

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-07003

Legal:

T01S, R05W, S31, 32

T02S, R05W, S5

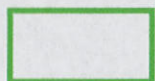
Reviewed By:

Point of Diversion

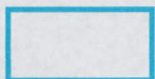
2 located outside view



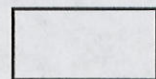
Place of Use



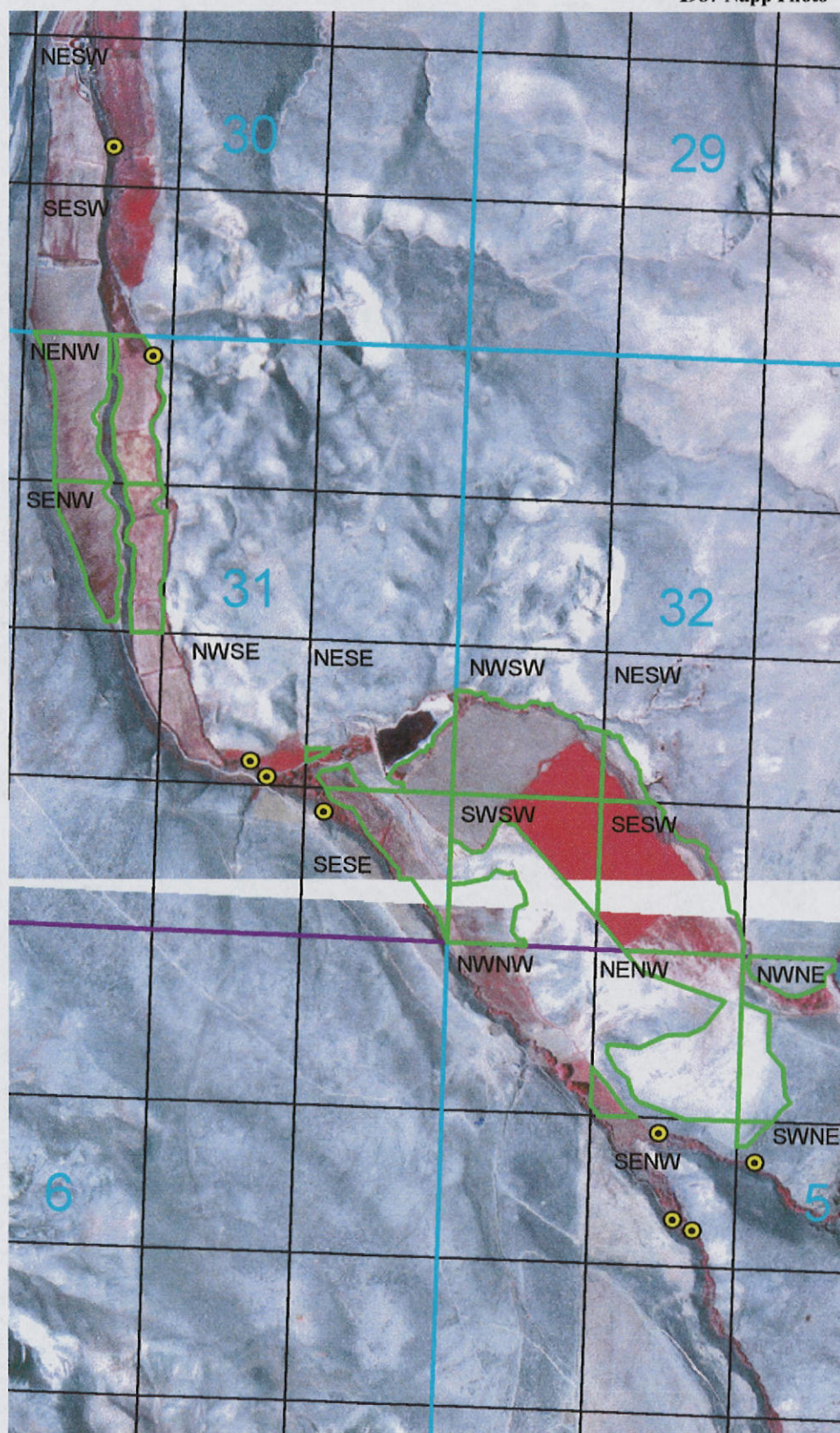
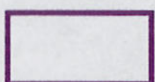
Section Lines



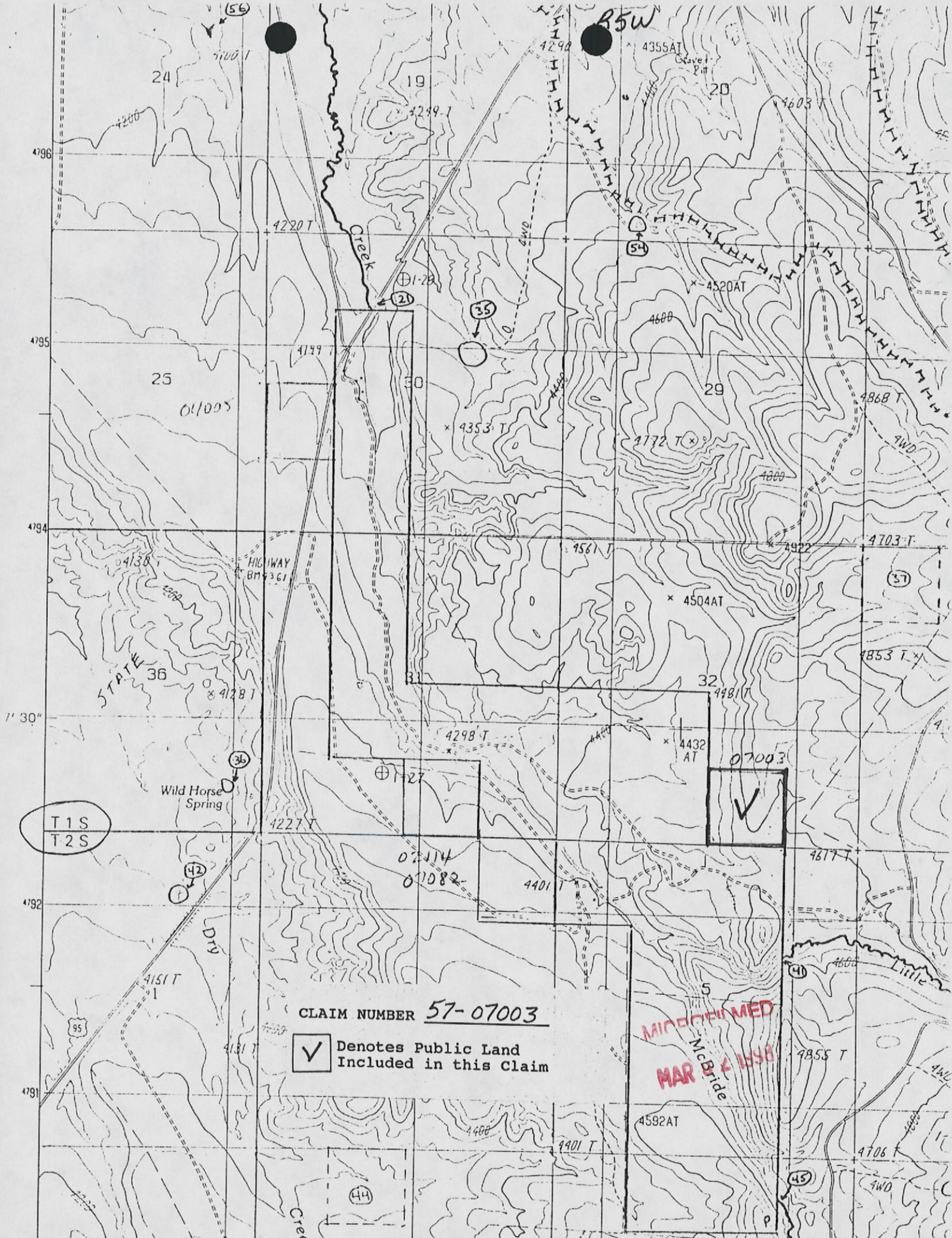
Quarter Quarter Lines



Township/Range Lines



0 0.25 0.5 0.75 1 Miles



CLAIM NUMBER 57-07003

☒ Denotes Public Land
Included in this Claim

MICROFILMED
MAR 4 1958
McBride

Claims A57-02114/04005/07003/07082

PHOTO # 1

Picture of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 02S, Rge. 05W, from Little McBride Creek. This diversion washes out each year during spring run-off. No way to maintain a measuring device at this point.



PHOTO #2

Point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4... This is the point where his ditch flows through Willow Fork and then on into big reservoir.



MICROFILMED

OCT 07 1992

11/9/96

Claims A57-02114/04005/07003/07082

PHOTO # ~~3~~ 4

This picture is of the outlet from big reservoir. There is normally a pump mounted here to pressurize the sprinkler systems.



PHOTO # ~~3~~ 4

Picture of big reservoir. Known in dam safety files as King Dams (two dams constructed in same location).



REPRODUCED

SEP 7 1992

Pictures
6/8/92 - C.

Claims A57-02114/04005/07003/07082

PHOTO # 5

Place of use from above big reservoir looking towards small reservoir
(Brown Dam) in background.

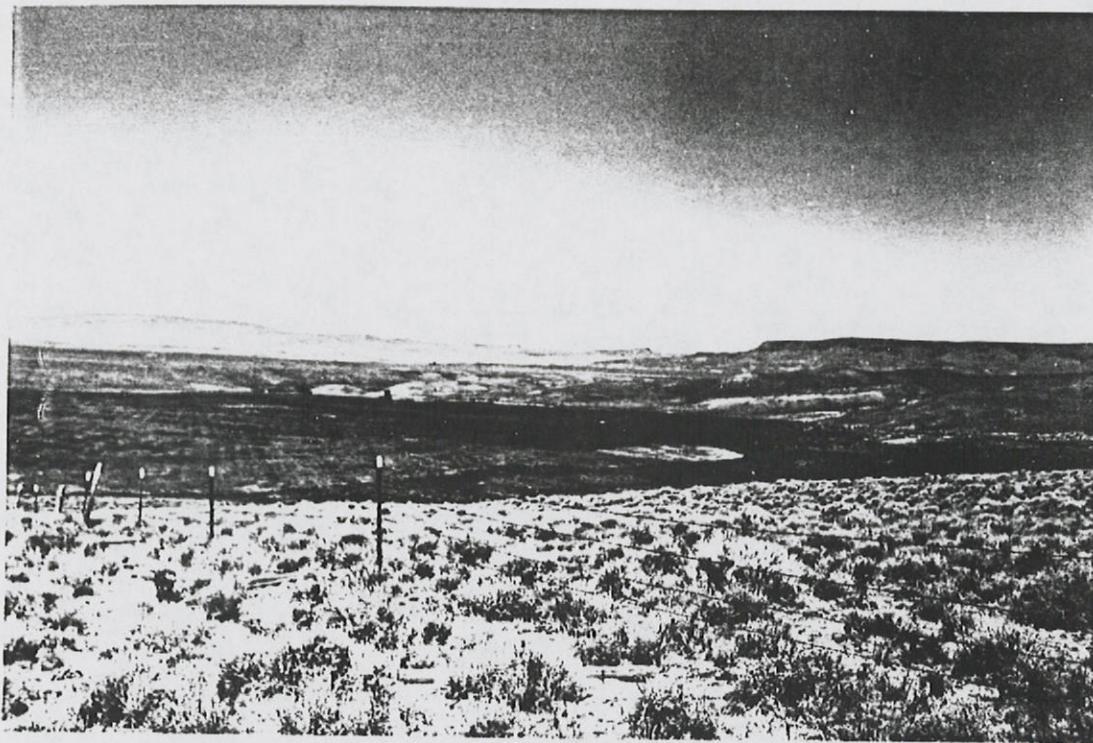


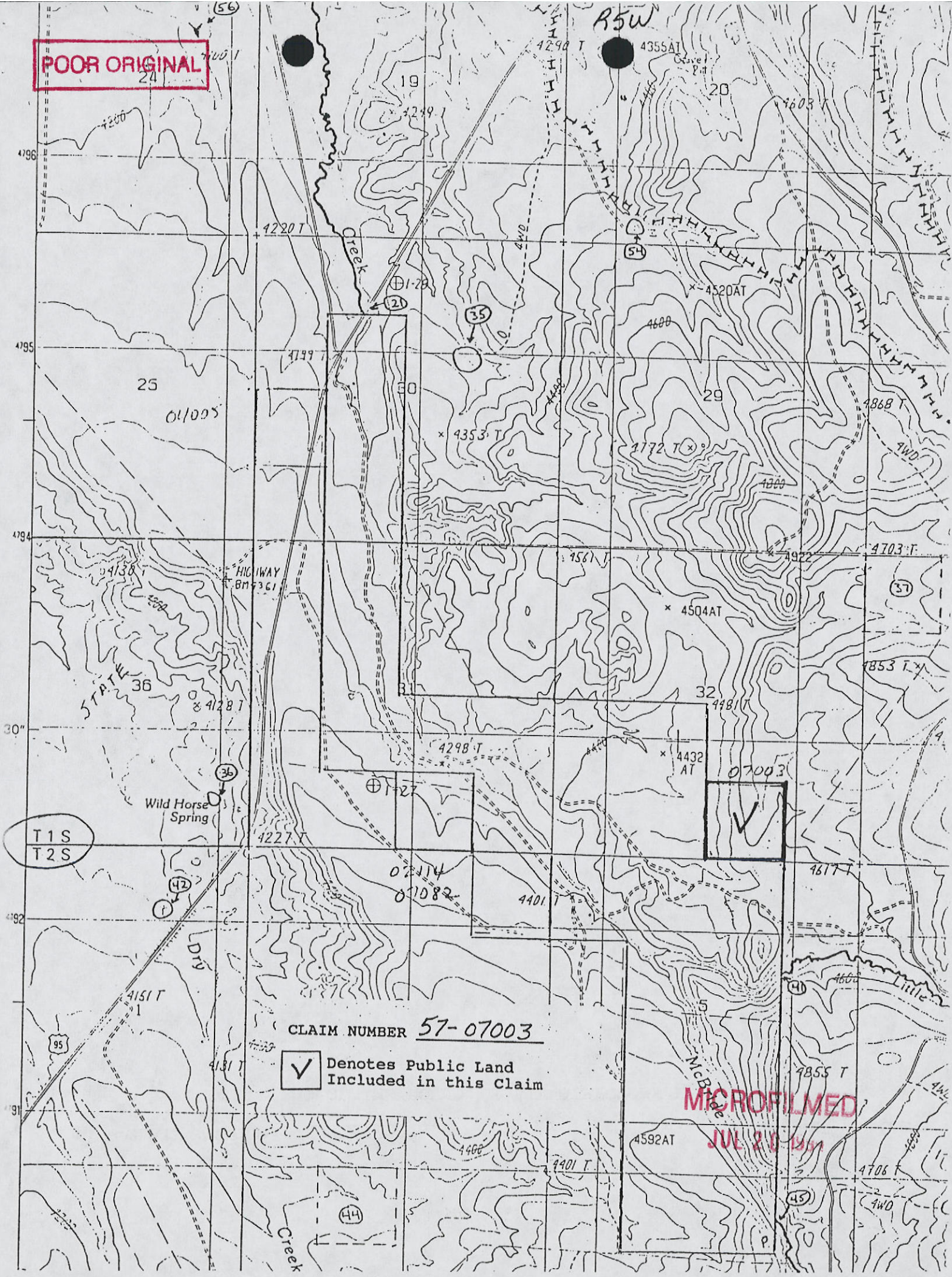
PHOTO # 6

Place of use from above big reservoir looking towards small reservoir.



pictures
6-11-50

POOR ORIGINAL



CLAIM NUMBER 57-07003



Denotes Public Land
Included in this Claim

MICROFILMED

JUL 21 1961

MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-91 kw
~~06-13-1988~~

File Number: A57-07003/07082
Claimant: MARK D. SHENK
Channel measured: LITTLE MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:
DIVERSION INTO LARGE RESERVOIR.
Calculation prepared by: KAY WALKER
Comments about the measurement:

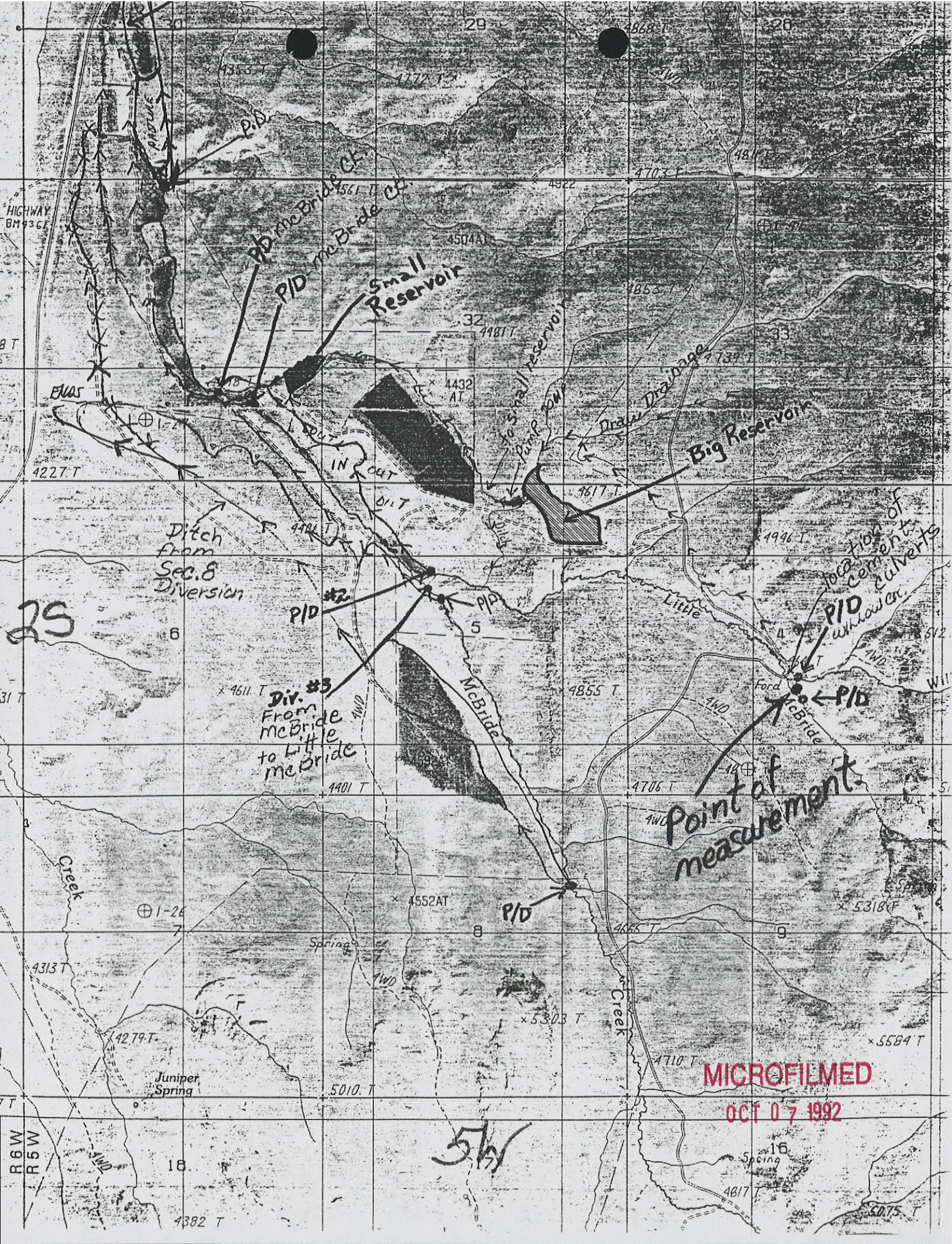
The results of the calculation are:

The length of the channel measured is 208 feet.
The upstream and downstream rod readings are 4.47 and 8.46 feet.
The channel cross section is 9.61 ft-sq.
The wetted perimeter is 10.56 feet.
The hydraulic radius is 0.91 feet.
The slope is 0.0192
The roughness coefficient is 0.0500
The flow velocity is 3.875 ft/sec.
The rate of flow is 37.26 cfs.



This picture shows where we made our measurements of the creek and the slope. kw

MICROFILMED
OCT 07 1992



#2

ku

6-25-1991

MANNING EQUATION CHANNEL CAPACITY RESULTS

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

SENN

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.
→



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: A57-07003
Date Received: 12/06/1988
Receipt No: W002460
Received By: _____

No ✓

Department of
Western Lands

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: SEP 26, 1967

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	4	SW	NE			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 STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	09/15			146.00
DIVERSION TO STORAGE	04/01	09/15	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) 146.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-07003

Page 1

Date: 01/11/89

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 S	10.0

Section Acres 10.0

32	NE	SW	IRR S	35.0
	NW	SW	IRR S	30.0
	SE	SW	IRR S	38.0

Section Acres 103.0

Total Acres	113.0
-------------	-------

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:
NONE.

14. Remarks:

SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. GRAVITY IRRIGATION FROM RESERVOIR. POINT OF DIVERSION APPEARS TO BE IN THE NWSE, SEC. 4 ON AVAILABLE MAPS, HOWEVER, AVAILABLE MAPS ARE INADEQUATE TO VERIFY, THEREFORE, CLAIM SHOULD BE CHANGED WHEN THE FIELD EXAM IS COMPLETED, IF POINT OF DIVERSION IS FOUND TO BE IN A DIFFERENT 1/41/4. JS.

15. Basis of Claim: PERMIT

MICROFILMED
OCT 07 1992

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. Shanks Date: 3-21-89
Margie Shanks Date: 3-21-89

State of Idaho)
County of OWYHEE) SS.

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

Helma D. Harrison
Notary Public

Seal

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

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: A57-07003

Date Received: 3/23/1989

Receipt No: W002460

Received By: kw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARK D. SHENK 208-722-7123
Address: 28801 SCOTT PIT RD
PARMA ID 83660

AND/OR

Name: MARGIE SHENK 208-722-7123
Address: 28801 SCOTT PIT RD
PARMA ID 83660

2. Date of Priority: SEP 26, 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	30		NE	SW	R	OWYHEE
		31		NE	NW	R	OWYHEE
				NW	SE	R	OWYHEE
				SE	SE	R	OWYHEE
02S	05W	4		NW	SE		OWYHEE
		5		SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE

5. Description of diverting works:

DAM IN CREEK, DITCH TO KING DAMS, GRAVITY FLOW OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			
IRRIGATION FROM STORAGE	04/01	11/01			
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION	04/01	11/01	2.910		

MICROFILMED

OCT 6 7 1992

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) 146.00 A.F.A.

Acre Feet Per Annum.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	30	SE	NW		IRR S	0.5
						Section Acres	0.5
		31	NE	NW		IRR	5.5
			SE	NW		IRR	0.5
			NE	SE		IRR	5.5
			SE	SE		IRR	2.0
						Section Acres	13.5
		32	NE	SW		IRR	25.0
			NW	SW		IRR	25.0
			SW	SW		IRR	14.0
			SE	SW		IRR	33.0
			SW	SE		IRR	1.0
						Section Acres	98.0
02S	05W	5	NW	NE	2	IRR	13.0
			SW	NE		IRR	1.0
			NE	NW	3	IRR	20.0
			NE	NW	3	IRR S	2.0
			NW	NW	4	IRR S	10.0
			SE	NW		IRR S	2.0
						Section Acres	48.0
						Total Acres	160.0

15. Basis of Claim: PERMIT

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1992

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

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: A57-07003
Date Received: 3/23/1989
Receipt No: W002460
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARK D SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639
AND/OR
Name: MARGIE SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639

2. Date of Priority: SEP 26, 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	30	NE	SW		R	OWYHEE
		31	NE	NW		R	OWYHEE
			NW	SE		R	OWYHEE
02S	05W	4	SE	SE		R	OWYHEE
			NW	SE		R	OWYHEE
		5	SW	NE		I	OWYHEE
			SE	NW		R	OWYHEE

5. Description of diverting works:

DAM IN CREEK, DITCH TO KING DAMS, GRAVITY FLOW OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	11/01			146.00
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION	04/01	11/01	2.910		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) 146.00 A.F.A.

MICROFILMED
OCT 07 1992

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	05W	31	NE	NW		IRR	5.5
			SE	NW		IRR	0.5
			NE	SE		IRR	5.5
			SE	SE		IRR	2.0

Section Acres 13.5

32	NE	SW		IRR	25.0
	NW	SW		IRR	25.0
	SW	SW		IRR	14.0
	SE	SW		IRR	33.0
	SW	SE		IRR	1.0

Section Acres 98.0

02S	05W	5	NW	NE	2	IRR	13.0
			SW	NE		IRR	1.0
			NE	NW	3	IRR	20.0
			NE	NW	3	IRR S	2.0
			NW	NW	4	IRR S	10.0
			SE	NW		IRR S	2.0

Section Acres 48.0

01S	05W	30	SE	NW		IRR S	0.5
-----	-----	----	----	----	--	-------	-----

Total Acres ~~159.5~~ 160

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:

57-02114, 57-04005, 57-07082, 57-10893

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): X Mark D. Shurt Date: 11/12/91

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of November 19 91

Kathryn A. Walker
Notary Public

Seal

Residing at Boise, Id.
My Commission Expires 2-14-1993

MICROFILMED
OCT 07 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07003

Date: 6-23-03

	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	1S	5W	31					5.5			15					5.5			2	13.5
GIS								25			19					6.7			15	65.7
Claim			32									25	25	14	33					97
GIS												4	24	25	30					83
Claim	25	5W	5		-2 13	1		-3 20												34
GIS					11	1		27												39
Claim																				
GIS																				

Number of POD's 11

Total Claimed Acres: 144.5

Overlapping POU Claim #'s:

57-07082, 57-10893

Total GIS Acres: 187.7

57-02114, 57-04005

COMMENTS:

per claim map and overlapping claims

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-07003

Legal:

T01S, R05W, S31, 32

T02S, R05W, S5

Reviewed By:

Point of Diversion

2 located outside view



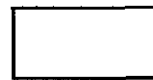
Place of Use



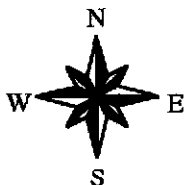
Section Lines



Quarter Quarter Lines



Township/Range Lines



0 0.25 0.5 0.75 1 Miles



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
I.R.C.P. 54(b) FOR
Water Right 57-07003

FILED 1997 FEB 29 PM 2:34
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

SOURCE: LITTLE MC BRIDE CREEK TRIBUTARY: MC BRIDE CREEK

QUANTITY: 3.2 CFS
651.8 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION: T02S R05W S04 2 NWSE Within Owyhee County
S05 1 LSWNE (INJECTION)
T01S R05W S30 1 NESW (REDIVERSION)
S31 1 NENW (REDIVERSION)
2 NWSE (REDIVERSION)
1 SESE (REDIVERSION)
T02S R05W S05 3 SENW (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.89 CFS
IRRIGATION STORAGE		01-01 12-31	505.8 AFY
IRRIGATION FROM STORAGE		Irrigation Season	146.0 AFY
DIVERSION TO STORAGE		01-01 12-31	146.0 AFY
			3.2 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T01S R05W S31	NENW 5.5	SENW 0.5	NESE 5.5	SESE 2.0
S32	NESW 25.0	NWSW 25.0	SWSW 14.0	SESW 33.0
T02S R05W S05 Lot 2 (NWNE)	13.0	SWNE 1.0 Lot 3 (NENW)	20.0	
144.5 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

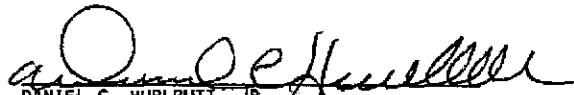
IRRIGATION FROM STORAGE Within Owyhee County

T01S R05W S30	SENW 0.5		
T02S R05W S05 Lot 3 (NENW)	2.0 Lot 4 (NWNW)	10.0	SENW 2.0
14.5 ACRES TOTAL			

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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 57-7003
	)	
Case No. 39576	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
	)	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 11-01

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

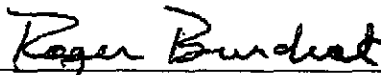
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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

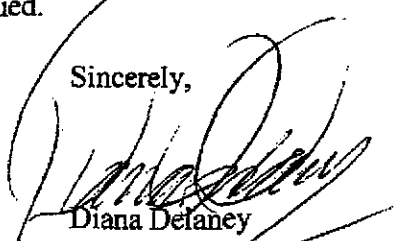
Dear Water Right Claimant(s):

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 Defaney
Case Administrator

RECEIVED

Division of Water Resources
Adjudication Bureau

APR 29 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS, 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-07003
_____	)	

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 57-07003 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

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				
57-07003	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/26/1967	IRRIGATION STORAGE	01-01 12-31	146.0	AFY LICENSE
			IRRIGATION FROM STORAGE	04-15 10-15	146.0	AFY
			DIVERSION TO STORAGE	01-01 12-31	3.2	CFS
			IRRIGATION	04-15 10-15	2.89	CFS
					~~2191~~	~~CFS~~
					505.8	AFY
					~~50913~~	~~AFY~~
			TOTAL QUANTITY:		3.2	CFS
			TOTAL VOLUME:		651.8	AFY
					~~65513~~	~~AFY~~
POINT OF DIVERSION:						
	T01S R05W S30	NESW (R)				
	S31	NENW (R)				
		NWSE (R)				
		SESE (R)				
	T02S S04	NWSE				
	S05	SWNE (I)				
		SENE (R)				
PLACE OF USE: IRRIGATION STORAGE						
	T01S R05W S30	SENE 0.5				
	T02S R05W S05 Lot 3 (NENW) 2.0	Lot 4 (NWNW) 10.0	SENE 2.0			
	14.5 ACRES TOTAL					
<u>PLACE OF USE: IRRIGATION FROM STORAGE</u>						
<u>SAME AS OTHER USE</u>						
<u>PLACE OF USE: DIVERSION TO STORAGE</u>						
<u>SAME AS OTHER USE</u>						
PLACE OF USE: IRRIGATION						
	T01S R05W S31	NENW 5.5	SENE 0.5	NESE 5.5	SESE 2.0	
	S32	NESW 25.0	NWSW 25.0	SWSW 14.0	SESE 33.0	
	T02S R05W S05 Lot 2 (NWNE) 13.0	SWNE 1.0	Lot 3 (NENW) 20.0			
	~~T01S R05W S32~~	~~SWSE 11.0~~				
	144.5 ACRES TOTAL					
	~~1114513 ACRES TOTAL~~					
REMARKS: RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.						
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07082 AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE						
<u>USE VOLUME OF 753.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL</u>						
<u>OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.</u>						
~~USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL~~						
~~OF 317.5 ACRES IN A SINGLE IRRIGATION SEASON.~~						
POINT OF INJECTION INTO LITTLE MCBRIDE CREEK.						
POINTS OF REDIVERSION FROM LITTLE MCBRIDE AND MCBRIDE CREEKS.						
USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A TOTAL						
COMBINED STORAGE VOLUME OF 146.0 AF.						
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS						
<u>LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.</u>						
~~LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.133 CFS.~~						

MICROFILMED
MAR 02 1998

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)

Case No. 39576

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

Subcase No. 57-07003-0001

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 - 07003 .

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 S32 SWSE 1.0 acre.

MICROFILMED

MAR 02 1998

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 2.91 cfs to 2.89 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

MICROFILMED
MAR 8 2 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

MICROFILMED
MAR 02 1998

AJ5856NP

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

DATE: MAR-25-1994
PAGE: A-5

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

57-07003 CONTINUED

USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A TOTAL
COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.35 CFS.

6.03

MICROFILMED
MAR 02 1998
MICROFILMED
MAR 02 1998

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-25-1994
PAGE: A-4

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				
57-07003	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/26/1967	IRRIGATION STORAGE	01-01 12-31	146.0	AFY LICENSE
			IRRIGATION FROM STORAGE	04-15 10-15	146.0	AFY
			DIVERSION TO STORAGE	01-01 12-31	3.2	CFS
			IRRIGATION	04-15 10-15	2.91	CFS
			TOTAL QUANTITY:		509.3	AFY
					3.2	CFS
					655.3	AFY

Handwritten calculations:
 146.0 + 146.0 + 3.2 + 2.91 = 298.11
 298.11 + 509.3 = 807.41
 807.41 + 3.2 = 810.61
 810.61 + 655.3 = 1465.91

POINT OF DIVERSION:

T02S R05W S04	NWSE
S05	SWNE (1)
T01S R05W S30	NESW (R)
S31	NENW (R)
	NWSE (R)
	SESE (R)
T02S R05W S05	SENE (R)

PLACE OF USE: IRRIGATION STORAGE

T01S R05W S30	SENE 0.5
T02S R05W S05 Lot 3 (NENW) 2.0	Lot 4 (NWNW) 10.0
14.5 ACRES TOTAL	SENE 2.0

PLACE OF USE: IRRIGATION FROM STORAGE

SAME AS OTHER USE

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION

T01S R05W S31	NENW 5.5	SENE 0.5	NESE 5.5	SESE 2.0
S32	NESW 25.0	NWSW 25.0	SWSW 14.0	SESW 33.0
	SWSE 1.0			

144.5 T02S R05W S05 Lot 2 (NWNW) 13.0 SWNE 1.0 Lot 3 (NENW) 20.0
 145.5 ACRES TOTAL

REMARKS: RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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.

POINT OF INJECTION INTO LITTLE MCBRIDE CREEK.

POINTS OF REDIVERSION FROM LITTLE MCBRIDE AND MCBRIDE CREEKS.

MICROFILMED
MAR 0 2 1998753.8
301.5

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582363
BLM NUMBER: 5701582363
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	LITTLE MCBRIDE CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHEN DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
WILDLIFE STORAGE	0.000	0.40	0101	1231
STOCKWATER STORAGE	0.000	4.10	0101	1231
STOCKWATER FROM STORAGE	0.000	4.10	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:	0.000 CFS	4.50 AF		

NON-IRRIGATION USES

S/ 280 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	05W	32		SW	SE	00	OWYHEE
02S	05W	05				01	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
01S	05W	32	SW	SE	00	OWYHEE		0.0

MICROFILMED
MAR 8 2 1980

BLM NUMBER: 5701582363

PAGE: 2

02S	05W	05			01	OWYHEE	0.0
01S	05W	32	SW	SE	00	OWYHEE	0.0
02S	05W	05			01	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582345
BLM NUMBER: 5701582345
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	LITTLE MCBRIDE CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.090	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.090	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.110 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 343 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
---	---	---	---	---	---	---	---	---
01S	05W	33		SE	NW	00	OWYHEE	
01S	05W	32		SW	SE	00	OWYHEE	
02S	05W	04		NE	SW	00	OWYHEE	
01S	05W	34		SE	NW	00	OWYHEE	
01S	05W	33		SE	NW	00	OWYHEE	
01S	05W	32		SW	SE	00	OWYHEE	

MICROFILMED
MAR 02 1984

01S	05W	33	NE	SW	00	OWYHEE	0.0
01S	05W	33	NW	SW	00	OWYHEE	0.0
01S	05W	33	SW	SW	00	OWYHEE	0.0
01S	05W	32	SE	SE	00	OWYHEE	0.0
01S	05W	32	SW	SE	00	OWYHEE	0.0
02S	05W	04	NE	SW	00	OWYHEE	0.0
02S	05W	04	SE	NW	00	OWYHEE	0.0
02S	05W	04	SW	NW	00	OWYHEE	0.0
02S	05W	04			04	OWYHEE	0.0
01S	05W	34	SW	NW	00	OWYHEE	0.0
01S	05W	34	SE	NW	00	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874MICROFILMED
MAR 02 1998

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 1996

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

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

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. 57-07003
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED

MAR 02 1993

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)

OBJECTION - 1

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.

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.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

MAR 02 1998

(Over)

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~~ ^{certified} the original and ~~copies~~ ^{copy} 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

MICROFILMED
MAR 12 1998

Gary A. Maden
Signature of Objector or attorney
mailing on Objector's behalf

☒ 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

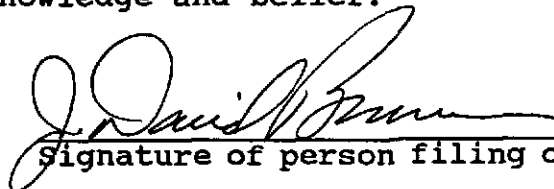
VERIFICATION (Must be Completed)

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

By: _____
(Attorney signing in
representative capacity)

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

MICROFILMED


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

CLAIM NUMBER: 57-07003

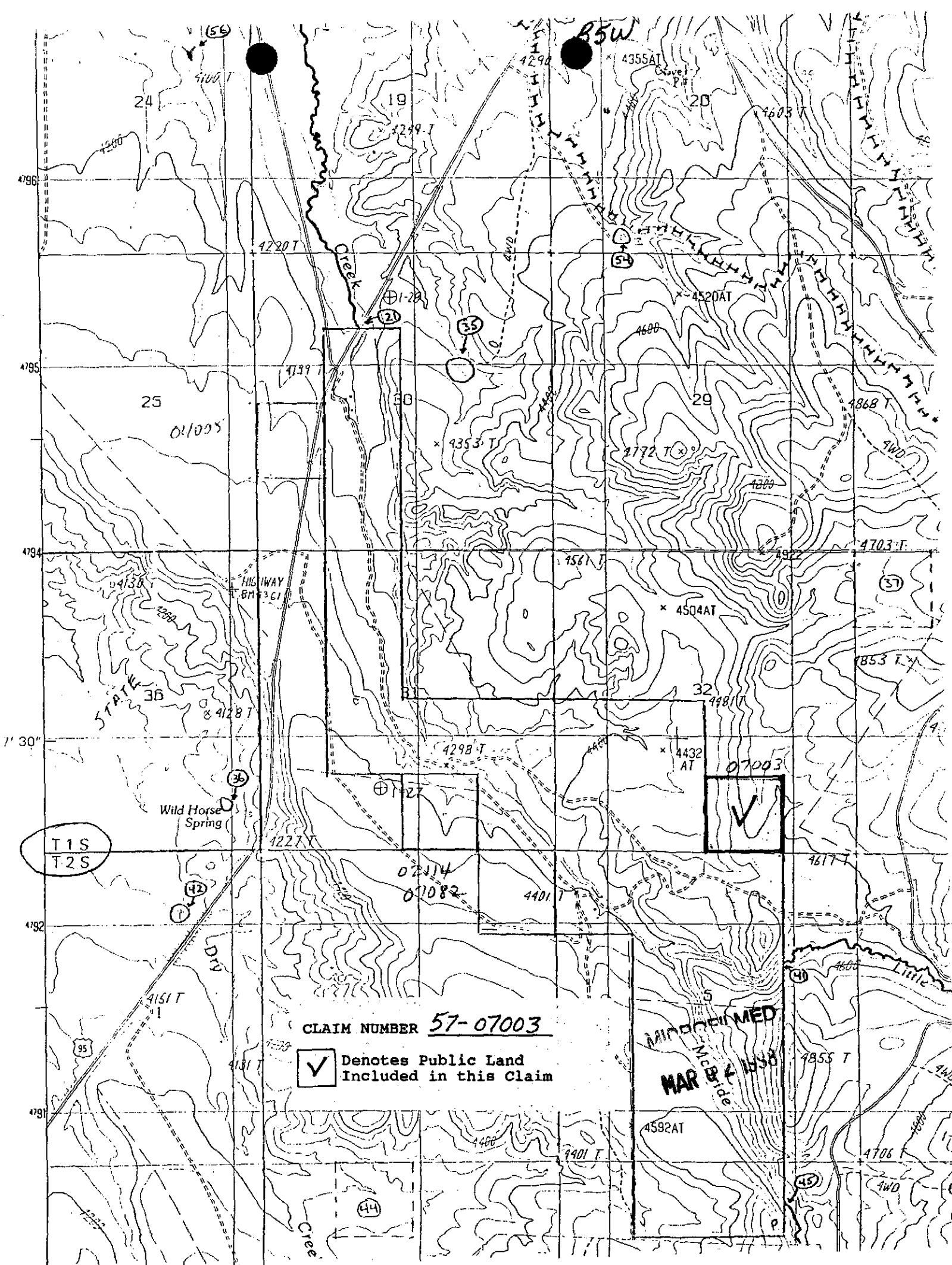
CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11103

57-11171

MICROFILMED

MAR 02 1998



CLAIM NUMBER 57-07003



Denotes Public Land
Included in this Claim

RECORDED
MAR 4 1958
McBride

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. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. |X| Source: I respond to the objection concerning the source of water.
3. |X| Quantity: I respond to the objection concerning:
4. |X| Priority Date: I respond to the objection concerning the priority date.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| 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. |X| Place of Use: I respond to the objection concerning:
10. |X| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

RECEIVED
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

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. 57-07003 -0001

The State of Idaho, ex rel.)
R. Keith Higinson 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.)

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)

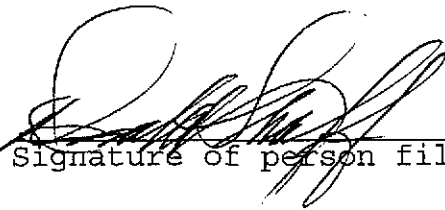
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

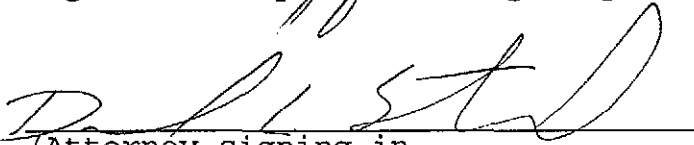
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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 23rd day of June,
1993.



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

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. The notices of claim attached to the objection were not filed with IDWR and IDWR has not recommended a water right based on these notices of claim. 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. A57-07003

3

MICROFILMED
MAR 02 1998

(Over)

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

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)

In Re the General Adjudication
of the 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.

RESPONSE TO OBJECTION

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.

RECEIVED
MAR 02 1993

(Over)

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.:

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 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 the annual volume of consumptive use.

MICROFILMED
MAR 02 1998

(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: _____

VERIFICATION (Must be Completed)

State of Idaho

County of O Canyon

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)

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

Ketan M. Pedersen
Notary Public for Idaho
Residing at: Parma
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.

(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

MICROFILMED

MAR 02 1998

Signature of Respondent or attorney
mailing on Respondent's behalf



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

R. KEITH HIGGINSON
DIRECTOR

April 26, 1995

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

MICROFILMED
MAR 02 1998

RECEIVED

MAY 02 1995

WATER RESOURCES
WESTERN REGION



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

☐ Name and Address of Former Owner/Claimant(s)(Seller): MARK D OR MARGIE SHENK
28801 SCOTT PIT RD
PARMA, ID 83660 Carl & Wilsey
Debra K Wilsey Paula J Wilsey

☒ New Owner/Claimant (Purchaser): WILSEY BROS
HCR 81
MARSING, ID 83639

☒ New Mailing Address: WILSEY BROS
HCR 81
MARSING, ID 83639

☒ New Telephone Number: (208) 337-4780

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

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.)

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

☒ Signature of Former Owner/Claimant(s): Mark D. Sherk Date 4-19-95
Margie J. Sherk 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. Sharma

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

Remarks: RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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.
POINT OF INJECTION INTO LITTLE MCBRIDE CREEK.
POINTS OF REDIVERSION FROM LITTLE MCBRIDE AND MCBRIDE CREEKS.
USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 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: 10/04/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. GRAVITY IRRIGATION FROM RESERVOIR. POINT OF DIVERSION APPEARS TO BE IN THE NWSE, SEC. 4 ON AVAILABLE MAPS, HOWEVER, AVAILABLE MAPS ARE INADEQUATE TO VERIFY, THEREFORE, CLAIM SHOULD BE CHANGED WHEN THE FIELD EXAM IS COMPLETED, IF POINT OF DIVERSION IS FOUND TO BE IN A DIFFERENT 1/41/4. JS.

Date: 06/01/1995 User-ID: KWALKER Subject: NAME CHANGE
RECEIVED NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP FORM 4/26/95, PROCESSED FORM THIS DATE. KW

Audit: 06/01/95 KWALKER

MICROFILMED
MAR 02 1996

MICROFILMED
MAR 02 1996

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	09/26/1967	IRRIGATION	04-15 10-15	2.91 CFS	509.30 AFA
C	DEBRA K WILSEY		IRRIGATION STORAGE	01-01 12-31		146.00 AFA
C	CARL L WILSEY		IRRIGATION FROM STORAGE	04-15 10-15		146.00 AFA
C	PAULA J WILSEY		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
	C/O WILSEY BROS					
	HCR 81					
	MARSING ID 83639					
	(208) 337-4780					
			TOTAL DIVERSION:		3.20 CFS	655.30 AFA

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

Water Source: LITTLE MC BRIDE CREEK

Tributary to: MC BRIDE CREEK

Stage: LICENSE

Point(s) of Diversion:	T02S R05W S04	NWSE	OWYHEE County
Point(s) of Injection:	T02S R05W S05	SWNE	OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	NESW	OWYHEE County
	S31	NENW	OWYHEE County
	T02S R05W S05	SENE	OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
01S	05W	31		01S	05W	32		02S	05W	5		01S	05W	30		
: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	
: 05			: .5	: 25			: 25	: 14			: 33	: 05			: 02	: 13.5
: 02-13			: 01	: 03-20								: 01				: 98.0
: 02-13			: 01	: 03-20								: 01				: 34.0
															TOTAL ACRES	160.0

Place of use Legal Description for: IRRIGATION STORAGE

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
01S	05W	30		02S	05W	5		01S	05W	30		02S	05W	5		
: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	: Lt Ac			: Lt Ac	
: 03-02			: 04-10	: 02												: 0.5
: 03-02			: 04-10	: 02												: 14.0

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

POU County: Owyhee

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-04005, 57-10893



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

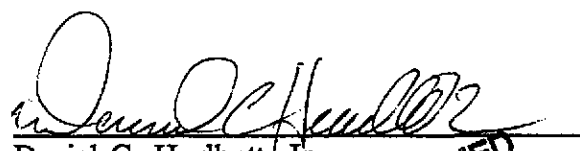
KW:k
Enclosures

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

MICROFILMED
MAR 02 1998

Department of Water Resources
Adjudication Bureau

Page 1

CERTIFICATE OF MAILING

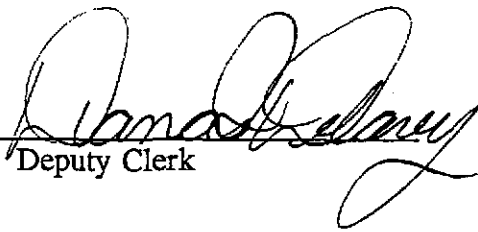
I certify that a true and correct copy of the **ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS** was mailed July 2, 1993, in an envelope with sufficient first-class postage to the following:

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

RECEIVED

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.

MICROFILMED
MAR 02 1998

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. **RECORDED**
The prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue. **MAR 02 1996**

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(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}
57-04005 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:

Wash D. Shurt 28801 SCOT PIT RD PRRM ID 85668

Margie Shurt

Wash D. Shurt
Signature of prior claimant/seller

Ed Wilsey Carl L 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: _____

MICROFILMED

☐ 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.

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

Wilsay 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 Wilby

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 83627
My Commission expires: 5/1/97

MICROFILMED

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):

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

MICROFILMED

MAR 02 1983



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: Little McBride Creek, Tributary:
McBride 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 Storage	01-01 - 12-31	146.0 AFY
Irrigation from Storage	04-15 - 10-15	146.0 AFY
Diversion to Storage	01-01 - 12-31	3.2 CFS
Storage Irrigation	04-15 - 10-15	2.89 CFS
		505.8 AFY

Total Quantity: 3.2 CFS
651.8 AFY

Use of this right with right nos. 57-02114 and 57-04005 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: 09/26/1967

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

MICROFILMED
MAR 02 1998

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:

T02S R05W S04 NWSE
S05 SWNE (I)
T01S R05W S30 NESW (R)
S31 NENW (R) NWSE (R) SESE (R)
T02S R05W S05 SENW (R)

Right no. 57-07082 is also diverted through point of diversion described above.

Point of injection into Little McBride Creek and McBride Creek.

Points of redirection from Little McBride and McBride Creeks.

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 Storage, Irrigation from Storage, Diversion to Storage and Irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Irrigation Storage	01-01 - 12-31	146.0 AFY
Irrigation from Storage	04-15 - 10-15	146.0 AFY
Diversion to Storage	01-01 - 12-31	3.2 CFS
Storage Irrigation	04-15 - 10-15	2.89 CFS
		505.8 AFY

Total Quantity: 3.2 CFS
651.8 AFY

Use of this right with right no. 57-10893 is limited to a total combined storage volume of 146.0 AF.

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.

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.

Signatures and Addresses of Parties and their Attorneys 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

Partys' Signature Date

Paul F. Holleman 10/15/96
Attorney's Signature Date

Name of Claimant:

Ed and Carl Wilsey
HCR 81
Marsing, ID 83639

Carl Wilsey 10-2-96
Ed Wilsey 10-2-96
Party's Signature Date

IDWR
Attorney's Signature Date

IDWR Concurrence: Chad L. Honsinger 08/28/96
Signature Date

MICROFILMED
MAR 02 1998

AJ5809NP
No. R57-07003

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	09/26/1967	IRRIGATION	04-15 10-15	2.89 CFS	505.80
C	MARGIE SHENK		IRRIGATION STORAGE	01-01 12-31		146.00
	28801 SCOTT PIY RD		IRRIGATION FROM STORAGE	04-15 10-15		146.00
	PARMA ID 83660		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
	(208) 722-7123					
TOTAL DIVERSION:					3.20 CFS	651.80

Water Source: LITTLE NC BRIDE CREEK

Tributary to: MC BRIDE CREEK

Stage: LICENSE

Point(s) of Diversion:	T02S R05W S04	NWSE	OWYHEE County
Point(s) of Injection:	T02S R05W S05	SWNE	OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	NESW	OWYHEE County
	S31	NENW	OWYHEE County
	T02S R05W S05	SESW	OWYHEE County
		NWSE	
		SESE	

Place of use Legal Description for: IRRIGATION

ME				NW				SW				SE									
T	R	S		NESE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	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
01S	05W	31	:					05								05				02	13.5
01S	05W	32	:									25	25	14	33						97.0
02S	05W	5	:	02-13		01		03-20													34.0
TOTAL ACRES																				159.0	

Place of use Legal Description for: IRRIGATION STORAGE

ME				NW				SW				SE								
T	R	S		NESE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01S	05W	30	:																	0.5
02S	05W	5	:					03-02	04-10		02									14.0

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

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-04005, 57-10893

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

57-02114	57-04005	57-07003	57-07082	57-10660	57-10917	A57-02114	A57-04005	A57-07003	A57-10660
A57-10917	R57-02114	R57-04005	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	R57-04005
----------	----------	----------	-----------	-----------	-----------	-----------	-----------	-----------

Remarks: GWT USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A

MICROFILM

1996 02 1880

Remarks: TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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, 57-04005, 57-07082
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

EXP RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

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

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

Comments: Date: 10/04/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. GRAVITY
IRRIGATION FROM RESERVOIR. POINT OF DIVERSION APPEARS TO BE IN
THE NWSE, SEC. 4 ON AVAILABLE MAPS, HOWEVER, AVAILABLE MAPS ARE
INADEQUATE TO VERIFY, THEREFORE, CLAIM SHOULD BE CHANGED WHEN THE
FIELD EXAM IS COMPLETED, IF POINT OF DIVERSION IS FOUND TO BE IN
A DIFFERENT 1/41/4. JS.

Date: 08/12/1996 User-ID: RMCCARTH Subject: COPIED FROM REMARKS
RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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.
POINT OF INJECTION INTO LITTLE MCBRIDE CREEK.
POINTS OF REDIVERSION FROM LITTLE MCBRIDE AND MCBRIDE CREEKS.

AJ5809NP
No. R57-07003

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 17

Comments: Date: 08/12/1996 User-ID: RMCCARTH Subject: COPIED FROM REMARKS
USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A TOTAL
COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

Audit: 04/04/94 MCCARTHY 03/30/95 POST-STD 08/12/96 RMCCARTH

MICROFILMED

MAR 02 1998

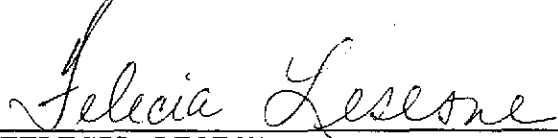
CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of October, 1996,
I caused a true and correct copy of the **Standard Form 5 - Subcase**
No: 57-07003 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

MICROFILMED
MAR 02 1998



U.S. Department of Justice

Environment and Natural Resources Division

General Litigation Section

Washington, D.C. 20530

October 17, 1996

Debbie Lash
Clerk of the Court
253 3rd Avenue, North
Twin Falls, Idaho 83301

Re: SRBA v. U.S., 39576

Dear Ms. Lash:

Enclosed for filing please find the original and one copy of each of the Standard Form 5 - Proposed Elements of a Water Right in regard to the above-captioned matter.

Opposing counsel has been served by copy of this letter and its enclosures.

Sincerely,

Paul F. Holleman by AL
Paul F. Holleman

cc:

Special Master Fritz X Hammerle
Chief, Natural Resources Division
Ed and Carl Wilsey

RECEIVED
OCT 18 1996
OFFICE OF THE
ATTORNEY GENERAL

MICROFILMED
MAR 8 2 1998

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


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

PAGE 2
12/26/96

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

MAR 2 1998

MICROFILMED

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): 57-07003

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:

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

CERTIFICATE OF MAILING

PAGE 1
12/26/96

RECEIVED

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

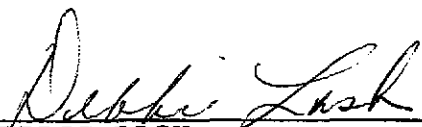
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-07003

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

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
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-07003
FILED *[Signature]*

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

RECEIVED

SOURCE: LITTLE MC BRIDE CREEK TRIBUTARY: MC BRIDE CREEK

DEC 30 1996

QUANTITY: 3.2 CFS
651.8 AFY

Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION: T02S R05W S04 NWSE Within Owyhee County
S05 SWNE (INJECTION)
T01S R05W S30 NESW (REDIVERSION)
S31 NENW (REDIVERSION)
NWSE (REDIVERSION)
SESE (REDIVERSION)
T02S R05W S05 SENW (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.89 CFS
IRRIGATION STORAGE	IRRIGATION STORAGE	01-01 12-31	505.8 AFY
IRRIGATION FROM STORAGE	IRRIGATION FROM STORAGE	Irrigation Season	146.0 AFY
DIVERSION TO STORAGE	DIVERSION TO STORAGE	01-01 12-31	146.0 AFY
			3.2 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

Section	Area	Quantity
T01S R05W S31	NENW 5.5	SENE 5.5
S32	NESW 25.0	SESE 2.0
T02S R05W S05 Lot 2 (NWNE)	13.0	SESW 33.0
144.5 ACRES TOTAL		

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

IRRIGATION FROM STORAGE Within Owyhee County

Section	Area	Quantity
T01S R05W S30	SENE 0.5	
T02S R05W S05 Lot 3 (NENW)	2.0	
Lot 4 (NWNW)	10.0	
14.5 ACRES TOTAL		

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07082
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

DATED: 12-26-96

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07003

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

PAGE 1
NOV-15-1996

MICROFILM
MAR 02 1998

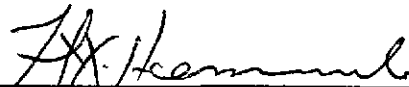
CONCLUSIONS OF LAW

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 57-07003 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 57-07003*.

DATED December 17, 1996.



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

MICROFILMED
MAR 02 1998

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:14

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

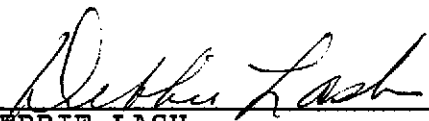
In Re SRBA	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT
Case No. 39576	)	
	)	WATER RIGHT 57-07003
_____	)	

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 57-07003 was filed on February 26, 1993 by the United States Bureau of Land Management (BLM). A response **MICROFILMED** 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 57-07003, Mark D. Shenk. **MAR 02 1996** 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.

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



DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

RECEIVED

MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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): 57-07003

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

RECEIVED

MAR 06 1997

1997 MAR -5 PM 1:18

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

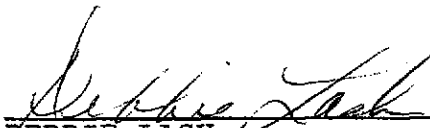
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07003

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

NOTICE OF ISSUANCE

PAGE 1
03/05/97

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)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-07003
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *DL*

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

RECEIVED

MAR 06 1997

SOURCE: LITTLE MC BRIDE CREEK
QUANTITY: 3.2 CFS
651.8 AFY

TRIBUTARY: MC BRIDE CREEK

Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.03 CFS.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION: T02S R05W S04 NWSE Within Owyhee County
S05 SWNE (INJECTION)
T01S R05W S30 NESW (REDIVERSION)
S31 NENW (REDIVERSION)
NWSE (REDIVERSION)
SESE (REDIVERSION)
T02S R05W S05 SENW (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.89 CFS
			505.8 AFY
IRRIGATION STORAGE	IRRIGATION FROM STORAGE	01-01 12-31	146.0 AFY
		Irrigation Season	146.0 AFY
DIVERSION TO STORAGE	DIVERSION TO STORAGE	01-01 12-31	3.2 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T01S R05W S31 NENW 5.5 SENW 0.5 NESE 5.5 SESE 2.0
S32 NESW 25.0 NWSW 25.0 SWSW 14.0 SESW 33.0
T02S R05W S05 Lot 2 (NWNE) 13.0 SWNE 1.0 Lot 3 (NENW) 20.0
144.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07082
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

IRRIGATION FROM STORAGE Within Owyhee County
T01S R05W S30 SENW 0.5
T02S R05W S05 Lot 3 (NENW) 2.0 Lot 4 (NWNW) 10.0 SENW 2.0
14.5 ACRES TOTAL

MICROFILMED

MAR 02 1998

DATED: 3/5/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07003

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
NOV-15-1996

CONCLUSIONS OF LAW

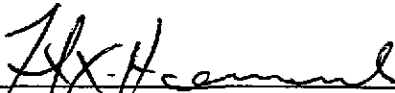
Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

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 57-07003 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 57-07003*.

DATED February 28, 1997.



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

MICROFILMED
MAR 02 1998

RECEIVED

MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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 57-07003

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 57-07003 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 57-07003, 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, 1993 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.

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): 57-07003

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 57-07003 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

MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

PAGE 1
DIANA DELANEY 04/29/97
Chief Deputy Clerk

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
FILE

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-07003
_____	)	

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 57-07003 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 8 2 1998



MANNING EQUATION-DATA COLLECTION

Claim No(s): A57-07003/07082
 Name of Claimant: Mark D. Shenk
 Name of Ditch, Canal, or Stream Name: Little McBride Ck.
 Date of Measurement: 6-18-91 Data Collected By: Kay Walker, Jan Shurte
 Measurement Location: NW 1/4 SE 1/4 Section 4 T 2S 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. <u>0</u>	<u>0 EW</u>	11. _____	_____
2. <u>.87</u>	<u>1.5'</u>	12. _____	_____
3. <u>1.21</u>	<u>3.0'</u>	13. _____	_____
4. <u>1.4</u>	<u>4.5'</u>	14. _____	_____
5. <u>1.45</u>	<u>6'</u>	15. _____	_____
6. <u>1.11</u>	<u>7.5'</u>	16. _____	_____
7. <u>0</u>	<u>10.0' EW</u>	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark (☒) Channel bottom () Land surface ()

Channel length from cross section: Upstream 113' Downstream 95'

Total channel length used for slope measurement: 208'

Rod reading at engineers level: _____

Upstream rod reading 4.475 - High Water Mark (if taken from channel bottom) _____ = 4.475

Downstream rod reading 8.46 - High Water Mark (if taken from channel bottom) _____ = 8.46

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

Are maps and/or photos attached? Yes (☒)

MICROFILMED

OCT 07 1992

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				VEGETATION			
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)				

MANNING EQUATION-DATA COLLECTION

TCH 3.91
 BCH 3.91
 1.13
 x100
 11300

Claim No(s): A57-01003, A57-07082Name of Claimant: Mark SherkName of Ditch, Canal, or Stream Name: Little McBride CrDate of Measurement: 6-18-91 Data Collected By: Ray & Jan & Val & JohnMeasurement Location: 1/4 1/4 Section T R

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. <u>.87</u>	<u>1.5</u>	11. _____	_____
2. <u>1.21</u>	<u>3'</u>	12. _____	_____
3. <u>1.4</u>	<u>4.8</u>	13. _____	_____
4. <u>1.45</u>	<u>6'</u>	14. _____	_____
5. <u>1.11</u>	<u>7.5'</u>	15. _____	_____
6. <u>0</u>	<u>10'</u>	16. _____	_____
7. _____	_____	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark ☒ Channel bottom () Land surface ()Channel length from cross section: Upstream 113' Downstream 95'Total channel length used for slope measurement: 208'

Rod reading at engineers level: _____

Upstream rod reading 4.475 - High Water Mark (if taken from channel bottom) (at high water mark) = 4.475Downstream rod reading 8.46 - High Water Mark (if taken from channel bottom) = 8.46Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

MICROFILMED

OCT 07 1992

TCH 8.94 .95
 BCH 7.99

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(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	X	(3)	medium	.015		(3)
severe	.020		(4)		.020	X	(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			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Measured ditch & slope with engineer's level and tape. Ditch was 10' wide, 1 1/2' deep. Took slope readings 208' apart. Measurement of ditch & slope made 6/18/91. Very little flow in creek at this time.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

#1 Mannings = 37.26 cfs (see attached)

#2 Mannings = 8.23 cfs (see attached)

2. Alternate Method for Checking Purposes:

see "attachment C" for live flow calculations.

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 145.5 \times 3.5 = 509.3 \text{ AF}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

MICROFILMED

OCT 07 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Permit was interpreted to allow for live flow and storage.

Recommend waiver of measuring device-system washed out each year during high flows. No other irrigators on this creek.

Storage facility is King Dams - facility volume = 300 AF. See also 57-07082.

No exam fee required - exam attempted prior to '86.

BLM right-of-way #I-1889 for ditch and reservoir.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrig.	4-1	11-1	2.91	509.3
Irrig. Storage	1/1	12/31	—	146.0
Irrig. from Storage	4-1	11-1	—	146.0
Div. to Storage	1/1	12/31	3.2	—
Totals:			3.2	~~146.0~~

water resource standard

655.3

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Kay Walker

Signature

Kay Walker

Certification Date

Field Report Preparation Date

11-5-91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

OCT 07 1992

ATTACHMENT TO EXAM OF PERMIT 57-07003

POINTS OF REDIVERSION:

1S	5W	30	NESW
		31	NENW
		31	NWSE
		31	SESE
2S	5W	05	SESW

MICROFILMED

OCT 07 1994

Claims A57-02114/04005/07003/07082

PHOTO # 1

Picture of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 02S, Rge. 05W, from Little McBride Creek. This diversion washes out each year during spring run-off. No way to maintain a measuring device at this point.



PHOTO #2

Point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4... This is the point where his ditch flows through Willow Fork and then on into big reservoir.



MICROFILMED

OCT 07 1992

11/4/92

Claims A57-02114/04005/07003/07082

PHOTO # ~~3~~ 3

This picture is of the outlet from big reservoir. There is normally a pump mounted here to pressurize the sprinkler systems.



PHOTO # ~~4~~ 4

Picture of big reservoir. Known in dam safety files as King Dams (two dams constructed in same location).



OFILMED

7 1992

*Pictures
4/04 - c.*

Claims A57-02114/04005/07003/07082

PHOTO # ~~5~~⁵

Place of use from above big reservoir looking towards small reservoir
(Brown Dam) in background.

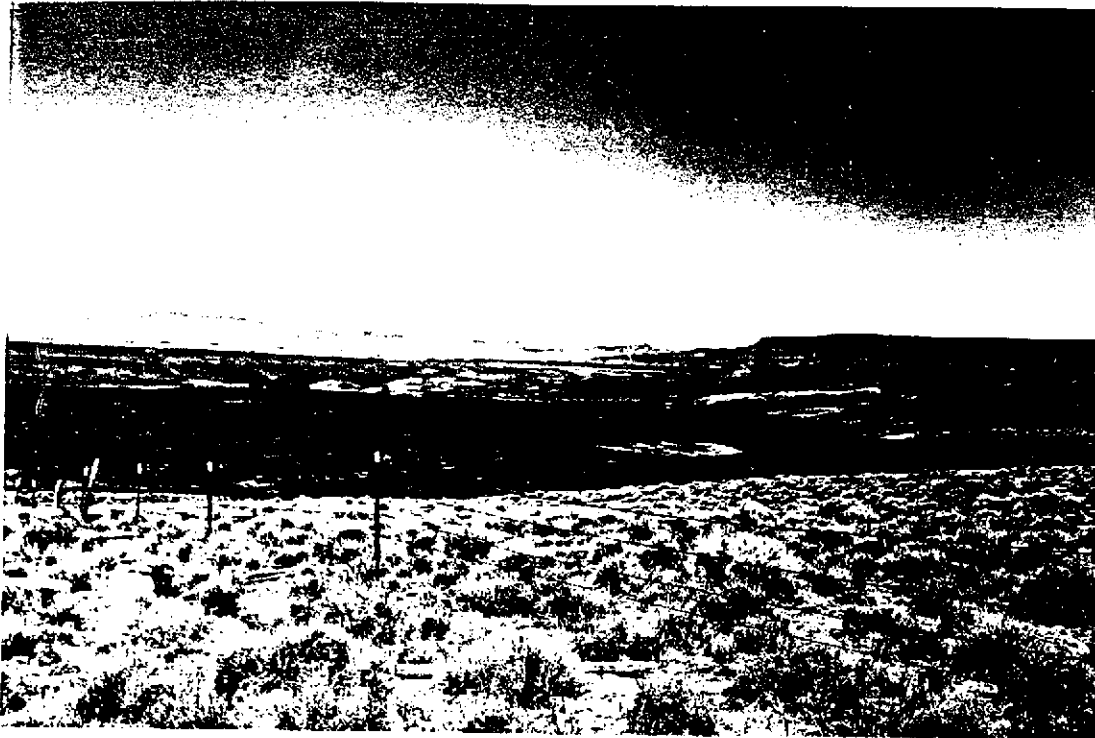


PHOTO # ~~6~~⁶

Place of use from above big reservoir looking towards small reservoir.



ED

pictures

ATTACHMENT
C

MEMORANDUM

TO: PERMITS 57-07003 AND 57-07082
FROM: STEVE LESTER
DATE: NOVEMBER 4, 1991
SUBJECT: FIELD EXAMS REVIEW - LIVE FLOW IRRIGATION FROM LITTLE MCBRIDE CREEK

Water is diverted from the source via a large canal that delivers water to King Reservoir. The measurement for the diversion to storage was 37.26 cfs (see Mannings result #1 in 57-07003). Water is released from storage into two ditches. Under certain conditions, the released water is considered as live flow irrigation.

From King Reservoir, the north ditch has a 70 hp. pump to pressurize the system for sprinkler irrigation. Water can also continue down the ditch and empty into Brown Reservoir. The south ditch utilizes gravity flow and injects water back into Little McBride Creek, and a redirection from the creek provides gravity flow irrigation. Both ditches can deliver water to the downstream reservoir known as Brown Reservoir. Remark: Water is stored in King and Brown Reservoirs.

The limiting factor for live flow irrigation from the creek is not the large canal leading to the first reservoir. Rather, the limitation is the capacity of the north and south ditches delivering water from the reservoir to the acres.

North ditch capacity: select one of two methods below.

a) HP equation where $hp = 70$ psi assumed 60 lift assumed 10' eff = 70%

$$Q = [(8.8)(70)(.7)] / [(2.31)(60)+10] = 2.90 \text{ cfs}$$

b) or assume that ditch is similar to south ditch and use that value for capacity.

South ditch capacity: measured 8.23 cfs (see Mannings results #2 in 57-07082)

Total live flow capacity: $8.23 \text{ cfs} + (2.90 \text{ or } 8.23) \text{ cfs} = 11.13 \text{ or } 16.46 \text{ cfs}.$

No live flow P/D overlap is needed since only one permit is recommended for live flow. Both permits are recommended for storage, and the diversion to storage greatly exceeds the recommended amounts so additional analysis is unnecessary.

Reservoir capacity is 380 a.f., and recommendations for R57-04005 (80 a.f.), 57-07003 (146 a.f.), and 57-07082 (150 a.f.) total 376 a.f. or just 4 a.f. shy of the capacity. It does not seem reasonable to require another permit for the 4 a.f.; consider it covered by the margin of error in the capacity estimate (where $4/380 = 1\%$). Also, an additional SRBA claim is being filed for another source(s) that delivers water to King and thus Brown Reservoirs.

MICROFILMED

OCT 7 1992

SUMMARY SHEET

BASIN : 57
DAM NUMBER : 7003A1
E OF DAM : KING WEST
COUNTY : OWYHEE
STREAM : LITTLE McBRIDE CREEK (OS)
REGION : W
PURPOSE : 1
RISK_CATAGORY : 2
SIZE_CATAGORY : 2
QUARTER_QUARTER_SEC : NWNE
SECTION : 05
TOWNSHIP : 02S
RANGE : 05W
LATITUDE : 43.2853
LONGITUDE : 116.9546
MAP_CODE : '57-7003A1 '23000x
DAM_TYPE : EARTH
STORAGE_AC-FT : 300
HEIGHT_FT : 29.0
DRAINAGE_SQ_MI : 1.1
RES_AREA_ACRES : 28
YEAR_COMPLETED : 1969
CREST_ELEV_MSL : 4570
CREST_LENGTH_FT : 520
SPILL_TYPE : CHNAFD
SPILL_DEPTH_FT : 4.5
SPILL_CAP_CFS : 27
OUTLET_TYPE : RNFCNP
OUTLET_SIZE_IN : 12
OUTLET_CAP_CFS : 14
INFLOW_DESIGN_FLOOD : Q500
IDF_MAGNITUDE_CFS : 127
RELEASE_CAPACITY_CFS : 41
CONDITION : NA
INSPECTION_DATE : 1090
CERT_EXPIRATION : 0000
LAST_RISK_EVALUATION : 0587
L UP DATE :
CERT_ISSUE_DATE : 11-Jul-85
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

Earth
channel

GENERAL_REMARKS : DAM RAISED 5' IN 1972. LAST STORAGE CERTIFICATE EXPIRED IN 1987.

TECHNICAL_REMARKS : SPILLWAY IS ERCHAN NEAR EAST DAM. SPILLWAY & RELEASE CAP. ARE WITH 3.0' FREEBOARD. SPILLWAY WILL PASS Q500 WITH 1.5' FREEBOARD & PASS Q100 = 70 CFS WITH 2.0' FREEBOARD.

MAINTENANCE : REQUIRED : SEE LATEST APPROVAL LETTER.

RESTRICTIONS :

ALTERNATE_CONTACTS :

MICROFILMED
OCT 6 7 1982

SUMMARY SHEET

BASIN : 57
DAM NUMBER : 7003A2
E OF DAM : KING EAST
COUNTY :
STREAM :
REGION : W
PURPOSE :
RISK_CATAGORY : 2
SIZE_CATAGORY :
QUARTER_QUARTER_SEC : NENE
SECTION : 05
TOWNSHIP : 02S
RANGE : 05W
LATITUDE : 43.2824
LONGITUDE : 116.9484
MAP_CODE :
DAM_TYPE : EARTH
STORAGE_AC-FT : AUXDAM
HEIGHT_FT : 26.0
DRAINAGE_SQ_MI : 1.1
RES_AREA_ACRES : 28
YEAR_COMPLETED :
CREST_ELEV_MSL : 4570
CREST_LENGTH_FT : 960
SPILL_TYPE : ERCHAN
SPILL_DEPTH_FT : 4.5
SPILL_CAP_CFS : 27
OUTLET_TYPE : NONE
OUTLET_SIZE_IN : 0
OUTLET_CAP_CFS : 0
INFLOW_DESIGN_FLOOD : Q500
IDF_MAGNITUDE_CFS : 127
RELEASE_CAPACITY_CFS : 41
CONDITION : NA
INSPECTION_DATE : 1090
CERT_EXPIRATION : 0000
LAST_RISK_EVALUATION : 0587
LAST_UPDATE :
LAST_ISSUE_DATE : 11-Jul-85
INSPECTION_INTERVAL :
RESTRICTED :
PHASE1_INSPECT_DATE :
OPERATIONS_PLAN :
SEISMIC_ANALYSES :
ORDERS_ISSUED_DATE :
JOINT_INSPECTION :
QUADRANGLE_NUMBER : Y53
QUADRANGLE_NAME : PIUTE BUTTE
QUADRANGLE_SCALE : 024000
DAM_OWNER : DICK SHENK
ADDRESS_LINE_1 :
ADDRESS_LINE_2 :
CITY :
STATE :
ZIP_CODE : 83639 0000
PHONE_NUMBER :
AREA_CODE :
GENERAL_REMARKS : SEE 57-7003A1 FOR REMARKS.
TECHNICAL_REMARKS :
MAINTENANCE : REQUIRED : SEE LATEST APPROVAL LETTER.
RESTRICTIONS :
ALTERNATE_CONTACTS :

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582345
BLM NUMBER: 5701582345
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	LITTLE MCBRIDE CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.090	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.090	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.110 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 343 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
01S	05W	33		SE	NW	00	OWYHEE
01S	05W	32		SW	SE	00	OWYHEE
02S	05W	04		NE	SW	00	OWYHEE
01S	05W	34		SE	NW	00	OWYHEE
01S	05W	33		SE	NW	00	OWYHEE
01S	05W	32		SW	SE	00	OWYHEE

MICROFILMED
JUL 20 1994

02S	05W	04	NE	SW	00	OWYHEE
01S	05W	34	SE	NW	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0
01S	05W	33	NE	SW	00	OWYHEE		0.0
01S	05W	33	NW	SW	00	OWYHEE		0.0
01S	05W	33	SW	SW	00	OWYHEE		0.0
01S	05W	32	SE	SE	00	OWYHEE		0.0
01S	05W	32	SW	SE	00	OWYHEE		0.0
02S	05W	04	NE	SW	00	OWYHEE		0.0
02S	05W	04	SE	NW	00	OWYHEE		0.0
02S	05W	04	SW	NW	00	OWYHEE		0.0
02S	05W	04			04	OWYHEE		0.0
01S	05W	34	SW	NW	00	OWYHEE		0.0
01S	05W	34	SE	NW	00	OWYHEE		0.0
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0
01S	05W	33	NE	SW	00	OWYHEE		0.0
01S	05W	33	NW	SW	00	OWYHEE		0.0
01S	05W	33	SW	SW	00	OWYHEE		0.0
01S	05W	32	SE	SE	00	OWYHEE		0.0
01S	05W	32	SW	SE	00	OWYHEE		0.0
02S	05W	04	NE	SW	00	OWYHEE		0.0
02S	05W	04	SE	NW	00	OWYHEE		0.0
02S	05W	04	SW	NW	00	OWYHEE		0.0
02S	05W	04			04	OWYHEE		0.0
01S	05W	34	SW	NW	00	OWYHEE		0.0
01S	05W	34	SE	NW	00	OWYHEE		0.0
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0
01S	05W	33	NE	SW	00	OWYHEE		0.0
01S	05W	33	NW	SW	00	OWYHEE		0.0
01S	05W	33	SW	SW	00	OWYHEE		0.0
01S	05W	32	SE	SE	00	OWYHEE		0.0
01S	05W	32	SW	SE	00	OWYHEE		0.0
02S	05W	04	NE	SW	00	OWYHEE		0.0
02S	05W	04	SE	NW	00	OWYHEE		0.0
02S	05W	04	SW	NW	00	OWYHEE		0.0
02S	05W	04			04	OWYHEE		0.0
01S	05W	34	SW	NW	00	OWYHEE		0.0
01S	05W	34	SE	NW	00	OWYHEE		0.0
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0
01S	05W	33	NE	SW	00	OWYHEE		0.0
01S	05W	33	NW	SW	00	OWYHEE		0.0
01S	05W	33	SW	SW	00	OWYHEE		0.0
01S	05W	32	SE	SE	00	OWYHEE		0.0
01S	05W	32	SW	SE	00	OWYHEE		0.0
02S	05W	04	NE	SW	00	OWYHEE		0.0
02S	05W	04	SE	NW	00	OWYHEE		0.0
02S	05W	04	SW	NW	00	OWYHEE		0.0
02S	05W	04			04	OWYHEE		0.0
01S	05W	34	SW	NW	00	OWYHEE		0.0
01S	05W	34	SE	NW	00	OWYHEE		0.0
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0
01S	05W	33	NE	SW	00	OWYHEE		0.0
01S	05W	33	NW	SW	00	OWYHEE		0.0
01S	05W	33	SW	SW	00	OWYHEE		0.0
01S	05W	32	SE	SE	00	OWYHEE		0.0
01S	05W	32	SW	SE	00	OWYHEE		0.0
02S	05W	04	NE	SW	00	OWYHEE		0.0
02S	05W	04	SE	NW	00	OWYHEE		0.0
02S	05W	04	SW	NW	00	OWYHEE		0.0
02S	05W	04			04	OWYHEE		0.0
01S	05W	34	SW	NW	00	OWYHEE		0.0
01S	05W	34	SE	NW	00	OWYHEE		0.0
01S	05W	33	SE	NE	00	OWYHEE		0.0
01S	05W	33	SE	NW	00	OWYHEE		0.0

01S	05W	33	NE	SW	00	OWYHEE	0.0
01S	05W	33	NW	SW	00	OWYHEE	0.0
01S	05W	33	SW	SW	00	OWYHEE	0.0
01S	05W	32	SE	SE	00	OWYHEE	0.0
01S	05W	32	SW	SE	00	OWYHEE	0.0
02S	05W	04	NE	SW	00	OWYHEE	0.0
02S	05W	04	SE	NW	00	OWYHEE	0.0
02S	05W	04	SW	NW	00	OWYHEE	0.0
02S	05W	04			04	OWYHEE	0.0
01S	05W	34	SW	NW	00	OWYHEE	0.0
01S	05W	34	SE	NW	00	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

JUL 20 1994

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582363
BLM NUMBER: 5701582363
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
----- UNNAMED STREAM	----- LITTLE MCBRIDE CREEK

DESCRIPTION OF DIVERSION WORKS

EARTHEN DAM

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF US FROM	TO
-----	-----	-----	-----	-----
WILDLIFE STORAGE	0.000	0.40	0101	1231
STOCKWATER STORAGE	0.000	4.10	0101	1231
STOCKWATER FROM STORAGE	0.000	4.10	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:	0.000 CFS	4.50 AF		

NON-IRRIGATION USES

S/ 280 RANGE CATTLE W/ VAR AMOUNTS

			POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	-----	-----	-----	---	-----
01S	05W	32		SW	SE	00	OWYHEE
02S	05W	05				01	OWYHEE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	-----	-----	---	-----	-----	-----
01S	05W	32	SW	SE	00	OWYHEE		0.0

BLM NUMBER: 5701582363

PAGE: 2

02S	05W	05			01	OWYHEE	0.0
01S	05W	32	SW	SE	00	OWYHEE	0.0
02S	05W	05			01	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

JUL 20 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07003

Priority: September 26, 1967

Maximum Diversion Rate:

3.20 CFS

Maximum Diversion Volume:

655.3 AF

This is to certify, that PEARL BROWN
BURTON BROWN

STAR RT

MARSING ID 83639

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 26, 1967; and has submitted Proof of Beneficial Use on January 27, 1975. An examination indicates that the works have a diversion capacity of 45.490 cfs of water from:

LITTLE MC BRIDE CREEK

tributary to MC BRIDE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.91 CFS	509.3 AF
IRRIGATION STORAGE	01/01 to 12/31		146.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		146.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.20 CFS	
	Totals	3.20 CFS	655.3 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion

NWSE , Sec. 4, Township 02S, Range 05W
SWNE , Sec. 5, Township 02S, Range 05W
NESW , Sec. 30, Township 01S, Range 05W
NENW , Sec. 31, Township 01S, Range 05W
NWSE , Sec. 31, Township 01S, Range 05W
SESE , Sec. 31, Township 01S, Range 05W
SENW , Sec. 5, Township 02S, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	05W	31	NENW 5.5	SENW 0.5	NESE 5.5	13.5
			SESE 2			
		32	NESW 25	NWSW 25	SWSW 14	
			SESW 33	SWSE 1		98
02S	05W	5	Lot 2(NWNE) 13	SWNE 1	Lot 3(NENW) 20	34

Total number of acres irrigated: 160

MICROFILMED

OCT 07 1992

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

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: A57-07003
Date Received: 3/23/1989
Receipt No: W002460
Received By: _____

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

1. Name: MARK D SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639
AND/OR
Name: MARGIE SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639

2. Date of Priority: SEP 26, 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	30		NE	SW	R	OWYHEE
				NE	NW	R	OWYHEE
				NW	SE	R	OWYHEE
				SE	SE	R	OWYHEE
02S	05W	4		NW	SE		OWYHEE
		5		SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE

5. Description of diverting works:
DAM IN CREEK, DITCH TO KING DAMS, GRAVITY FLOW OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	11/01			146.00
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION	04/01	11/01	2.910		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) 146.00 A.F.A.

A57-07003

Page

1

MICROFILMED

JUL 20 1994

Date: 11/06/91

MICROFILMED
OCT 07 1992

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	31	NE	NW		IRR	5.5
			SE	NW		IRR	0.5
			NE	SE		IRR	5.5
			SE	SE		IRR	2.0
						Section Acres	13.5
		32	NE	SW		IRR	25.0
			NW	SW		IRR	25.0
			SW	SW		IRR	14.0
			SE	SW		IRR	33.0
			SW	SE		IRR	1.0
						Section Acres	98.0
02S	05W	5	NW	NE	2	IRR	13.0
			SW	NE		IRR	1.0
			NE	NW	3	IRR	20.0
			NE	NW	3	IRR S	2.0
			NW	NW	4	IRR S	10.0
			SE	NW		IRR S	2.0
						Section Acres	48.0
01S	05W	30	SE	NW		IRR S	0.5
						Total Acres	~~159.5~~ 160

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:
57-02114, 57-04005, 57-07082, 57-10893

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED
JUL 20 1994

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): X Mark D. Shurt Date: 11/11/91

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of November 19 91

Kathryn A. Walker
Notary Public

Seal

Residing at Boise, Id.
My Commission Expires 2-14-1993

MICROFILMED
JUL 20 1994

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

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. 57-07003
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED
JUL 20 1994

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.

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.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

JUL 20 1994

(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.

☒ 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

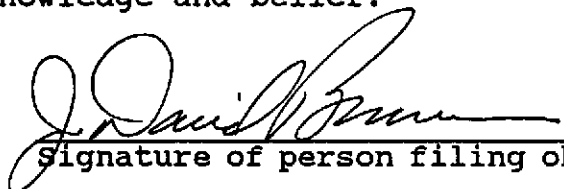
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

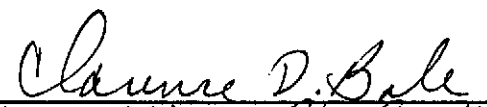
J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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

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

MICROFILMED
JUL 20 1994

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~~^{files} 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

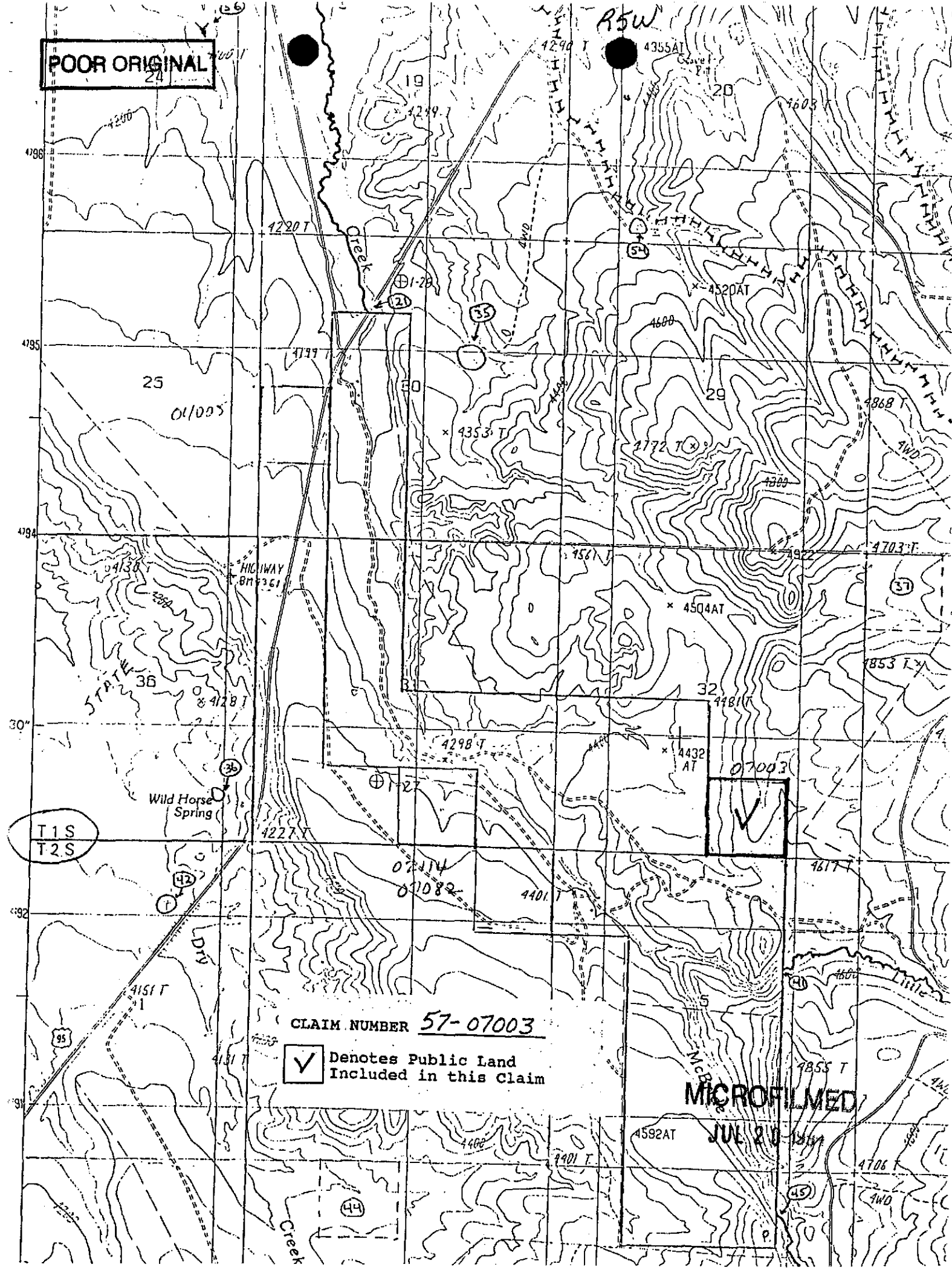
4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

POOR ORIGINAL



CLAIM NUMBER 57-07003



Denotes Public Land Included in this Claim

MICROFILMED

JUL 20 1961

CLAIM NUMBER: 57-07003

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11103

57-11171

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07003

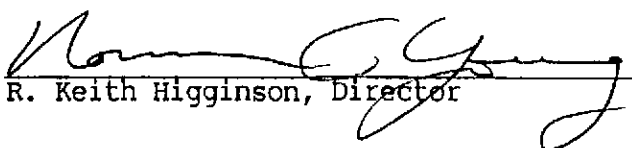
PLACE OF USE: IRRIGATION FROM STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
01S	05W	30	SENW 0.5			0.5
02S	05W	5	Lot 3(NENW) 2	Lot 4(NWNW) 10	SENW 2	14

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Point of injection is into Little McBride Creek; points of rediversion are from Little McBride and McBride Creeks.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of JULY, 1992.


Acting for R. Keith Higginson, Director

MICROFILMED

OCT 07 1992

MEMORANDUM

DATE: 28-Jul-1992 11:22

TO: FILE A57-07003

FROM: KAY WALKER

RE: CHANGES MADE WITHOUT NOTICE OF ERROR

The proposed preliminary report for this claim was printed before I found out that the license for this right had been issued. When I found out that the license had been issued, I corrected the "R" record to show the stage as license and removed the A01 condition. I sent correspondence to Mr. Shenk, along with a corrected proposed preliminary report (profile report of the "R" record) so that he knew that the Department acknowledged the issuance of the license.

MICROFILMED

OCT 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 22, 1992

RE: Water Right 57-07003

Mark D. &/or Margie Shenk
28801 Scott Pit Rd.
Parma, ID 83660

Dear Mr. and Mrs. Shenk:

Thank you for submitting the licensing amendment for the above referenced right. The license was issued on July 16th, and I did not have a chance to change the adjudication records to show that it was licensed prior to the Proposed Preliminary Report for this right was printed. You will be receiving the Proposed recommendations for each of your water rights in the mail in the next few days.

Enclosed is a corrected copy of the recommendations for Right 57-07003. This is how it will be recommended in the report that goes to the Judge in Twin Falls for final decree. Please note that I have changed the stage to show license, and I have deleted the condition that said this right had to be licensed in order to be considered complete.

If you find you have any questions or problems with the way your claims are being recommended please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kay', written over the printed name 'KAY WALKER'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

MICROFILMED

OCT 7 1992

Claim No.: A57-07003

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 From to

☐ 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

Code

Recommended Change

☒ Corrections Made 1-10-92
(date)

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

Reviewing Agent Ray Walker
(signature)

MICROFILMED
OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

B. KEITH HIGGINSON
DIRECTOR

November 6, 1991

RE: SRBA Claim Filed on Permit No. 57-07003

Mark D. &/or Margie Shenk
Star Route
Marsing, ID 83639

Dear Mr. and Mrs. Shenk:

Following my write-up of the licensing examinations of your permits, another agent in our office reviewed my recommendations and suggested that we revise Permit 57-07003 to show live flow irrigation on 145.5 acres, instead of licensing it under Permit 57-07082 with the later priority. In order for our Adjudication records to coincide with the licensing recommendations, I have prepared an Amended Notice of Claim to a Water Right No. A57-07003, which just needs to be signed in the presence of a notary public and returned to our office. We have to have the amended claim because your original claim was for only 113 acres and we will be recommending 160 acres under this right. I am sorry if this causes you any inconvenience, I realize that you just went through this for the beneficial use claim I prepared for you.

Once Claim A57-07003 is amended, we will have your whole farm covered with an inch of water per acre live flow, and storage water which covers your whole place, except the lands south of McBride Creek.

When our State Office receives the licensing recommendations on Permit Nos. 57-07003 and 57-07082 they will need to contact Mrs. Burton Brown (the permit holder of record) to amend the filings, and possibly assign the permits to you. If we cannot get the licensing amendments from Mrs. Brown you will need to provide evidence of ownership of the property. If you could send in Mrs. Brown's mailing address or a copy of something that shows you own this property, the licensing process could be expedited.

Also enclosed, for your records, you will find a copy of Claim No. A57-10893 which was submitted on Willow Fork and the unnamed streams that flow into your big reservoir. The application for permit for the diversion in Section 8, has been numbered 57-07547 and is being prepared for advertising in the Owyhee Avalanche. Enclosed you find Departmental Receipt No. W013826 in the amount of \$115.00 for the fees submitted for these filings.

MICROFILMED

OCT 07 1992

*Visited w/ Mr. Shenk
Pursuant to this
letter on 11/19/91 -
he can divert
storage water to all
lands - showed
me on map -
changed
claims.
KW*

Please return the Amended Notice of Claim No. A57-07003 by November 15th. If you have any questions in regard to this matter, or if I can be any assistance to you, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

(Deceased)
1. Owner: Burton or Pearl Brown Permit No. 57-07003
Current Address: Jordan Valley, OR (per Mr. Shenk) Phone No. _____
2. Accompanied by: Mark D. Shenk, Jan Shurte EXAM. DATE: 11-9-1990
Address: Star Rt., Marsing, ID Phone No. 337-4317
Relationship to Permit Holder: buying property
3. Source: Little McBride Ck. tributary to McBride Ck.

B. OVERLAP REVIEW

1. Other water rights with same place of use: 57-02114, 57-04005, 57-07082
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 57-07082 - to be licensed
along with this permit. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached see aerial photo

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED
OCT 07 1992

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Diversion dam in creek into ditch that flows beside the creek. Also picks up Willow Fork water which I have rec'd a B/U claim on. 4-12"x48" concrete culvert pipes which run full and wash out each spring due to high flows. Ditch flows into reservoir. Pump to pressurize water to gravity flow system & for sprinklers.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	4	2S	5W	Owyhee	ortho-photo quad, aerial photo,
Pt. of Injection:			SW	NE	5	2S	5W	" "	field exam.
~~Pt. of Injection~~			~~SW~~	~~NE~~	~~5~~	~~2S~~	~~5W~~	~~" "~~	
See attached sheet for points of redirection									

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
	2S	5W	5	L ² ₁₃	1		L ³ ₂₀												34
	1S	5W	31				5.5			0.5					5.5			2	13.5
	1S	5W	32								25	25	14	33			1		98
																			145.5
	2S	5W	5				L ³ ₂	L ⁴ ₁₀		2									14.5
	1S	5W	30							0.5									0.5
															Total =				~~159.5~~

Remark: ~~14.5~~ 14.5 acres in Sec. 5³⁰ are for storage water only. 145.5 acres are for direct flow and storage water.

MICROFILMED

OCT 07 1992

MANNING EQUATION CHANNEL CAPACITY RESULTS

6-25-91 kw
~~06-13-1990~~

File Number: A57-07003/07082
Claimant: MARK D. SHENK
Channel measured: LITTLE MCBRIDE CREEK
Date of measurement: 6/18/1991
Measurement location:
DIVERSION INTO LARGE RESERVOIR.
Calculation prepared by: KAY WALKER
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 208 feet.
The upstream and downstream rod readings are 4.47 and 8.46 feet.
The channel cross section is 9.61 ft-sq.
The wetted perimeter is 10.56 feet.
The hydraulic radius is 0.91 feet.
The slope is 0.0192
The roughness coefficient is 0.0500
The flow velocity is 3.875 ft/sec.
The rate of flow is 37.26 cfs.



This picture shows where we made our measurements of the creek and the slope. kw

MICROFILMED
OCT 07 1992

CROSS SECTION NUMBER 1

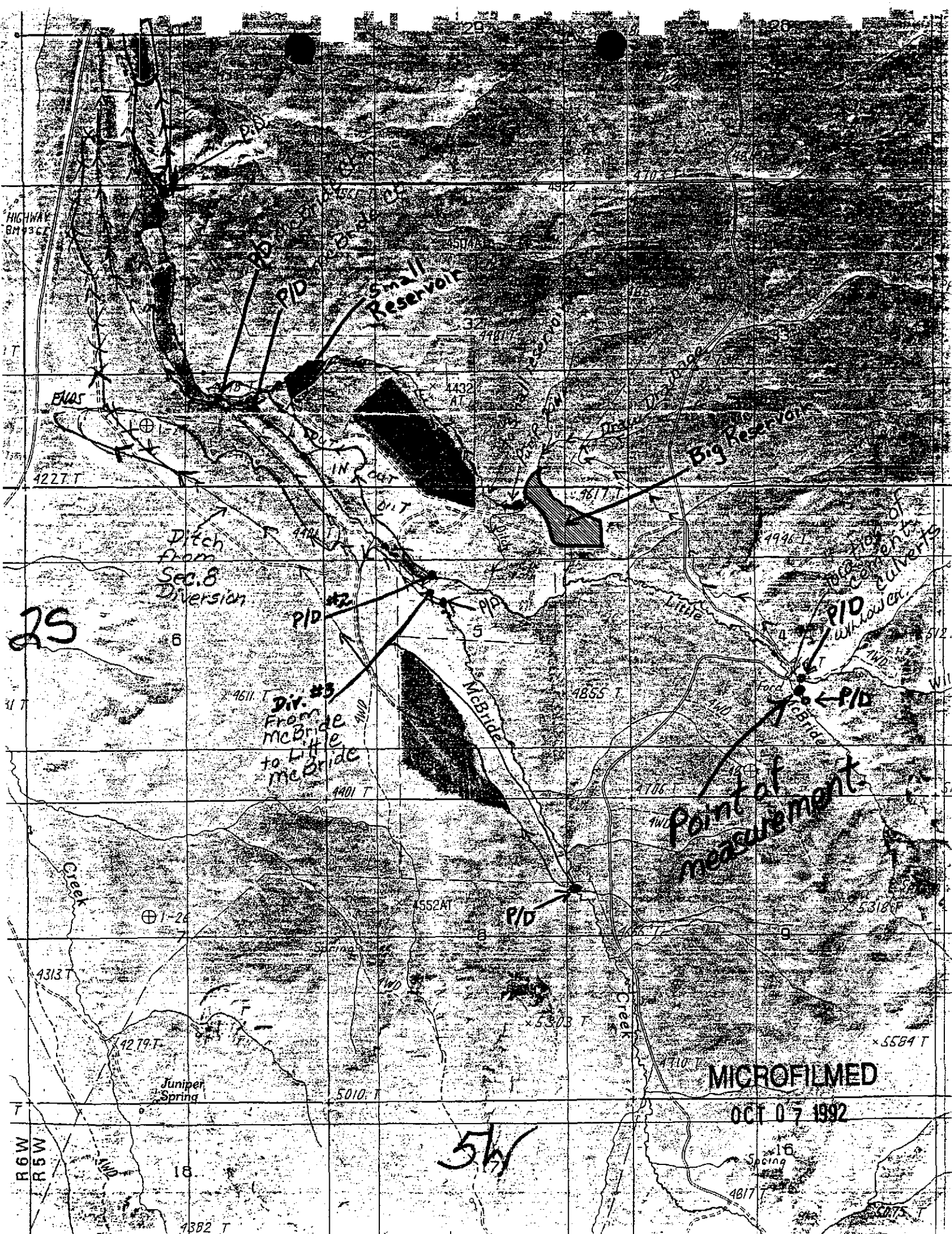
For File Number A57-07003/07082 for the LITTLE MCBRIDE CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.87	0.87	1.50
3	1.21	1.21	3.00
4	1.40	1.40	4.50
5	1.45	1.45	6.00
6	1.11	1.11	7.50
7	0.00	0.00	10.00

The area for this cross section is 9.61 square feet
and the wetted perimeter is 10.56 feet.

MICROFILMED

OCT 07 1992



#2

6-25-1991

MANNING EQUATION CHANNEL CAPACITY RESULTS

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

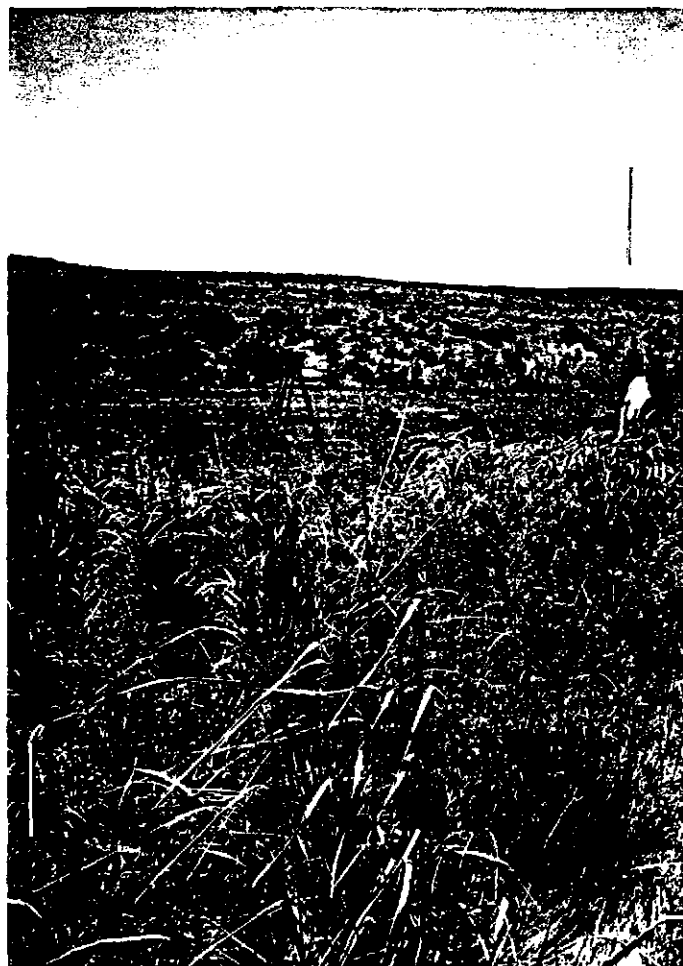
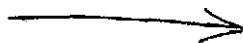
SENN

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.



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.

MICROFILMED

OCT 07 1992

Remarks: COMBINED STORAGE VOLUME OF 146.0 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114 AND 57-04005 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.35 CFS.

Dates: Exam Made Date: 11/09/1990 Verified Date: 07/28/1992

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

Comments: Date: 10/04/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. GRAVITY
IRRIGATION FROM RESERVOIR. POINT OF DIVERSION APPEARS TO BE IN
THE NWSE, SEC. 4 ON AVAILABLE MAPS, HOWEVER, AVAILABLE MAPS ARE
INADEQUATE TO VERIFY, THEREFORE, CLAIM SHOULD BE CHANGED WHEN THE
FIELD EXAM IS COMPLETED, IF POINT OF DIVERSION IS FOUND TO BE IN
A DIFFERENT 1/41/4. JS.

Audit: 07/31/91 WALKER 10/04/91 WALKER 10/07/91 WALKER 10/09/91 WALKER
10/23/91 WALKER 11/06/91 WALKER 11/15/91 WALKER 12/10/91 WALKER
12/18/91 WALKER 01/10/92 WALKER 07/22/92 WALKER 07/28/92 WALKER
07/29/92 PR-PRODM

MICROFILMED
OCT 6 7 1992

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	09/26/1967	IRRIGATION	04-15 10-15	2.91 CFS	509.3 AFA
C	MARGIE SHENK		IRRIGATION STORAGE	01-01 12-31		146.0 AFA
	28801 SCOTT PIT RD		IRRIGATION FROM STORAGE	04-15 10-15		146.0 AFA
	PARMA ID 83660		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
	(208) 722-7123					
TOTAL DIVERSION:					3.20 CFS	655.3 AFA

Water Source: LITTLE MC BRIDE CREEK

Tributary to: MC BRIDE CREEK

Stage: LICENSE

Point(s) of Diversion:	T02S R05W S04	NWSE				OWYHEE County
Point(s) of Injection:	T02S R05W S05	SWNE				OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	NESW				OWYHEE County
	S31	NENW	NWSE	SESE		OWYHEE County
	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	31	:							05								05			02	13.5
01S	05W	32	:											25	25	14	33				01	98.0
02S	05W	5	:			02-13	01			03-20												34.0
TOTAL ACRES																				160.0		

Place of use Legal Description for: IRRIGATION STORAGE

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01S	05W	30	:																		0.5
02S	05W	5	:							03-02	04-10			02							14.0

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

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: 57-07082, 57-02114, 57-04005, 57-10893

Remarks: RIGHT NO. 57-07082 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 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.
POINT OF INJECTION INTO LITTLE MCBRIDE CREEK.
POINTS OF REDIVERSION FROM LITTLE MCBRIDE AND MCBRIDE CREEKS.
USE OF THIS RIGHT WITH RIGHT NO. 57-10893 IS LIMITED TO A TOTAL

MICROFILMED
OCT 07 1992

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

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: A57-07003
Date Received: 3/23/1989
Receipt No: W002460
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARK D SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639
AND/OR
Name: MARGIE SHENK 208-337-4317
Address: STAR RT
MARSING ID 83639

2. Date of Priority: SEP 26, 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	30		NE	SW	R	OWYHEE
				NE	NW	R	OWYHEE
				NW	SE	R	OWYHEE
				SE	SE	R	OWYHEE
02S	05W	4		NW	SE		OWYHEE
				SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE

5. Description of diverting works:

DAM IN CREEK, DITCH TO KING DAMS, GRAVITY FLOW OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	11/01			146.00
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION	04/01	11/01	2.910		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) 146.00 A.F.A.

MICROFILMED
OCT 07 1992

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	31	NE	NW		IRR	5.5
			SE	NW		IRR	0.5
			NE	SE		IRR	5.5
			SE	SE		IRR	2.0

Section Acres 13.5

32	NE	SW	IRR	25.0
	NW	SW	IRR	25.0
	SW	SW	IRR	14.0
	SE	SW	IRR	33.0
	SW	SE	IRR	1.0

Section Acres 98.0

02S	05W	5	NW	NE	2	IRR	13.0
			SW	NE		IRR	1.0
			NE	NW	3	IRR	20.0
			NE	NW	3	IRR S	2.0
			NW	NW	4	IRR S	10.0
			SE	NW		IRR S	2.0

Section Acres 48.0

01S	05W	30	SE	NW		IRR S	0.5
-----	-----	----	----	----	--	-------	-----

Total Acres ~~XXXXXX~~ 160

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:
57-02114, 57-04005, 57-07082, 57-10893

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): X Mark D Shurt Date: 11/12/91

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of November 19 91

Kathryn A. Walker
Notary Public

Seal

Residing at Boise, Id.
My Commission Expires 2-14-1993

MICROFILMED
OCT 07 1992