

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 37-590A
Date Received: 12/23/1988
Receipt No: C004669
Received By:

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

1. Name of Claimant(s)

TERRI SHERBINE Phone: (208)788-4846
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE Phone: (208)788-4846
200 BASELINE RD
BELLEVUE ID 83313

2. Date of Priority: 05/01/1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

DISTRICT 45 CANAL, MAINLINE, 1 PIVOT & WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	4	

7. Total Quantity Appropriated is:
4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	19E	5	SW	NW	4	IRRIGATION	19
			SE	NW	3	IRRIGATION	18
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
Section Acres							197
Total Acres							197

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

***** MEMO TO FILE ***** ORIGINALLY
 DECREED TO LINDAY R. ROGERS IN THE FROST DECREE.
 P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

15. Basis of Claim: Decreed

RECEIVED

APR 26 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-12414	37-115D *	—			
	37-590A *	—			
	37-2561	—			

* pending transfer

RECEIVED

APR 25 2005

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

David H Knott

PO Box 1242, Sun Valley, ID 83353

4. New Owner/Claimant(s)

William T. (Rocky) & Terri L. Shenkline

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

200 Baseline Rd

City, State and ZIP Code

Bellevue, ID 83313

New Telephone Number

() 288-4846 cell #309-1235

5. Date you acquired the property

8-2-1993

Order No. 19068

WARRANTY DEED

FOR VALUE RECEIVED

Vanoff Enterprises, LTD., a California limited partnership

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

William T. Sherbine and Theresa L. Sherbine, husband and wife

GRANTEE(s) whose address is: 149 1/2 Baseline Road, Bellevue, ID 83313

the following described real property in Blaine County, Idaho, to wit:

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

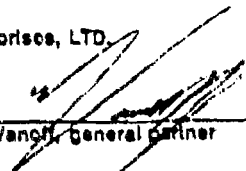
SECTION 8: All the SW1/4 and Lots 3 and 4

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 28, 1993

Vanoff Enterprises, LTD.

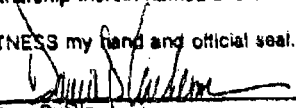

Nicholas E. Vanoff, General Partner

State of Idaho

County of Blaine

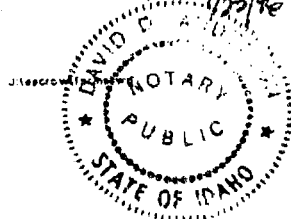
On this 6th August 1993, before me, the undersigned, personally appeared Nicholas E. Vanoff, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as general partner(s), on behalf of Vanoff Enterprises, LTD., the limited partnership therein named and acknowledged to me that the partnership executed it.

WITNESS my hand and official seal.


Notary Public

Residing at Boise ID

Commission Expires: 1/23/96



BLAINE CO. REQUEST

OF SAVING TITLE

1993 AUG -9 P 3:44

355532

3

EXHIBIT "A"

PARCEL 1

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO

SECTION 5: All the SW¹/₄ and Lots 3 and 4

EXCEPTING THEREFROM

A parcel situated in Section 5, Township 1 South, Range 19 East,
Boise Meridian, more particularly described as follows:

COMMENCING at the NW corner of said Section 5; THENCE South
89°47'47" East along the North boundary of said Section 5 a
distance of 575.63 feet to the TRUE POINT OF BEGINNING;
THENCE South 89°47'47" East along the North boundary of said
Section 5 a distance of 1612.66 feet; THENCE South 89°54'28" East
along the North boundary of said Section 5 a distance of 39.00
feet; THENCE South 0°05'30" West a distance of 527.39 feet;
THENCE North 89°48'25" West a distance of 1631.66 feet; THENCE
North 0°05'30" East a distance of 527.62 feet to the TRUE POINT
OF BEGINNING.

PARCEL 11

A parcel situated in Section 5, Township 1 South, Range 19 East,
Boise Meridian, more particularly described as follows:

COMMENCING at the NW corner of said Section 5; THENCE South
89°47'47" East along the North boundary of said Section 5 a
distance of 575.63 feet to the TRUE POINT OF BEGINNING;
THENCE South 89°47'47" East along the North boundary of said
Section 5 a distance of 1612.66 feet; THENCE South 89°54'28" East
along the North boundary of said Section 5 a distance of 39.00
feet; THENCE South 0°05'30" West a distance of 527.39 feet;
THENCE North 89°48'25" West a distance of 1631.66 feet; THENCE
North 0°05'30" East a distance of 527.62 feet to the TRUE POINT
OF BEGINNING.

TOGETHER WITH all water rights appurtenant thereto, including but not
limited to the following:

- a. Two Hundred inches of the Big Wood River, with priority of May 1,
1886, originally decreed to Lindsey Rogers on December 13, 1909.
- b. One Hundred inches of the Big Wood River, with priority of June 12,
1886, originally decreed to R. F. Buller and Rosa B. Buller on December
13, 1909;
- c. 3.94 c. f. s. with priority of October 13, 1854 under Idaho License
No. 37-2561 formerly No. 0-25224, dated October 18, 1960 and
- d. 640 shares of the Upper Big Wood River Users Association.

Grantor herein has served merely as a conduit of the title to the herein described
property and has never examined or inspected said property and has no knowledge
as to said property, and has therefore made no representations or warranties
expressed or implied, as to said property or the title, condition, use, opera-
tion or zoning thereof, and Grantor shall have no personal liability for any
of the covenants, agreements, terms and provisions of the within deed beyond
its interest in the herein described property as a conduit of title, and
Grantee herein agrees to look solely to the Grantor in the deed recorded con-
currently herewith for satisfaction of any covenants, agreements, terms and
provisions of this deed.

BLAINE CO. REQUEST
Saw Valley Title Co.
321333
90 JUL 9 AM 11 58
MARY GREEN, CLERK T11
FEES \$6.00

4/23/04 TAX MASTER INQUIRY - BLAINE COUNTY

PMPKEY: RP 01S190051060 A YEAR 2003 BILL# 17810
TXPKY: RP01S190051060A BILLED TO: SHERBINE, WILLIAM T & THERESA
NAME SHERBINE, WILLIAM T & THERESA CODE AREA 91-0000 ACCT TYP
BANK FLB OWNER PUP

ADDRESS 200 BASELINE ROAD

BELLEVUE ID 83313

LEGAL SW1/4 & GOV LOT 3 & 4
IS 19E SEC 5

MARKET VALUE 263,508
HARDSHIP
HOMEOWNER 50,000 *
NET MARKET 213,508 *
TAX AMOUNT 1,311.36
LESS: CIRCUIT
PLUS: SPECIALS
NET TAX BILLED 1,311.36
TAX PAYMENTS 1,311.36
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE

200 BASELINE RD 80000

NEXT PARCEL# RP _____ A OR NEXT BILL# RP 2003
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

355532



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 3, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILLIAM T, TERRI AND WILLIAM LSHERBINE
200 BASELINE RD
BELLEVUE ID 83313

Re: SRBA Claim #37-12414, 37-115D, 37-590A, 37-2561, 37-11267,
37-436C, 37-884, 37-436C, 37-2682, 37-2582

Dear Claimants,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownerships to you. Please find the enclosed copies of the computer records of the claims noting the change in claimants. Review these record and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

CL

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: A37-00590A
Date Received: 10/27/1988
Receipt No: C004669
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID H. KNOTT 208-726-3093
Address: P.O. BOX 1242
SUN VALLEY, ID 83353
2. Date of Priority: MAY 01, 1886
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N | 18E | 36 | SW | SW | NW | | BLAINE |
5. Description of diverting works:
DISTRICT 45 CANAL, MAINLINE, 1 PIVOT & WHEEL LINES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 4.000 | | |
7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 492.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	5	SW	NW	4	IRR	19.0
			SE	NW	3	IRR	18.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0

A37-00590A

Page 1

Date: 02/06/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	5	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							197.0
Total Acres							197.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00115D, 37-02561

14. Remarks:

***** MEMO TO FILE *****
ORIGINALLY DECREED TO LINDAY R. ROGERS IN THE FROST DECREE.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

FEDERAL LAND BANK OF SPOKANE
Decree Plaintiff

vs

UNION CENTRAL LIFE INS. CO.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 23 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: 39356
Ident Number A370590A
Date Received 10-27-89
Receipt Number 10041669

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): David H. Knott
Phone: (208) 726-3093
Mailing Address: P.O. Box 1242
Sun Valley, ID 83353
2. Date of Priority: May 1, 1886
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	36		SW	NW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: District 45 Canal,
mainline, one (1) pivot & wheellines.

MICROFILMED
FEB 23 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	4.0 cfs

7. Total Quantity Claimed: 4.0 cfs

8. Total consumptive use claimed is 492.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>Use</u>	<u>Irrig. Acres</u>
1S	19E	5	SW	NW(Lot 4)	I	19
1S	19E	5	SE	NW(Lot 3)	I	18
1S	19E	5	NE	SW	I	40
1S	19E	5	NW	SW	I	40
1S	19E	5	SW	SW	I	40
1S	19E	5	SE	SW	I	40

Total number of irrigated acres: 197

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0115D, 37-2561.

14. Remarks: Originally decreed to Lindsay R. Rogers in S.C. Frost et al. v. Alturus Water Co. et ux.. Transfer 568.

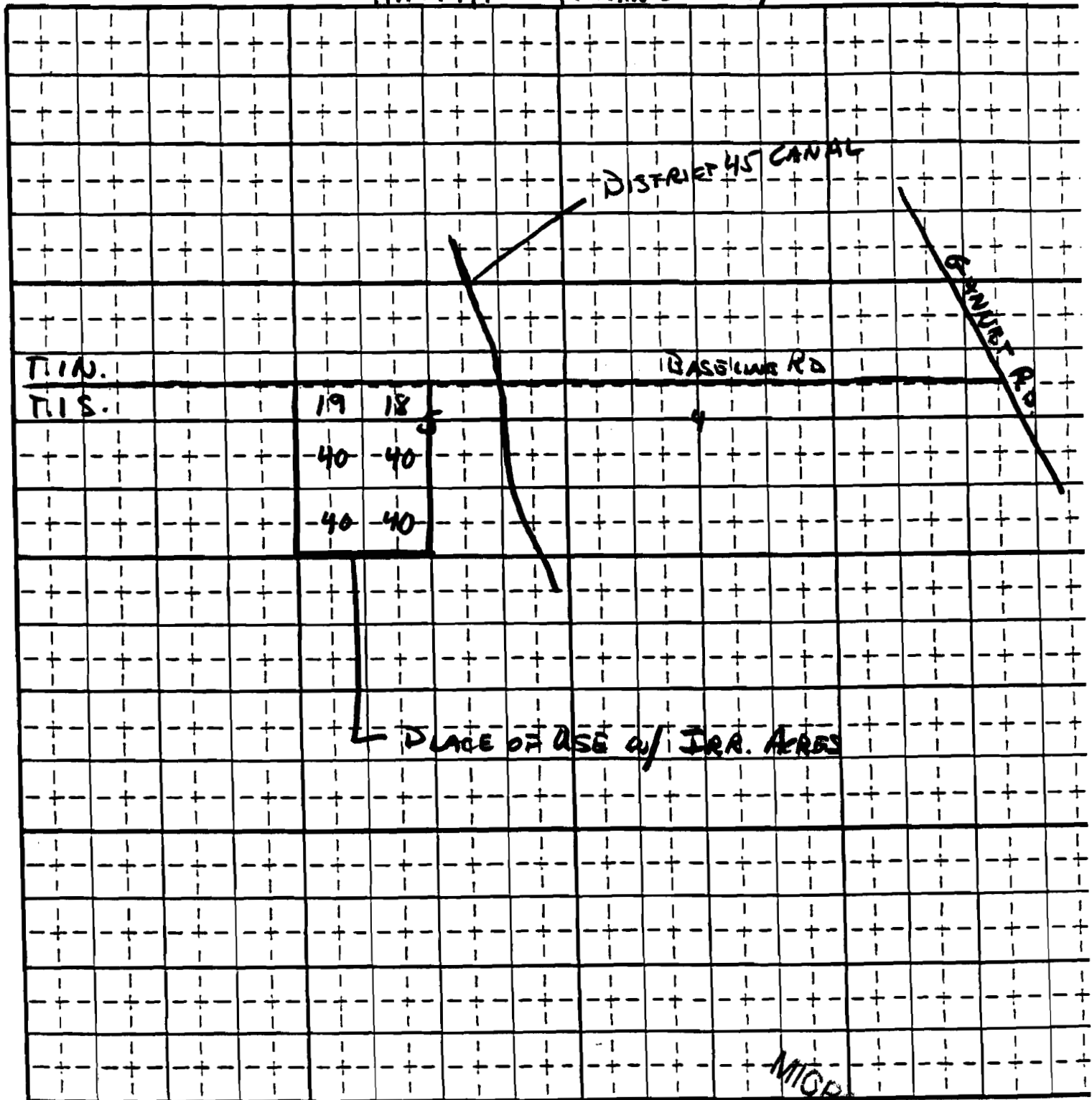
Last Name: Knott Ident No. _____

MICROFILMED
FEB 23 1993

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

Scale: 2 inches equals 1 mile

R.M.E., B.M., BLAINE COUNTY



MICROFILMED
FEB 23 1993

Last Name KNOTT

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0590A
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S. C. Frost et al v. Alturus Water Co. et al.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) *James P. Speck* Date 10-26-88

State of IDAHO)
County of BELLEVILLE) ss.

Subscribed and sworn before me this 26 day of October, 1988.

Notary Public *James P. Speck*
Residing at East Fork FD
Commission Expires 1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: *James P. Speck*
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/29/88

Last Name: Knott Ident No.: _____
a:\knott2.clm

MICROFILMED
FEB 23 1993

1/30/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Knot CLAIM JENT. NO. A37-00590A

DATE RECEIVED 10-27-88 CK # 217 AMOUNT \$ 372 ⁽⁴⁾ YES NO Required Info?

- 1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
- 2. Is a priority date entered? ☒ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
- 3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ *
- 4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
- 5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
- 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
Is the period of use included? ☒ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
- 7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
- 8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ *
Is the consumptive use correct? ☒ YES ☐ NO ☐ *
- 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ *
- 10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
- 11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
- 12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
- 13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
- 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ *
- 15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
- 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ *
- 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
- 18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
- 19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
- 20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ *
- 21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ *
- 22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ *

Claim checked by: CF Date: 2-6-89

Claim must be returned to claimant: ☐ (Yes) ☐ (No)

Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: CF Date: 2-6-89
Claim data entered by: CF Date: 2-6-89 Checked by: CF Date: 2-6-88
Sent to claimant by: CF Date: 2-6-89

Comments: MICROFILMED FEB 23 1989

COPY

2000 FEB 22 PM 2 05

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

Subcase No: 37-115D, 37-590A

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☐ Split of Water Right

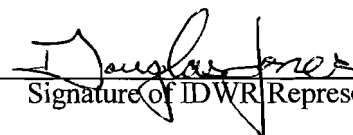
☐ Place of Use

☒ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 2/22/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

William Sherbine
Theresa Sherbine
200 Baseline Rd
Bellevue ID 83313



Signature of person or attorney mailing the form

02/11/2008

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

RIGHT NUMBER: 37-115D

NAME AND ADDRESS: THERESA L SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.10 cfs of this right, which shall remain undiverted in the Big Wood River.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE: 06/12/1886

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.100 CFS
IRRIGATION	04/15 10/31	1.900 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S05 Lot 4 SWNW	18.00	T01S R19E S05 Lot 3 SENW	14.00
T01S R19E S05 NESW	40.00	T01S R19E S05 NWSW	40.00
T01S R19E S05 SWSW	40.00	T01S R19E S05 SESW	39.00

MITIGATION same as IRRIGATION

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.

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

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/13/2008

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

RIGHT NUMBER: 37-590A

NAME AND ADDRESS: THERESA L SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 4.000 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.20 cfs of this right, which shall remain undiverted in the Big Wood River.

PRIORITY DATE: 05/01/1886

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County
T01N R18E S25 NWSESW Rediversion Within BLAINE County
This right is measured and administered at the point of rediversion.

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.800 CFS
MITIGATION	04/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S05 Lot 4 SWNW	18.00	T01S R19E S05 Lot 3 SENW	14.00
T01S R19E S05 NESW	40.00	T01S R19E S05 NWSW	40.00
T01S R19E S05 SWSW	40.00	T01S R19E S05 SESW	39.00

MITIGATION same as IRRIGATION

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.

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

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 22, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WILLIAM SHERBINE
THERESA SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-115D, 37-590A

Dear Claimants:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71910

This is to certify that: WILLIAM T SHERBINE

200 BASELINE RD
BELLEVUE ID 83313
(208)309-1235

And

THERESA L SHERBINE
200 BASELINE RD
BELLEVUE ID 83313
(208)788-4846

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-115D	AJC/Decreed	06/12/1886	2.00 cfs	N/A	N/A	191.0	BIG WOOD RIVER
37-590A	AJC/Decreed	05/01/1886	4.00 cfs	N/A	N/A	191.0	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-115D	NO	YES	NO	NO	NO	NO
37-590A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-115D	37-115D	2.00 cfs	N/A	N/A	191.0		N/A	N/A	N/A	N/A
37-590A	37-590A	4.00 cfs	N/A	N/A	191.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		6.00 cfs	N/A	191.0	191.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 20 07



Administrator, Water Management Division

SUPPORT DATA

IN FILE # 37-115D

WATER RIGHT NO. 37-115D
As Modified by Transfer No. 71910

In accordance with the approval of Transfer No. 71910, Water Right No. 37-115D is now described as follows.

Right Holder: THERESA L SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

And

WILLIAM T SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

Priority Date: June 12, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MITIGATION	04/15	to 10/31	0.10 CFS	
IRRIGATION	04/15	to 10/31	1.90 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSNW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	19E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									18.0	14.0	40.0	40.0	40.0	39.0					191.0
									L 4	L 3									

Total Acres: 191

CONDITIONS OF APPROVAL

1. The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.
2. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.10 cfs of this right, which shall remain undiverted in the Big Wood River.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

WATER RIGHT NO. 37-590A
As Modified by Transfer No. 71910

In accordance with the approval of Transfer No. 71910, Water Right No. 37-590A is now described as follows.

Right Holder: THERESA L SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

And

WILLIAM T SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

Priority Date: May 01, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	3.80 CFS	
MITIGATION	04/15	to 10/31	0.20 CFS	
			4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSNW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	5							18.0	14.0	40.0	40.0	40.0	39.0					191.0
									L 4	L 3									

Total Acres: 191

CONDITIONS OF APPROVAL

1. The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.
2. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.20 cfs of this right, which shall remain undiverted in the Big Wood River.

WATER RIGHT NO. 37-590A
As Modified by Transfer No. 71910

CONDITIONS OF APPROVAL

3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right does not grant any right-of-way or easement across the land of another.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. This right is measured and administered at the point of redirection.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23rd day of August, 20 07


Administrator, Water Management Division

12/22/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-590A

TERRI SHERBINE
200 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-4846

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-4846

RECEIVED
JAN 09 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-27-06 SIGNATURE: Rocky Sherbine
Please print your name: Rocky Sherbine

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 04 2007

12/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-590A

NAME AND ADDRESS: TERRI SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

KKC

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	4.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S05 Lot 4 SWNW	18.00	T01S R19E S05 Lot 3 SENW	14.00
T01S R19E S05	NESW 40.00	T01S R19E S05	NWSW 40.00
T01S R19E S05	SWSW 40.00	T01S R19E S05	SESW 39.00

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.

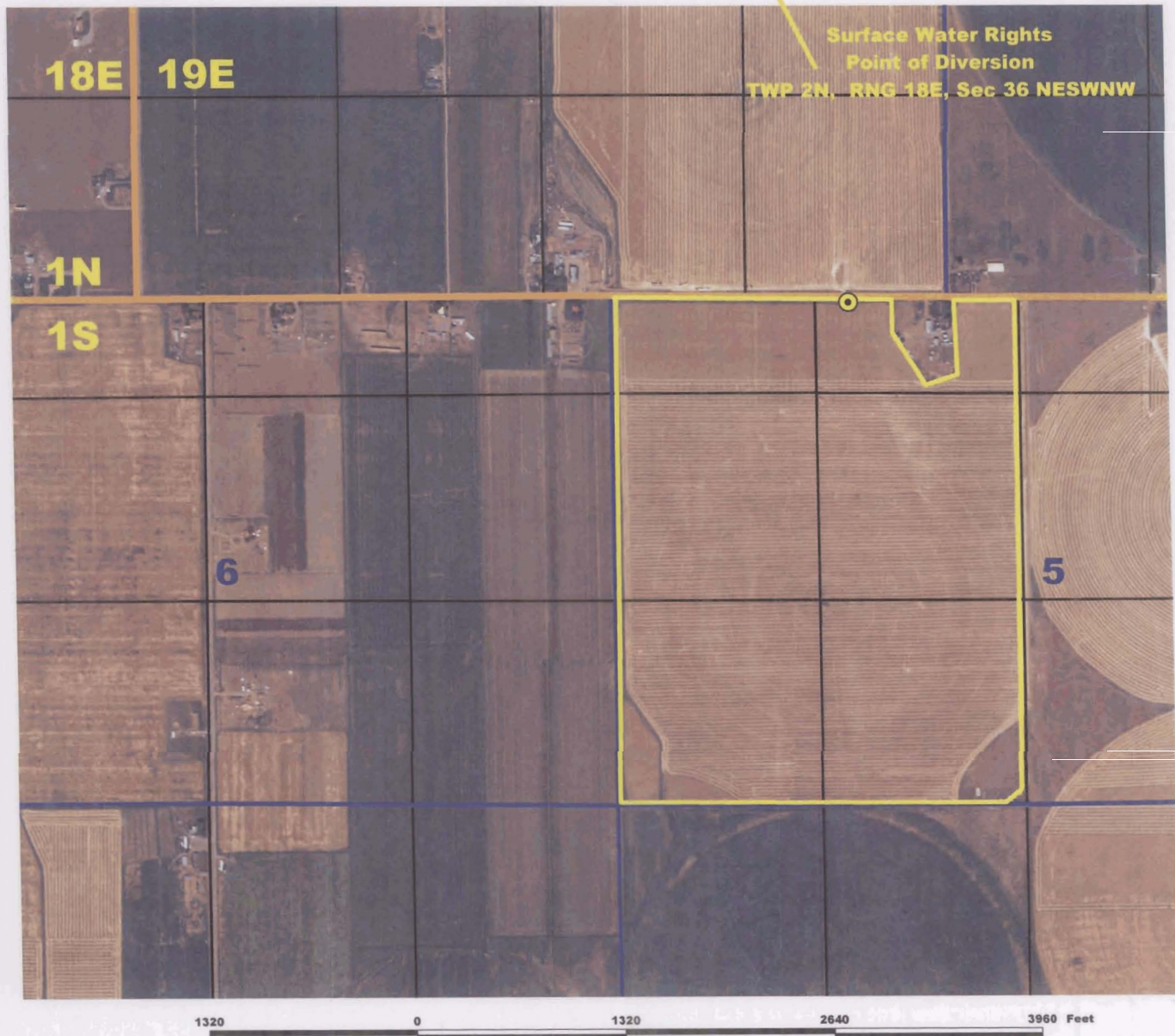
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 37-115D, 37-590A, AND 37-2561



PLACE OF USE
TWP 1S, RNG 19E, SEC 5
Data entry on December 18, 2006

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

