

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-4006

Date Received 10-20-1988

Receipt Number E003342

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) THOMAS J. & SANDRA C. SHOOK Phone (208) 394-2202

Mailing Address 561 PANTHER CREEK RD., SHoup, ID. Zip 83469

2. Date of Priority (Only one (1) per claim) AMENDED TO 5/01/1891

3. Source of water supply (a) PANTHER CK.
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 22N Range 18E Section 3,
NW SE
1/4 of 1/4 of 1/4, Govt. Lot, B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

(see additional pages)

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/01 to 11/01 amount 0.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>22N</u>	<u>18E</u>	<u>3</u>																	<u>4.75</u>

Total number of acres irrigated 4.75 ACRES

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

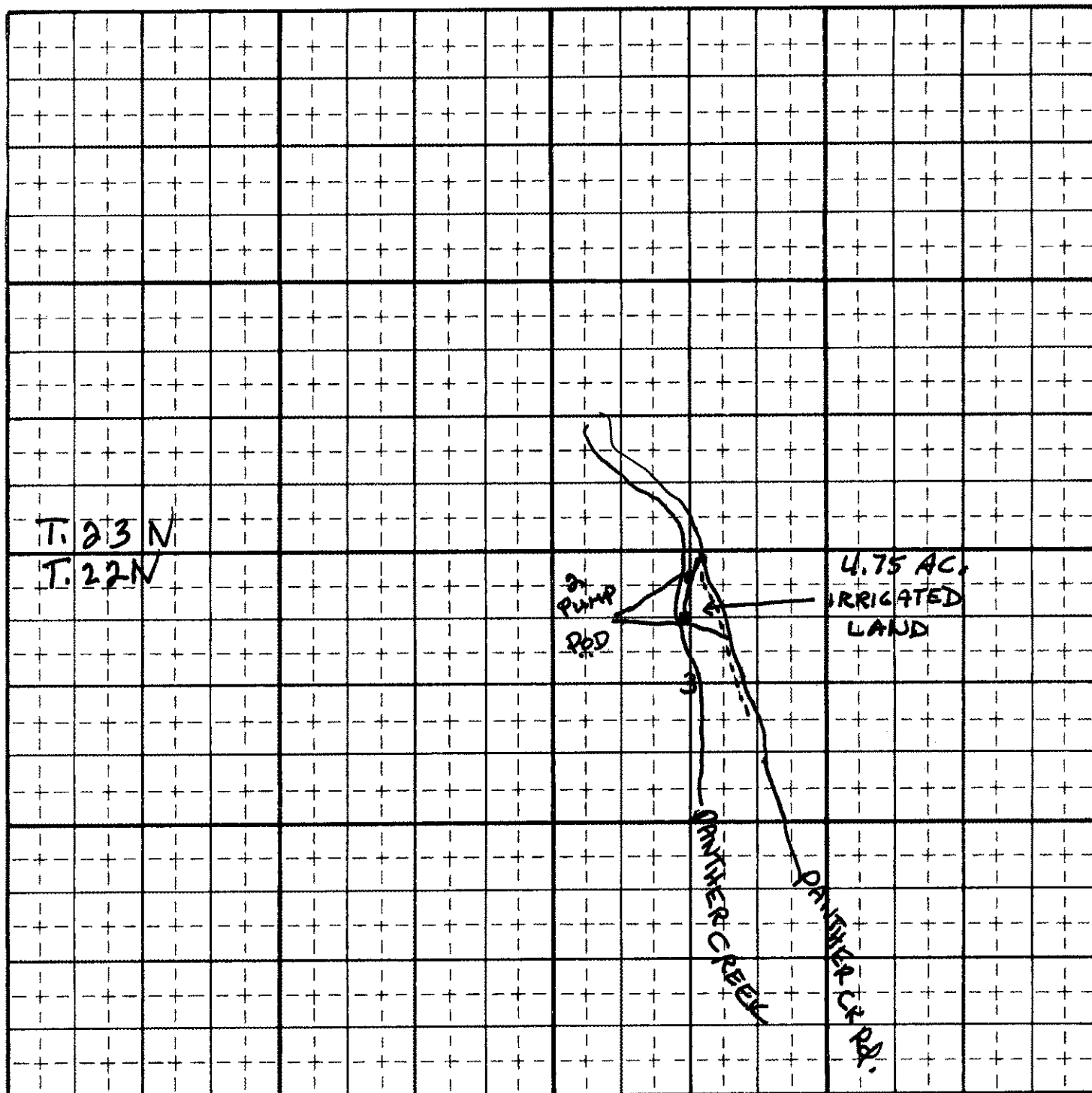
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name SHOOK Ident No. 75-4006

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



R. 18 E

Not to SCALE

Last Name SHOOK

Ident No. 75-4006

OLD DITCH RUNS 3/10 MI.
ALONG WEST SIDE OF
ROAD AS INDICATED BY

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

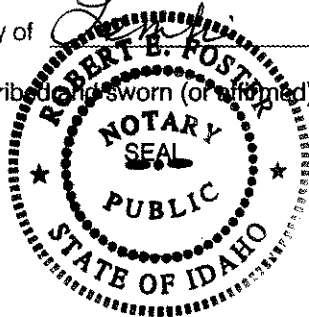
Signature of Claimant (s) Thomas J. Shook Date 7/26/05
Sandra C. Shook Date 7/26/05

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 26th day of July 18 2005



Notary Public Robert E. Foster

Residing at Salm, Id

My Commission Expires 02-16-07

Please Print Name

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

Signature _____

Address _____

Date _____

Last Name SHOOK Ident. Number 75-4006

Ident No. - 75-4006
CIVIL CASE NO. - 39576

STATE OF IDAHO - WATER RESOURCES

RE: AMENDED PRIORITY DATE

We are amending our priority date to reflect the same priority date that the U.S. Dept. of Agriculture Forest Service lists as priority date in Water Right 75-04164 - transfer 5786.

The reason being that our land was part of the original Willard Road Homestead. The majority of that original homestead is now under ownership of The U.S. Forest Service and covered under 75-04164. (water right)

There are 2 old ditches running along Panther Ck. One of the ditches irrigated the Forest Service property and the other irrigated our property. Neither one is in use now. We have gone to irrigating by pumps, the same as the Forest Service.

We are including a copy of pg. 1 State of Idaho Transfer of Water Right (USDA FOREST SERVICE) showing priority date of 05/01/1891, also included is copy Forest Serv. property data pg. 22 which

Amended Priority Date
for 75-4006

Pg. 2

State of Idaho
Water Resources

7/24/05

shows high-lighted Homestead Entry Survey (HES) 239, 57 + 461. All of these Homestead Entry Surveys are in the data of ownership we submitted to the State dated 1/12/05.

We have also included a copy of Notice of Water Rights recorded by Willard (Willard) Road March 19th, 1903. We got this copy from Lemhi Co. Courthouse about a week ago. They told us that this also goes with the other claim.

We are still researching this claim so hope this new information helps.

Thomas + Sandra Shook
561 Panther Ck. Rd.
Shoup, Idaho 83469
208-394-2202

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5786
WATER RIGHT NO. 75-04164

This is to certify that: US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
RR 2 BOX 600
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	* 0.25 CFS	71.1 AF *

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
PANTHER CREEK	SALMON RIVER

Priority: 05/01/1891

LOCATION OF POINT(S) OF DIVERSION: SWSWNE , Sec. 3, Township 22N, Range 18E
SENENW , Sec. 3, Township 22N, Range 18E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N	18E	3	SWNE 10.0	NENW 5.3	SENEW 5.0	20.3
Total number of acres irrigated:						20.3

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5786 does not confirm Claimed Right 75-04164.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5786
WATER RIGHT NO. 75-04164

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5786 shall not exceed 0.25 cfs, nor a total combined annual volume of 71.1 af.

Dated this 2nd day of October, 2000


Chief, Water Allocation Bureau

PROPERTY DATA

Lands

Subject lands are comprised of parts of three patented contiguous, homesteads, located in the lower Panther Creek drainage at its confluence with Beaver Creek - about 4 miles south of the Salmon River. The property is at 3460 ± elevation.

Subject lands are in two parcels; the large parcel is principally west of Panther Creek. The smaller parcel (Tract B) is a small triangular shaped meter and bounds tract that is isolated against the east line of HES #239 by the Panther Creek road and by other private ownership.

The major parcel is aligned parallel to Panther Creek in a NW-SE direction. This parcel is about 1.7 miles in length and averages 575 feet in width (140 feet at narrowest point, 1290 feet at widest point).

Acreage

Major Parcel (Parts of HES #239, 57 & 461)	133.93 Ac.
Smaller Parcel (Tract B, Parts of HES #239)	<u>0.62 Ac.</u>
Total	134.55 Ac.

Land Use

Subject lands are considered 100 percent useable. The buildings, orchard and corral occupy about 6 acres. Approximately 65 acres of the property were formerly irrigated by ditch (prior to 1973) and recently have been allowed to revert to native condition. The remainder of the tract lands is used for dry grazing or is stream bottom lands.

Topography and Soils

Subject lands generally slope to the northeast and north. The property soils are alluvium along the Panther Creek bottom and gravelly clay loams on the benches and side slopes. The lands are considered gently sloping or rolling except for a small face of a ridge just west of the guest cabin and orchard.

Review of U.S.G.S. Bulletin 1391-C for the nearby Clear Creek area implies the high and low bench gravels of the lower Panther Creek may contain gold resources at \$0.01/cubic yard to \$2.61/cubic yard based on \$100/Troy ounce. For the purpose of this appraisal, it is assumed the requirement of small scale dredge operations, intensive exploration needed and environmental requirements for safeguards

Notice of Water Rights

Copy

Notice hereby given that I the undersigned citizen has this day located (1000) One Thousand inches of water for the purpose of placer mining this water claim is situated in Mackinaw Mining District on Camp Creek and I intend to use water for mining purposes this water claim shall be known as the Camp Creek claim.

Located on 11 day of March 1903
Location Hillard Road.

Recorded at the request of

Hillard Road

March 19th 1903

at 23 minutes past 6 o'clock

P.M., in Book B of Water Rights

page 477 Records of Lemhi

County, Idaho

H.C. Smith
COUNTY RECORDER.

by _____

DEPUTY.