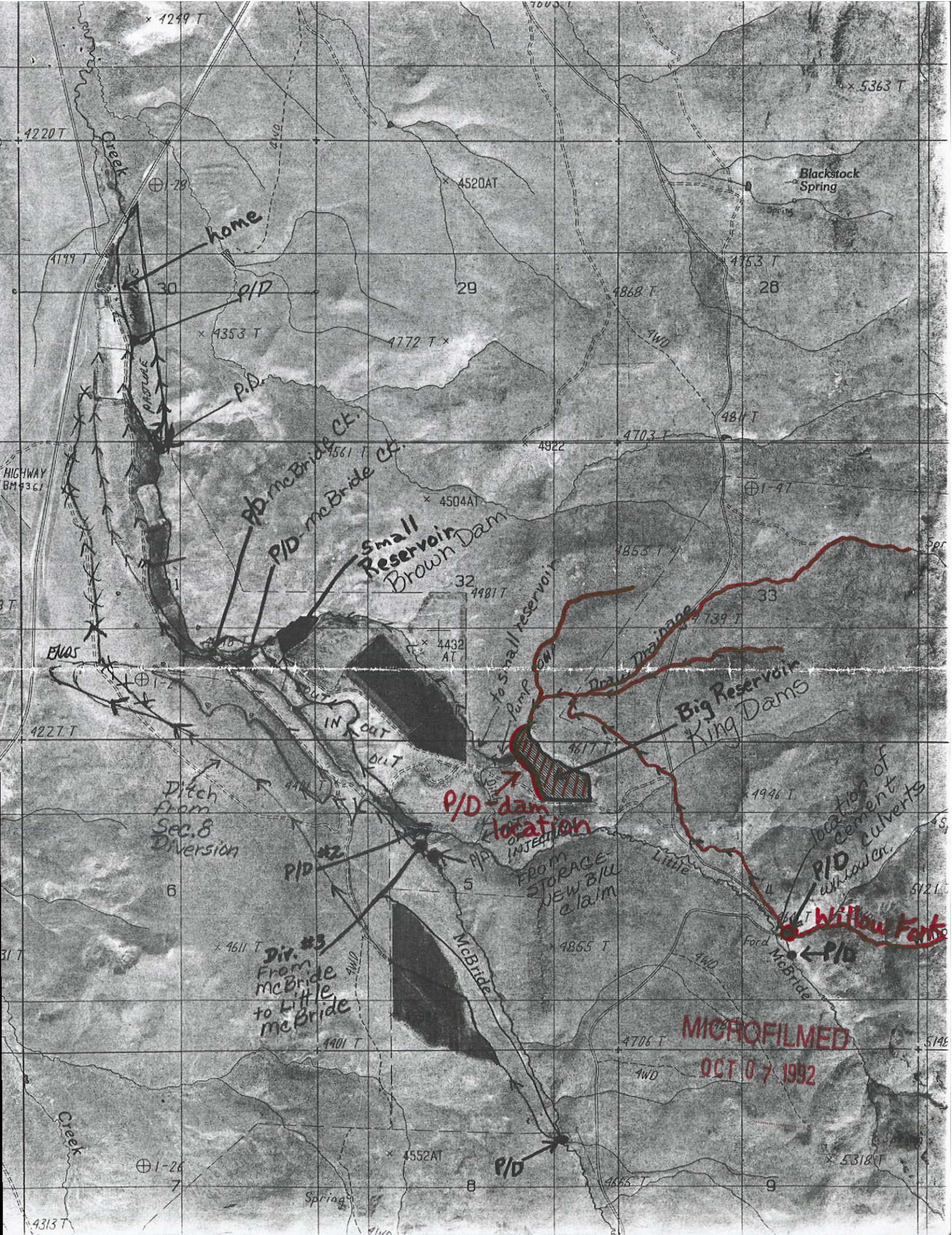




Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-07082

Legal:

T01S, R05W, S30,
31, 32

T02S, R05W, S5

Reviewed By:

Point of Diversion

2 located outside view



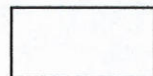
Place of Use



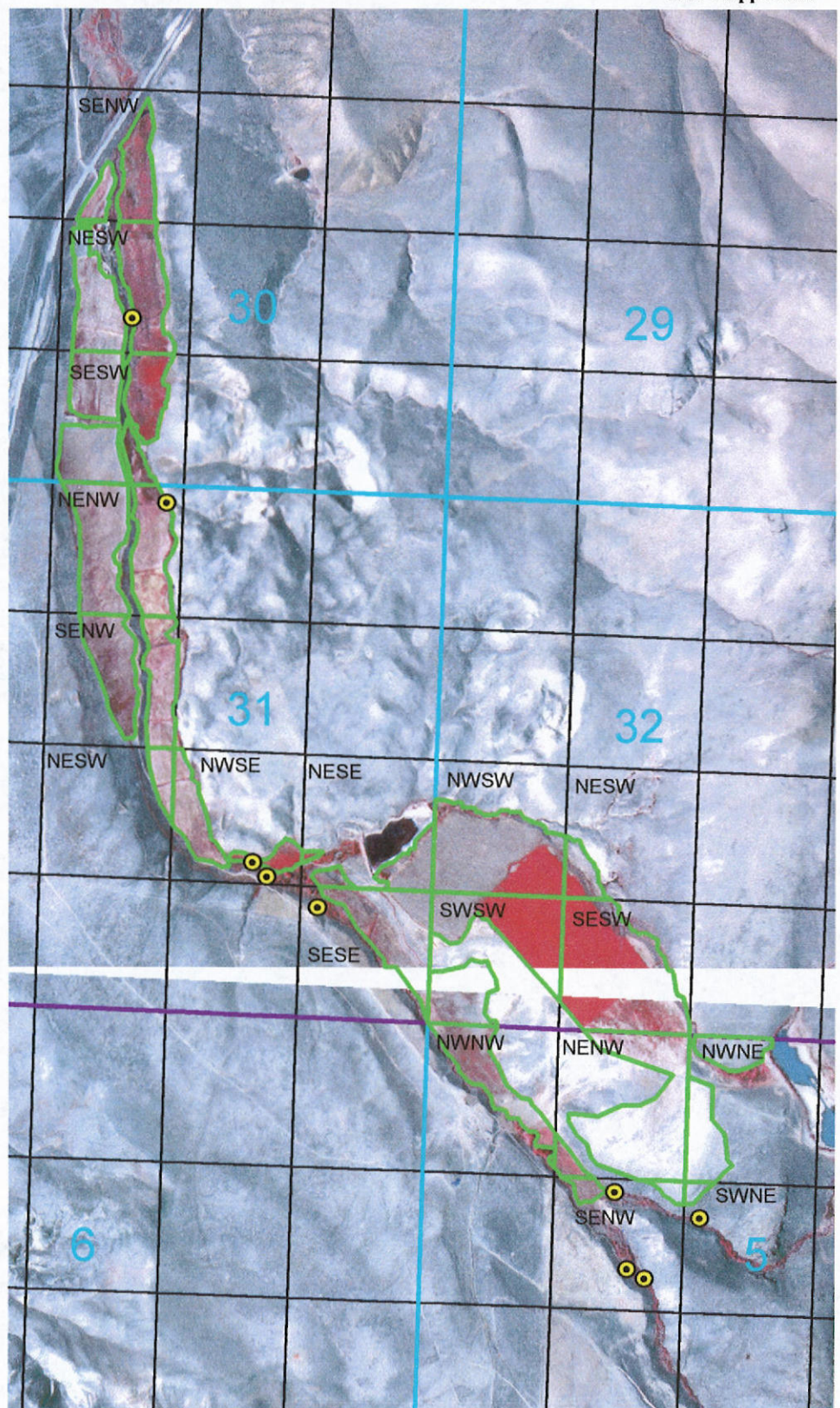
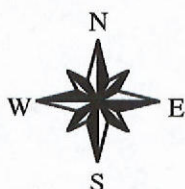
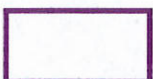
Section Lines



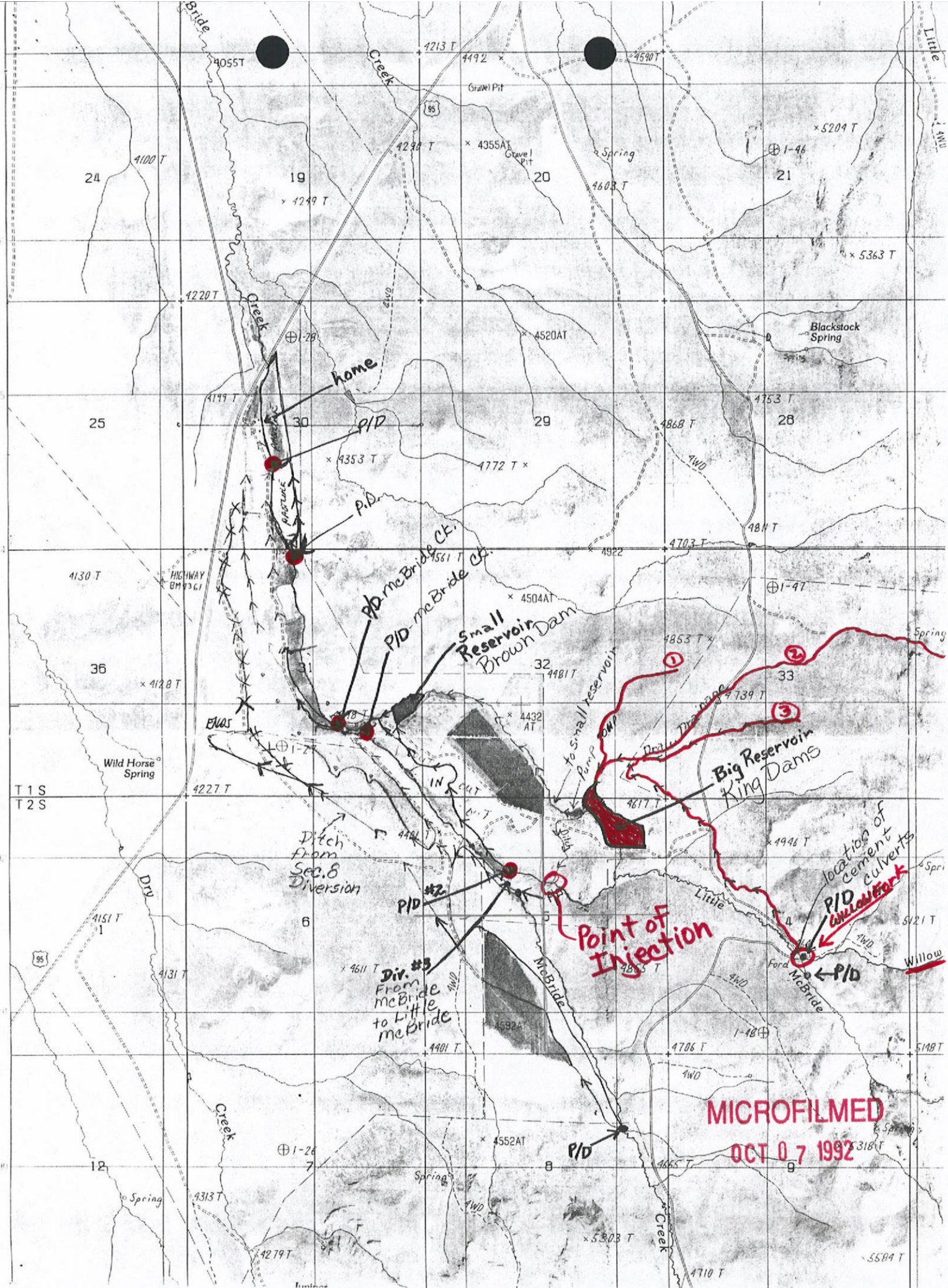
Quarter Quarter Lines

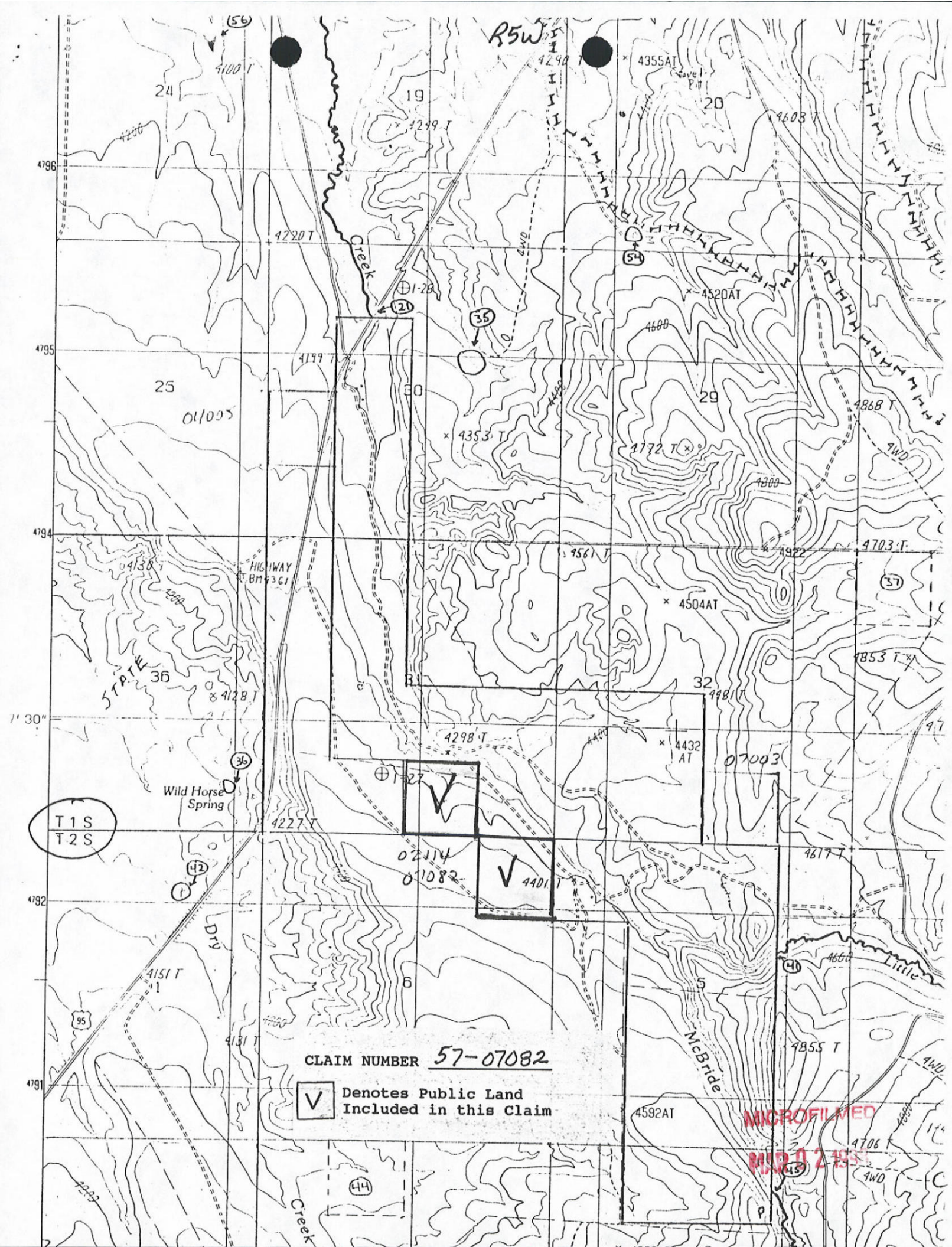


Township/Range Lines



0 0.25 0.5 0.75 1 Miles





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

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

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

My name is Ed Wilsey - Carl Wilsey

My address is HCR 81 Marsing Id. 83639

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

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

Mark D. Shurt 28801 SCOT PIT RD PITHIA ID 83660

Margie Shurt

Mark D. Shurt
Signature of prior claimant/seller

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

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

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

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

MAR 02 1998

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW		SHENK , MARK D	R57-02114 /15.0	- /			
			NE	NW		SHENK , MARK D	R57-07003 / 5.5	- /			
			NE	NW		SHENK , MARK D	R57-07082 /30.5	- /			
			NE	NW		SHENK , MARK D	R57-04005 /25.0	- /			
			NE	NW		BROWN , PEARL		L57-07003 / 5.5			
			NE	NW		BROWN , BURTON		L57-07082 /30.5			
01S	05W	31	SE	NW		SHENK , MARK D.	A57-10893 /19.5	- /	30.0		
			SE	NW		SHENK , MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	NW		SHENK , MARK D.	A57-04005 /21.0	57-04005 /21.0			
			SE	NW		SHENK , MARK D.	A57-07003 / 0.5	- /			
			SE	NW		SHENK , MARK D.	A57-02114 / 7.0	57-02114 / 7.0			
			SE	NW		SHENK , MARK D	R57-07003 / 0.5	- /			
			SE	NW		SHENK , MARK D	R57-07082 /19.5	- /			
			SE	NW		SHENK , MARK D	R57-04005 /19.0	- /			
			SE	NW		SHENK , MARK D	R57-10893 /19.5	- /			
			SE	NW		SHENK , MARK D	R57-02114 /19.0	- /			
			SE	NW		SHENK , MARK D		57-07547 / 1.0			
			SE	NW		BROWN , PEARL		L57-07003 / 0.5			
			SE	NW		SHENK , MARK D		P57-07547 / 1.0			
			SE	NW		BROWN , BURTON		L57-07082 /19.5			
01S	05W	31	NE	SW		SHENK , MARK D.	A57-10893 / 4.0	- /	4.0		
			NE	SW		SHENK , MARK D.	A57-07082 /24.0	57-07082 / 5.0			
			NE	SW		SHENK , MARK D.	A57-04005 / 3.0	57-04005 / 3.0			
			NE	SW		SHENK , MARK D	R57-04005 / 4.0	- /			
			NE	SW		SHENK , MARK D	R57-10893 / 4.0	- /			
			NE	SW		SHENK , MARK D	R57-02114 / 4.0	- /			
			NE	SW		SHENK , MARK D	R57-07082 / 4.0	- /			
			NE	SW		SHENK , MARK D		57-07547 /21.0			
			NE	SW		SHENK , MARK D		P57-07547 /21.0			
			NE	SW		BROWN , BURTON		L57-07082 / 4.0			
01S	05W	31	NE	SE		SHENK , MARK D.	A57-10893 / 7.0	- /	13.0		
			NE	SE		SHENK , MARK D.	A57-07082 /12.0	57-07082 / 5.0			
			NE	SE		SHENK , MARK D.	A57-04005 / 3.0	57-04005 / 3.0			
			NE	SE		SHENK , MARK D.	A57-07003 / 5.5	- /			
			NE	SE		SHENK , MARK D	R57-04005 / 1.5	- /			
			NE	SE		SHENK , MARK D.	A57-02114 /12.0	57-02114 /12.0			
			NE	SE		SHENK , MARK D	R57-10893 / 7.0	- /			
			NE	SE		SHENK , MARK D	R57-02114 / 1.0	- /			
			NE	SE		SHENK , MARK D	R57-07003 / 5.5	- /			
			NE	SE		SHENK , MARK D	R57-07082 / 7.0	- /			
			NE	SE		BROWN , PEARL		L57-07003 / 5.5			
			NE	SE		BROWN , BURTON		L57-07082 / 7.0			
01S	05W	31	NW	SE		SHENK , MARK D.	A57-10893 / 8.0	- /	20.0		
			NW	SE		SHENK , MARK D.	A57-07082 / 2.0	57-07082 /12.0			

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OCT 07 1992

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0			
			NW	SE		SHENK, MARK D.	R57-04005 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-10893 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-02114 / 5.0	- /			
			NW	SE		SHENK, MARK D.	R57-07082 / 8.0	- /			
			NW	SE		SHENK, MARK D.		57-07547 / 1.0			
			NW	SE		SHENK, MARK D.		P57-07547 / 1.0			
			NW	SE		BROWN, BURTON		L57-07082 / 8.0			
01S	05W	31	SW	SE		SHENK, MARK D.	A57-10893 /11.0	- /	1.0		
			SW	SE		SHENK, MARK D.	R57-10893 /11.0	- /			
			SW	SE		SHENK, MARK D.	R57-02114 /11.0	- /			
			SW	SE		SHENK, MARK D.	R57-07082 /11.0	- /			
			SW	SE		SHENK, MARK D.		57-07547 / 1.0			
			SW	SE		SHENK, MARK D.		P57-07547 / 1.0			
01S	05W	31	SE	SE		SHENK, MARK D.	A57-10893 /16.0	- /	26.0		
			SE	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			SE	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0			
			SE	SE		SHENK, MARK D.	A57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	R57-04005 / 7.0	- /			
			SE	SE		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			SE	SE		SHENK, MARK D.	R57-10893 /16.0	- /			
			SE	SE		SHENK, MARK D.	R57-02114 /14.0	- /			
			SE	SE		SHENK, MARK D.	R57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	R57-07082 /16.0	- /			
			SE	SE		BROWN, PEARL		L57-07003 / 2.0			
			SE	SE		BROWN, BURTON		L57-07082 / 9.0			
01S	05W	32	NE	SW		SHENK, MARK D.	A57-10893 /25.0	- /	3.0		
			NE	SW		SHENK, MARK D.	A57-07003 /25.0	57-07003 /40.0			
			NE	SW		SHENK, MARK D.	R57-10893 /25.0	- /			
			NE	SW		SHENK, MARK D.	A57-07082 /35.0	57-07082 /25.0			
			NE	SW		SHENK, MARK D.	R57-07003 /25.0	- /			
			NE	SW		SHENK, MARK D.	R57-07082 /25.0	- /			
			NE	SW		BROWN, PEARL		L57-07003 /25.0			
			NE	SW		BROWN, BURTON		L57-07082 /25.0			
01S	05W	32	NW	SW		SHENK, MARK D.	A57-10893 /25.0	- /	26.0		
			NW	SW		SHENK, MARK D.	A57-07082 /30.0	57-07082 /40.0			
			NW	SW		SHENK, MARK D.	A57-07003 /25.0	57-07003 /40.0			
			NW	SW		SHENK, MARK D.	R57-10893 /25.0	- /			
			NW	SW		SHENK, MARK D.	R57-07003 /25.0	- /			
			NW	SW		SHENK, MARK D.	R57-07082 /25.0	- /			
			NW	SW		BROWN, PEARL		L57-07003 /25.0			
			NW	SW		BROWN, BURTON		L57-07082 /25.0			
01S	05W	32	SW	SW		SHENK, MARK D.	A57-10893 /24.0	- /	30.0		

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SW		SHENK , MARK D.	A57-07082 /20.0	57-07082 /25.0			
			SW	SW		SHENK , MARK D.	A57-04005 / 9.0	57-04005 / 9.0			
			SW	SW		SHENK , MARK D.	A57-07003 /14.0	- /			
			SW	SW		SHENK , MARK D.	R57-04005 /10.0	- /			
			SW	SW		SHENK , MARK D.	A57-02114 /10.0	57-02114 /10.0			
			SW	SW		SHENK , MARK D.	R57-02114 /10.0	- /			
			SW	SW		SHENK , MARK D.	R57-07003 /14.0	- /			
			SW	SW		SHENK , MARK D.	R57-07082 /24.0	- /			
			SW	SW		SHENK , MARK D.	R57-10893 /24.0	- /			
			SW	SW		BROWN , PEARL		L57-07003 /14.0			
			SW	SW		BROWN , BURTON		L57-07082 /24.0			
01S	05W	32	SE	SW		SHENK , MARK D.	A57-10893 /33.0	- /	31.0		
			SE	SW		SHENK , MARK D.	A57-07082 /38.0	57-07082 /25.0			
			SE	SW		SHENK , MARK D.	R57-10893 /33.0	- /			
			SE	SW		SHENK , MARK D.	R57-07003 /33.0	57-07003 /40.0			
			SE	SW		SHENK , MARK D.	R57-07082 /33.0	- /			
			SE	SW		SHENK , MARK D.	A57-07003 /33.0	- /			
			SE	SW		BROWN , PEARL		L57-07003 /33.0			
			SE	SW		BROWN , BURTON		L57-07082 /33.0			
01S	05W	32	SW	SE		SHENK , MARK D.	A57-10893 / 1.0	- /			
			SW	SE		SHENK , MARK D.	A57-07082 / 5.0	57-07082 /15.0			
			SW	SE		SHENK , MARK D.	R57-10893 / 1.0	- /			
			SW	SE		SHENK , MARK D.	R57-07003 / 1.0	- /			
			SW	SE		SHENK , MARK D.	R57-07082 / 1.0	- /			
			SW	SE		SHENK , MARK D.	A57-07003 / 1.0	- /			
			SW	SE		BROWN , PEARL		L57-07003 / 1.0			
			SW	SE		BROWN , BURTON		L57-07082 / 1.0			
02S	05W	5	NW	NE	2	SHENK , MARK D.	A57-10893 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-10893 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-07003 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	A57-07003 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-07082 /13.0	- /			
			NW	NE	2	BROWN , PEARL		L57-07003 /13.0			
			NW	NE	2	BROWN , BURTON		L57-07082 /13.0			
02S	05W	5	SW	NE		SHENK , MARK D.	A57-10893 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-10893 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-07003 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-07082 / 1.0	- /			
			SW	NE		SHENK , MARK D.	A57-07003 / 1.0	- /			
			SW	NE		BROWN , PEARL		L57-07003 / 1.0			
			SW	NE		BROWN , BURTON		L57-07082 / 1.0			
02S	05W	5	NE	NW	3	SHENK , MARK D.	A57-10893 /22.0	- /	6.0		
			NE	NW		SHENK , MARK D.	A57-07082 / 1.0	57-07082 /25.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW		SHENK, MARK D.	A57-04005 / 2.0	57-04005 / 2.0			
			NE	NW	3	SHENK, MARK D.	A57-07003 /20.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-04005 / 2.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-10893 /22.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-02114 / 2.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-07003 /20.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-07082 /22.0	- /			
			NE	NW	3	BROWN, PEARL		L57-07003 / 2.0			
			NE	NW	3	BROWN, BURTON		L57-07082 /22.0			
02S	05W	5	NW	NW	4	SHENK, MARK D.	A57-10893 /12.0	- /	19.0		
			NW	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /20.0			
			NW	NW		SHENK, MARK D.	A57-04005 /16.0	57-04005 /16.0			
			NW	NW	4	SHENK, MARK D.	A57-07003 /10.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-04005 /10.0	- /			
			NW	NW		SHENK, MARK D.	R57-02114 /20.0	57-02114 /20.0			
			NW	NW	4	SHENK, MARK D.	R57-10893 /12.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-02114 /12.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-07003 /10.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-07082 /12.0	- /			
			NW	NW	4	BROWN, PEARL		L57-07003 /10.0			
			NW	NW	4	BROWN, BURTON		L57-07082 /10.0			
02S	05W	5	SE	NW		SHENK, MARK D.	A57-10893 / 2.0	- /	3.0		
			SE	NW		SHENK, MARK D.	A57-07082 / 2.0	- /			
			SE	NW		SHENK, MARK D.	A57-07003 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-10893 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-02114 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-07003 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-07082 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-04005 / 2.0	- /			
			SE	NW		BROWN, PEARL		L57-07003 / 2.0			
			SE	NW		BROWN, BURTON		L57-07082 / 2.0			
02S	05W	6	NE	NE		SHENK, MARK D.	A57-10893 / 3.0	- /			
			NE	NE	1	SHENK, MARK D.	R57-10893 / 3.0	- /			
			NE	NE	1	SHENK, MARK D.	R57-02114 / 3.0	- /			
			NE	NE		SHENK, MARK D.	R57-07082 / 3.0	- /			
			NE	NE		KING, E. LA VON		57-04005 / 1.0			
TOTAL ACRES						A57-10893	317.50		320.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
fw

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OCT 07 1992

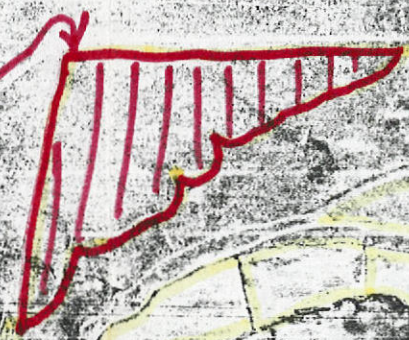
MICROFILMED
OCT 27 1996

15
25
Ditch

7477

5M

1000
0490



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: A57-10893
Date Received: 10/25/1991
Receipt No: W013826
Received By: DE-KW

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

1. Name: MARK D. SHENK
Address: STAR RT
MARSING ID 83639

AND/OR

Name: MARGIE SHENK
Address: STAR RT
MARSING ID 83639

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

2. Date of Priority: SEP 26, 1967

3. Source: WILLOW FORK
UNNAMED STREAMS

Trib. to: LITTLE MC BRIDE CREEK
LITTLE 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
		32		SW	SE		OWYHEE
02S	05W	4		NW	SE		OWYHEE
		5		NW	NE	2	OWYHEE
			NW	SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE

5. Description of diverting works:

DIVERSION DAM IN WILLOW FORK TO DITCH TO KING DAMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	~~09/15~~ 11/01			146.00

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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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	30	SE	NW		IRR S	11.5
			NE	SW		IRR S	24.0
			NW	SW	6	IRR S	1.0
			SE	SW		IRR S	24.0
						Section Acres	60.5
		31	NE	NW		IRR S	30.5
			SE	NW		IRR S	19.5
			NE	SW		IRR S	4.0
			NE	SE		IRR S	7.0
			NW	SE		IRR S	8.0
			SE	SE		IRR S	~~16.0~~ 9.0
						Section Acres	~~78.0~~ 96
		32	NE	SW		IRR S	25.0
			NW	SW		IRR S	25.0
			SW	SW		IRR S	24.0
			SE	SW		IRR S	33.0
			SW	SE		IRR S	1.0
						Section Acres	108.0
02S	05W	5	NW	NE	2	IRR S	13.0
			SW	NE		IRR S	1.0
			NE	NW	3	IRR S	22.0
			NW	NW	4	IRR S	~~10.0~~ 12
			SE	NW		IRR S	~~1.0~~ 2
2S	5W	6				Section Acres	~~47.0~~ 50

Total Acres

~~293.5~~ 317.5

11. Place of use in counties: OWYHEE

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

~~11, D.S.~~
MICROFILMED
OCT 07 1992

13. Other Water Rights Used:

57-04005, 57-02114, 57-07003, 57-07082

14. Remarks:

FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Mark D. Shunt Date: 11/19/91
_____ 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

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: A57-10893
Date Received: 10/25/1991
Receipt No: W013826
Received By: DE - kw

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

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: WILLOW FORK Trib. to: LITTLE MC BRIDE CREEK
UNNAMED STREAMS LITTLE 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
		32		SW	SE		OWYHEE
02S	05W	4		NW	SE		OWYHEE
		5		NW	NE	2	OWYHEE
			NW	SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE
				SE	NW	I	OWYHEE

5. Description of diverting works:

DIVERSION DAM IN WILLOW FORK TO DITCH TO KING DAM

MICROFILMED

6. Water is used for the following purposes:

OCT 07 1992

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

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
01S	05W	30	SE	NW		IRR S	11.5	
			NE	SW		IRR S	24.0	
			NW	SW	6	IRR S	1.0	
			SE	SW		IRR S	24.0	
		Section Acres						60.5
		31	NE	NW		IRR S	30.5	
			SE	NW		IRR S	19.5	
			NE	SW		IRR S	4.0	
			NE	SE		IRR S	7.0	
			NW	SE		IRR S	8.0	
			SW	SE		IRR S	11.0	
			SE	SE		IRR S	16.0	
		Section Acres						96.0
		32	NE	SW		IRR S	25.0	
			NW	SW		IRR S	25.0	
			SW	SW		IRR S	24.0	
SE	SW			IRR S	33.0			
SW	SE			IRR S	1.0			
Section Acres						108.0		
02S	05W	5	NW	NE	2	IRR S	13.0	
			SW	NE		IRR S	1.0	
			NE	NW	3	IRR S	22.0	
			NW	NW	4	IRR S	12.0	
		SE	NW		IRR S	2.0		
		Section Acres						50.0
		6	NE	NE		IRR S	3.0	
			Section Acres					
		Total Acres						317.5

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OCT 07 1992

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:

57-04005, 57-02114, 57-07003, 57-07082

14. Remarks:

FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1992



4313

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

Date Received

Receipt Number

RECEIVED
25mm
OCT 24 1991

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

Department of Water Resources
Western Regional Office

Please type or print clearly

- Name of Claimant (s) Mark D. &/or Margie Shenk Phone () _____
Mailing Address Star Rt., Marsing, ID Zip 83639
- Date of Priority (Only one (1) per claim) 9-26-1967
- Source of water supply (a) Willow Fork & 3 unnamed streams
which is tributary to (b) Little McBride Ck.
- a. Location of existing point of diversion is: Township 25 Range 5W Section 4 - Willow Fork
_____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee
also see remarks
Additional points of diversion if any: SWSE, Sec. 32, 1S, 5W; NWNE (GL2), Sec. 5,
25, 5W
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 10' x 1 1/2' ditch to King Dams;
Diversion dam in Willow Fork to ditch.
Unnamed streams flow directly in
no diversion works needed.

MICROFILMED

OCT 07 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

☐ All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

concentrated on the water rights
☐ Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Div. to Storage purposes from 1/1 to 12/31 amount 3.2 or _____

For Irrig. Storage purposes from 1/1 to 12/31 amount _____ or 146.0

For Irrig. from Storage purposes from 4/1 to 9/15 amount _____ or 146.0

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) 146.0 (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1S	5W	30								11.5	24	L6 1.0		24					60.5
		31					30.5			19.5	4				7	8		9	78
		32									25	25	24	33			1		108
2S	5W	5		L2 13	1		L3 22	L4 10		1									47

Total number of acres irrigated 293.5

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
A57-04005, A57-07003, A57-07082, A57-02114 or None ()

14. Remarks: Filing on water that has always been stored in this reservoir since its development.
Point of injection: NWSWNE, S5, T2S, R5W. Points of
rediversion: SENW, S5, 2S, 5W; SESE, S31, 1S, 5W; S31, 1S, 5W; NENW, S31, 1S, 5W; NESW, S30, 1S, 5W
MICROFILMED
OCT 07 1992

Last Name Shenk Ident No. A57-10893

Copies: White - State, Yellow - Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Decree ☐

If applicable provide IDWR Water Right Number

Court Case Number Decree Date

Plaintiff vs Defendant

16. Signature (s)

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

Number of attachments

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

Signature of Claimant (s) X Margie Sherk Date X 10-24-91

Date

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

Title

of , that I have signed the foregoing

Organization

document in the space below as of

Title

Organization

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

Signature of Authorized Agent

Title and Organization Date

X State of Idaho or)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 24th day of October 1991

SEAL

Notary Public Bobby L. Jones

Residing at Panna ID

My Commission Expires 8-9-97

Please Print Name

17. Notice of Appearance:

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

Signature

Address

Date

MICROFILMED
OCT 07 1992

Last Name Sherk Ident. Number A57-10893

Copies White-State, Yellow-Claimant

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: A57-10893
Date Received: 10/25/1991
Receipt No: W013826
Received By: DE-KD

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name: MARK D. SHENK
Address: STAR RT
MARSING ID

83639

AND/OR

Name: MARGIE SHENK
Address: STAR RT
MARSING ID

83639

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

2. Date of Priority: SEP 26, 1967

3. Source: WILLOW FORK
UNNAMED STREAMS

Trib. to: LITTLE MC BRIDE CREEK
LITTLE 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
		32		SW	SE		OWYHEE
02S	05W	4		NW	SE		OWYHEE
		5		NW	NE	2	OWYHEE
			NW	SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE

5. Description of diverting works:

DIVERSION DAM IN WILLOW FORK TO DITCH TO KING DAMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	3.200		
IRRIGATION STORAGE	01/01	12/31			146.00
IRRIGATION FROM STORAGE	04/01	~~09/15~~ 11/01			

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OCT 07 1992

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	30	SE	NW		IRR S	11.5
			NE	SW		IRR S	24.0
			NW	SW	6	IRR S	1.0
			SE	SW		IRR S	24.0
						Section Acres	60.5
		31	NE	NW		IRR S	30.5
			SE	NW		IRR S	19.5
			NE	SW		IRR S	4.0
			NE	SE		IRR S	7.0
			NW	SE		IRR S	8.0
			SE	SE		IRR S	~~16.0~~ ~~11.5~~
						Section Acres	~~78.0~~ 96
		32	NE	SW		IRR S	25.0
			NW	SW		IRR S	25.0
			SW	SW		IRR S	24.0
			SE	SW		IRR S	33.0
			SW	SE		IRR S	1.0
						Section Acres	108.0
02S	05W	5	NW	NE	2	IRR S	13.0
			SW	NE		IRR S	1.0
			NE	NW	3	IRR S	22.0
			NW	NW	4	IRR S	~~10.0~~ 12
			SE	NW		IRR S	~~1.0~~ 2
						Section Acres	~~47.0~~ 50
						Total Acres	~~293.5~~ 317.5

1S 5W 31 SWSE - 11 ac.

2S 5W 6 NENE - 3 ac.

11. Place of use in counties: OWYHEE

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

M.D.S.
MICROFILMED
OCT 07 1992

13. Other Water Rights Used:

57-04005, 57-02114, 57-07003, 57-07082

14. Remarks:

FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Mark D. Shurt Date: 11/19/91

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

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OCT 07 1992

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-07082

Legal:

T01S, R05W, S30,
31, 32

T02S, R05W, S5

Reviewed By:

Point of Diversion

2 located outside view



Place of Use



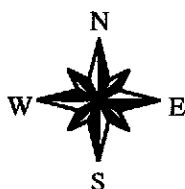
Section Lines



Quarter Quarter Lines



Township/Range Lines



0 0.25 0.5 0.75 1 Miles



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07082

Date: 6-19-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	5W	30								11.5	24			24					59.5
GIS											10	22			25					57
Claim			31					30.5			19.5	4				7	8		16	85
GIS								25			19	3				6.7	9.2		15	77.9
Claim			32									25	25	24	33					107
GIS												4	24	24	30					82
Claim	25	5W	5		2 13	1		3 22	4 12		2									50
GIS					12	1		25	11		2.7									51.7

Number of POD's 11

Total Claimed Acres: 301.5

Total GIS Acres: 268.5

Overlapping FOU Claim #'s:

57-10893, 57-04605, 57-07003

COMMENTS:

Claimant does not own all this property according to tax records

POD's - 2 pod's located on map in Sec. 4 NWSE

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-07082

1997 APR 29 PM 2:51
DISTRICT COURT - SE
TWIN FALLS CO., IDAHO

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

SOURCE: LITTLE MC BRIDE CREEK TRIBUTARY: MC BRIDE CREEK

QUANTITY: 5.00 CFS
150.0 AFY

PRIORITY DATE: 09/27/1972

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	150.0 AFY
	IRRIGATION FROM STORAGE	Irrigation Season	150.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	5.00 CFS

PLACE OF USE: IRRIGATION FROM STORAGE Within Owyhee County

Section	Acres	Section	Acres	Section	Acres	Section	Acres
T01S R05W S30	SENW 11.5	NESW 24.0	SESW 24.0				
S31	NENW 30.5	SENW 19.5	NESW 4.0	NESE 7.0			
	NWSE 8.0	SESE 16.0					
S32	NESW 25.0	NWSW 25.0	SWSW 24.0	SESW 33.0			
T02S R05W S05 Lot 2	(NWNE) 13.0	SWNE 1.0 Lot 3	(NENW) 22.0	Lot 4	(NWNW) 12.0		
	SENW 2.0						
301.5 ACRES TOTAL							

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE: 150.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

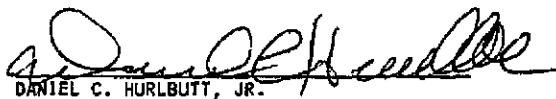
DATED: APR 29 1997


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.

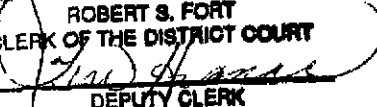
DATED: APR 29 1997



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 57-7082
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

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

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

PERIOD OF USE: 04-01 to 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

Important Information About Your Water Right

January 3, 2003

Ed Wilsey
Carl Wilsey
HCR 81
Marsing, ID 83639

RECEIVED

JAN - 6 2003

Department of Water Resources

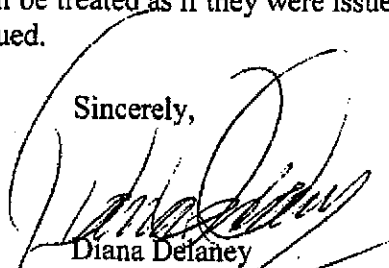
Dear Water Right Claimant(s):

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

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

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

Sincerely,



Diana Delaney
Case Administrator

RECEIVED

APR 29 1997

Department of Water Resources
Adjudication Bureau

APR 29 PM 2:34
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

) **ORDER OF PARTIAL DECREE**

) **For Water Right 57-07082**

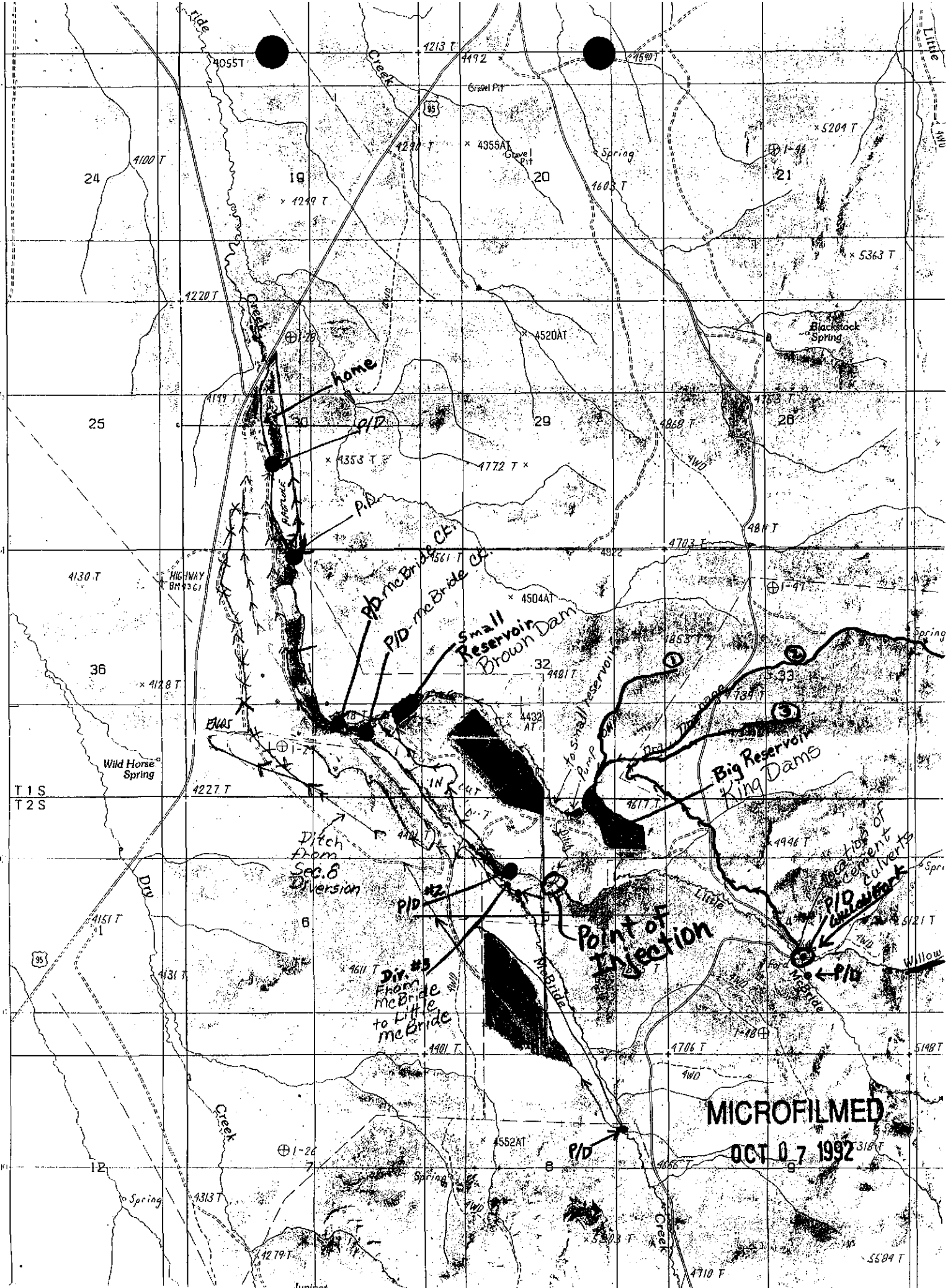
On March 5, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 57-07082 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
OCT 07 1992

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:
Margie Shenk
Name: claimant Mark D. 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

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MAR 02 1993

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. 57-07082
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

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 "box number" it supports.

MAR 02 1933

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.

(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~~^{sent by} the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Margie Shenk
Mark D. 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

Larry A. Madenford
Signature of Objector or attorney
mailing on Objector's behalf

OBJECTION - 6

MICROFILMED

MAR 02 1993

☒ 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:

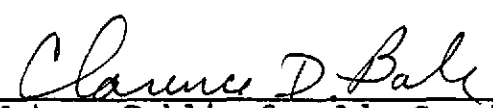
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



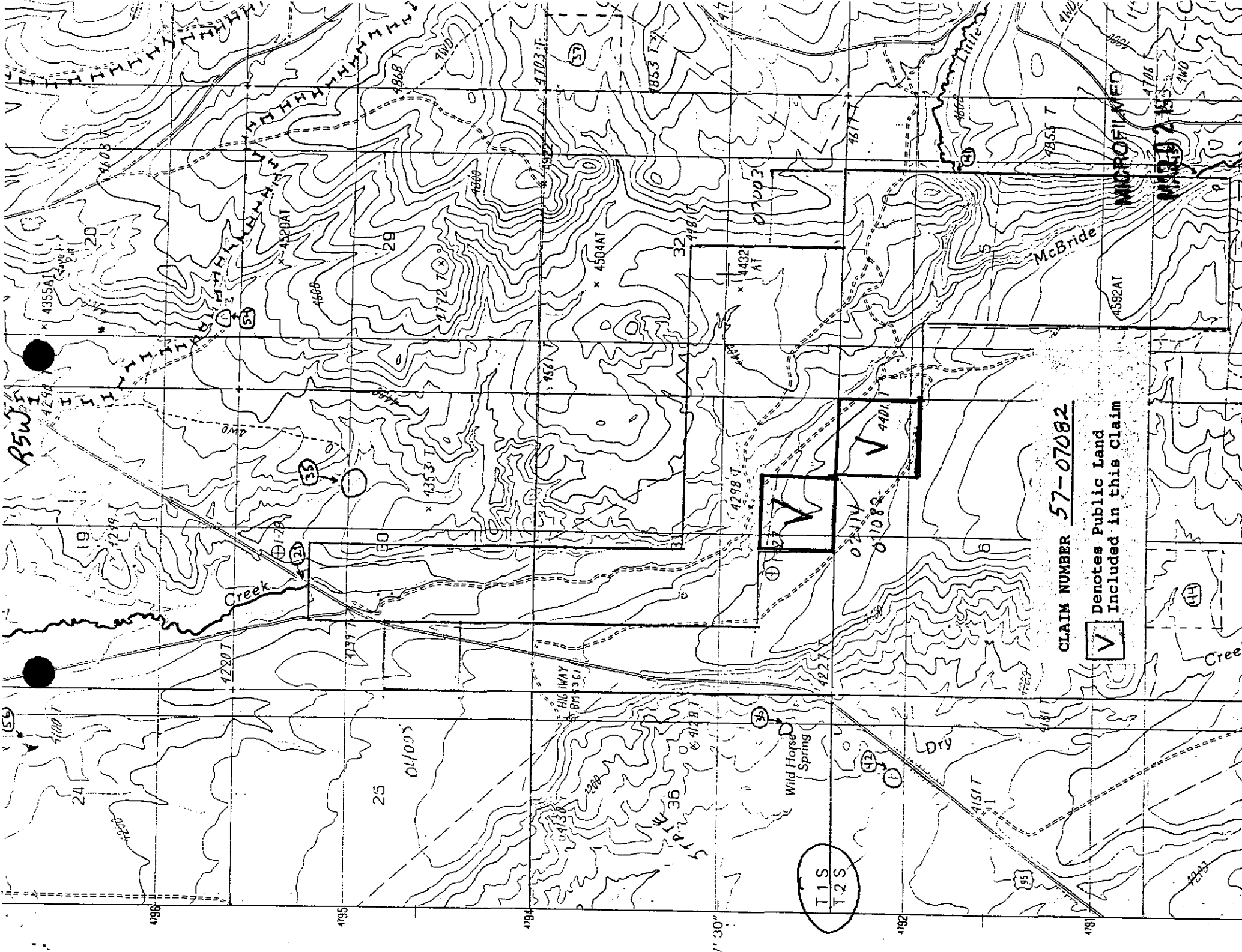
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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



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



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CLAIM NUMBER: 57-07082

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11103

57-11171

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MAR 02 1938

RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

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

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

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)

INSTRUCTIONS

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

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

MICROFILMED

(Over)

RESPONSE TO OBJECTION - 1

MAR 02 1993

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.

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 1982

(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.

Ketam Pedersen
Notary Public for Idaho
Residing at: Idaho
My Commission expires: 3-14-94

INSTRUCTIONS FOR MAILING

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

(Over)

MICROFILMED

MAR 02 1993

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: _____

Address: _____

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

Name: _____

Address: _____

4. One copy to:

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

5. One copy to:

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

Signature of Respondent or attorney
mailing on Respondent's behalf

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

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

MICROFILMED

MAR 02 1988

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. 57-07082 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

MICROFILMED

Respondents.

MAR 02 1998

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

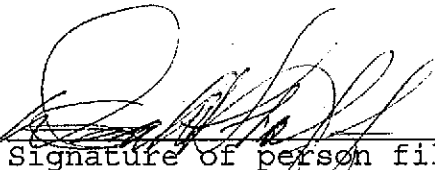
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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



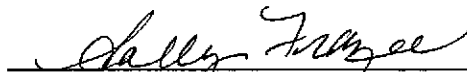
Signature of person filing response

By:



(Attorney signing in representative capacity)

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



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

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MAR 02 1998

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A57-07082

3

(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:

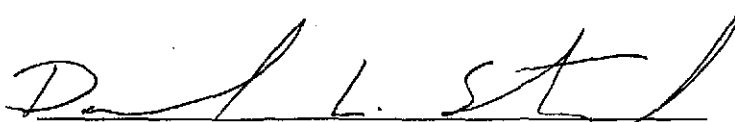
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: MARGIE & MARK D 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

April 26, 1995

R. KEITH HIGGINSON
DIRECTOR

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

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

Dear Claimants:

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region
Enclosure:
Standard Form 3

RECEIVED

MAY 02 1995

WATER RESOURCES
WESTERN REGION

MAILED

MAR 02 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

RECEIVED

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____

Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

APR 26 1995
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, 57-02003, 57-07082
57-10893

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

MARK D OR MARGIE JHEIN
28801 SCOTT PIT RD

☒ New Owner/Claimant
(Purchaser):

PARMA, SD 83646 Q 1 Wilsey
Edwin L. Wilsey Paula J. Wilsey
Debra K. Wilsey

☒ New Mailing Address:

Wilsey Bros
HCR 81

☒ New Telephone Number:

MARSING, Id 83639
(208) 337-4780

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

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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)

Edwin L. Wilsey Debra K. Wilsey Date 4-24-95
Carl L. Wilsey Paula J. Wilsey Date 4-24-95

☒ Signature of Former
Owner/Claimant(s):

Mark D. Jheine Date 4-19-95
Margie J. Jheine 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. Sherman

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

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDDIE L WILSEY	09/27/1972	IRRIGATION STORAGE	01-01 12-31		150.00 AFA
C	DEBRA K WILSEY		IRRIGATION FROM STORAGE	04-15 10-15		150.00 AFA
C	CARL L WILSEY		DIVERSION TO STORAGE	01-01 12-31	5.00 CFS	
C	PAULA J WILSEY C/O WILSEY BROS HCR 81 MARSING ID 83639 (208) 337-4780					
			TOTAL DIVERSION:		5.00 CFS	150.00 AFA
D	MARK D SHENK					
D	MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660 (208) 722-7123					

Water Source: LITTLE MC BRIDE CREEK

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	SENE		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 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	:										11	:	24	06-01		24	:	60.5
01S	05W 31	:										19	:	04				:	96.0
01S	05W 32	:											:	25	25	24	33	:	108.0
02S	05W 5	:			02-13		01	:	03-22	04-12		02	:					:	50.0
02S	05W 6	:	01-03					:					:					:	3.0

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: 57-04005, 57-07003, 57-02114, 57-10893

Remarks: RIGHT NO. 57-07003 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
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.

Remarks: POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE
AND LITTLE MCBRIDE CREEKS.

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

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

Comments: Date: 10/07/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
THE POINT OF DIVERSION FOR THE DITCH FROM THE CREEK TO THE
RESERVOIR APPEARS TO BE IN THE NWSE, SEC. 4, HOWEVER, SINCE IT
WAS IMPOSSIBLE TO VERIFY FROM THE MAPS AVAILABLE, THE POINT OF
DIVERSION SHOULD BE CHANGED ON THIS CLAIM ACCORDING TO THE FIELD
EXAMINERS FINDINGS WHEN THE FIELD EXAM IS CONDUCTED ON THIS
PERMIT. P.D. IN SEC. 8 IS USED FOR LIVEFLOW(5.0CFS)AMOUNT SHOWN.
DESCRIPTION OF DIVERTING WORKS - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION. DITCH FROM CREEK WITH PUMP IN DITCH(SEC. 8
POINT OF DIVERSION) FOR SPRINKLER IRRIGATION.

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

MAR 02 1998
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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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-25-1994
PAGE: A-6

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF
SOURCE: LITTLE MC BRIDE CREEK		TRIBUTARY: MC BRIDE CREEK				
57-07082	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/27/1972	IRRIGATION STORAGE	01-01 12-31	150.0	AFY
			IRRIGATION FROM	04-15 10-15	150.0	AFY
			STORAGE	01-01 12-31	5.00	CFS
			DIVERSION TO STORAGE			
			TOTAL QUANTITY:		5.00	CFS
					150.0	AFY

POINT OF DIVERSION:

T02S R05W S04
S05NWSE
SWNE (I)
SENE (I)
NESW (R)
NENW (R)
NWSE (R)
SESE (R)
SENE (R)T01S R05W S30
S31

T02S R05W S05

PLACE OF USE: IRRIGATION STORAGE

T01S R05W S30
S31SENE 11.5
NENW 30.5
NWSE 8.0
NESW 25.0
~~SWSE 1.0~~NESW 24.0
SENE 19.5
~~SWSE 11.0~~
NENW 25.0
SWSW 24.0SENE 24.0
NESE 7.0
SENE 33.0

T02S R05W S05

Lot 2 (NENE)13.0
SENE 2.0
Lot 1 (NENE)3.0

SENE 1.0 Lot 3 (NENW)22.0 Lot 4 (NWNW)12.0

301.5 S06 Lot 1
~~317.5~~ ACRES TOTAL

PLACE OF USE: IRRIGATION FROM STORAGE

SAME AS OTHER USE

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

REMARKS: RIGHT NO. 57-07003 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003

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.POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE
AND LITTLE MCBRIDE CREEKS.

PROFILED

MAR 22 1994

753.8

301.5

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

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. 57-07082-0001

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 - 07082 .

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 places of use should be deleted:

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MAR 02 1993

T01S R05W S31 SWSE 11.0 acres and T02S R05W S06 Lot 1 NENE 3.0 acres. *and T01S R05W 532 SWSE 1.0 acre*

530 Lot 6 (NWSE) 1.0 acre

2. In connection with the change of the places of use, the amount of water recommended shall be reduced proportionately with the reduction of acreage. The amount of water shall be reduced from _____ to _____.

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

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

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

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

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

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

Respectfully submitted,

CLAIMANT

Dated: _____

UNITED STATES OF AMERICA
on behalf of the BLM

Dated: _____

By: _____

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

Dated: _____

By: _____

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

IDAHO DEPARTMENT OF WATER RESOURCES

Dated: _____

By: _____

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

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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

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PAGE: A-1

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				
57-07082	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/27/1972	IRRIGATION STORAGE	01-01 12-31	150.0	AFY LICENSE
			IRRIGATION FROM STORAGE	04-15 10-15	150.0	AFY
			DIVERSION TO STORAGE	01-01 12-31	5.00	CFS
			TOTAL QUANTITY:		5.00	CFS
			TOTAL VOLUME:		150.0	AFY
POINT OF DIVERSION:						
	T01S R05W S30	NESW (R)				
	S31	NENW (R)				
		NWSE (R)				
		SESE (R)				
	T02S S04	NWSE				
	S05	SWNE (I)				
		SENE (R)				
		SENE (I)				
PLACE OF USE: IRRIGATION STORAGE						
	T01S R05W S30	SENE 11.5	NESW 24.0	SENE 24.0		
	S31	SENE 30.5	SENE 19.5	SENE 4.0	NESE 7.0	NWSE 8.0
	S32	SENE 16.0				
	S32	SENE 25.0	NWSE 25.0	SWSW 24.0	SENE 33.0	
	T02S R05W S05 Lot 2 (NENE)13.0	SENE 1.0	Lot 3 (NENE)22.0	Lot 4 (NENE)12.0		SENE 2.0
	~~T01S R05W S30~~ ~~Lot 1/6 (NENE)/11.0~~					
	~~S31~~ ~~SENE 11.0~~					
	~~S32~~ ~~SENE 11.0~~					
	~~T02S R05W S05~~ ~~Lot 1/1 (NENE)/11.0~~					
	<u>301.5 ACRES TOTAL</u>					
	<u>11317.5 ACRES TOTAL</u>					
PLACE OF USE: IRRIGATION FROM STORAGE						
SAME AS OTHER USE						
PLACE OF USE: DIVERSION TO STORAGE						
SAME AS OTHER USE						
REMARKS: RIGHT NO. 57-07003 IS ALSO DIVERTED THROUGH POINT OF						
DIVERSION DESCRIBED ABOVE.						
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003						
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE						
USE VOLUME OF 753.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL						
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.						
~~USE VOLUME OF 793.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL~~						
~~OF 317.5 ACRES IN A SINGLE IRRIGATION SEASON.~~						
POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE						
AND LITTLE MCBRIDE CREEKS.						

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MAR 02 1990

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

with the following conditions:

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

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

DATED July 2, 1993.


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

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MAR 02 1993

Department of Water Resources
Adjudication Bureau

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

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

VS.

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

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS

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

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

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS
7/1/93.dd

CERTIFICATE OF MAILING

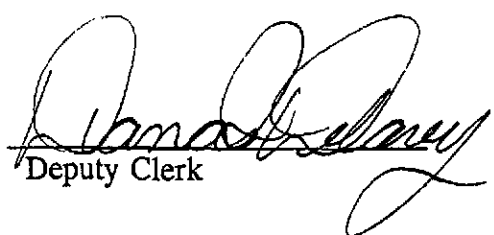
I certify that a true and correct copy of the **ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS** was mailed July 2, 1993, in an envelope with sufficient first-class postage to the following:

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

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MAR 02 1998

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.

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MAR 12 1995

CHANGE IN ADDRESS

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

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

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

My name is _____

I am the claimant of _____

(Insert each water right number)

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

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

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

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 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

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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:

Maah D. Sherk 28801 SCOT PIT RD PRIMA ID 85660

Margi Sherk

Maah D. Sherk
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: _____

- ☐ 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 ~~party~~ ^{parties} represent.

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VERIFICATION

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

State of IDAHO

County of Owyhee

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

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

Ed Wilsey

Signature of person filing form

BY: _____

Attorney signing in representative capacity

Subscribed and sworn to before me on

6-6-95

(Insert Date)

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

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

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

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

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5. One copy to:

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

6. One copy to:

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

Signature of person or attorney mailing the form

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OCT 21 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

OCT 18 1996

OFFICE OF THE
ATTORNEY GENERAL

AUG 27 1996

Department of Water Resources

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

IN Re SRBA
Case No. 39576

STANDARD FORM 5

SUBCASE NO: 57-07082

PROPOSED ELEMENTS OF A
WATER RIGHT

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

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

INSTRUCTIONS FOR USE

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

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

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

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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	150.0 AFY
Irrigation from Storage	Irrigation Season	150.0 AFY
Diversion to Storage	01-01 - 12-31	5.0 CFS

Total Quantity:	5.0 CFS
	150.0 AFY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 09/27/1972

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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MAR 02 1988

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)	SENE (I)	
T01S	R05W	S30	NESW (R)		
		S31	NENW (R)	NWSE (R)	SESE (R)
T02S	R05W	S05	SENE (R)		

Right no. 57-07003 is also diverted through point of diversion described above.

Points of injection into and points of redirection from McBride and Little 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 and Diversion to Storage

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Irrigation Storage	01-01 - 12-31	150.0 AFY
Irrigation from Storage	Irrigation Season	150.0 AFY
Diversion to Storage	01-01 - 12-31	5.0 CFS

Total Quantity:	5.0 CFS
	150.0 AFY

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

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

Within Owyhee County

T01S R05W S30	SESW 24.0	SENW 11.5	NESW 24.0		
S31	NENW 30.5	SENW 19.5	NESW 4.0	NESE 7.0	
	NWSE 8.0	SESE 16.0			
S32	NESW 25.0	NWSW 25.0	SWSW 24.0	SESW 33.0	
T02S R05W S05	Lot 2 (NWNE) 13.0		SWNE 1.0		
	LOT 3 (NENW) 22.0		LOT 4 (NWNW) 12.0		
	SENW 2.0				

301.5 acres total

Use of this right with right nos. 57-02114, 57-04005, 57-07003 and 57-10893 is limited to the irrigation of a combined total of 301.5 acres in a single irrigation season.

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

9. The annual volume of consumptive use is:

150.0 AFY

Use of this right with right nos. 57-02114, 57-04005, 57-07003 and 57-10893 is limited to a total combined annual consumptive use volume of 753.8 AF.

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

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - License

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

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

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

Name of Objector:

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

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

Party's Signature

Date

Paul F. Holleman

Attorney's Signature

10/15/96

Date

Name of Claimant:
Ed and Carl Wilsey
HCR 81
Marsing, ID 83639

Carl Wilsey *10-2-96*

Party's Signature

10-2-96

Date

NONE

Attorney's Signature

Date

IDWR Concurrence:

Charles J. Honsinger

Signature

08/28/96

Date

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MAR 02 1993

AJ5809NP
No. R57-07082

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 18

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	09/27/1972	IRRIGATION STORAGE	01-01 12-31		150.00 AFA
C	MARGIE SHENK		IRRIGATION FROM STORAGE	04-15 10-15		150.00 AFA
	28801 SCOTT PIT RD		DIVERSION TO STORAGE	01-01 12-31	5.00 CFS	
	PARMA ID 83660					
	(208) 722-7123					
			TOTAL DIVERSION:		5.00 CFS	150.00 AFA

Water Source: LITTLE MC BRIDE CREEK

Tributary to: MC BRIDE CREEK

Stage: LICENSE

Point(s) of Diversion:	TO2S R05W S04	NWSE			OWYHEE County
Point(s) of Injection:	TO2S R05W S05	SWNE	SENE		OWYHEE County
Point(s) of Re-diversion:	TO1S R05W S30	NESW			OWYHEE County
	S31	NENW	NWSE	SESE	OWYHEE County
	TO2S R05W S05	SENE			OWYHEE County

Place of use Legal Description for: IRRIGATION STORAGE

				NE				NW				SW				SE							
T	R	S	:	NESE	NWSE	SWSE	SESE	:	NENW	NWNW	SWNW	SENE	:	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	:									11	:	24			24	:					59.5
01S	05W	31	:						30			19	:	04				:	07	08		16	85.0
01S	05W	32	:										:	25	25	24	33	:					107.0
02S	05W	5	:	02-13		01		:	03-22	04-12		02	:					:					50.0

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: 57-04005, 57-07003, 57-02114, 57-10893

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 R57-07003

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
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, 57-07003
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

EXP RIGHT NO. 57-07003 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:

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AJ5809NP
No. R57-07082

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 19

Comments: Date: 10/07/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
THE POINT OF DIVERSION FOR THE DITCH FROM THE CREEK TO THE
RESERVOIR APPEARS TO BE IN THE NWSE, SEC. 4, HOWEVER, SINCE IT
WAS IMPOSSIBLE TO VERIFY FROM THE MAPS AVAILABLE, THE POINT OF
DIVERSION SHOULD BE CHANGED ON THIS CLAIM ACCORDING TO THE FIELD
EXAMINERS FINDINGS WHEN THE FIELD EXAM IS CONDUCTED ON THIS
PERMIT. P.D. IN SEC. 8 IS USED FOR LIVEFLOW(5.0CFS)AMOUNT SHOWN.
DESCRIPTION OF DIVERTING WORKS - SMALL DIVERSION DAM IN CREEK
WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR
GRAVITY IRRIGATION. DITCH FROM CREEK WITH PUMP IN DITCH(SEC. 8
POINT OF DIVERSION) FOR SPRINKLER IRRIGATION.

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

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

MICROFILMED

MAR 02 1996

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: 57-07082** 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

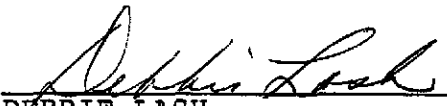
Felecia Lesesne

FELECIA LESESNE

MICROFILMED

MAR 02 1997

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



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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NOV 2 1998

PAGE 2
12/26/96

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1996 DEC 26 PM 1:13

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-07082

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

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Department of Water Resources

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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)
_____)

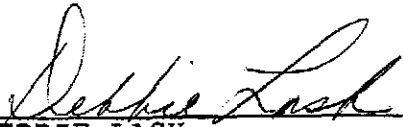
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-07082

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

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

DATED December 26, 1996.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

NOTICE OF ISSUANCE

PAGE 1
12/26/96

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

In Re SRBA

Case No. 39576

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-07082

1996 DEC 26 PM 1:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS:

ED WILSEY
CARL WILSEY
HCR 81
MARSING ID 83639

SOURCE:

LITTLE MC BRIDE CREEK

TRIBUTARY: MC BRIDE CREEK

RECEIVED

QUANTITY:

5.00 CFS
150.0 AFY

DEC 30 1996

PRIORITY DATE:

09/27/1972

Department of Water Resources

POINT OF DIVERSION:

T02S R05W S04
S05

NWSE
SWNE (INJECTION)
SENE (INJECTION)
NESW (REDIVERSION)
NENW (REDIVERSION)
NWSE (REDIVERSION)
SESE (REDIVERSION)
SENE (REDIVERSION)

Within Owyhee County

T01S R05W S30
S31

T02S R05W S05

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
DIVERSION TO STORAGE

PERIOD OF USE

01-01 12-31
Irrigation Season
01-01 12-31

QUANTITY

150.0 AFY
150.0 AFY
5.00 CFS

PLACE OF USE:

IRRIGATION FROM STORAGE Within Owyhee County

T01S R05W S30
S31

SENE 11.5
NENW 30.5
NWSE 8.0
NESW 25.0
(NWNE) 13.0
SENE 2.0

NESW 24.0
SENE 19.5
SESE 16.0
NWSW 25.0
SWNE 1.0 Lot 3

SENE 24.0
NESW 4.0

NENE 7.0

S32
T02S R05W S05 Lot 2

SWSW 24.0
(NENW) 22.0 Lot 4

SENE 33.0
(NWNW) 12.0

301.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

150.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-10893 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

DATED:

12-26-96

FRITZ X. HAEMMERLE

Special Master

Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07082

PAGE 1
NOV-15-1996

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MAR 02 1998

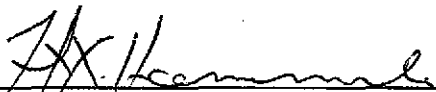
CONCLUSIONS OF LAW

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 57-07082 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 57-07082*.

DATED December 17, 1996.



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

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Department of Water Resources

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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 57-07082
	)	

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 57-07082 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 57-07082, Mark D. Shenk. BLM objected to **element 1**, Name and Address; **element 2**, Source; **element 3**, Quantity; **element 4**, Priority Date; **element 7**, Purpose of Use; **element 8**, Period of Year; **element 9**, Place of Use; **element 10**, Consumptive Use; **element 12**, Water Right Recommendation. On June 12, 1995 a *Standard Form 3 (Substitution of Party)* was filed with the court. **Element 1**, Name and Address will reflect that change and will now be Carl and Ed Wilsey. On October 18, 1996 the parties and IDWR submitted a *Standard Form 5* with the court.

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


DEBBIE LASH
Deputy Clerk

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CERTIFICATE OF MAILING

PAGE 2
03/05/97

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Department of Water Resources

1997 MAR -5 PM 1:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *[Signature]*

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): 57-07082

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

CERTIFICATE OF MAILING

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Department of Water Resources

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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

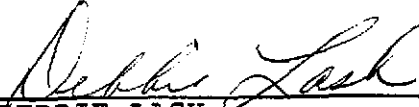
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07082

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 (A01), 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 (A01, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED March 03, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 02 1998

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

In Re SRBA)
Case No. 39576)
_____)

1997 MAR -5 PM 1:17
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-07082
FILED *[Signature]*

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

RECEIVED
MAR 06 1997

SOURCE: LITTLE MC BRIDE CREEK TRIBUTARY: MC BRIDE CREEK

QUANTITY: 5.00 CFS
150.0 AFY

Department of Water Resources

PRIORITY DATE: 09/27/1972

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

Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
DIVERSION TO STORAGE

PERIOD OF USE	QUANTITY
01-01 12-31	150.0 AFY
Irrigation Season	150.0 AFY
01-01 12-31	5.00 CFS

PLACE OF USE:	IRRIGATION FROM STORAGE	Within Owyhee County							
	T01S R05W S30	SENW 11.5	NESW 24.0	SESW 24.0					
	S31	NENW 30.5	SENW 19.5	NESW 4.0	NESE 7.0				
	S32	NWSE 8.0	SESE 16.0						
	T02S R05W S05 Lot 2	NESW 25.0	NWSW 25.0	SWSW 24.0	SESW 33.0				
		(NWNE) 13.0	SWNE 1.0 Lot 3	(NENW) 22.0 Lot 4	(NWNW) 12.0				
		SENW 2.0							
	301.5 ACRES TOTAL								

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-10893 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

DATED:

[Signature] MICROFILMED
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication
MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07082

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 57-07082 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 57-07082*.

DATED February 28, 1997.


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

MICROFILMED
MAR 02 1998

MICROFILMED
MAR 12 1998

RECEIVED

MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:17

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED 12

**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 57-07082**

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 57-07082 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 57-07082, Mark D. Shenk. BLM objected to **element 1**, Name and Address; **element 2**, Source; **element 3**, Quantity; **element 4**, Priority Date; **element 7**, Purpose of Use; **element 8**, Period of Year; **element 9**, Place of Use; **element 10**, Consumptive Use; **element 12**, Water Right Recommendation. On June 12, 1995 a *Standard Form 3 (Substitution of Party)* was filed with the court. **Element 1**, Name and Address will reflect that change and will now be Carl and Ed Wilsey. On October 18, 1996 the parties and IDWR submitted a *Standard Form 5* with the court.

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): 57-07082

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 57-07082 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 1993

CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

PAGE 1
04/29/97

RECEIVED

MAY 6 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 30 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 MAR 29 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 57-07082

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 57-07082 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 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.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07082
Date Received: 12/06/1988
Receipt No: W002460
Received By: _____

Nov
Department of _____
Western Region Office

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 27, 1972

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	05W	4	SW	NE			OWYHEE
		8	NE	NW			OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	02/01	05/31			150.00
IRRIGATION FROM STORAGE	03/15	11/15			150.00
IRRIGATION	03/15	11/15	5.000		

7. Total Quantity Appropriated is:
5.000 C.F.S. (and/or) 150.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-07082

Page 1

Date: 03/03/89 MICROFILMED

OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	05W	30	SE		NW		IRR	~~10.0~~
			NE		SW		IRR	~~20.0~~
			SE		SW		IRR	~~20.0~~
							Section Acres	~~50.0~~
		31	NE		NW		IRR	~~30.0~~
			SE		NW		IRR	~~20.0~~
			NE		SW		IRR	~~24.0~~
			NE		SE		IRR	~~12.0~~
			NW		SE		IRR	~~2.0~~
			SE		SE		IRR	~~2.0~~
							Section Acres	~~90.0~~
		32	NE		SW		IRR	~~35.0~~
			NW		SW		IRR	~~30.0~~
			SW		SW		IRR	~~20.0~~
			SE		SW		IRR	~~38.0~~
SW			SE		IRR	~~5.0~~		
					Section Acres	~~128.0~~		
02S	05W	5	NE		NW		IRR	~~1.0~~
			NW		NW		IRR	~~20.0~~
			SE		NW		IRR	2.0
			NE		SW		IRR	8.0
			SE		SW		IRR	40.0
							Section Acres	~~71.0~~
		8	NW		NE		IRR	10.0
			NE		NW		IRR	10.0
							Section Acres	~~20.0~~
							Total Acres	359.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-04005 & A57-07003.

14. Remarks:

THE POINT OF DIVERSION FOR THE DITCH FROM THE CREEK TO THE
A57-07082

Page

2

Date: 03/03/89

MICROFILMED

OCT 07 1992

14. Remarks: Continued

RESERVOIR APPEARS TO BE IN THE NWSE, SEC. 4, HOWEVER, SINCE IT WAS IMPOSSIBLE TO VERIFY FROM THE MAPS AVAILABLE, THE POINT OF DIVERSION SHOULD BE CHANGED ON THIS CLAIM ACCORDING TO THE FIELD EXAMINERS FINDINGS WHEN THE FIELD EXAM IS CONDUCTED ON THIS PERMIT. P.D. IN SEC. 8 IS USED FOR LIVEFLOW(5.0CFS)AMOUNT SHOWN. DESCRIPTION OF DIVERTING WORKS - SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR GRAVITY IRRIGATION. DITCH FROM CREEK WITH PUMP IN DITCH(SEC. 8 POINT OF DIVERSION) FOR SPRINKLER IRRIGATION.

15. Basis of Claim: PERMIT

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. Lloyd Date: 3-21-89
Margie Lloyd 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: A57-07082
Date Received: 12/06/1988
Receipt No: W002460
Received By: _____

RECEIVED
MARCH 1989

Nov
Department of Water Resources
Western Regional Office

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 27, 1972

3. Source: MC BRIDE CREEK
LITTLE MCBRIDE CREEK

Trib. to: SUCCOR CREEK
MCBRIDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05W	4	SW	NE			OWYHEE
		8	NE	NW			OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	02/01	05/31			150.00
IRRIGATION FROM STORAGE	03/15	11/15			150.00
IRRIGATION	03/15	11/15	5.000		

7. Total Quantity Appropriated is:
5.000 C.F.S. (and/or) 150.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-07082

Page 1

Date 10/07/89
MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	30	SE	NW		IRR	~~10.0~~
			NE	SW		IRR	~~20.0~~
			SE	SW		IRR	~~20.0~~
					Section Acres		~~50.0~~
		31	NE	NW		IRR	~~30.0~~
			SE	NW		IRR	~~20.0~~
			NE	SW		IRR	~~24.0~~
			NE	SE		IRR	~~12.0~~
			NW	SE		IRR	~~2.0~~
			SE	SE		IRR	~~2.0~~
					Section Acres		~~90.0~~
		32	NE	SW		IRR	~~35.0~~
			NW	SW		IRR	~~30.0~~
			SW	SW		IRR	~~20.0~~
			SE	SW		IRR	~~38.0~~
			SW	SE		IRR	~~5.0~~
					Section Acres		~~128.0~~
		02S	05W	5	NE	NW	
NW	NW					IRR	~~20.0~~
SE	NW					IRR	2.0
NE	SW					IRR	8.0
SE	SW					IRR	40.0
					Section Acres		~~71.0~~
8	NW			NE		IRR	10.0
	NE			NW		IRR	10.0
					Section Acres		~~20.0~~
					Total Acres		359.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-04005 & A57-07003.

14. Remarks:

THE POINT OF DIVERSION FOR THE DITCH FROM THE CREEK TO THE
A57-07082 Page 2

Date 03/03/89

MICROFILMED

OCT 07 1992

14. Remarks: Continued

RESERVOIR APPEARS TO BE IN THE NWSE, SEC. 4, HOWEVER, SINCE IT WAS IMPOSSIBLE TO VERIFY FROM THE MAPS AVAILABLE, THE POINT OF DIVERSION SHOULD BE CHANGED ON THIS CLAIM ACCORDING TO THE FIELD EXAMINERS FINDINGS WHEN THE FIELD EXAM IS CONDUCTED ON THIS PERMIT. P.D. IN SEC. 8 IS USED FOR LIVEFLOW(5.0CFS)AMOUNT SHOWN. DESCRIPTION OF DIVERTING WORKS - SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR GRAVITY IRRIGATION. DITCH FROM CREEK WITH PUMP IN DITCH(SEC. 8 POINT OF DIVERSION) FOR SPRINKLER IRRIGATION.

15. Basis of Claim: PERMIT

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. Spivey Date: 3-21-89
Margie Spivey 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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D SHENK	09/27/1972	IRRIGATION STORAGE	01-01 12-31		150.0 AFA
C	MARGIE SHENK		IRRIGATION FROM STORAGE	04-15 10-15		150.0 AFA
	28801 SCOTT PIT RD		DIVERSION TO STORAGE	01-01 12-31	5.00 CFS	
	PARMA ID 83660					
	(208) 722-7123					
TOTAL DIVERSION:					5.00 CFS	150.0 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	SENE		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 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	:											11	:	24	06-01	24	:	60.5	
01S	05W	31	:											19	:	04			:	96.0	
01S	05W	32	:												:	25	25	24	33	:	108.0
02S	05W	5	:			02-13	01							02	:					:	50.0
02S	05W	6	:	01-03											:					:	3.0
TOTAL ACRES																			317.5		

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: 57-04005, 57-07003, 57-02114, 57-10893

Remarks: RIGHT NO. 57-07003 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003 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.
POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE AND LITTLE MCBRIDE CREEKS.

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

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

Comments: Date: 10/07/1991 User-ID: WALKER Subject: COPIED FROM REMARKS

MICROFILMED
OCT 07 1992

=====

THE POINT OF DIVERSION FOR THE DITCH FROM THE CREEK TO THE RESERVOIR APPEARS TO BE IN THE NWSE, SEC. 4, HOWEVER, SINCE IT WAS IMPOSSIBLE TO VERIFY FROM THE MAPS AVAILABLE, THE POINT OF DIVERSION SHOULD BE CHANGED ON THIS CLAIM ACCORDING TO THE FIELD EXAMINERS FINDINGS WHEN THE FIELD EXAM IS CONDUCTED ON THIS PERMIT. P.D. IN SEC. 8 IS USED FOR LIVEFLOW(5.0CFS)AMOUNT SHOWN. DESCRIPTION OF DIVERTING WORKS - SMALL DIVERSION DAM IN CREEK WITH DITCH TO RESERVOIR. DITCH AT OUTLET OF RESERVOIR FOR GRAVITY IRRIGATION. DITCH FROM CREEK WITH PUMP IN DITCH(SEC. 8 POINT OF DIVERSION) FOR SPRINKLER IRRIGATION.

Audit: 07/15/92 WALKER

MICROFILMED
OCT 07 1992

State of Idaho
Department of Water Resources

RECEIVED
JUN - 3 1992

WATER RIGHT LICENSE

Department of Water Resources
Western Regional Office

WATER RIGHT NO. 57-07082

Priority: September 27, 1972

Maximum Diversion Rate: 5.00 CFS
Maximum Diversion Volume: 150.0 AF

This is to certify, that MARK D SHENK
28801 SCOTT PITT RD
PARMA ID 83660

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 27, 1972; and
has submitted Proof of Beneficial Use on January 27, 1975. An examination indicates
that the works have a diversion capacity of 37.260 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 STORAGE	01/01 to 12/31		150.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		150.0 AF
DIVERSION TO STORAGE	02/01 to 05/31	5.00 CFS	
Totals		5.00 CFS	150.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 4, Township 02S, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	05W	30	SENW 11.5	NESW 24	Lot 6(NWSW) 1	
			SESW 24			60.5
		31	NENW 30.5	SENW 19.5	NESW 4	
			NESE 7	NWSE 8	SWSE 11	
			SESE 16			96
		32	NESW 25	NWSW 25	SWSW 24	
			SESW 33	SWSE 1		108
02S	05W	5	Lot 2(NWNE) 13	SWNE 1	Lot 3(NENW) 22	
			Lot 4(NWNW) 12	SENW 2		50
		6	Lot 1(NENE) 3			3

Total number of acres irrigated: 317.5

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 is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately

MICROFILMED
OCT 07 1992

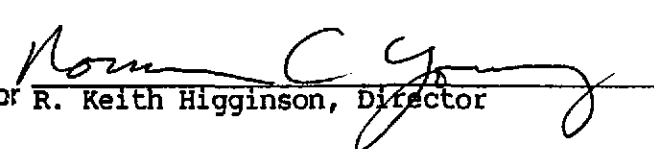
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 57-07082

CONDITIONS/REMARKS:

- 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.

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 7TH day of MAY, 1992.


Acting for R. Keith Higginson, Director

MICROFILMED
OCT 07 1992

State of Idaho
Department of Water Resources

RECEIVED
APR 23 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

Department of Water Resources

Date of Priority: September 27, 1972

Maximum Diversion Rate:
Maximum Diversion Volume:

5.00 CFS
150.0 AF

Comes now

PEARL BROWN
BURTON BROWN

STAR RT
MARSING ID 83639

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 57-07082, and requests that the permit be changed as follows:

Source: LITTLE MC BRIDE CREEK

tributary to MC BRIDE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		150.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		150.0 AF
DIVERSION TO STORAGE	02/01 to 05/31	5.00 CFS	
	Totals	5.00 CFS	150.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 4, Township 02S, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	05W	30	SENE 11.5	NESW 24	Lot 6(NWSW) 1	60.5
		31	SESW 24	SENE 19.5	NESW 4	
			NENE 30.5	NWSE 8	SWSE 11	
			NESE 7			96
		32	SESE 16	NWSW 25	SWSW 24	
			NESW 25	SWSE 1		108
			SESW 33	SWNE 1	Lot 3(NENE) 22	
02S	05W	5	Lot 2(NWNE) 13	SENE 2		50
			Lot 4(NWNW) 12			3
		6	Lot 1(NENE) 3			

Total number of acres irrigated: 317.5

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OCT 07 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Pocatello, this 22nd day of April, 19 92

Mark D. Shurt
(Signature)

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OCT 07 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

FOR DEPARTMENT USE ONLY

#C023902

Preliminary check by SC Fee = \$20.00 Received by Billbas Date 4/23/92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 57-07082 with the following;

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 is limited to the amount which can actually be beneficially 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.

Witness my hand this 7TH day of MAY, 1992.


Acting for R. Keith Higginson, Director

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Claim No.: A57-07082

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

☒ Change season of Use

Use Code 03 From 4/15 to 10/15

Use Code From / to /

Use Code From / to /

☐ Change Consumptive Use Volume

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

☐ Change Diversion Volume

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

☐ Change Remarks

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

☒ Corrections Made 1-10-92
(date)

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

Reviewing Agent Kay Walker
(signature)

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OCT 07 1992

MEMORANDUM

DATE: 19-Nov-1991 15:08

TO: SHARLA CURTIS

FROM: KAY WALKER THRU DAVE TUTHILL

RE: LICENSING RECOMMENDATIONS OF PERMIT 57-07082

Sharla: I went out to Parma this morning and discussed Mr. Shenk's water rights on Little McBride Creek with him and found that he can irrigate more land with his storage water than what I recommended on my beneficial use report for the above referenced permit. Therefore, attached you will find another place of use description that should be used in licensing his permit. This should be the last change to be made on the licensing recommendations. I have, hopefully, covered all that can be done under these rights now. Thanks!! Kay

P.S. If you need to get in touch with the Shenk's when you start licensing Permits 57-07003 and 57-07082 their new mailing address and phone number are:

Mark D. &/or Margie Shenk
28801 Scott Pit Rd.
Parma, ID 83660
722-7123

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 57-07082

1. Owner: _____ Phone No. _____
Current Address: _____

2. Accompanied by: Mark D. Shenk EXAM. DATE: _____
Address: 28801 Scott Pit Rd., Parma Phone No. 722-7123

Relationship to Permit Holder: _____

3. Source: Little McBride Ck. tributary to McBride Ck.

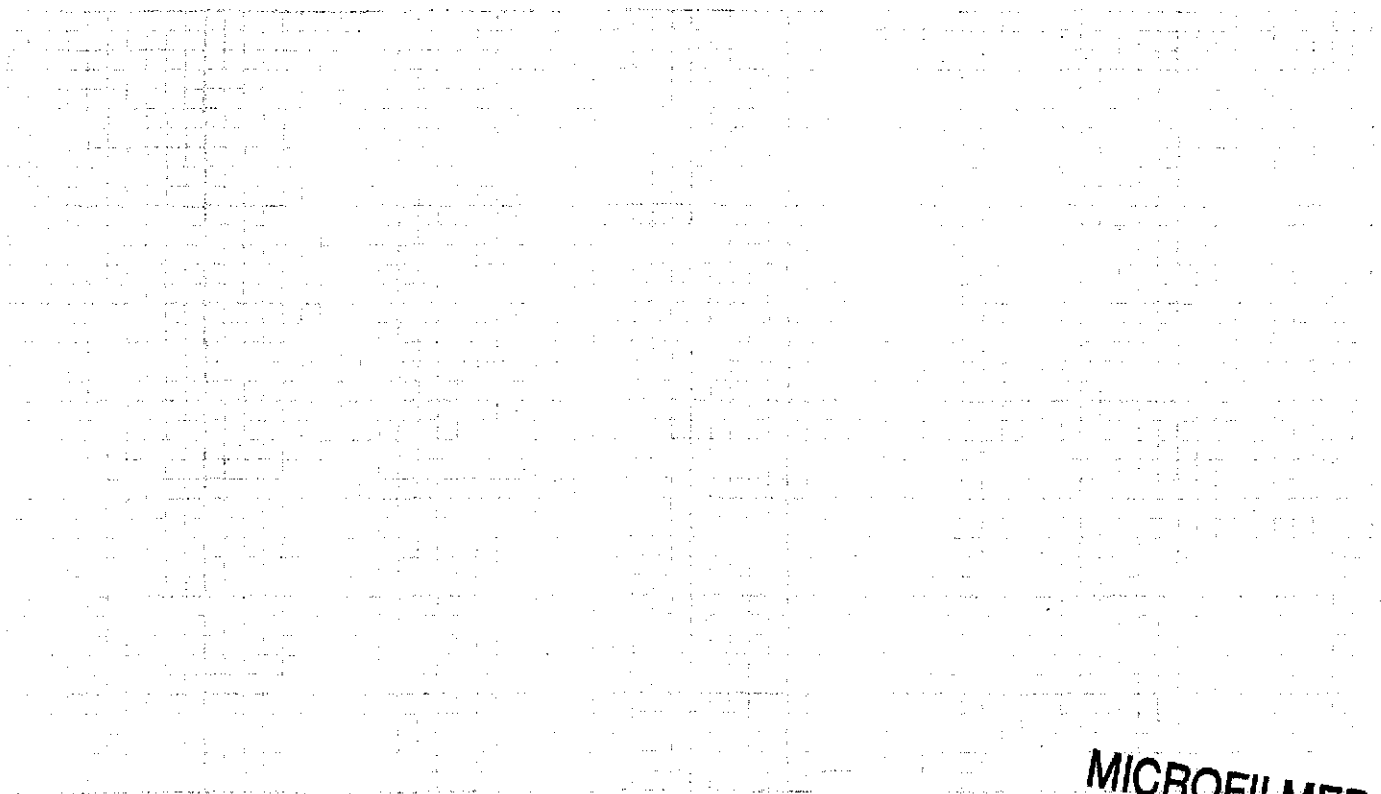
B. OVERLAP REVIEW

1. Other water rights with same place of use: 57-10893, 57-07003, 57-04005,
57-02114 ☐ Copies Attached

2. Other water rights with same point of diversion: _____
_____ ☐ 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



Scale: 1" = _____

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2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

Revised place of use per visit with Mark Shemp, 11-19-1991. He is able to put storage water on all the lands identified below.

4.

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

[illegible]

Indicate Method of Determination ASCS, field exam

Do not use this space

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

- (Deceased)
- A. GENERAL INFORMATION**
1. Owner: Burton or Pearl Brown Permit No. 57-07082
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.
*see remarks

- B. OVERLAP REVIEW**
1. Other water rights with same place of use: 57-04005, 57-02114, 57-07003 ☐ Copies Attached
2. Other water rights with same point of diversion: 57-07003 - 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 attached to 57-07003.

Grid area for system diagram.

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)
see attached to 57-07003.

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System Description (continued)

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

Diversion dam in creek to ditch that flows beside the creek. Also picks up water from Willow Fork & unnamed streams which I have rec'd a B/U claim on. Ditch flows into reservoir. Can pump water out of reservoir to pressure. Uses sprinklers &/or gravity flow ditches.

☐ See Remarks on page 4 for continuation

- 4.

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	25	5W	anyhee	ortho-photo; NAPP; Exam
			SW	NW	5	26	5W	" "	
~~attached sheets for points of redirection.~~									

- 6. Place(s) of Use:**

Indicate Method of Determination

[illegible]

294.
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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: *going into reservoir*
On 6/18/91 we went back out and measured the ditch and slope with engineers level and tape. Ditch was 10' wide and 1 1/2' deep. Shot slope readings 208' apart. Very little flow in creek at this time.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: *see Mannings attached to 57-07003.*

2. Alternate Method for Checking Purposes:

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 294.5 \times 3.5 = 1030.8 \text{ AFA}$

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

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

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAY REVIEW ANALYSIS

* Permit was issued on McBride Ck. with the pld in Sec. 4-McBride Ck. does not enter Sec. 4... No change in source, just clarification.

BLM right of way # I-1889 for ditch & reservoir. Storage facility is King Dams - see also Permit 57-07003. Storage capacity = 300 AF.

No exam fee required - exam attempted 7/29/75. Recommend waiver of measuring device requirement - system washed out each year during high flows; no other irrigators on this creek.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrig. Storage	2-1	5-31		150.0 AF
Irrig. from Storage	4-1	11-1		150.0 AF
Div. to Storage	2-1	5-31	5.0 cfs	
Totals:			5.0 cfs	150.0 AF

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.

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OCT 07 1992

WR5810NP
(00-138)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORTDATE: 04/10/91
PAGE: 4

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
A5707082	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5702114	DOLENCE	L	MC BRIDE CREEK	01S	05W	30	:	:	:	20	:	:	:	15	:	:	:	:	35
A5702114	SHENK	L	MC BRIDE CREEK	01S	05W	30	:	:	:	20	:	:	:	15	:	:	:	:	35
5704005	KING	S	LITTLE MC BRIDE CREE	01S	05W	30	:	:	:	10	:	:	23	22	:	:	:	:	55
A5704005	SHENK	S	LITTLE MC BRIDE CREE	01S	05W	30	:	:	:	10	:	:	23	22	:	:	:	:	55
5707003	BROWN	P	LITTLE MC BRIDE CREE	01S	05W	30	:	:	:	40	:	:	:	:	:	:	:	:	40
A5707003	SHENK	P	LITTLE MC BRIDE CREE	01S	05W	30	:	:	:	10	:	:	:	:	:	:	:	:	10
5707082	BROWN	P	MC BRIDE CREEK	01S	05W	30	:	:	:	15	:	:	30	30	:	:	:	:	75
A5707082	SHENK	P	MC BRIDE CREEK	01S	05W	30	:	:	:	10	:	:	20	20	:	:	:	:	50
1986 MAPPING DATA	---	-	COUNTY 73 QUAD Y 53	01S	05W	30	:	:	:	14	:	:	28	29	:	:	:	:	71

NO LOTS

A5707082	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5702114	DOLENCE	L	MC BRIDE CREEK	01S	05W	31	:	:	:	8	:	:	:	12	:	:	:	:	35
A5702114	SHENK	L	MC BRIDE CREEK	01S	05W	31	:	:	:	8	:	:	:	12	:	:	:	:	35
5704005	KING	S	LITTLE MC BRIDE CREE	01S	05W	31	:	1	:	26	:	:	21	3	:	3	10	10	74
A5704005	SHENK	S	LITTLE MC BRIDE CREE	01S	05W	31	:	1	:	26	:	:	21	3	:	3	10	10	74
5707082	BROWN	P	MC BRIDE CREEK	01S	05W	31	:	:	:	30	:	:	30	5	:	5	12	12	94
A5707082	SHENK	P	MC BRIDE CREEK	01S	05W	31	:	:	:	30	:	:	20	24	:	12	2	2	90
1986 MAPPING DATA	---	-	COUNTY 73 QUAD Y 53	01S	05W	31	:	:	:	36	:	:	30	4	:	13	20	1	130

NO LOTS

A5707082	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5702114	DOLENCE	L	MC BRIDE CREEK	01S	05W	32	:	:	:	:	:	:	10	:	:	:	:	:	10
A5702114	SHENK	L	MC BRIDE CREEK	01S	05W	32	:	:	:	:	:	:	10	:	:	:	:	:	10
5704005	KING	S	LITTLE MC BRIDE CREE	01S	05W	32	:	:	:	:	:	:	9	:	:	:	:	:	9
A5704005	SHENK	S	LITTLE MC BRIDE CREE	01S	05W	32	:	:	:	:	:	:	9	:	:	:	:	:	9
5707003	BROWN	P	LITTLE MC BRIDE CREE	01S	05W	32	:	:	:	:	:	:	40	40	:	40	:	:	120
A5707003	SHENK	P	LITTLE MC BRIDE CREE	01S	05W	32	:	:	:	:	:	:	35	30	:	38	:	:	103
5707082	BROWN	P	MC BRIDE CREEK	01S	05W	32	:	:	:	:	:	:	25	40	:	25	15	15	145
A5707082	SHENK	P	MC BRIDE CREEK	01S	05W	32	:	:	:	:	:	:	35	30	:	38	5	:	128
1986 MAPPING DATA	---	-	COUNTY 73 QUAD Y 53	01S	05W	32	:	:	:	:	:	:	3	26	:	30	31	:	90

NO LOTS

A5707082	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5702114	DOLENCE	L	MC BRIDE CREEK	02S	05W	5	:	:	:	20	:	:	:	:	:	:	:	:	20
A5702114	SHENK	L	MC BRIDE CREEK	02S	05W	5	:	:	:	20	:	:	:	:	:	:	:	:	20
5704005	KING	S	LITTLE MC BRIDE CREE	02S	05W	5	:	:	:	2	16	:	:	:	:	:	:	:	18
A5704005	SHENK	S	LITTLE MC BRIDE CREE	02S	05W	5	:	:	:	2	16	:	:	:	:	:	:	:	18
5707082	BROWN	P	MC BRIDE CREEK	02S	05W	5	:	:	:	25	20	:	:	:	:	:	:	:	45
A5707082	SHENK	P	MC BRIDE CREEK	02S	05W	5	:	:	:	25	20	:	:	:	:	:	:	:	71
1986 MAPPING DATA	---	-	COUNTY 73 QUAD Y 53	02S	05W	5	:	:	:	2	8	:	:	:	:	:	:	:	3

NO LOTS

GL3
GL4

A5707082

NO MATCHES FOR THIS POU IN AJ-POU-TEMP
NO MATCHES FOR THIS POU IN WR-POU

see next sheet

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OCT 07 1992

WR5810NP
(OD-138)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORTDATE: 04/10/91
PAGE: 5

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A5707082	SHENK NO MAPPING INFO AVAILABLE	P	MC BRIDE CREEK	02S	05W	8	:	10				:	10				:				:	20	

O O
NO LOTSMICROFILMED
OCT 07 1992

WR5810NP
(00-139)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE LOTS COMPARISON REPORTDATE: 04/10/91
PAGE: 4

WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM		
A5707082	T01S R05W S30																				
73	MAPPING: 6L1 7L5 1L2 3L6 4L19 6L1 7L5 1L2 3L6 4L19 6L1 7L5 6L1 7L5																				6
A5707082	T01S R05W S31																				
73	MAPPING: 6L1 7L5 1L2 3L6 4L19 6L1 7L5 1L2 3L6 4L19 6L1 7L5 6L1 7L5 1L2																				2
A5707082	T01S R05W S32																				
A5707082	T02S R05W S 5																				
73	MAPPING: 6L1 7L5 1L2 3L6 4L19 6L1 7L5 1L2 3L6 4L19 6L1 7L5 6L1 7L5 1L2 3L6 4L19																				25
A5707082	T02S R05W S 8																				
	NO MAPPING INFO AVAILABLE																				

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OCT 07 1992

3/22/89

Dear Jan-

Well we sent back the
Notarized forms and forgot the
money.

Enclosed is a check for \$601.⁰⁰,
Sorry I'm so forgetful.

Thank you for all
your work!

Margie Sherr

RECEIVED

MAR 23 1989

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 07 1992

RECEIVED
MAR 22 1990

Department of Water Resources
Western Regional Office

Jan
on our water rights
number A57-07003 and
A57-07082. Both of These
claims covers one ~~re~~ resivas
that has total Cap of 300 ~~1957~~
acres approx.

I did not know if we
need both of these or not I
will call in a few days

Thanks for all your
work and help

Mark D. Shunk

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OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 6, 1989

Mark & Margie Shenk
Star Route
Marsing, ID 83639

Dear Mr. & Mrs. Shenk:

Enclosed are Claim No.'s A57-04005, A57-02114, A57-07082, A57-07003 and A57-10491. Following is an explanation of each claim:

Claim No. A57-04005 - Diversion from Little McBride Creek in Sec. 5, for your smaller reservoir. This claim listed two priority dates, therefore, to save money, I combined both rights under this claim into one claim using the latest priority date. Only one priority date can be listed on each claim. If you still want to file two claims, one for the 1946 priority and one for the 1958 priority, then please contact me. See remarks on this claim for a further explanation. Fee is a \$50 flat fee plus \$17 for 17 additional acres not covered under A57-07082 (covered all other acres), total fee \$67.00

Claim No. A57-02114 - This claim covers diversions from McBride Creek and Little McBride used for direct irrigation to fields. \$50 flat fee only, acres paid for under A57-04005 and A57-07082.

Claim No.'s A57-07082 & A57-07003 - These claims are both for your large reservoir, each were filed at different dates to total 296 acre feet. Fee for A57-07082 is \$50 flat fee plus 359 acres for a total fee of \$409. The fee for A57-07003 is a \$50 flat fee since A57-07082 paid for acres.

Claim No. A57-10491 - This claim is for your domestic well and requires a \$25 flat fee.

Also enclosed is a computer generated copy of Hazel Quick's claim showing the Receipt number and date received. This copy is for her records to show her claim was received, receipted, and filed. Also enclosed are your copies of Permit No. 57-7082 and Claim No. A57-04005 which you left in my office.

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OCT 07 1992

Please sign one copy of each of the claims before a notary and return them with a total fee of \$601. If you have any questions concerning these claims, feel free to contact me.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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REMARKS:

Sources of this claim ~~run~~ flow into reservoir - filing made to cover the use of these sources per our request - see corresp. of 10/16/91. pw

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: See Below

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

== == == == == == ==

SOURCE: Willow Fork & unnamed streams TRIB: Little McBride Creek
REVIEWED BY: pw DATE: 12-18-91

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	05W	30	NW	NE	SW	R	OWYHEE
				NE	NW	R	OWYHEE
				NW	SE	R	OWYHEE
				SE	SE	R	OWYHEE
				SE	SE	R	OWYHEE
02S	05W	32	NW	SW	SE	R	OWYHEE
				NW	SE	R	OWYHEE
				NW	NE	R	OWYHEE
				SW	NE	I	OWYHEE
				SE	NW	R	OWYHEE
		5	NW	SE	NW	I	OWYHEE
				SE	NW	R	OWYHEE
				SE	NW	I	OWYHEE

Ditch into reservoir ← Willow Fork
← 2 Dam locations

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A. ROOT WATER RIGHT NUMBERS: A57-10893
R57-10893

B. POU LISTING - *see overlap analysis in A57-02114* -

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	05W	30	SE	NW		SHENK, MARK D.	A57-10893	/11.5	-	/	14.0
			SE	NW		SHENK, MARK D.	A57-07082	/10.0	57-07082	/15.0	
			SE	NW		SHENK, MARK D.	A57-04005	/10.0	57-04005	/10.0	
			SE	NW		SHENK, MARK D.	A57-07003	/ 0.5	57-07003	/40.0	
			SE	NW		SHENK, MARK D.	R57-04005	/11.5	-	/	
			SE	NW		SHENK, MARK D.	R57-10893	/11.5	-	/	
			SE	NW		SHENK, MARK D.	R57-07003	/ 0.5	-	/	
			SE	NW		SHENK, MARK D.	R57-07082	/11.5	-	/	
			SE	NW		BROWN, PEARL			L57-07003	/ 0.5	
			SE	NW		BROWN, BURTON			L57-07082	/11.5	
01S	05W	30	NE	SW		SHENK, MARK D.	A57-10893	/24.0	-	/	28.0
			NE	SW		SHENK, MARK D.	A57-07082	/20.0	57-07082	/30.0	
			NE	SW		SHENK, MARK D.	A57-04005	/23.0	57-04005	/23.0	
			NE	SW		SHENK, MARK D.	R57-04005	/24.0	-	/	
			NE	SW		SHENK, MARK D.	A57-02114	/20.0	57-02114	/20.0	
			NE	SW		SHENK, MARK D.	R57-10893	/24.0	-	/	
			NE	SW		SHENK, MARK D.	R57-07082	/24.0	-	/	
			NE	SW		BROWN, BURTON			L57-07082	/24.0	
01S	05W	30	NW	SW	6	SHENK, MARK D.	A57-10893	/ 1.0	-	/	1.0
			NW	SW	6	SHENK, MARK D.	R57-04005	/ 1.0	-	/	
			NW	SW	6	SHENK, MARK D.	R57-10893	/ 1.0	-	/	
			NW	SW	6	SHENK, MARK D.	R57-07082	/ 1.0	-	/	
			NW	SW	6	BROWN, BURTON			L57-07082	/ 1.0	
01S	05W	30	SE	SW		SHENK, MARK D.	A57-10893	/24.0	-	/	29.0
			SE	SW		SHENK, MARK D.	A57-07082	/20.0	57-07082	/30.0	
			SE	SW		SHENK, MARK D.	A57-04005	/22.0	57-04005	/22.0	
			SE	SW		SHENK, MARK D.	R57-04005	/24.0	-	/	
			SE	SW		SHENK, MARK D.	A57-02114	/15.0	57-02114	/15.0	
			SE	SW		SHENK, MARK D.	R57-10893	/24.0	-	/	
			SE	SW		SHENK, MARK D.	R57-02114	/ 2.0	-	/	
			SE	SW		SHENK, MARK D.	R57-07082	/24.0	-	/	
			SE	SW		BROWN, BURTON			L57-07082	/24.0	
01S	05W	31	NE	NW		SHENK, MARK D.	A57-10893	/30.5	-	/	36.0
			NE	NW		SHENK, MARK D.	A57-07082	/30.0	57-07082	/30.0	
			NE	NW		SHENK, MARK D.	A57-04005	/26.0	57-04005	/26.0	
			NE	NW		SHENK, MARK D.	A57-07003	/ 5.5	-	/	
			NE	NW		SHENK, MARK D.	A57-02114	/ 8.0	57-02114	/ 8.0	
			NE	NW		SHENK, MARK D.	R57-10893	/30.5	-	/	

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW		SHENK, MARK D	R57-02114 /15.0	- /			
			NE	NW		SHENK, MARK D	R57-07003 / 5.5	- /			
			NE	NW		SHENK, MARK D	R57-07082 /30.5	- /			
			NE	NW		SHENK, MARK D	R57-04005 /25.0	- /			
			NE	NW		BROWN, PEARL		L57-07003 / 5.5			
			NE	NW		BROWN, BURTON		L57-07082 /30.5			
01S	05W	31	SE	NW		SHENK, MARK D.	A57-10893 /19.5	- /		30.0	
			SE	NW		SHENK, MARK D.	A57-07082 /20.0	57-07082 /30.0			
			SE	NW		SHENK, MARK D.	A57-04005 /21.0	57-04005 /21.0			
			SE	NW		SHENK, MARK D.	A57-07003 / 0.5	- /			
			SE	NW		SHENK, MARK D.	A57-02114 / 7.0	57-02114 / 7.0			
			SE	NW		SHENK, MARK D	R57-07003 / 0.5	- /			
			SE	NW		SHENK, MARK D	R57-07082 /19.5	- /			
			SE	NW		SHENK, MARK D	R57-04005 /19.0	- /			
			SE	NW		SHENK, MARK D	R57-10893 /19.5	- /			
			SE	NW		SHENK, MARK D	R57-02114 /19.0	- /			
			SE	NW		SHENK, MARK D		57-07547 / 1.0			
			SE	NW		BROWN, PEARL		L57-07003 / 0.5			
			SE	NW		SHENK, MARK D		P57-07547 / 1.0			
			SE	NW		BROWN, BURTON		L57-07082 /19.5			
01S	05W	31	NE	SW		SHENK, MARK D.	A57-10893 / 4.0	- /		4.0	
			NE	SW		SHENK, MARK D.	A57-07082 /24.0	57-07082 / 5.0			
			NE	SW		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0			
			NE	SW		SHENK, MARK D	R57-04005 / 4.0	- /			
			NE	SW		SHENK, MARK D	R57-10893 / 4.0	- /			
			NE	SW		SHENK, MARK D	R57-02114 / 4.0	- /			
			NE	SW		SHENK, MARK D	R57-07082 / 4.0	- /			
			NE	SW		SHENK, MARK D		57-07547 /21.0			
			NE	SW		SHENK, MARK D		P57-07547 /21.0			
			NE	SW		BROWN, BURTON		L57-07082 / 4.0			
01S	05W	31	NE	SE		SHENK, MARK D.	A57-10893 / 7.0	- /		13.0	
			NE	SE		SHENK, MARK D.	A57-07082 /12.0	57-07082 / 5.0			
			NE	SE		SHENK, MARK D.	A57-04005 / 3.0	57-04005 / 3.0			
			NE	SE		SHENK, MARK D.	A57-07003 / 5.5	- /			
			NE	SE		SHENK, MARK D	R57-04005 / 1.5	- /			
			NE	SE		SHENK, MARK D.	A57-02114 /12.0	57-02114 /12.0			
			NE	SE		SHENK, MARK D	R57-10893 / 7.0	- /			
			NE	SE		SHENK, MARK D	R57-02114 / 1.0	- /			
			NE	SE		SHENK, MARK D	R57-07003 / 5.5	- /			
			NE	SE		SHENK, MARK D	R57-07082 / 7.0	- /			
			NE	SE		BROWN, PEARL		L57-07003 / 5.5			
			NE	SE		BROWN, BURTON		L57-07082 / 7.0			
01S	05W	31	NW	SE		SHENK, MARK D.	A57-10893 / 8.0	- /		20.0	
			NW	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0			
			NW	SE		SHENK, MARK D.	R57-04005 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-10893 / 8.0	- /			
			NW	SE		SHENK, MARK D.	R57-02114 / 5.0	- /			
			NW	SE		SHENK, MARK D.	R57-07082 / 8.0	- /			
			NW	SE		SHENK, MARK D.		57-07547 / 1.0			
			NW	SE		SHENK, MARK D.		P57-07547 / 1.0			
			NW	SE		BROWN, BURTON		L57-07082 / 8.0			
01S	05W	31	SW	SE		SHENK, MARK D.	A57-10893 /11.0	- /	1.0		
			SW	SE		SHENK, MARK D.	R57-10893 /11.0	- /			
			SW	SE		SHENK, MARK D.	R57-02114 /11.0	- /			
			SW	SE		SHENK, MARK D.	R57-07082 /11.0	- /			
			SW	SE		SHENK, MARK D.		57-07547 / 1.0			
			SW	SE		SHENK, MARK D.		P57-07547 / 1.0			
01S	05W	31	SE	SE		SHENK, MARK D.	A57-10893 /16.0	- /	26.0		
			SE	SE		SHENK, MARK D.	A57-07082 / 2.0	57-07082 /12.0			
			SE	SE		SHENK, MARK D.	A57-04005 /10.0	57-04005 /10.0			
			SE	SE		SHENK, MARK D.	A57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	R57-04005 / 7.0	- /			
			SE	SE		SHENK, MARK D.	A57-02114 / 8.0	57-02114 / 8.0			
			SE	SE		SHENK, MARK D.	R57-10893 /16.0	- /			
			SE	SE		SHENK, MARK D.	R57-02114 /14.0	- /			
			SE	SE		SHENK, MARK D.	R57-07003 / 2.0	- /			
			SE	SE		SHENK, MARK D.	R57-07082 /16.0	- /			
			SE	SE		BROWN, PEARL		L57-07003 / 2.0			
			SE	SE		BROWN, BURTON		L57-07082 / 9.0			
01S	05W	32	NE	SW		SHENK, MARK D.	A57-10893 /25.0	- /	3.0		
			NE	SW		SHENK, MARK D.	A57-07003 /25.0	57-07003 /40.0			
			NE	SW		SHENK, MARK D.	R57-10893 /25.0	- /			
			NE	SW		SHENK, MARK D.	A57-07082 /35.0	57-07082 /25.0			
			NE	SW		SHENK, MARK D.	R57-07003 /25.0	- /			
			NE	SW		SHENK, MARK D.	R57-07082 /25.0	- /			
			NE	SW		BROWN, PEARL		L57-07003 /25.0			
			NE	SW		BROWN, BURTON		L57-07082 /25.0			
01S	05W	32	NW	SW		SHENK, MARK D.	A57-10893 /25.0	- /	26.0		
			NW	SW		SHENK, MARK D.	A57-07082 /30.0	57-07082 /40.0			
			NW	SW		SHENK, MARK D.	A57-07003 /25.0	57-07003 /40.0			
			NW	SW		SHENK, MARK D.	R57-10893 /25.0	- /			
			NW	SW		SHENK, MARK D.	R57-07003 /25.0	- /			
			NW	SW		SHENK, MARK D.	R57-07082 /25.0	- /			
			NW	SW		BROWN, PEARL		L57-07003 /25.0			
			NW	SW		BROWN, BURTON		L57-07082 /25.0			
01S	05W	32	SW	SW		SHENK, MARK D.	A57-10893 /24.0	- /	30.0		

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SW		SHENK , MARK D.	A57-07082 /20.0	57-07082 /25.0			
			SW	SW		SHENK , MARK D.	A57-04005 / 9.0	57-04005 / 9.0			
			SW	SW		SHENK , MARK D.	A57-07003 /14.0	- /			
			SW	SW		SHENK , MARK D.	R57-04005 /10.0	- /			
			SW	SW		SHENK , MARK D.	A57-02114 /10.0	57-02114 /10.0			
			SW	SW		SHENK , MARK D.	R57-02114 /10.0	- /			
			SW	SW		SHENK , MARK D.	R57-07003 /14.0	- /			
			SW	SW		SHENK , MARK D.	R57-07082 /24.0	- /			
			SW	SW		SHENK , MARK D.	R57-10893 /24.0	- /			
			SW	SW		BROWN , PEARL		L57-07003 /14.0			
			SW	SW		BROWN , BURTON		L57-07082 /24.0			
01S	05W	32	SE	SW		SHENK , MARK D.	A57-10893 /33.0	- /	31.0		
			SE	SW		SHENK , MARK D.	A57-07082 /38.0	57-07082 /25.0			
			SE	SW		SHENK , MARK D.	R57-10893 /33.0	- /			
			SE	SW		SHENK , MARK D.	R57-07003 /33.0	57-07003 /40.0			
			SE	SW		SHENK , MARK D.	R57-07082 /33.0	- /			
			SE	SW		SHENK , MARK D.	A57-07003 /33.0	- /			
			SE	SW		BROWN , PEARL		L57-07003 /33.0			
			SE	SW		BROWN , BURTON		L57-07082 /33.0			
01S	05W	32	SW	SE		SHENK , MARK D.	A57-10893 / 1.0	- /			
			SW	SE		SHENK , MARK D.	A57-07082 / 5.0	57-07082 /15.0			
			SW	SE		SHENK , MARK D.	R57-10893 / 1.0	- /			
			SW	SE		SHENK , MARK D.	R57-07003 / 1.0	- /			
			SW	SE		SHENK , MARK D.	R57-07082 / 1.0	- /			
			SW	SE		SHENK , MARK D.	A57-07003 / 1.0	- /			
			SW	SE		BROWN , PEARL		L57-07003 / 1.0			
			SW	SE		BROWN , BURTON		L57-07082 / 1.0			
02S	05W	5	NW	NE	2	SHENK , MARK D.	A57-10893 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-10893 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-07003 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	A57-07003 /13.0	- /			
			NW	NE	2	SHENK , MARK D.	R57-07082 /13.0	- /			
			NW	NE	2	BROWN , PEARL		L57-07003 /13.0			
			NW	NE	2	BROWN , BURTON		L57-07082 /13.0			
02S	05W	5	SW	NE		SHENK , MARK D.	A57-10893 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-10893 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-07003 / 1.0	- /			
			SW	NE		SHENK , MARK D.	R57-07082 / 1.0	- /			
			SW	NE		SHENK , MARK D.	A57-07003 / 1.0	- /			
			SW	NE		BROWN , PEARL		L57-07003 / 1.0			
			SW	NE		BROWN , BURTON		L57-07082 / 1.0			
02S	05W	5	NE	NW	3	SHENK , MARK D.	A57-10893 /22.0	- /	6.0		
			NE	NW		SHENK , MARK D.	A57-07082 / 1.0	57-07082 /25.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW	3	SHENK, MARK D.	A57-04005 / 2.0	57-04005 / 2.0			
			NE	NW	3	SHENK, MARK D.	A57-07003 / 20.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-04005 / 2.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-10893 / 22.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-02114 / 2.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-07003 / 20.0	- /			
			NE	NW	3	SHENK, MARK D.	R57-07082 / 22.0	- /			
			NE	NW	3	BROWN, PEARL		L57-07003 / 2.0			
			NE	NW	3	BROWN, BURTON		L57-07082 / 22.0			
02S	05W	5	NW	NW	4	SHENK, MARK D.	A57-10893 / 12.0	- /	19.0		
			NW	NW		SHENK, MARK D.	A57-07082 / 20.0	57-07082 / 20.0			
			NW	NW		SHENK, MARK D.	A57-04005 / 16.0	57-04005 / 16.0			
			NW	NW	4	SHENK, MARK D.	A57-07003 / 10.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-04005 / 10.0	- /			
			NW	NW		SHENK, MARK D.	~~A57-02114 / 20.0~~	57-02114 / 20.0			
			NW	NW	4	SHENK, MARK D.	R57-10893 / 12.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-02114 / 12.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-07003 / 10.0	- /			
			NW	NW	4	SHENK, MARK D.	R57-07082 / 12.0	- /			
			NW	NW	4	BROWN, PEARL		L57-07003 / 10.0			
			NW	NW	4	BROWN, BURTON		L57-07082 / 10.0			
02S	05W	5	SE	NW		SHENK, MARK D.	A57-10893 / 2.0	- /	3.0		
			SE	NW		SHENK, MARK D.	A57-07082 / 2.0	- /			
			SE	NW		SHENK, MARK D.	A57-07003 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-10893 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-02114 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-07003 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-07082 / 2.0	- /			
			SE	NW		SHENK, MARK D.	R57-04005 / 2.0	- /			
			SE	NW		BROWN, PEARL		L57-07003 / 2.0			
			SE	NW		BROWN, BURTON		L57-07082 / 2.0			
02S	05W	6	NE	NE		SHENK, MARK D.	A57-10893 / 3.0	- /			
			NE	NE	1	SHENK, MARK D.	R57-10893 / 3.0	- /			
			NE	NE	1	SHENK, MARK D.	R57-02114 / 3.0	- /			
			NE	NE		SHENK, MARK D.	R57-07082 / 3.0	- /			
			NE	NE		KING, E. LA VON		57-04005 / 1.0			
TOTAL ACRES							A57-10893	317.50	320.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(☒)
IF YES SEE ATTACHED SHEET:

C FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
fw

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 317.5

REVIEWED BY: lcw

DATE: 12-18-91

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-10893	DIVERSION TO STORAGE	FROM 01-01 TO 12-31	3.200 CFS
A57-10893	IRRIGATION STORAGE	FROM 01-01 TO 12-31	146.00 AF/A
A57-10893	IRRIGATION FROM STORAGE	FROM 04-01 TO 11-01	146.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			3.200 CFS 146.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

Y

fw

B. *see permits 57-07003* FLOW MEASUREMENT

MEASUREMENT METHOD *457-07082*, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 57-04005, 57-02114, 57-07003, 57-07082

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-10893	WILLOW FORK	SHENK , MARK D.	3.200	0.010	146.00	0.45
	UNNAMED STREAMS					
A57-02114	MC BRIDE CREEK	SHENK , MARK D.	2.000	0.020		
	LITTLE MC BRIDE CREEK					
R57-02114	MC BRIDE CREEK	SHENK , MARK D	2.000	0.020		
	LITTLE MC BRIDE CREEK					
A57-04005	LITTLE MC BRIDE CREEK	SHENK , MARK D.	8.000	0.051	80.00	0.51
R57-04005	LITTLE MC BRIDE CREEK	SHENK , MARK D	8.000	0.053	80.00	0.53
	MC BRIDE CREEK					
A57-07003	LITTLE MC BRIDE CREEK	SHENK , MARK D.	3.200	0.020	146.00	0.91
R57-07003	LITTLE MC BRIDE CREEK	SHENK , MARK D	3.200	0.020	146.00	0.91
R57-07082	LITTLE MC BRIDE CREEK	SHENK , MARK D	5.000	0.015	150.00	0.47
A57-07082	MC BRIDE CREEK	SHENK , MARK D.	5.000	0.013	150.00	0.41
	LITTLE MC BRIDE CREEK					
A10893	WILLOW FORK	SHENK , MARK D	3.200	0.010	146.00	0.45
	UNNAMED STREAMS					

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NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 317.5 x 0.02 CFS/ACRE = 6.35 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 317.5 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 793.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A - surface water for storage
146.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

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

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
Irrig. Storage	1-1 12-31	N/A	146.0	793.8
Irrig. from Storage	4-1 11-1	N/A	146.0	
Div. to Storage	1-1 12-31	~~N/A~~ 3.2	~~146.0~~ N/A	
TOTAL FOR THIS RIGHT		3.2	146.0	793.8

See remarks

REVIEWED BY: kw DATE: 12-18-91

Use of this right with Rt. No. #57-07003
is limited to a total combined storage volume
of 146.0 AF.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW N/A

ROOT WATER RIGHT NUMBER: 57-10893

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-10893	3.200	R57-10893	3.200	-	
TOTAL CFS		3.200		3.200		

DIVERSION RATE REVIEW

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

DATABASE

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:16:27
12/18/91

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A57-10893

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK D. SHENK	09/26/1967	IRRIGATION STORAGE	01-01 12-31		146.0 AFA
C	MARGIE SHENK		IRRIGATION FROM STORAGE	04-01 11-01		146.0 AFA
	28801 SCOTT PIT RD.		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
	PARMA ID 83660					
	(208) 722-7123					
TOTAL DIVERSION:					3.20 CFS	146.0 AFA

Water Source: WILLOW FORK
UNNAMED STREAMS

Tributary to: LITTLE MC BRIDE CREEK
LITTLE MC BRIDE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T01S R05W S32	SWSE			OWYHEE County
	T02S R05W S04	NWSE			OWYHEE County
	S05 Lot 2(NWNE)				OWYHEE County
Point(s) of Injection:	T02S R05W S05	NWSWNE	SENE		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 STORAGE

NE				NW				SW				SE			
T	R	S	Ac	T	R	S	Ac	T	R	S	Ac	T	R	S	Ac
01S	05W	30													
01S	05W	31													
01S	05W	32													
02S	05W	5		02-13		01		03-22	04-12		02				
02S	05W	6		03											
TOTAL ACRES														317.5	

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

Other Rights: 57-04005, 57-02114, 57-07003, 57-07082

Non-Irrigation Use: NONE

Remarks: FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Dates: Exam Made Date: Verified Date:

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

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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

October 16, 1991

RE: Snake River Basin Adjudication

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

Dear Mr. and Mrs. Shenk:

In review of the claims you have filed and what you need to file, I have prepared a beneficial use claim for your use of Willow Fork and the three unnamed streams that flow into your big reservoir. I have prepared this claim with the same priority date as the first permit on the reservoir which is September 26, 1967. If you wish to file on these sources, please sign this claim in the presence of a notary and return it to our office with a \$50.00 filing fee. **The claim form and fee must be submitted no later than November 5, 1991.** If we do not receive it by that date we will not be able to recommend this claim to the court and the priority date for these sources will be lost.

I have also prepared an application for permit for your diversion in Section 8 which will cover the lands outlined on the map that is attached to the application form. We could not recommend this diversion or place of use on your existing claims because they were developed later in time. The filing fee for this application form is \$65.00 and you can submit the fee and form at any time.

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,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

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\$65.00 filing fee

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mark D. & for Margie Shenk Phone _____
Post office address Star Rt., Marsing, ID 83639
2. Source of water supply McBride Creek which is a tributary of Succor Creek
3. Location of point of diversion is _____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 8 Township 25 Range 5W B.M. Dwyhee County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.5 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.5 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam in creek to ditch which delivers water to gravity irrigation & for sprinklers.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water for proposed beneficial use is 1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	5W	31							1	22		2					1		26
25	5W	5								16			27				4		47
25	5W	8		2															2

Total number of acres to be irrigated 75

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicants

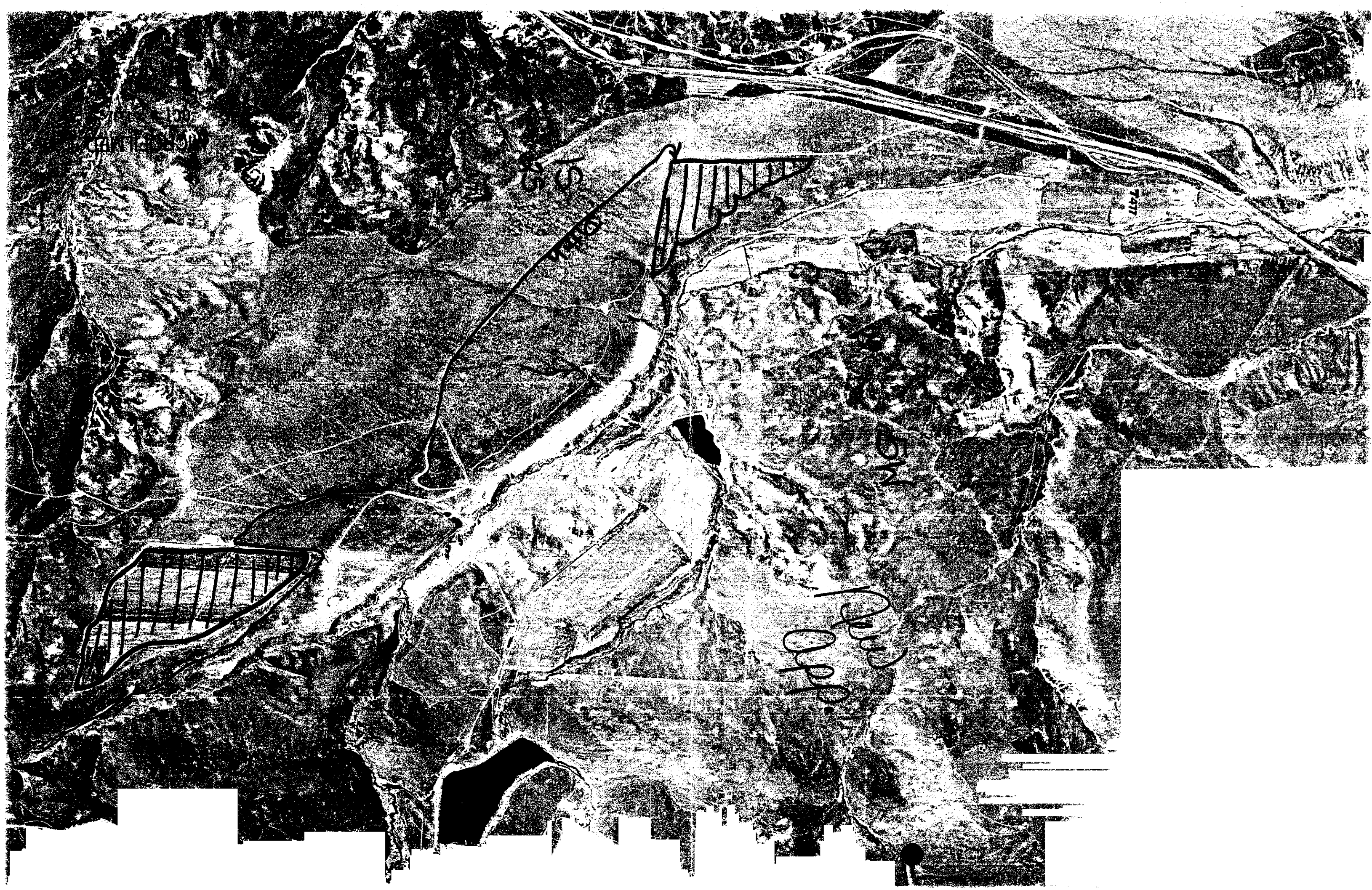
b. Who owns the land to be irrigated or place of use? " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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S.S.
T.M.

S.S.
T.M.

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