

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: A37-00893A
Date Received: 10/25/1988
Receipt No: M001751
Received By: _____

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

1. Name: WILLIAM SHERBINE 208-788-2806
Address: 153 BASELINE RD.
BELLEVUE, ID 83313
AND/OR
Name: NANCY SHERBINE 208-788-2806
Address: 153 BASELINE RD.
BELLEVUE, ID 83313

2. Date of Priority: SEP 1, 1920

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	SW		BLAINE

5. Description of diverting works:
DIVERTED THRU THE 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	1.746		

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

8. Total consumptive use is 750.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	31	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	160.0
01S	19E	8	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
							Section Acres	140.0
							Total Acres	300.0

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:

SEVERAL DECREED RTS. & 2 WELLS 37-02554, 37-04114

14. Remarks:

SAVED & DEVELOPED RIGHT EXCLUSIVE OF PRIORITY DATE DUE TO
CONSTRUCTION OF BASELINE BYPASS CANAL.

WATER RIGHT ORIGINALLY ASSIGNED NUMBER A37-00892B.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UPPER BIG WOOD R. USERS` ASSN
Decree Plaintiff

S. H. CHAPMAN, WATERMASTER
vs Decree Defendant

MICROFILMED

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): William Sharpe Date: 5-10-91

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of May 19 91
[Signature]
Notary Public

Seal

Residing at Kimberly ID
My Commission Expires 6/7/94

Renumbered
A37-00893 A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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BELLEVUE, ID 83313

2. Date of Priority: SEP 01, 1920

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
01N	18E	12	SW	SW	SW		BLAINE

5. Description of diverting works:
VARIOUS HEADGATES ABOVE MAGIC RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.720		

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

8. Total consumptive use is 750.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	31	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	160.0
01S	19E	8	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
							Section Acres	140.0
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14. Remarks:

SAVED & DEVELOPED RIGHT EXCLUSIVE OF PRIORITY DATE DUE TO
CONSTRUCTION OF BASELINE BYPASS CANAL.

P/U IS LANDS OF ASSOCIATION SHAREHOLDERS; NOT IN DECREE.

WATER RIGHT ORIGINALLY ASSIGNED NUMBER A37-00892A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UPPER BIG WOOD R. USERS' ASSN
Decree Plaintiff

vs

S. H. CHAPMAN, WATERMASTER
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: 39576

Ident. Number: A37-00892A

Date Received:

Receipt No: 1001751

Received By: RW

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7. Total Quantity Appropriated is:
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9. Non-irrigation uses:
NONE

A37-00892A

Page 1

Date: 10/25/88

A37-00892B

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	31	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					160.0
01S	19E	8	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
			Section Acres					140.0
			Total Acres					300.0

11. Place of use in counties: BLAINE

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P/U IS LANDS OF ASSOCIATION SHAREHOLDERS; NOT IN DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UPPER BIG WOOD R. USERS' ASSN
Decree Plaintiff

vs

S. H. CHAPMAN, WATERMASTER
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: 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): William Sheena Date: 10-25-88

Date: _____

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of OCT 19 88

William Gene Gibson
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 9-2-1994

RECEIVED

JAN 09 2007

12/18/2006

**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: 37-893A

WILLIAM L SHERBINE
153 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-2806

NANCY SHERBINE
153 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-2806

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:

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

DATE: 12-27-06

SIGNATURE:

William L. Sherbine

Please print your name:

WILLIAM L. SHERBINE

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

SCANNED

JAN 04 2007

12/15/2006

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

RIGHT NUMBER: 37-893A

NAME AND ADDRESS: WILLIAM L SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

NANCY SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.690 CFS

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

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.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.690 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S31	NESE	39.00	T01N R19E S31	NWSE	37.00
T01N R19E S31	SWSE	35.00	T01N R19E S31	SESE	38.00
T01S R19E S08	NENW	34.00	T01S R19E S08	NWNW	40.00
T01S R19E S08	SWNW	20.00	T01S R19E S08	SENW	34.00

277 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 160 acres in a single irrigation season. Combined Right Nos.: 37-468, 37-469, 37-470, 37-893A and 37-2554.

This right is limited to the irrigation of 160 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 277 acres in a single irrigation season. Combined Right Nos.: 37-468, 37-469,

37-470, 37-893A, 37-2554, 37-4114 and 37-2554.

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

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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.

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

Idaho Department of Water Resources

SRBA Recommendation:

37-893A

(Irrigation)

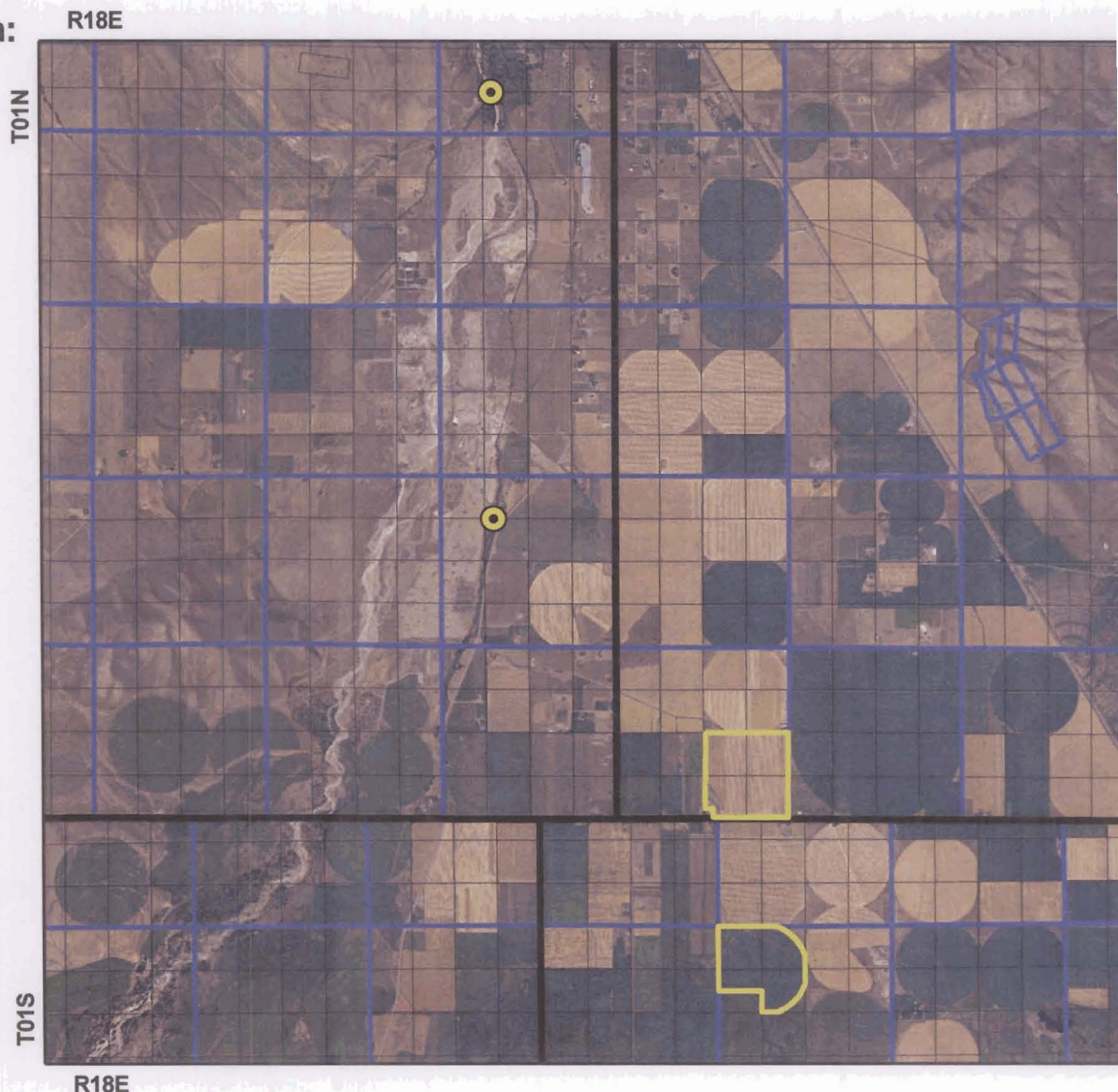
Legend

Point of Diversion
Place of Use
Townships
PLS Sections
Quarter Quarters



Blaine County
WR Basin 37

by A. Merritt
December 15, 2006
Photography

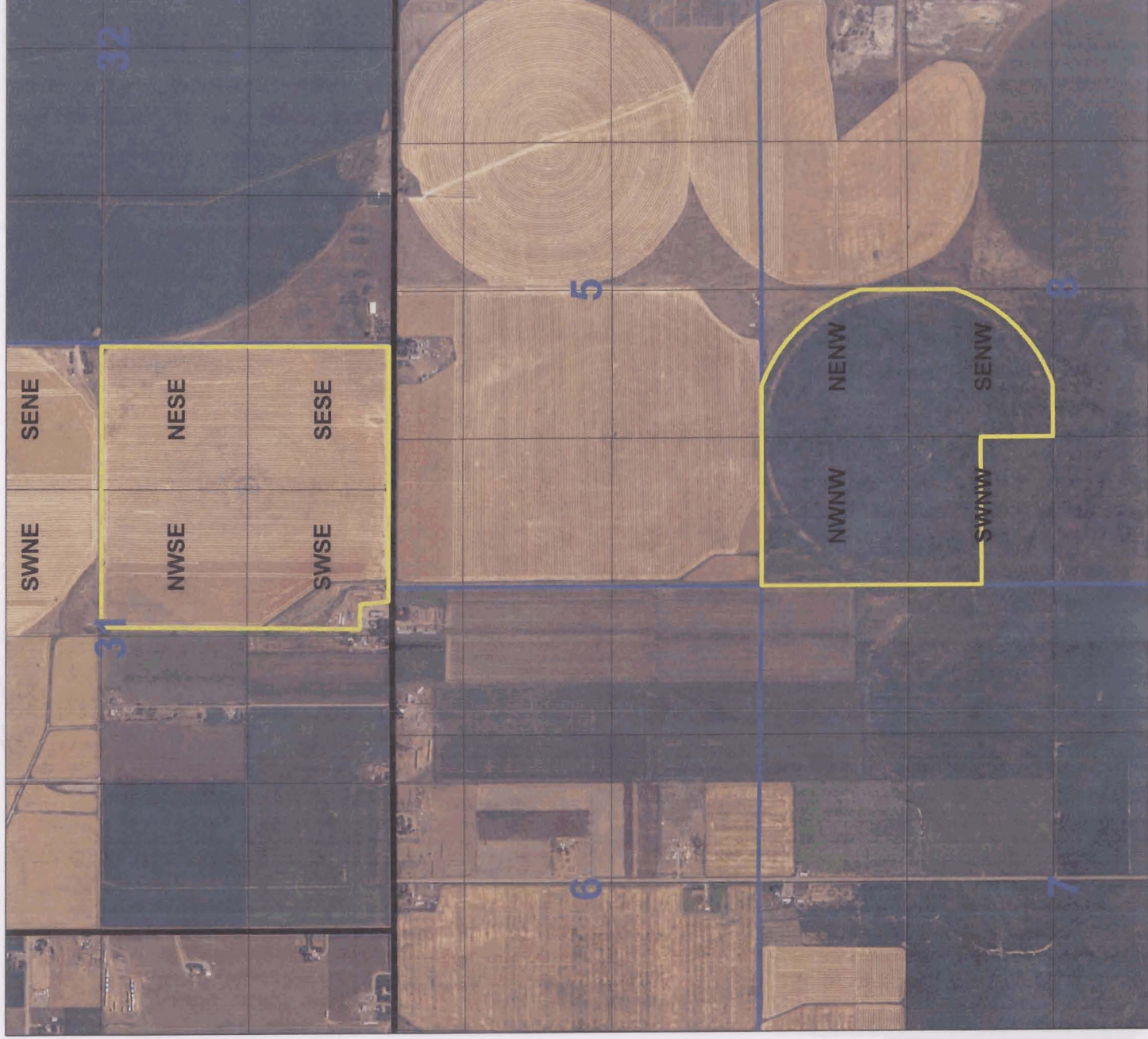


0 2 4 Miles

Owner: William L Sherbine

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

3A



RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: M001751

Date: 10/25/88
Time: 19:52:04

Received
From: SHERBINE, WILLIAM

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$975.00

Total

\$975.00

CHECK 1426

changed from 892 A

WR/ND:	A37-12055	A37-12054	A37-12058	A37-02554	A37-04114
	A37-00469	<u>A37-00892B</u>	A37-00468	A37-00470	A37-00435D
	A37-00436E	A37-00434D	A37-00433D		

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

Copy to file
7/11/89
JPC

MICROFILMED
FEB 23 1993

10/25/88
19:52:04

SHERBINE, WILLIAM

ADJUDICATION FEE

0410162 9337 6490

\$975.00

\$975.00

CHECK 1426

WR/NO:	A37-12055	A37-12054	A37-12058	A37-02554	A37-04114
	A37-00469	A37-00892B	A37-00468	A37-00470	A37-00435D
	A37-00436E	A37-00434D	A37-00433D		

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

MICROFILMED
FEB 23 1993

MICROFILMED
FEB 23 1993

Water Right Number - A37-00893

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT CLAIM1 -
2 -
3 -City- X
Phone -

State- ID Zip- 0

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
09/01/1920 17 Error in Region Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG WOOD RIVER MALAD RIVER
SPLIT CLAIM+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)
65N 46E 36 SW SW (99) SUBSCRIPTION+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 3.492+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.492+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means - DIVERTED THRU THE BASELINE CANAL

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - MANY

+ - - - - Remarks - - - - - +
SAVED & DEVELOPED RIGHT EXCLUSIVE OF PRIORITY DATE DUE TO
CONSTRUCTION OF BASELINE BYPASS CANAL.

A37-00893A SHERBINE (RENUMBERED FROM A37-00892B) 1.746 CFS+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

Water right number - A37-00893

Adj. flag translation: ADJUDICATION CLAIM

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UPPER BIG WOOD R. USERS' ASSN ET AL S. H. CHAPMAN, WATERMASTER 00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
MERRITT

+ - - - - 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	- 10/25/1988	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	-	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

MICROFILMED
FEB 23 1993