

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 37-436C
Date Received: 9/7/1988
Receipt No: S002090
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 L SHERBINE Phone: (208)788-4846
C/O ROCKY SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

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

2. Date of Priority: 06/01/1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01N	18E	25	NE	NW	BLAINE	R
01N	18E	12	SW	SW	BLAINE	

5. Description of diverting works:

VIA BYPASS CANAL; THEN HEADGATE #55-C TO BASELINE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01S	19E	7	NE	NW		IRRIGATION	40
			NW	NW	1	IRRIGATION	43
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			SE	SW		IRRIGATION	35
						Section Acres	198
						Total Acres	198

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:

THIS CLAIM IS BASED ON A PORTION OF 37-0436A.

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 (under the "split" heading), 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 ~~48~~ -436C	-			
	37 ~~48~~ -884	-			
	37-2682	-			
37-11267		-			

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) is 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) Capt. Ruth L. Schoessler
067 Schoessler Lane, Bellevue, ID 83313
4. New Owner/Claimant(s) William L. & Wm. T. (Rocky) & Terri Sherbine
Name Connector (Check one: [] and, [] or, [] and/or)
New Mailing Address c/o Rocky Sherbine
City, State and ZIP Code 200 Baseline Rd, Bellevue, ID 83313
New Telephone Number () 788-4846 cell #309-1235
5. Date you acquired the property 4-3-2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Rocky T. Shorsine
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>[Signature]</u>	Date <u>4-25-05</u>	Fee <u>\$25,</u>	
Received by <u>[Signature]</u>	Date <u>4-25-05</u>	Receipt No. <u>5027611</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

WARRANTY DEED

FOR VALUE RECEIVED RUTH SCHOESSLER, a single individual dealing in her sole and separate property, hereinafter the "Grantor," hereby grants, bargains, sells, and conveys unto WILLIAM L. SHERBINE, a married individual dealing in his sole and separate property, and WILLIAM T. "ROCKY" SHERBINE and TERRI SHERBINE, husband and wife, hereinafter the "Grantees," certain real property located in Blaine County, Idaho, and legally described as follows:

The East Half (E½) of the Northwest Quarter (NW¼) and the East Half (E½) of the Southwest Quarter (SW¼) and Lots One (1) and Four (4) of Section Seven (7), Township One (1) South, Range Nineteen (19) East of the Boise Meridian, together with all ditch and water rights appurtenant thereto, subject to an Easement dated July 9, 1930, to the Mountain States Telephone and Telegraph Company, and being the same real estate conveyed by The Union Central Life Insurance Company to the Mortgagors herein by Deed dated the third day of May, 1951.

Together with all improvements and appurtenances and together with all appurtenant water rights including 160" of drainage rights and 50" of Wood River Water delivered via Base Line Canal Company.

Together with 50 shares of Base Line Canal Company.

Together with 3.44 cfs of Idaho water rights, Water License No. G-30821/37-2582.

TOGETHER WITH any and all tenements, hereditaments, easements, rights, privileges, and appurtenances thereunto belonging or used in connection therewith.

TOGETHER WITH all water and water rights of every kind and description and however evidenced, used upon or appurtenant to said property, which in any manner entitle Grantor to water.

SUBJECT TO any and all easements, rights of way, or restrictions of record, and building and use restrictions, zoning and building laws and ordinances, if any, as the same may appear of record, and the exceptions, provisions, and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

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

Dated this 3RD day of APRIL, 2000.

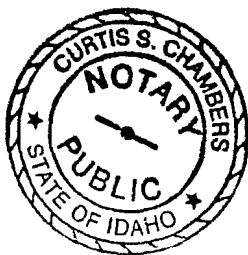
GRANTOR:

Ruth L. Schoessler
RUTH SCHOESSLER

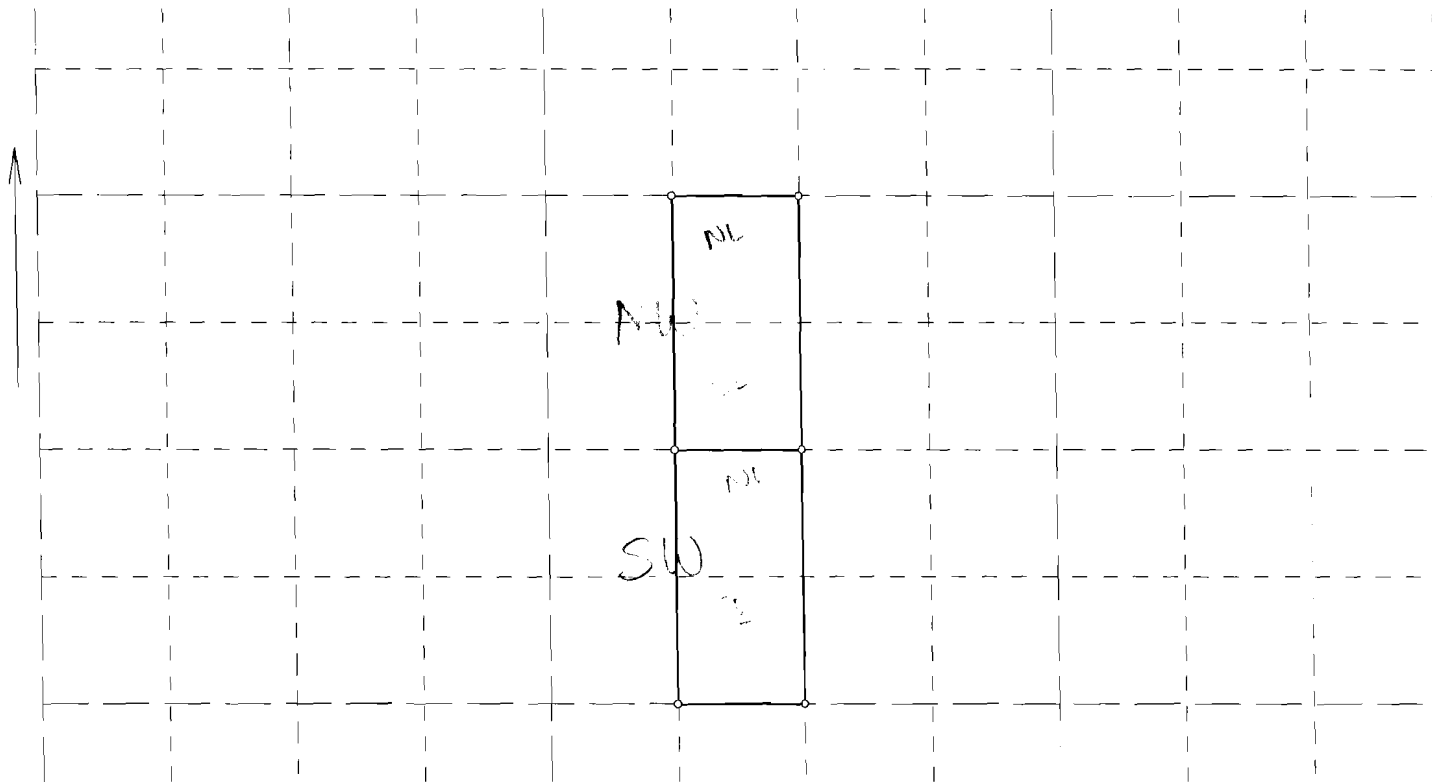
STATE OF IDAHO)
) ss.
County of BLAINE)

On this 3RD day of APRIL, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared RUTH SCHOESSLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residence: HAILEY
My Commission Expires: 5-15-2004



Title:		Date: 04-29-2005
Scale: 1 inch = 2000 feet	File:	
Tract 1: 80,000 Acres: 3484800 Sq. Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet		
Tract 2: 80,000 Acres: 3484800 Sq. Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 7920 Feet		
001=/SE,SE,SE,7,01S,19E	007=N90E 1320.00	013=N90W 1320.00
002=/N00E 5280.00	008=@0 e,sw,07,01s,19e	014=N00E 2640.00
003=/N90W 2640.00	009=/SE,SE,SE,07,01S,19E	015=N90E 1320.00
004=S00W 2640.00	010=/N00E 2640.00	
005=N90W 1320.00	011=/N90W 2640.00	
006=N00E 2640.00	012=S00W 2640.00	

12 142 7
 NE 1320
 SE 1320
 NW 2640
 SW 2640

12 142 7

12 142 7



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 3, 2005

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 black ink, appearing to read 'Carrie Hahn', is written over a faint, larger signature that is partially obscured.

Carrie Hahn
Office Specialist

Enc.

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: A37-00436C
Date Received: 9/07/1988
Receipt No: 5002090
Received By: APL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL SCHOESSLER 208-788-2772
Address: 067 SCHOESSLER LANE
BELLEVUE, ID 83313

AND/OR

Name: RUTH L. SCHOESSLER 208-788-2772
Address: 067 SCHOESSLER LANE
BELLEVUE, ID 83313

2. Date of Priority: JUN 01, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	12	SW	SW			BLAINE
		25	NE	NW		R	BLAINE

5. Description of diverting works:
VIA BYPASS CANAL; THEN HEADGATE #55-C TO BASELINE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 495.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

RECORDED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	7	NE	NW		IRR	40.0
			NW	NW	1	IRR	43.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			SE	SW		IRR	35.0
						Section Acres	198.0
						Total Acres	198.0

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:

A37-02682, A37-00884, SHARE IN BASELINE PUMP ASSOC.

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF 37-0436A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
FEB 22 1993

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Carl Schoessler Date: 9/7/88
Ruth L. Schoessler Date: 9/7/88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of Sept. 19 88
Allen D. Merritt
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/91

RECEIVED
FEB 22 1993

TIN

TIS

A37-004133

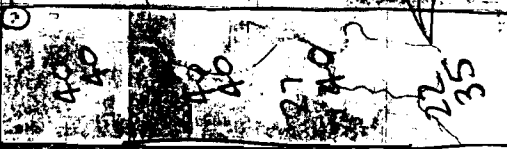
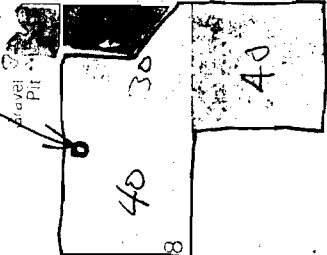
112m

1 house
200 pines
12/31/1930

Donor

0268

A3



A37-00436C
A37-00884

Decree

DRAIN

195

195

WILLIAM H. HARRIS
JAN 1901

12/11/2006

**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: 37-436C

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

WILLIAM L SHERBINE
C/O ROCKY 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: 12-26-06

SIGNATURE:

William T. Rocky Sherbine

Please print your name:

William T. Rocky Sherbine

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

SCANNED

JAN 04 2007

12/02/2006

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

RIGHT NUMBER: 37-436C

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

WILLIAM L SHERBINE
C/O ROCKY 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: 1.000 CFS

PRIORITY DATE: 06/01/1901

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSNW Rediversion Within BLAINE County

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S07	NENW	38.00	T01S R19E S07 Lot 1 NWNW	41.00
T01S R19E S07	SESW	40.00	T01S R19E S07	NESW 40.00
T01S R19E S07	SESW	39.00		

198 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 198 acres in a single irrigation season. Combined Right Nos.: 37-884, 37-436C and 37-2682.

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

Use of this right is combined with water from Base Line Canal Co.
This claim represents a portion of water right No. 37-436.



Idaho Department of Water Resources

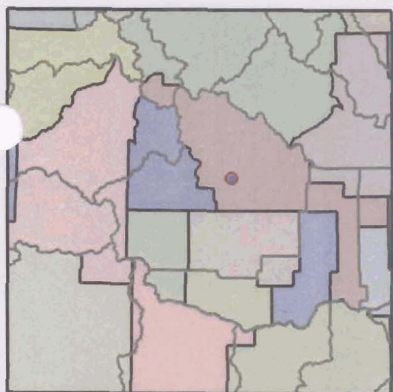
SRBA Recommendation:

37-436C

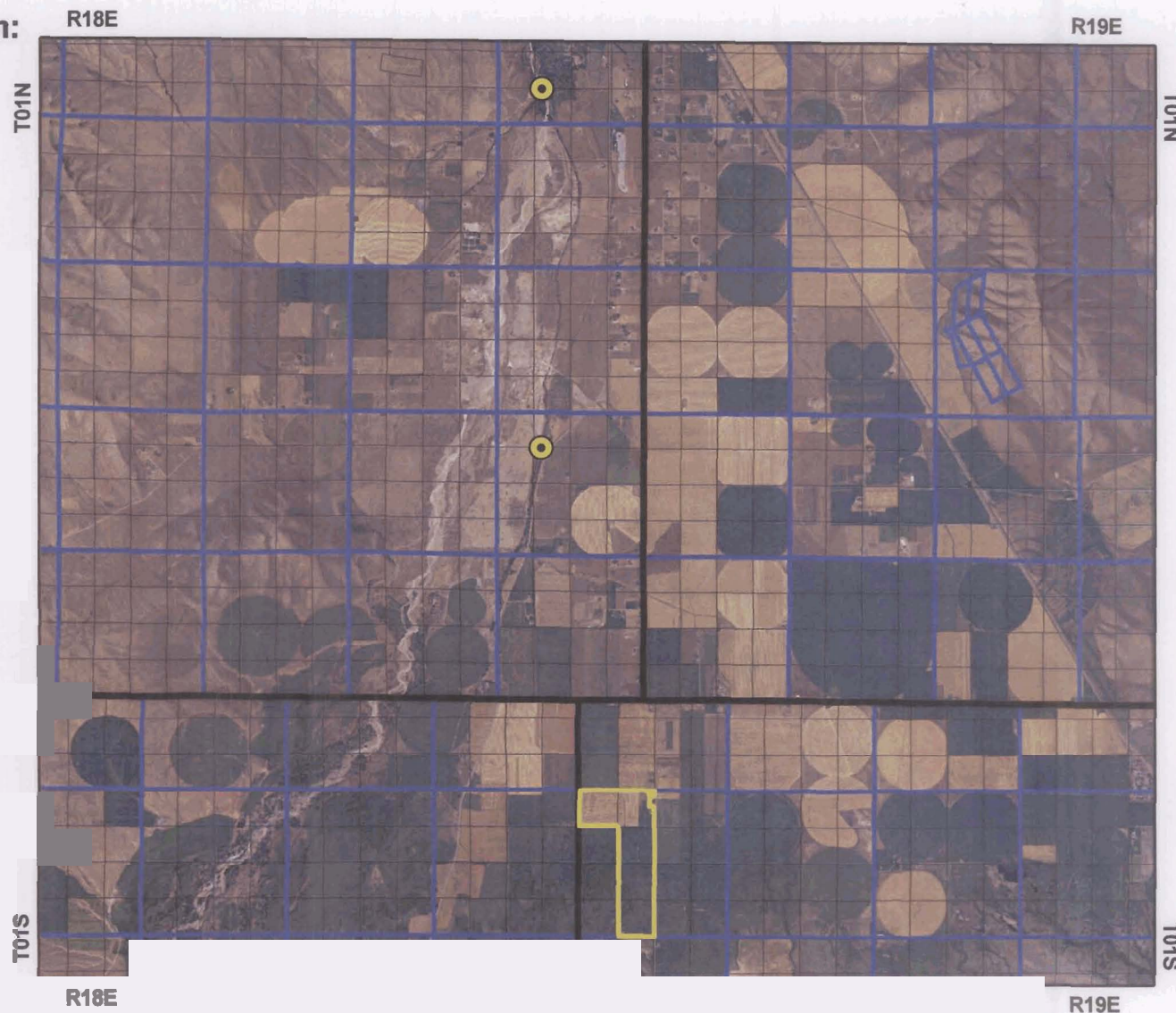
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 3 6 Miles

Owner: Terri Sherbine

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Saturday, December 2, 2006
2004 Aerial Photography



Idaho Department of Water Resources

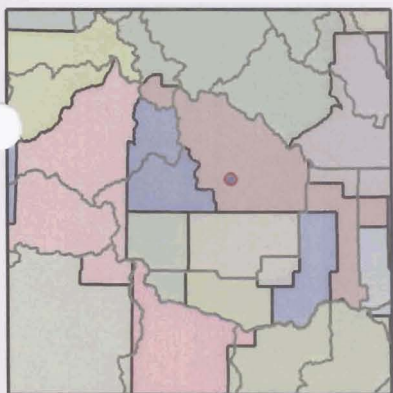
SRBA Recommendation:

37-436C

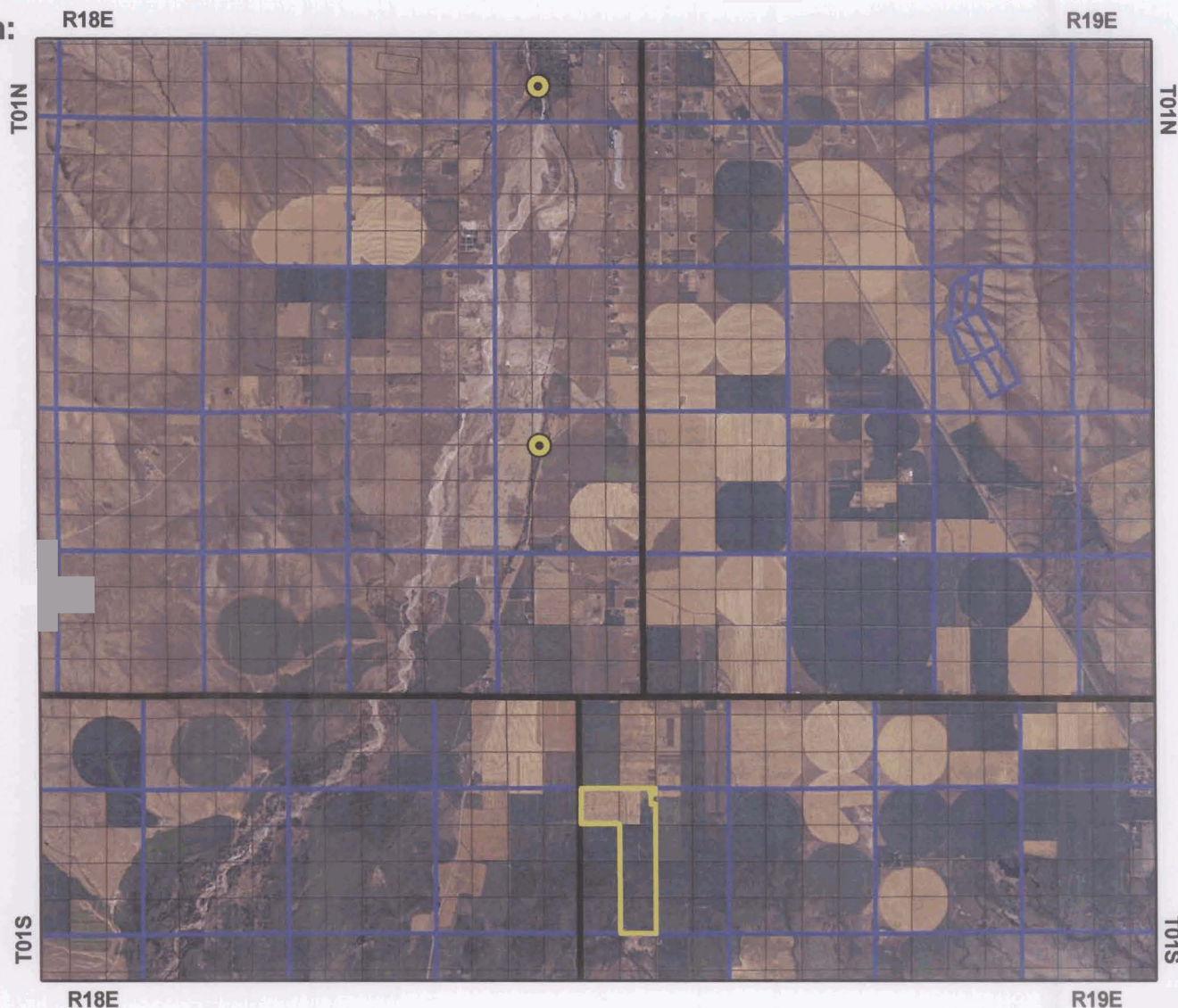
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 3 6 Miles

Owner: Terri Sherbine

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Saturday, December 2, 2006
2004 Aerial Photography

37-436C



12

NWNW

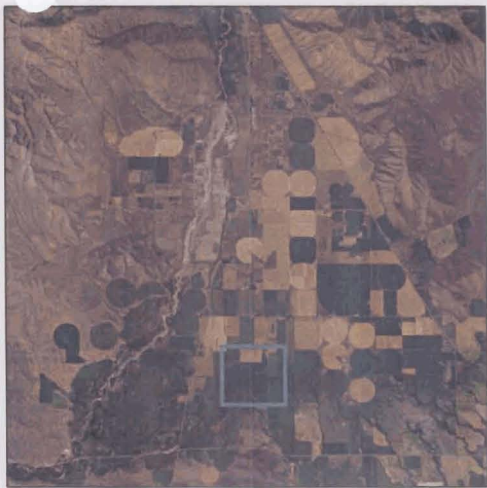
NENW

SENW

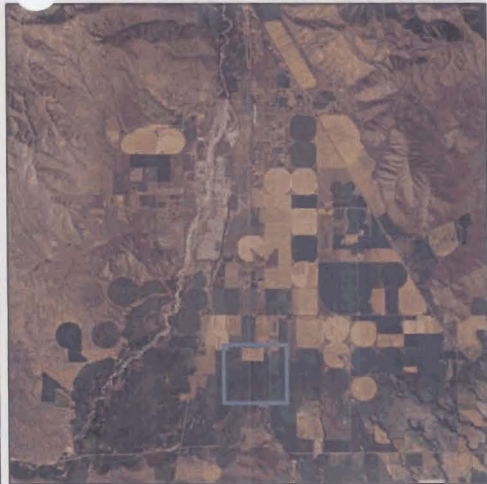
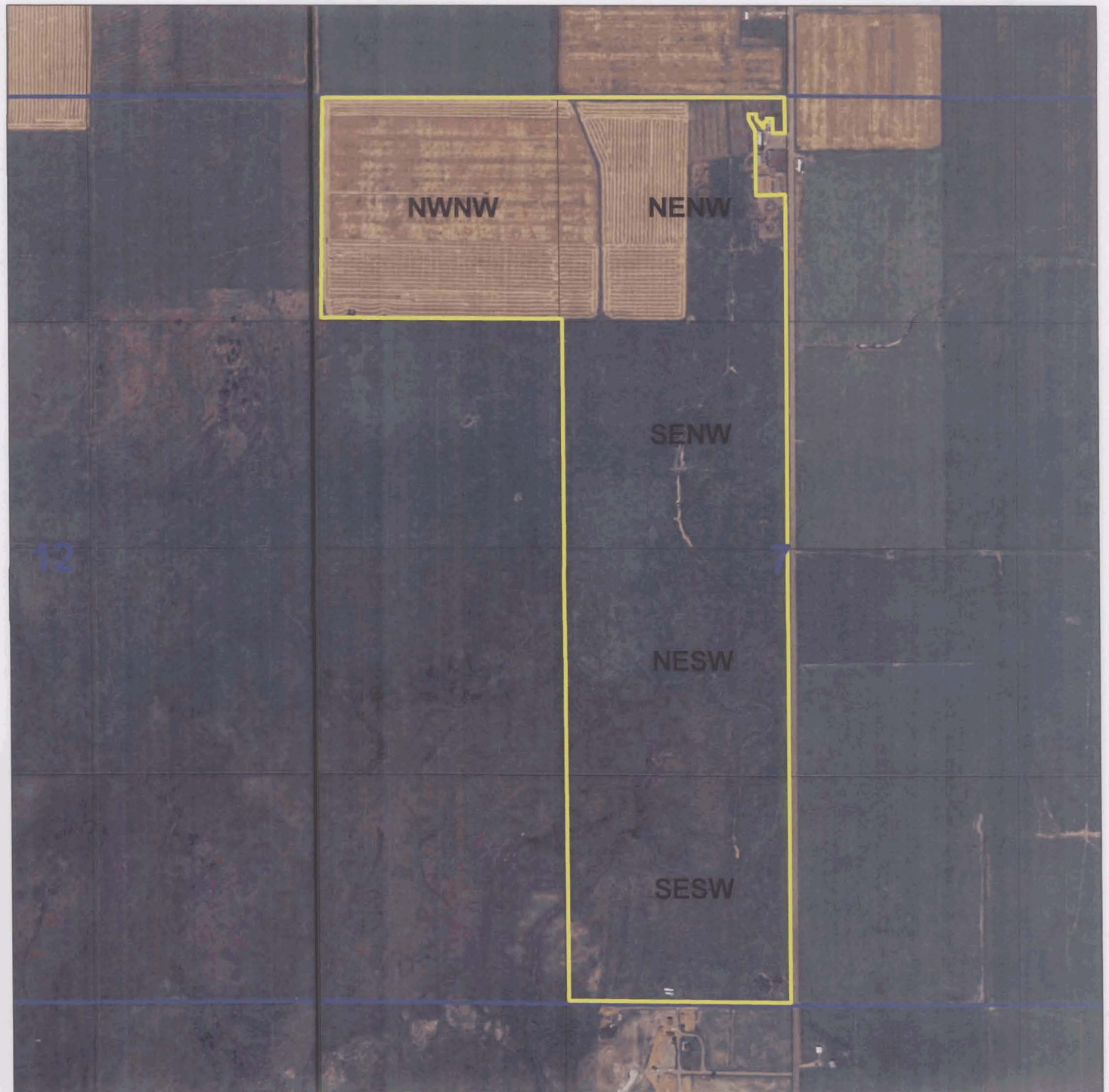
NESW

SESW

7



37-436C



RETURN SERVICE REQUESTED

Department of Water Resources
Southern Region

SEP 16 2004

RECEIVED

37-4133

☒ MOVED, LEFT NO ADDRESS
☐ FORWARDING ORDER EXTENDED
☐ ATTEMPTED - NOT KNOWN
☐ UNCLAIMED ☐ REFUSE
☐ NO SUCH STREET
☐ NO SUCH NUMBER
☐ INSUFFICIENT ADDRESS

SCHOESSLER

067 SCHOESSLER LN

RECEIVED ID 100413

