

PD

#25

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 31-11647
Date Received: 3/5/01
Receipt No: EO-26513
Received By: DC

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

A31-11647



1. Name of Claimant(s)

SHIVELY BROTHERS Phone: (208)663-4512

1201 E 1700 N
TERRETON ID USA 83450

2. Date of Priority: 01/06/1900

3. Source: PATELZICK CREEK Trib. to: BEAVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	35E	36	SE SW	CLARK	

5. Description of diverting works:

HEADGATE DITCH-- STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/01	12/31	0.1	

7. Total Quantity Appropriated is:

0.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
11N	35E	1	NW NW	STOCKWATER	
11N	35E	2	NE SE	STOCKWATER	

11N	35E	11	NW	SE	STOCKWATER
			SW	SE	STOCKWATER

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 300 CATTLE

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am Partner of

SHIVELY BROS Title _____, that I have signed the foregoing

Organization document in the space below as PARTNER of

Shively Bros Title _____ and that the statements contained in the

Organization foregoing document are true and correct. Wm H Shively

Signature of Authorized Agent

Partner of Shively Bros
Title and Organization

3-5-01
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
5 of MARCH 2001

[Signature]

Notary Public

Residing at Bigby, Id

My commission Expires 2/26/2002

Stamm & Co.,
Babcock.

Section 1: NW1/4NW1/4; W1/2SW1/4 40 80
Section 2: Lots 1, 2, 3 and 4. S1/2 N1/2; N1/2S1/2 160 160 160
Section 3: S1/2NE1/4; SW1/4; SW1/4SE1/4; Lots 1, 2 and 3; 80 160 160
N1/2SE1/4; SE1/4NW1/4 20 40 120
Section 4: SE1/4SE1/4; Lot 3 40 40
Section 10: N1/2NW1/4; NE1/4SE1/4; 80 40
Section 11: S1/2 320
Section 12: W1/2W1/2 160

Township 12 North, Range 35, East of the Boise Meridian, Clark
County, Idaho:

Section 33: Lot 1 40
Section 34: Lots 1, 2, 3 and 4. 160

7520d:wh

31-11646
31-11647

RIGHT NUMBER: 31-11647
NAME AND ADDRESS: SHIVELY BROTHERS
1201 E 1700 N
TERRETON ID 83450

SOURCE: PATELZICK CREEK TRIBUTARY: BEAVER CREEK

QUANTITY: 0.10 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/06/1900

POINT OF DIVERSION:
T12N R35E S36 SESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 12/31	0.100 CFS

PLACE OF USE:

STOCKWATER Within CLARK County

T11N R35E S01	NWNW	T11N R35E S11	NWSE
T11N R35E S11	SWSE	T11N R35E S02	NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER, 300 CATTLE