

12/26/2006

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

RIGHT NUMBER: 78-12110

NAME AND ADDRESS: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS ID 83549

SOURCE: HAAS LAKE TRIBUTARY: SINKS
HORSE HEAVEN LAKE TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/09/1906

POINT OF DIVERSION:

T22N R02W S3 NWNE Lot 2 Within IDAHO County
T22N R02W S3 SWNE Within IDAHO County
T22N R02W S3 SENE Within IDAHO County
T23N R02W S34 NESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/31	0.020 CFS

PLACE OF USE: STOCKWATER in IDAHO County

T22N R02W S03 Lot 2 NWNE	T22N R02W S03	SWNE
T22N R02W S03 SENE	T23N R02W S34	NESE

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

The operation, use and administration of this water right is also subject to the terms and conditions of the stipulation and joint motion for order approving stipulation entered into on August 29, 2002 between the United States of America and Willis DeVeney, Betty DeVeney and Shingle Creek LLC, filed in the office of the Idaho County Recorder and recorded on October 31, 2002 as Instrument No. 425169; the conditions of such stipulation to apply fully to this water right.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

11/15/2006

NOTICE OF ERROR
REPLY

NOV 30 2006

DEPARTMENT OF

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: December 8, 2006

Water right number: 78-12110

SHINGLE CREEK LLC

PO BOX 1160

RIGGINS ID 83549

Telephone Number: (208)628-3462

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

priority date

2. Describe the changes you wish to make in the proposed recommendation:

Change priority date to 5/10/1906 - one day prior to Forest Service

3. Give a brief explanation as to why you disagree with these portions:

In accordance with stipulation into 425169

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

DATE: 11/25/06

SIGNATURE: Shingle Creek LLC Willis D. DeVeney (mgr)

Please print your name: Willis D. DeVeney manager

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

09/19/2006

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

RIGHT NUMBER: 78-12110
NAME AND ADDRESS: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS ID 83549
SOURCE: HAAS LAKE
HORSE HEAVEN LAKE
TRIBUTARY: SINKS
TRIBUTARY: SINKS
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 01/01/1891
POINT OF DIVERSION:

T22N R02W S3 NWNE Lot 2 Within IDAHO County
T22N R02W S3 SWNE Within IDAHO County
T22N R02W S3 SENE Within IDAHO County
T23N R02W S34 NESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T22N R02W S03 Lot 2 NWNE	T22N R02W S03	SWNE
T22N R02W S03 SENE	T23N R02W S34	NESE

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

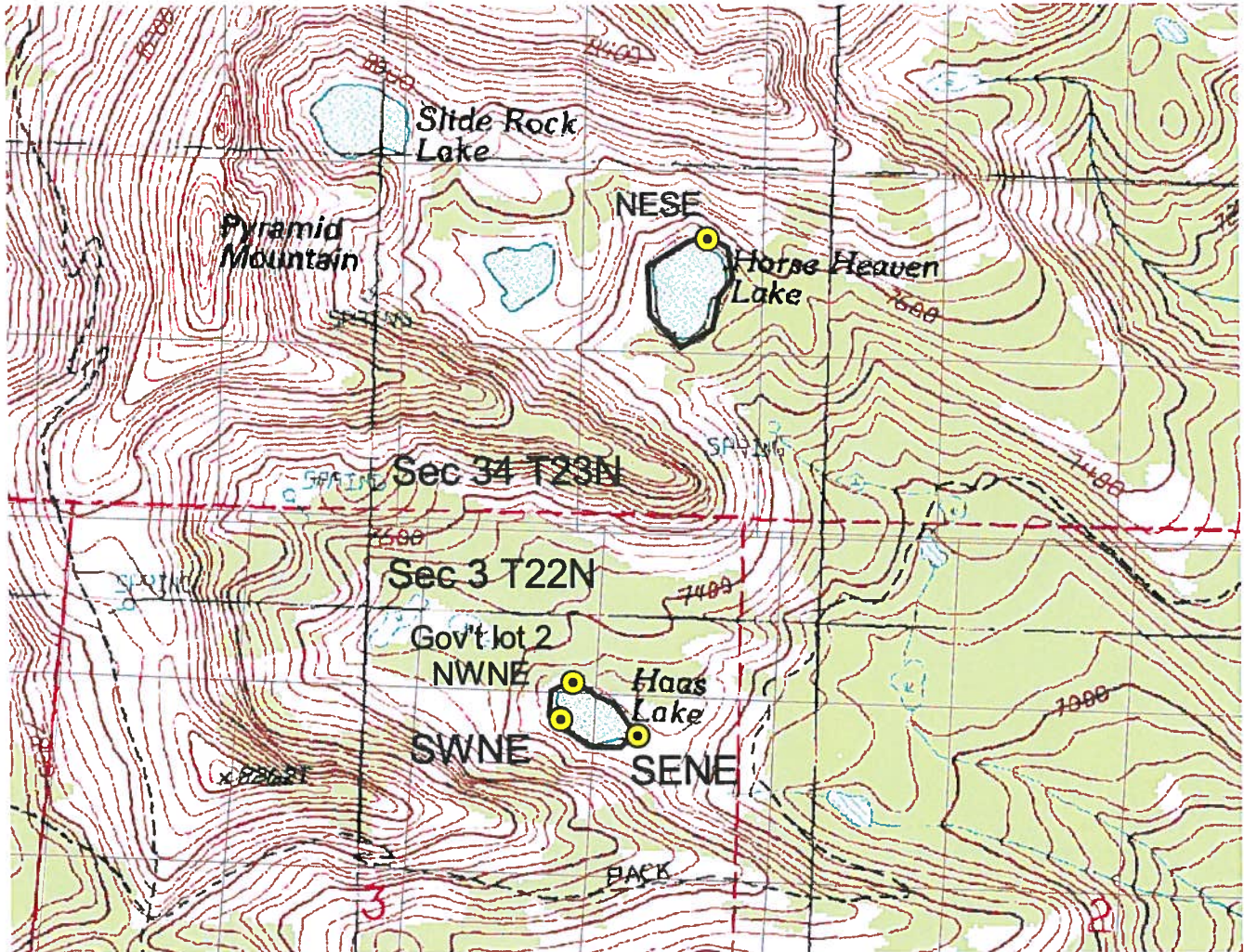
The operation, use and administration of this water right is also subject to the terms and conditions of the stipulation and joint motion for order approving stipulation entered into on August 28, 2002 between the United States of America and Willis DeVeney, Betty DeVeney and Shingle Creek LLC, filed in the office of the Idaho County Recorder and recorded on October 31, 2002 as Instrument No. 425169; the conditions of such stipulation to apply fully to this water right.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

78-12110



0 800 1600 Feet

Section 3
T22N R2W
Section 34
T23N R2W



● Point of Diversion

□ Place of Use

Map prepared on November 10, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 2005

Shingle Creek LLC
Box 1160
Riggins, ID 83549

RE: 78-12109 to 78-12116

We have reviewed your claims for water rights stock water on property that is mostly US Forest Service land. Would you please provide us with the identification numbers of the grazing leases to confirm that you have the right to run cattle on the property? We do not need copies of the entire documents.

Sincerely.

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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

A78-12110

Date Received

7-28-00

Receipt Number

W026797

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WILLIS D & BETTY DEVENY Phone 208 628-3462Mailing Address BOX 1100, RIGGINS ID Zip 835492. Date of Priority (Only one (1) per claim) 1-1-18913. Source of water supply (a) HORSE HEAVEN LAKE & HAAS LAKE
which is tributary to (b) SINKS4. a. Location of existing point of diversion is: Township 23N Range 2W Section 34, (HORSE HEAVEN)
_____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of IDAHOAdditional points of diversion if any: SINK, S. 3, T. 22N, R. 2W, (HAAS) IDAHO CO.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. INSTREAM STOCKWATER.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For STOCKWATER purposes from 6-1 to 10-31 amount .02 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER - 190 HEAD

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	20	3				5													
23N	20	34													5				

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
NONE or None ()

14. Remarks: STOCK DRINK DIRECTLY FROM NATURAL LAKES.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Betty H. De Vany Date 7/28/00
Betty H. De Vany Date 7/28/00

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day of July 19 2000

SEAL

Notary Public Jan Shute

Residing at Mendocino CA

My Commission Expires 9-14-2000

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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 78-12110
Date Received: 7/28/2000
Receipt No: W026797
Received By:

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

1. Name of Claimant(s): SHINGLE CREEK LLC
PO BOX 1160
RIGGINS ID USA 83549

Phone: (208) 628-3462

2. Date of Priority: 01/01/1891

3. Source: HORSE HEAVEN LAKE Trib. to: SINKS
HAAS LAKE SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4Lot	County	Type
23N	02W	34	NE SE	IDAHO	
22N	02W	3	SE NE	IDAHO	

5. Description of diverting works:

Instream Stockwater

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	06/01	10/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Stockwater, 190 Head

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	02W	3	SE NE		STOCKWATER	
23N	02W	34	NE SE		STOCKWATER	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Stock drink directly from natural lakes.

Name change by DB 1/16/2002

15. Basis of Claim: Beneficial Use

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

RECEIVED

DEC 24 2001

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
	78-10338			78-04249	
	78-10339			78-12109	
	78-10340			78-12110	
	78-04212			78-12111	
	78-04218			78-12112	

See attached list for additional claim numbers.

2. The following **REQUIRED** information must be submitted with this form:
 The above claims are on federal lands on our grazing allotment.
- 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) Willis D. & Betty G. DeVeney
Box 1160, Riggins, ID 83549
4. New Owner/Claimant(s) Shingle Creek LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
Box 1160
 New Mailing Address _____
 City, State and ZIP Code Riggins, ID 83549
 Same Telephone Number (208) 628 3462
5. Date you acquired the property January 1, 2001

This change is to change ownership from private individuals to an LLC.
 These claim numbers are not on private property.

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) Shingle Creek LLC
(include title if applicable) By: Willis D. DeVeney manager
Willis D. DeVeney

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 _____

Notice of Change in Water Right Ownership - continued

adjudication Claim No.

78-12113

78-12114

78-12115

78-12116

FILED/EFFECTIVE **ARTICLES OF ORGANIZATION** **LIMITED LIABILITY COMPANY**

00 DEC 15 AM 9:12

(Instructions on back of application)



SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is: Shingle Creek LLC

2. The address of the initial registered office is: Shingle Creek No. 5
 (not a PO Box)
Riggins, ID 83549

and the name of the initial registered agent at that address is: Betty G. DeVeney

Signature of registered agent: Betty G. DeVeney

3. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)

4. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:
Willis D. DeVeney

Address:
Box 1160, Riggins, ID 83549

The mailing address for the LLC is Box 1160, Riggins, ID 83549

5. Signature of at least one person listed in #5 above:

Willis D. DeVeney
Betty G. DeVeney

IDAHO SECRETARY OF STATE

Secretary of State use only

12/15/2000 09:00
 CK: 3110 CT: 125299 BH: 366955

1 @ 100.00 = 100.00 ORGAN LLC # 2

g:\corp\forms\LLC1.pm6 Revised 6/97

W 13733

FORMATION AGREEMENT

Agreement dated as of January 1, 2001 between and among
the prospective LLC members in Shingle Creek LLC:
Willis D. DeVeney
Betty G. DeVeney

Recitals

(a) The prospective members hereto have evaluated the benefits, risks, and requirements of causing an LLC to be formed for the purpose of engaging in the trade or business of owning real estate, operating a ranch, and any other business that may be legally brought before it.

(b) The parties hereto wish to confirm their decision to form an LLC to operate the business.

And, therefore, Agree to the following terms and conditions

1. Decision regarding the Choice of Entity.

The prospective members have evaluated individually the benefits, costs, risks, requirements and other relevant considerations of using an LLC rather than other types of arrangements for the purpose of organizing and conducting business. Each prospective member based on such evaluation concurs in the use of an LLC for the business.

2. Internal Affairs and Operation of the business.

The prospective members agree that the business shall have its affairs and operations conducted in generally the following manner:

a. Interest in real estate presently owned by Willis D. and Betty G. DeVeney will be transferred to the LLC including the 130 acre and 700 acre parcels.

b. The LLC will assume the indebtedness against the 700 acre parcel.

c. Willis D. and Betty G. DeVeney will lease the hay and pasture ground on the 340 acre parcel to the LLC.

3. Preliminary Agreement; Operating Agreement to be signed.

The prospective members acknowledge that this LLC Formation Agreement is only a preliminary agreement and that the parties intend and shall execute a comprehensive operating agreement at some future date. The terms and provisions of this LLC formation agreement shall govern until such operating agreement is executed.

4. Business Purpose and Business Plan of the LLC
In addition to the description above of the intended business of the LLC, the prospective members acknowledge and agree that the business will also accumulate capital with the intent of purchasing adjoining property if and at such time it comes on the market and is agreed to by the prospective members as such time as the property becomes available.

The prospective members further acknowledge that they have received, reviewed, and generally accepted this LLC formation agreement.

5. Description of the management of the LLC
The Management of the LLC shall be conducted by Willis D. DeVeney and Bryan G. DeVeney. If either of them are unable to serve, Michael G. DeVeney will be designated a manager. If he cannot serve, Janet DeVeney will be designated as a manager. Craig DeVeney will be designated if she cannot serve. If none of the above can serve, a manager will be elected by a majority of the remaining members.

6. Voting rights of Members
The membership interests anticipated to be issued shall be voting interests.

7. The intent of the present members is to over time gift membership interests to Bryan G. DeVeney, Michael G. DeVeney, Craig L. DeVeney and Janet L. DeVeney.

8. Limitation on Other Activities of Prospective Members.
Nothing in this LLC Formation Agreement shall be deemed to restrict in any way the freedom of any Prospective Member to conduct any other business or activity whatsoever at any location other than the Business, so long as such business or activity does not directly compete with, or conflict with the Business of the LLC.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.


Willis D. DeVeney


Betty G. DeVeney

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: 78-12110

Date Received: 7/28/00

Receipt No: W026797

Received By:

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

1. Name of Claimant(s): WILLIS D DE VENY

Phone: (208)628-3462

Address: PO BOX 1160
RIGGINS ID USA 83549

Name: BETTY G DE VENY

Phone: (208)628-3462

Address: PO BOX 1160
RIGGINS ID USA 83549

2. Date of Priority: 01/01/1891

3. Source: HORSE HEAVEN LAKE , Trib. to: SINKS
HAAS LAKE SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
23N	02W	34	NE SE		IDAHO
22N	02W	3	SE NE		IDAHO

5. Description of diverting works:

Instream Stockwater

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or) A.F.A
STOCKWATER	06/01	10/31	0.02

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: Stockwater, 190 Head

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	02W	3	SE NE		STOCKWATER	
23N	02W	34	NE SE		STOCKWATER	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? No

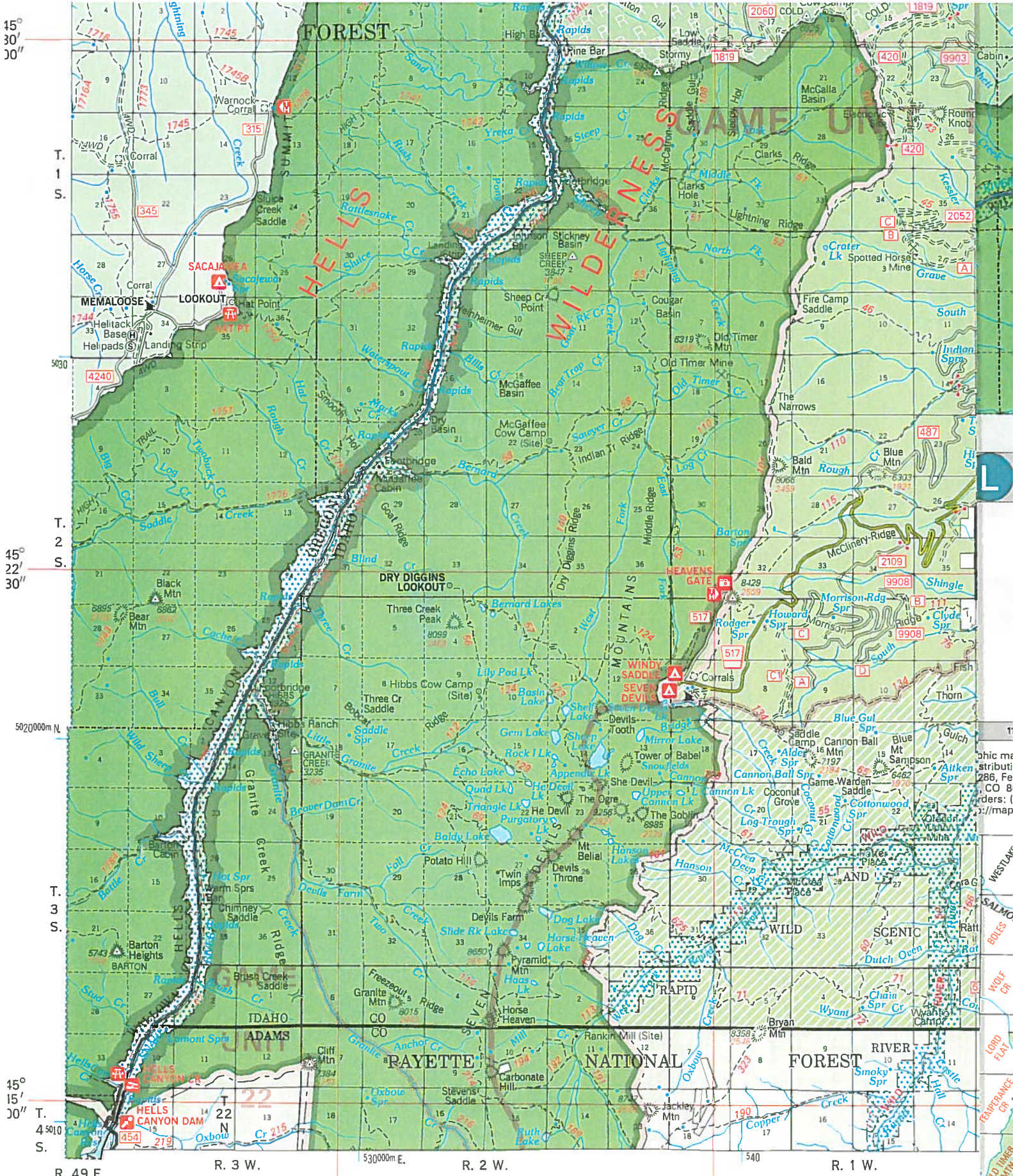
13. Other Water Rights Used:

14. Remarks:

Stock drink directly from natural lakes.

15. Basis of Claim: Beneficial Use

16. Signature(s) N / A



FOREST SERVICE MAP
Constructed in 2001 by digital methods at the Geospatial Service and Technology Center, Salt Lake City, Utah,
from FS Cartographic Feature Files and Primary Base Quadrangles. Field review by the Northern Region.

116° 37' 30"

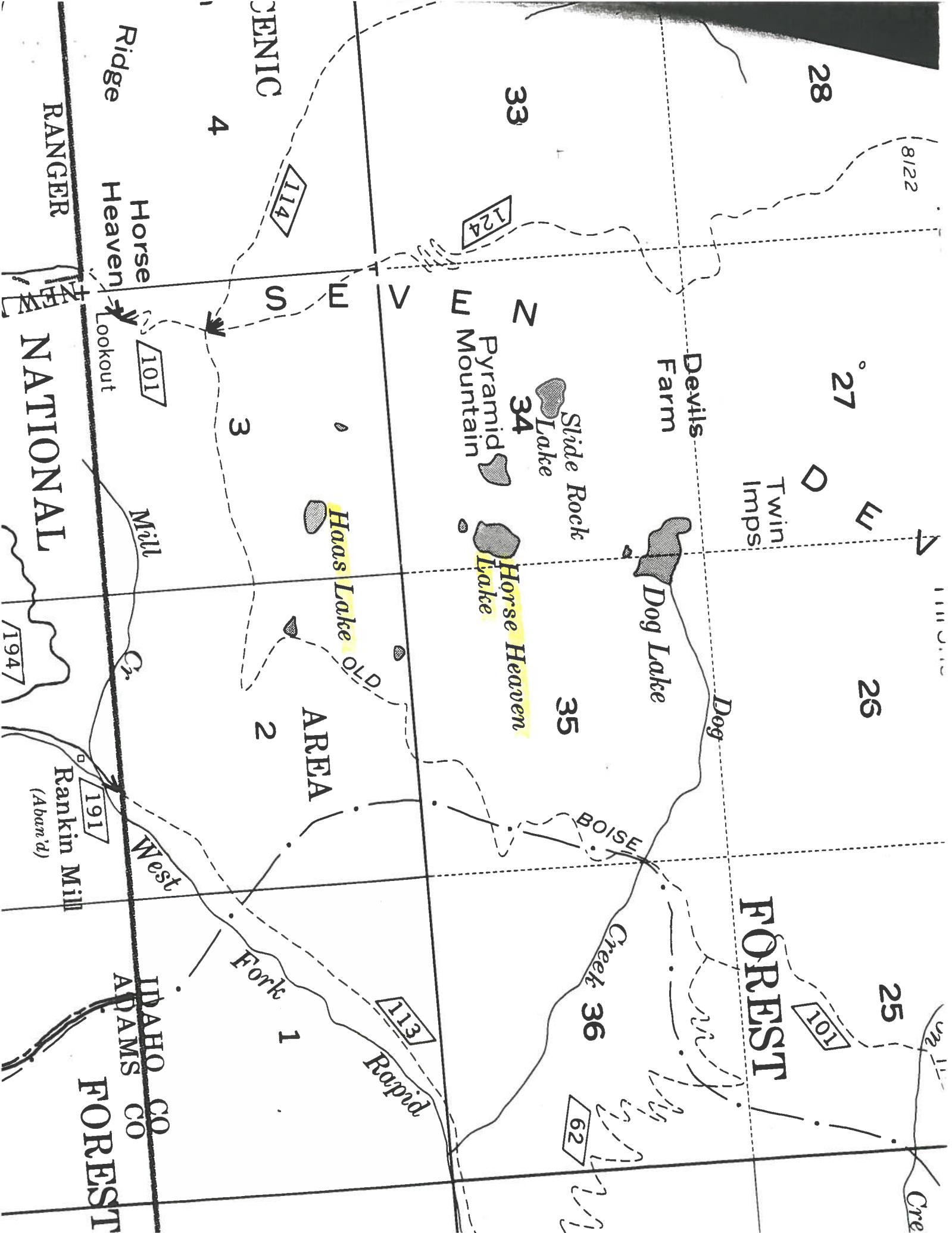
116° 30' 00"

A

B

C

B





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 16, 2002

SHINGLE CREEK LLC
PO BOX 1160
RIGGINS ID 83549

Re: Notice of Claim to a Water Right No. 78-12109, 78-12110, 78-12111, 78-12112, 78-12113,
78-12114, 78-12115 & 78-12116

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the necessary name changes for the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

Shingle Creek Ranch

Box 1160
Riggins, ID 83549

ph. 208 628 3462
fax 208 628 3462

FAX TRANSMITTAL

June 16, 2000

To: Idaho Department of Water Resources
attn: Jan Shurte
Fax: 208 334 2348

From: Betty DeVeney
fax: 208 628 3462

Jan,

Thank you very much for the help on Monday. It really simplified things for us.

We talked about the Forest Service claim, 78-12010 McCrea Creek, and I agreed to check when I got home. As far as we can determine what the Forest Service was filing on is a pipe that came from the irrigation ditch to the cabin for domestic water. There is no diversion for stock water that we are aware of. In any case the cattle can drink from the creek. We did file an objection on this Forest Service claim, but considering the circumstances, we do not think it is appropriate for us to file a claim.

One instream claim that I overlooked when talking to you is the Forest Service claim no. 78-10649 Mill Creek. When I looked, no director's report had been filed, so we did not object to the Forest Service claim, but we should file a similar claim for Mill Creek.

There is one other claim that the Forest Service filed where we objected. It is 78-04239 North Trail Spring. Should we file a claim? The reason we did not initially file a claim is that there is no development at this spring. We understood that there had to be an actual development before a claim could be filed. Years ago there was a shake sign on a tree along the trail with the word "water" pointing toward the spring.

Let us know when you are ready and we will make a point of coming to Boise to sign whatever forms are needed. Again, thank you for your help.

Betty DeVeney

BETTY DE VENNY

11 other people objected

Situation 1
These are claims where we filed a claim and the Forest Service objected and the Forest Service filed a claim and we objected.

- 78-04197 - Chain Spring
- 78-04203 - Clyde Spring
- 78-04205 - Silvers
- 78-04206 - Morrison Ridge Spring
- 78-04208 - Howard Spring
- 78-04209 - Spring - sinks - aka Thorn Gulch Spring C Pond Trough
- 78-04210 - Spring - Eagles Nest - Thorn Gulch B
- 78-04211 - Spring - sinks - aka Thorn Gulch Spring A
- 78-04214 - Blue Gulch Spring (complete form included)
- 78-04216 - Rocky Basin Reservoir
- 78-04219 - Log Trough Spring
- 78-04225 - McCrea Spring possibly what we called Pikes Cabin
- 78-04234 - Cannonball Spring
- 78-04238 - Spring - sinks - aka Jorgie Spring
- 78-04247 - Cottonwood Spring
- 78-10631 - Spring - Upper Thorn Basin - Thorn Basin E
- 78-10632 - Spring - Plank Trough - Thorn Basin D
- 78-12007 - Cannonball Reservoir
- 78-12009 - Spring - probably Pete Wilson

As I understood what you told me for these claims we are covered and do not need to file a response to the Forest Service objection.

W. F. RAPID R. & SHINGLE CR. (NORTH & SOUTH)
Situation 2 ~~FRIB TO SHINGLE CR.~~ TRIB. TO RAPID RIVER (ICLAIM)
AND OTHERS TRIB TO W. F. RAPID RIVER (ICLAIM)

The following claims are ones where the Forest Service filed a claim and we filed an objection, but we did not file a claim. The reason we did not file a claim is that these are free flowing streams with no diversion. At the time we were told you could not file a claim for stock water on a free flowing stream. You could only file a claim if there was a diversion.

- SAME PRIORITY DATE AS USFS CLAIM
- 78-10626 - S. Fork Shingle Creek 51
 - 78-10627 - Shingle Creek } 53 + 52 OK identify
 - 78-10628 - Shingle Creek } INCLUDE ENTIRE STRETCH
 - 78-10636 - Rapid River 51
 - 78-10637 - Dutch Oven Creek 52
 - 78-10638 - Wyant Creek 53
 - 78-10648 - West Fork Rapid River 51 (INCLUDED CORRECTED PORTION IN 5.22 & 5.21 WENNE) OK
 - 78-10650 - Dog Creek 53
 - 78-10651 - Hanson Creek 54
 - 78-10652 - Deep Creek 55
 - 78-10653 - McCrea Creek 23 (ENDING PT PER MAP)
 - 78-10654 - Cannon Creek 57
 - 78-10655 - Bridge Creek 58
 - 78-10656 - Coconut Grove Creek 59
 - 78-12008 - unnamed stream - sinks
 - 78-12010 - McCrea Creek 23 - pipe - dev.
- beginning + ending
file a claim
later report for
irrigation + other
water rights report
- same as 10653

? 78-10657 Cottonwood Creek - 60 we did not object - no reservoir water
file for them

78-10653 & 78-12010 - may be same

HORSE HEAVEN LAKE & HAAS LAKE - 1891 - 190 NO CATTLE.