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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

CIVIL CASE NUMBER: 39576

Ident. Number 31-11646
Date Received: 3/5/01
Receipt No: E026513
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHIVELY BROTHERS Phone: (208)663-4512

1201 E 1700 N
TERRETON ID USA 83450

2. Date of Priority: 04/01/1929

3. Source: COTTONWOOD 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	33	SE SE 1	CLARK	
11N	35E	4	SE SE	CLARK	
11N	35E	10	NW NW	CLARK	

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
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A31-11646



11N	35E	4	SE	SE		STOCKWATER
11N	35E	10	NW	NW		STOCKWATER
12N	35E	33	SE	SE	1	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

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Wm H Shively
Authorized Agent

Shively Bros
Title and Organization

3-5-01
Date

State of Idaho

County of Bonneville) SS.

5 of March 2001

Dave Coz

Notary Public

Residing at Ruby, Id

My commission Expires 2/26/2002

RIGHT NUMBER: 31-11646
NAME AND ADDRESS: SHIVELY BROTHERS
1201 E 1700 N
TERRETON ID 83450

SOURCE: COTTONWOOD CREEK TRIBUTARY: BEAVER CREEK
QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/01/1929

POINT OF DIVERSION:

T11N R35E S4 SESE Within CLARK County
T11N R35E S10 NWNW Within CLARK County
T12N R35E S33 SESE Lot 1 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	0.020 CFS

PLACE OF USE:

STOCKWATER Within CLARK County
T11N R35E S10 NWNW T11N R35E S04 SESE
T12N R35E S33 Lot 1 SESE

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