

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 37-2682
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)

WILLIAM L SHERBINE Phone: (208)788-4846
C/O ROCKY SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

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: 07/31/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	7	NE NW NW 1	BLAINE	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.44	

7. Total Quantity Appropriated is:
3.44 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	IRRIGATION	43
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	27
			SE	SW	IRRIGATION	22
					Section Acres	172
					Total Acres	172

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:

. TRANS. 2381.

15. Basis of Claim: License

RECEIVED

APR 26 2005

Department of Water Resources
Southern Region

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

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~~ -4360	-			
	3748-884	-			
	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) Carl & Ruth L. Schoessler
067 Schoessler Lane, Bellevue, ID 83313
4. New Owner/Claimant(s) William L. & Wm. T. (Rocky) & Terr: 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. Shorline
(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.

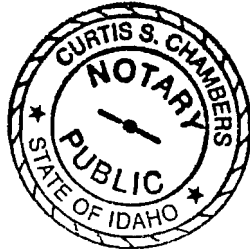
GRANTOR:

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



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 black ink, appearing to read 'Carrie Hahn', is written over a faint, circular official stamp.

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: A37-02682
Date Received: 9/07/1988
Receipt No: 500 2090
Received By: ADL

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: JUL 31, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	7	NE	NW	NW	1	BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.440		

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

8. Total consumptive use is 430.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

COP

MICROFILMED
FEB 23 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	27.0
			SE		SW		IRR	22.0
							Section Acres	172.0
							Total Acres	172.0

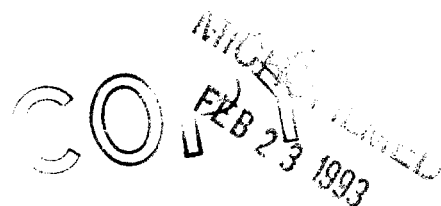
11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-0435 & DRAIN WATER

14. Remarks:
TRANS. 2381.

15. Basis of Claim: LICENSE
Water Right Number: 30821



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): Carol Schuessler Date: _____
Ruth L. Schuessler 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
[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

COPY

TIN
TIS

A3 0268

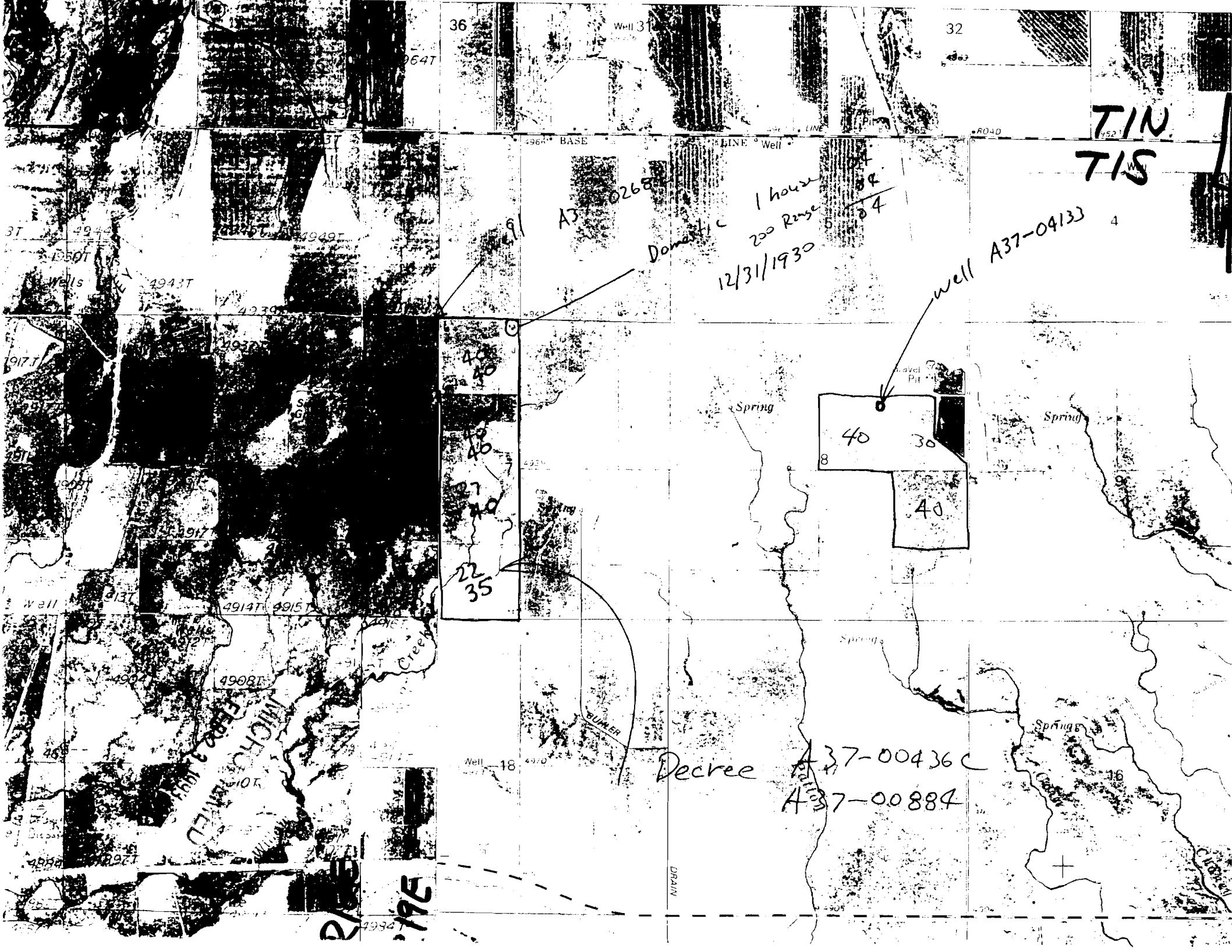
1 house
200 Range
12/31/1930

well A37-04133

40
40
40
27
40
22
35

40 30
8 40

Decree A37-00436C
A37-00884



12/11/2006

NOTICE OF ERROR
REPLY

RECEIVED

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

JAN 04 2007

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: 37-2682

WILLIAM L SHERBINE
C/O ROCKY SHERBINE
200 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-4846

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 04 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: 37-2682

NAME AND ADDRESS: WILLIAM L SHERBINE
C/O ROCKY SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

TERRI SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.440 CFS
516.000 AFY

PRIORITY DATE: 07/31/1961

POINT OF DIVERSION:

T01S R19E S7 NWNENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.440 CFS 516.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

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

198 ACRES TOTAL

This right is limited to the irrigation of 172 acres within the place of use described above in a single irrigation season.

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 - License

Use of this right is combined with water from Base Line Canal Co.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This ground water use is supplemental to surface water use from the Big Wood River and supplements water from shares in other ground water rights delivered through the Base Line Canal Co.

Idaho Department of Water Resources

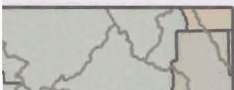
SRBA Recommendation:

37-2682

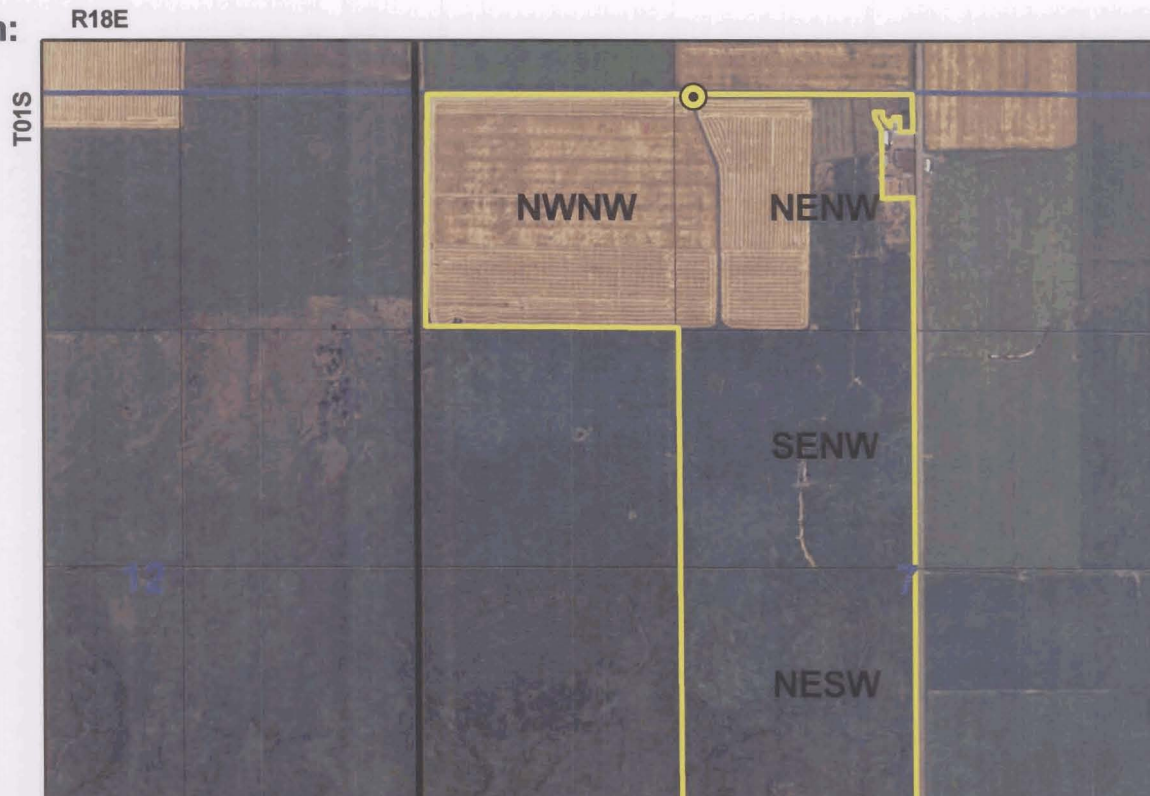
(Irrigation)

Legend

Point of Diversion
Place of Use
Townships
PLS Sections
Quarter Quarters



N



Idaho Department of Water Resources

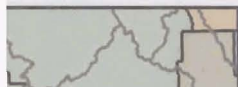
SRBA Recommendation:

37-2682

(Irrigation)

Legend

Point of Diversion
Place of Use
Townships
PLS Sections
Quarter Quarters



State of Idaho

WATER LICENSE

Water License No. G-30821/37-2682 Priority July 31, 1961 Amount 3.44 c.f.s.

THIS IS TO CERTIFY, that CARL SCHOESSLER
of Gannett, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated July 31, 1961; that Permit G-30821/37-2682 was issued pursuant
to said application; that the proposed works were completed on or about Summer 1963,
with a storage/or carrying capacity of 5.56 c.f.s., said works consisting of
well, pump, motor, and ditch; and that on October 18, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 516
acre feet per season, with a maximum rate of diversion of 3.44 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 1 S, R. 19 E, B.M., and
other additional points _____, in the County of
Blaine; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 516 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S	19 E	7		27	26		37	38		15	7			22					172

Total number of acres irrigated 172

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

27th day of October, 19 69.

E. Keith Higgins
State Reclamation Engineer

30821