

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 24-2007B
Date Received: 5/14/1990
Receipt No: E014508
Received By:

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

1. Name of Claimant(s)

EUGENE C. SHINKLE Phone: (208) 873-2932

PO BOX 343
FREEDOM WY USA 83120

JEANNE M. SHINKLE Phone: (208) 873 2932

PO BOX 343
FREEDOM ID USA 83120

2. Date of Priority: 02/16/1906

3. Source: TIN CUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	46E	9	SW NW	CARIBOU	

5. Description of diverting works:

HEADGATE/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.3	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
2.3 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
05S	46E	9	NE	SE	IRRIGATION	14
			SE	SE	IRRIGATION	36
					Section Acres	50
05S	46E	10	SW	SW	IRRIGATION	28
					Section Acres	28
05S	46E	15	NW	NW	IRRIGATION	20
					Section Acres	20
05S	46E	16	NE	NE	IRRIGATION	16
					Section Acres	16
					Total Acres	114

2007A claims
16 ac

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

SEE FILE FOR P/U.

15. Basis of Claim: License

AA 50

SCANNED

AUG 0 2001

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: A24-02007B
Date Received: 5/14/1990
Receipt No: E014508
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GENEVA NAGEL 208-873-2355
Address: BOX 275
THAYNE, WY 83127

2. Date of Priority: FEB 16, 1906

3. Source: TIN CUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	46E	9	SW	NW			CARIBOU

5. Description of diverting works:
HEADGATE/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.300		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	46E	9	NE	SE		IRR	14.0
			SE	SE		IRR	36.0

A24-02007B

Page 1

Date: 05/14/90

MICROFILMED
NOV 06 1992

A2402007B

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
		10	SW	SW	IRR	28.0
					Section Acres	28.0
		15	NW	NW	IRR	20.0
					Section Acres	20.0
		16	NE	NE	IRR	16.0
					Section Acres	16.0
					Total Acres	114.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE FILE FOR P/U.

15. Basis of Claim: LICENSE

Water Right Number: 1838

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: 2

For Individuals:

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

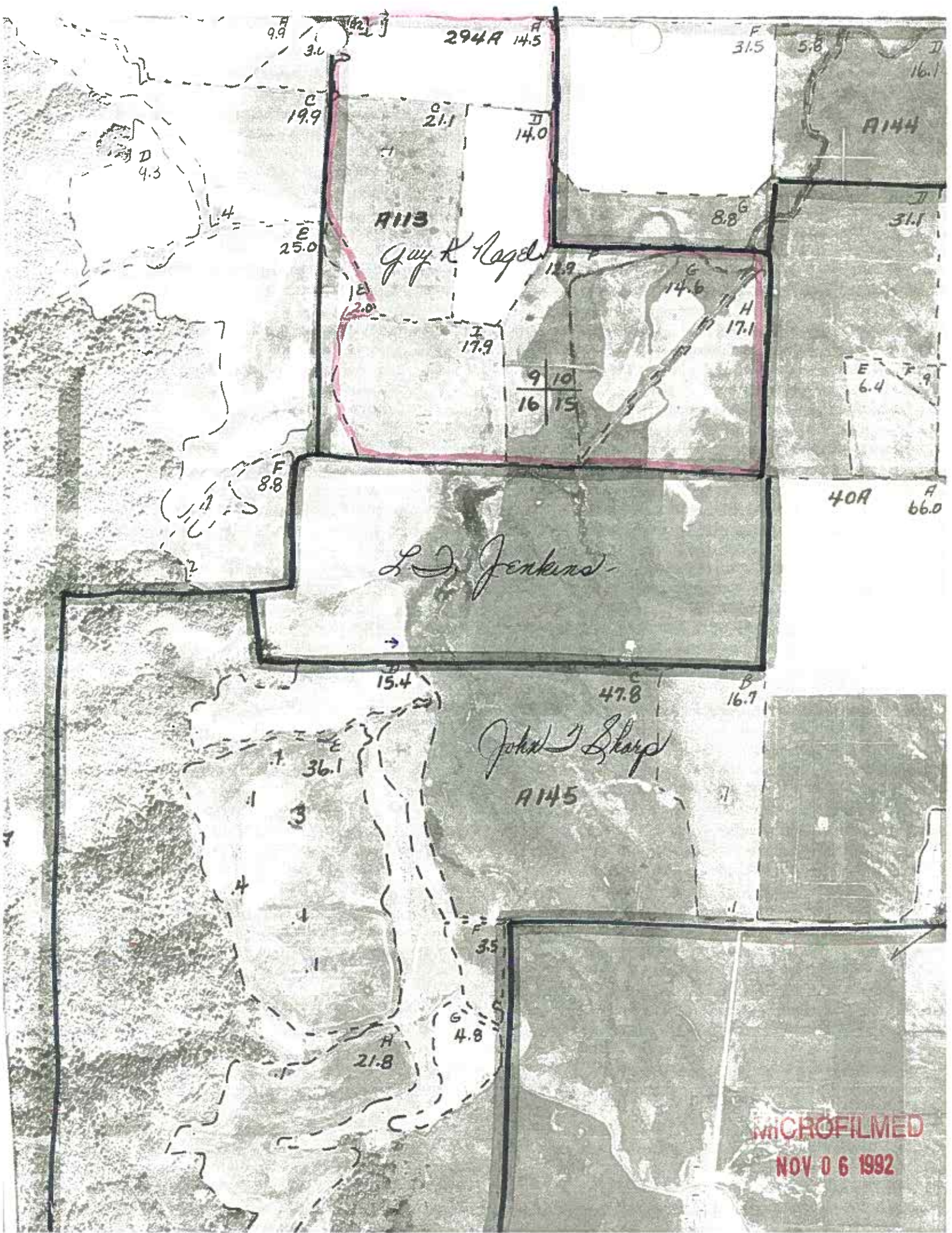
Signature of Claimant(s): Geneva Nagel Date: May 14 '90
Date: _____

State of Idaho)
County of Lewhi) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of May 19 90 Dave Carls
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96



294A 14.5

F 31.5

5.8

16.1

A144

C 19.9

D 21.1

D 14.0

A113

Guy R. Lloyd

G 8.8

31.1

E 25.0

D 9.3

12.9

G 14.6

H 17.1

I 17.9

9	10
16	15

E 6.4

F 9

F 8.8

40A

A 66.0

L. J. Jenkins

15.4

C 47.8

B 16.7

John J. Sharp

A145

E 36.1

4

F 3.5

G 4.8

H 21.8

MICROFILMED
NOV 06 1992

01/12/2006

**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:

Water right number: 24-2007B

EUGENE C. SHINKLE
PO BOX 343
FREEDOM WY 83120

JEANNE M. SHINKLE
PO BOX 343
FREEDOM ID 83120
Telephone Number: (208) 873 2932

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: 09-25-06

SIGNATURE:

Eugene C. Shinkle

Please print your name:

Eugene C. Shinkle

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

OCT 05 2006

Department of Water Resource
Eastern Region



COMPLETE

NOE whole
VHID

Notes

11/2/06 license was issued for 2.3 cfs
~~and~~ ~~draw~~ so the POU for A & B combined
is 128 acres.

0179687 cfs/ac.
128 / 2.3 cfs

$$24-2007 A = 68 \text{ ac.} * 0.0179687 \text{ cfs/ac.} = 1.22 \text{ cfs.}$$

$$24-2007 B = 60 \text{ ac.} * 0.0179687 \text{ cfs/ac.} = 1.08 \text{ cfs}$$

Eugene Shinkle sold Allen Luthi
approximately 50 acres in the SWSW
of Section 10 and NWNW of Sec 15. All
in T5S R46E.

My conversation with both Allen Luthi
& Eugene was that there is another
source the golf flows in a northeasterly
direction across the 50 acre piece.
The channel is so deep you can't get
water out of it and the ditches from
Twin Cup creek don't flow over it
so the piece south easterly from
the unnamed source is not irrigated
from Twin Cup cr. CO.

Notes

1-9-06 I'm not recommending stock water under either claims because it wasn't assessed as a purpose of use. They should probably file a separate in-stream stock claim with the proper priority date for that use. This is what we had decided to do in basin 27.

1-12-06 Recommendations completed

- linked POD & POL
- Verified ownership - we didn't recommend any property that was claimed if we couldn't verify with the assessors office that the claimant owned the property.

CB

Quick Look	Contacts	Priority C	POD	Source	POU	Water Use	Period of Use	Quar
------------	----------	------------	-----	--------	-----	-----------	---------------	------

Review/Verify Log

Status:

Claim Number: Version Number:

Check List

☒ Priority Date

☒ Contacts

☐ Point of Diversion

☒ Source

☐ Place of Use

☒ Purpose of Use

☐ Period of Use

☐ Quantity

☐ Summary

Print Form

Contacts

504 4/15 - 10/31. 1.15 cfs.

Comments

Author: Text

Subj:

Date: - -

$$1.6667 E-2 \text{ cfs/ac} * 69 \text{ acres} = 1.15 \text{ cfs.}$$

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-2007

WATER RIGHT NUMBER: 24-2007

Owner Type Name and Address
 Current Owner ARTHUR R CLARK
 FREEDOM, WY

Priority Date: 02/16/1906

Basis: License

Status: Active

Source Tributary
 TIN CUP CREEK SALT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.300 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		2.300 CFS	

Location of Point(s) of Diversion

TIN CUP CREEK SW1/4NW1/4 Sec. 9, Twp 05S, Rge 46E, B.M.
 CARIBOU County

Place of Use

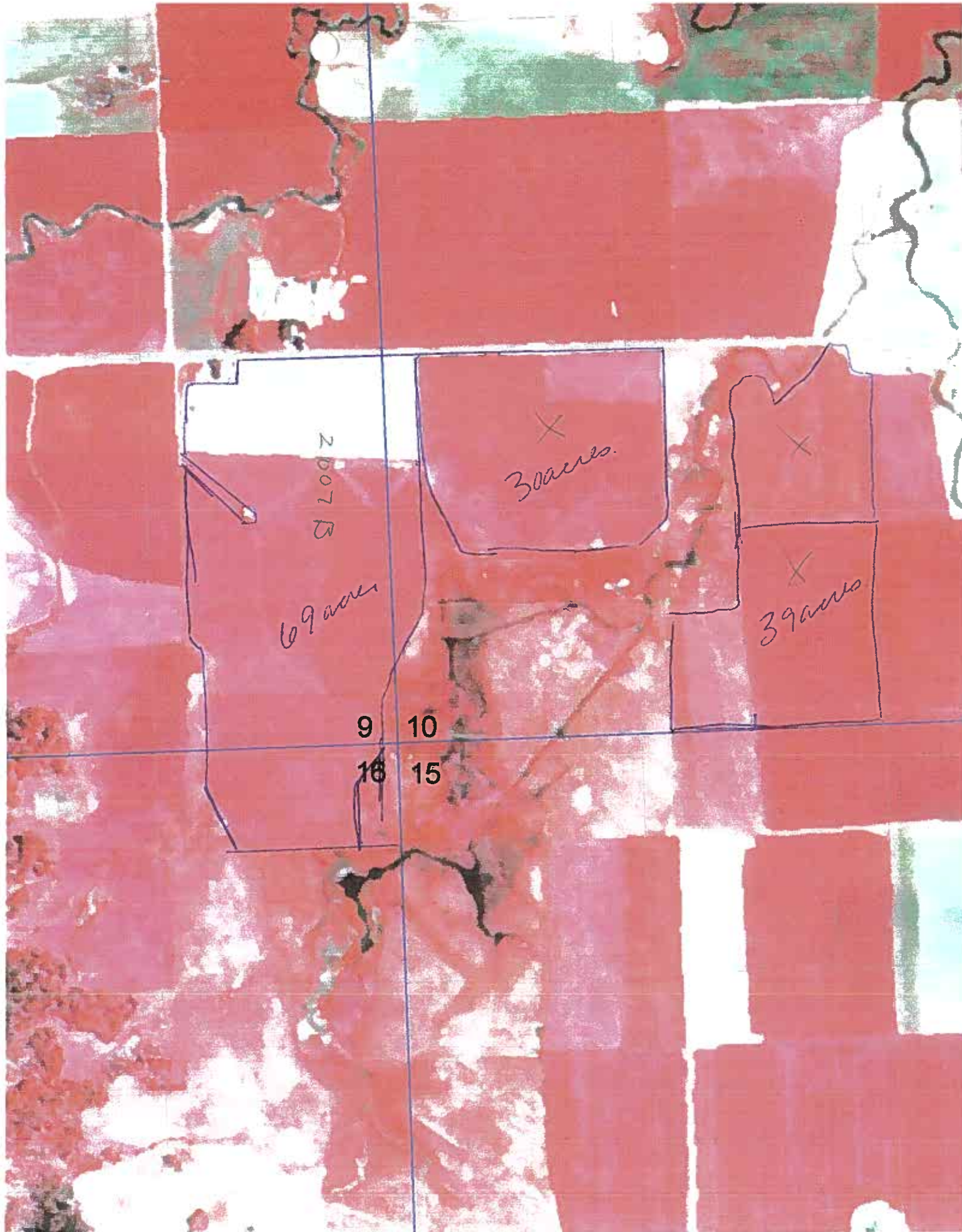
IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 46E 9													X				X
05S 46E 10									X	X	X	X					
05S 46E 15						X											
05S 46E 16	X																

DOMESTIC same as IRRIGATIONConditions of Approval:

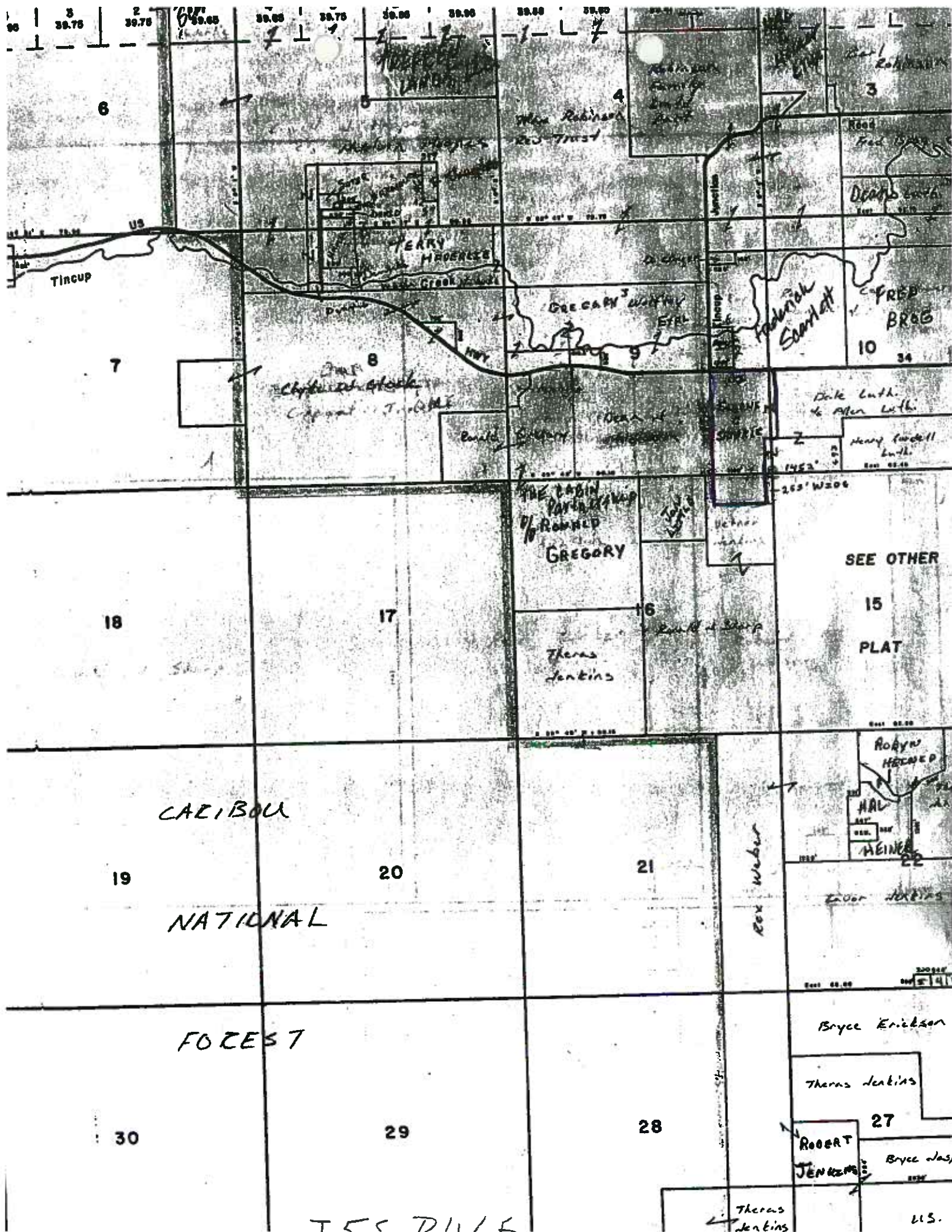
1. SEE FILE FOR P/U.

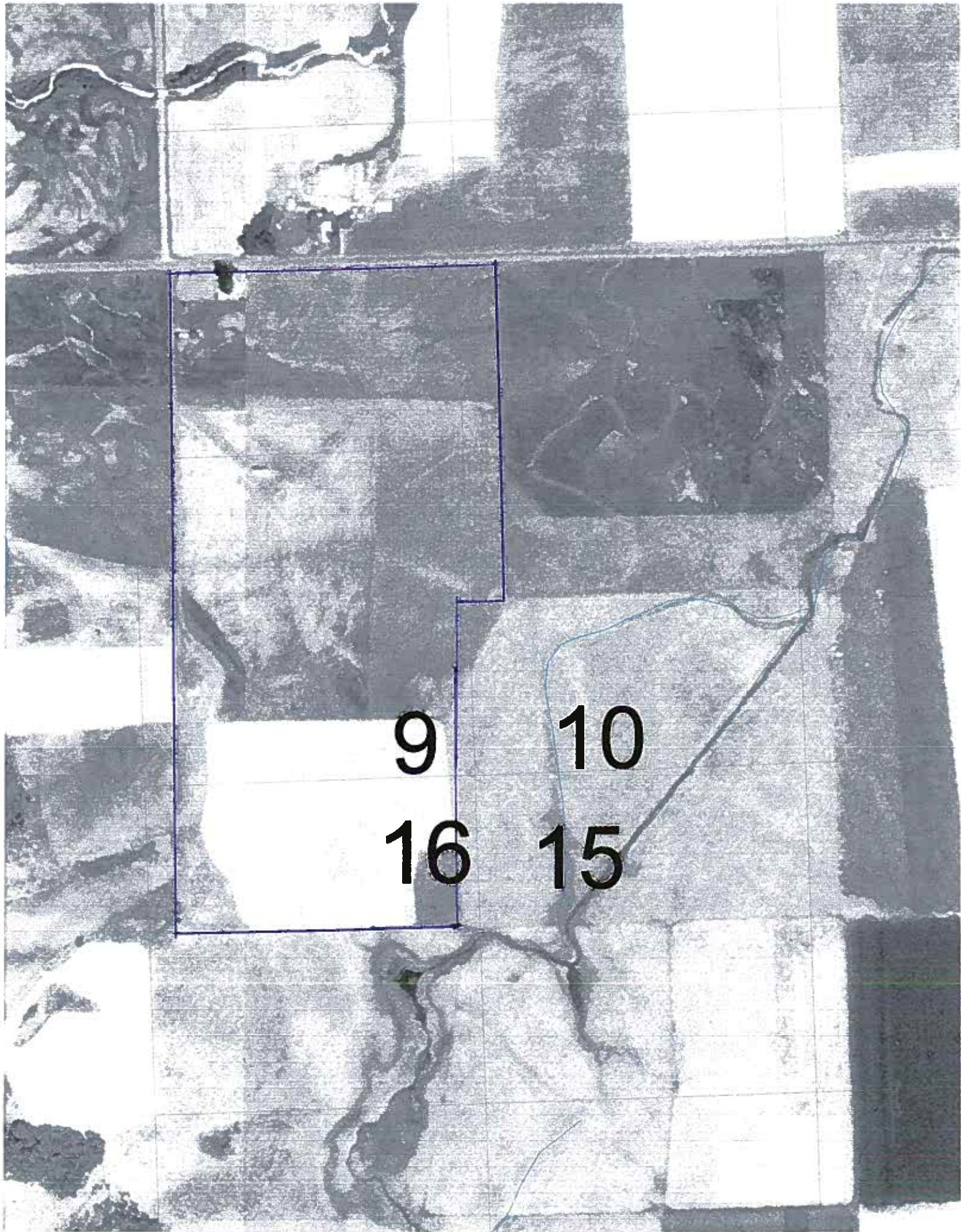
Remarks:



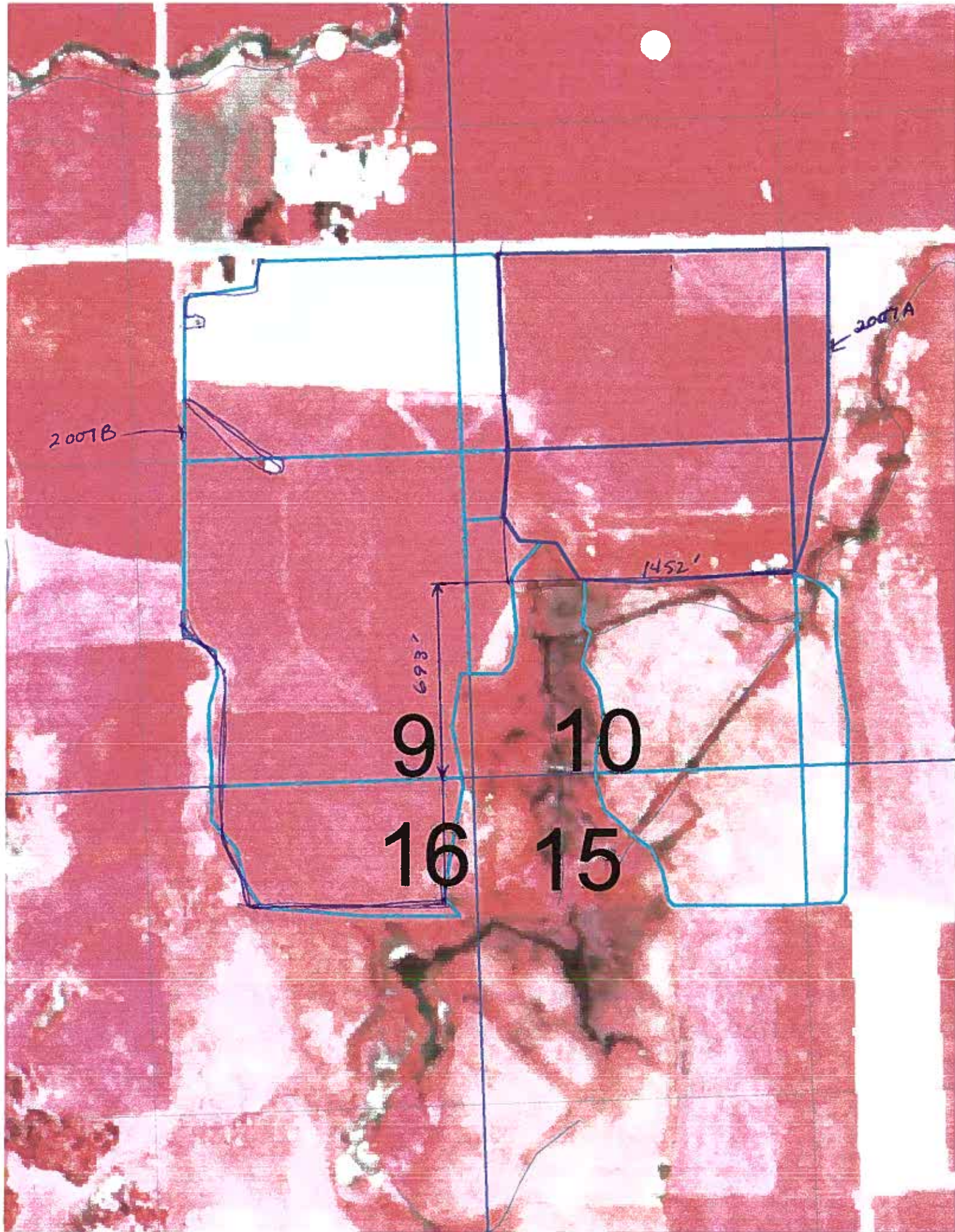
$$2.3 \div 138 = 0.01667 \text{ cfs/ac.}$$

$\approx 138 \text{ acres}$





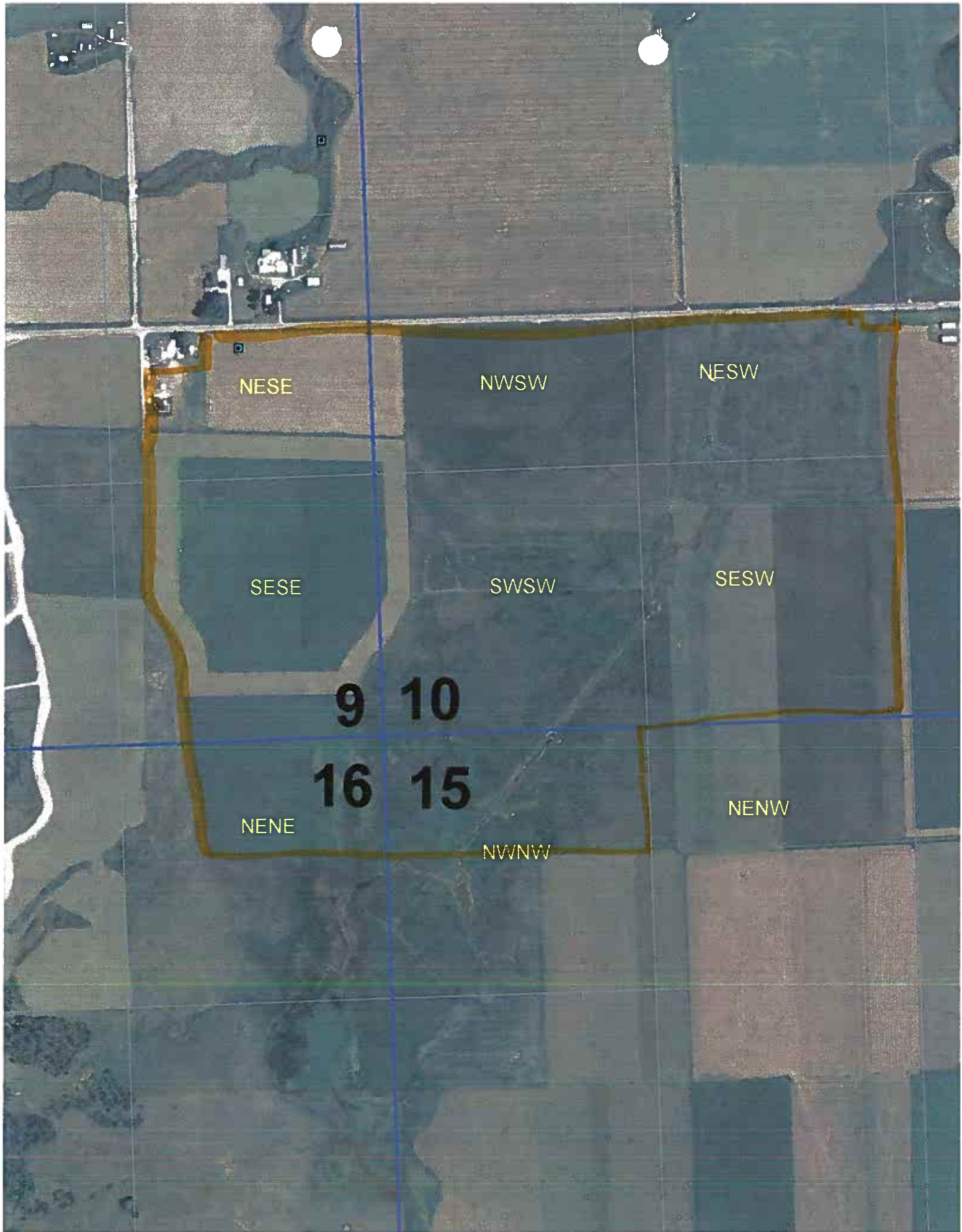
1994 imagery - Eugene Shinkle



24-2007B

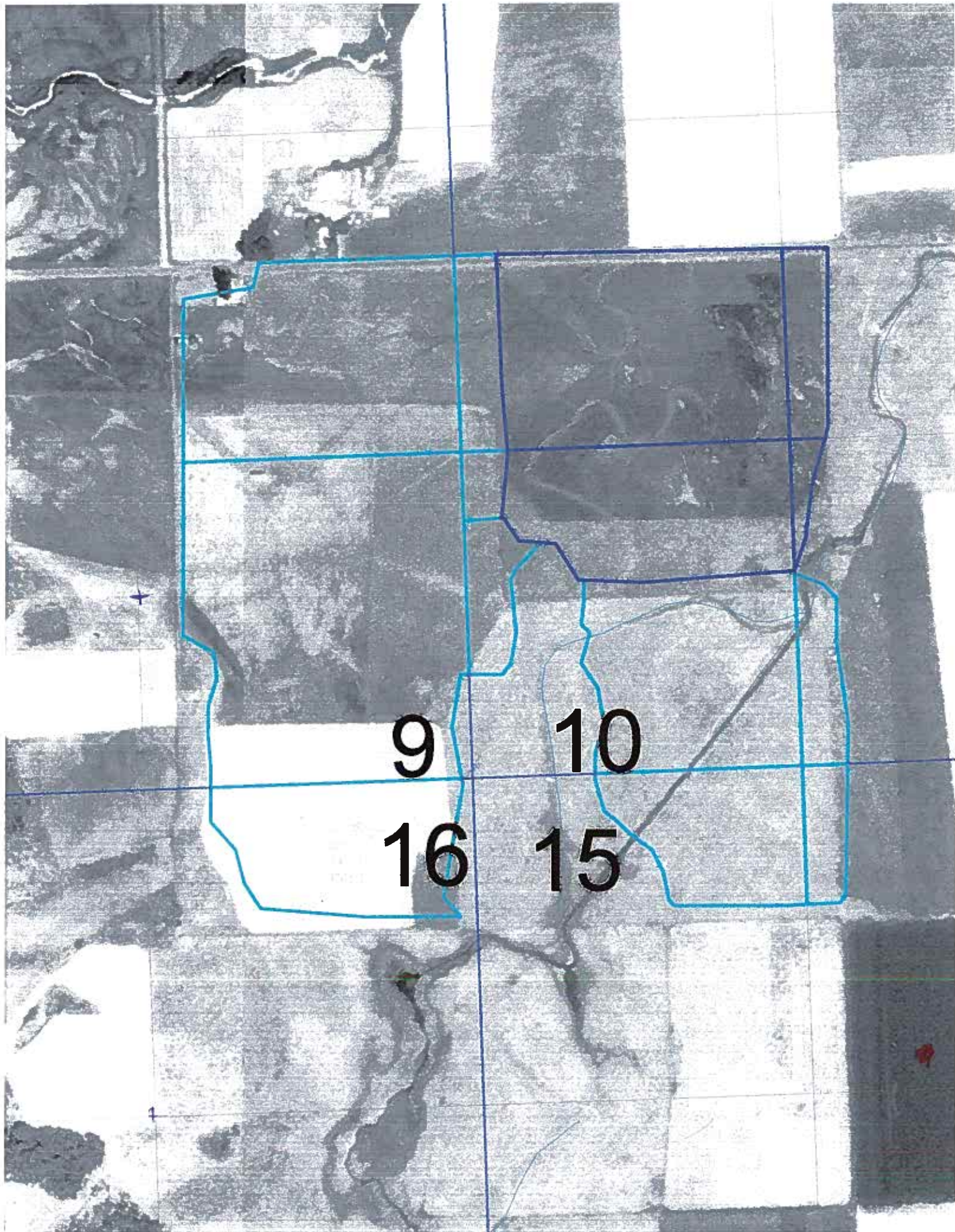
TSS R46E

sh



24-2007

208.34 acres



TSS R46F 69 30,39 = 138 mm

Notes

10-21-04 Assessor's Office:

Eugene C. Shrinkle, et al

PO Box 343

Frederick, WY 83120

Split Lease w/ 24-7007A

5-25-05 Priority date. Source, POD & POB are the same as the license. PR

4 Aug 05 Postcard sent BAC

8 Aug 05 Msg from Mr. Shrinkle 208 873 2932
7:20 pm called, he will call back in a few minutes. BAC

9 Aug 05 7:45 AM. Mr Shrinkle Called. Appointment Sat. AM after Bakers. Coming east from Bakers 1st place on right after coming out of canyon. Gray under block buildings, white vinyl fence. BAC

13 Aug 05 Met w/ Mr. Shrinkle. See A24-2007A for discussion of we split. BAC

22 Aug 05 Please see A24-2000B for general Tincup discussion. BAC
copy in this file 10-18-05, BAC

1-9-06. Since an ownership change wasn't even sent in, I'm only recommending the portion owned/claimed by claimant. This is based on the assessor's records. Also it appears about 138 acres historically (1987 imagery) was irrigated so that would be a division rate of 0.0167 cfs/acre recommended. CB.

Contacts Data Entry Form

208 873-2932

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner Eugene C. Shinkle, Box 343, Freedom, WY 83120Name connector: and _____, or _____, and/or X Jeanne M. Shinkle (same address)

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 8-13-05 Time: _____

Directions to Property (If different from above) and/or update owner information:

Shinkle
208 873 2932
208 873 2932

Reviewer: _____

Date: _____

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A24-2007B
Water Right Priority Date: _____ Water Right Basis: _____
Claimed Priority Date: _____ Claimed Basis: _____
Recommended Priority Date: 2-16-1906 Recommended Basis: License

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License priority is 16 Feb 1906. However claimant
Allan Luthi (A24-2007A) states LHe Co. has found
documents indicating 1901 priority. These will be
submitted w/ ownership for A24-2007A and for
split of A24-2007B. If warranted, a new claim
or amended claim needs to be sent to claimant.
Bac 22 Aug 05

Please see also priority discussion in general narrative
in A24-2000B. Bac 3 Sept 05
copy in file.

Reviewer: CB

Date: 1/5/06

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (☒)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (☒) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (☒) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (☒) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (☒) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (☒)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. A24 - 2007B

Point of Diversion and Source Data Entry Form

Claim Number: A24-2007B

Water Right Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
55	46E	9		SE SW NW	Carbon	Tinay Creek
GPS Coordinates: <u>2238345 E</u> <u>1314949 N</u>						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? A24-2007A

Document how the POD and Source were verified and/or Pump and Motor data:

GPS, field inspection Site tag A0013654 Bae 22 Aug 05

Transfers Changing POD _____

Reviewer: CBDate: 1/5/06

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes () No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No ()

Point of Diversion

Claim No. A24 - 2007B

1. Is the basis of claim a Decree or License?

Yes (X) No ()

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No ()

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes (X) No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes (X) No ()

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes () No ()

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes () No ()

If Yes, go to 8
If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes () No ()

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. A24-2007B

Purpose of Use Data Entry Form

Claim Number: A27-2007B☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<u>Irrigation</u>				

Document how the Purpose of Use was verified:

Please see precedent & split discussion in A24-2007A.
Irrigation seems reasonable though Bac 22 Aug 05
property was not being irrigated at the time.
Headgate & ditch appear to have been used this
season. Bac 22 Aug 05

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes (X) No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes (X) No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No. A24-2007B

Place Of Use Data Entry Form

Claim Number: A24-2007B☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

*Please see discussion of split in A24-2007A. See
also printout in this file. Doc 22 Aug 05*

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes (X) No ()

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.
If No, POU review is complete.

Yes () No ()

Place of Use

Claim No. A24-2007B

Period of Use and Quantity Data Entry Form

Claim Number: A24-2007B☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Please see split discussion in A24-2007 A. BAC
If split is not recd, recommend 1.63 cfs. If split is
received, 0.53 cfs to Lathi split, 1.10 to Shackle split

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

1. Is the basis of claim a Decree or License?

Yes (☒) No (☐)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes (☐) No (☐)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes (☐) No (☐)

If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18

4. Does the parent right have a Period of Use?

Yes (☐) No (☐)

If Yes, go to 5
If No, go to 6

5. Can the claimed Period of Use be verified using the water right file?

Yes (☐) No (☐)

If Yes, go to 14
If No, go to 6

6. Is there evidence that there has been a change in the Period of Use?

Yes (☐) No (☐)

If Yes, go to 7
If No, go to 12

7. Does the change include an enlargement in the Period of Use?

Yes (☐) No (☐)

If Yes, go to 9
If No, go to 8

8. Can the change be recommended as an accomplished transfer?

Yes (☐) No (☐)

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11

9. Was an enlargement claim filed?

Yes (☐) No (☐)

If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10

10. Did the claimant file an enlargement claim?

Yes (☐) No (☐)

If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

11. Was a transfer filed?

Yes (☐) No (☐)

If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

12. Does the file contain all of the necessary information to verify the Period of Use?

Yes (☐) No (☐)

If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

Yes (☐) No (☐)

If Yes, go to 14
If No, go to 15

14. Is irrigation claimed as a purpose of use?

Yes (☐) No (☐)

If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18

15. Is irrigation claimed as a purpose of use?

Yes (☐) No (☐)

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

Yes (☐) No (☐)

If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

Yes (☐) No (☐)

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

18. Is a Period of Use remark and/or condition required?

Yes (☐) No (☐)

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. A24 - 2007B

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes (☒) No (☐)

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes (☐) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes (☐) No (☐)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes (☐) No (☐)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes (☐) No (☐)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes (☐) No (☐)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes (☐) No (☐)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes (☐) No (☐)

Quantity

Claim No. A24 - 2007B

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes (☒) No (☐)
 If Yes, go to 2
 If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes (☐) No (☒)
 If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
 If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes (☐) No (☐)
 If Yes, status will be set as Active. Go to 5
 If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended? Yes (☐) No (☐)
 If Yes, status will be set as Active. Go to 5
 If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Does this right have any combined used limits with other rights? Yes (☐) No (☐)
 If Yes, go to 6
 If No, go to 6
6. Is an additional remark and/or condition required? Yes (☐) No (☐)
 If Yes, enter the appropriate remark and/or condition. Go to 7
 If No, go to 7
7. Would you like to view the recommended right? Yes (☐) No (☐)
 If Yes, go to 8
 If No, the review is incomplete. The recommendation must be viewed to complete the review.
8. Is this a "split" or "combined" right? Yes (☐) No (☐)
 If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
 If No, go to 9
9. Do you have documents you would like to attach or link to the file? Yes (☐) No (☐)
 If Yes, go to PowerDOCS and profile the documents. Go to 10
 If No, go to 10
10. Would you like to set the verification date? Yes (☐) No (☐)
 If Yes, the review is complete.
 If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. A24-2007B



Claim No.: _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard ruled sheet of paper. There is no handwriting or other markings on the page.

photos (1 page), postcard (1 page), GPS points (1 page), pole (1 page),
split sketch (1 page), A ownership (3 pages) Bac 5 Sept 05

Reviewer _____ Date _____

Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SE	NW SE	SW SE	SE SE	Total
Claim	24-10045	JOHN BAUGH, TRACEY BAUGH,	GROUND WATER	05S46E15													0
Claim	24-2007B	GENEVA NAGEL,	TIN CUP CREEK	05S46E15						20							20
Claim	24-10045	JOHN BAUGH, TRACEY BAUGH,	GROUND WATER	05S46E15													0
Claim	24-10668	DIANE SHARP, RONALD SHARP,	SALT RIVER	05S46E15						22	38						80
Rec	24-10045	JOHN BAUGH, TRACEY BAUGH,	GROUND WATER	05S46E15										X			0
Rec	24-2007B	EUGENE C. SHINKLE, JEANNE M. SHINKLE,	TIN CUP CREEK	05S46E15						20							20
Right	24-10044	GARY O HOKANSON, CAROLE W HOKANSON,	GROUND WATER	05S46E15										X			0
Right	24-2007	ARTHUR R CLARK,	TIN CUP CREEK	05S46E15						X							0
Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SE	NW SE	SW SE	SE SE	Total
Claim	24-2007B	GENEVA NAGEL,	TIN CUP CREEK	05S46E16	16												16
Claim	24-10668	DIANE SHARP, RONALD SHARP,	SALT RIVER	05S46E16	15			7.1									22.21
Rec	24-2007B	EUGENE C. SHINKLE, JEANNE M. SHINKLE,	TIN CUP CREEK	05S46E16	16												16
Right	24-2007	ARTHUR R CLARK,	TIN CUP CREEK	05S46E16	X												0
Right	24-4070	THERAS JENKINS,	SPRING	05S46E16									X				0
Right	24-7186	RONALD GREGORY, MARJORIE GREGORY,	SPRINGS	05S46E16						X							0
Right	24-7186	RONALD GREGORY, MARJORIE GREGORY,	SPRINGS	05S46E16					X								0

N *Buzza*

Claim # 24-2007 B

Bryce

Claim # 27-2007A

COPY

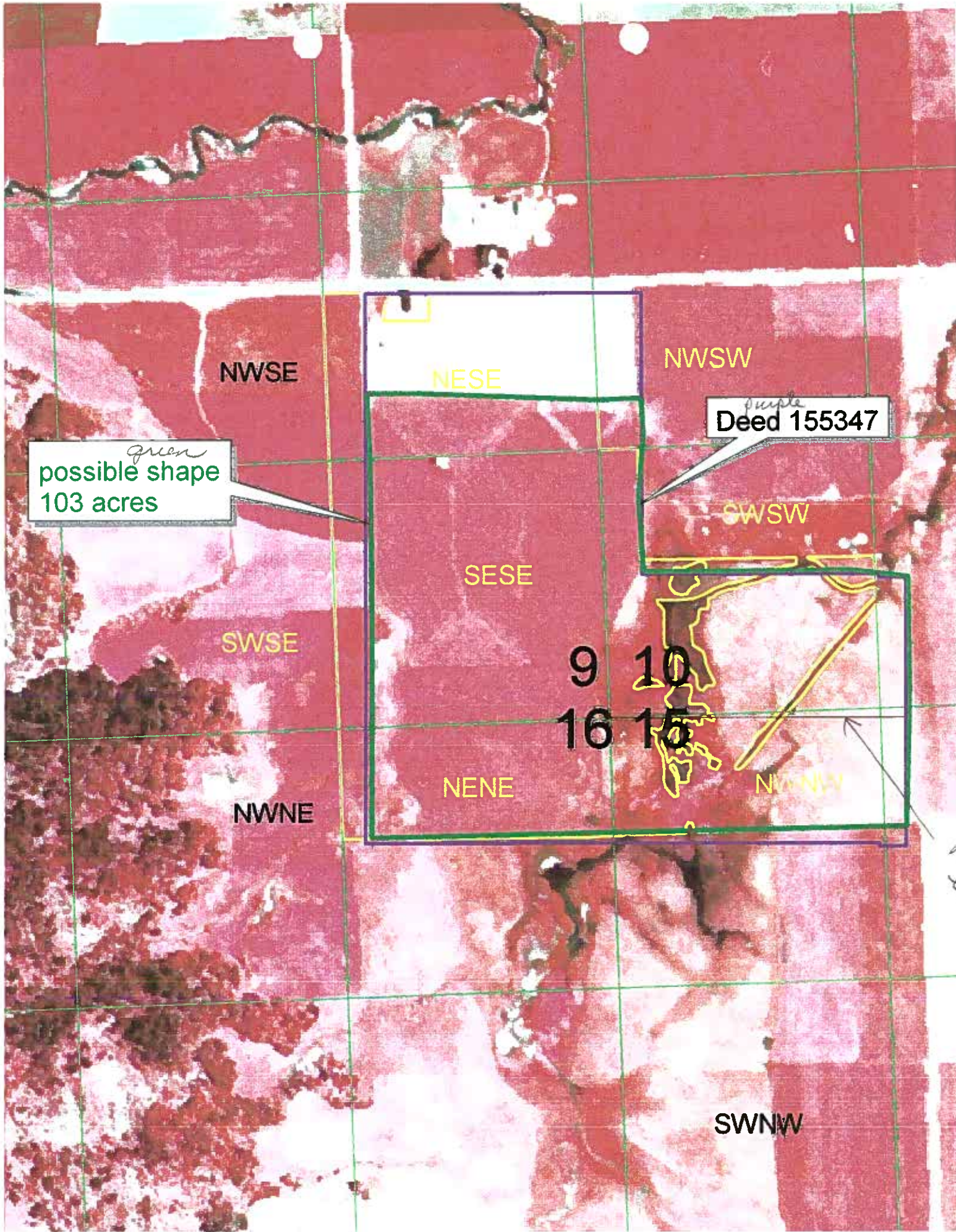
24.2007

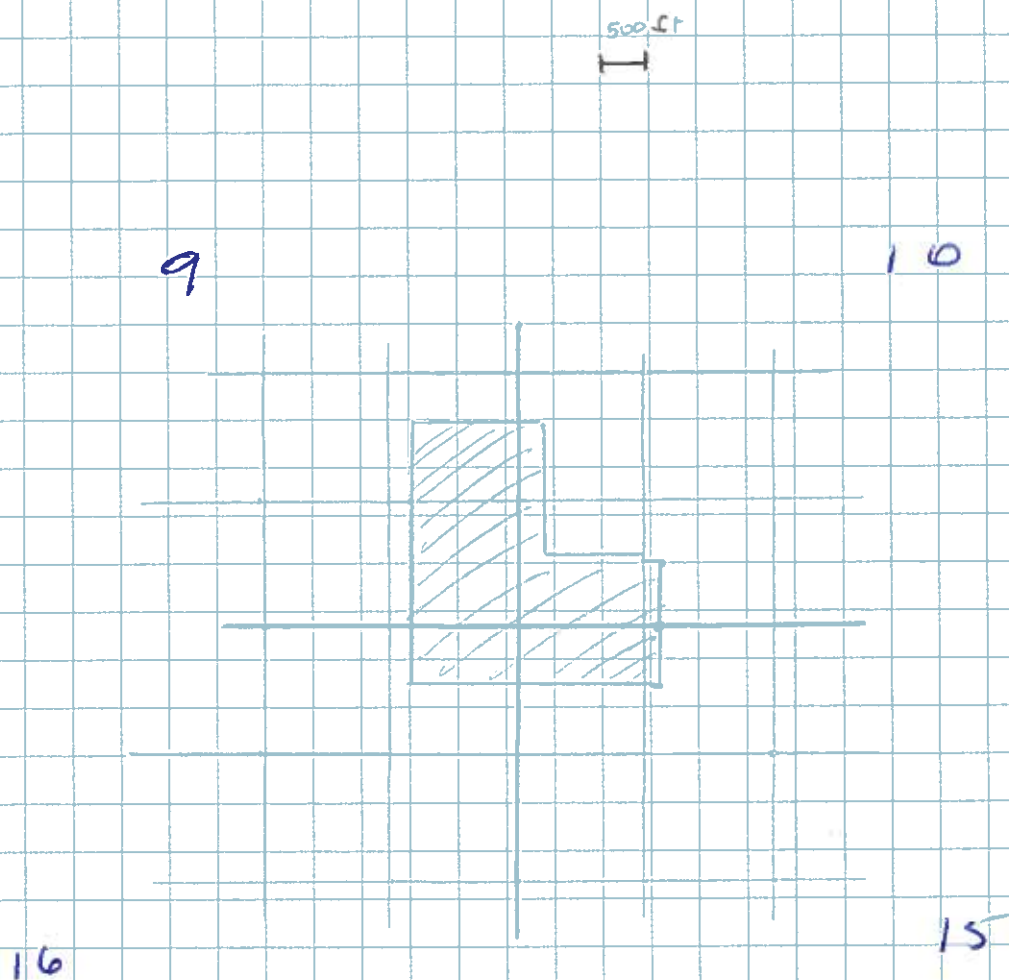
License 1838

2 3/10 cfs

24.2007A Allen Luthi 0.870

24.2007B Shinkle, Eugene 2.32
11400 3.29





Sketch of Eugene Shinkle property
from deed 155347. Bae 5 Sept 05

Please see split discussion
in paper file A24-2007A. Bae

Split analysis of 24-2007. Please see narrative						
T,R	S	QQ	Q	Split	Acres	CFS
05S46E		10 NE	SW	Luthi_2007A	3	
05S46E		10 NW	SW	Luthi_2007A	21	
05S46E		10 SW	SW	Luthi_2007A	14	
05S46E		10 SE	SW	Luthi_2007A	0.9	
Split subtotal					38.9	0.67
05S46E		9 SE	SE	Luthi_2007B	2.6	
05S46E		10 SW	SW	Luthi_2007B	14	
05S46E		10 SE	SW	Luthi_2007B	2.6	
05S46E		15 NE	NW	Luthi_2007B	2.2	
05S46E		15 NW	NW	Luthi_2007B	8.4	
Split subtotal					31.1	0.53
05S46E		9 NE	SE	Shrinkle_2007B	19	
05S46E		9 SE	SE	Shrinkle_2007B	30	
05S46E		10 NW	SW	Shrinkle_2007B	3.1	
05S46E		10 SW	SW	Shrinkle_2007B	2.2	
05S46E		16 NE	NE	Shrinkle_2007B	9.7	
05S46E		16 NE	NE	Luthi_2007B	1.3	
Split subtotal					64.0	1.10
Total Acres					134	2.30

SS 46E	9	NE SE	19		19	} 21.6 51.6
		SE SE	30	2.6	32.6	
	10	NW SW	3.1		3.1	} 21.9
		SW SW	2.2	14	16.2	
		SE SW		2.6	2.6	
	15	NE NW		2.2	2.2	} 21.6
		NW NW		8.4	8.4	
	16	NE NE	9.7	1.3	11.0	
						$\Sigma = 95.1$

Chae SSent OS

ASH-2007A, 2007B

looking W from headgate
towards POD. Site tag

A0013654

Bae



POD. Arrow marks
inlet of ditch to
headgate. Claypoint 37

Bae



**Water Resources Fld Svcs
PO Box 94
Iona, ID 83427-0094
(208) 681-9100**



Eugene Shrinkle
PO Box 343
Freedom WY 83120

© USPS 2002 recycled

Dear Mr. Shrinkle

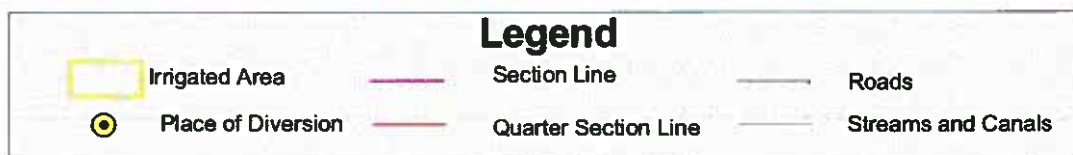
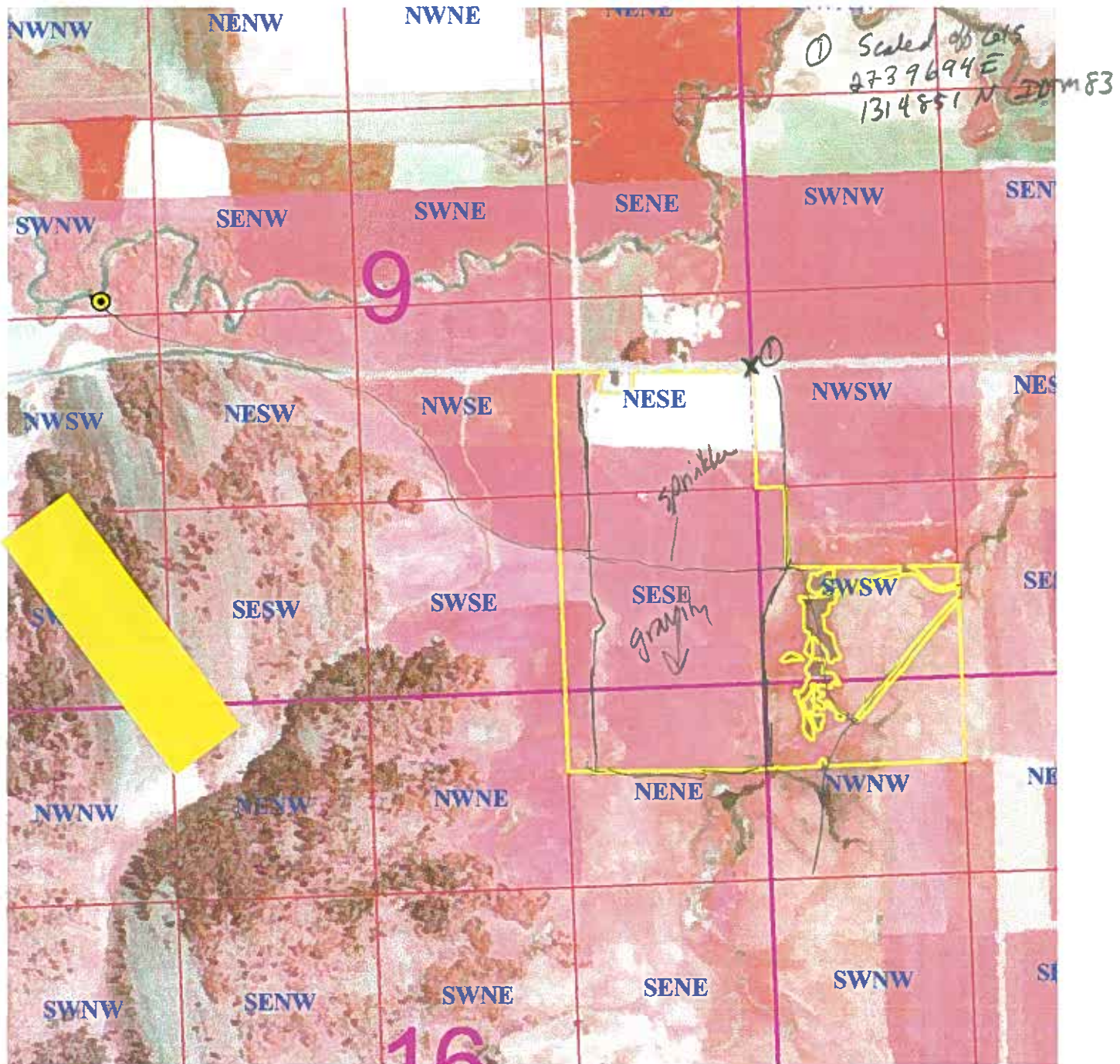
4 Aug 05

Idaho Department of Water Resources
has asked me to do a field inspection
of your Tincup Creek water right so
that a recommendation can be made
in the Snake River Basin Adjudication.

Please call me at 208 681-9100
to talk about when we can get
together. Thank you, Bryce A. Connor

Water Right Claim Number 24-02007B
Township , 5S46E

04/02/2001

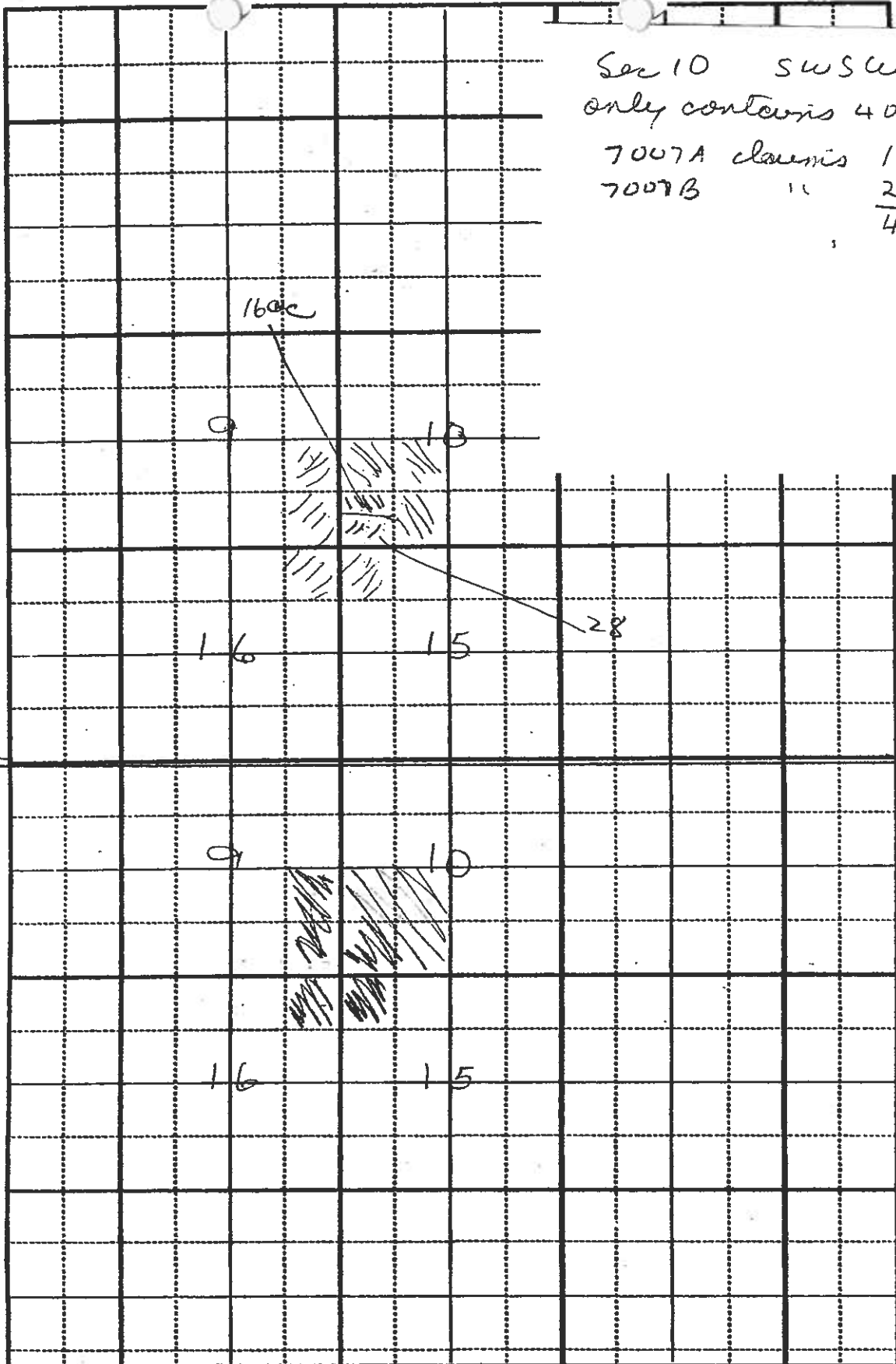


700 0 700 1400 Feet



 SPATIAL
DYNAMICS

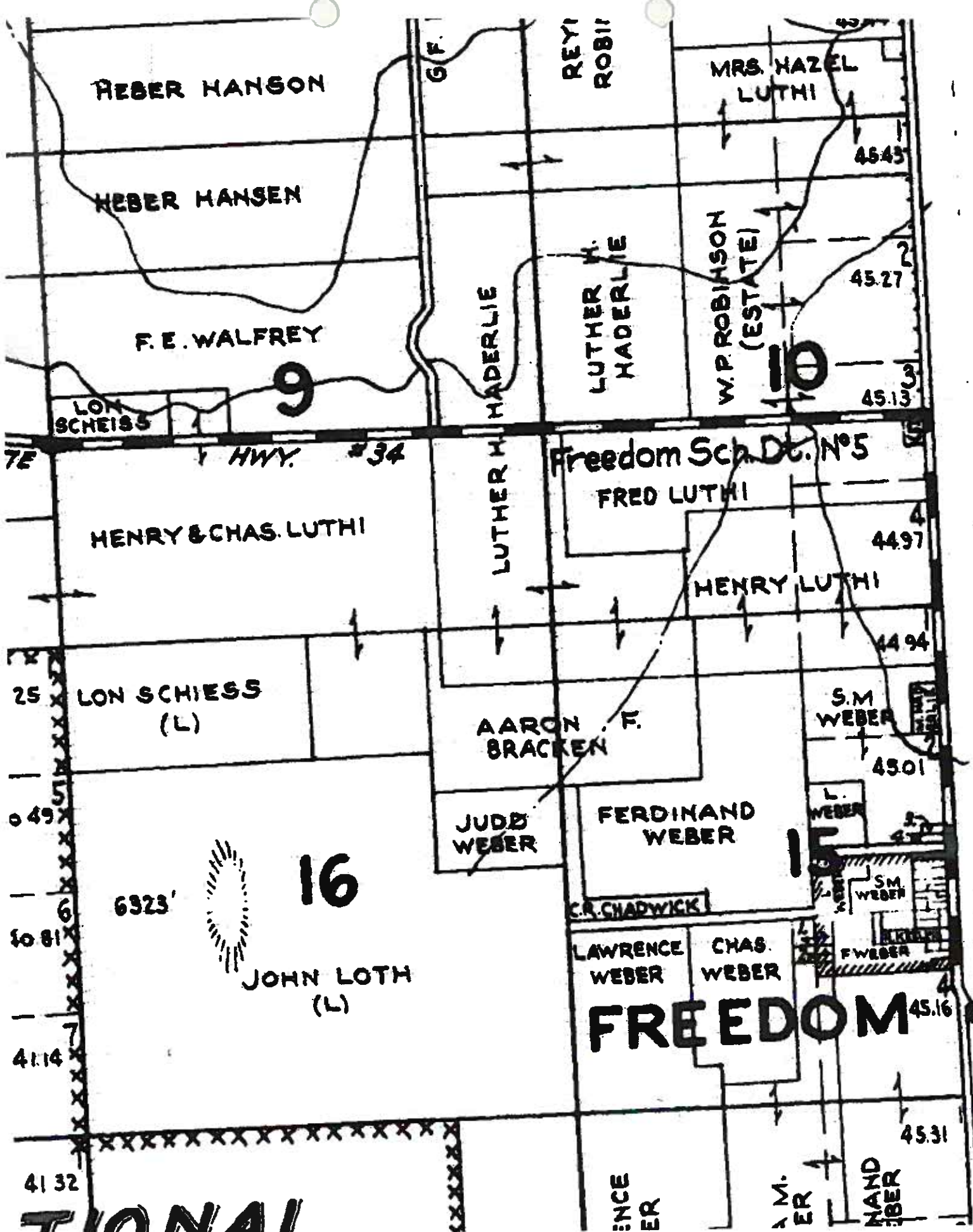
Sec 10 SWSW
only contours 40 ac
7007A claims 16
7007B " 28
44



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

Claims

License
1838



HEBER HANSON

HEBER HANSEN

F. E. WALFREY

LON SCHEISS

9

HWY. #34

HENRY & CHAS. LUTHI

LON SCHIESS (L)

LUTHER HADERLIE

LUTHER H. HADERLIE

MRS. HAZEL LUTHI

W.P. ROBINSON (ESTATE)

10

Freedom Sch. Dist. No 5

FRED LUTHI

HENRY LUTHI

AARON BRACKEN

JUDD WEBER

FERDINAND WEBER

S.M. WEBER

6323'

16

JOHN LOTH (L)

LAWRENCE WEBER

CHAS. WEBER

FREEDOM

45.16

45.31

NAND WEBER

M. ER

INCE ER

41.32

TIONAL

10.21-04

Pl

Eugene C. Shunklee

~~11750~~

~~11860~~

~~11890~~

~~12160~~

Parcel 11750

5, 46, 9, TR 8 Irrigated 55 ac

Parcel 11860

5, 46, 10, TR 8 Meadow 9
 Irrigated 12

Parcel 11890

5, 46, 15, TR 2 Meadow 7
 Irrigated 5

Parcel 12160

5, 46, 16, TR NENE Meadow 2
 Irrigated 1.1



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED



- ☐ Not Deliverable As Addressed
 - Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ Illegible
- ☐ No Mail Recipients
- ☐ Box Closed - No Order
- ☐ Returned For Better Address
- ☐ Postage Due

GENE
PO BOX
THANK



U.S. POSTAGE
8947 E 00-370 SEP 02 2004
6379 MAILED FROM ZIP CODE 83402

*This removed
need file
from 4023
24-11*

Assessor Has No Record
of Ownership
058 46E 10
058 46E 15
058 46E 10
058 46E 10

SCANNED

SEP 10 2004

PROFILED

24-2007B Caribou

Water Resources Field Services

P.O. Box 94
Iona, ID 83427
208-681-9100

To: File A24-200B
Fr: Bryce Contor
Date: 13 September 2005

Bac

Re: General narrative regarding Tincup Creek Adjudication claims.

To date I have done field inspections for all the Tincup Creek Adjudication claims which I received in July 2005. I have not been able to contact the owners of A24-02018, A24-04074A, A24-04074B or A24-10015, though I was able to inspect the places of use and points of diversion. At the location I did visit with a Mrs. V. Haderlie who may be a former claimant for A24-04074A and/or A24-04074B. A24-10668 is in the Tincup area but its source is Salt River, with a Wyoming water right and point of diversion. Places of use are illustrated in Figure 1 at the end of the memo.

This memo discusses several considerations that apply to all Tincup Creek water rights in general. It is filed in paper file A24-2000B but applies to all irrigation claims with Tincup Creek as a source, with notes in each of the other claims referencing the memo.

1. Public Land Survey System.

The overlay of county roads, fences, and claimed places of use on the Public Land Survey System shows a misalignment, as illustrated in Figure 1. Older 2000-series licenses and land patents I have examined describe the parcels in terms of whole quarter-quarter sections, as expected. Newer deeds and legal descriptions show the partial quarter-quarters that appear from the map.

My hypothesis is that the original licenses and patents were described according to some kind of preliminary PLS layout that corresponded to the roads, fences and apparent property lines. It seems that later a new PLS survey was performed which resulted in all the partial quarter-quarters in individual parcels.

Based on this hypothesis I have extrapolated the place of use of original license 24-2007 to the claimed places of use based the license. This does not appear to be an accomplished transfer, even though the GIS polygons of my proposed place of use have slightly different legal descriptions than the nominal legal description of the original license. This is illustrated in Figure 2.

Because there are no competing or overlapping claims from this source, I believe an exhaustive chain of title documenting the exact change in legal description is not necessary to correctly recommendation the historical water use that is authorized by the license.

The Wyoming places of use were mapped from scanned images of paper maps from the Wyoming State Engineers Office (provided by claimants) and appear to be consistent with the actual fence lines and apparent property lines.

2. Ownership Issues

Apparently due to this problem with the PLS system, there are some potential ownership issues, as follows:

- a. A24-2000B and A24-4006. These were both claimed by entities with the name "Robinson" in the organization name, and Perry Robinson (208 356-5325) was listed in both files as a contact. In fact Perry Robinson is only associated with A24-4006. The land has changed ownership but he has agreed to continue to provide information as needed for the Adjudication review.
- b. Notes in the files suggest that A24-04074B now belongs to Melvin Hoopes, owner of adjacent claim A24-10015. Visiting with Mrs. V. Haderlie at a home on the place of use, and inspection of the fences, roads, and claims maps, suggest that this is incorrect and the land belongs to Haderlies. The claim adjoining on the other side, A24-04074A, also is in the name of a Haderlie. I have requested a current plat map and ownership list from the Caribou County Assessor.
- c. There apparently is or has been an ownership dispute regarding some of the Wolfley lands. This does not appear to affect the irrigated portion of the lands proposed to be recommended under A24-10029.

3. Nature of Beneficial Use

Claims A24-10676, A24-10677 and A24-10678 contain wording to the effect that these semi-arid lands need irrigation to be productive and therefore the existence of a patent indicates that irrigation must have been present. Some of the lands in Tincup were granted under the Homestead

Act and some under the Desert Entry Act. I think irrigation may have been required under the Desert Entry Act but I don't think it was under the Homestead Act. The attached average precipitation map suggests that at Freedom, annual precipitation is in the 14 inch to 22 inch range. The upper end of that range begins to approach the range where dry farming can be successful. It appears that precipitation increases quite rapidly with elevation as the valley floor rises towards the west. Dry farming is being practiced just up-slope of A24-10015, for instance, but I saw no dry farming along the state line near A24-02018 and other claims. This argument (that the patent establishes priority, because irrigation is necessary for agricultural production) may only apply to the eastern-most claims, if at all.

Claims A24-10031, A24-10668, A24-10676, A24-10677 and A24-10678 appear to be under typical "full irrigation" with sprinklers. This may also be true of A24-02018. A24-02007A and A24-02007B appear to be under active irrigation by gravity. These are the eastern-most claims at the lowest elevation, near the state line. I did not make a detailed investigation, but it appears that the adjacent lands in Wyoming are irrigated if they are in production.

For the other claims, higher in elevation and west of those listed above, the irrigation that takes place presently appears to be confined to dry years or to the first year of establishing an alfalfa stand. For these claims I believe the evidence supports intermittent irrigation, with all of the lands being irrigated in at least some years, but seldom would the whole farm have been irrigated in a given season. In some cases a permissible place of use with a smaller limit of irrigated acres in any one year would be most likely to correctly describe the actual irrigation practice.

4. Overlap of Wyoming Water Rights.

Claim A24-10668 appears to be based on Wyoming "Certificates of Diversion of Water" from the Salt River, with part of the place of use in Idaho. Figure 1 illustrates other lands with Wyoming water rights, most of which appear to be under active irrigation.

5. Unclaimed historical water use.

Some lands in the North of section 9 and the south of Section 4 were historically irrigated by an owner named Carl Robinson, according to some claimants. They appear not to be irrigated now and I have no claim for

these lands.

6. Priority Administration.

While the claims and licenses have different priority dates, it appears that there has been no application of priorities as between Tincup water users. One user said he had heard that "Haderlie had the first right on the creek" but none described operation of priority cuts in allocation of water. It appears that either there is always enough Tincup Creek water for local demand or that an informal rotation system operates in times of scarcity.

In Basin 31 an agreement signed by all the users out of Mud Lake and filed at the county courthouse was incorporated in the partial decrees by reference. This was done by using a special condition attached to certain water rights (see 31-6 for an example). With the viewpoint that one purpose of the Adjudication is to correctly describe actual administrative practices that have been in place for long periods of time, I would propose doing something similar for the Tincup Creek (and tributaries) recommendations, if the users were to come forward with a unanimously adopted agreement stating that in times of shortage, Tincup water is allocated among local users by rotation, regardless of nominal priority date.

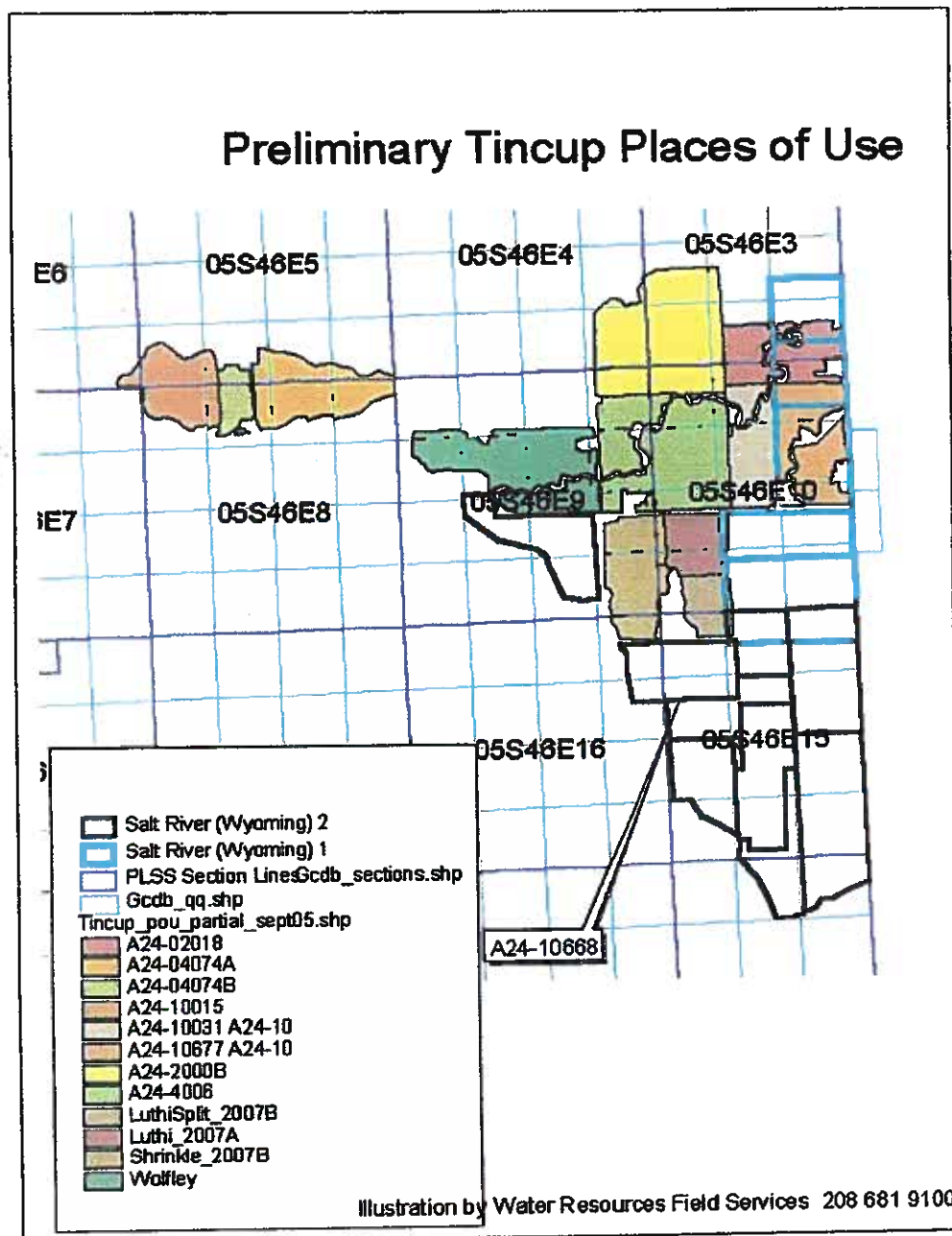


Figure 1. Approximate places of use and misalignment of Public Land Survey System with roads and property lines.

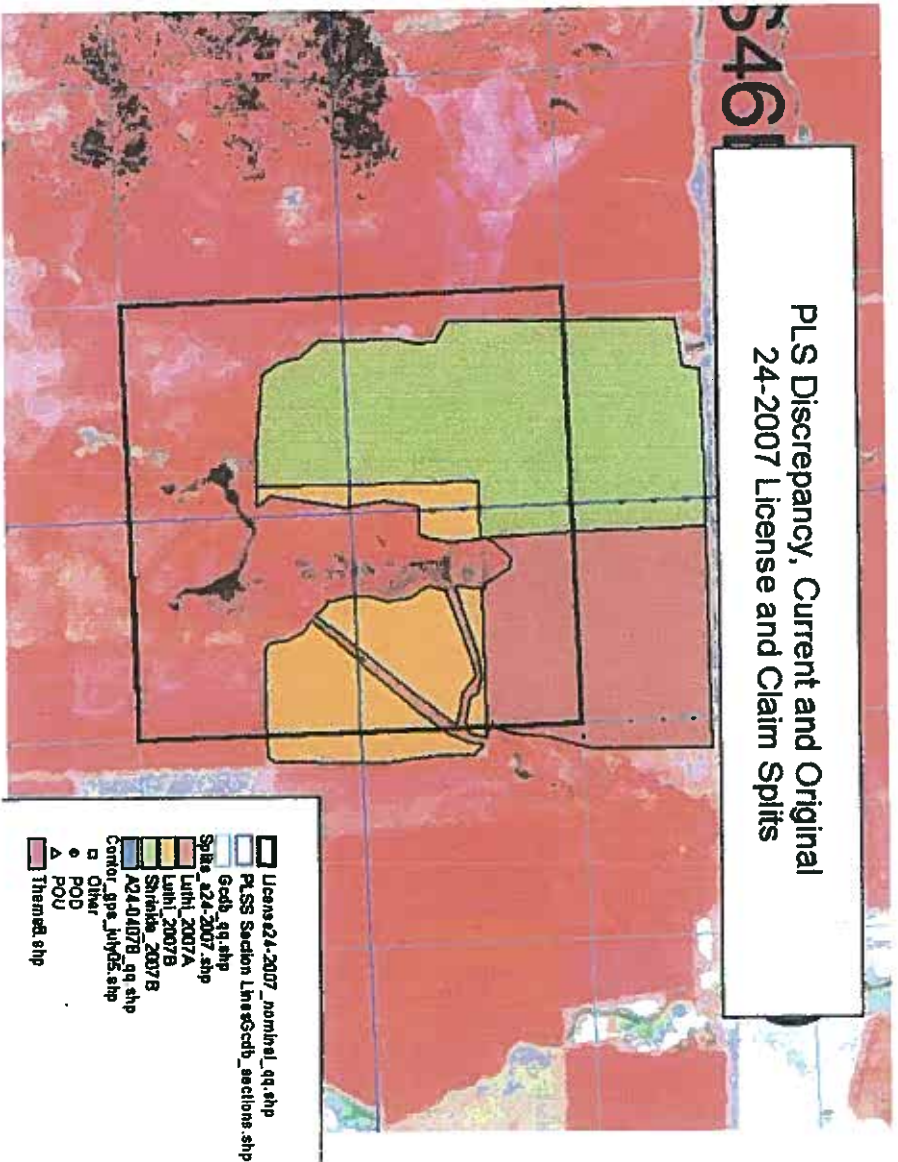


Figure 2. Licensed quarter-quarters and actual place of use, 24-2007.

DEWCD
8-19-05

RECEIVED
AUG 19 2005
Department of Water Resources
Eastern 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, 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
A24-02007B		Y			

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)

Geneva Nagel

4. New Owner/Claimant(s)

Eugene C Shinkle Jeanne M.

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

New Mailing Address

Box 343

City, State and ZIP Code

Freedom, Wyo 83120

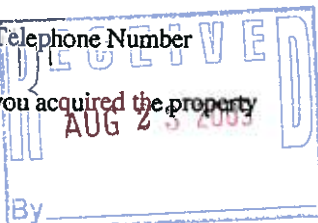
New Telephone Number

208 873-2932

- 5.

Date you acquired the property

17 October 1997



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		

See Adjudication file 1 change of ownership from Allan Luthi, along with legal description on deed.

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)
(include title if applicable)

Eugene & Jeanne Shinkle
OWNERS

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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

PERSONAL REPRESENTATIVE DEED

THIS INDENTURE, Made this 17th day of October, 1997, by and between LINDA HART, the duly appointed, qualified, and acting Personal Representative of the Estate of Geneva Nagel, deceased, the party of the first part, and EUGENE C. SHINKLE and JEANNE M. SHINKLE, husband and wife, of P. O. Box 1048, Thayne, WY 83127, parties of the second part:

WITNESSETH: That Whereas, the said Linda Hart was appointed the duly qualified and acting Personal Representative of the said estate on the 15th day of February, 1995, and thereafter a certified true copy of the Letters Testamentary was duly recorded with the County Recorder of Caribou County, Idaho, on October 8, 1997, under recorder's instrument No. 155242, in the microfilm records of Caribou County, Idaho.

NOW, THEREFORE, the said Linda Hart, Personal Representative of the Estate of Geneva Nagel, deceased, party of the first part, by virtue of the authority conferred upon her by statute, for an in consideration of **VALUE RECEIVED**, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, all that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

Township 5 South, Range 46 East of the Boise Meridian:

A tract of land in the ~~EXSEX~~ of Section 9, and in the SW~~X~~ of Section 10, and in the N~~X~~NW~~X~~ of Section 15, and in the NE~~X~~NE~~X~~ of Section 16, more particularly described as follows:

Beginning at a point 1452 feet East of the Southwest Corner of said Section 10, and running

thence North 693 feet;

thence West 132 feet;

thence North 16.5 feet;

thence West 1155 feet;

thence North 1386 feet, more or less, to the center of the

County Road;

thence West 1353 feet;

thence South 2706 feet;

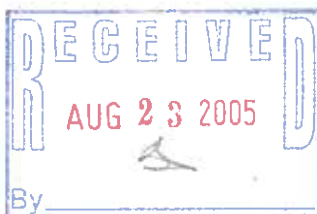
thence East 2508 feet;

thence South 16.5 feet;

thence East 132 feet;

thence North 627 feet,

to the point of beginning.



STATE OF IDAHO } ss. 155347
County of Caribou }

I hereby certify that this instrument was filed at the request

of Caribou Title

at 1:50 o'clock p m this 24 day of

October, 19 97 in my office and duly

recorded in Microfilm Records _____

Deputy: Edie J. Jantz

Edie Jantz Deputy 600

Notary Public

155347

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

123 M.I. on Tin Cup Creek, priority date September 4, 1901

63 Allen Co. Eugene

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with the appurtenances, unto the said parties of the second part.

IN WITNESS WHEREOF, the said party of the first part, as Personal Representative, has hereunto set her hand, the day and year in this instrument first above written.

Linda Hart
LINDA HART, Personal Representative
of the Estate of Geneva Nagel,
deceased

STATE OF *Nebraska*)
County of *Lancaster*) ss.

On this 21 day of October, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Hart, known to me to be the Personal Representative of the Estate of Geneva Nagel, deceased, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same as said Personal Representative.

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

Brenda Bernbaum
NOTARY PUBLIC for the State of
Residing at: *Lancaster County*
Commission expires: *June 30, 2001*

BRENDA BERNBAUM
General Notary
State of Nebraska
My Commission Expires Jun 30, 2001