

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: **A36-07271A**
Date Received: 6/ 9/1988
Receipt No: X777777
Received By: su

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

1. Name: EDWARD C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332
AND/OR
Name: RUTH C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

2. Date of Priority: NOV 17, 1972

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE	R	GOODING
			SE	SE	NE	R	GOODING

5. Description of diverting works:
BUCKEYE AND SANDS DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	2.280		
FISH PROPAGATION	01/01	12/31	3.680		

7. Total Quantity Appropriated is:
3.680 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH/PROPAGATION; FIRE/PROTECTION

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		FIRE	
			SE	SW		FISH	
			SW	SE		FIRE	
			SW	SE		FISH	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

A36-00080B, A36-00081B & A36-00082A

14. Remarks:

THIS CLAIM ORIGINALLY UNDER A36-07271, SPLIT BY CHANGE IN OWNERSHIP.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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FEB 03 1993

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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FEB 03 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 13E
Section 11, 1/4 of SE 1/4 of SW 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: A36-00080A, A36-00081A, A36-07271
- [] Name and Address of Former Owner/Claimant(s)(Seller): Edward Shokal
RT 1 Box 410
HAGERMAN ID 83332
- [] New Owner/Claimant (Purchaser): JAMIE MARTIN OR ~~SUSAN MARTIN~~
THOMAS E. KING
- [] New Mailing Address: PO Box 356
HAGERMAN ID 83332 PO Box 254
BURLEY ID 83318
- [] New Telephone Number: (208) 837-6430
- [] 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:
SEE ATTACHED LEGAL DESCRIPTION & MAP.
36-0080 for 0.38 cfs, 36-0081 for 0.58 cfs, 36-7272 for 0.96 cfs
from SANDS DITCH ONLY. SHARES OF ACRES IN POW CLAIMED for 9.0 Acres.
- [] 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) _____ Date _____
- [] Signature of Former Owner/Claimant(s): x Edward C. Shokal Date Oct 28 91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-28-91 By: SC

Further Action Needed:

NONE

Further Action Taken

Date: 11-21-91 By: SC

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

FEB 03 1993

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

REVIEW OF SHOKAL/MARTIN SPLIT

A36-

-80 A (1885)
2.0 cfs
46.8 Ac

-81 A (1910)
1.0 cfs
46.8 Ac.

-727 R
4.624 SANDS
BUCK EYE

s m
-80 B -80 C
37.8 9.0
1.62 0.38 cfs

s m
-81 B -81 C
37.8 9.0
0.42 0.19 cfs (= .57)

s m
V-A -B
3.68 0.96
SANDS SANDS
BUCKEYE ONLY

0.39 cfs (= .39)
0.58 (.96)
48"

this amount of water
sold above the
proportional rates
as claimed.

10-28-91

Steve Cell

MICROFILMED
FEB 03 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 13E
Section 11, 1/4 of SE 1/4 of SW 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: A36-00080A, A36-00081A, A36-07271
- [] Name and Address of Former Owner/Claimant(s)(Seller): EDWARD Shokal
RT 1 Box 410
HAGERMAN ID 83332
- [] New Owner/Claimant (Purchaser): JAMIE MARTIN OR ~~SUSAN MARTIN~~
THOMAS E. KING
PO Box 356
HAGERMAN ID 83332 PO Box 254
BURLEY ID 83318
- [] New Mailing Address: _____
- [] New Telephone Number: (208) 837-6430
- [] 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:
SEE ATTACHED LEGAL DESCRIPTION & MAP.
36-0080 for 0.38 cfs, 36-0081 for 0.58 cfs, 36-7272 for 0.96 cfs
from SANDS DITCH ONLY. SHARES OF ACRES IN POW CLAIMED for 9.0 ACRES.
- [] 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) _____ Date _____
- [] Signature of Former Owner/Claimant(s): x Edward C. Shokal Date Oct 28 91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-28-91 By: SC

Further Action Needed:

NONE

Further Action Taken

Date: 11-21-91 By: SC

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

FEB 03 1993

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

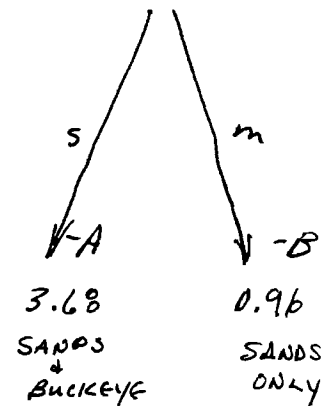
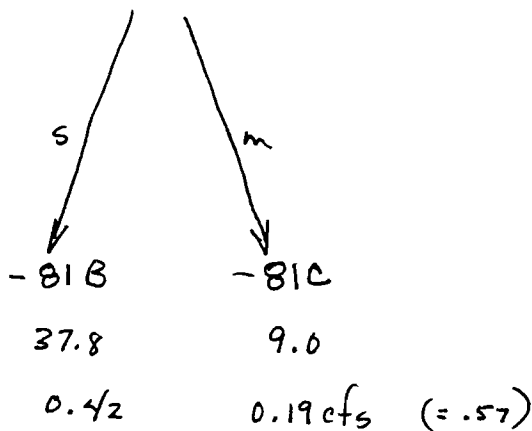
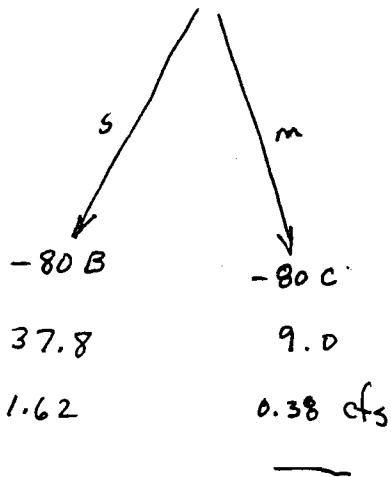
REVIEW OF SHOKAL/MARTIN SPLIT

A36-

-80 A (1885)
2.0 cfs
46.8 Ac

-81 A (1910)
1.0 cfs
46.8 Ac.

-727
4.624 SANDS
BUCK EYE



0.39 cfs (= .39)
0.58 (.96)
48"

this amount of water
sold above the
proportional rates
as claimed.

10-28-91

Steve Cell

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FEB 03 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-07271**
Date Received: 6/ 9/1988
Receipt No: S000381
Received By: SW

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

1. Name: EDWARD C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

AND/OR

Name: RUTH C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

2. Date of Priority: NOV 17, 1972

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE	R	GOODING
			SE	SE	NE	R	GOODING

5. Description of diverting works:
BUCKEYE AND SANDS DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	2.880		
FISH PROPAGATION	01/01	12/31	4.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH/PROPAGATION; FIRE/PROTECETION

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FEB 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		FIRE	
			SE	SW		FISH	
			SW	SE		FIRE	
			SW	SE		FISH	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

A36-00080A, A36-00081A & A36-00082A

14. Remarks:

AMENDED NOTES

CHANGES IN DIVERSION RATE AND POU FIELD. SCC 10-30-91.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Edward C. Shipe Date: Nov 6 91

Date: _____

MICROFILMED
FEB 03 1993

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of November 19 91

Steve C. Bell
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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FEB 03 1993

RECEIVED

MAR 7 1997

Department of Water Resources
Regulation Bureau

FILED -6 AM 9-52

DISTRICT COURT-5
TWIN FALLS COUNTY
FILED

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

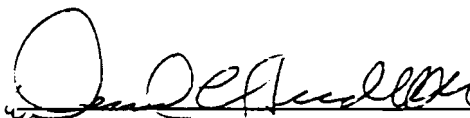
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-07271
_____	)	

On January 23, 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 36-07271 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 6, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

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 -6 M 9-52
I.R.C.P. 54(b) FOR

Water Right 36-07271

NAME & ADDRESS: RUTH C SHOKAL
963 PIONEER RD
HAGERMAN ID 83332

THOMAS E KING
PO BOX 254
BURLEY ID 83318

JAMIE G MARTIN
PO BOX 356
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 4.62 CFS

PRIORITY DATE: 11/17/1972

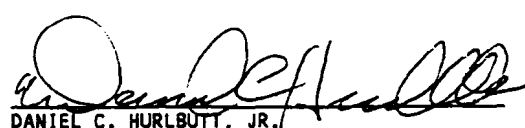
POINT OF DIVERSION: T07S R13E S11 NWSWNE Within GOODING County
SESENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	FISH PROPAGATION	01-01 12-31	4.62 CFS
	FIRE PROTECTION	01-01 12-31	2.88 CFS

FISH PROPAGATION OCCURS IN PONDS.

PLACE OF USE:	FISH PROPAGATION	Within GOODING County
	T07S R13E S11	SESW SWSE
	FIRE PROTECTION	Within GOODING County
	T07S R13E S11	SESW SWSE

DATED: MAR 6 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

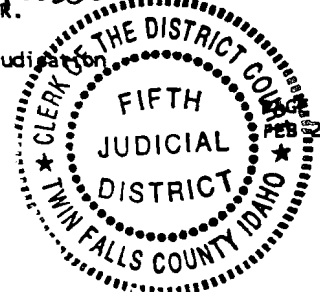
RULE 54(b) CERTIFICATE

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: MAR 6 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07271

State of Idaho
County of Twin Falls
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
Snake River Basin Adjudication



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

May 1, 1996 8:16am

NAME: **TOM KING** **RE:** **CALLBACK 678-7566 (OFFICE: 678-8365) QUESTIONS**

HE WANTED TO KNOW ABOUT CONSUMPTIVE USE AND DIVERSION VOLUME. HE ALSO REFERENCED A MEMO FROM ED SHOKAL RELATING TO THE POND DIVERSIONS. IT WAS UNCLEAR THE EXACT NATURE OF THE PROBLEMS BUT I EXPLAINED THE DIVERSION VOLUME CALCULATION AND THEN THE CONSUMPTIVE USE VOLUME. BASED THE C.U. VOLUME ON THE SAME RATE AS IRRIGATED ACRES. CLAIMS: A36-07271A & A36-07271B & 36-07271.

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DEC 04 1996

From: DWR03::CFRITSCH 21-MAR-1995 09:23:21.68
To: DWR60::SCLELLAN
CC: CFRITSCH
Subj: SPLITTING 36-07271

Hi Steve,

Ed Shokal has submitted enough evidence to show two of the ponds that receive water via the Sands Ditch are on the land sold to Jamie Martin and Thomas King. The problem is that I am not sure how the conveyance losses were figured. Shokal states that he gets 1.62 cfs through the Buckeye Ditch and that Martin and King should get 3.00 cfs through the Sands Ditch. However, Jim's field exam showed that the ponds receiving water via the Buckeye Ditch were receiving 2.88 cfs, and the ponds receiving water via the Sand's Ditch (now Martin's and King's ponds) were receiving a total of 2.67 cfs. I have created an "R" record (R36-07271A) for Shokal, and I will do the same for Martin and King (R36-07271B). However, I will need your assistance in calculating the conveyance losses, and any other words of wisdom you can offer.

Thanks,

Carter

TOTAL CONU. LOSS = 0.03 cfs

During IRRIGATION Season:

- 0080B = .02

- 0082A = .01

 .03

in NON-IRRIGATION Season:

- 7271 = .03

Pou was as licensed

- is this an Accomplished **MA**
- was the pond moved **DEC 04 1996**
- license only shows 1 pond

From: DWR60::SCLELLAN "STEVE @ SOUTHERN" 24-MAR 1995 08:50:15.14
To: DWR03::CFRITSCH
CC: SCLELLAN
Subj: SPLITTING 36-07271

CARTER,

I HAVE BRIEFLY REVIEWED THE FILE AS COPIED HERE AT THE REGION. I DO NOT UNDERSTAND HOW SHOKAL HAS SUBMITTED "ENOUGH EVIDENCE TO SHOW TWO OF THE PONDS... ARE ON THE LAND SOLD TO... (MARTIN & KING)" THE RIGHT AS RECOMMENDED WAS BASED ON THE LICENSE EXAM AND REFLECTS THE RIGHT AS LICENSED. ARE YOU SAYING THE LICENSE EXAM WAS WRONG? OR WAS THIS AN ACCOMPLISHED CHANGE IN PLACE OF USE AFTER THE LICENSE EXAM? THE LICENSE EXAM ONLY DOCUMENTS ONE POND FROM THE SANDS DITCH. WAS THIS POND MOVED?

THESE ARE JUST SOME OF THE QUESTIONS THAT CAME UP AS I READ YOUR MAIL AND REVIEWED THE FILE.

AS FOR THE CONVEYANCE LOSSES, THE TOTAL C.L. FOR THIS RIGHT IS 0.03 CFS LOSS. THIS WAS CALCULATED BY THE WORSTELL PROGRAM FOR THE SANDS DITCH AND WHILE WE DID NOT INCLUDE A COPY TO THE FILES OF THE PRINT OUT, I DO HAVE A FILE WHICH CONTAINS ALL THE CONVEYANCE LOSS CALCULATIONS FOR HAGERMAN VALLEY DITCHES. THE PORTION FROM THE SANDS DITCH IRRIGATION RIGHT, 36-00080B, WAS 0.02 CFS AND COULD ONLY BE USED DURING THE IRRIGATION SEASON. THEREFORE, DURING THE NON-IRRIGATION SEASON, THIS RIGHT, 36-07271, WOULD HAVE TO COVER THE C.L. OF 0.02 CFS FROM THE SANDS DITCH.

THE OTHER 0.01 CFS WAS FOR THE C.L. ASSOCIATED WITH THE IRRIGATION CLAIM 36-00082A, FROM THE BUCKEYE DITCH. SAME SITUATION AS ABOVE WAS APPLIED. SO IF YOU DECIDE TO SPLIT THE CLAIM 36-07271 INTO DELIVERY BY THE RESPECTIVE DITCHES, THE SANDS DITCH PORTION WOULD GET 0.02 CFS C.L. AND THE BUCKEYE DITCH PORTION WOULD GET 0.01 CFS.

IF YOU NEED THE CONVEYANCE LOSS PRINT OUT SHEET, I WOULD BE HAPPY TO MAIL OR FAX IT. I COULD ALSO BRING UP A COPY ON THE 28TH WHEN I COME TO THE STATE OFFICE. LET ME KNOW.

HOPE THIS HELPS.

STEVE

MICROFILMED

DEC 04 1996

See 8-3-92

CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	200	10.0	2.00	0.05	0.61	11.93	0.0042	0.00	15.29-00036, 00110B, 00111B
2	900	10.0	2.00	0.23	0.44	11.32	0.0201	0.01	14.63-00110A, 00111A, 00112A
3	1300	10.0	2.00	0.33	0.21	10.88	0.0302	0.01	13.96-00079
4	200	10.0	2.00	0.05	0.34	10.67	0.0047	0.02	13.42-00080B
5	700	10.0	2.00	0.18	0.22	10.33	0.0171	0.02	13.03-00080C
6	600	10.0	2.00	0.15	0.84	10.11	0.0150	0.08	12.64-00006
7	600	10.0	2.00	0.15	0.55	9.27	0.0164	0.06	11.65-00066
8	1400	10.0	2.00	0.35	0.24	8.72	0.0406	0.04	10.94-00066A
9	2900	10.0	2.00	0.73	1.06	8.48	0.0864	0.25	10.35-00097
10	4500	10.0	2.00	1.14	7.42	7.42	0.1532	2.88	8.56-00098, 00141
11				0.00		0.00	0.0000	0.00	-0.00
12				0.00		0.00	0.0000	0.00	-0.00
13				0.00		0.00	0.0000	0.00	-0.00
14				0.00		0.00	0.0000	0.00	-0.00
15				0.00		0.00	0.0000	0.00	-0.00
16				0.00		0.00	0.0000	0.00	-0.00
17				0.00		0.00	0.0000	0.00	-0.00
18				0.00		0.00	0.0000	0.00	-0.00
19				0.00		0.00	0.0000	0.00	-0.00
20				0.00		0.00	0.0000	0.00	-0.00
TOTALS	13300			3.36	11.93			3.36	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

SANDS DITCH

MICROFILMED
DEC 0 4 1993

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

January 22, 1996 11:57am RUTH SHOKAL 36-00080B, 36-00081B,
36-00082A, 36-07271A,
[REDACTED]

SUBJECT: MEASURING WITH HER WEIR???

phone call (.) walk-in (X)

Since her husband recently passed away, she's had to learn more about her water and how to measure it. Said she has a 2' rectangular knife-edge weir and had some questions as to how to measure the water and what do the readings on her ruler indicate? Made a copy of Table 8, page 245 in the BOR Water Measurement Manual and highlighted the column for 2'. Said she is entitled to 80 miner's inches so told her that would be about down to .40 in the first column and would correspond with about 5" on her ruler. Jim explained to her the best place to place her ruler for the most accurate reading and I gave her a copy of our Water Conversion Card...

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DEC 04 1996

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

FEB 03 1993

NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-07271

2. Name: Thomas E. King

Address: P.O. Box 254, Burley, Idaho 83318

Weekday Telephone Number: (208) 678-7181

RECEIVED

SEP 23 1992

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 03 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

NOTICE OF ERROR FORM

AUG-24-1992

filed 9-10-92

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-07271

2. Name: Edward and/or Ruth Shokal

Address: 963 Pioneer Road
Hagerman Idaho 83332

Weekday Telephone Number: 833-4577

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FEB 03 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED

SEP 25 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: ~~36-07271~~ 36-072718 36-0082A ✓ 36-00080B ✓ 36-00080C ✓

2. Name: Thomas E. King

Address: P.O. Box 254
Burley, Idaho 83332

Weekday Telephone Number: 208-678-7181

JAMIE MARTIN
Post Box 356
Hagerman, Idaho
83332

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FEB 03 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:
All of the recommendations.

Address information is incorrect

4. Describe the changes you wish to have made in the proposed recommendation:
What do you base these findings on?
I need a copy of the study.

This soil is of a non-isotropic nature.

5. Describe why you disagree with the proposed recommendation:
Your information cannot be interpreted or read.
I did not receive this information until 9-17-92
These are my water rights.

6. Date: 9-23-92

SIGNATURE

Thomas E. King

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

① Why is Martin + King Names on this right. They ~~bel~~ belong to another parcel of land.
See 10/30/91 adjudication A 36-0727/A.

4. Describe the changes you wish to have made in the proposed recommendation:

① Remove Martin, King names.
② Limit water source only to Buckeye ditch.
③ Limit water to 85"/sec (1.6 CFS)

5. Describe why you disagree with the proposed recommendation:

Because it is wrong

6. Date: Sept. 6 92

SIGNATURE

Edward C. Shokol

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

① Period of use

② Maximum Quantity

4. Describe the changes you wish to have made in the proposed recommendation:

Period of Use must start on 3-01 to 70-31
Maximum Quantity is only 1/2 of what was
purchased & Decreed in 1910

5. Describe why you disagree with the proposed recommendation:

Period of use does not allow for frost
protection for Fruit & Vineyard frost control
we have 48 Inches of water decreed for property

6. Date:

9-23-92

SIGNATURE

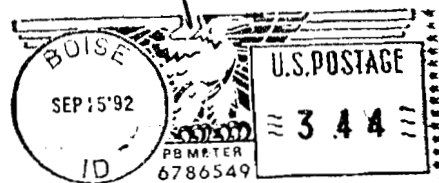
Jamie Martin

ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD
STATEHOUSE MAIL
BOISE, IDAHO 83720

CERTIFIED

P 340 650 538

MAIL



SEP 16 1992

Is your **RETURN ADDRESS**
completed on the reverse side?

Thank you for using
Return Receipt Service.

THOMAS E KING
PO BOX 254
BURLEY ID 83318

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AMENDMENTS TO THE CONSTITUTION

ARTICLES IN ADDITION TO, AND AMENDMENT OF THE CONSTITUTION of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

[The first ten articles proposed 25 September 1789; declared in force 15 December 1791]

ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III

No Soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

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ARTICLE VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, then according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; - The President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted; - The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation for each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. - The person having the greatest number of votes as Vice-President, shall be the

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Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid or insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

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ARTICLE XV

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever shource derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE XVIII

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. *

ARTICLE XIX

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress Shall have power to enforce this article by appropriate legislation.

ARTICLE XX

Section 1. The terms of the President and Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

*Superseded by the Twenty-first Amendment

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Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ARTICLE XXI

Section 1. The Eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation of importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE XXII

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

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ARTICLE XXIII

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice-President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice-President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXIV

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice-President, for electors for President or Vice-President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXV

Section 1. In case of the removal of the President from office or his death or resignation, the Vice-President shall become President.

Section 2. Whenever there is a vacancy in the office of the Vice-President, the President shall nominate a Vice-President who shall take the office upon confirmation by a majority vote of both houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President as Acting President.

Section 4. Whenever the Vice-President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice-President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President Pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no disability exists, he shall resume the powers and duties of his office unless the Vice-President and a majority of either the principal officers of the executive department or of any such body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within 48 hours for that purpose if not in session. If the Congress, within 21 days after receipt of the latter written declaration, or, if Congress is not in session, within 21 days after Congress is required to assemble, determines by two-thirds vote of both houses that the President is unable to

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discharge the powers and duties of his office, the Vice-President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

ARTICLE XXVI

Section 1. The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or by any state on account of age.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

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FEB 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

EDWARD & RUTH SHOKAL
963 PIONEER ROAD
HAGERMAN ID 83332

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-07271, 07271A, 00081B, 00080B,
00082A, & 00039B

DEAR MR. & MRS. SHOKAL:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOES QUESTION THESE POINTS; 1) YOUR NOES INDICATE THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE; 3) FEWER ACRES RECOMMENDED FOR IRRIGATION THAN WERE CLAIMED; 4) NEW OWNERS OF RIGHT 36-00039B; 5) OWNERSHIP AND DIVERSION AMOUNTS FOR RIGHT 36-07271.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO **3/15 TO 11/15**.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS

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FEB 03 1993

PAGE 2

LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

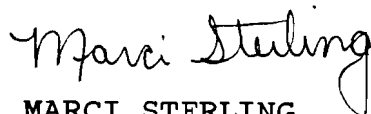
THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

- 3) WE HAVE RECOMMENDED A TOTAL OF 29 IRRIGATED ACRES FOR YOUR IRRIGATION RIGHTS. THIS IS THE NUMBER OF ACRES ACTUALLY FOUND TO BE IRRIGATED AT THE TIME OF THE FIELD EXAM. THAT TOTAL IS ALSO SUPPORTED BY ASCS MAPS AND NAPP PHOTOGRAPHY.
- 4) FOR RIGHT 36-00039B, WE HAVE CHANGED OUR RECORDS TO SHOW MR. DUKE AS THE CURRENT OWNER OF THE RIGHT. A PROFILE REPORT OF THAT RIGHT WITH THE CHANGES HAS BEEN ENCLOSED WITH THIS LETTER.
- 5) WITH REFERENCE TO RIGHT 36-07271, THE PONDS IN WHICH THE WATER IS USED WERE FOUND TO BE ON YOUR PROPERTY. BECAUSE OF THIS, THE WATER RIGHT WAS NOT TURNED OVER ENTIRELY TO MR. MARTIN. A TRANSFER IS REQUIRED IN ORDER FOR MR. MARTIN TO OBTAIN OWNERSHIP OF ANY PART OF THIS WATER RIGHT. THE CLAIM WILL REMAIN AS LICENSED WITH BOTH OF YOU NAMED AS CURRENT OWNERS OF THE RIGHT.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES:

CHANGE OF OWNERSHIP FORM
PROFILE REPORTS OF 36-00080B, 00082A, & 00039B

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FEB 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

JAMIE MARTIN
PO BOX 356
HAGERMAN ID 83332

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-00080B, 00081C, 00082A, 00082C,
07271, & 07271B

DEAR MR. MARTIN:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOE QUESTIONS TWO POINTS; 1) YOUR NOE INDICATES THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. AND 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO **3/15 TO 11/15**.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY

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FEB 03 1993

PAGE 2

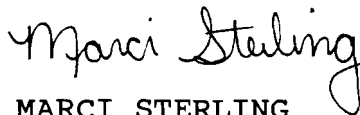
REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES: PROFILE REPORTS OF 36-00080B, 00080C, 00082A, &
00082C

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FEB 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

THOMAS E KING
PO BOX 254
BURLEY ID 83318

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-07271, 07271B, 00080B, 00080C,
00081C, & 00082A

DEAR MR. KING:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOES QUESTION THESE POINTS; 1) YOUR NOES INDICATE THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE. 3) YOUR MAILING ADDRESS IS SHOWN INCORRECTLY. 4) YOU REQUEST INFORMATION AS TO THE BASIS OF OUR FINDINGS.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO **3/15 TO 11/15**.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLE.

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FEB 03 1993

PAGE 2

REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

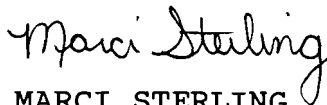
3) YOUR ADDRESS HAS BEEN CHANGED FROM HAGERMAN TO BURLEY AS SHOWN ABOVE. IF THE ADDRESS IS STILL INCORRECT, PLEASE CONTACT US.

4) YOU HAVE REQUESTED INFORMATION AS TO THE STUDIES ON WHICH WE HAVE BASED OUR FINDINGS. YOU MAY CONTACT JEFF PEPPERSACK IN OUR STATE OFFICE AT 327-7900 IF YOU WOULD LIKE MORE INFORMATION REGARDING THOSE STUDIES.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES: PROFILE REPORTS OF 36-00080B, 00080C, & 00082A

MICROFILMED
FEB 03 1993

Water Right Number - R36-07271

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

KING

THOMAS E

1 - PO BOX 254

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-0718

MARTIN

JAMIE

1 - PO BOX 356

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6430

SHOKAL

RUTH C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

SHOKAL

EDWARD C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

+ - - Priority Date - - +
11/17/1972+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - - - Source - - - - - +
BILLINGSLEY CREEK+ - - - - Tributary - - - - - +
SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County07S 13E 11 NW SW NE (47) GOODING
SE SE NE (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume49 - FIRE PROTECTION 01/01 12/31 2.880
19 - FISH PROPAGATION 01/01 12/31 4.620+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.620 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County07S 13E 11 SE SW 19 FISH PROPAGATION (47) GOODING
07S 13E 11 SW SE 19 FISH PROPAGATION (47) GOODING
07S 13E 11 SE SW 49 FIRE PROTECTION (47) GOODING
07S 13E 11 SW SE 49 FIRE PROTECTION (47) GOODINGMICROFILMED
FEB 03 1993

Water right number - R36-07271

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

- - - Diversion Means - BUCKEYE AND SANDS DITCHES, PONDS
- - - Non-Irrigation Use - FISH PROPAGATION, PRIVATE USE POND; FIRE PROTECTION
- - - Other Rights for Same Use - NONE

Remarks

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND SANDS DITCH.
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT DURING THE NON-IRRIGATION SEASON
0.01 CFS OF RIGHT NO. 36-00082A IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
0.02 CFS OF RIGHT NO. 36-00080B IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

Old Water Right Numbers

3607271

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Comments

Date: 08/07/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
MR. SHOKAL FILED THE FORM AND SIGNED OVER PORTIONS OF HIS CLAIMED WATER RIGHTS. THIS CLAIM WAS SPLIT AND SEPARATED AS PER THE FORM
BUT FURTHER REVIEW HAS REVEALED THIS RIGHT STILL EXISTS AS LIC- ENSED AND NO PONDS EXIST ON THE PROPERTY CONVEYED TO MARTIN. TO
AVOID THE CONFUSION A SPLIT RIGHT MAY CONVEY, THIS RIGHT IS BEING RECOMMENDED AS ONE PIECE WITH DUAL OWNERSHIP. IF PONDS ARE
TO BE PHYSICALLY CHANGED, A TRANSFER WOULD BE REQUIRED.
Date: 10/15/1992 User Id: SOUTH1 Subject: NOE - RESPONSE
NO CHANGE MADE TO CLAIM. MARTIN & KING WILL REMAIN ON CLAIM AS BEFORE. LETTER SENT ADDRESSING ALL ISSUES. M. STERLING

Audit Fields

00/00/00

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/14/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000381	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S

FEB 03 1993
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Water right number - R36-07271

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Name Connector

- AND/OR

Presumption Flag

-

Notice of Error Flag

- B

MICROFILMED
FEB 03 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 03 1993

Water Right Number - R36-07271

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

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2 -
3 -City- BURLEY
Phone - 208-678-0718

State- ID Zip- 83318

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JAMIE

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3 -City- HAGERMAN
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+ - - Priority Date - - +
11/17/1972+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
BILLINGSLEY CREEK+ - - - - Tributary - - - - - +
SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County07S 13E 11 NW SW NE (47) GOODING
SE SE NE (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume49 - FIRE PROTECTION 01/01 12/31 2.880
19 - FISH PROPAGATION 01/01 12/31 4.620+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
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07S 13E 11 SW SE 49 FIRE PROTECTION (47) GOODINGMICROFILMED
FEB 03 1993

Water right number - R36-07271

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - - Diversion Means - BUCKEYE AND SANDS DITCHES, PONDS
+ - - Non-Irrigation Use - FISH PROPAGATION, PRIVATE USE POND; FIRE PROTECTION
+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND SANDS DITCH.
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT DURING THE NON-IRRIGATION SEASON
0.01 CFS OF RIGHT NO. 36-00082A IS LIMITED TO USE FOR
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0.02 CFS OF RIGHT NO. 36-00080B IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

+ - - - - - Old Water Right Numbers - - - - - +
3607271

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 08/07/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
MR. SHOKAL FILED THE FORM AND SIGNED OVER PORTIONS OF HIS CLAIMED WATER RIGHTS. THIS CLAIM WAS SPLIT AND SEPARATED AS PER THE FORM
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TO BE PHYSICALLY CHANGED, A TRANSFER WOULD BE REQUIRED.

+ - - Audit Fields - - +
09/25/92 WORSTELL

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/14/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/23/1992	Old Judicial District	-
Claim Received Date	- 06/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000381	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	- A

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FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:44:14
07/03/90

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07271

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	N		↑	N		See 8-7-92	DB	KKC 8-7-92
POINT OF DIV	Y		↑	(Y)	1,5			
SOURCE	N		↑	N				
PLACE OF USE	Y		7-24-90 SCC/HHT	(Y)	6. License			
DIV. AMOUNT CFS/VOLUME	Y		↑	(Y)				
CONSUMPTIVE USE	N		↑	(Y)				
PURPOSES	Y		↑	(Y)				
PERIOD OF USE	Y		↑	N				
BASIS OF CLAIM	Y	change of ownership	↑	(Y)	6.			
REMARKS	Y		↓	(Y)	6.			

See
7-17-90

"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.

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FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:44:14
07/03/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07271

LAST: SHOKAL
ADDRESS: RT. 1 BOX 410
CITY: HAGERMAN
PHONE NUMBER: 208-837-4577

FIRST: EDWARD C.

STATE: ID ZIP: 83332

OWNER CODE: C

LAST: SHOKAL
ADDRESS:
CITY: HAGERMAN
PHONE NUMBER: 208-000-0000

FIRST: RUTH C.

STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: THIS RT. WHEN COMBINED WITH RTS. 36-0080, 36-0081 & 36-0082
SHALL NOT EXCEED 5.0 CFS.
USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 36A, BILLINGSLEY CREEK.

*add Martin/King
as shown by
ownership form*

AND:

*leave shokal on as
owner also*

" undivided 1/2 interest "

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FEB 03 1990

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 7/24/90

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: MR. SHOKAL

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Mr. Shokal has filed a change of ownership to split this water right into A & B. since the ponds appear to all be on Shokals property a transfer is required to give Martin ownership of this water right. The adjudication of claims remains as claimed & is licensed. Both parties are named in Joint ownership.

see 8-7-92

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FEB 03 1993

A. AJ CLAIM: # A36-07271 PRIORITY DATE: 11-17-1972 STAGE: L
B. WR RECORD: # 36-07271 PRIORITY DATE: 11-17-1972 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
11-17-1972

REVIEWED BY SCV

DATE 7-17-90

=====

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FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT
A36-07271	07S	13E	11	(NW	SW	NE)	
A36-07271	07S	13E	11	SE	SE	NE	

CNTY

GOODING
GOODING

Add:
Re div. to Remarks

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FEB 03 1993

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A36-00036 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-00006
36-00007
36-00036
36-00037
36-00066
36-00079
36-00080
36-00081
36-00097
36-00098
36-00099
36-00100
36-00101
36-00110
36-00111
36-00113B
36-00113D
36-00140
36-00141
36-00142
36-00143
36-00144
36-00145
36-00146
36-00147
36-00148
36-00150
36-00151
36-02082
36-07081
36-07172
36-07229
36-07233
36-07565
36-07838
36-00003
36-00005
36-00019
36-00021
36-00024
36-00025
36-00026
36-00027
36-00034
36-00035A

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FEB 03 1993

36-00035B
36-00039A
36-00039B
36-00040
36-00051
36-00052
36-00064
36-00065
36-00067
36-00071
36-00076
36-00077
36-00082
36-00083
36-00085
36-00087
36-00088
36-00089
36-00090
36-00091
36-00094
36-00095
36-00096
36-00103
36-00108
36-00112A
36-00112B
36-00113C
36-00125
36-04008
36-04115
36-04261
36-07658
36-07739
36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07271	07S	13E	11		SW	NE		GOODING
36-07271	07S	13E	11		SE	NE		GOODING
36-07271	07S	13E	11		SW	SE		GOODING
36-07271	07S	13E	11		SE	SW		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00006

A36-10080 NONE

36-00007
36-00036
36-00037
36-00066
36-00079
36-00080
36-00081
36-00097
36-00098
36-00099
36-00100
36-00101
36-00110
36-00111
36-00113B
36-00113D
36-00140
36-00141
36-00142
36-00143
36-00144
36-00145
36-00146
36-00147
36-00148
36-00150
36-00151
36-02082
36-07081
36-07172
36-07229
36-07233
36-07565
36-07838
36-00003
36-00005
36-00019
36-00021
36-00024
36-00025
36-00026
36-00027
36-00034
36-00035A
36-00035B
36-00039A
36-00039B
36-00040
36-00051
36-00052
36-00064
36-00065
36-00067
36-00071
36-00076
36-00077
36-00082
36-00083
36-00085

A36-07229
A36-00113E
A36-00141
A36-00066
A36-00066A
A36-00079
A36-07081
A36-07565
A36-10543
A36-00021A
A36-00021B
A36-00037A
A36-00036
A36-10566
A36-07233
A36-00006
A36-00007
A36-00110A
A36-00081A
A36-07172
A36-00037C
A36-00080A
A36-00099
A36-00100
A36-00111A
A36-00113G
A36-00025
A36-00087
A36-07658
A36-10409
A36-00051D
A36-10119
A36-10120
A36-10751
A36-10752
A36-10755
A36-10061
A36-00103B
A36-00108A
A36-00003G
A36-00027
A36-00039C
A36-00090E
A36-00051B
A36-00076A
A36-00089B
A36-00089D
A36-10283
A36-10312
A36-00090A
A36-00003D
A36-00090B
A36-00090C
A36-00090D
A36-00090F
A36-00108F
A36-00125A
A36-00026
A36-00051C

MICROFILMED
FEB 03 1993

36-00087
36-00088
36-00089
36-00090
36-00091
36-00094
36-00095
36-00096
36-00103
36-00108
36-00112A
36-00112B
36-00113C
36-00125
36-04008
36-04115
36-04261
36-07658
36-07739
36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

A36-00071A
A36-00089A
A36-00108C
A36-00108D
A36-00108E
A36-00108H
A36-04008
A36-04115
A36-04261
A36-00113B
A36-10316
A36-10588
A36-00039J
A36-00096A
A36-00113F
A36-10559
A36-00048B
A36-00048C
A36-10223
A36-00103A
A36-00003B
A36-00003C
A36-00003E
A36-00003F
A36-00003J
A36-00039G
A36-10352
A36-10077
A37-11291

MICROFILMED
FEB 03 1993

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
N
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S.</u>	<u>13E.</u>	<u>11</u>	<u>SE</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>47</u>
			<u>NW</u>	<u>SW</u>	<u>NE</u>	<u>—</u>	

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY: SCC

DATE: 7-17-90

* Re-div. to be listed in Remarks

8-7-92 SCC

VIA BUCKEYE DITCH & Sando Ditch

MICROFILMED
FEB 03 1993

A. ROOT WATER RIGHT NUMBERS: A36-07271

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	11	SE	SW		SHOKAL , EDWARD C.	A36-07271 /10.0 •	36-07271 /	34.0		
						MCKENZIE , BRET A.	A36-10352 /	- /			
						MARTIN , JAMES	A37-11291 /	- /			
						MARTIN , JAMIE	A37-11292 / 4.0	- /			
						BECKSTEAD , FRED A.	A36-00065 / 0.5	36-00065 /			
						COATES , FAYE	A36-00067 / 0.5	36-00067 /			
						SHOKAL , RUTH C.	A36-00080A /36.8•	- /			
						SHOKAL , EDWARD C.	A36-00081A /36.8•	- /			
						SHOKAL , RUTH C.	A36-00082A /36.8•	- /			
						MC KENZIE , PAULA JOAN	A36-00082B / 1.0	- /			
						BECKSTEAD , FRED A.	A36-00066 / 0.5	36-00066 /			
						NEAL , HARRY H.		36-00080 /			
						NEAL , HARRY H.		36-00081 /			
						CUNNINGTON , FRED		36-00082 /			
						CUNNINGTON , FRED		36-00083 /			
						REED , ALVA		36-00144 /			
						SMITH , O. S.		36-04022 /30.0			
07S	13E	11	SE	SW		SHOKAL , EDWARD C.	A36-07271 / •	36-07271 /	34.0		
						MCKENZIE , BRET A.	A36-10352 /	- /			
						MARTIN , JAMES	A37-11291 /	- /			
						MARTIN , JAMIE	A37-11292 / 4.0	- /			
						BECKSTEAD , FRED A.	A36-00065 / 0.5	36-00065 /			
						COATES , FAYE	A36-00067 / 0.5	36-00067 /			
						SHOKAL , RUTH C.	A36-00080A /36.8•	- /			
						SHOKAL , EDWARD C.	A36-00081A /36.8•	- /			
						SHOKAL , RUTH C.	A36-00082A /36.8•	- /			
						MC KENZIE , PAULA JOAN	A36-00082B / 1.0	- /			
						BECKSTEAD , FRED A.	A36-00066 / 0.5	36-00066 /			
						NEAL , HARRY H.		36-00080 /			
						NEAL , HARRY H.		36-00081 /			
						CUNNINGTON , FRED		36-00082 /			
						CUNNINGTON , FRED		36-00083 /			
						REED , ALVA		36-00144 /			
						SMITH , O. S.		36-04022 /30.0			
07S	13E	11	SW	SE		SHOKAL , EDWARD C.	A36-07271 /36.8 •	36-07271 /	35.0		
						SHOKAL , EDWARD C.	A36-10077 /	- /			
						MARTIN , JAMIE	A37-11292 / 3.0	- /			
						HAGERMAN WATER USERS ASSOCIATIA	A36-00057 /36.0	- /			
						SHOKAL , RUTH C.	A36-00080A /10.0•	- /			
						SHOKAL , EDWARD C.	A36-00081A /10.0•	- /			
						SHOKAL , RUTH C.	A36-00082A /10.0•	- /			
						MC KENZIE , PAULA JOAN	A36-00082B / 2.0	- /			
						NEAL , HARRY H.		36-00080 /			
						NEAL , HARRY H.		36-00081 /			
						CUNNINGTON , FRED		36-00082 /			
						CUNNINGTON , FRED		36-00083 /			

* irrigation uses
covered under the
3 Decreed Pts.

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07S 13E 11 SW SE

SHOKAL , EDWARD C.	A36-07271 /	36-07271 /	35.0
SHOKAL , EDWARD C.	A36-10077 /	- /	
MARTIN , JAMIE	A37-11292 / 3.0	- /	
HAGERMAN WATER USERS ASSOCIATIA	A36-00057 / 36.0	- /	
SHOKAL , RUTH C.	A36-00080A / 10.0	- /	
SHOKAL , EDWARD C.	A36-00081A / 10.0	- /	
SHOKAL , RUTH C.	A36-00082A / 10.0	- /	
MC KENZIE , PAULA JOAN	A36-00082B / 2.0	- /	
NEAL , HARRY H.		36-00080 /	
NEAL , HARRY H.		36-00081 /	
CUNNINGTON , FRED		36-00082 /	
CUNNINGTON , FRED		36-00083 /	

TOTAL ACRES

A36-07271

46.80

138.00

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
YES

PRESUMPTION FLAG:

REMARKS:

NOT LICENSED FOR IRRIGATION. See Deeded Rts.

RECOMMENDATIONS:

TOTAL ACRES: 0REVIEWED BY: SCCDATE: 7-17-90

Claim is for fish propagation. No fish propagation occurs, these ponds are for Recreational and aesthetic uses. However, no policy is in place by DWR to distinguish these uses and/or their respective diversions so recommendation is as licensed & claimed.

See 8-7-92

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07271	FIRE PROTECTION	FROM 01-01 TO 12-31	2.880 CFS
A36-07271	FISH PROPAGATION	FROM 01-01 TO 12-31	4.620 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			4.620 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07271	COMMERCIAL	FROM 01-01 TO 12-31	4.880 CFS
36-07271	FIRE PROTECTION	FROM 01-01 TO 12-31	2.880 CFS
36-07271	FISH PROPAGATION	FROM 01-01 TO 12-31	5.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			5.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<u>YES</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>YES</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 4.620 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

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

Y

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~A36-00080A~~ ~~A36-00081A~~ ~~A36-00082A~~ NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-11292	BILLINGSLEY CREEK	MARTIN , JAMIE	0.120	0.017		
A36-00080A	BILLINGSLEY CREEK	SHOKAL , RUTH C.	2.000	0.042		
A36-00081A	BILLINGSLEY CREEK	SHOKAL , EDWARD C.	1.000	0.021		
A36-00082A	BILLINGSLEY CREEK	SHOKAL , RUTH C.	1.620	0.034		
A36-00082B	BILLINGSLEY CREEK	MC KENZIE , PAULA JOAN	0.120	0.040		
A36-00066	BILLINGSLEY CREEK	BECKSTEAD , FRED A.	1.400	0.039		
A36-00057	SPRINGS	HAGERMAN WATER USERS ASSOCIATI	36.200	0.073		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07271	FIRE PROTECTION	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	2.880 CFS	
A36-07271	FISH PROPAGATION	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	4.620 CFS	
A36-10352	DOMESTIC	MCKENZIE , BRET A.	FROM 01-01 TO 12-31	.040 CFS	
A37-11291	DOMESTIC	MARTIN , JAMES	FROM 01-01 TO 12-31	.040 CFS	
A37-11291	STOCKWATER	MARTIN , JAMES	FROM 01-01 TO 12-31	.020 CFS	
A36-10077	DOMESTIC	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	.040 CFS	
A36-00057	STOCKWATER	HAGERMAN WATER USERS ASSOCIATIFROM	01-01 TO 12-31	.300 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

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

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 140.4 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

④ CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

as licensed and limited by claim

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

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
49 - FIRE PROTECTION	1-1 12-31	2.88		
19 - FISH PROPAGATION	1-1 12-31	4.62		
TOTAL FOR THIS RIGHT		4.62		

REVIEWED BY: SC

DATE: 11-23-90

~~This Right when combined with All other Rights~~

~~shall not exceed 5.0 cfs.~~

(F01) = Bucheye & Sands

(D06) = 91,500 cu.ft.

(D03) = 36-00082 = .01 cfs

(D03) = 36-00080B = .02 cfs

D02(b) .03 cfs

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07271

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07271	4.620	-		36-07271	5.000
TOTAL CFS		4.620				5.000

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER

OK

REMARKS:

7-27-92 - Shohal filed a change of ownership for this right. ~~under these~~ No change has occurred in the location or use of the ponds since licensing. Therefore we have placed a dual ownership on the right as recommended.
SCC

AUTHENTICATION:

SIGNATURE:

Steve Celler

DATE:

11-23-90

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED
FEB 03 1993

SHOKAL

POND SITE

POND SITE

Pond sites as licensed

12 ACRES
MARTIN

P

P P

10 11
15 14

T RIBE
7
S

460

760

499

T-593

POOR ORIGINAL

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FEB 23 1993

REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS

P36 007271

AGENT

INITIALS

HHT

DATE

8/4/92

Su 8-7-92

CLAIM NO.
OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE

F01

Buckeye Ditch & Sands Ditch

D06

91,500 cu.ft.

#1

D03

36-00082A 0.01 cfs

#2

D03

36-00080B 0.02 cfs

D02^(b)

0.03 cfs

(non irrigation season)

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FEB 03 1993

Form 219
12/79State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

36-7291

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☒ Appointment scheduled for: (Date, time, location)	10 am 10-13-81	JP	

EXAMINATION

Date 10-13-81 Accompanied by Ed Abbot Total Q measured 5.55 cfs ^{capacity}

If source is surface water, estimate total flow of source 1

Methods of measurement contracted rect. weir Meets Permit requirements? ✓

Measurement calculations:

Measure .59' hd (2' weir) = 2.88 cfs from Buckeye Ditch

Allow 5.0 cfs filed on 1 (For Fish Propagation)

Measure .32' hd & .59' hd (14" weirs) =
1.67 cfs + 2.0 cfs = 2.67 cfs from Lands Ditch

$$2.88 + 2.67 = 5.55 \text{ cfs}$$

See attached calculations

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1						2' weir	Good	.59' head
2						14" weir	"	.32' head
3						14" weir	"	0.70' head

System Description One headgate on Buckeye Ditch; two headgates on Lands Ditch

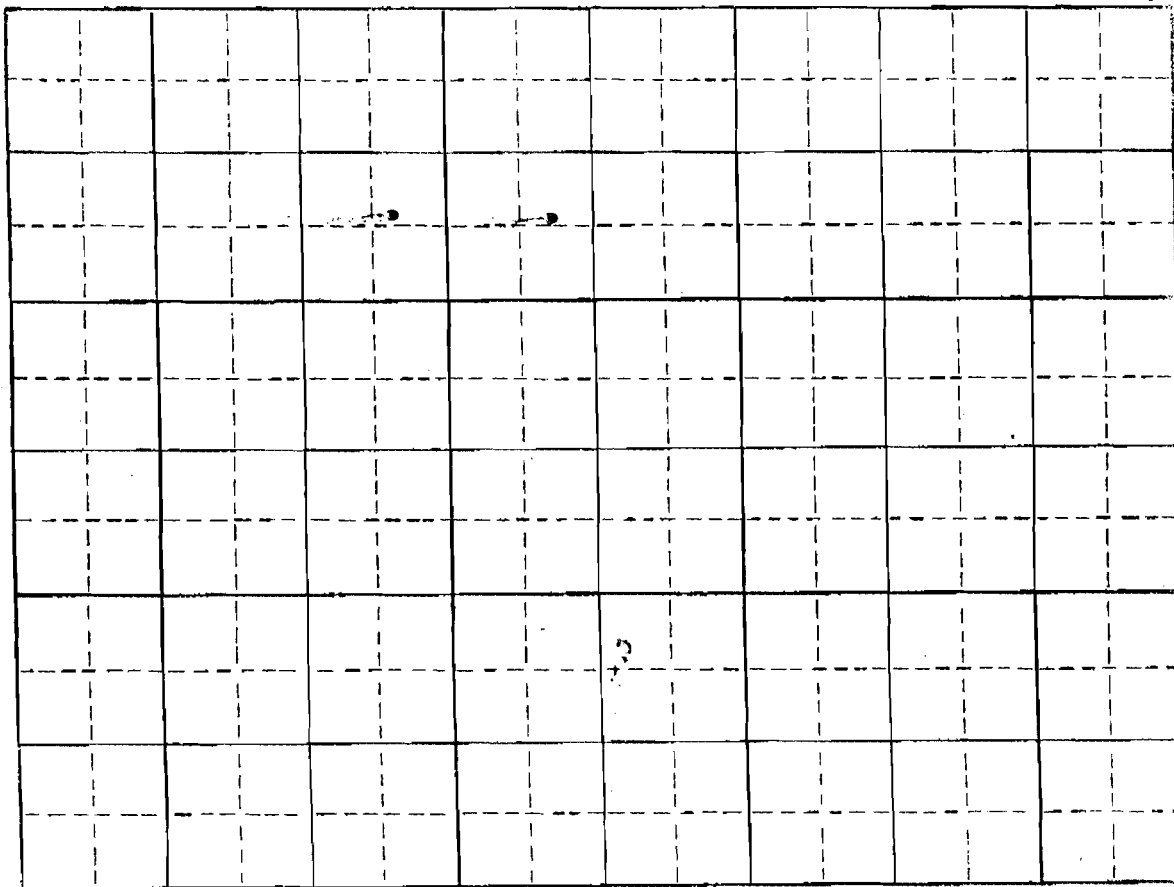
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = <u>N/A</u>		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
fish propagation	5.0	N/A	1-1	12-31
commercial (log soaking)	4.88	-	"	"
fire protection	5.0 2.88	N/A	"	"
Total	5.0 cfs			

Remarks Applicant diverts irrigation water from these 2 other headgates along the Buckeye & Lands Ditches.Fish propagation is primarily for research rather than for commercial purposes.Although a pond has been constructed for log soaking, no logs were soaking during the exam. Logs were soaked on the site, however. Diversion #1 & 2 only will be used to fill ponds for log soaking.Fire protection - fire trucks to pump from ponds if needed (upper ponds only)Pond volume is 91,500 ft.³ for fish prop. Facility volume is 78,108 ft.³ for commercial (log soaking).Re: Tidelcon 10/Aim Section - Permit holder requested we license ASAPMICROFILMED
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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 NE 1/4 Sec. 11, re-diverted SW 1/4 SE 1/4 Sec. 11 (Buckeye Ditch) T. 9S R. 13E
SW 1/4 NE 1/4 Sec. 11, re-diverted 2 points SE 1/4 SW 1/4 Sec. 11 (Lands Ditch) T. 9S R. 13E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	13E	11												X			X		

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

MICROFILMED
FEB 03 1993

James E. Stinson

Ray F. Anderson

John D.

8-2-82

12-28-1982

5/6/83



State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 36-7271 Priority November 17, 1972 Amount 5.0 cfsTHIS IS TO CERTIFY, that Edward C. Shokalof Hagerman, ID, has complied with the terms and conditions of PermitNo. 36-7271 issued pursuant to Application for Permit dated November 3, 1972and has submitted proof to the Department of Water Resources on June 15, 1981

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a

capacity for the diversion of 5.55 cfs of water from Billingsley Creektributary to Snake River, and that the permit holder has applied to a beneficial use and

established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from January 11 to December 31	at 5.0 cfs and	N/A
Commercial	from January 1 to December 31	at 2.88 cfs and	N/A
Fire Protection	from January 1 to December 31	at 2.88 cfs and	N/A

(both dates inclusive)

Subject, however, to the condition that no more than 5.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

N/A acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4, SW 1/4 NE 1/4, Sec. 11,Twp. 7 S., Rge. 13 E. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	13E	11																	

Total number of acres irrigated _____

See attached.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day ofJuly, 19 83.

[Signature]
Director

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FEB 03 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07271
Date Received: 6/09/1988
Receipt No: S000381
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD C. SHOKAL 208-837-4577
Address: RT. 1 BOX 410
HAGERMAN, ID 83332

AND/OR

Name: RUTH C. SHOKAL
Address: HAGERMAN, ID 83332

2. Date of Priority: NOV 17, 1972

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE	R	GOODING
			SE	SE	NE	R	GOODING

5. Description of diverting works:
BUCKEYE AND SANDS DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	2.880		
FISH PROPAGATION	01/01	12/31	4.620		

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

8. Total consumptive use is 140.4 Acre Feet Per Annum.

9. Non-irrigation uses:
FISH POND AND FIRE PROTECTION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	10.0
			SE	SW		FISH	
			SW	SE		IRR	36.8
			SW	SE		FISH	
					Section Acres		46.8
					Total Acres		46.8

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

36-0080, 36-0081, 36-0082 DECREED RIGHTS.

14. Remarks:

THIS RT. WHEN COMBINED WITH RTS. 36-0080, 36-0081 & 36-0082 SHALL NOT EXCEED 5.0 CFS.

USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 36A, BILLINGSLEY CREEK.

15. Basis of Claim: LICENSE

Water Right Number:

MICROFILMED

OCT 19 1934

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Edward C. Shakal Date: June 9 88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

Name	Amount of Water In Second Fee And Source	Priority of Appropriation	Diversion Point
Neal,	2 Billingsley Creek	April 1, 1885	Sands Ditch
Louis,	1 Billingsley Creek	April 1, 1910	Sands Ditch 36-0081
Harry H.	2 Billingsley Creek	Jan. 2, 1891	Granger Ditch 36-0082
and Effie	.8 Spring	Jan. 2, 1891	Unnamed Spring;
M. Neal, and Alva Reed	(Said Unnamed spring arises in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. at a point 1035 feet north 2 degrees 2' West from the southeast corner of said forty acres tract of land.)		

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. excepting approximately nine acres described as follows:

Beginning at the Southeast Corner of the said Southwest Quarter of the SE $\frac{1}{4}$ of said Sec. 11, Thence north along the center of the Hagerman road 305.25 feet, thence North 80 degrees 50' West 907.5 feet, thence South 44 degrees 55' West 631.15 feet to the Quarter corner of the boundary line between Sections 11 and 14, thence due east to the place of beginning.

Also the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M., excepting a strip of ground extending along the entire length of the south side of the said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, which strip is 28 feet wide on the west and runs to a point at the east end, or the quarter corner of the above mentioned secs. 11 and 14, Twp. 7 S.R.13 E.B.M.

(Other amounts to other parties)

It is further Ordered, Adjudged and Decreed, That the plaintiff, defendants, cross-complainants, counter-claimants, and intervenors and their attorneys, agents, servants, and employees and any and all persons acting in aid of or for any of said parties, and any persons in privy with or claiming under any of said parties and each and every of them are hereby forever enjoined and restrained from in any manner interfering with or diverting or using the waters of said Billingsley Creek, or said Riley Creek, or the Springs, adjudication of which has been made herein, excepting in accordance with the terms of this decree.

Signed: Charles C. Cavanah, District Judge.

Certificate of correct transcript of the original, given under date of April 8, 1932, by W. D. McReynolds, Clerk of the United States District Court for the District of Idaho, By Dorothy G. Wylie, Deputy (U.S.D.C. Seal)

POOR ORIGINAL

Idaho Power

Buckeye
Ditch

original
P.U.
15-169c

C 71
(604c)

11 | 12
14 | 13

REPRODUCED
MICROFILMED

OCT 19 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 36-00081C
36-07271B 36-00080C
36-07271

[] Old Mailing Address:

Wrong
Hayden IDAHO Should be Burley
IDAHO

[☒] New Mailing Address:

THOMAS E. KING
PO BOX 254
BURLEY IDAHO 83318

~~New~~ Telephone Number: (208) 678-718

[] Signature of Claimant:

Date:

Thomas E King
Sept 23. 92

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

MICROFILMED
MICROFILMED
FEB 03 1993
MICROFILMED
FEB 03, 1993

See A36-07271

for Original

Claim

MICROFILMED

FEB 03 1993

Case A36-07271

Box No. 1, Name and Address; Box No. 3, Quantity;

Box No. 14, Other

Attachment No. 1

This right A36-07271 is entangled with right A36-07271A. Please review my "objection" on right A36-07271A for a starter for clarification. My objection on A36-07271A gives data about the sale of land to Martin and King that contains the fish ponds below the Sands Ditch.

The fish ponds below the Buckeye Ditch remain the property of Edward and Ruth Shokal.

This property sale resulted in Edward and Ruth Shokal transferring their fish and fire water right of 3.0 cfs from the Sands Ditch to Martin and King.

No water right for fish ponds from the Buckeye Ditch was transferred to Martin and King. The water right of 1.62 cfs from the Buckeye Ditch for fish and fire remains the property of Edward and Ruth Shokal.

MICROFILMED
OCT 19 1994

Case A36-07271

Changes to the Director's Report, Attachment No. 2

Right A36-07271 for 3.0 cfs of water for the propagation of fish and fire protection, diverted from the Billingsley Creek and rediverted from the Sands Ditch is the property of Thomas E. King and Jamie Martin.

Right A36-07271 for 1.62 cfs of water for propagation of fish and fire protection diverted from the Billingsley Creek and rediverted from the Buckeye Ditch is the property of Edward and Ruth Shokal and is claimed in right A36-07271A. (See "Objection" of A36-07271A, Edward Shokal.)

RECEIVED

MAR 7 1997

Department of Water Resources
Adjudication Bureau

36-07271A-6 J1 3 59
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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-07271A
_____	)	

On January 23, 1997, a *Special Master's Report and Recommendation* was filed for the above water right recommending that it be dismissed. 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 36-07271A is hereby **decreed disallowed**.
DATED March 6, 1997.

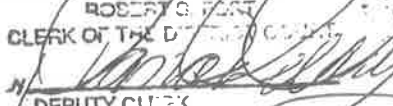

DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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 March 6, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.
ROBERT G. FORT
CLERK OF THE DISTRICT COURT
BY 
DEPUTY CLERK



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

May 1, 1996 8:16am

NAME: TOM KING RE: CALLBACK 678-7566 (OFFICE: 678-8365) QUESTIONS

HE WANTED TO KNOW ABOUT CONSUMPTIVE USE AND DIVERSION VOLUME. HE ALSO REFERENCED A MEMO FROM ED SHOKAL RELATING TO THE POND DIVERSIONS. IT WAS UNCLEAR THE EXACT NATURE OF THE PROBLEMS BUT I EXPLAINED THE DIVERSION VOLUME CALCULATION AND THEN THE CONSUMPTIVE USE VOLUME. BASED THE C.U. VOLUME ON THE SAME RATE AS IRRIGATED ACRES. CLAIMS: A36-07271A & A36-07271B & 36-07271.

MICROFILMED
DEC 04 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

January 22, 1996 11:57am RUTH SHOKAL 36-00080B, 36-00081B,
36-00082A, 36-07271A,
36-07271

SUBJECT: MEASURING WITH HER WEIR???

phone call (.) walk-in (X)

Since her husband recently passed away, she's had to learn more about her water and how to measure it. Said she has a 2' rectangular knife-edge weir and had some questions as to how to measure the water and what do the readings on her ruler indicate? Made a copy of Table 8, page 245 in the BOR Water Measurement Manual and highlighted the column for 2'. Said she is entitled to 80 miner's inches so told her that would be about down to .40 in the first column and would correspond with about 5" on her ruler. Jim explained to her the best place to place her ruler for the most accurate reading and I gave her a copy of our Water Conversion Card...

MICROFILMED

DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

• OCT 19 1994

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

Case No. 36-07271 -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: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
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.
3. |☒| Quantity: I respond to the objection concerning:
- 3a. |☒| The total quantity of water used in cubic feet per second.
14. |☒| Other: I respond to the objection concerning:
REFERENCE TO ATTACHMENT

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 3, 3a., and 14, and all allegations of the objection regarding these items, IDWR responds as follows: IDWR received a Notice of Change of Water Right Ownership from Edward C. Shokal prior to the filing of the director's report. The Notice of Change of Water Right Ownership indicated a split of water right no. 36-07271 with 0.96 cfs from Billingley Creek via Sands Ditch going to Jamie Martin and Thomas E. King, who purchased a portion of the real property owned by Edward C. Shokal and Ruth C. Shokal. Based on IDWR's

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)
_____)

Case No. 36-07271A -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: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

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

2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
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:
- 12b. ☒ This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 2, 3, 3a., 11, 12, and 12b., and all allegations of the objection regarding these items, IDWR responds as follows: IDWR received a Notice of Change of Water Right Ownership from Edward C. Shokal prior to

the filing of the director's report. The Notice of Change of Water Right Ownership indicated a split of water right no. 36-07271 into parts A & B, with no. 36-07271B providing that 0.96 cfs from Billingley Creek via Sands Ditch was to be recommended in the names of Jamie Martin and Thomas E. King, who purchased a portion of the real property owned by Edward C. Shokal and Ruth C. Shokal. The remaining portion of no. 36-07271 was to be renumbered as no. 36-07271A. It was to remain in the names of Edward C. Shokal and Ruth C. Shokal. However, based on IDWR's review of the ownership information provided by the claimant, it appears that the entire place of use for water right no. 36-07271 remains on land still owned by Edward C. Shokal and Ruth C. Shokal. A transfer approved by the director of IDWR as established by Idaho Code Sec. 42-222 is required to change the place of use of all or part of right no. 36-07271. Therefore, IDWR recommended for disallowal the splitting of right no. 36-07271 into parts A & B. The water right was recommended as 36-07271. Claim nos. 36-07271A and 36-07271B were both disallowed on this basis. If the claimant or claimants come forward with additional information clarifying the nature of the transaction, IDWR will review such information and correct its recommendation for the ownership of all or portions of water right 36-07271 accordingly.

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

The notice of claim is attached to IDWR's response to Objection No. 36-07271-0001

(Over)

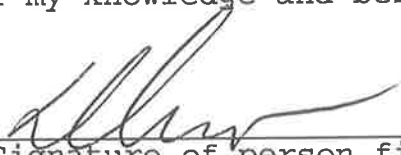
VERIFICATION (Must be Completed)

State of IDAHO

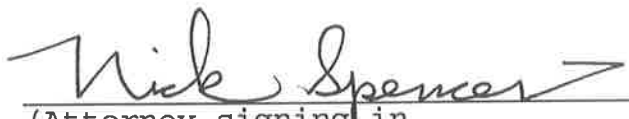
County of ADA

David B. Shaw, 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 Bureau Chief 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 31st day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires _____
Danni M. Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of AUGUST, 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:

See No. 3

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: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

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 Respondent or attorney
mailing on Respondent's behalf

RECEIVED

APR 14 1993

Department of Water Resources
Southern Region Office

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. A36-07271
(You must insert the
water right number you
are objecting to)

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

OBJECTION RECEIVED

MAR 22 1993

Department of Water Resources
Adjudication Bureau

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

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

(Over)

OBJECTION - 1

MICROFILMED
OCT 19 1994

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:

Name:

Edward C. Shokel

Address:

963 - Pioneer Rd

Hagerman Idaho 83332

Briefly describe your interest in this water right:

- ① Correcting the ownership of this right
- ② Correcting the diversion source
- ③ " " amount of water diverted

2. Owner of the water right:

Name:

Ruth C. Shokel
Edward C. Shokel

Address:

963 - Pioneer Rd

Hagerman Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name:

N.A.

Attorney Address:

Attorney Phone No.:

N.A.

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. *See Attachment No 1*
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 See Attachment No 1*
 - 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.

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: _____

Please see Attachment No. 1

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.

Box No 1, Box No 3 and Box No. 14; See Attachment No 1

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.

See Attachment No 2

Please note: You should attach copies of documents which support your objection. 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.

Box No 1, Box No 3 Box No 14; Attachment No 1; 1 page
Changes to the Directors Report; Attachment No 2
1 page

VERIFICATION (Must be Completed)

State of Idaho

County of Gooding

Edward C. Shokel, 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.

Edward C. Shokel
Signature of person filing objection

By: N A
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 18th day of March,
1993.

Ken A. Hermit
Notary Public for State of Idaho
Residing at: Kimberly, ID
My Commission expires: 6/30/94

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 19 day of March, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name:

Owner's address:

Edward C. and Ruth C. Shokal
963 Pioneer Rd
Hagerman Idaho 83332

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

Edward C. Shokal

Signature of Objector or attorney
mailing on Objector's behalf

Case A36-07271

Box No. 1, Name and Address; Box No. 3, Quantity;

Box No. 14, Other

Attachment No. 1

This right A36-07271 is entangled with right A36-07271A. Please review my "objection" on right A36-07271A for a starter for clarification. My objection on A36-07271A gives data about the sale of land to Martin and King that contains the fish ponds below the Sands Ditch.

The fish ponds below the Buckeye Ditch remain the property of Edward and Ruth Shokal.

This property sale resulted in Edward and Ruth Shokal transferring their fish and fire water right of 3.0 cfs from the Sands Ditch to Martin and King.

No water right for fish ponds from the Buckeye Ditch was transferred to Martin and King. The water right of 1.62 cfs from the Buckeye Ditch for fish and fire remains the property of Edward and Ruth Shokal.

MICROFILMED
OCT 19 1994

Case A36-07271

Changes to the Director's Report, Attachment No. 2

Right A36-07271 for 3.0 cfs of water for the propagation of fish and fire protection, diverted from the Billingsley Creek and rediverted from the Sands Ditch is the property of Thomas E. King and Jamie Martin.

Right A36-07271 for 1.62 cfs of water for propagation of fish and fire protection diverted from the Billingsley Creek and rediverted from the Buckeye Ditch is the property of Edward and Ruth Shokal and is claimed in right A36-07271A. (See "Objection" of A36-07271A, Edward Shokal.)

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. A36-07271A
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 22 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

MICROFILMED

OCT 19 1994

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:

Name:

Edward C. Shekal

Address:

963 - Pioneer Rd

Hagerman Idaho 83332

Briefly describe your interest in this water right:

① Water needed for fish propagation

② " " " fire protection

③ This right should not have been
transferred to A36-07271

2. Owner of the water right:

Name:

Edward C. and Ruth C. Shekal

Address:

963 - Pioneer Rd

Hagerman Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name:

NA

Attorney Address:

Attorney Phone No.:

NA

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.
see Attachment No 1 and No 2
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; *or See Attachment No 1 and No 2*
 - 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.
*Because it says "Transferred to right No A36-07271."
See Attachment No 1*

(Over)

12. ☒ Water Right Recommendation: I object to:

a. ☐ this water right being recommended at all; or

b. ☒ this water right not being recommended.

See Attachment No 1 + 2

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.

Box 2, 3, 11, & 12 See Attachment No 1 + 2.

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.

Please see Attachment No 3

Please note: You should attach copies of documents which support your objection. 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.

Box No 2 + Box No 3: Attachment No 1; 1 page

Box No 2 + Box No 3: Attachment No 2; 8 pages

Change to Directors Report: Attachment No 3; 1 page

VERIFICATION (Must be Completed)

State of Idaho

County of Gooding

Edward C. Shokal, 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.

Edward C. Shokal
Signature of person filing objection

By: NA
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 18th day of March,
1993.

Paul A. Smith
Notary Public for State of Idaho
Residing at: Kimberly, ID
My Commission expires: 6/30/94

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 19 day of March, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Edward C. and Ruth C. Shokal

Owner's address: 963 Pioneer Rd
Arden, Idaho 83332

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

Edward C. Shokal
Signature of Objector or attorney
mailing on Objector's behalf

A36-07271A

Box 2 Source, Attachment #1

Box 3, Quantity, Attachment #1

License No. 36-7271 for 5 cfs of water for use for fish propagation and fire protection was issued June 15, 1981, with priority date of November 17, 1972, to Edward C. Shokal. The point of diversion is Billingsley Creek with points of rediversion via the Buckeye Ditch and the Sands Ditch.

The ponds are located in two places; one place below the Buckeye Ditch the other place below the Sands Ditch. We have sold the property with the ponds below the Sands Ditch to Martin and King, therefore, we have no further claim to it.

While the Box 2 source is correct in that it is the Billingsley Creek, the rediversion should now be only the Buckeye Ditch, and only for 1.62 cfs of water.

A copy of the property and water transfer to Martin and King is included for your record and is labeled Attachment #2.

MICROFILMED
OCT 19 1994



Case A36-0721A

Box No 2 Source + Box No 3 Quantity

NEW PROPERTY OWNER

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Attachment No 2 8 pages

Please print or type
(see instructions on back of page)This is our Permanent
Copy

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 13E
Section 11, 1/4 of SE 1/4 of SW 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: A36-00080A, A36-00081A, A36-07271[] Name and Address of Former
Owner/Claimant(s)(Seller): Edward ShokalRT 1 Box 410HAGERMAN ID 83332[] New Owner/Claimant
(Purchaser):JAMIE MARTIN OR ~~SUSAN MARTIN~~

[] New Mailing Address:

PO Box 356THOMAS E. KINGHAGERMAN ID 83332 PO Box 254BURLEY ID 83318[] New Telephone Number: (208) 837 - 6430[] 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:SEE ATTACHED LEGAL DESCRIPTION & MAP.36-0080 for 0.38 cfs, 36-0081 for 0.58 cfs, 36-7272 for 0.96 cfs
from SANDS DITCH ONLY. SHARES OF ACRES IN POW CLAIMED for 9.0 Acres.[] 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) _____ Date _____[] Signature of Former
Owner/Claimant(s): x Edward C. Shokal Date Oct 28 91(Signature of former claimant(s) is not required if proof of
ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-28-91 By: SC

Further Action Needed:

NONE

Further Action Taken

Date: 11-21-91 By: See Corrections

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

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

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: A36-00080C
Date Received: 6/ 9/1988
Receipt No: X777777
Received By: Sc

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID

208-837-6430

83332

AND/OR

Name: THOMAS E KING
Address: PO BOX 254
HAGERMAN ID

83332

2. Date of Priority: APR 1, 1885

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE		GOODING

5. Description of diverting works:
SANDS DITCH AND HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.380		

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	9.0

MICROFILMED

A36-00080C

Page 1

Date: 11/21/91

10. Place of Use: Continued

Section Acres 9.0

Total Acres 9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-00081C & A36-07271B

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
vs Decree Defendant

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: A36-00081C
Date Received: 6/ 9/1988
Receipt No: X777777
Received By: Sc

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID

208-837-6430

83332

AND/OR

Name: THOMAS E KING
Address: PO BOX 254
HAGERMAN ID

83332

2. Date of Priority: APR 1, 1910

3. Source: BILLINGSLEY CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE		GOODING

5. Description of diverting works:
SANDS DITCH AND HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

7. Total Quantity Appropriated is:
0.580 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	9.0

10. Place of Use: Continued

Section Acres 9.0

Total Acres 9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-00080C & A36-07271B

14. Remarks:

THIS RIGHT IS FOR 0.19 CFS; A PROPORTIONAL SHARE OF ORIGINAL CLAIM. THE OTHER 0.39 CFS WAS SOLD AS A SEPARATE ITEM BY THE ORIGINAL OWNER OF CLAIM A36-00081A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/ 32

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
vs Decree Defendant

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: A36-07271B
Date Received: 6/ 9/1988
Receipt No: X777777
Received By: Sc

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THOMAS E KING
Address: PO BOX 254
HAGERMAN ID

83332

AND/OR

Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID

83332

208-837-6430

2. Date of Priority: NOV 17, 1972

3. Source: BILLINGSLEY CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	NW	SW	NE	R	GOODING
			SE	SE	NE	R	GOODING

5. Description of diverting works:
SANDS DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	0.600		
FISH PROPAGATION	01/01	12/31	0.960		

7. Total Quantity Appropriated is:
0.960 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

FISH/PROPAGATION; FIRE/PROTECTION

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RECORDED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		FIRE	
			SE	SW		FISH	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-00080C & A36-00081C

14. Remarks:

15. Basis of Claim: LICENSE

review of the ownership information provided by the claimant, it appears that the entire place of use for this right remains on land still owned by Edward C. Shokal and Ruth C. Shokal. Because of this, a transfer approved by the director of IDWR as provided for by Idaho Code 42-222 is required to change the place of use of all or part of this right. Therefore, IDWR did not recommend that this right be split. Instead, per the Notice of Change of Ownership, it listed Jamie Martin and Thomas E. King as additional owners of the water right. If the claimant or claimants come forward with additional information clarifying the nature of the transaction, IDWR will review such information and correct its recommendation for the ownership of all or portions of this water right accordingly.

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. A36-07271	5

(Over)

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OCT 19 1994

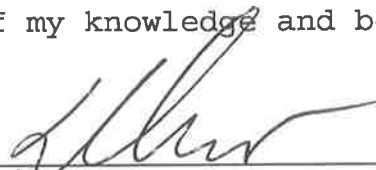
VERIFICATION (Must be Completed)

State of IDAHO

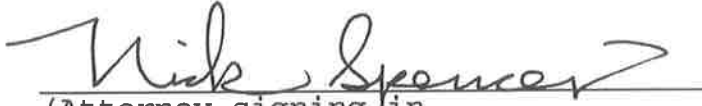
County of ADA

David B. Shaw, 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 Bureau Chief 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 31st day of August,
1993.


Notary Public for Idaho

Residing at:

My Commission expires

Danni Smith, Notary Public
Residing at Boise, Idaho

My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of AUGUST, 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:

See No. 3

Name: THOMAS E KING
Address: PO BOX 254
BURLEY ID 83318

Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID 83332

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: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

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 Respondent or attorney
mailing on Respondent's behalf

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: A36-07271
Date Received: 6/09/1988
Receipt No: S000381
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD C. SHOKAL 208-837-4577
Address: RT. 1 BOX 410
HAGERMAN, ID 83332

AND/OR

Name: RUTH C. SHOKAL
Address: HAGERMAN, ID 83332

2. Date of Priority: NOV 17, 1972

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NW	SW	NE	R	GOODING
			SE	SE	NE	R	GOODING

5. Description of diverting works:
BUCKEYE AND SANDS DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	2.880		
FISH PROPAGATION	01/01	12/31	4.620		

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

8. Total consumptive use is 140.4 Acre Feet Per Annum.

9. Non-irrigation uses:
FISH POND AND FIRE PROTECTION.

A36-07271

Page 1

Date: 06/09/88

MICROFILMED
FEB 03 1993
OCT 19 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	10.0
			SE	SW		FISH	
			SW	SE		IRR	36.8
			SW	SE		FISH	
					Section Acres		46.8
					Total Acres		46.8

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

36-0080, 36-0081, 36-0082 DECREED RIGHTS.

14. Remarks:

THIS RT. WHEN COMBINED WITH RTS. 36-0080, 36-0081 & 36-0082 SHALL NOT EXCEED 5.0 CFS.

USE OF WATER UNDER THIS LICENSE IS SUBJECT TO CONTROL BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 36A, BILLINGSLEY CREEK.

15. Basis of Claim: LICENSE

Water Right Number:

MICROFILMED
FEB 03 1993
OCT 19 1994

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Edward C. Shokal Date: June 9 88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

Name	Amount of In Second Feet And Source	Priority of Appropriation	Diversion Point
Neal,	2 Billingsley Creek	April 1, 1885	Sands Ditch
Louis,	1 Billingsley Creek	April 1, 1910	Sands Ditch 36-0081
Harry H.	2 Billingsley Creek	Jan. 2, 1891	Cranger Ditch 36-0082
and Effie	.8 Spring	Jan. 2, 1891	Unnamed Spring;
M. Neal, and Alva Reed	(Said Unnamed spring arises in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. at a point 1065 feet north 2 degrees 2' West from the southeast corner of said forty acres tract of land.)		

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. excepting approximately nine acres described as follows:

Beginning at the Southeast Corner of the said Southwest Quarter of the SE $\frac{1}{4}$ of said Sec. 11, Thence north along the center of the Hagerman road 305.25 feet, thence North 80 degrees 50' West 907.5 feet, thence South 44 degrees 55' West 631.15 feet to the Quarter corner of the boundary line between Sections 11 and 14, thence due east to the place of beginning.

Also the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M., excepting a strip of ground extending along the entire length of the south side of the said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, which strip is 28 feet wide on the west and runs to a point at the east end, or the quarter corner of the above mentioned secs. 11 and 14, Twp. 7 S.R.13 E.B.M.

(Other amounts to other parties)

It is further Ordered, Adjudged and Decreed, That the plaintiff, defendants, cross-complainants, counter-claimants, and intervenors and their attorneys, agents, servants, and employees and any and all persons acting in aid of or for any of said parties, and any persons in privity with or claiming under any of said parties and each and every of them are hereby forever enjoined and restrained from in any manner interfering with or diverting or using the waters of said Billingsley Creek, or said Riley Creek, or the Springs, adjudication of which has been made herein, excepting in accordance with the terms of this decree.

Signed: Charles C. Cavanah, District Judge.

Certificate of correct transcript of the original, given under date of April 8, 1932, by W. D. McReynolds, Clerk of the United States District Court for the District of Idaho, By Dorothy G. Wylie, Deputy (U.S.D.C.Seal)

MICROFILMED

FEB 03 1953

Security Title Company, Gooding, Idaho

MICROFILMED

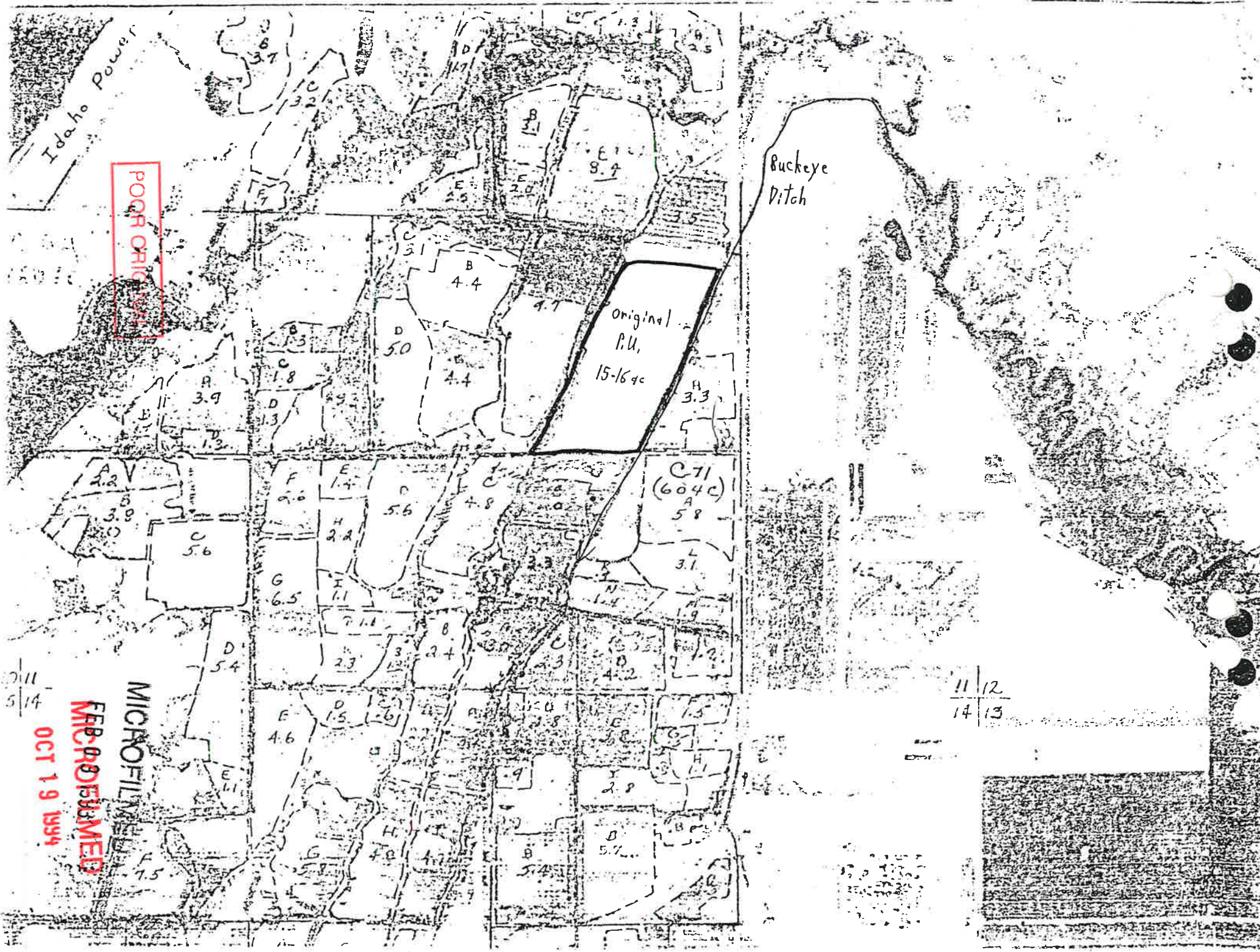
OCT 19 1994

POOR ORIGINAL

MICROFILMED

FBI/DOJ/MEED

OCT 19 1994



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)
_____)

Case No. 36-07271 -0002

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)

MICROFILMED
OCT 19 1994

2. Person who filed objection:

Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
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

3. |☒| Quantity: I respond to the objection concerning:
- 3a. |☒| The total quantity of water used in cubic feet per second.
- 3c. |☒| The total quantity of water reserved for each and every purpose, including all present and future uses.
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.
10. |☒| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. |☒| Remarks: I respond to the objection concerning the "remarks" listed with the water right.

14. |X| Other: I respond to the objection concerning:

REFERENCE TO ATTACHMENT TO OBJECTION

REASONS SUPPORTING EACH BOX CHECKED

In response to the claimant's description of interest in the water right, IDWR responds as follows: IDWR recommended the water right in question based on a license and with the licensed priority date as claimed by the claimant. The claimant here asserts that the right is decreed with an 1891 priority date. Since the claimant does not object either to the recommended priority date or the recommended basis of the water right, these assertions in the Statement of Interest are made in error.

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402). In further response to this objection item, IDWR responds that it recommended this element of the water right as claimed.

In response to Statement of the Objection item 3c., and all allegations of the objection regarding that item, IDWR responds as follows: Since this water right is not a federal reserved water right, this objection item is inapplicable and the claimant's assertion of it is in error. IDWR further responds that under Idaho law water cannot be reserved for future use, but must be appropriated and put to beneficial use before the user can acquire a water right.

In response to Statement of the Objection item 7, and all allegations of the objection regarding that item, IDWR responds that it recommended the same purpose or purposes of use that were identified on the notice of claim and that were found when the claim was investigated. By identifying in the objection irrigation, stockwater and domestic as additional uses that were not identified on the notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the

(Over)

court.

In response to Statement of the Objection item 8, IDWR responds as follows: IDWR recommended a season of use of 1-1 to 12-31, which is the same season claimed and the same season now requested in this objection.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: The license upon which the claimant's claim is based does not set an annual volume of consumptive use for this water right. Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. As stated in general provision 9 of the director's report, "Where consumptive use is not stated for a right or a portion of a right, the consumptive use for that right or that portion of the right is so small that it is deemed de minimus." No consumptive use is stated for this right, and it is therefore deemed de minimus.

In response to Statement of the Objection item 11, and all allegations of the objection regarding that item, IDWR responds that it has authority pursuant to Idaho Code Sec. 42-1411(2)(j) to include in its recommendations of water rights acquired under state law and recommended in the director's report "such other matters as are necessary to define the right." The remark or remarks objected to are necessary to adequately describe and define this water right.

In response to Statement of the Objection item 14, IDWR deems the item identified to be only a reference to the attachment listing the reasons to support the other items objected to. IDWR has addressed each of those reasons in the response items enumerated above.

In response to the sentence listed in Changes to the Director's Report, whereby the claimant attempts to "reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial," IDWR responds as follows: Insofar as this purported reservation of rights may constitute an attempt to reserve the right to amend at trial the claimant's notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim just as a party must obtain leave of the court to file a late claim after the director's report is filed.

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

The notice of claim is attached to IDWR's response to Objection No. 36-07271-0001

(Over)

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JUL 14 1993

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, 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 Bureau Chief 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 31st day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires _____

Notary Public
Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of AUGUST, 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:

See No. 3

Name: THOMAS E KING
Address: PO BOX 254
BURLEY ID 83318

Name: EDWARD C & RUTH SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

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: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID 83332

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 Respondent or attorney
mailing on Respondent's behalf

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

ED SHOKAL

963 PIONEER RD, HAAGERMAN

837-4577

2. SUBJECT OF INQUIRY:

Concerned about the combined water right
with Martin. Should he come in to discuss it?

3. RESPONSE TO INQUIRY:

I told him coming in will not resolve the issue; the report now belongs to the Court and not me. I suggested he file a transfer to move the ponds' place of use to the Martin property. I explained we had to recommend the right as licensed since no ponds were licensed on the Martin parcel. Review of the license exam shows the ponds only on the remaining Shokal property and a change of ownership as filed cannot replace the need for the transfer. I confirmed either party can transfer the right and suggested that Mr. Martin make the filing (since he owns the new pond).

I mentioned he can file the Objection with the Court from this point on until May 1, 1993. He said he will obtain the forms later.

4. IDWR STAFF AND DATE:

Steve Clelland

11-9-92

Print name and initial

STEVE CLELLAND

SC

WATER RIGHT CLAIM (Nos.):

A36-00082 A36-00080B A36-07271

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REVIEW OF SHOKAL/MARTIN SPLIT

A36-

-80 A (1885)

2.0 cfs

46.8 Ac

-81 A (1910)

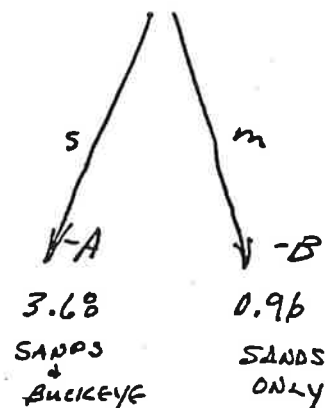
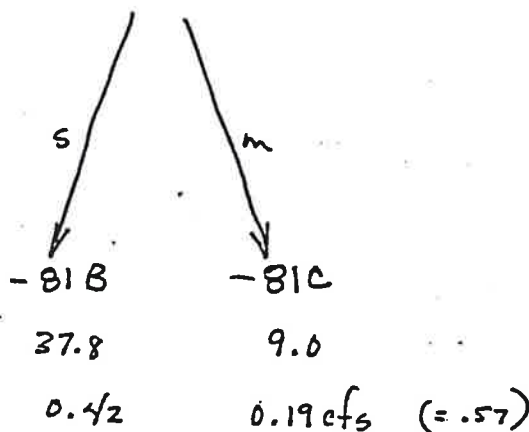
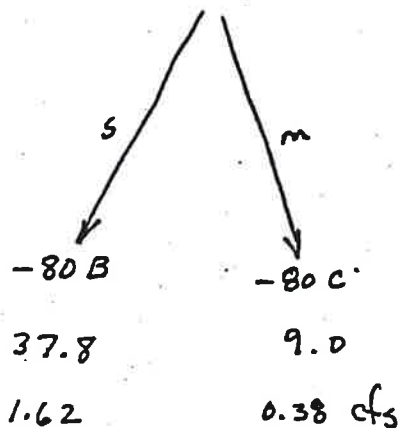
1.0 cfs

46.8 Ac.

-727 A

4.62 cfs

SANIT
BUCK



$$\frac{0.39 \text{ cfs}}{0.58} = \frac{.39}{.96} = .48$$

this amount of water
sold above the
proportional rates
as claimed.

10-28-91

Steve [Signature]

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OCT 19 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



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NOTICE OF ERROR FORM

*filed Set 9-10-92
su*

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:

SEP-24-1992

1. Water right number: *36-07271-A*

2. Name:

Edward and/or Ruth Shokal

Address:

*963 - Pioneer Rd
Hagerman Idaho 83332*

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FEB 03 1993

Weekday Telephone Number:

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

*This refers to 07271 that's OK But 07271 is
in error*

4. Describe the changes you wish to have made in the proposed recommendation:

See ²⁶⁻07271

5. Describe why you disagree with the proposed recommendation:

Wrong names

6. Date:

Sept 9 92

SIGNATURE

Edward Shokel



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

EDWARD & RUTH SHOKAL
963 PIONEER ROAD
HAGERMAN ID 83332

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-07271, 07271A, 00081B, 00080B,
00082A, & 00039B

DEAR MR. & MRS. SHOKAL:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOES QUESTION THESE POINTS; 1) YOUR NOES INDICATE THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE; 3) FEWER ACRES RECOMMENDED FOR IRRIGATION THAN WERE CLAIMED; 4) NEW OWNERS OF RIGHT 36-00039B; 5) OWNERSHIP AND DIVERSION AMOUNTS FOR RIGHT 36-07271.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO 3/15 TO 11/15.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS

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PAGE 2

LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

3) WE HAVE RECOMMENDED A TOTAL OF 29 IRRIGATED ACRES FOR YOUR IRRIGATION RIGHTS. THIS IS THE NUMBER OF ACRES ACTUALLY FOUND TO BE IRRIGATED AT THE TIME OF THE FIELD EXAM. THAT TOTAL IS ALSO SUPPORTED BY ASCS MAPS AND NAPP PHOTOGRAPHY.

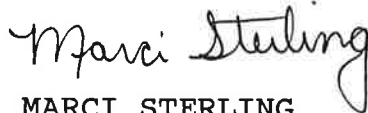
4) FOR RIGHT 36-00039B, WE HAVE CHANGED OUR RECORDS TO SHOW MR. DUKE AS THE CURRENT OWNER OF THE RIGHT. A PROFILE REPORT OF THAT RIGHT WITH THE CHANGES HAS BEEN ENCLOSED WITH THIS LETTER.

5) WITH REFERENCE TO RIGHT 36-07271, THE PONDS IN WHICH THE WATER IS USED WERE FOUND TO BE ON YOUR PROPERTY. BECAUSE OF THIS, THE WATER RIGHT WAS NOT TURNED OVER ENTIRELY TO MR. MARTIN. A TRANSFER IS REQUIRED IN ORDER FOR MR. MARTIN TO OBTAIN OWNERSHIP OF ANY PART OF THIS WATER RIGHT. THE CLAIM WILL REMAIN AS LICENSED WITH BOTH OF YOU NAMED AS CURRENT OWNERS OF THE RIGHT.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES:

CHANGE OF OWNERSHIP FORM
PROFILE REPORTS OF 36-00080B, 00082A, & 00039B

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Water Right Number - R36-07271A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SHOKAL

EDWARD C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

SHOKAL

RUTH C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
11/17/1972 17 SOUTHERN I - DISALLOWED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County
07S	13E	11	NW SW NE		R	(47) GOODING
			SE SE NE		R	(47) GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
49 -	FIRE PROTECTION	01/01	12/31	2.280	
19 -	FISH PROPAGATION	01/01	12/31	3.680	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.680 0.0

+ - - - - Place of Use - - - - - +

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	11	SE SW			19	FISH PROPAGATION	(47) GOODING
07S	13E	11	SW SE			19	FISH PROPAGATION	(47) GOODING
07S	13E	11	SE SW			49	FIRE PROTECTION	(47) GOODING
07S	13E	11	SW SE			49	FIRE PROTECTION	(47) GOODING

Total Acres:

+ - - Diversion Means - BUCKEYE AND SANDS DITCHES

+ - - Non-Irrigation Use - FISH/PROPAGATION; FIRE/PROTECTION

+ - - Other Rights for Same Use - A36-00080B, A36-00081B & A36-00082A

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FEB 03 1993

Water right number - R36-07271A

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
RECOMMENDED AS RIGHT NO. 36-07271.

+ - - - - Old Water Right Numbers - - - - -
3607271

+ - - - - Conditions of Approval - - - - -
P06 - RECOMMENDED AS RIGHT NO. _____: This is included for a
- claim that is PROPOSED to be disallowed because the right claimed
- is recommended pursuant to another right. The remark indicates
- the water right number of the OTHER right that is proposed to be
- recommended. If you are not mailed a notice of the recommendation
- of the OTHER right, then the OTHER right is recommended in
- another claimant's name.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 07/27/1992 User Id: CLELLAND Subject: DISALLOWAL
TRANSFER IS REQUIRED TO CHANGE THE LOCATION OF THE POND SITES.
Date: 07/27/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
THIS CLAIM ORIGINALLY UNDER A36-07271, SPLIT BY CHANGE IN OWNERSHIP.
Date: 10/15/1992 User Id: SOUTH1 Subject: NOE - RESPONSE
NO CHANGE MADE TO RECOMMENDATION. M. STERLING

+ - - Audit Fields - - +
10/15/92 SOUTH1

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	- B

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R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 03 1993

RECEIVED BY See

Water Right Number - R36-07271A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SHOKAL

EDWARD C

1 - 963 PIONEER RD
2 -
3 -City- HAGERMAN
Phone - 208-837-4577
1 - 963 PIONEER RD

State- ID Zip- 83332

SHOKAL

RUTH C

2 -
3 -
City- HAGERMAN
Phone - 208-837-4577

State- ID Zip- 83332

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17 SOUTHERN

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I - DISALLOWED+ - - Source - - - - - +
BILLINGSLEY CREEK+ - - Tributary - - - - - +
SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
07S	13E	11	NW SW NE SE SE NE		R R	(47) GOODING (47) GOODING	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
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3.680+ - Total Consumptive Use - + + - KW Usage - +
0.0

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	13E	11	SE SW			19	FISH PROPAGATION	(47) GOODING
07S	13E	11	SW SE			19	FISH PROPAGATION	(47) GOODING
07S	13E	11	SE SW			49	FIRE PROTECTION	(47) GOODING
07S	13E	11	SW SE			49	FIRE PROTECTION	(47) GOODING

Total Acres:

+ - - Diversion Means - BUCKEYE AND SANDS DITCHES

+ - - Non-Irrigation Use - FISH/PROPAGATION; FIRE/PROTECTION

+ - - Other Rights for Same Use - A36-00080B, A36-00081B & A36-00082A

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Water right number - R36-07271A

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
RECOMMENDED AS RIGHT NO. 36-07271.

+ - - - - - Old Water Right Numbers - - - - - +
3607271

+ - - - - - Conditions of Approval - - - - - +
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00/00/0000

+ - - - - - Comments - - - - - +
Date: 07/27/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
THIS CLAIM ORIGINALLY UNDER A36-07271, SPLIT BY CHANGE IN OWNERSHIP.
Date: 07/27/1992 User Id: CLELLAND Subject: DISALLOWAL
TRANSFER IS REQUIRED TO CHANGE THE LOCATION OF THE POND SITES.

+ - - Audit Fields - - +
07/27/92 CLELLAND

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Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/27/1992	Old Judicial District	-
Claim Received Date	- 06/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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