

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-10893

Legal:

T01S, R05W, S30

31, 32

T02S, R05W, S5

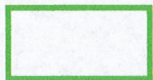
Reviewed By:

Point of Diversion

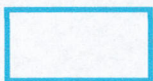
2 located outside view



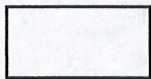
Place of Use



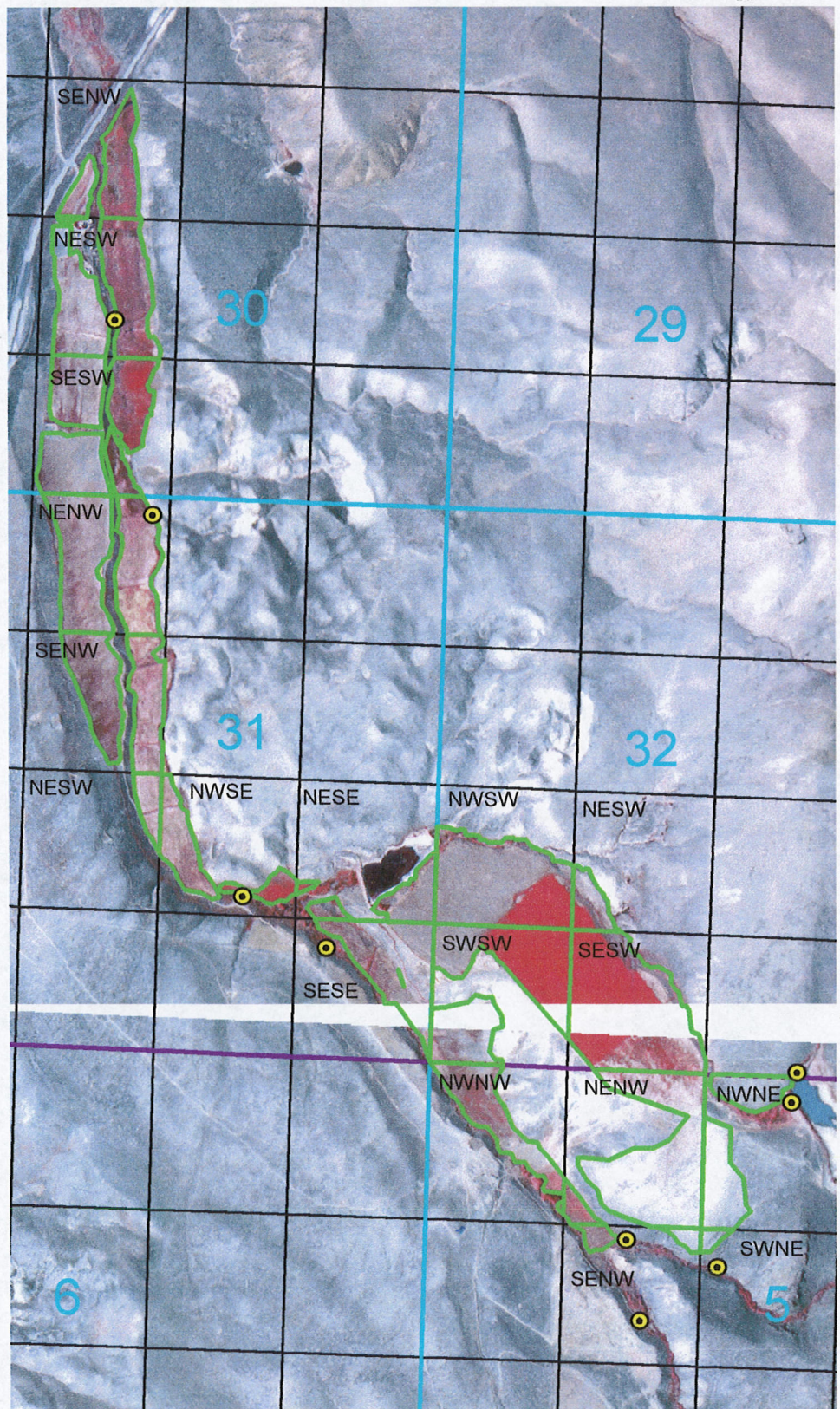
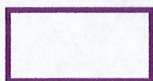
Section Lines



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 57-10893}
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:

Mark D. Shunk 28801 SCOT PIT RD PRIMA ID 83660

Margie Shunk

Mark D. Shunk
Signature of prior claimant/seller

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

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

Attorney name _____

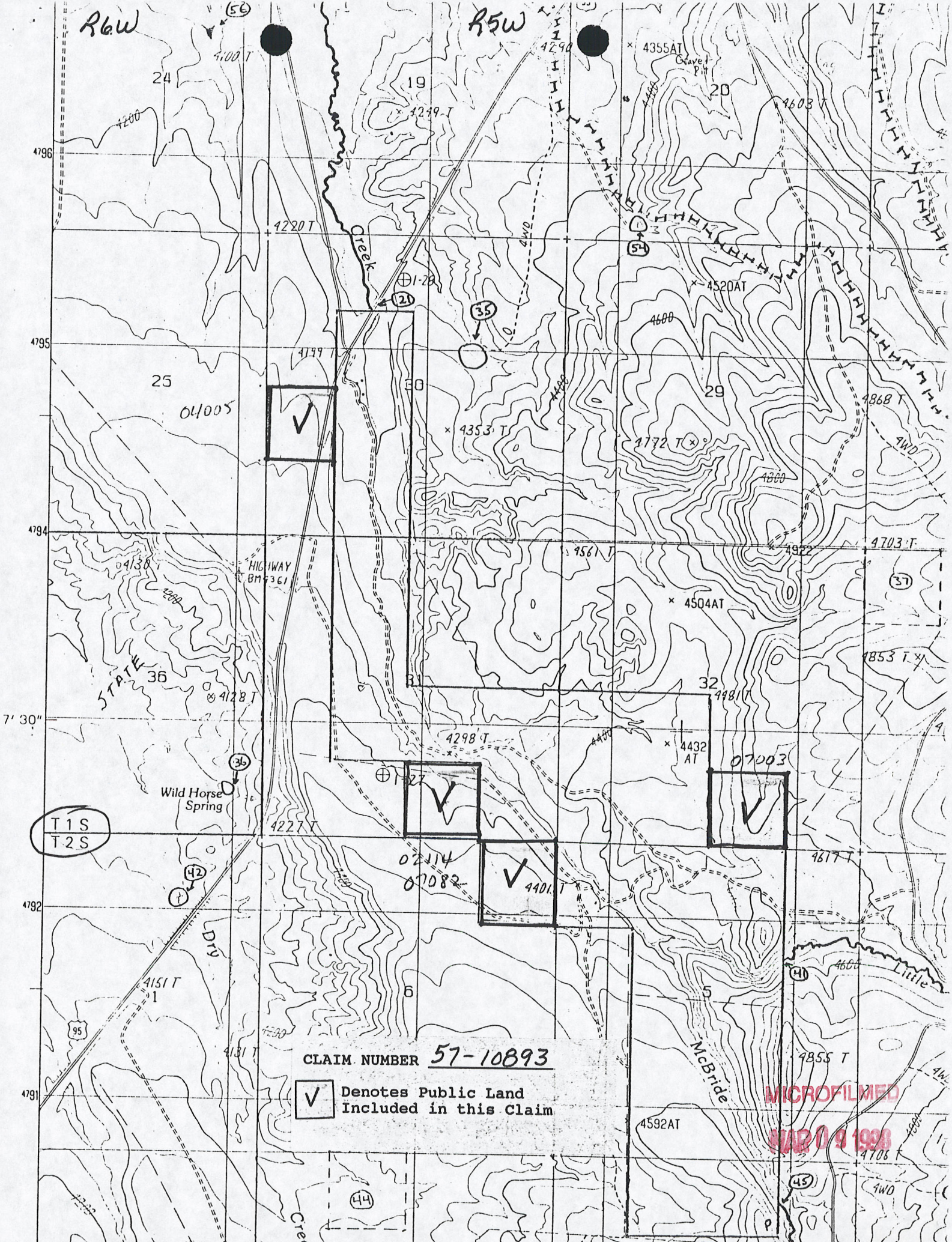
Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

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

MICROFILMED

MAR 09 1998



CLAIM NUMBER 57-10893

☒ Denotes Public Land
Included in this Claim

MICROFILMED
MAR 20 1998

=====

Dates: Exam Made Date: 11/09/1990 Verified Date: 10/06/1992

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

Comments: Date: 11/15/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Date: 10/06/1992 User-ID: WALKER Subject: CORRECTION MADE 10/6/92
TODAY I DISCOVERED THAT THE ZIP CODE ON MRS. SHENK'S ADDRESS
WAS IN ERROR. I CORRECTED THAT ERROR AND RESET THE VERIFIED
FLAG.

Audit: 10/06/92 WALKER

MICROFILMED
JUL 21 1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-10893

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	16	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		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: 268.6

Overlapping FOU Claim #'s:

57-07082, 57-04005, 57-07003

COMMENTS:

Claimant does not own all this property according to tax records

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

Idaho Department of Water Resources

1987 Napp Photo

Claim Number:

57-10893

Legal:

T01S, R05W, S30

31, 32

T02S, R05W, S5

Reviewed By:

Point of Diversion

2 located outside view



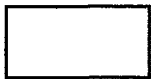
Place of Use



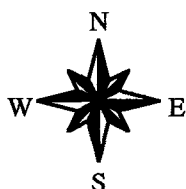
Section Lines



Quarter Quarter Lines



Township/Range Lines



0 0.25 0.5 0.75 1 Miles



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 57-10893
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

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

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

PERIOD OF USE: 04-01 to 10-31

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

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

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

RULE 54(b) CERTIFICATE

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

Dated January 3, 2002.



ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

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

Important Information About Your Water Right

January 3, 2003

Ed Wilsey
Carl Wilsey
HCR 81
Marsing, ID 83639

RECEIVED

JAN - 6 2003

Department of Water Resources

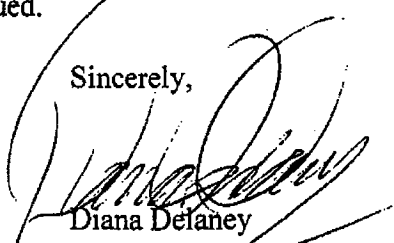
Dear Water Right Claimant(s):

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

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

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

Sincerely,



Diana Delaney
Case Administrator

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 57-10893

1997 APR 29 AM 11:29

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILES _____

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

SOURCE: WILLOW FORK
UNNAMED STREAMS

TRIBUTARY: LITTLE MC BRIDE CREEK
LITTLE MC BRIDE CREEK

QUANTITY: 3.2 CFS
146.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION:

T01S R05W S32

T02S R05W S04

S05

LOT 2

1 SWSE

2 NWSE

1 NWNE

1 NWSWNE

2 SENW

1 NESW

1 NENW

2 NWSE

1 SESE

1 SENW

(INJECTION)

(INJECTION)

(REDIVERSION)

(REDIVERSION)

(REDIVERSION)

(REDIVERSION)

(REDIVERSION)

Within Owyhee County

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

146.0 AFY

146.0 AFY

3.2 CFS

PLACE OF USE:

IRRIGATION FROM STORAGE

Within Owyhee County

T01S R05W S30

S31

S32

T02S R05W S05

Lot 2

SESW 11.5

NENW 30.5

NWSE 8.0

NESW 25.0

(NWNE) 13.0

SESW 2.0

NESW 24.0

SESW 19.5

SESE 16.0

NWSW 25.0

SWNE 1.0

Lot 3

SESW 24.0

NESW 4.0

SWSW 24.0

(NENW) 22.0

Lot 4

NESE 7.0

SESW 33.0

(NWNW) 12.0

301.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10893

MICROFILMED

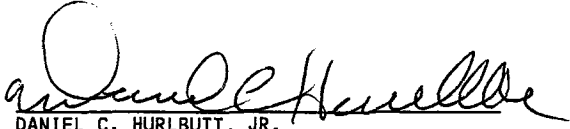
MAR 09 1998

MICROFILMED

MAR 09 1998

PAGE 1
APR-16-1997

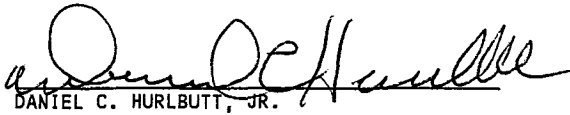
DATED: APR 29 1997


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

MICROFILMED

MAR 09 1998 PAGE 2
APR-16-1997

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MAY 11 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 30 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 APR 29 AM 11:29

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 57-10893

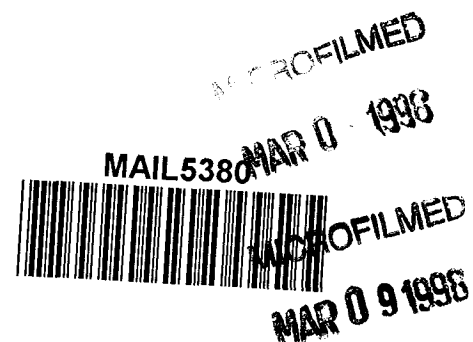
On March 5, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 57-10893 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



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): 57-10893

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 57-10893 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 09 1998

CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

PAGE 1
04/29/97

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MAR 06 1997

1997 MAR -5 PM 1:17

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

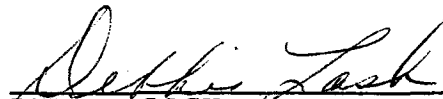
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-10893

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

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

DATED March 03, 1997.


DEBBIE LASH
Deputy Clerk

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

1997 MAR -5 PM 1:17

In Re SRBA)
)
Case No. 39576)
)
)
)
)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-10893
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *AK*

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

SOURCE: ~~WILLOW FORK~~
UNNAMED STREAMS

TRIBUTARY: LITTLE MC BRIDE CREEK
LITTLE MC BRIDE CREEK

QUANTITY: 3.2 CFS
146.0 AFY

RECEIVED

MAR 06 1997

Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION: T01S R05W S32 SWSE
T02S R05W S04 NWSE
S05 LOT 2 (NWNE)
NWSWNE (INJECTION)
SESW (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	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE		01-01 12-31	146.0 AFY
IRRIGATION FROM STORAGE		Irrigation Season	146.0 AFY
DIVERSION TO STORAGE		01-01 12-31	3.2 CFS

PLACE OF USE:	IRRIGATION FROM STORAGE	Within Owyhee County							
	T01S R05W S30	SESW	11.5	NESW	24.0	SESW	24.0		
	S31	NENW	30.5	SESW	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	(NWNE)	13.0	SWNE	1.0	Lot 3 (NENW)	22.0	Lot 4 (NWNW)	12.0
		SESW	2.0						
	301.5	ACRES TOTAL							

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

DATED: 3/5/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10893

AK Haemmerle
FRITZ XI HAEMMERLE
Special Master
Snake River Basin Adjudication

RECORDED

PAGE 1
MAR 09 1996

RECEIVED

MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:17

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	WATER RIGHT 57-10893
	)	
_____	)	

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 57-10893 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 57-10893, 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.

MICROFILMED

MAR 09 1998

CONCLUSIONS OF LAW

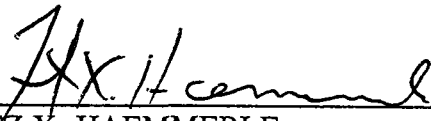
Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be recommended for each subcase.

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 57-10893 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 57-10893*.

DATED February 28, 1997.



FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

RECEIVED

MAR 06 1997

Department of Water Resources

DEC 30 1996

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

Water Right(s): 57-10893

1998

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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-10893

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: ~~WILLOW FORK~~
UNNAMED STREAMS

TRIBUTARY: LITTLE MC BRIDE CREEK
LITTLE MC BRIDE CREEK

QUANTITY: 3.2 CFS
146.0 AFY

RECEIVED
DEC 30 1996

Department of Water Resources

USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

PRIORITY DATE: 09/26/1967

POINT OF DIVERSION: T01S R05W S32 SWSE Within Owyhee County
T02S R05W S04 NWSE
S05 LOT 2 (NWNE)
NWSWNE (INJECTION)
SESW (INJECTION)
T01S R05W S30 NESW (REDIVERSION)
S31 NENW (REDIVERSION)
NWSE (REDIVERSION)
SESE (REDIVERSION)
T02S R05W S05 SENW (REDIVERSION)

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

PLACE OF USE:	IRRIGATION FROM STORAGE	Within Owyhee County
T01S R05W S30 S31 S32 T02S R05W S05 Lot 2	SENW 11.5	NESW 24.0
	NENW 30.5	SESW 19.5
	NWSE 8.0	SESE 16.0
	SENW 25.0	NWSW 25.0
	(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 57-07082~~ IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 301.5 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

DATED: 12-26-96

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10893

FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
NOV-7-1996

MICROFILMED

MAR 09 1996

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DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

) PRELIMINARY SPECIAL
) MASTER'S REPORT

) WATER RIGHT 57-10893

) MICROFILMED

MAR 09 1998

FINDINGS OF FACT

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

An objection to the *Director's Report* for water right 57-10893 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 57-10893, Mark D. Shenk. BLM objected to **element 1**, Name and Address; **element 2**, Source; **element 3**, Quantity; **element 4**, Priority Date; **element 7**, Purpose of Use; **element 8**, Period of Year; **element 9**, Place of Use; **element 10**, Consumptive Use; **element 12**, Water Right Recommendation. On June 12, 1995 a *Standard Form 3 (Substitution of Party)* was filed with the court. **Element 1**, Name and Address will reflect that change and will now be Carl and Ed Wilsey. On October 18, 1996 the parties and IDWR submitted a *Standard Form 5* with the court.

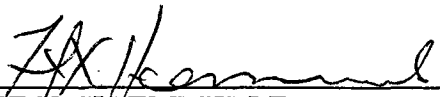
CONCLUSIONS OF LAW

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

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

Therefore, based on the file and record herein, IT IS RECOMMENDED that water right 57-10893 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 57-10893*.

DATED December 17, 1996.

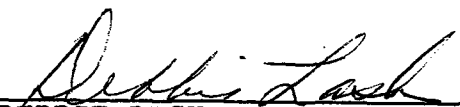


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

MAR 09 1998

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


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
03/05/98 FILMED

MAR 09 1998

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MAR 06 1997

Department of Water Resources

1997 MAR -5 PM 1:17

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
PL

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): 57-10893

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

PAGE 1
03/05/97

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *PL*

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): 57-10893

MICROFILMED

MAR 09 1998

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

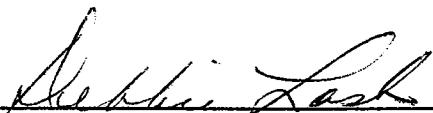
CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

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

CERTIFICATE OF MAILING

PAGE 1
12/26/96

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



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
10/26/01
MICROFILMED
MAR 09 1993

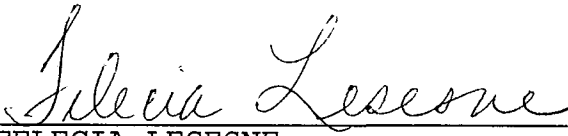
CERTIFICATE OF SERVICE

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: 57-10893** to be served by United States mail, postage prepaid,
on the following persons:

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

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

Ed and Carl Wilsey
HCR 81
Marsing, Idaho 83639


FELECIA LESESNE

MICROFILMED

MAR 09 1996

RECEIVED

OCT 21 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

AUG 27 1996

RECEIVED

Department of Water Resources

OCT 18 1996

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 5

SUBCASE NO: 57-10893

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).

MAIL2220



MICROFILMED

OCT 09 1996

1. The name and address of the claimant is:

Ed and Carl Wilsey
HCR 81
Marsing, ID 83639

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

2. The source of water is: 1) Willow Fork, Tributary: Little McBride Creek; 2) Unnamed Streams, Tributary: Little McBride Creek

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

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

Diversion to Storage	01-01 - 12-31	3.2 CFS
Irrigation Storage	01-01 - 12-31	146.0 AFY
Irrigation from Storage	Irrigation Season	146.0 AFY

Total Quantity: 3.2 CFS
146.0 AFY

Use of this right with right 57-07003 is limited to a total combined storage volume of 146.0 AF.

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

4. The priority date is: 09/26/1967

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T01S R05W S32 SWSE
T02S R05W S04 NWSE
S05 LOT 2 (NWN) NWSWNE (I) SENW (I)
T01S R05W S30 NESW (R)
S31 NENW (R) NWSE (R) SESE (R)
T02S R05W S05 SENW (R)

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: Diversion to Storage, Irrigation Storage and Irrigation from Storage

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Diversion to Storage	01-01 - 12-31	3.2 CFS
Irrigation Storage	01-01 - 12-31	146.0 AFY
Irrigation from Storage	Irrigation Season	146.0 AFY

Total Quantity: 3.2 CFS
146.0 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.

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

		Within Owyhee County				
T01S R05W S30	SE	11.5	NESW	24.0	SESW	24.0
S31	NE	30.5	SE	19.5	NESW	4.0 NESE 7.0
			NWSE	8.0	SESE	16.0
S32	NE	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
	SE		2.0			

301.5 acres total

Use of this right with right nos. 57-02114, 57-04005, 57-07003 and 57-07082 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:

Use of this right with right nos. 57-02114, 57-04005, 57-07003 and 57-07082 is limited to a total combined annual consumptive use volume of 753.8 AF.

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

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - Beneficial Use

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

Signatures and Addresses of Parties and their Attorneys of Record
(attach additional page if necessary)

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

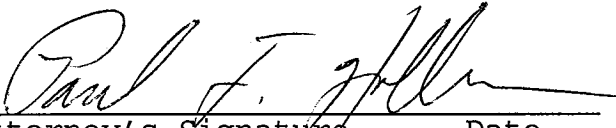
Name of Objector:

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

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

Party's Signature

Date


Attorney's Signature

Date

10/15/96

Name of Claimant:

Ed and Carl Wilsey
HCR 81
Marsing, ID 83639



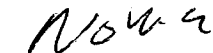
10-2-96



10-2-96

Party's Signature

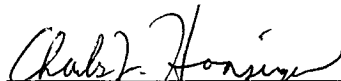
Date



Attorney's Signature

Date

IDWR Concurrence:


Signature

08/28/96
Date

AJ5809WP
No. R57-10893

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 20

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		146.00 AFA
C	MARGIE SHENK		IRRIGATION FROM STORAGE	04-15 10-15		146.00 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	146.00 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 Lot02(NWNE)				OWYHEE County
Point(s) of Injection:	T02S R05W S05	NWSWNE	SEW		OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	MESW			OWYHEE County
	S31	NENW	NWSE	SESE	OWYHEE County
	T02S R05W S05	SEW			OWYHEE County

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
01S	05W	30	:	:	:	11	:	24	:	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	:	:	:	:	:	:	30.0
TOTAL ACRES															301.5

POU County: OWYHEE

Non-Irrigation Uses: NONE

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

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

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A
TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

POU USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 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 57-07082 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 753.8 AF.

FILED

1996 OCT 9

AJ5809NP
No. R57-10893

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 21

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

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

Comments: Date: 11/15/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Date: 10/06/1992 User-ID: WALKER Subject: CORRECTION MADE 10/6/92
TODAY I DISCOVERED THAT THE ZIP CODE ON MRS. SHENK'S ADDRESS
WAS IN ERROR. I CORRECTED THAT ERROR AND RESET THE VERIFIED
FLAG.

Audit: 06/04/94 MCCARTHY 03/30/95 POST-STD 08/12/96 RMCCARTH

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MAR 09 1996

1993 JUL -2 PM 12: 52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
RECEIVED
JUL 06 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 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 official capacity as
Director of the Idaho Department of
Water Resources,

ORDER GRANTING EXTENSION OF TIME TO FILE RESPONSES TO OBJECTIONS

Petitioner,

VS.

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

Respondents.

MICROFILMED
MAR 09 1998

Mark D. Shenk, Pro Se, Parma, Idaho

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.

IT IS ORDERED that Mr. Shenk is granted an extension of time to file responses to

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:

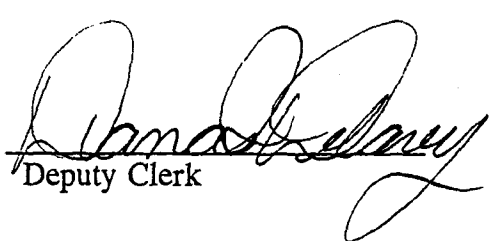
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

MICROFILMED

MAR 09 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.

MICROFILMED

MAR 09 1996

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) **MAR 09 1991** (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

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

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

I am the new claimant/purchaser of ^{57-07082 87-10893}
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. Shunk 28801 SCOT PIT RD PRIMA ID 85660

Margie Shunk

Maah D. Shunk
Signature of prior claimant/seller

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

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

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.

☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

MAR 09 1998

VERIFICATION

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

State of IDAHO

County of Owyhee

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

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

Ed Wilby

Signature of person filing form

BY: _____

Attorney signing in representative capacity

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

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

MICROFILMED

MAR 09 1996

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

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

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

5. One copy to:

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

6. One copy to:

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

Signature of person or attorney mailing the form

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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

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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
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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

RECEIVED

APR 26 1995

Department of Water Resources

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

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

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

57-04005, 57-02114, 57-02003, 57-07082
57-10893

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

MARK D OR MARGIE JHENT
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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WATER RESOURCES
WESTERN REGION

[] Attach proof of
ownership, describe
proof attached: _____

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

☒ Signature of New
Owner/Claimant(s)

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. Jhent Date 4-19-95
Margie J. Jhent 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:

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MAR 09 1995

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

AJ0749NP
No. 57-10893

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

DATE: 06/01/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDDIE L WILSEY	09/26/1967	IRRIGATION STORAGE	01-01 12-31		146.00 AFA
C	DEBRA K WILSEY		IRRIGATION FROM STORAGE	04-15 10-15		146.00 AFA
C	CARL L WILSEY		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
C	PAULA J WILSEY					
	C/O WILSEY BROS					
	HCR 81			TOTAL DIVERSION:	3.20 CFS	146.00 AFA
	MARSING ID 83639					
	(208) 337-4780					

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

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 Lot02(NWNE)				OWYHEE County
Point(s) of Injection:	T02S R05W S05	NWSWNE	SENW		OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	NESW			OWYHEE County
	S31	NENW	NWSE	SESE	OWYHEE County
	T02S R05W S05	SENW			OWYHEE County

Place of use Legal Description for: IRRIGATION FROM STORAGE

				NE				NW				SW				SE																											
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: Lt Ac	NENW	NWNW	SWNW	SENW	: Lt Ac	NESW	NWSW	SWSW	SESW	: Lt Ac	NESE	NWSE	SWSE	SESE	: Lt Ac																				
01S	05W	30	:					:				11	:	24	06-01		24	:					:	60.5																			
01S	05W	31	:					:	30			19	:	04				:	07	08	11	16	:	96.0																			
01S	05W	32	:					:					:	25	25	24	33	:			01		:	108.0																			
02S	05W	5	:			02-13	01	:		03-22	04-12	02	:					:					:	50.0																			
02S	05W	6	:	01-03				:					:					:					:	3.0																			
																						TOTAL ACRES																					317.5

POU County: OWYHEE

Non-Irrigation Uses: NONE

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

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003
AND 57-07082 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.

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Remarks: SOURCES FOR THIS RIGHT ARE WILLOW FORK TRIB. TO LITTLE
MCBRIDE CREEK AND UNNAMED STREAMS TRIB. TO LITTLE MCBRIDE
CREEK.
POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE
AND LITTLE MCBRIDE CREEKS.
USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A TOTAL
COMBINED STORAGE VOLUME OF 146.0 AF.

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

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

Comments: Date: 11/15/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Date: 10/06/1992 User-ID: WALKER Subject: CORRECTION MADE 10/6/92
TODAY I DISCOVERED THAT THE ZIP CODE ON MRS. SHENK'S ADDRESS
WAS IN ERROR. I CORRECTED THAT ERROR AND RESET THE VERIFIED
FLAG.

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

Audit: 06/01/95 KWALKER

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-25-1994
PAGE: A-10

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAMS		TRIBUTARY: LITTLE MC BRIDE CREEK				
57-10893	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/26/1967	DIVERSION TO STORAGE	01-01 12-31	3.2	CFS BENEFICIAL USE
			IRRIGATION STORAGE	01-01 12-31	146.0	AFY
			IRRIGATION FROM STORAGE	04-15 10-15	146.0	AFY
			TOTAL QUANTITY:		3.2	CFS
					146.0	AFY

POINT OF DIVERSION:

T01S R05W S32 SWSE
T02S R05W S04 NWSE
S05 LOT 2 (NWNE)
NWSWNE (I)
SESW (I)
T01S R05W S30 NESW (R)
S31 NENW (R)
NWSE (R)
SESE (R)
SESW (R)

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION FROM STORAGE

T01S R05W S30	SESW 11.5	NESW 24.0	Lot 6 (NWSW) 1.0	SESW 24.0
S31	NENW 30.5	SESW 19.5	NESW 4.0	NESE 7.0
	NWSE 8.0	~~SWSE 11.0~~	SESE 16.0	
S32	NESW 25.0	NWSW 25.0	SWSW 24.0	SESW 33.0
	~~SWSE 1.0~~			
T02S R05W S05	Lot 2 (NWNE) 13.0	SWNE 1.0	Lot 3 (NENW) 22.0	Lot 4 (NWNW) 12.0
	SESW 2.0			
S06	Lot 1 (NENE) 3.0			

301.5 ~~347.5~~ ACRES TOTAL

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

AND 57-07082 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.

SOURCES FOR THIS RIGHT ARE WILLOW FORK TRIB. TO LITTLE
MCBRIDE CREEK AND UNNAMED STREAMS TRIB. TO LITTLE MCBRIDE
CREEK.

POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE

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AJ5856NP

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

DATE: MAR-25-1994
PAGE: A-11

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: UNNAMED STREAMS			TRIBUTARY: LITTLE MC BRIDE CREEK			

57-10893 CONTINUED

AND LITTLE MCBRIDE CREEKS.
USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A TOTAL
COMBINED STORAGE VOLUME OF 146.0 AF.

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

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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. 57-10893-00001

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 - 10893 .

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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R05W S06 LOT 1 NENE 3.0 acres and T01S R05W S30 LOT 6 SWSW 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.

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Dated:

Respectfully submitted,

CLAIMANT

Dated:

UNITED STATES OF AMERICA
on behalf of the BLM

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

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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

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MAR 0 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: WILLOW FORK		TRIBUTARY: LITTLE MC BRIDE CREEK				
57-10893	MARK D SHENK MARGIE SHENK 28801 SCOTT PIT RD PARMA ID 83660	09/26/1967	DIVERSION TO STORAGE	01-01 12-31	3.2	CFS BENEFICIAL USE
			IRRIGATION STORAGE	01-01 12-31	146.0	AFY
			IRRIGATION FROM STORAGE	04-15 10-15	146.0	AFY
			TOTAL QUANTITY:		3.2	CFS
			TOTAL VOLUME:		146.0	AFY

POINT OF DIVERSION:

T01S R05W S30	NESW (R)
S31	NENW (R)
	NWSE (R)
	SESE (R)
S32	SWSE
T02S S04	NWSE
S05 LOT 2 (NWNE)	
	NWSWNE (I)
	SESW (R)
	SESW (I)

PLACE OF USE: DIVERSION TO STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION STORAGE

SAME AS OTHER USE

PLACE OF USE: IRRIGATION FROM STORAGE

T01S R05W S30	SESW 11.5	NESW 24.0	SESW 24.0		
S31	NENW 30.5	SESW 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	SESW 2.0
~~T01S R05W S30~~	~~Lot 1 (NWSE)11.0~~				
~~S31~~	~~SESE 11.0~~				
~~S32~~	~~SESE 11.0~~				
~~T02S R05W S06~~	~~Lot 1 (NENE)13.0~~				
301.5 ACRES TOTAL					
~~11317.13 ACRES TOTAL~~					

REMARKS: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003 AND 57-07082 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 317.13 ACRES IN A SINGLE IRRIGATION SEASON.~~

SOURCES FOR THIS RIGHT ARE WILLOW FORK TRIB. TO LITTLE MCBRIDE CREEK AND UNNAMED STREAMS TRIB. TO LITTLE MCBRIDE CREEK.

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

USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

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

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

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. 57-10893
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

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MAR 09 1993

INSTRUCTIONS

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

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

(Over)

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

I. GENERAL INFORMATION

Please fill in the following information:

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

Briefly describe your interest in this water right:

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

2. Owner of the water right:
Mark D. Shenk
Name: claimant Margie Shenk
Address: 28801 Scott Pit Rd.
Parma, ID 83660

3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

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(Over)

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

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

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MAR 0 9 1981

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

1. Map of claim on public land

2. Conflicting USDI claims

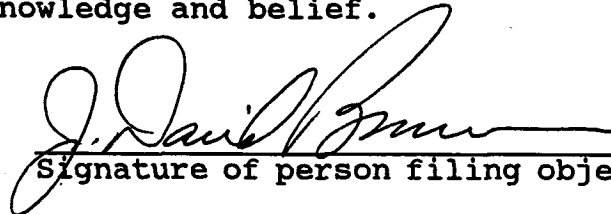
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

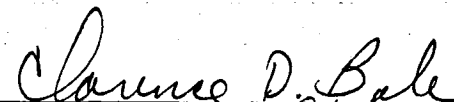
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


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

MICROFILMED

MAR 09 1998

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

1. Original to:

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

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

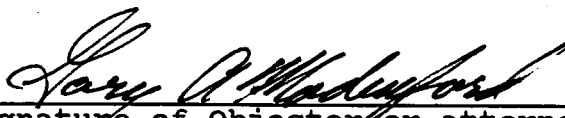
Owner name: Mark D. Shenk
Margie Shenk
Owner's address: 28801 Scott Pit Rd.
Parma, ID 83660

3. One copy to:

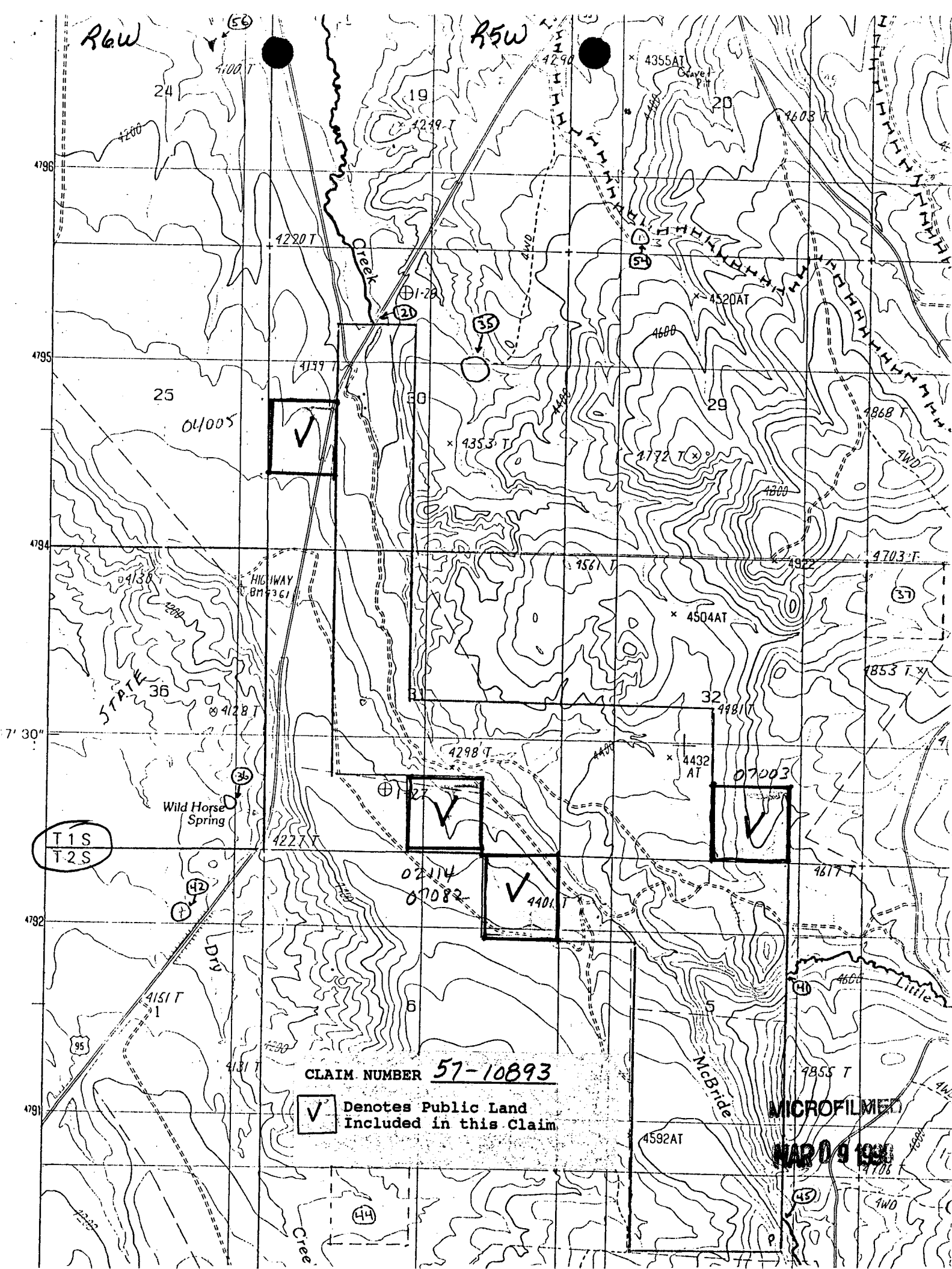
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf



CLAIM NUMBER: 57-10893

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11103

57-11171

MICROFILMED

MAR 09 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
DISTRICT COURT - SRBA
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. 57-10893 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MGMT
Address: 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 09 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. A57-10893

3

(Over)

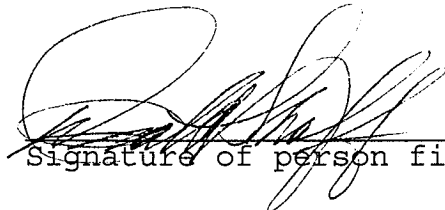
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

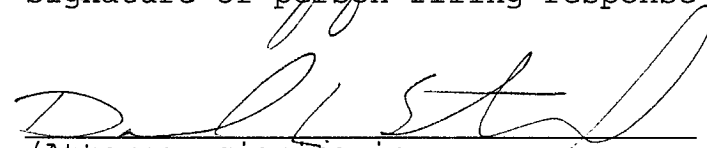
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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



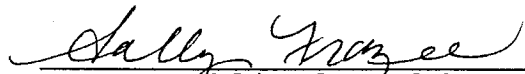
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



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

MICROFILMED

MAR 09 1993

CERTIFICATE OF MAILING

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

1. Original to:

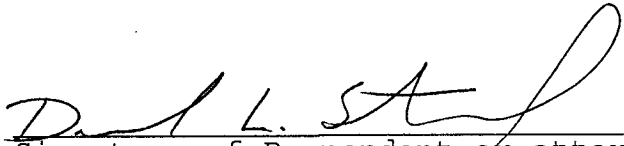
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

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

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

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



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

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 09 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.

MICROFILMED

MAR 09 1993

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 09 1998

(Over)

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

Directors report should be approved as originally written.

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

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

MICROFILMED

MAR 09 1990

VERIFICATION (Must be Completed)

State of Idaho

County of O Canyon

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

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

Mark D. Shunt
Signature of person filing response

By: _____
(Attorney signing in
representative capacity)

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

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

MICROFILMED

MAR 09 1998

(Over)

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: _____

Address: _____

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

Name: _____

Address: _____

4. One copy to:

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

5. One copy to:

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

Signature of Respondent or attorney
mailing on Respondent **MICROFILMED**

MAR 09 1990

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	04-15 10-15		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 Lot02(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 FROM STORAGE

NE				NW				SW				SE							
T	R	S		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	
																TOTAL ACRES	317.5		

POU County: OWYHEE

Non-Irrigation Uses: NONE

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

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003 AND 57-07082 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. SOURCES FOR THIS RIGHT ARE WILLOW FORK TRIB. TO LITTLE MCBRIDE CREEK AND UNNAMED STREAMS TRIB. TO LITTLE MCBRIDE CREEK. POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE AND LITTLE MCBRIDE CREEKS. USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

MICROFILMED
JUL 2 1 1994

=====

Dates: Exam Made Date: 11/09/1990 Verified Date: 10/06/1992

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

Comments: Date: 11/15/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Date: 10/06/1992 User-ID: WALKER Subject: CORRECTION MADE 10/6/92
TODAY I DISCOVERED THAT THE ZIP CODE ON MRS. SHENK'S ADDRESS
WAS IN ERROR. I CORRECTED THAT ERROR AND RESET THE VERIFIED
FLAG.

Audit: 10/06/92 WALKER

MICROFILMED
JUL 21 1994

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	04-15 10-15		146.0 AFA
	28801 SCOTT PIT RD		DIVERSION TO STORAGE	01-01 12-31	3.20 CFS	
	PARMA ID 83639					
	(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 Lot02(NWNE)		OWYHEE County
Point(s) of Injection:	T02S R05W S05	NWSWNE	OWYHEE County
Point(s) of Re-diversion:	T01S R05W S30	NESW	OWYHEE County
	S31	NENW	OWYHEE County
	T02S R05W S05	SESE	OWYHEE County

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE				NW				SW				SE							
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: Lt Ac	NENW	NWNW	SWNW	SESW	: Lt Ac	NESE	NWSE	SWSE	SESE	: Lt Ac	
01S	05W	30	:					:	11				:	24	06-01			:	60.5
01S	05W	31	:					:	30				:	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
TOTAL ACRES																	317.5		

POU County: OWYHEE

Non-Irrigation Uses: NONE

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

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02114, 57-04005, 57-07003 AND 57-07082 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. SOURCES FOR THIS RIGHT ARE WILLOW FORK TRIB. TO LITTLE MCBRIDE CREEK AND UNNAMED STREAMS TRIB. TO LITTLE MCBRIDE CREEK. POINTS OF INJECTION INTO AND POINTS OF REDIVERSION FROM MCBRIDE AND LITTLE MCBRIDE CREEKS. USE OF THIS RIGHT WITH RIGHT NO. 57-07003 IS LIMITED TO A TOTAL COMBINED STORAGE VOLUME OF 146.0 AF.

MICROFILMED
OCT 07 1992

Dates: **Exam Made Date:** 11/09/1990 **Verified Date:** 03/02/1992

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

Comments: Date: 11/15/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
FILING ON WATER THAT HAS ALWAYS BEEN STORED IN RESERVOIR BUT NOT
FILED ON.

Audit:	11/15/91 WALKER	11/20/91 WALKER	12/06/91 WALKER	12/18/91 WALKER
	01/10/92 WALKER	03/02/92 WALKER	07/29/92 PR-PRODM	07/29/92 PR-PRODM

MICROFILMED
OCT 07 1992

Claim No.: A5-10293

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 af/a (for area) = _____ af/a

[] Change Diversion Volume

acres x 3.5 af/a (for area) = _____ af/a

[] Change Remarks

Code

Recommended Change

[☒] Corrections Made 1-10-92
(date)

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

Reviewing Agent

(signature)

~~MICROFILMED~~

OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:27:18
11/06/91

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-10893

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y	requested claim	kwa js 11-9-90	N	5	EW 12-18-91	EW 12-16-91	EW 12-18-91
POINT OF DIV	Y	10/16/91	6-18-91		1,5,2,4			
SOURCE	Y	submitted 10/25/91			5			
PLACE OF USE	Y				1,5,2,4			
DIV. AMOUNT CFS/VOLUME	Y				5			
CONSUMPTIVE USE	-				5			
PURPOSES	Y				5			
PERIOD OF USE	Y				5			
BASIS OF CLAIM	Y				5			
REMARKS	Y				5			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:45:33
12/18/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-10893

LAST: SHENK
ADDRESS: 28801 SCOTT PIT RD.
CITY: PARMA
PHONE NUMBER: 208-722-7123

FIRST: MARK D.
STATE: ID ZIP: 83660

OWNER CODE: C

LAST: SHENK
ADDRESS: 28801 SCOTT PIT RD.
CITY: PARMA
PHONE NUMBER: 208-722-7123

FIRST: MARGIE
STATE: ID ZIP: 83660

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

fw

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

MICROFILMED
OCT 07 1992

CONTACT PERSON: Mark P. Shank

PHONE NUMBER: (208) 337-4317

DATE OF FIELD EXAM: 11/9/90

APPOINTMENT MADE: Y(☒) N(☐)

TIME: 9:30 A(☒) P(☐)

ACCOMPANIED BY: Mark Shank, Jan Shurte

PHONE NUMBER: (☐) ☐ - ☐

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See A57-02114

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A. AJ CLAIM: # A57-10893 PRIORITY DATE: 09-26-1967 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
kw

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

REMARKS: *The sources of water under this claim have ~~always~~ flowed into King Dam since it was constructed under Permit 57-07003. We requested this claim be filed to cover the sources being stored in the dam. The priority date recommended is the same as Permit 57-07003. We have limited A57-07003 & A57-10893 to store only 146.0 AF when combined.*

RECOMMENDED PRIORITY DATE:

9-26-1967

REVIEWED BY

kw

DATE

12-18-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-10893	01S ✓	05W ✓	30 ✓		NE ✓	SW ✓		OWYHEE
A57-10893	01S ✓	05W ✓	31 ✓		NE ✓	NW ✓		OWYHEE
A57-10893	01S ✓	05W ✓	31 ✓		NW ✓	SE ✓		OWYHEE
A57-10893	01S ✓	05W ✓	31 ✓		SE ✓	SE ✓		OWYHEE
A57-10893	01S ✓	05W ✓	32 ✓		SW ✓	SE ✓		OWYHEE
A57-10893	02S ✓	05W ✓	4 ✓		NW ✓	SE ✓	Willow Fork	OWYHEE
A57-10893	02S ✓	05W ✓	5 ✓		NW ✓	NE ✓	2 ✓	OWYHEE
A57-10893	02S ✓	05W ✓	5 ✓	NW	SW ✓	NE ✓		OWYHEE
A57-10893	02S ✓	05W ✓	5 ✓		SE ✓	NW ✓		OWYHEE

Rediversion Points

Pt. of Injection

Pt. of Rediversion

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A57-02114 -
A57-04005 -
A57-10660 -

57-02114

chipmunk Grazing 2S, 5W, Sec's. 4, 9, 10

R57-02114
R57-04005
R57-07003
R57-07082

all Shenk's

SOURCE: WILLOW FORK
UNNAMED STREAMS

TRIB: LITTLE MC BRIDE CREEK
LITTLE MC BRIDE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD EXAMINER
fw
fw

MICROFILMED
OCT 07 1992