

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: A37-04114
Date Received: 10/25/1988
Receipt No: 1001751
Received By: RW

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: AUG 15, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	19E	31	NW	SE			BLAINE

5. Description of diverting works:
18" CASED WELL 100' DEEP W/50 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 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	8	NE	NW		IRR	20.0
			NW	NW		IRR	40.0
			SW	NW		IRR	20.0
			SE	NW		IRR	20.0
						Section Acres	100.0
						Total Acres	100.0

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:

37-02554 USES SAME P/D FOR IRR. OF 160 AC.

14. Remarks:

APPLICANT USES DECREED SURFACE WATER RTS. PRIMARILY FOR IRR. OF SAME ACRES.

15. Basis of Claim: STATUTORY CLAIM

COPY

MICROFILMED
FEB 23 1989

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): William Shering 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

M. Gene Fisher
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 9-2-1994

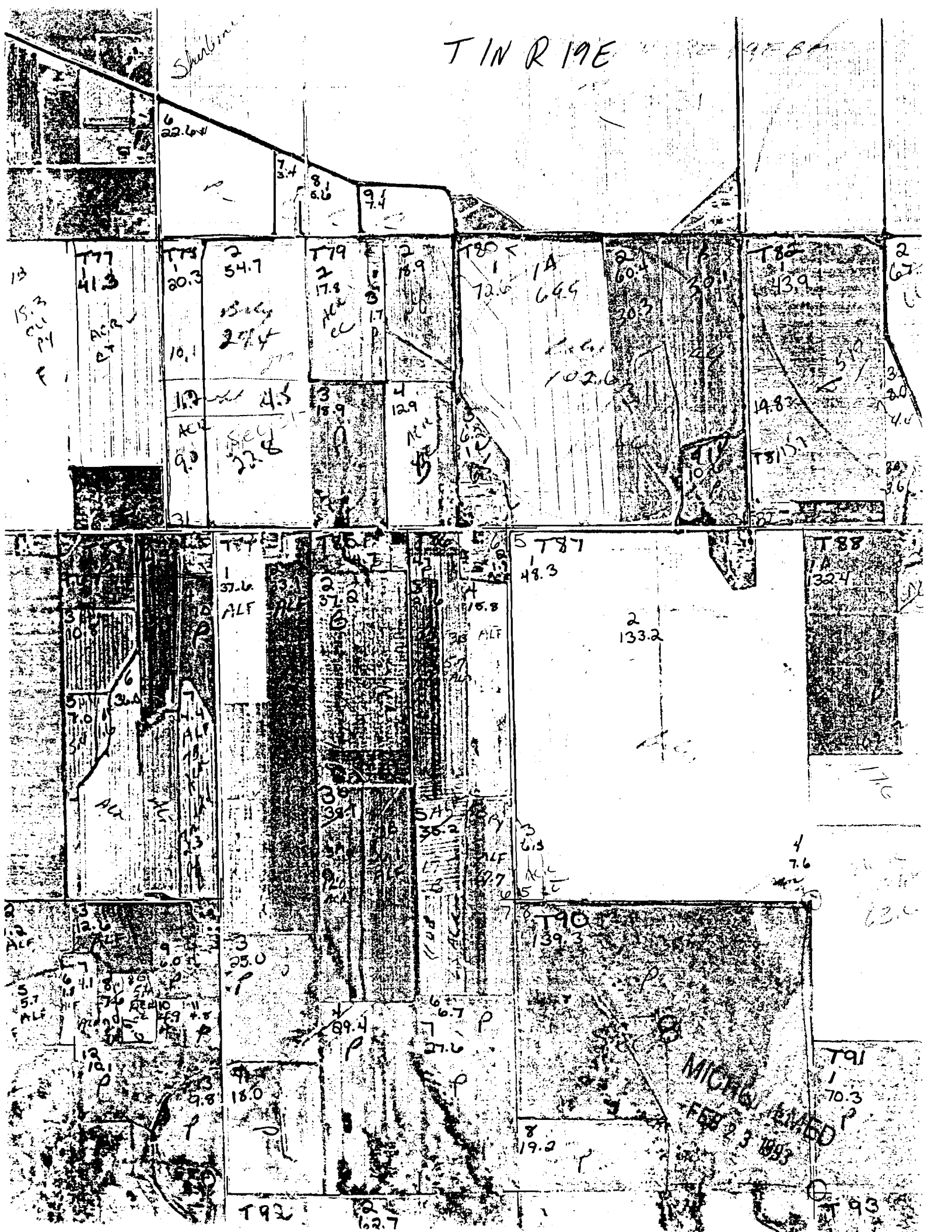
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MICROFILMED
FEB 23 1993

Shurline

TIN R 19E

1958



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: 37-4114

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

WILLIAM L 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: 37-4114

NAME AND ADDRESS: NANCY SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

WILLIAM L SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 1.400 CFS
245.000 AFY

Right Nos. 37-2554, 37-4114 and 37-22016 are limited to a total combined diversion rate of 4.52 cfs and to a total combined annual diversion volume of 969.5 AF.

PRIORITY DATE: 08/18/1960

POINT OF DIVERSION:

T01N R19E S31 NWNWSE 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	1.400 CFS 245.00 AFY

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

This right is limited to the irrigation of 70 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:

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 - Beneficial Use

12/15/2006

Right No. 37-22016 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

Idaho Department of Water Resources

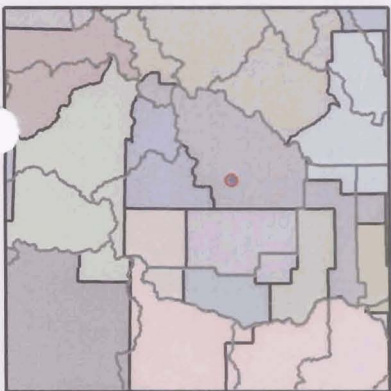
SRBA Recommendation:

37-4114

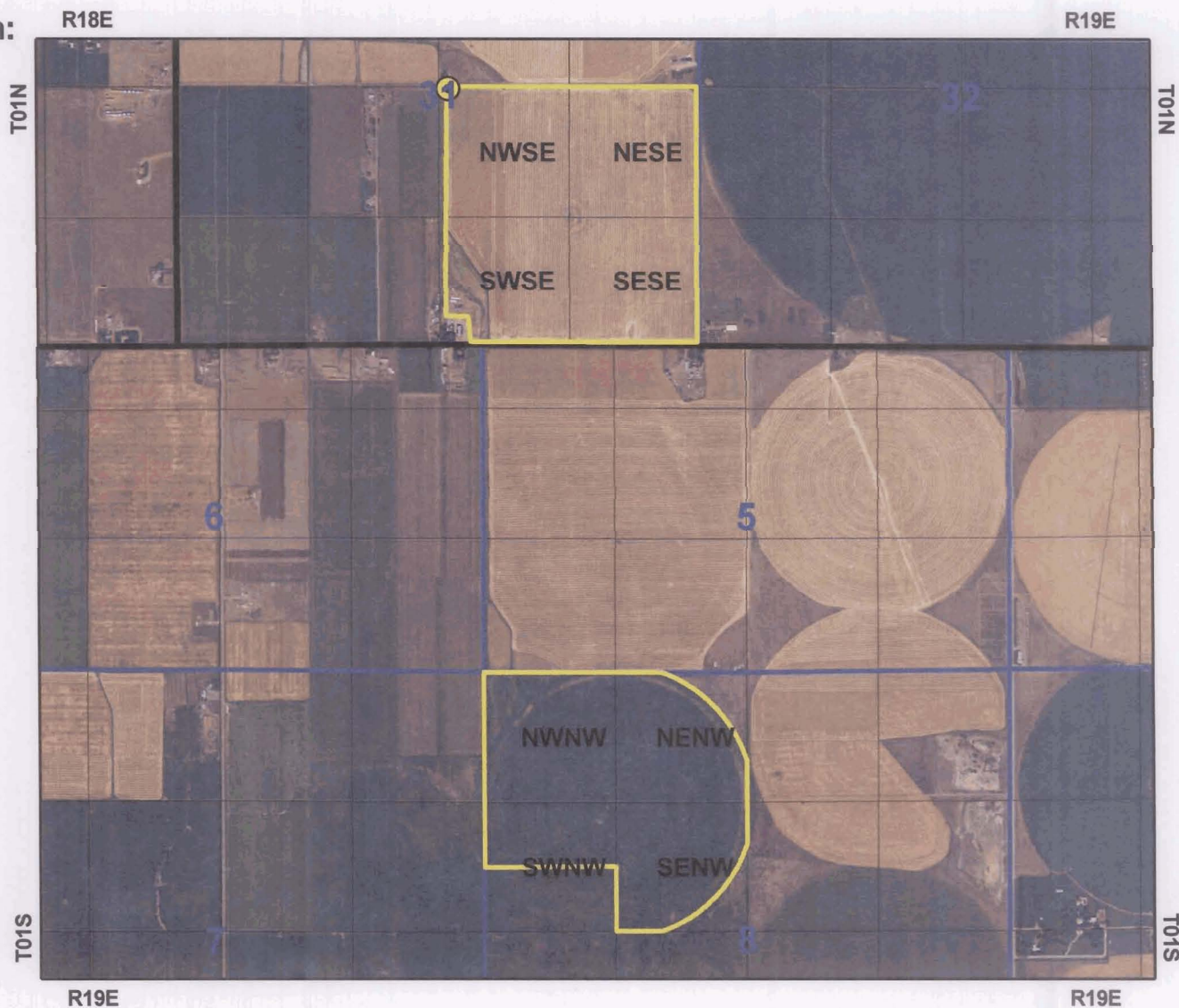
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.7 1.4 Miles

Owner: Nancy 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 Friday, December 15, 2006
2004 Aerial Photography

Demand No X10

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-25114This proof is for Completion of Works and beneficial use in Water District No. _____

1. Name of applicant W. M. Sherbine
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NW 1/4 of Section 31
T. 1 N R. 19 E. B. M. County of Blaine
4. Describe works as they exist, giving dimensions and capacities of same: US Motor - Serial # 113889
440V - 50 HP; US pump Serial # 23454 - 14" dia. - 15' high reduced to 10" threaded
Flange increased to 12" x 12" discharging to E. in open ditch. Square D switch panel
on pole 4' South. 6' x 6' concrete base. no shelter - Depth 100' x 18" - cap 100' x 18"
h. 25'; no dd.
5. Water is used for: domestic and irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SE 1/4 of Sec. 31, Twp. 1 N., Rge. 19 E. B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: William L. Sherbine along
opening water meter used. (5 sec. 1 minute - 45 seconds)
Water is discharged into open ditch and distributed to
land.
(The Q = 4.52 cfs. or 226 inches)

This examination was made on the 18th day of August, 1925

(Signed)

L. J. Johnson

Examiner.

J 25114

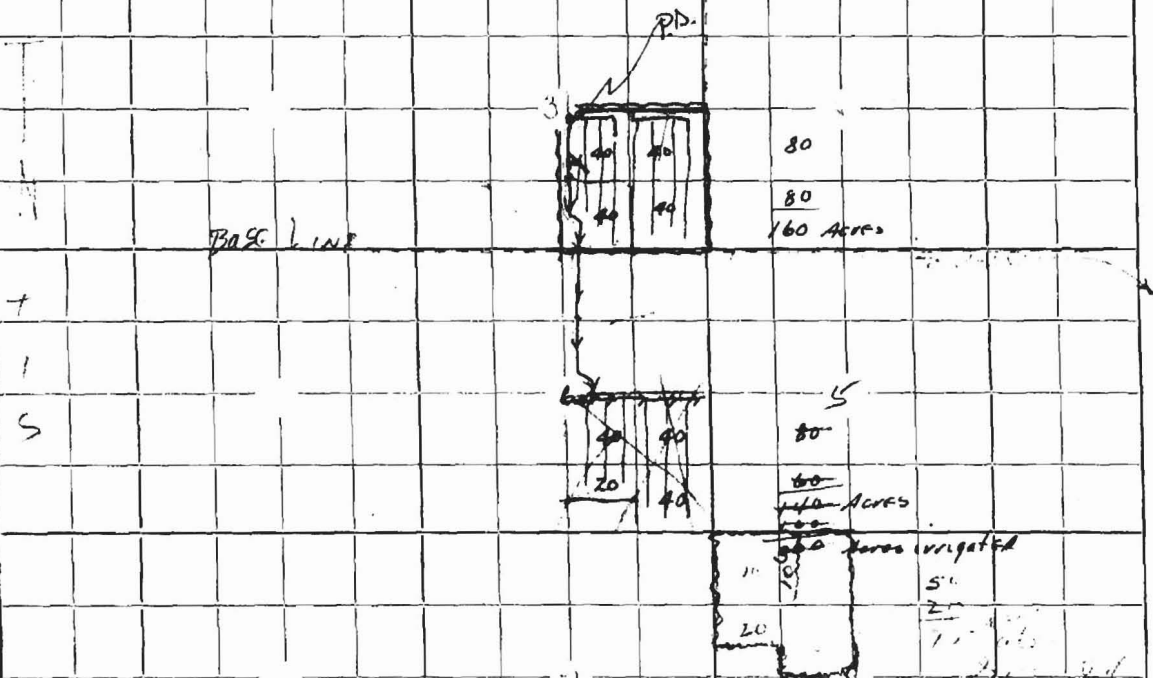
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 105 \overline{) 500.0} \\
 \underline{1050} \\
 3950 \\
 \underline{3950} \\
 0
 \end{array}$$

4.76 C.F.S.

$$\begin{array}{r}
 13 \\
 2380 \\
 \underline{1284} \\
 1096
 \end{array}$$

4.220 = cfs or 220 m.d.

R-19E



Subirrigation 8.4

Area = 160 acres

Q = 4.220 cfs or 220 m.d.

3.27 ft



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

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures