

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-04005

Legal:

T01S, R05W, S30,
31, 32

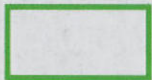
T02S, R05W, S5

Reviewed By:

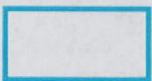
Point of Diversion



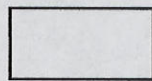
Place of Use



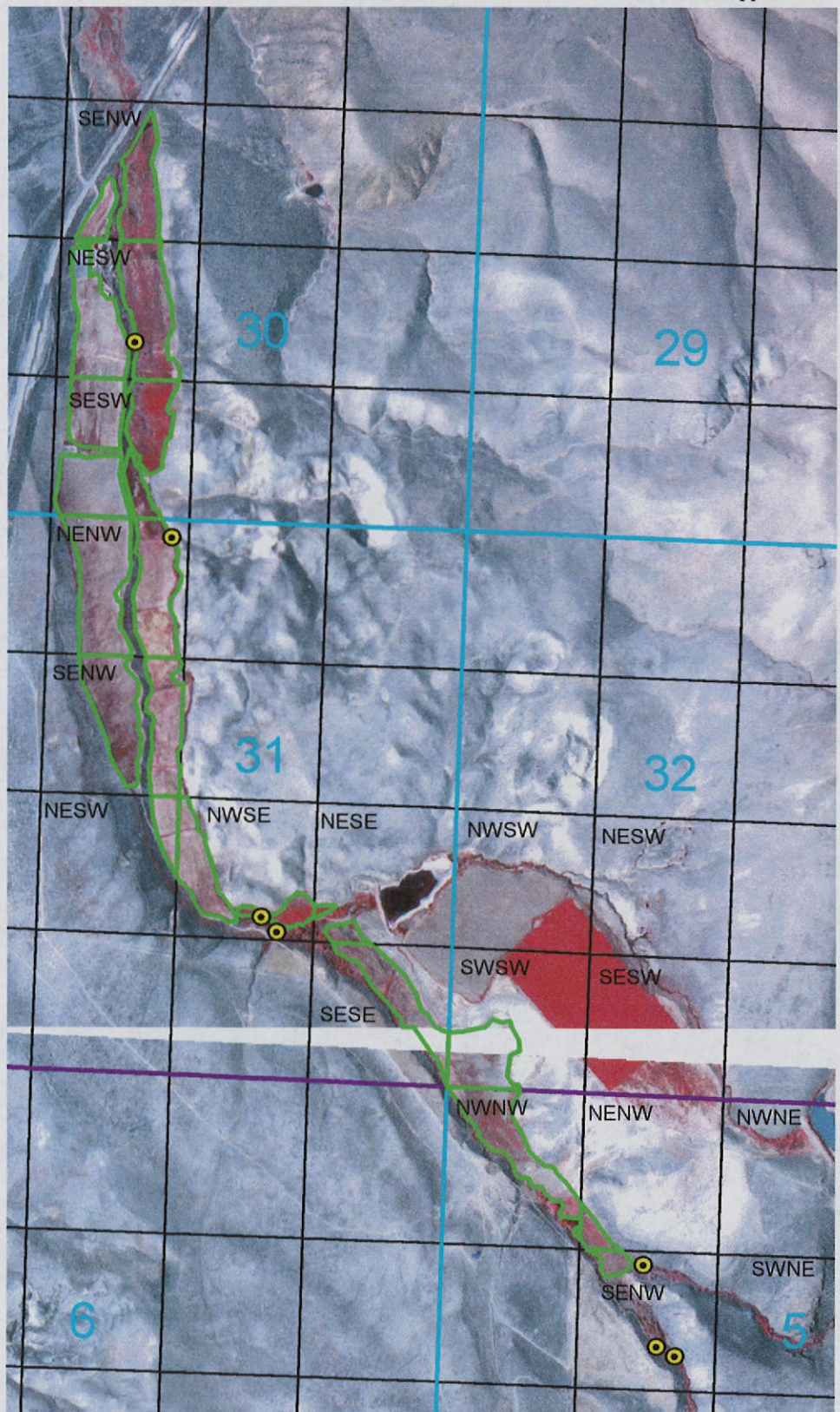
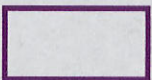
Section Lines



Quarter Quarter Lines

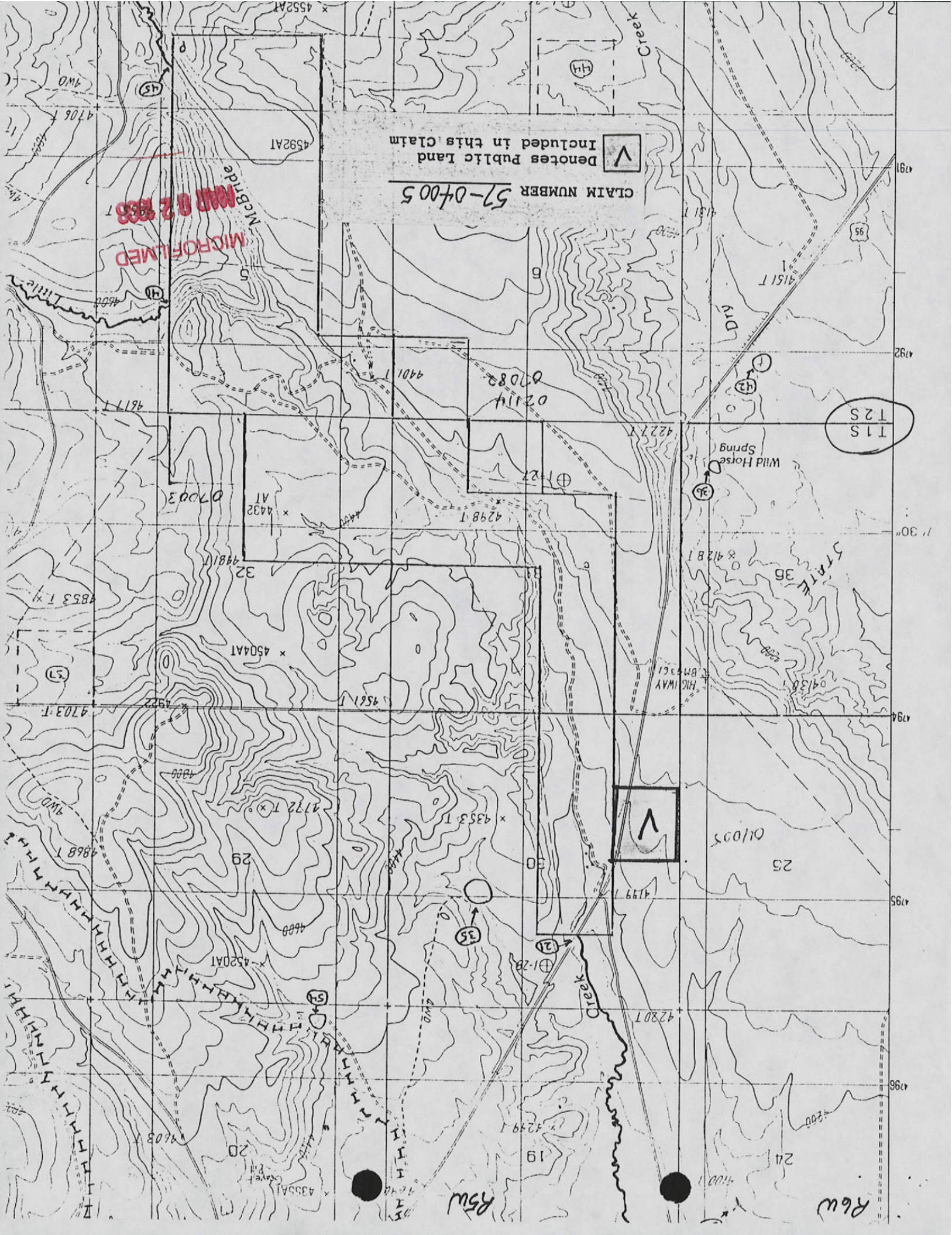


Township/Range Lines



0 0.25 0.5 0.75 1 Miles





MICROFILMED
MAN 02 1983

Denotes Public Land
Included in this Claim
CLAIM NUMBER 57-04005

T1S
T2S

V

R5W

R6W

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of ^{57-07082 57-10 893}
57-04005 57-02114 57-07003
(Insert each water right number)

My name is Ed Wilsey - Carl Wilsey

My address is HCR 81 Marsing Id. 83639

My phone number is: Work 337-4780 Home 337-4780

The name and address of the prior claimant/seller who I wish to be substituted for are:

Mark D. Shunk 28801 Scout Pit RD PRIMA ID 83660

Mark D. Shunk

Mark D. Shunk
Signature of prior claimant/seller

Ed Wilsey Carl 2 Wilsey
Debra Wilsey Paula J. Wilsey
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

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MAR 17 1999

A. ROOT WATER RIGHT NUMBERS: ~~A57-10568~~
A57-04005

R57-04005

No ~~R57-10568~~ ← Julian Landa
Jump Ck. - 2N, 5W, S10

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	05W	30	SE	NW		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	14.0		
			SE	NW		SHENK, MARK D.	A57-07082 /10.0	57-07082 /15.0			
			SE	NW		SHENK, MARK D.	A57-07003 /10.0	57-07003 /40.0			
			SE	NW		SHENK, MARK D.	R57-04005 /11.5	- /			11.5
			SE	NW		SHENK, MARK D.	A57-10893 /11.5	- /			
			SE	NW		SHENK, MARGIE	R57-07082 /11.5	- /			
01S	05W	30	NE	SW		SHENK, MARK D.	A57-04005 /23.0	57-04005 /23.0	28.0		
			NE	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			NE	SW		SHENK, MARK D.	A57-02114 /20.0	57-02114 /20.0			
			NE	SW		SHENK, MARK D.	A57-10893 /24.0	- /			24.
			NE	SW		SHENK, MARK D.	R57-04005 /24.0	- /			
			NE	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
01S	05W	30	SE	SW		SHENK, MARK D.	A57-04005 /22.0	57-04005 /22.0	29.0		
			SE	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	SW		SHENK, MARK D.	A57-02114 /15.0	57-02114 /15.0			
			SE	SW		SHENK, MARGIE	R57-02114 / 2.0	- /			
			SE	SW		SHENK, MARK D.	A57-10893 /24.0	- /			24.
			SE	SW		SHENK, MARK D.	R57-04005 /24.0	- /			
			SE	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
01S	05W	31	SW	NE		SHENK, MARK D.	A57-04005 / 1.0	57-04005 / 1.0			0
01S	05W	31	NE	NW		SHENK, MARK D.	A57-04005 /26.0	57-04005 /26.0	36.0		
			NE	NW		SHENK, MARK D.	A57-07082 /30.0	57-07082 /30.0			
			NE	NW		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			NE	NW		SHENK, MARGIE	R57-02114 /15.0	- /			
			NE	NW		SHENK, MARK D.	A57-10893 /30.5	- /			25.
			NE	NW		SHENK, MARK D.	R57-04005 /25.0	- /			
			NE	NW		SHENK, MARGIE	R57-07082 /30.5	- /			
01S	05W	31	SE	NW		SHENK, MARK D.	A57-04005 /21.0	57-04005 /21.0	30.0		
			SE	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	NW		SHENK, MARK D.	A57-02114 / 7.0	57-02114 / 7.0			
			SE	NW		SHENK, MARGIE	R57-02114 /19.0	- /			
			SE	NW		SHENK, MARK D.	A57-10893 /19.5	- /			19.
			SE	NW		SHENK, MARK D.	R57-04005 /19.0	- /			

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1S 5W S30 NWSW (4.6) - 1 ac.
2S 5W S5 SENW 2 ac.

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NW		SHENK, MARGIE	R57-07082 /19.5	- /			
			SE	NW		SHENK, MARK D.		57-07547 / 1.0			
01S	05W	31	NE	SW		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0	4.0		
			NE	SW		SHENK, MARK D.	A57-07082 /24.0	57-07082 / 5.0			
			NE	SW		SHENK, MARGIE	R57-02114 / 4.0	- /			
			NE	SW		SHENK, MARK D.	A57-10893 / 4.0	- /			
			NE	SW		SHENK, MARK D.	R57-04005 / 4.0	- /			4.0
			NE	SW		SHENK, MARGIE	R57-07082 / 4.0	- /			
			NE	SW		SHENK, MARK D.		57-07547 /21.0			
01S	05W	31	NE	SE		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0	13.0		
			NE	SE		SHENK, MARK D.	A57-07082 /12.0	57-07082 / 5.0			
			NE	SE		SHENK, MARK D.	A57-02114 /12.0	57-02114 /12.0			
			NE	SE		SHENK, MARGIE	R57-02114 / 1.0	- /			
			NE	SE		SHENK, MARGIE	R57-07003 / 5.0	- /			
			NE	SE		SHENK, MARK D.	A57-10893 / 7.0	- /			
			NE	SE		SHENK, MARK D.	R57-04005 / 1.5	- /			1.5
			NE	SE		SHENK, MARGIE	R57-07082 / 7.0	- /			
01S	05W	31	NW	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	20.0		
			NW	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			NW	SE		SHENK, MARGIE	R57-02114 / 5.0	- /			
			NW	SE		SHENK, MARK D.	A57-10893 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-04005 / 8.0	- /			8.0
			NW	SE		SHENK, MARGIE	R57-07082 / 8.0	- /			
			NW	SE		SHENK, MARK D.		57-07547 / 1.0			
01S	05W	31	SE	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	26.0		
			SE	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			SE	SE		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			SE	SE		SHENK, MARGIE	R57-02114 /14.0	- /			
			SE	SE		SHENK, MARGIE	R57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	A57-10893 / 9.0	- /			
			SE	SE		SHENK, MARK D.	R57-04005 / 7.0	- /			7.0
			SE	SE		SHENK, MARGIE	R57-07082 / 9.0	- /			
01S	05W	32	SW	SW		SHENK, MARK D.	A57-04005 / 9.0	57-04005 / 9.0	30.0		
			SW	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /25.0			
			SW	SW		SHENK, MARK D.	A57-02114 /10.0	57-02114 /10.0			
			SW	SW		SHENK, MARGIE	R57-02114 /10.0	- /			
			SW	SW		SHENK, MARGIE	R57-07003 /14.0	- /			
			SW	SW		SHENK, MARK D.	A57-10893 /24.0	- /			
			SW	SW		SHENK, MARK D.	R57-04005 /10.0	- /			10.
			SW	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
02S	05W	5	NE	NW		SHENK, MARK D.	A57-04005 / 2.0	57-04005 / 2.0			
			NE	NW		SHENK, MARK D.	A57-07082 / 1.0	57-07082 /25.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW	3	SHENK, MARGIE	R57-02114 / 2.0	- /			
			NE	NW	3	SHENK, MARGIE	R57-07003 / 3.5	- /			
			NE	NW	3	SHENK, MARK D.	A57-10893 /22.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-04005 / 2.0	- /			2.
			NE	NW	3	SHENK, MARGIE	R57-07082 /22.0	- /			
02S	05W	5	NW	NW		SHENK, MARK D.	A57-04005 /16.0	57-04005 /16.0			
			NW	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /20.0			
			NW	NW		SHENK, MARK D.	A57-02114 /20.0	57-02114 /20.0			
			NW	NW	4	SHENK, MARGIE	R57-02114 /12.0	- /			
			NW	NW	4	SHENK, MARK D.	A57-10893 /10.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-04005 /10.0	- /			10.
			NW	NW	4	SHENK, MARGIE	R57-07082 /10.0	- /			
TOTAL ACRES						A57-04005	156.00	156.00	230.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()

IF YES SEE ATTACHED SHEET: *See Page 6*

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
fw

PRESUMPTION FLAG:

REMARKS:

*Maps of this area were previously not available.
No change in place of use - just clarification.*

RECOMMENDATIONS:

TOTAL ACRES: *149*

REVIEWED BY: *fw*

DATE: *12-17-91*

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OCT 07 1992

MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-91 ^{kw}
~~04-13-1980~~

File Number: A57-04005
Claimant: MARK D. SHENK
Channel measured: MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:

SENW

Calculation prepared by: KAY WALKER
Comments about the measurement:
DIVERSION TO SMALL RESERVOIR.

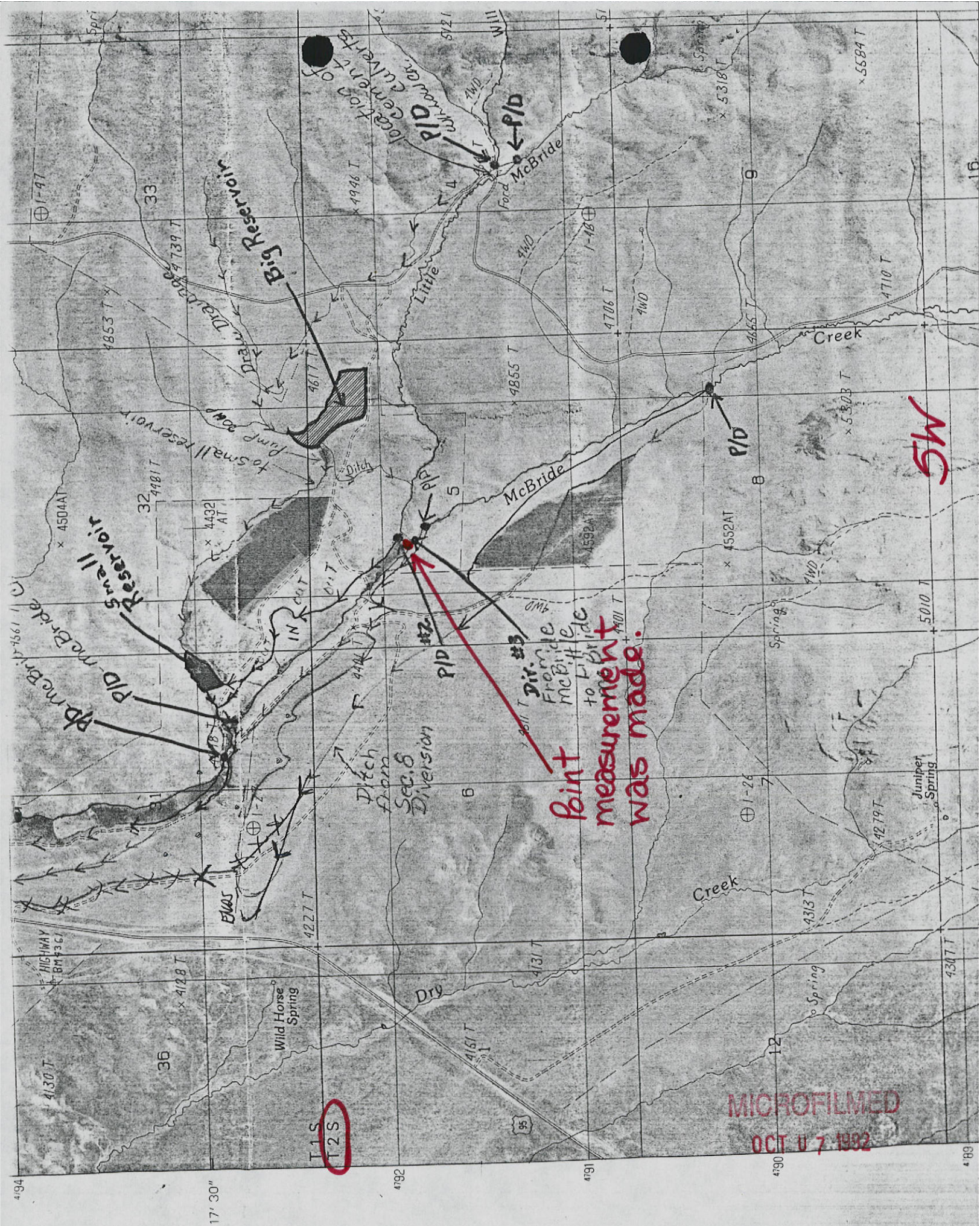
The results of the calculation are:

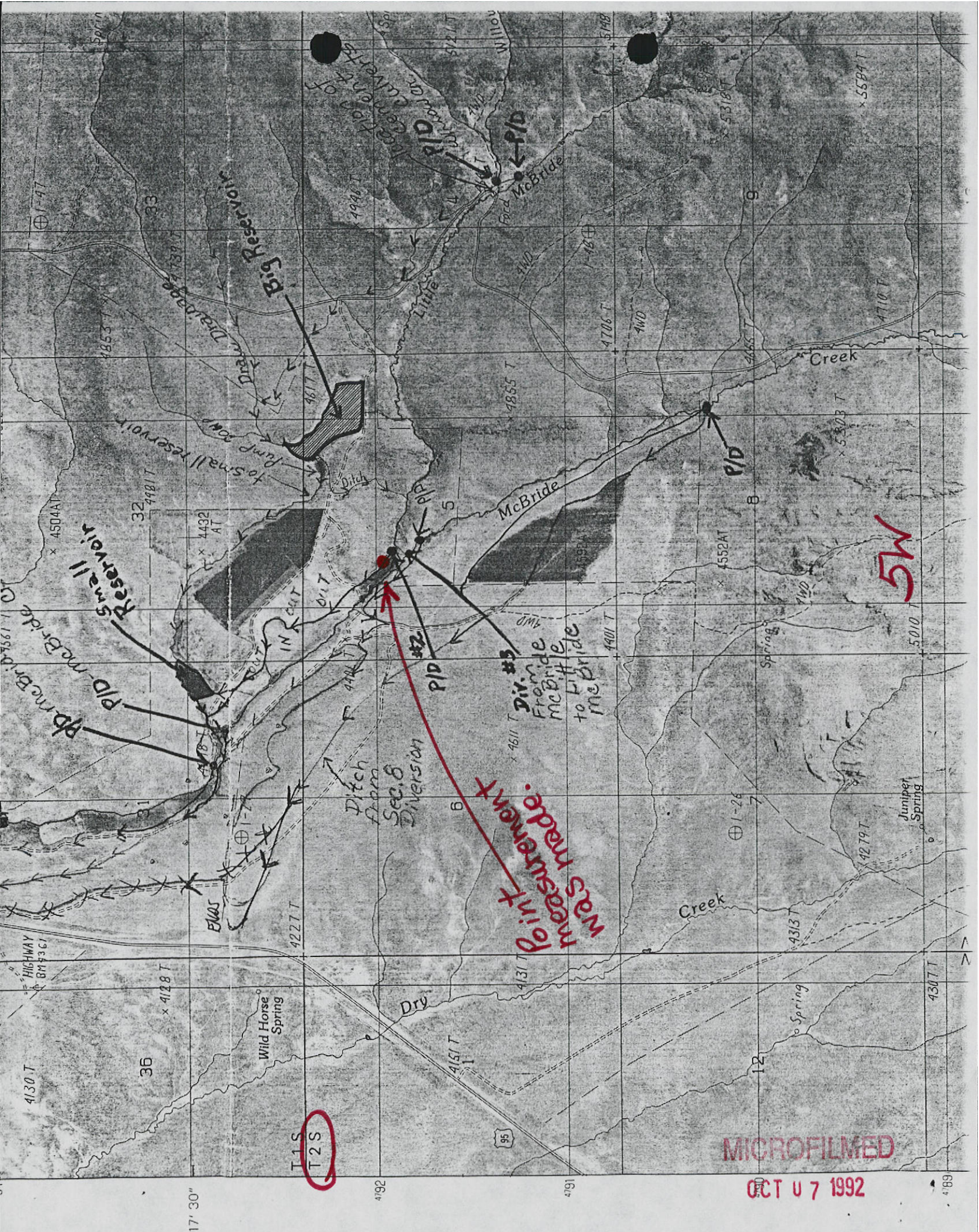
The length of the channel measured is 238 feet.
The upstream and downstream rod readings are 4.05 and 5.28 feet.
The channel cross section is 3.62 ft-sq.
The wetted perimeter is 5.41 feet.
The hydraulic radius is 0.67 feet.
The slope is 0.0052
The roughness coefficient is 0.0450
The flow velocity is 1.822 ft/sec.
The rate of flow is 6.60 cfs.



Picture where measurement
was taken.

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OCT 07 1992





5W

point measurement
was made.

T1S
T2S

MICROFILMED

OCT 07 1992

MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-1991 ^{kw}

~~04-13-1980~~

File Number: A57-04005
Claimant: MARK D. SHENK
Channel measured: LITTLE MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:

SENW

Calculation prepared by: KAY WALKER

Comments about the measurement:

DIVERSION INTO SMALL RESERVOIR

The results of the calculation are:

The length of the channel measured is 234 feet.
The upstream and downstream rod readings are 4.01 and 6.15 feet.
The channel cross section is 3.44 ft-sq.
The wetted perimeter is 5.23 feet.
The hydraulic radius is 0.66 feet.
The slope is 0.0091
The roughness coefficient is 0.0450
The flow velocity is 2.393 ft/sec.
The rate of flow is 8.23 cfs.

Point
measurement
was made.



MICROFILMED

OCT 07 1982



SUMMARY SHEET

BASIN : 57
DAM NUMBER : 4005
IE OF DAM : BROWN
JNTY : OWYHEE
STREAM : LITTLE McBRIDE CREEK (OS)
REGION : W
PURPOSE : I
RISK_CATAGORY : 3
SIZE_CATAGORY : 2
QUARTER_QUARTER_SEC : NESE
SECTION : 31
TOWNSHIP : 01S
RANGE : 05W
LATITUDE : 43.2909
LONGITUDE : 116.9701
MAP_CODE : ' 57-4005'54000x
DAM_TYPE : EARTH
STORAGE_AC-FT : 80
HEIGHT_FT : 25.0
DRAINAGE_SQ_MI : 0.6
RES_AREA_ACRES : 10
YEAR_COMPLETED : 1958
CREST_ELEV_MSL : 4350
CREST_LENGTH_FT : 500
SPILL_TYPE : ERCHAN
SPILL_DEPTH_FT : 3.0
SPILL_CAP_CFS : 4
OUTLET_TYPE : STEEL
OUTLET_SIZE_IN : 12
OUTLET_CAP_CFS : 14
INFLOW_DESIGN_FLOOD : Q100
IDF_MAGNITUDE_CFS : 51
RELEASE_CAPACITY_CFS : 16
CONDITION : GD
INSPECTION_DATE : 0689
CERT_EXPIRATION : 1191
LAST_RISK_EVALUATION : 0587
L_UP_DATE :
T_ISSUE_DATE : 29-Nov-89
INSPECTION_INTERVAL :
RESTRICTED :
PHASE1_INSPECT_DATE :
OPERATIONS_PLAN : N
SEISMIC_ANALYSES : N
ORDERS_ISSUED_DATE :
JOINT_INSPECTION :
QUADRANGLE_NUMBER : Y53
QUADRANGLE_NAME : PIUTE BUTTE
QUADRANGLE_SCALE : 024000
DAM_OWNER : DICK SHENK
ADDRESS_LINE_1 : STAR ROUTE
ADDRESS_LINE_2 :
CITY : MARSING
STATE : ID
ZIP_CODE : 83639 0000
PHONE_NUMBER : 3374317
AREA_CODE : 208

GENERAL_REMARKS : NO. CHANGED FROM 57-XX01.

TECHNICAL_REMARKS : CREST LENGTH DOES NOT INCLUDE SMALL DIKE NEAR SPILLWAY. SPILLWAY & RELEASE CAP.
ARE WITH 2.5' FREEBOARD. SPILLWAY WILL PASS Q100 WITH 1.1' FREEBOARD.

MAINTENANCE : ROUTINE : SEE LATEST APPROVAL LETTER.

RESTRICTIONS :

ALTERNATE_CONTACTS :

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OCT 07 1992

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: A57-04005
Date Received: 12/06/1988
Receipt No: W0002460
Received By: _____

No ✓

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK ~~LEE~~ SHENK
Address: STAR ROUTE
MARSING, ID

83639

Name: MARGIE SHENK
Address: STAR ROUTE
MARSING, ID

83639

2. Date of Priority: APR 01, 1958

3. Source: LITTLE MC BRIDE CREEK Trib. to: SUCCOR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05W	5	SE	NW			OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/15	3.000		
IRRIGATION STORAGE	01/15	04/01			80.00
IRRIGATION FROM STORAGE	04/01	07/15			80.00
DIVERSION TO STORAGE	01/15	04/01	8.000		

7. Total Quantity Appropriated is:
8.000 C.F.S. (and/or) 80.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-04005

Page

1

Date: 01/09/89

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
01S	05W	30	SE	NW		IRR	10.0	
			NE	SW		IRR	23.0	
			SE	SW		IRR	22.0	
					Section Acres			55.0
		31	SW	NE		IRR	1.0	
			NE	NW		IRR	26.0	
			SE	NW		IRR	21.0	
			NE	SW		IRR	3.0	
			NE	SE		IRR	3.0	
			NW	SE		IRR	10.0	
			SE	SE		IRR	10.0	
						Section Acres		
32	SW	SW		IRR	9.0			
				Section Acres			9.0	
02S	05W	5	NE	NW		IRR	2.0	
			NW	NW		IRR	16.0	
					Section Acres			18.0
					Total Acres			156.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-07082 & A57-02114.

14. Remarks:
DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.
NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

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 X 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): March D. Shurt Date: 3-21-89
Margie Shurt Date: 3/21/89

State of Idaho)
County of DWYHEE) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 89

Thelma A. Harrison
Notary Public

Seal

Residing at Emmett, Idaho
My Commission Expires 5-22-91

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-04005

Legal:

T01S, R05W, S30,
31, 32

T02S, R05W, S5

Reviewed By:

Point of Diversion



Place of Use



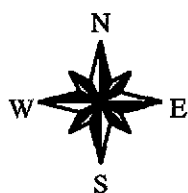
Section Lines



Quarter Quarter Lines



Township/Range Lines



0 0.25 0.5 0.75 1 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-04005

Date: 2-24-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	5W	30								11.5	24			24					59.5
GIS											10	23			25					58
Claim			31					25			17	4				1.5	8		7	64.5
GIS								25			19	3				1.7	9.2		8	65.9
Claim			32											10						10
GIS														8.4						8.4
Claim	26	5W	5					-3	-4		2									14
GIS								2	10											14.3
								1.8	11		1.5									

Number of POD's 7

Total Claimed Acres: 148

Overlapping EOU Claim #'s:

57-02114, 57-07082, 57-10893

Total GIS Acres: 146.6

COMMENTS:

Per claim map & overlapping claims

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-04005

1997 APR 29 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: ED WILSEY
CARL WILSEY
HCR 81
MARSING ID 83639

SOURCE: LITTLE MC BRIDE CREEK TRIBUTARY: MC BRIDE CREEK
MC BRIDE CREEK SUCCOR CREEK

QUANTITY: 8.00 CFS
80.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T01S R05W S30 } NESW Within Owyhee County
S31 } NENW
T02S R05W S05 } NWSE
T01S R05W-S31 } SENW (INJECTION)
T02S R05W S05 } NWSE (INJECTION)
SENW (INJECTION)

TWO POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.
THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF
REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO
LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE
STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE NWSE, S31, T01S, R05W.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.96 CFS
IRRIGATION STORAGE	IRRIGATION STORAGE	01-15 04-15	80.0 AFY
IRRIGATION FROM STORAGE	IRRIGATION FROM STORAGE	Irrigation Season	80.0 AFY
DIVERSION TO STORAGE	DIVERSION TO STORAGE	01-15 04-15	8.00 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County				
T01S R05W S30	SENW	11.5	NESW	24.0	SESW	24.0
S31	NENW	25.0	SENW	19.0	NESW	4.0
	NWSE	8.0	SESE	7.0		
S32	SWSW	10.0				
T02S R05W S05 Lot 3 (NENW)	2.0	Lot 4 (NWNW)	10.0	SENW	2.0	
148.0 ACRES TOTAL						

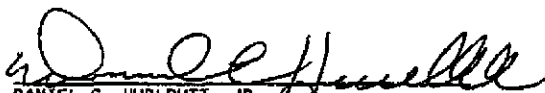
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

CONSUMPTIVE USE: 80.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

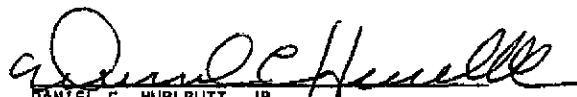
DATED: APR 29 1997

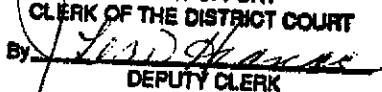

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED: APR 29 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK

2003 JAN 3 PM 4 42

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

In Re SRBA	)	Water Right 57-4005
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on April 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 10-31

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated January 3, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

January 3, 2003

Ed Wilsey
Carl Wilsey
HCR 81
Marsing, ID 83639

RECEIVED

JAN - 6 2003

Department of Water Resources

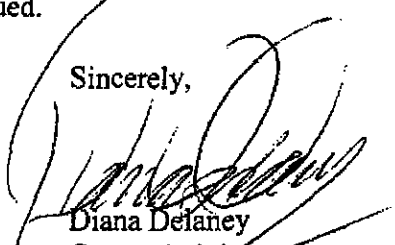
Dear Water Right Claimant(s):

This letter accompanies copies of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right numbers 57-2114, 57-4005, 57-7003, 57-7082, and 57-10893. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for each of these water rights. As stated in the face of each *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decrees* an express statement that each *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). These *Orders*, in combination with the *Partial Decrees* that were issued for these water rights on April 29, 1997, set forth all of the elements of your water rights. The Snake River Basin Adjudication (SRBA) Court suggests that you keep these documents in a safe location together with a copy of each *Partial Decree* to show evidence of these water rights. The original of these *Orders* and the original of each *Partial Decree* for these water rights are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Orders* are entered *Nunc Pro Tunc*, meaning that the *Orders* will be treated as if they were issued on the same date that the *Partial Decrees* were originally issued.

Sincerely,



Diana Delaney

Case Administrator

RECEIVED

MAY 1 1997

Department of Water Resources
Twin Falls, Idaho

1997 APR 29 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

) **ORDER OF PARTIAL DECREE**

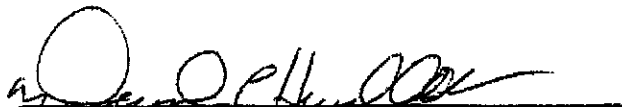
) **For Water Right 57-04005**

On March 5, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-04005 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 29, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1993 JUN 25 PM 3:41
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re the General Adjudication)
of the Rights to the Use of Water :)
from the Snake River Basin)
Water System)
_____)

Case No. 57-04005 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

MICROFILMED

MAR 02 1998

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
4. ☒ Priority Date: I respond to the objection concerning the priority date.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

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MAR 02 1998

12. ☒ Water Right Recommendation: I respond to the objection concerning:

12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 7, 8, 9, 10, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A57-04005

MICROFILMED ³

MAR 02 1998

(Over)

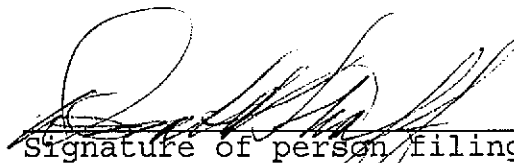
VERIFICATION (Must be Completed)

State of IDAHO

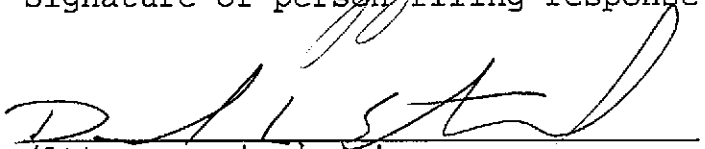
County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 22nd day of June,
1993.


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

MICROFILMED
MAR 02 1998

CLAIM NUMBER: 57-04005

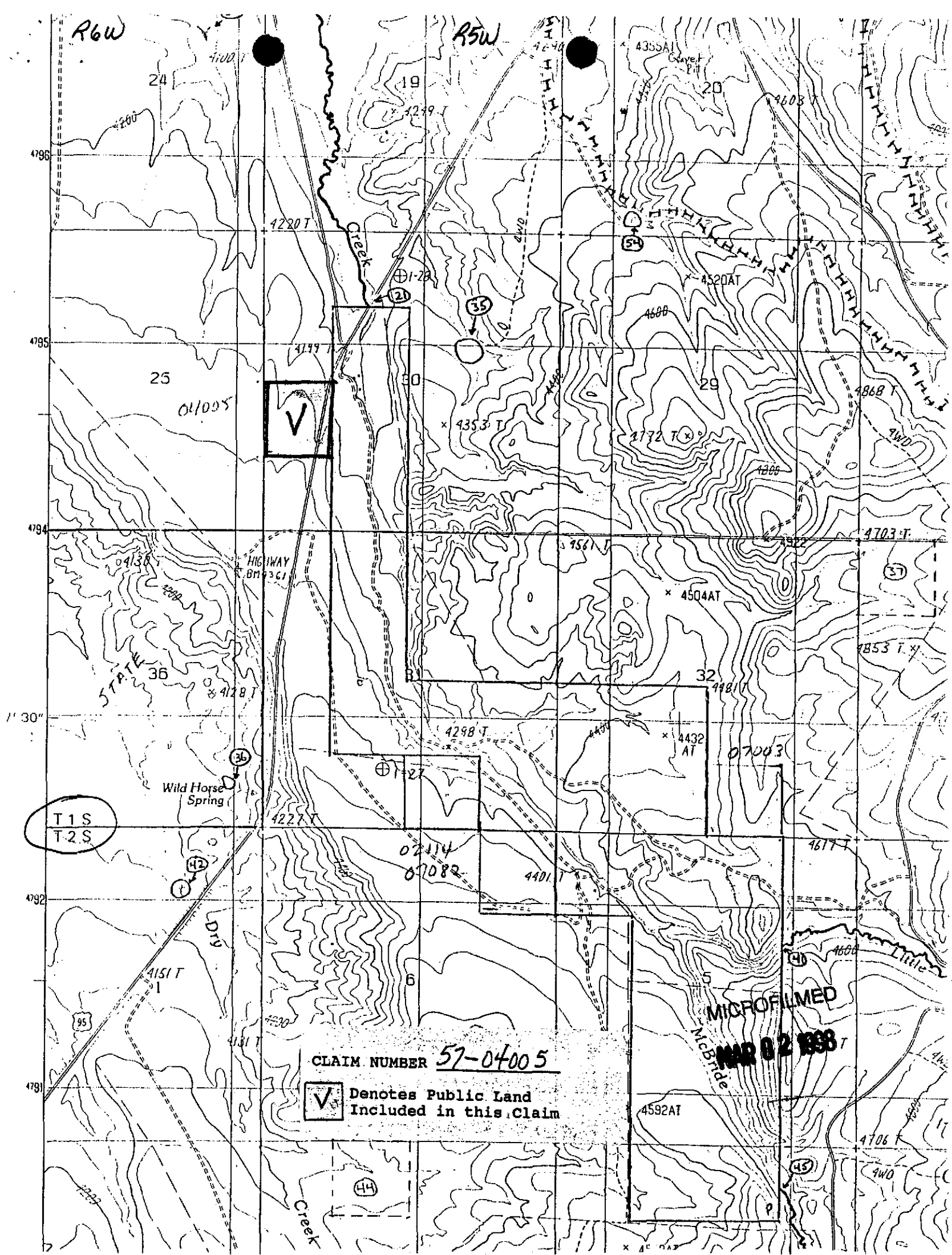
CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11103

57-11171

MICROFILMED

MAR 02 1998



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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-04005
(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED

MAR 8 2 1998

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed,
has a senior existing water right, and
claimant does not have a valid water
right.

2. Owner of the water right:
Mark D. Shenk
Name: claimant Margie Shenk
Address: 28801 Scott Pit Rd.
Parma, ID 83660
3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings
will be sent to the attorney only.

MICROFILMED

MAR 02 1998

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use. **MAR 02 1990**
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source. BLM specifically objects to the quantity, priority date, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right downstream.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

MAR 8 2 1998

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

1. Map of claim on public land

2. Conflicting USDI claims

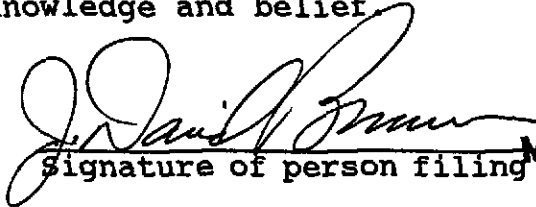
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

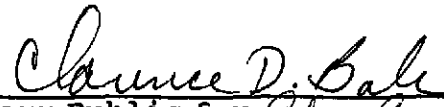

Signature of person filing objection

MICROFILMED
MAR 8 2 1998

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of FEB,
1993.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ~~mailed~~ ^{sent} the original and ~~copies~~ ^{copies} of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Mark D. Shenk
Margie Shenk
Owner's address: 28801 Scott Pit Rd.
Parma, ID 83660

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

RECORDED

MAR 02 1998



Signature of Objector or attorney
mailing on Objector's behalf

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

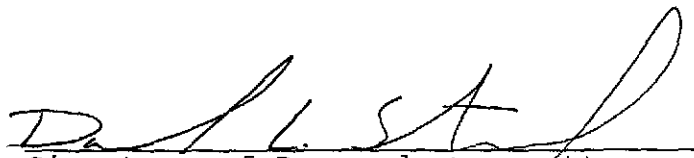
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: MARK D & MARGIE SHENK
Address: 28801 SCOTT PIT RD
PARMA ID 83660

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED
MAR 02 1998

RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)

57-07003-0001
57-10893-0001
57-04005-0001
57-07082-0001
Case No. 57-02114-0001
(Insert the Case No.
from the Objection
you are responding to)

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to objections filed against one water right, using one response form. The water right number listed as the "Case No." on the Objection you are responding to must be inserted above as the "Case No." If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in the objections.

To respond to objections filed against more than one water right, you must file a separate response form for each water right. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for filing this response are found at Page 5, and must be strictly followed.

MICROFILMED

MAR 02 1998

(Over)

RESPONSE TO OBJECTION - 1

Any party physically filing 25 (twenty-five) or more responses must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing a response form, you are certifying that the response is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person responding to objection:

Name: Mark D. Shenk

Address: 28801 Scott Pit Rd.

Parma, Idaho 83660

Briefly describe your interest in this water right:

Owner of water rights and private
land.

2. Person who filed objection:

Name: USDI--BLM

Address: 3380 American Terrace

Boise, Idaho 83706

3. If this response is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

MICROFILMED

MAR 8 2 1998

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☐ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
 - a. ☒ the legal description of the place of use; or
 - b. ☒ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I respond to the objection concerning annual volume of consumptive use.

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(Over)

11. ☐ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- a. ☐ this water right being recommended at all; or
- b. ☒ this water right not being recommended.
13. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.
14. ☐ Other: I respond to the objection concerning: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

Although, I agree that some BLM ground has been sub-irrigated, the BLM property that is irrigated is in addition to this water right and should have no bearing on the original Directors report.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Directors report should be approved as originally written.

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. ~~you may~~ use additional pages if necessary: _____

MAR 02 1998

VERIFICATION (Must be Completed)

State of Idaho

County of O'Carroll

Mark D. Shunt, being first duly
(Name of person filing response)
sworn, upon oath, deposes and says:

That I am the person or entity filing this response, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Mark D. Shunt
Signature of person filing response

By: _____
(Attorney signing in
representative capacity)

1993. Subscribed and sworn to before me this 30 day of June.

Robert M. Pedersen
Notary Public for Idaho
Residing at: Idaho
My Commission expires: 3-14-94

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right you responded to, if other than yourself; to the party who filed the objection to which you are responding, if different from the owner of the water right; to the office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

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(Over)

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: _____

Address: _____

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: _____

Address: _____

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Signature of Respondent or attorney
mailing on Respondent's behalf
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MAR 02 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

April 26, 1995

R. KEITH HIGGINSON
DIRECTOR

EDDIE L WILSEY
DEBRA K WILSEY
CARL L WILSEY
PAULA J WILSEY
WILSEY BROS
HCR 81
MARSING ID 83639

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #57-04005, 57-02114,
57-07003, 57-07082 & 57-10893

Dear Claimants:

Thank you for notifying us of the change in ownership of the water rights referenced above. SRBA Judge Hurlbutt issued an Amended Order March 22, 1995, requiring claimants such as yourself acquiring property and associated water right(s) identified in a Director's Report to use Standard Form 3 for change in ownership. We have enclosed this form for your use. When the Court's form has been submitted according to the instructions the processing of the change of ownership can be completed.

Please contact us or the SRBA Court at 208/733-3011 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region
Enclosure:
Standard Form 3

RECEIVED

MAY 02 1995

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WESTERN REGION

MAY 02 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. APR 26 1995
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. Department of Water Resources

[] 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: 57-04005, 57-02114, 57-07003, 57-07082
\$ 57-10893

[] Name and Address of Former Owner/Claimant(s)(Seller): MARK D OR MARGIE SHENK
28801 SCOTT PIT RD

X New Owner/Claimant (Purchaser): PARMA, ID 83660 1 Wilsey
Edwin L. Wilsey Paula J. Wilsey
Debra K. Wilsey

X New Mailing Address: Wilsey Bros
HCR 81

X New Telephone Number: Marsing, Id 83639
(208) 337-4780

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

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MAR 02 1995

RECEIVED

MAY 02 1995

[] Attach proof of ownership, describe proof attached: _____
WATER RESOURCES
WESTERN REGION

(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.)

X Signature of New Owner/Claimant(s): Edwin L. Wilsey Debra K. Wilsey Date 4-24-95
Carl L. Wilsey Paula J. Wilsey Date 4-24-95

X Signature of Former Owner/Claimant(s): Mark D. Shenk Date 4-19-95
Margie L. Shenk 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: 04-26-95 By: S. Orman

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

INSTRUCTIONS

RECEIVED
7521 3 11 1988
This form has been prepared to assist new owners of property to comply with the requirements of Section 42-7202, Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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JUN 12 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 22, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights Nos. 57-04005, 57-02114,
57-07003, 57-07082 and 57-10893

Wilsey Bros.
HCR 81
Marsing, ID 83639

Dear Claimants:

We have received the Change of Ownership Form 42-1409(7) in connection with the above referenced claims. Enclosed are computer generated profile reports of the information on these claims, which now reflect the change of ownership to the Department's records. Please be advised that these claims were previously submitted to the Snake River Basin Adjudication (SRBA) Court in Twin Falls to be decreed as a part of the Department's Director's Report for water rights in Basin 57.

Although the Department's records have been changed to reflect this ownership change, SRBA Judge Daniel C. Hurlbutt, Jr. has issued a Court Order dated June 17, 1993, requiring that any claimant with a claim submitted for final decree must complete Standard Form 3 before the Court's records for the decree will be changed to reflect the new owner. Standard Form 3 was sent to you on April 26, 1995, by our State Office. If you need another form, or did not receive the first form, please contact this office as soon as possible.

If you have any questions concerning Standard Form 3, please do not hesitate to contact us at (208)334-2190 or the SRBA Court at (208)736-3011.

Sincerely,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office

KW:k
Enclosures

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDDIE L WILSEY	04/01/1958	IRRIGATION	04-15 10-15	2.98 CFS	
C	CARL L WILSEY		IRRIGATION STORAGE	01-15 04-15		80.00 AFA
C	DEBRA K WILSEY		IRRIGATION FROM STORAGE	04-15 10-15		80.00 AFA
C	PAULA J WILSEY		DIVERSION TO STORAGE	01-15 04-15	8.00 CFS	
	C/O WILSEY BROS					
	HCR 81					
	MARSING ID 83639					
	(208) 337-4780					
			TOTAL DIVERSION:		8.00 CFS	80.00 AFA

D MARK D SHENK
D MARGIE SHENK
28801 SCOTT PIT RD
PARMA ID 83660
(208) 722-7123

Water Source: LITTLE MC BRIDE CREEK
MC BRIDE CREEK

Tributary to: MC BRIDE CREEK
SUCCOR CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T01S R05W S30 S31	NESW NENW	NWSE	OWYHEE County
	T02S R05W S05	SENW		OWYHEE County
Point(s) of Injection:	T01S R05W S31	NWSE		OWYHEE County
	T02S R05W S05	SENW		OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01S	05W	30	:								11		24	06-01		24					60.5
01S	05W	31	:					25			19		04				01	08		07	64.5
01S	05W	32	:											10							10.0
02S	05W	5	:					03-02	04-10		02										14.0
																			TOTAL ACRES	149.0	

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

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-07003, 57-10893

Remarks: 2 POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.
SOURCES FOR THIS RIGHT ARE MCBRIDE CREEK TRIB. TO SUCCOR
CREEK, AND LITTLE MCBRIDE CREEK TRIB. TO MCBRIDE CREEK.
RIGHT NO. 57-02114 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
WITHIN THE NWSE, S31, T01S, R05W AND SENW, S05, T02S, R05W.

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Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082, AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 317.5 ACRES IN A SINGLE IRRIGATION SEASON. THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK WITHIN THE NWSE, S31, T01S, R05W. USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.35 CFS.

Dates: Exam Made Date: 11/09/1990 Verified Date:

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

Comments: Date: 10/03/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.
NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

Date: 06/01/1995 User-ID: KWALKER Subject: NAME CHANGE
RECEIVED AND PROCESSED NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
FORM THIS DATE. KW 6/1/95

Audit: 06/01/95 KWALKER

MAR 02 1998
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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)

Case No. 39576

The State of Idaho, ex rel.)
R. Keith Higginson in his)

Subcase No. 57-04005-0001

official capacity as director)
of the Idaho Department of)
Water Resources,)

**STIPULATION AND ORDER
TO RESOLVE OBJECTION**

Petitioner,)

v.)

The United States;)
the State of Idaho;)
and all claimants to the use)
of water from the Snake River)
Basin Water System,)

Respondents.)

DESCRIPTIVE SUMMARY

This is a stipulation and order to resolve the United
States' objection to water right number 57 - 04005 .

STIPULATION

To resolve the dispute over the above-captioned water right,
the claimant, Mark D. and Margie Shenk, the objector, the
United States of America, and the Idaho Department of Water
Resources (IDWR), stipulate and agree as follows:

1. The place of use as recommended in the Director's Report
is incorrect. The following place of use should be deleted: T01S
R05W S30 LOT 6 ~~SWSW~~ 1.0 acre.
NW5W

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2. In connection with the change of the place of use, the amount of water recommended shall be reduced proportionately with the reduction of acreage. The amount of water shall be reduced from 2.98 cfs to 2.96 cfs.

3. The water right is accurately described in Exhibit 1, a revised page of the Director's report containing the changes described above showing specific changes made to the Director's original recommendation in an underline/overstrike format.

4. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

5. Upon entry of partial and final decrees for this water right number describing the right as shown in Exhibit 1, including the modification indicated thereon, the objection of the United States shall be deemed withdrawn.

6. Because there are no remaining objections to this water right, a partial decree may be entered for it pursuant to I.C. 42-1412(8).

7. All parties agree to bear their own costs and attorneys' fees in connection with this matter.

8. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence, whatsoever.

Respectfully submitted,

CLAIMANT

Dated: _____

UNITED STATES OF AMERICA
on behalf of the BLM

Dated: _____

By: _____

Daria J. Zane
Attorney
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044
(202) 272-8351

Dated: _____

By: _____

David Brunner
District Manager
Bureau of Land Management
Boise, Idaho 83720

IDAHO DEPARTMENT OF WATER RESOURCES

Dated: _____

By: _____

Daniel L. Steckel
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

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MAR 02 1998

ORDER

This matter having come before the Court upon stipulation of counsel, and good cause having been shown,

IT IS HEREBY ORDERED that the Court shall enter a partial decree for water right ____-____ as described in the attached Exhibit 1. The United States' objection shall be deemed withdrawn upon entry of the partial decree. Because no other objections have been raised to this water right, the hearing for entry of this partial decree is scheduled for _____, 199__, at the Snake River Basin Adjudication Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

DATED and signed this _____ day of _____, 1994.

DANIEL C. HURLBUTT JR.
District Judge

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: LITTLE MC BRIDE CREEK		TRIBUTARY: MC BRIDE CREEK				
57-04005	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	04/01/1958	IRRIGATION	04-15 10-15	2.96 CFS ~~2.98~~ ~~2.98~~	BENEFICIAL USE
			IRRIGATION STORAGE	01-15 04-15	80.0 AFY	
			IRRIGATION FROM STORAGE	04-15 10-15	80.0 AFY	
			DIVERSION TO STORAGE	01-15 04-15	8.00 CFS	
			TOTAL QUANTITY:		8.00 CFS	
			TOTAL VOLUME:		80.0 AFY	
	POINT OF DIVERSION: T01S R05W S30 S31	NESW NENW NWSE NWSE (I)				
	T02S S05	SENW SENW (I)				
	PLACE OF USE: IRRIGATION					
	T01S R05W S30	SENW 11.5	NESW 24.0	SESW 24.0		
	S31	NENW 25.0	SENW 19.0	NESW 4.0	NESE 1.5	NWSE 8.0
		SESE 7.0				
	S32	SWSW 10.0				
	T02S R05W S05 Lot 3 (NENW) 2.0	Lot 4 (NWNW) 10.0	SENW 2.0			
	~~101S R05W S30~~ ~~Lot 1/6 (NWSW) 1.0~~					
	148.0 ACRES TOTAL					
	~~11149.0 ACRES TOTAL~~					
	PLACE OF USE: IRRIGATION STORAGE					
	SAME AS OTHER USE					
	PLACE OF USE: IRRIGATION FROM STORAGE					
	SAME AS OTHER USE					
	PLACE OF USE: DIVERSION TO STORAGE					
	SAME AS OTHER USE					
	REMARKS: 2 POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.					
	SOURCES FOR THIS RIGHT ARE MCBRIDE CREEK TRIB. TO SUCCOR CREEK, AND LITTLE MCBRIDE CREEK TRIB. TO MCBRIDE CREEK.					
	RIGHT NO. 57-02114 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION WITHIN THE NWSE, S31, T01S, R05W AND SENW, S05, T02S, R05W.					
	USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082, AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 753.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.					
	~~USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 317.8 ACRES IN A SINGLE IRRIGATION SEASON.~~					
	THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK WITHIN THE NWSE, S31, T01S, R05W.					
	USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.					
	~~LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.13 CFS.~~					

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MAR 02 1998

AJ5856NP

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

DATE: MAR-25-1994
PAGE: A-2

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: LITTLE MC BRIDE CREEK		TRIBUTARY: MC BRIDE CREEK				
57-04005	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	04/01/1958	IRRIGATION	04-15 10-15	~~2.98~~ 2.96	CFS
			IRRIGATION STORAGE	01-15 04-15	80.0	AFY
			IRRIGATION FROM STORAGE	04-15 10-15	80.0	AFY
			DIVERSION TO STORAGE	01-15 04-15	8.00	CFS
			TOTAL QUANTITY:		8.00	CFS
					80.0	AFY
POINT OF DIVERSION:						
	T01S R05W S30	NESW				
	S31	NENW				
		NWSE				
	T02S R05W S05	SENW				
	T01S R05W S31	NWSE (I)				
	T02S R05W S05	SENW (I)				
PLACE OF USE: IRRIGATION						
	T01S R05W S30	SENW 11.5	NESW 24.0	~~Lot 6 (NWSW) 1.0~~	SESW 24.0	
	S31	NENW 25.0	SENW 19.0	NESW 4.0	NESE 1.5	
		NWSE 8.0	SESE 7.0			
	S32	SWSW 10.0				
	T02S R05W S05	Lot 3 (NENW) 2.0	Lot 4 (NWNW) 10.0	SENW 2.0		
	148.0 - 149.0 ACRES TOTAL					
PLACE OF USE: IRRIGATION STORAGE						
SAME AS OTHER USE						
PLACE OF USE: IRRIGATION FROM STORAGE						
SAME AS OTHER USE						
PLACE OF USE: DIVERSION TO STORAGE						
SAME AS OTHER USE						
REMARKS: 2 POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.						
SOURCES FOR THIS RIGHT ARE MCBRIDE CREEK TRIB. TO SUCCOR						
CREEK, AND LITTLE MCBRIDE CREEK TRIB. TO MCBRIDE CREEK.						
RIGHT NO. 57-02114 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION						
WITHIN THE NWSE, S31, T01S, R05W AND SENW, S05, T02S, R05W.						
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082,						
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE						
USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL						
OF 317.5 ACRES IN A SINGLE IRRIGATION SEASON.						
THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF						
REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO						

MAR 02 1998
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753.8

301.5

AJ5856NP

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

DATE: MAR-25-1994
PAGE: A-3

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: LITTLE MC BRIDE CREEK

TRIBUTARY: MC BRIDE CREEK

57-04005 CONTINUED

LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE
STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE NWSE, S31, T01S, R05W.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.35 CFS.

6.03

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JUN 13 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

JUN 12 1995

OFFICE OF THE
ATTORNEY GENERAL

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

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CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 90-2, (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of 57-07082 57-10893
57-09005 57-02114 57-07003
(Insert each water right number)

My name is Ed Wilsey - Carl Wilsey

My address is HCR 81 Marsing Id. 83639

My phone number is: Work 337-4780 Home 337-4780

The name and address of the prior claimant/seller who I wish to be substituted for are:

Mark D. Shunk 28801 Scot Pit Rd PRRM ID 83660

Mark D. Shunk

Mark D. Shunk

Signature of prior claimant/seller

Ed Wilsey Carl 2 Wilsey
Debra Wilson Paula J. Wilsey

Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____

(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water right I represent.

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MAR 27 1998

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Owyhee

Wilsey Bros., being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Ed Wilsey

Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 6-6-95
(Insert Date)

Kelly D. Smaller
Notary Public for IDAHO
Residing at: Wilder, Idaho 8367
My Commission expires: 5/1/97

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MAR 02 1998

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

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MAR 02 1998

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Signature of person or attorney mailing the form

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MAR 02 1998

Department of Water Resources
Adjudication Bureau

**In Re the General Adjudication of Rights
to the Use of Water from the Snake River
Basin Water System.**

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS

The State of Idaho, *ex rel.* R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources,

vs.

The United States; the State of Idaho; and
all Claimants to the use of Water from the
Snake River Basin Water System,

Respondents.

On July 1, 1993, Mark Shenk, pro se, filed an Objection which was intended to cover five separate water rights. The court contacted Mr. Shenk and informed him of the requirement that a separate response form must be used for each water right objected to.

Mr. Jack Haugrud, attorney for the objector United States Department of Interior, Bureau of Land Management, does not oppose allowing Mr. Shenk an extension of time in which to file his responses on the standard forms.

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS

objections 57-02114-0001, 57-07003-0001, 57-10893-0001, 57-04005-0001, 57-07082-0001

with the following conditions:

1. A separate response form must be filed for each water right objected to.
2. Mr. Shenk must follow the response form's Certificate of Mailing requirements and send a copy of every response, along with a copy of any documents supporting the response, if any, to:
 - a) Chief, Natural Resources Division, Office of the Attorney General, State of Idaho, P.O. Box 44449, Boise, ID 83711-4449
 - b) The United States Department of Justice, Environment and Natural Resources Division, 550 West Fort Street, Box 33, Boise, ID 83734
 - c) United States Department of Interior, Bureau of Land Management, 3380 Americana Terrace, Boise, ID 83706
 - d) All parties listed in the director's report as owners of these water rights.
3. The response forms must be received by this court on or before 5 p.m., Thursday, July 15, 1993.

A standard response form and *SRBA Administrative Rule 1, Rules of Procedure*, are included with this order for Mr. Shenk's convenience. The response form may be reproduced, as the instructions provide.

DATED July 2, 1993.


Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

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MAR 02 1993

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS** was mailed July 2, 1993, in an envelope with sufficient first-class postage to the following:

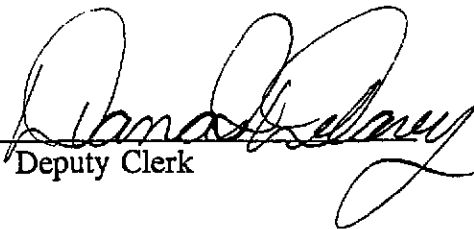
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resource Division
5509 West Fort Street, Box 33
Boise, ID 83734

United States Department of Interior
Bureau of Land Management
3380 Americana Terrace
Boise, ID 83706

Mark D. Shenk
28801 Scott Pit Road
Parma, ID 83660

By



Deputy Clerk

Department of Water Resources
Adjudication Bureau

OFFICE OF THE ATTORNEY GENERAL Department of Water Resources

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

IN Re SRBA
Case No. 39576

STANDARD FORM 5

SUBCASE NO: 57-04005

PROPOSED ELEMENTS OF A WATER RIGHT

This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

INSTRUCTIONS FOR USE

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany each element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

MAIL2223



1. The name and address of the claimant is:

Ed and Carl Wilsey
HCR 81
Marsing, ID 83639

Required Statement: IDWR and the parties stipulate that this is a correct description of the name and address of the claimant.

2. The source of water is: 1) Little McBride Creek, Tributary: McBride Creek; 2) McBride Creek, Tributary: Succor Creek

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

Irrigation	Irrigation Season	2.96 CFS
Irrigation Storage	01-15 - 04-15	80.0 AFY
Irrigation from Storage	Irrigation Season	80.0 AFY
Diversion to Storage	01-15 - 04-15	8.0 CFS

Total Quantity: 8.0 CFS
80.0 AFY

Use of this right with right nos. 57-02114 and 57-07003 is limited to a total combined diversion rate of 6.03 CFS.

Required Statement: IDWR and the parties stipulate that this is a correct description of the quantity of water used.

4. The priority date is: 04/01/1958

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T01S R05W S30 NESW
S31 NENW NWSE
T02S R05W S05 SENW
T01S R05W S31 NWSE (I)
T02S R05W S05 SENW (I)

2 points of diversion located in SENW, S05, T02S, R05W. Sources for this right are McBride Creek Trib. to Succor Creek, and Little McBride Creek Trib. to McBride Creek. Right no. 57-02114 is also diverted through points of diversion within the NWSE, S31, T01S, R05W and SENW, S05, T02S, R05W.

The points of diversion listed above are also points of redirection for the McBride Creek water that is injected into Little McBride Creek within the SENW, S05, T02S, R05W and the storage water from both that is injected into McBride Creek within the NWSE, S31, T01S, R05W.

Required Statement: IDWR and the parties stipulate that this is a correct description of the points of diversion.

6. The purpose of use is: Irrigation, Irrigation Storage, Irrigation from Storage and Diversion to Storage

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:

Irrigation	Irrigation Season	2.96 CFS
Irrigation Storage	01-15 - 04-15	80.0 AFY
Irrigation from Storage	Irrigation Season	80.0 AFY
Diversion to Storage	01-15 - 04-15	8.0 CFS

Total Quantity: 8.00 CFS
80.0 AFY

Required Statement: IDWR and the parties stipulate that this is a correct description of the period of year when the water is to be used.

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8. The legal description of the place of use is:

Irrigation

Within Owyhee County

T01S R05W S30	SE	11.5	NESW	24.0	SESW	24.0	
S31	NENW	25.0	SE	19.0	NESW	4.0	NESE 1.5
	NWSE	8.0	SESE	7.0			
S32	SWSW	10.0					
T02S R05W S05	Lot 3 (NENW)	2.0			Lot 4 (NWNW)	10.0	
	SE	2.0					

148.0 acres total

Irrigation Storage

Same as other use

Irrigation from Storage

Same as other use

Diversion to Storage

Same as other use

Use of this right with right nos. 57-02114, 57-07003, 57-07082 and 57-10893 is limited to the irrigation of a combined total of 301.5 acres in a single irrigation season.

Required Statement: IDWR and the parties stipulate that this is a correct description of the places of use.

9. The annual volume of consumptive use is:

80.0 AFY

Use of this right with right nos. 57-02114, 57-07003, 57-07082 and 57-10893 is limited to a total combined annual consumptive use volume of 753.8 AF.

Required Statement: IDWR and the parties stipulate that this is a correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

Explanatory Material -- Basis of Claim: Beneficial Use

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If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name of Objector:

United States of America
Bureau of Land Management
U.S. Department of the Interior
3380 Americana Terrace
Boise, ID 83706

Attorneys of Record: R. Lee Leininger\Daria Zane\William
Ferry\Paul F. Holleman

Party's Signature

Date

Attorney's Signature

Date

Name of Claimant:

Ed and Carl Wilsey
HCR 81
Marsing, ID 83705

Party's Signature

Date

Attorney's Signature

Date

IDWR Concurrence:

Signature

Date

MAR 02 1998

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	04/01/1958	IRRIGATION	04-15 10-15	2.96 CFS	
C	MARGIE SHENK		IRRIGATION STORAGE	01-15 04-15		80.00 AFA
	28801 SCOTT PIT RD		IRRIGATION FROM STORAGE	04-15 10-15		80.00 AFA
	PARMA ID 63660		DIVERSION TO STORAGE	01-15 04-15	8.00 CFS	
	(208) 722-7123					
TOTAL DIVERSION:					8.00 CFS	80.00 AFA

Water Source: LITTLE MC BRIDE CREEK
MC BRIDE CREEK

Tributary to: MC BRIDE CREEK
SUCCOR CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: 101S R05W S30 MESW
S31 MENW NWSE
102S R05W S05 SENW
Point(s) of Injection: 101S R05W S31 NWSE
102S R05W S05 SENW
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Place of Use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
01S	05W	30	:									11	24		24					59.5
01S	05W	31	:					25			19	04				01	08		07	64.5
01S	05W	32	:											10						10.0
02S	05W	5	:					03-02	04-10		02									16.0
TOTAL ACRES																				148.0

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

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-07003, 57-10893

Other Water Rights with Same Point(s) of Diversion and Sources:

57-02114 57-04005 57-07003 57-07082 A57-02114 A57-04005 A57-07003 R57-02114 R57-07003 R57-07082

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

57-02114 57-04005 57-07003 A57-02114 A57-04005 A57-07003 A57-07082 R57-02114 R57-07003

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

POD TWO POINTS OF DIVERSION LOCATED IN SENW, S05, 102S, R05W. THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, 102S, R05W AND THE

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MAR 02 1998

Remarks:

STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE RWSE, S31, T01S, R05W.

POU1

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

CON

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

EXP

RIGHT NO. 57-02114 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION WITHIN THE RWSE, S31, T01S, R05W AND SEWU, S05,
T02S, R05W.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments:

Date: 10/03/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.

NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

Date: 01/17/1996 User-ID: DSMITH Subject: ADDRESS CORRECTION
*NAME ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Audit:

04/04/94 MCCARTHY 03/30/95 POST-STD 01/17/96 DSMITH 08/12/96 RMCARTH

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MAR 02 1998

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of October, 1996,
I caused a true and correct copy of the **Standard Form 5 - Subcase
No: 57-04005** to be served by United States mail, postage prepaid,
on the following persons:

Special Master Fritz X Hammerle
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Ed and Carl Wilsey
HCR 81
Marsing, Idaho 83639



FELECIA LESESNE

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MAR 02 1998

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DEC 30 1996

1996 DEC 26 PM 1:14

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-04005

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 26, 1996, with sufficient first-class postage prepaid to the following:

MICROFILMED

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MAR 02 1998

ED WILSEY
CARL WILSEY
HCR 81
MARSING, ID 83639

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1
12/26/96

MARK D. SHENK
28801 SCOTT PIT RD
PARMA, ID 83660


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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MAR 02 1998

PAGE 2
12/26/96

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DEC 30 1996

1996 DEC 26 PM 1:14

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

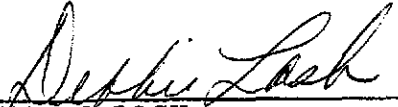
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-04005

On December 26, 1996, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before January 09, 1997.

DATED December 26, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

NOTICE OF ISSUANCE

PAGE 1
12/26/96

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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

1996 DEC 26 PM 1:14
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-04005
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

NAME & ADDRESS: ED WILSEY
CARL WILSEY
HCR 81
MARSING ID 83639

SOURCE: LITTLE MC BRIDE CREEK
MC BRIDE CREEK

TRIBUTARY: MC BRIDE CREEK
SUCCOR CREEK

QUANTITY: 8.00 CFS
80.0 AFY

RECEIVED
DEC 30 1996

Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T01S R05W S30 NESW Within Owyhee County
S31 NENW
NWSE
T02S R05W S05 SENW
T01S R05W S31 NWSE (INJECTION)
T02S R05W S05 SENW (INJECTION)

TWO POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.
THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF
REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO
LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE
STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE NWSE, S31, T01S, R05W.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.96 CFS
IRRIGATION STORAGE	IRRIGATION STORAGE	01-15 04-15	80.0 AFY
IRRIGATION FROM STORAGE	IRRIGATION FROM STORAGE	Irrigation Season	80.0 AFY
DIVERSION TO STORAGE	DIVERSION TO STORAGE	01-15 04-15	8.00 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
T01S R05W S30	SENW 11.5	NESW 24.0
S31	NENW 25.0	SENW 19.0
	NWSE 8.0	SESE 7.0
S32	SWSW 10.0	
T02S R05W S05 Lot 3 (NENW)	2.0	Lot 4 (NWNW) 10.0
148.0 ACRES TOTAL		SENW 2.0

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

CONSUMPTIVE USE: 80.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

MICROFILMED
DATED: 12-26-96

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-04005

[Signature]
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
NOV-6-1996

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DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

) PRELIMINARY SPECIAL
) MASTER'S REPORT

) WATER RIGHT 57-04005
)

MICROFILMED

MAR 02 1998

FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990). The director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 and investigated and abstracted the notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-04005 was filed on February 26, 1993 by the United States Bureau of Land Management (BLM). A response to the objection was filed on June 25, 1993 by the Idaho Department of Water Resources and a response was filed on July 15, 1993 by the claimant of water right 57-04005, Mark D. Shenk. BLM objected to element 1, Name and Address; element 2, Source; element 3, Quantity; element 4, Priority Date; element 7, Purpose of Use; element 8, Period of Year; element 9, Place of Use; element 10, Consumptive Use; element 12, Water Right Recommendation. On June 12, 1995 a *Standard Form 3 (Substitution of Party)* was filed with the court. Element 1, Name and Address will reflect that change and will now be Carl and Ed Wilsey. On October 18, 1996 the parties and IDWR submitted a *Standard Form 5* with the court.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

Where a *Standard Form 5* has been signed by the parties and IDWR it may be treated as an *Amended Director's Report*.

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 57-04005 be decreed with the elements as set forth in the *Standard Form 5* and the attached *Preliminary Special Master's Report and Recommendation for Partial Decree for Water Right 57-04005*.

DATED December 17, 1996.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

MAR 02 1998

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MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-04005

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 05, 1997, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ED WILSEY
CARL WILSEY
HCR 81
MARSING, ID 83639

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

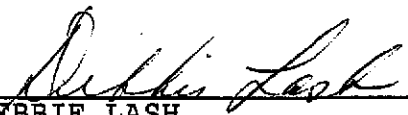
MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

PAGE 1
03/05/97

MARK D. SHENK
28801 SCOTT PIT RD
PARMA, ID 83660



DEBBIE LASH
Deputy Clerk

RECEIVED

MAR 06 1997

Department of Water Resources

MICROFILMED
MAR 02 1998

CERTIFICATE OF MAILING

PAGE 2
03/05/97

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MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA
Case No. 39576

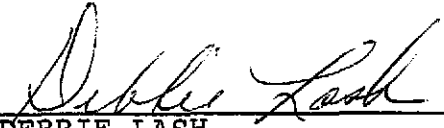
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-04005

On March 03, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED March 03, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 02 1998

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

1997 MAR -5 PM 1:18

In Re SRBA
Case No. 39576

DISTRICT COURT - SRBA
SPECIAL MASTER'S RECOMMENDATION FOR
TWIN FALLS CO., IDAHO
PARTIAL DECREE FOR
Water Right 57-04005

NAME & ADDRESS: ED WILSEY
CARL WILSEY
HCR 81
MARSING ID 83639

RECEIVED
MAR 06 1997

SOURCE: LITTLE MC BRIDE CREEK
MC BRIDE CREEK

TRIBUTARY: MC BRIDE CREEK
SUCCOR CREEK

Department of Water Resources

QUANTITY: 8.00 CFS
80.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T01S R05W S30 NESW Within Owyhee County
S31 NENW
NWSE
T02S R05W S05 SENW
T01S R05W S31 NWSE (INJECTION)
T02S R05W S05 SENW (INJECTION)

TWO POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.
THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF
REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO
LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE
STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE NWSE, S31, T01S, R05W.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.96 CFS
IRRIGATION STORAGE	IRRIGATION STORAGE	01-15 04-15	80.0 AFY
IRRIGATION FROM STORAGE	IRRIGATION FROM STORAGE	Irrigation Season	80.0 AFY
DIVERSION TO STORAGE	DIVERSION TO STORAGE	01-15 04-15	8.00 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
T01S R05W S30	SENW 11.5	NESW 24.0	SESW 24.0		
S31	NENW 25.0	SENW 19.0	NESW 4.0	NESE 1.5	
	NWSE 8.0	SESE 7.0			
S32	SWSW 10.0				
T02S R05W S05 Lot 3 (NENW) 2.0 Lot 4 (NWNW) 10.0			SENW 2.0		
148.0 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

DATED: 3/5/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-04005

FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
NOV-6-1996

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MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *AL*

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

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT

) WATER RIGHT 57-04005

FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990). The director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 and investigated and abstracted the notices of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County. The Director of the Idaho Department of Water Resources then filed a *Director's Report for Reporting Area 57 (Director's Report)* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-04005 was filed on February 26, 1993 by the United States Bureau of Land Management (BLM). A response to the objection was filed on June 25, 1993 by the Idaho Department of Water Resources and a response was filed on July 15, 1993 by the claimant of water right 57-04005, Mark D. Shenk. BLM objected to element 1, Name and Address; element 2, Source; element 3, Quantity; element 4, Priority Date; element 7, Purpose of Use; element 8, Period of Year; element 9, Place of Use; element 10, Consumptive Use; element 12, Water Right Recommendation. On June 12, 1995 a *Standard Form 3 (Substitution of Party)* was filed with the court. Element 1, Name and Address will reflect that change and will now be Carl and Ed Wilsey. On October 19, 1996 parties and IDWR submitted a *Standard Form 5* with the court.

CONCLUSIONS OF LAW

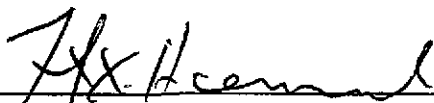
Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

A *Preliminary Special Master's Report and Recommendation for Partial Decree* was issued on December 26, 1996. No motion to alter or amend was filed and the time for such a motion has now expired.

Where a *Standard Form 5* has been signed by the parties and IDWR it may be treated as an *Amended Director's Report*.

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 57-04005 be decreed with the elements as set forth in the *Standard Form 5* and the attached *Special Master's Report and Recommendation for Partial Decree for Water Right 57-04005*.

DATED February 28, 1997.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

RECEIVED
MAR 06 1997

Department of Water Resources

MICROFILMED
MAR 02 1998

1997 APR 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-04005

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-04005 was mailed
on April 29, 1997, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ED WILSEY
CARL WILSEY
HCR 81
MARSING, ID 83639

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

MARK D. SHENK
28801 SCOTT PIT RD
PARMA, ID 83660

RECEIVED TWIN FALLS DISTRICT COURT

MAR 10 2 1998

CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

PAGE 1
04/29/97

RECEIVED

MAY 6 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 30 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 APR 29 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

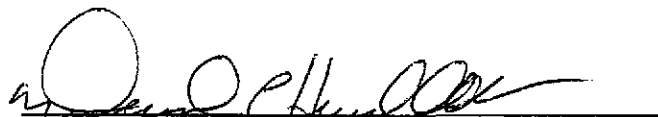
For Water Right 57-04005

On March 5, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-04005 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 29, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

MAR 2 1998

MAIL5373

ORDER OF PARTIAL DECREE
4/21/97



5-27-93
(Date)

**THIS IS A COPY OF THE CLAIM FILE
THE ORIGINAL IS AT THE STATE OFFICE**

**MICROFILMED
OCT 07 1992**

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: A57-04005

Date Received: 12/06/1988

Receipt No: W0002460

Received By: _____

RECEIVED
A

No ✓

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK ~~LEE~~ SHENK
Address: STAR ROUTE
MARSING, ID 83639

Name: MARGIE SHENK
Address: STAR ROUTE
MARSING, ID 83639

2. Date of Priority: APR 01, 1958

3. Source: LITTLE MC BRIDE CREEK Trib. to: SUCCOR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05W	5	SE	NW			OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/15	3.000		
IRRIGATION STORAGE	01/15	04/01			80.00
IRRIGATION FROM STORAGE	04/01	07/15			80.00
DIVERSION TO STORAGE	01/15	04/01	8.000		

7. Total Quantity Appropriated is:
8.000 C.F.S. (and/or) 80.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-04005

Page 1

Date: 01/09/89

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	30	SE	NW		IRR	10.0
			NE	SW		IRR	23.0
			SE	SW		IRR	22.0
						Section Acres	55.0
		31	SW	NE		IRR	1.0
			NE	NW		IRR	26.0
			SE	NW		IRR	21.0
			NE	SW		IRR	3.0
			NE	SE		IRR	3.0
			NW	SE		IRR	10.0
			SE	SE		IRR	10.0
						Section Acres	74.0
		32	SW	SW		IRR	9.0
							Section Acres
		02S	05W	5	NE	NW	
NW	NW					IRR	16.0
						Section Acres	18.0
				Total Acres	156.0		

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-07082 & A57-02114.

14. Remarks:

DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR GRAVITY IRRIGATION.

NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46 FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

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 X 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): Mark D. Shurt Date: 3-21-89
Margie Shurt Date: 3/21/89

State of Idaho)
County of DWYHEE) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 89

Helma D. Garrison
Notary Public

Seal

Residing at Emmett, Idaho
My Commission Expires 5-22-91

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	04/01/1958	IRRIGATION	04-15 10-15	2.98 CFS	
C	MARGIE SHENK		IRRIGATION STORAGE	01-15 04-15		80.0 AFA
	28801 SCOTT PIT RD		IRRIGATION FROM STORAGE	04-15 10-15		80.0 AFA
	PARMA ID 83660		DIVERSION TO STORAGE	01-15 04-15	8.00 CFS	
	(208) 722-7123					
TOTAL DIVERSION:					8.00 CFS	80.0 AFA

Water Source: LITTLE MC BRIDE CREEK
MC BRIDE CREEK

Tributary to: MC BRIDE CREEK
SUCCOR CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R05W S30 NESW
S31 NENW NWSE
T02S R05W S05 SENW
Point(s) of Injection: T01S R05W S31 NWSE
T02S R05W S05 SENW
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
01S	05W	30								11	24	06-01		24					60.5
01S	05W	31					25			19	04				01	08		07	64.5
01S	05W	32											10						10.0
02S	05W	5					03-02	04-10		02									14.0
TOTAL ACRES																			149.0

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

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-07003, 57-10893

Remarks: 2 POINTS OF DIVERSION LOCATED IN SENW, S05, T02S, R05W.
SOURCES FOR THIS RIGHT ARE MCBRIDE CREEK TRIB. TO SUCCOR
CREEK, AND LITTLE MCBRIDE CREEK TRIB. TO MCBRIDE CREEK.
RIGHT NO. 57-02114 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
WITHIN THE NWSE, S31, T01S, R05W AND SENW, S05, T02S, R05W.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-07003, 57-07082,
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 317.5 ACRES IN A SINGLE IRRIGATION SEASON.
THE POINTS OF DIVERSION LISTED ABOVE ARE ALSO POINTS OF
REDIVERSION FOR THE MCBRIDE CREEK WATER THAT IS INJECTED INTO
LITTLE MCBRIDE CREEK WITHIN THE SENW, S05, T02S, R05W AND THE
STORAGE WATER FROM BOTH THAT IS INJECTED INTO MCBRIDE CREEK
WITHIN THE NWSE, S31, T01S, R05W.

MICROFILMED
OCT 07 1992

=====

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-07003 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.35 CFS.

Dates: Exam Made Date: 11/09/1990 Verified Date: 07/15/1992

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

Comments: Date: 10/03/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.
NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

Audit: 07/15/92 WALKER

MICROFILMED
OCT 07 1992

Claim No.: A57-04005

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

☒ Change season of Use

Use Code 01 From 4/15 to 10/15

Use Code 03 From 4/15 to 10/15

Use Code 02 From 1/15 to 4/15
55 1/15 4/15

☐ Change Consumptive Use Volume

_____ acres x 2.5 ^{OK} af/a (for area) = _____ af/a

☐ Change Diversion Volume

_____ acres x 3.5 ^{N/A surface water} af/a (for area) = _____ af/a

☐ Change Remarks

<u>Code</u>	<u>Recommended Change</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

☒ Corrections Made 1-10-92
(date)

Data-entry Complete 1-10-92
(date)

Reviewing Agent Ray Walker
(signature)

MICROFILMED
OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-04005

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE
PRIORITY*	Y	KW4 JS 11-9-90 6-18-91	5, 3	N	N	KW 12-17-91
PT. OF DIV.				Y		
SOURCE				Y		
PL. OF USE				Y		
DIV. AMOUNT CFS/AF				Y		
CONSUMPTIVE USE				N		
NATURE OF USE				Define uses		
PERIOD OF USE				Y		
BASIS OF CLAIM				N		
REMARKS				Y		

DATA ENTRY COMPLETED
BY KW DATE 11-19-91FINAL RECOMMENDATION
BY KW DATE 12-18-91*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ☒ NO ☐**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1

ASCS MAP = 2

WATERMASTER RECORDS = 3

NAPP PHOTOS = 4

FIELD EXAM = 5

OTHER (SEE COMMENTS) = 6

COMMENTS: Must be examined - statutory claim.See pictures of system in A57-02114.MICROFILMED
06 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:27:03
11/06/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04005

LAST: KING
ADDRESS: STAR RT.
CITY: MARSING
PHONE NUMBER: 208-000-0000

FIRST: E. LA VON
STATE: ID ZIP: 83639

OWNER CODE: 0

LAST: SHENK
ADDRESS: STAR ROUTE
CITY: MARSING
PHONE NUMBER: 208-000-0000

FIRST: MARK D.
STATE: ID ZIP: 83639

OWNER CODE: C

LAST: SHENK
ADDRESS: STAR ROUTE
CITY: MARSING
PHONE NUMBER: 208-000-0000

FIRST: MARGIE
STATE: ID ZIP: 83639

OWNER CODE: C

FIELD EXAM REQUIRED? *y*

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
y

FIELD
EXAMINER

kw

CLAIM REMARKS: DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.
NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

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OCT 07 1992

PHONE NUMBER: () 337-4317

TIME: 9:30 A(☒) P(☐)

PHONE NUMBER: () -

DIRECTIONS TO PROPERTY / REMARKS:

DIRECTIONS TO PROPERTY / REMARKS:
See A57-02114

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OCT 07 1992

A. AJ CLAIM: # A57-04005 PRIORITY DATE: 04-01-1958 STAGE: S
B. WR RECORD: # 57-04005 PRIORITY DATE: 04-01-1946 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER *kw*

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: *Affidavits in original statutory claim file show use of 2.0 cps in 1946; 1.0 cps additional in 1958. Claimant chose to file the later priority date to cover his 3.0 cps. Original statutory claim shows same -*

RECOMMENDED PRIORITY DATE:

4-1-1958

REVIEWED BY

kw

DATE

12-17-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04005	02S	05W	5		SE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-02114 R57-02114
A57-10893 R57-07082

WR RECORDS IN SAME 40 ACRE TRACT
57-02114

SOURCE: LITTLE MC BRIDE CREEK

TRIB: SUCCOR CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04005	02S	05W	5		NE	NW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: LITTLE MC BRIDE CREEK

TRIB: SUCCOR CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
Y	N	Y	<i>fu</i>
		N	<i>fu</i>

REMARKS:

affidavits in statutory claim show use of McBride & Little McBride. Recommend we add McBride Cr. as a source to clearly describe this right. Define

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
1S	5W	30		NE	SW		Owyhee
1S	5W	31		NE	NW		"

SOURCE: LITTLE MC BRIDE CREEK
McBride Ck.

TRIB: ~~SUCCESS CREEK~~ McBride Ck.

REVIEWED BY: FW

DATE: 12-17-91

1S 5W 31 NWSE
2S 5W 5 SENW

Points of Injection: 1S 5W 31 NWSE ← storage water injection point into McBride Ck.
2S 5W 5 SENW ← into Little McBride

Remark: The points of diversion listed are also points of redirection for McBride Ck. water that is injected into Little McBride Ck.

OCT 07 1992
I don't believe there has been a change in pld of this right. The NENW, Sec. 5 is is Gov't. lot and maps area were not available previously. Our field exam verified that the points of diversion/redirection described are utilized. No other irrigators on file for these creeks - no injury.

A. ROOT WATER RIGHT NUMBERS: ~~A57-10568~~
A57-04005

R57-04005

No ~~R57-10568~~ ← Julian Landa
Jump Ck. - 2N, 5W, S10

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	05W	30	SE	NW		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	14.0		
			SE	NW		SHENK, MARK D.	A57-07082 /10.0	57-07082 /15.0			
			SE	NW		SHENK, MARK D.	A57-07003 /10.0	57-07003 /40.0			
			SE	NW		SHENK, MARK D.	R57-04005 /11.5	- /			11.5
			SE	NW		SHENK, MARK D.	A57-10893 /11.5	- /			
			SE	NW		SHENK, MARGIE	R57-07082 /11.5	- /			
01S	05W	30	NE	SW		SHENK, MARK D.	A57-04005 /23.0	57-04005 /23.0	28.0		
			NE	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			NE	SW		SHENK, MARK D.	A57-02114 /20.0	57-02114 /20.0			24.
			NE	SW		SHENK, MARK D.	A57-10893 /24.0	- /			
			NE	SW		SHENK, MARK D.	R57-04005 /24.0	- /			
			NE	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
01S	05W	30	SE	SW		SHENK, MARK D.	A57-04005 /22.0	57-04005 /22.0	29.0		
			SE	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	SW		SHENK, MARK D.	A57-02114 /15.0	57-02114 /15.0			
			SE	SW		SHENK, MARGIE	R57-02114 / 2.0	- /			
			SE	SW		SHENK, MARK D.	A57-10893 /24.0	- /			24.
			SE	SW		SHENK, MARK D.	R57-04005 /24.0	- /			
			SE	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
01S	05W	31	SW	NE		SHENK, MARK D.	A57-04005 / 1.0	57-04005 / 1.0			0
01S	05W	31	NE	NW		SHENK, MARK D.	A57-04005 /26.0	57-04005 /26.0	36.0		
			NE	NW		SHENK, MARK D.	A57-07082 /30.0	57-07082 /30.0			
			NE	NW		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			NE	NW		SHENK, MARGIE	R57-02114 /15.0	- /			
			NE	NW		SHENK, MARK D.	A57-10893 /30.5	- /			25.
			NE	NW		SHENK, MARK D.	R57-04005 /25.0	- /			
			NE	NW		SHENK, MARGIE	R57-07082 /30.5	- /			
01S	05W	31	SE	NW		SHENK, MARK D.	A57-04005 /21.0	57-04005 /21.0	30.0		
			SE	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	NW		SHENK, MARK D.	A57-02114 / 7.0	57-02114 / 7.0			
			SE	NW		SHENK, MARGIE	R57-02114 /19.0	- /			
			SE	NW		SHENK, MARK D.	A57-10893 /19.5	- /			19.
			SE	NW		SHENK, MARK D.	R57-04005 /19.0	- /			

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5W S30 NWSW (4.6) - 1 ac.
5W S5 SENW 2 ac.

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NW		SHENK, MARGIE	R57-07082 /19.5	- /			
			SE	NW		SHENK, MARK D.		57-07547 / 1.0			
01S	05W	31	NE	SW		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0	4.0		
			NE	SW		SHENK, MARK D.	A57-07082 /24.0	57-07082 / 5.0			
			NE	SW		SHENK, MARGIE	R57-02114 / 4.0	- /			
			NE	SW		SHENK, MARK D.	A57-10893 / 4.0	- /			
			NE	SW		SHENK, MARK D.	R57-04005 / 4.0	- /			4.0
			NE	SW		SHENK, MARGIE	R57-07082 / 4.0	- /			
			NE	SW		SHENK, MARK D.		57-07547 /21.0			
01S	05W	31	NE	SE		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0	13.0		
			NE	SE		SHENK, MARK D.	A57-07082 /12.0	57-07082 / 5.0			
			NE	SE		SHENK, MARK D.	A57-02114 /12.0	57-02114 /12.0			
			NE	SE		SHENK, MARGIE	R57-02114 / 1.0	- /			
			NE	SE		SHENK, MARGIE	R57-07003 / 5.0	- /			
			NE	SE		SHENK, MARK D.	A57-10893 / 7.0	- /			1.5
			NE	SE		SHENK, MARK D.	R57-04005 / 1.5	- /			
			NE	SE		SHENK, MARGIE	R57-07082 / 7.0	- /			
01S	05W	31	NW	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	20.0		
			NW	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			NW	SE		SHENK, MARGIE	R57-02114 / 5.0	- /			
			NW	SE		SHENK, MARK D.	A57-10893 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-04005 / 8.0	- /			8.0
			NW	SE		SHENK, MARGIE	R57-07082 / 8.0	- /			
			NW	SE		SHENK, MARK D.		57-07547 / 1.0			
01S	05W	31	SE	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0	26.0		
			SE	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			SE	SE		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			SE	SE		SHENK, MARGIE	R57-02114 /14.0	- /			
			SE	SE		SHENK, MARGIE	R57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	A57-10893 / 9.0	- /			7.0
			SE	SE		SHENK, MARK D.	R57-04005 / 7.0	- /			
			SE	SE		SHENK, MARGIE	R57-07082 / 9.0	- /			
01S	05W	32	SW	SW		SHENK, MARK D.	A57-04005 / 9.0	57-04005 / 9.0	30.0		
			SW	SW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /25.0			
			SW	SW		SHENK, MARK D.	A57-02114 /10.0	57-02114 /10.0			
			SW	SW		SHENK, MARGIE	R57-02114 /10.0	- /			
			SW	SW		SHENK, MARGIE	R57-07003 /14.0	- /			
			SW	SW		SHENK, MARK D.	A57-10893 /24.0	- /			
			SW	SW		SHENK, MARK D.	R57-04005 /10.0	- /			10.
			SW	SW		SHENK, MARGIE	R57-07082 /24.0	- /			
02S	05W	5	NE	NW		SHENK, MARK D.	A57-04005 / 2.0	57-04005 / 2.0			
			NE	NW		SHENK, MARK D.	A57-07082 / 1.0	57-07082 /25.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW	3	SHENK, MARGIE	R57-02114 / 2.0	- /			
			NE	NW	3	SHENK, MARGIE	R57-07003 / 3.5	- /			
			NE	NW	3	SHENK, MARK D.	A57-10893 /22.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-04005 / 2.0	- /			2.
			NE	NW	3	SHENK, MARGIE	R57-07082 /22.0	- /			
02S	05W	5	NW	NW		SHENK, MARK D.	A57-04005 /16.0	57-04005 /16.0			
			NW	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /20.0			
			NW	NW		SHENK, MARK D.	A57-02114 /20.0	57-02114 /20.0			
			NW	NW	4	SHENK, MARGIE	R57-02114 /12.0	- /			
			NW	NW	4	SHENK, MARK D.	A57-10893 /10.0	- /			10.
			NW	NW	4	SHENK, MARK D.	R57-04005 /10.0	- /			
			NW	NW	4	SHENK, MARGIE	R57-07082 /10.0	- /			
TOTAL ACRES						A57-04005	156.00	156.00	230.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()
IF YES-SEE ATTACHED SHEET: *See Page 6*

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
fw

PRESUMPTION FLAG:

REMARKS:

*Maps of this area were previously not available.
No change in place of use - just clarification.*

RECOMMENDATIONS:

TOTAL ACRES: *149*

REVIEWED BY: *fw*

DATE: *12-17-91*

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-04005 IRRIGATION	FROM 04-01 TO ~~07-15~~ 11-1	2.98 ~~3.000~~ CFS
A57-04005 IRRIGATION STORAGE	FROM 01-15 TO 04-01	80.00 AF/A
A57-04005 IRRIGATION FROM STORAGE	FROM 04-01 TO ~~07-15~~ 11-1	80.00 AF/A
A57-04005 DIVERSION TO STORAGE	FROM 01-15 TO 04-01	8.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.000 CFS ✓ 80.00 AF/A ✓

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-04005 IRRIGATION	FROM 04-01 TO 07-15	3.000 CFS
57-04005 IRRIGATION STORAGE	FROM 01-15 TO 04-01	3.000 CFS 80.00 AF/A
57-04005 IRRIGATION FROM STORAGE	FROM 04-01 TO 07-15	3.000 CFS 80.00 AF/A
57-04005 DIVERSION TO STORAGE	FROM 01-15 TO 04-01	8.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.000 CFS 80.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<i>[Signature]</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<i>[Signature]</i>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<i>[Signature]</i>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

Recommend standard irrigation season of 4-1 to 11-1 - Dept. standards. Allow "storage" season of use as claimed.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 8.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 8.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y *fu*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD Mannings, SEE ATTACHED CALCULATIONS.

Msmt. #1 = 6.60 cfs
Msmt. #2 = 8.23 cfs
Capability → 14.83 cfs

C. ARE OTHER WATER RIGHTS USED? Y(✓) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A57-07082 & A57-02114.

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-04005	LITTLE MC BRIDE CREEK	SHENK , MARK D.	8.000	0.051	80.00	0.51
A57-02114	MC BRIDE CREEK	SHENK , MARK D.	2.000	0.020		
	LITTLE MC BRIDE CREEK					
R57-02114	MC BRIDE CREEK	SHENK , MARGIE	2.000	0.020		
	LITTLE MC BRIDE CREEK					
R57-04005	LITTLE MC BRIDE CREEK	SHENK , MARK D	8.000	0.053	80.00	0.53
	MC BRIDE CREEK					
A57-07003	LITTLE MC BRIDE CREEK	SHENK , MARK D.	3.200	0.028	146.00	1.29
R57-07003	LITTLE MC BRIDE CREEK	SHENK , MARGIE	3.200	0.028	146.00	1.31
A57-07082	MC BRIDE CREEK	SHENK , MARK D.	5.000	0.013	150.00	0.41
	LITTLE MC BRIDE CREEK					
R57-07082	LITTLE MC BRIDE CREEK	SHENK , MARGIE	5.000	0.016	150.00	0.50
A57-10893	WILLOW FORK	SHENK , MARK D.	3.200	0.010	146.00	0.49
	UNNAMED STREAMS					

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MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-91 kw
~~04-13-1980~~

File Number: A57-04005;
Claimant: MARK D. SHENK
Channel measured: MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:

SENV

Calculation prepared by: KAY WALKER

Comments about the measurement:

DIVERSION TO SMALL RESERVOIR.

The results of the calculation are:

The length of the channel measured is 238 feet.
The upstream and downstream rod readings are 4.05 and 5.28 feet.
The channel cross section is 3.62 ft-sq.
The wetted perimeter is 5.41 feet.
The hydraulic radius is 0.67 feet.
The slope is 0.0052
The roughness coefficient is 0.0450
The flow velocity is 1.822 ft/sec.
The rate of flow is 6.60 cfs.



Picture where measurement
was taken.

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CROSS SECTION NUMBER 1

For File Number A57-04005 for the MCBRIDE CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	0.50
3	0.82	0.82	1.00
4	0.86	0.86	1.50
5	0.99	0.99	2.00
6	1.03	1.03	2.50
7	1.02	1.02	3.00
8	0.99	0.99	3.50
9	0.85	0.85	4.00
10	0.00	0.00	4.60

The area for this cross section is 3.62 square feet
and the wetted perimeter is 5.41 feet.

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MS

Point measurement was made to provide

MANNING EQUATION-DATA COLLECTION

Claim No(s): A57-04005Name of Claimant: Mark D. ShentName of Ditch, Canal, or Stream Name: McBride Creek - Div. to small reservoirDate of Measurement: 6/18/91 Data Collected By: Kay Walker, Jan ShurteMeasurement Location: SE 1/4 NW 1/4 Section 5 T 25 R 5W

General Description and Comments

Cross-section Data

Basis: High water mark (☒) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. ~~EW~~ 0	0' EW	11. _____	_____
2. .6	.5'	12. _____	_____
3. .82	1.0'	13. _____	_____
4. .86	1.5'	14. _____	_____
5. .99	2.0'	15. _____	_____
6. 1.03	2.5'	16. _____	_____
7. 1.02	3.0'	17. _____	_____
8. .99	3.5'	18. _____	_____
9. .85	4.0'	19. _____	_____
10. ~~EW~~ 0	4.6' EW	20. _____	_____

Slope Data

Basis: High water mark (☒) Channel bottom () Land surface ()Channel length from cross section: Upstream 141' Downstream 97'Total channel length used for slope measurement: 238'

Rod reading at engineers level: _____

Upstream rod reading 4.05 - High Water Mark (if taken from channel bottom) _____ = 4.05Downstream rod reading 5.28 - High Water Mark (if taken from channel bottom) _____ = 5.28

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes (☒)MICROFILMED
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MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	✓	(1)	negligible	.000	✓	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000		(1)	low	.005		(1)
minor	.005	✓	(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020	✓	(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	✓	(1)	minor	1.00	✓	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CROSS SECTION NUMBER 1

For File Number A57-04005 for the LITTLE MCBRIDE CREEK

Number	Rod Reading	Water Depth	Distance
→ 1	0.00	0.00	0.00
2	0.90	0.90	1.00
3	1.10	1.10	1.50
4	1.27	1.27	2.00
5	1.30	1.30	2.50
6	0.89	0.89	3.00
7	0.69	0.69	3.50
8	0.00	0.00	4.40

The area for this cross section is 3.44 square feet
and the wetted perimeter is 5.23 feet.

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4788

MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-1991 ^{kw}
~~04-17-1989~~

File Number: A57-04005
Claimant: MARK D. SHENK
Channel measured: LITTLE MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:

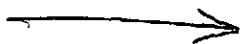
SENW

Calculation prepared by: KAY WALKER
Comments about the measurement:
DIVERSION INTO SMALL RESERVOIR

The results of the calculation are:

The length of the channel measured is 234 feet.
The upstream and downstream rod readings are 4.01 and 6.15 feet.
The channel cross section is 3.44 ft-sq.
The wetted perimeter is 5.23 feet.
The hydraulic radius is 0.66 feet.
The slope is 0.0091
The roughness coefficient is 0.0450
The flow velocity is 2.393 ft/sec.
The rate of flow is 8.23 cfs.

Point
measurement
was made.



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NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION ✓

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 149 x 0.02 CFS/ACRE = 2.98 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(✓)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 149 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 372.5 AF/A

*see overlap analysis
in A57-02114*

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A 80.00 AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(✓)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

EOI - when all rights combined
diversion rate, consumptive use & acres.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 ~~07-15~~ 11-1	3.000 <u>2.98</u>		0.0 <u>see</u>
IRRIGATION STORAGE	01-15 04-01		80.00 <u>80.0</u>	<u>remarks</u>
IRRIGATION FROM STORAGE	04-01 ~~07-15~~ 11-1		80.00 <u>80.0</u>	
DIVERSION TO STORAGE	01-15 04-01	8.000 <u>8.0</u>		
TOTAL FOR THIS RIGHT		8.000 ✓	80.00 ✓	

REVIEWED BY: kw

DATE: 12-17-91

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OCT 07 1992

SUMMARY SHEET

BASIN : 57
DAM NUMBER : 4005
NAME OF DAM : BROWN
COUNTY : OWYHEE
STREAM : LITTLE McBRIDE CREEK (OS)
REGION : W
PURPOSE : 1
RISK CATEGORY : 3
SIZE CATEGORY : 2
QUARTER QUARTER_SEC : NESE
SECTION : 31
TOWNSHIP : 01S
RANGE : 05W
LATITUDE : 43.2909
LONGITUDE : 116.9701
MAP_CODE : 57-4005'54000x
DAM_TYPE : EARTH
STORAGE_AC-FT : 80
HEIGHT_FT : 25.0
DRAINAGE_SQ_MI : 0.6
RES_AREA_ACRES : 10
YEAR_COMPLETED : 1958
CREST_ELEV_MSL : 4350
CREST_LENGTH_FT : 500
SPILL_TYPE : ERCHAN
SPILL_DEPTH_FT : 3.0
SPILL_CAP_CFS : 4
OUTLET_TYPE : STEEL
OUTLET_SIZE_IN : 12
OUTLET_CAP_CFS : 14
INFLOW_DESIGN_FLOOD : Q100
IDF_MAGNITUDE_CFS : 51
RELEASE_CAPACITY_CFS : 16
CONDITION : GD
INSPECTION_DATE : 0689
CERT_EXPIRATION : 1191
LAST_RISK_EVALUATION : 0587
REPAIR_UP_DATE :
LAST_ISSUE_DATE : 29-Nov-89
INSPECTION_INTERVAL :
RESTRICTED :
PHASE1_INSPECT_DATE :
OPERATIONS_PLAN : N
SEISMIC_ANALYSES : N
ORDERS_ISSUED_DATE :
JOINT_INSPECTION :
QUADRANGLE_NUMBER : Y53
QUADRANGLE_NAME : PIUTE BUTTE
QUADRANGLE_SCALE : 024000
DAM_OWNER : DICK SHENK
ADDRESS_LINE_1 : STAR ROUTE
ADDRESS_LINE_2 :
CITY : MARSING
STATE : ID
ZIP_CODE : 83639 0000
PHONE_NUMBER : 3374317
AREA_CODE : 208

GENERAL_REMARKS : NO. CHANGED FROM 57-XX01.

TECHNICAL_REMARKS : CREST LENGTH DOES NOT INCLUDE SMALL DIKE NEAR SPILLWAY. SPILLWAY & RELEASE CAP.
ARE WITH 2.5' FREEBOARD. SPILLWAY WILL PASS Q100 WITH 1.1' FREEBOARD.

MAINTENANCE : ROUTINE : SEE LATEST APPROVAL LETTER.

RESTRICTIONS :

ALTERNATE_CONTACTS :

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
☒	☐
☐	☐
☐	☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04005

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
~~5.380~~

No split
EXAMINER
KW

8.0 CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
Landa → 57-04001	combined → A57-10568	~~2.690~~	~~A57-10568~~	~~2.690~~	~~57-04001~~	~~2.690~~
Landa → 57-04031		~~2.690~~	~~A57-10568~~	~~2.690~~	~~57-04031~~	~~2.690~~
	A57-04005	8.000	R57-04005	8.000	57-04005	8.000
TOTAL CFS		8.0		8.0		8.0
		~~13.380~~		~~13.380~~		~~5.380~~

DIVERSION RATE REVIEW

No split

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
~~N~~ Y

FIELD
EXAMINER
KW

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Kay Walker

Kay Walker

12-17-91

Sr. Agent

OCT 07 1992
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:02:15
11/06/91

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A57-04005

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D. SHENK	04/01/1958	IRRIGATION	04-01 07-15	3.00 CFS	
C	MARGIE SHENK		IRRIGATION STORAGE	01-15 04-01		80.0 AFA
	STAR ROUTE		IRRIGATION FROM STORAGE	04-01 07-15		80.0 AFA
	MARSING ID 83639		DIVERSION TO STORAGE	01-15 04-01	8.00 CFS	
TOTAL DIVERSION:					8.00 CFS	80.0 AFA

Water Source: LITTLE MC BRIDE CREEK

Tributary to: SUCCOR CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02S R05W S05

SENE

OWYHEE 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
01S	05W	30	:																	55.0
01S	05W	31	:			01	:	26				21	:	03			03	10		74.0
01S	05W	32	:				:						:		09					9.0
02S	05W	5	:				:	02	16				:							18.0
TOTAL ACRES																			156.0	

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

Other Rights: A57-07082 & A57-02114.

Other Water Rights with Same Point(s) of Diversion and Source:

A57-02114 R57-02114 R57-04005 R57-07082

Other Water Rights Listing Overlapping Place(s) of use:

A57-02114 A57-07082 R57-02114 R57-04005 R57-07082

Non-Irrigation Use: NONE

Remarks: DESC. OF DIVERTING WORKS CONT. - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION.
NOTE: ORIGINAL RIGHT CLAIMED TWO PRIORITY DATES - ONE FOR 4/1/46
FOR 2 CFS AND 4/1/58 FOR 1 CFS. TO INCORPORATE BOTH RIGHTS IN
ONE CLAIM, THE LATER PRIORITY DATE WILL BE USED ON THIS CLAIM.

Exam Made Date:

Water District Number:

Field Inspection Flag:
Presumption Flag:

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OCT 6 7 1992

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.

Andrew Greeley Jr.

Subscribed and sworn to before me this 12 day of April, 1970.

Joseph V. Mills
Notary Public for Idaho
Residing at Middletown

My Commission expires April 15, 1978

MICROFILMED
OCT 07 1992

57 - 4005

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.

Duncan D. Mackenzie

Subscribed and sworn to before me this 12 day of April, 1970.

Jack V. Mills
Notary Public for Idaho
Residing at Milton

My Commission expires April 15, 1972

MICROFILMED
OCT 07 1992

57-4005

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.

George Kunkley

Subscribed and sworn to before me this 12 day of April, 1970.

Jack V. Mills
Notary Public for Idaho
Residing at Middleton

My Commission expires April 15, 1973

MICROFILMED
OCT 07 1992

57-4005

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.

J. W. Stode

Subscribed and sworn to before me this 14th day of April, 1970.

Lucy McLean
Notary Public for Idaho
Residing at Boise

My Commission expires 5-25-71

MICROFILMED
OCT 07 1992

57-4005

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.

James E. Hall

Subscribed and sworn to before me this 14th day of April, 1970.

Clinton L. Whiting
Notary Public for Idaho
Residing at Nampa

My Commission expires 16th April 1972

MICROFILMED
OCT 07 1992

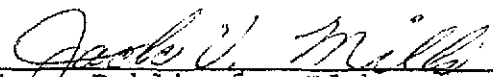
57-4005

STATE OF IDAHO)
) ss.
COUNTY OF)

I, the undersigned, do hereby swear and depose that I know of my own certain knowledge that certain lands now owned by E. LaVon King and Georgia M. King and being located in Sections 30 and 31, Township 1 South, Range 5 West, B.M. and Sections 5 and 6, Township 2 South, Range 5 West, B.M., Owyhee County, Idaho, has been irrigated with 2 cfs of water from Little McBride Creek and Big McBride Creek since 1946, and an additional 1 cfs has been used since April 1, 1958; further that 80 acre feet of water from Little McBride Creek and Big McBride Creek has been stored each year since April, 1958.



Subscribed and sworn to before me this 13th day of April, 1970.


Notary Public for Idaho
Residing at Middleton

My Commission expires April 15, 1978

MICROFILMED
OCT 07 1992

57-4005

Identification No.

Claim No.

Map No.

57-4005

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant E. LaVon King
post office address Star Route, Marsing, Idaho 83639

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 5 Township 2 South
Range 5 West B.M. located on Little McBride Creek
(name of source)
tributary to Succor Creek in Owyhee County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

April 1, 1946 amount: 2 c.f.s. or _____ acre feet
April 1, 1958 amount: 1 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 3 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 1 to July 15 (both dates inclusive)
use 80 ac. ft. storage period of use from Jan. 15 to April 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of rock
_____; length is 8 feet; height is 4 feet;
width at bottom is 6 feet; width at top is 2 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
Ditch holds approx. 8 cfs

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

- c. Conveying works: length of ditch to place of use is var. distance feet; width of ditch at top is 6 feet; width of bottom of ditch is 3 feet; depth of water is 7½ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is dirt & gravel; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible usual ditch improvements

- d. If water is stored: name of reservoir King #1; total capacity of reservoir is 80 acre feet; active capacity of reservoir is 80 acre feet; year construction commenced 1957; year completed 1958; date first used 1958; period of storage is from Jan. 15 to Nov. 1; is reservoir drained each year yes; is reservoir on or off stream off explain reservoir is located off stream so as to create better use of the water.

if feeder canal is used give maximum carrying capacity 8 c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions NE¼SE¼, Sec. 31, T 1 S, R 5 W, B.M.

Owyhee County, Idaho

has there been any enlargement of the reservoir since it was first built no, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S	5 W	30								10	22.8		21.6						54.4
		31			.5		26.4		20.8	3				3	10.5		10.2		74.4
		32										9							9.0
2 S	5 W	6	1																1.0
		5					1.6	15.6											17.2

Total number of acres to be irrigated 156

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____
approximately 60 acres added by leveling and better ditches and
better utilization of irrigation water from 1958 to 1960, however,
only 50 additional inches of water was used, making a total of 150 i

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch
_____ The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____
water from reservoir not used for stock water

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities -0-

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho

County of ADA

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 affiants knowledge.

E. L. Aron King
Claimant

Sworn to before me this 17th day of March, 19 70

Laura J. Henderson
Notary Public

Residing at Boise, Idaho

My commission expires 8/12/70

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>[Signature]</u>	<u>4-15-70</u>			
Prelim. check by <u>[Signature]</u>	Date <u>Apr 15-70</u>			
Fee received by <u>[Signature]</u>	Date <u>4-15-70</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>[Signature]</u>	Dates <u>4-30-5-7-1970</u>			
	<u>Huggins</u> <u>5-7-17-1970</u>			

57-4005