthill, Dave
Sent: Monday, December 18, 2000 8:55 AM
To: McHugh, Candice
Cc: Carlsen, Ernie; Contor, Bryce
Subject: RE: Guidance please

Bryce, yes, we concur that it should be "For this right" -- please use this unless Ernie has other thoughts.

Dave

-----Original Message-----

From: McHugh, Candice
Sent: Friday, December 15, 2000 9:38 AM
To: Tuthill, Dave
Subject: FW: Guidance please

Dave --

I think we've settled on this remark but I think it should be "For this right." Any thoughts for Bryce?

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

-----Original Message-----

From: Contor, Bryce
Sent: Thursday, December 14, 2000 8:34 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: Guidance please

Do we have a final wording for the remark describing how volume is derived from cfs? The latest I have is:

Diversion Volume: For this Basin (should it be "for this right"?), the diversion volume described above was calculated by multiplying a diversion rate of ____ by a factor of 2.0 acre feet per day for 123 days (May 1st to September 1st).

This works fine for me, I prefer "for this right" over "for this basin."

Ernest Bauerle

31 0019 ✓

1908 - April 22

1.7 c.f.s.

Jay Furnace

Source: Camas Creek, a tributary of Mud Lake, and the back waters of Mud Lake.

Point of Diversion: In the Northeast Quarter of the Northeast Quarter of Section 4, Township 6 North, Range 35 East, B. M.

For use on the following described land, to-wit: The Northeast Quarter of Section 4, Township 6 North, Range 35 East, B. M.

No. 7

Claim 431-19

Doc Source Swave v Abbott

1930

Date 11/2/00 Sig. BAC

To: Ind. Water users files
Keith Shulberg Files
Fr: Bryce Contor
Date: 10/27/00

Re: Irrigation of Keith Shulberg
lands north of Camas Creek

Yesterday Keith told me he has a
pipe buried beneath Camas Creek
to convey water from his lift pump
to his pond north of Camas Creek.

Bryce A. Contor

ADJUDICATION SITE VISIT - B. CONTOR

Date 7/5/00

Accompanied by Peter Fisher

Claim Number Keith Shuldberg

Type of Feature Diversion Rediversion
Other _____

Name of Feature Shuldberg list

GPS Filename R070519A

Offset (Inst. To Feature) 323° 10 meters

Tag Number A0008621

Tag Location pole w/ transformer

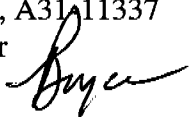
Narrative _____

25 up nameplate
Est list 10 ft

Sargans 50940251

0.83 x 24 KW

(no photo)

To: File A31-00019, A31-11337
Fr: Bryce A. Contor
Date: 2/28/2000 

Re: Conversation w/ Mr. and Mrs. Shuldberg

Shuldbergs came in today, concerned about the recent letter and enlargement claim. It appeared to them that the claim attempted to change their 1908 priority to a 1980. I think we got their concerns resolved, by explaining the Independent Water Users shares would remain intact, as would the Decreed water. The enlargement claim would simply authorize the use of the Decreed water on the Independent lands.

Shuldbergs plan to send in the claim, with the priority date modified to reflect documentation of the accomplished enlargement. This is likely to come either from the watermaster of WD 31, the original owners of the POU, or a neighbor.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 21, 2000

Keith Shuldberg
1785 North 1800 East
Hamer, Idaho 83425

Re: Adjudication Claim A31-00019

Dear Mr. Shuldberg:

We are beginning the process of reviewing Adjudication Claims in Basin 31. Claim A31-00019 is based on decreed right 31-00019 and was originally filed by Jay and Esther Furness. They filed for a diversion rate of 1.70 cfs, on 257.7 irrigated acres. The original right appears to have been decreed to 160 acres, so there has been an apparent enlargement of 97.7 acres. At the time they filed this claim, it was proper to include the enlarged acres on the same claim as an original decreed right.

Since that time, however, the court has disallowed the statute that allowed Furnesses to file in that manner. We are now required to record the enlarged acres on a separate claim. Enclosed is an enlargement claim for the 97.7 acres above the original decree. Please review this claim, and return it with a notarized signature if it appears to correctly reflect your use of water. No fees will be required.

Please notice that I have put "4/1/1980" as the priority date for this claim. This comes from the date of the aerial photo attached to this claim. If you can document an earlier date for the enlargement to the lands in the northwest quarter of section four, please attach the documentation, cross out the priority date, and write in the correct date.

Please call me at 525-7161 or 663-4853 if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

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: **A31-11337**
Date Received: 2/21/2000
Receipt No: X777777
Received By: _____

*Copy for A31-00019
file*

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

1. Name: KEITH C SHULDBERG 208-663-4644
Address: 1785 N 1800 E
HAMER ID 83425

2. Date of Priority: APR 1, 1980

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	35E	4	NE	NE	NE		JEFFERSON

5. Description of diverting works:
PUMP TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.630		

7. Total Quantity Appropriated is:
0.630 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 of	Lot	Use	Acres
06N	35E	4	NE	NE		IRR	41.2
			NW	NE		IRR	41.2
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	4	NW	NW		IRR	12.0
			SW	NW		IRR	38.3
			SE	NW		IRR	40.0
Section Acres							257.7
Total Acres							257.7

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
INDEPENDENT WATER USERS SHARES

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 31-00019 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.70 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 31-00019 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 257.7 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-00019 PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT NO. 31-00019 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 97.7 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

15. Basis of Claim: BENEFICIAL USE

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: _____

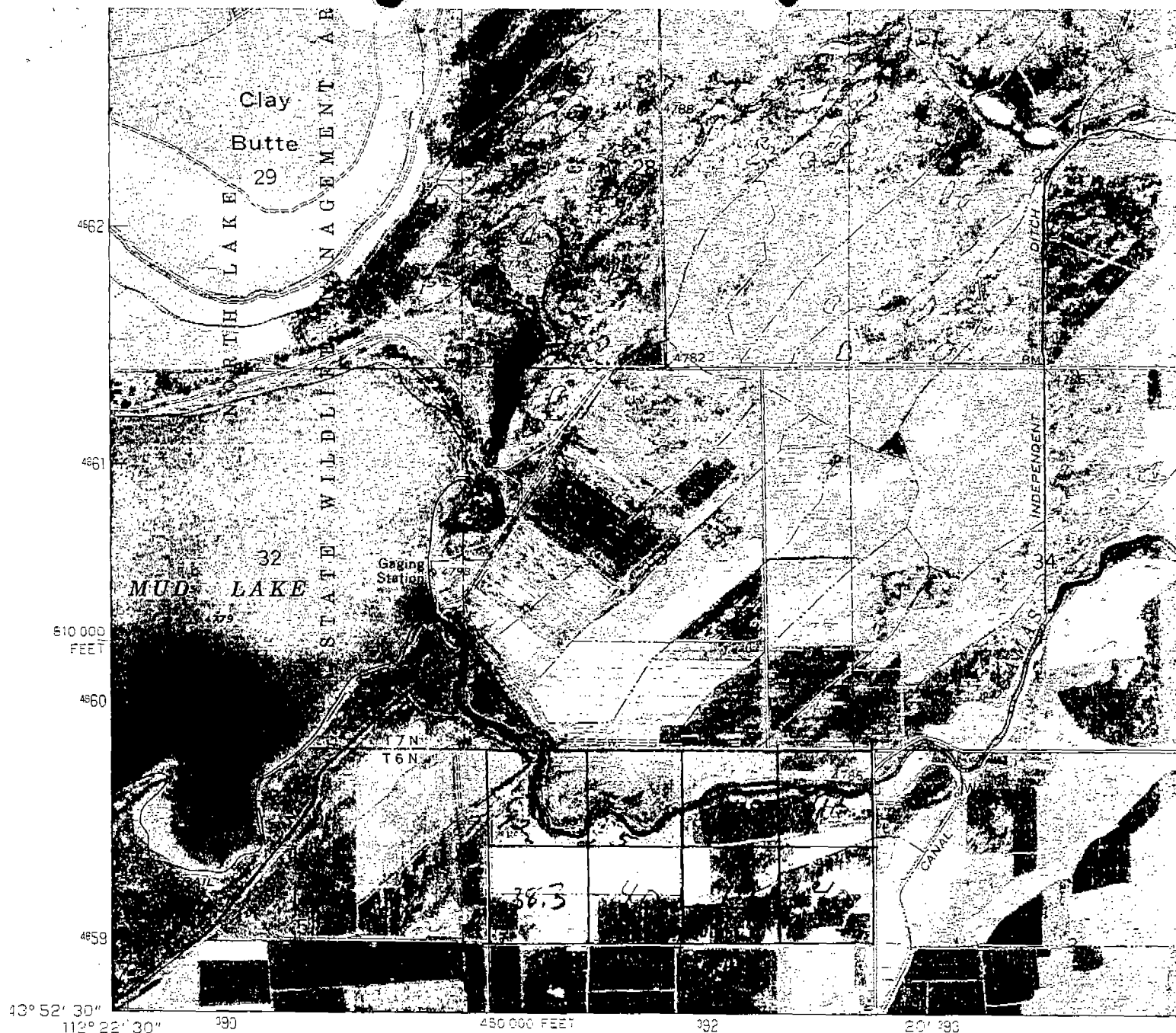
State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken August 5, 1980

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (Transverse Mercator)

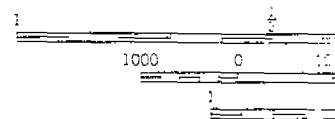
1000-meter Universal Transverse Mercator grid, zone 12 1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 12 meters north and 66 meters east as shown by dashed corner ticks

Photoimagery rectified by optical scanning Where double or mismatched image occur use the mean of image position for map point

Land lines from Rays Lake, Idaho 1:24,000-scale topographic map dated 1964

There may be discrepancies between positions on land lines and photoimagery



NORTH

THIS MAP IS FOR SALE BY U.S.

WR5809NP
No. 31-00019

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/17/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERNEST BAUERLE	04/22/1908	IRRIGATION STOCKWATER DOMESTIC	05/01 09/01 00/00 00/00 00/00 00/00	1.700 CFS	
TOTAL DIVERSION:					1.700 CFS	

Water Source: CAMAS CREEK
MUD LAKE

Tributary to: MUD LAKE
SINKS

Stage: DECREED

Point(s) of Diversion: T06N R35E S04 NENE JEFFERSON 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	:	SUM
06N	35E	4	:	I		I		I		I						:	

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: JEFFERSON

Remarks: GEN SUPERSEDES 31-2032.

Dates:	App. Received:	Priority Date:	04/22/1908
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 31 Field Exam Fee:

Audit: 07/23/85 05/22/88 CONVERT

*Claim 257
acres -
enlargement needed*

MARCH 7, 1995

KEITH C SHULDBERG
1785 N 1800 E
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-00019

Dear Mr. Shuldberg:

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

Enclosed is a typed Notice 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,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED

NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

Received
2-24-95
M.S.

DATE OF CLOSING: Jan. 6, 1992

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

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

☐ Water Right Number(s)
Assigned by IDWR:

A31-00019 ^{OK MS}

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

JAY T. FURNESS
3878 E. 400 NORTH
RIGBY, ID.

☐ New Owner/Claimant
(Purchaser):

KEITH C. SHULDBERG

☐ New Mailing Address:

1705 N 1800 E
HAMER, ID 83425

☐ New Telephone Number:

(208) 663-4644

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

☐ Attach proof of
ownership, describe
proof attached:

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

☐ Signature of New
Owner/Claimant(s)

Keith C. Shuldberg
Julene M. Shuldberg

Date 1-30-95

Date Jan. 30, 95

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED
 NOV 1995

262447

WARRANTY DEED

FOR VALUE RECEIVED, Jay T. Furness and Esther B. Furness, husband and wife of 1785 N. 1800 E., Hamer, Idaho 83425, Grantors, do hereby grant, bargain, sell and convey unto Keith C. Shuldberg and Jalene M. Shuldberg, husband and wife of 1785 N. 1800 E., Hamer, Idaho, 83425 Grantees the following described premises, to-wit:

TRACT 1: Township 6 North, Range 35 East of the Boise Meridian, Jefferson County, Idaho.

Section 4: South 1/2 of the NW1/4, EXCEPTING THEREFROM: Beginning at the Southwest corner of the NW1/4 of said Section and running thence East 382 feet; thence North 197 feet; thence West 382 feet; thence South 197 feet to the point of beginning.

TRACT 2: All that part of Lot 3 lying South of Camas Creek, and all that part of Lot 4 lying South of Camas Creek, and East of a private roadway across said Lot 4, being in Section 4, Lot 1 and the East 1/2 of the South 1/2 of the Northeast 1/4 of Section 4, Lot 2 and the SW1/4 of the NE1/4 EXCEPTING THEREFROM: Beginning at the Northeast corner of Lot 1, Section 4 and running thence West 200 feet; thence South 300 feet; thence East 200 feet; thence North 300 feet to the point of beginning.

Also included is a 1907 water right to 418 acre feet of Mud Lake, Idaho water, and 85 shares of capital stock of Independent Waters Users of Mud Lake, Inc.

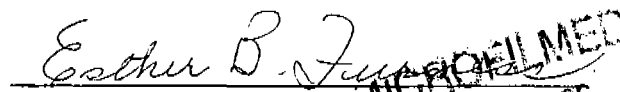
TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto. Said real property is now owned by Sellers.

These premises are subject to all easements, roadways and rights-of-way of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 22nd day of November, 1991.


JAY T. FURNESS


ESTHER B. FURNESS

RECEIVED BY
ASSESSOR

For PLATTING

Date 1-6-92 Time 4:12 p.m.

NOV 14 1991

STATE OF IDAHO)
) ss.
County of Fremont.)

On this 22nd day of November, 1991, before me, a Notary Public in and for said state, personally appeared Jay T. Furness and Esther B. Furness, known to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public for Idaho
Residing at: Ashton, Idaho
Comm. Expires: 4/12/92

Microfilm No. 262447
6 Day January 1992
At 1345 O'Clock P M
CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 6.00 56 Deputy
Recorded at Request of 92t

MICROFILMED
NOV 14 1991