

12/26/2006

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

RIGHT NUMBER: 78-12115

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

SOURCE: BRIDGE CREEK TRIBUTARY: WEST FORK RAPID RIVER
DEEP CREEK TRIBUTARY: WEST FORK RAPID RIVER
DOG CREEK TRIBUTARY: WEST FORK RAPID RIVER
HANSON CREEK TRIBUTARY: WEST FORK RAPID RIVER
MC CREA CREEK TRIBUTARY: WEST FORK RAPID RIVER
MILL CREEK TRIBUTARY: WEST FORK RAPID RIVER

QUANTITY: 0.020 CFS

This right shall be used in conjunction with right no. 78-10650, 78-10651, 78-10652, 78-10653, 78-10655 and is limited to a total combined diversion rate of .02 cfs and a total quantity of 13,000 gallons per day.

PRIORITY DATE: 05/09/1906

POINT OF DIVERSION:

T22N R02W S10 NWNE Begin of Stream Flow Within ADAMS County
T22N R02W S11 NWNE End of Stream Flow Within ADAMS County
T23N R01W S18 NWNW Begin of Stream Flow Within IDAHO County
T23N R01W S19 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S28 SWNE End of Stream Flow Within IDAHO County
T23N R01W S29 SENE End of Stream Flow Within IDAHO County
T23N R01W S29 NESW Begin of Stream Flow Within IDAHO County
T23N R01W S29 SESW End of Stream Flow Within IDAHO County
T23N R01W S29 SWSE End of Stream Flow Within IDAHO County
T23N R02W S25 SWNE Begin of Stream Flow Within IDAHO County
T23N R02W S35 NENW Begin of Stream Flow Within IDAHO County
T23N R02W S36 SESE End of Stream Flow 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 ADAMS County and IDAHO County

T22N R02W S02	SWSW	T22N R02W S03	SWSE
T22N R02W S03	SESE	T22N R02W S10	NWNE
T22N R02W S11	NWNE	T22N R02W S11	NENW
T22N R02W S11	NWNW	T23N R01W S07	SESE
T23N R01W S08	SWSE	T23N R01W S17	NENW
T23N R01W S17	NWNW	T23N R01W S17	SENW
T23N R01W S17	NESW	T23N R01W S17	NWSE
T23N R01W S17	SWSE	T23N R01W S18	NENE
T23N R01W S18	NWNE	T23N R01W S18	NENW
T23N R01W S18 Lot 1 NWNW		T23N R01W S19	SESE

T23N R01W S20	NWNE	T23N R01W S20	SWNE
T23N R01W S20	SWSW	T23N R01W S20	NWSE
T23N R01W S20	SWSE	T23N R01W S20	SESE

12/26/2006

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

T23N R01W S28	SWNE	T23N R01W S28	NENW
T23N R01W S28	NWNW	T23N R01W S28	SENW
T23N R01W S29	NENE	T23N R01W S29	NWNE
T23N R01W S29	SWNE	T23N R01W S29	SENE
T23N R01W S29	NENW	T23N R01W S29	NWNW
T23N R01W S29	NESW	T23N R01W S29	NWSW
T23N R01W S29	SWSW	T23N R01W S29	SESW
T23N R01W S29	NWSE	T23N R01W S29	SWSE
T23N R01W S30	SWNE	T23N R01W S30	SENE
T23N R01W S30 Lot 2	SWNW	T23N R01W S30	SENW
T23N R01W S30	NESE	T23N R02W S25	SWNE
T23N R02W S25	SENE	T23N R02W S26	SESW
T23N R02W S26	SWSE	T23N R02W S35	NENE
T23N R02W S35	NENW	T23N R02W S36	NWNW
T23N R02W S36	SWNW	T23N R02W S36	SENW
T23N R02W S36	NESW	T23N R02W S36	NWSE
T23N R02W S36	SWSE	T23N R02W S36	SESE

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/15/2006

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: December 8, 2006

Water right number: 78-12115

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, county, quantity
no map for Deep Creek*

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

*Change Priority date 5/9/1906
Change Address to Idaho County - see attached sheet
Change quantity to .05 cfs per IDWR*

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

*Priority date per adjudication into 425169
Quantity per IDWR recommended diversion rate
County - per FS map + location of county line*

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

DATE: 11/25/06 SIGNATURE: Shingle Creek LLC Shelli R DeVeny (mgr)

Please print your name: Willis D. DeVeny, manager

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

no map for Deep Creek

11/15/2006

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

RIGHT NUMBER: 78-12115
NAME AND ADDRESS: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS ID 83549

SOURCE: BRIDGE CREEK
DEEP CREEK
DOG CREEK
HANSON CREEK
MC CREA CREEK
MILL CREEK

TRIBUTARY: WEST FORK RAPID RIVER
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QUANTITY: 0.020 CFS
This right shall be used in conjunction with right no. 78-10650, 78-10651, 78-10652, 78-10653, 78-10655 and is limited to a total combined diversion rate of .02 cfs and a total quantity of 13,000 gallons per day.

PRIORITY DATE: 05/01/1895

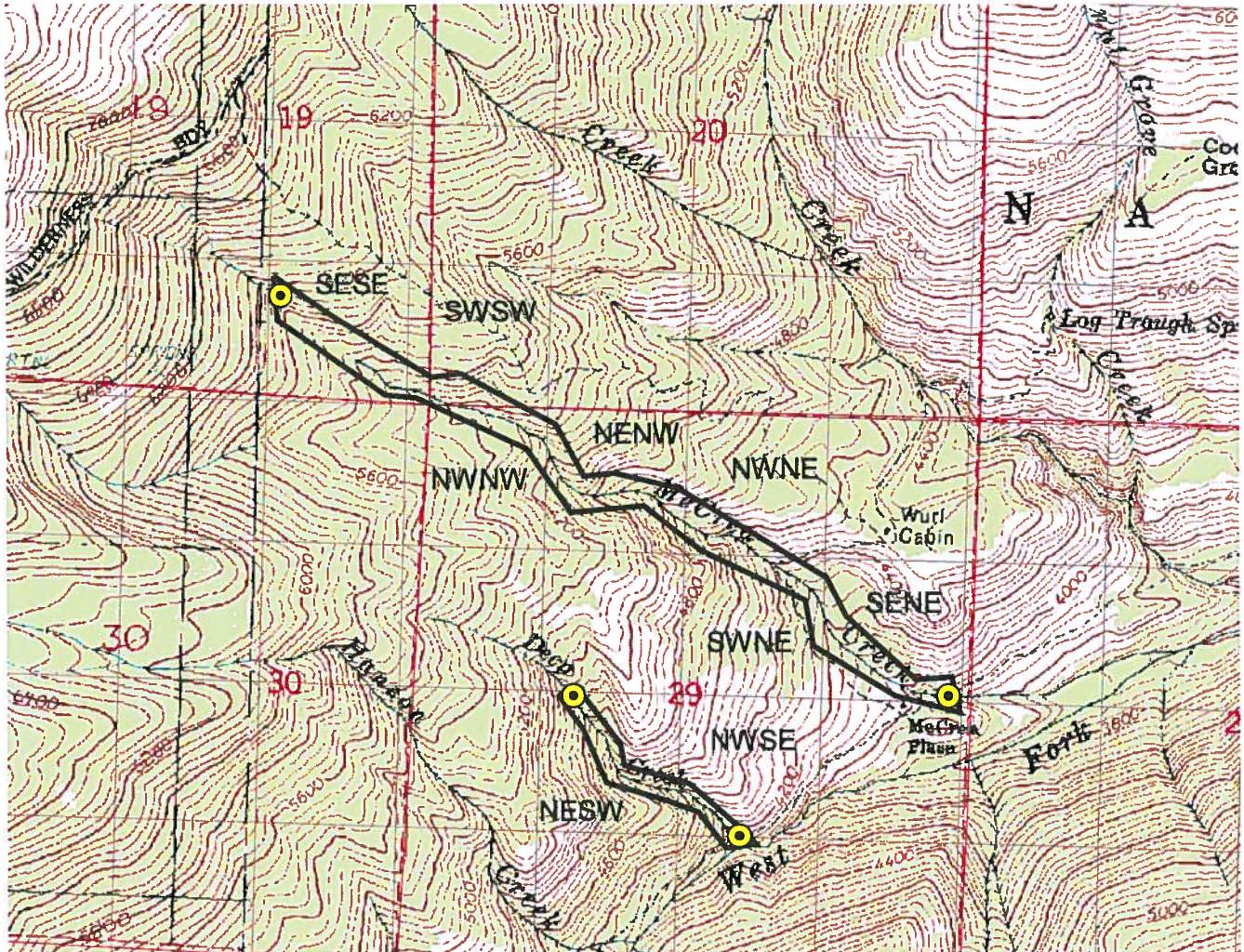
POINT OF DIVERSION:

T22N R02W S10 NWNE Begin of Stream Flow Within ADAMS County *Mill Cr.*
T22N R02W S11 NWNE End of Stream Flow Within ADAMS County
T23N R01W S18 NWNW Begin of Stream Flow Within ~~ADAMS~~ County *Idaho Cnty Bridge Cr.*
T23N R01W S19 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S28 SWNE End of Stream Flow Within ~~ADAMS~~ County *Idaho Cnty*
T23N R01W S29 SENE End of Stream Flow Within ~~ADAMS~~ County *Idaho Cnty*
T23N R01W S29 NESW Begin of Stream Flow Within IDAHO County
T23N R01W S29 SESW End of Stream Flow Within ~~ADAMS~~ County *Idaho Cnty*
T23N R01W S29 SWSE End of Stream Flow Within IDAHO County
T23N R02W S25 SWNE Begin of Stream Flow Within ~~ADAMS~~ County *Idaho Cnty*
T23N R02W S35 NENW Begin of Stream Flow Within IDAHO County
T23N R02W S36 SESE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	06/01 10/31	0.020 CFS
PLACE OF USE: STOCKWATER in ADAMS County and IDAHO County		
T22N R02W S02 SWSW	T22N R02W S03	SWSE
T22N R02W S03 SESE	T22N R02W S10	NWNE
T22N R02W S11 NWNE	T22N R02W S11	NENW
T22N R02W S11 NWNW	T23N R01W S07	SESE
T23N R01W S08 SWSE	T23N R01W S17	NENW
T23N R01W S17 NWNW	T23N R01W S17	SENW
T23N R01W S17 NESW	T23N R01W S17	NWSE
T23N R01W S17 SWSE	T23N R01W S18	NENE
T23N R01W S18 NWNE	T23N R01W S18	NENW
T23N R01W S18 Lot 1 NWNW	T23N R01W S19	SESE
T23N R01W S20 NWNE	T23N R01W S20	SWNE
T23N R01W S20 SWSW	T23N R01W S20	NWSE
T23N R01W S20 SWSE	T23N R01W S20	SESE

78-12115



0 1000 2000 Feet



Sections 19, 20 & 29
T23N R1W
McCrea & Deep Creeks

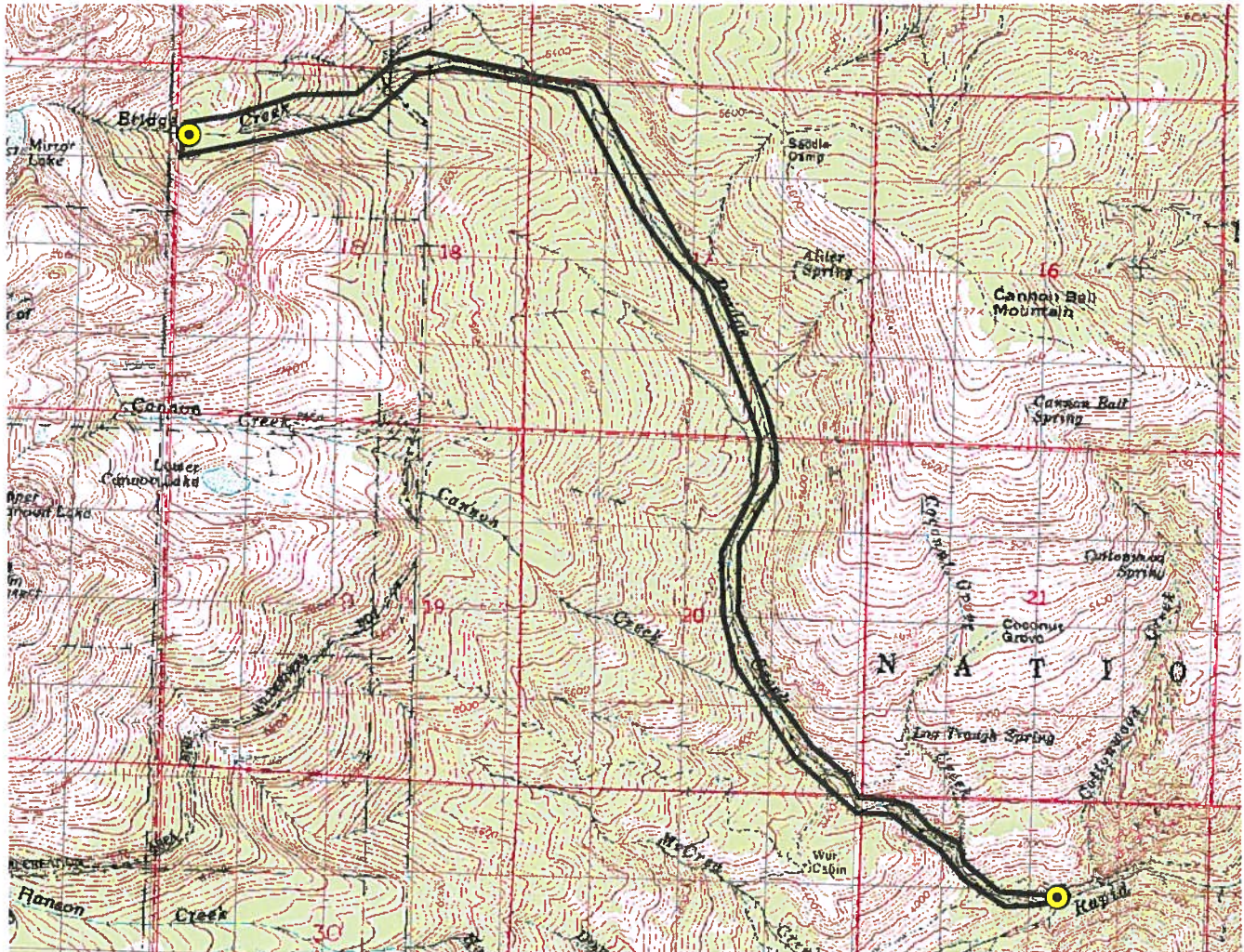


● Point of Diversion

□ Place of Use

Map prepared on November 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12115



0 2000 4000 Feet



Sections 7, 8, 17, 18, 20 & 28
T23N R1W
Bridge Creek

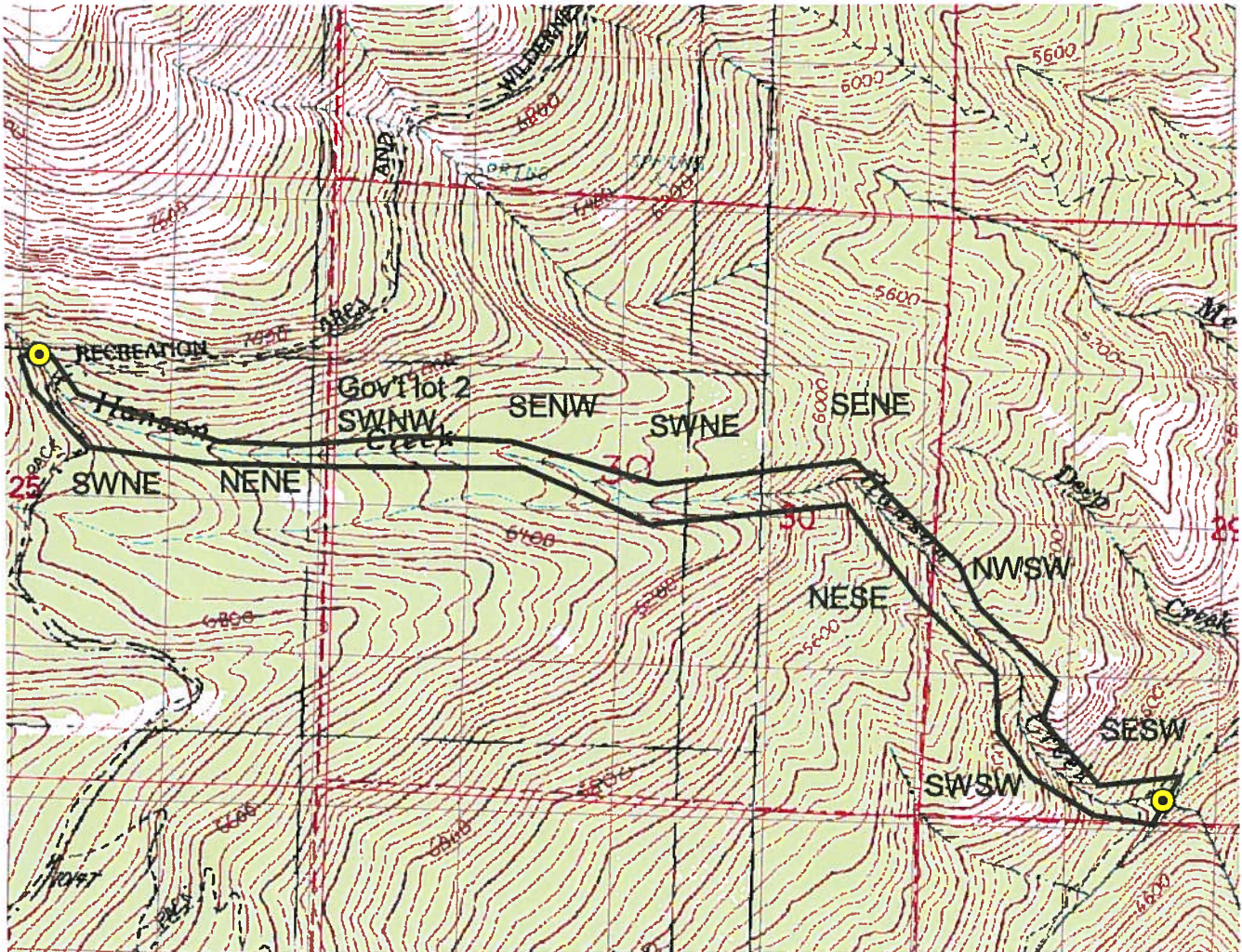


● Point of Diversion

□ Place of Use

Map prepared on November 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12115



0 900 1800 Feet



Sections 29 & 30
T23N R1W
Section 25
T23N R2W
Hanson Creek

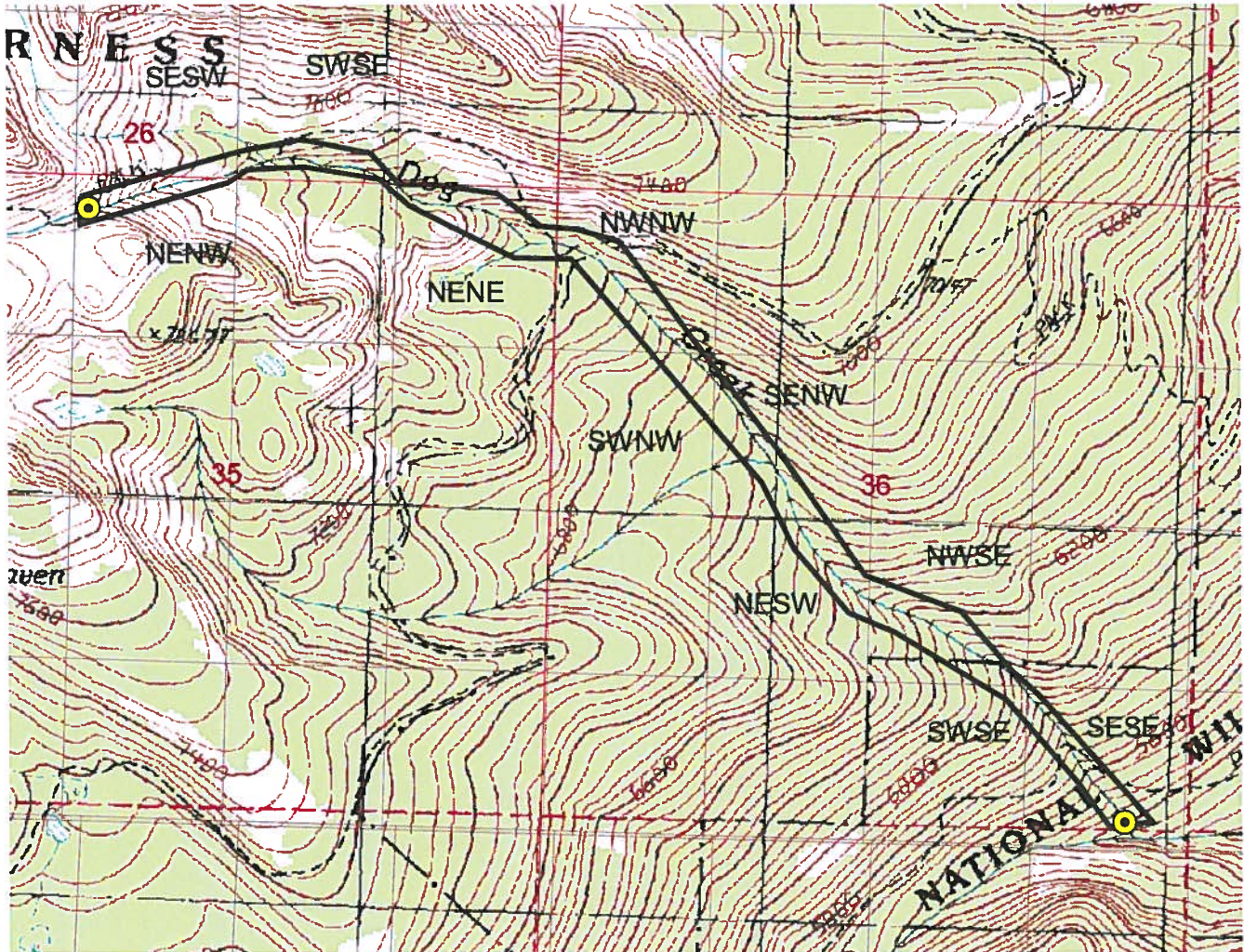


● Point of Diversion

□ Place of Use

Map prepared on November 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12115



0 800 1600 Feet



Sections 26 35 & 36
T23N R2W
Dog Creek

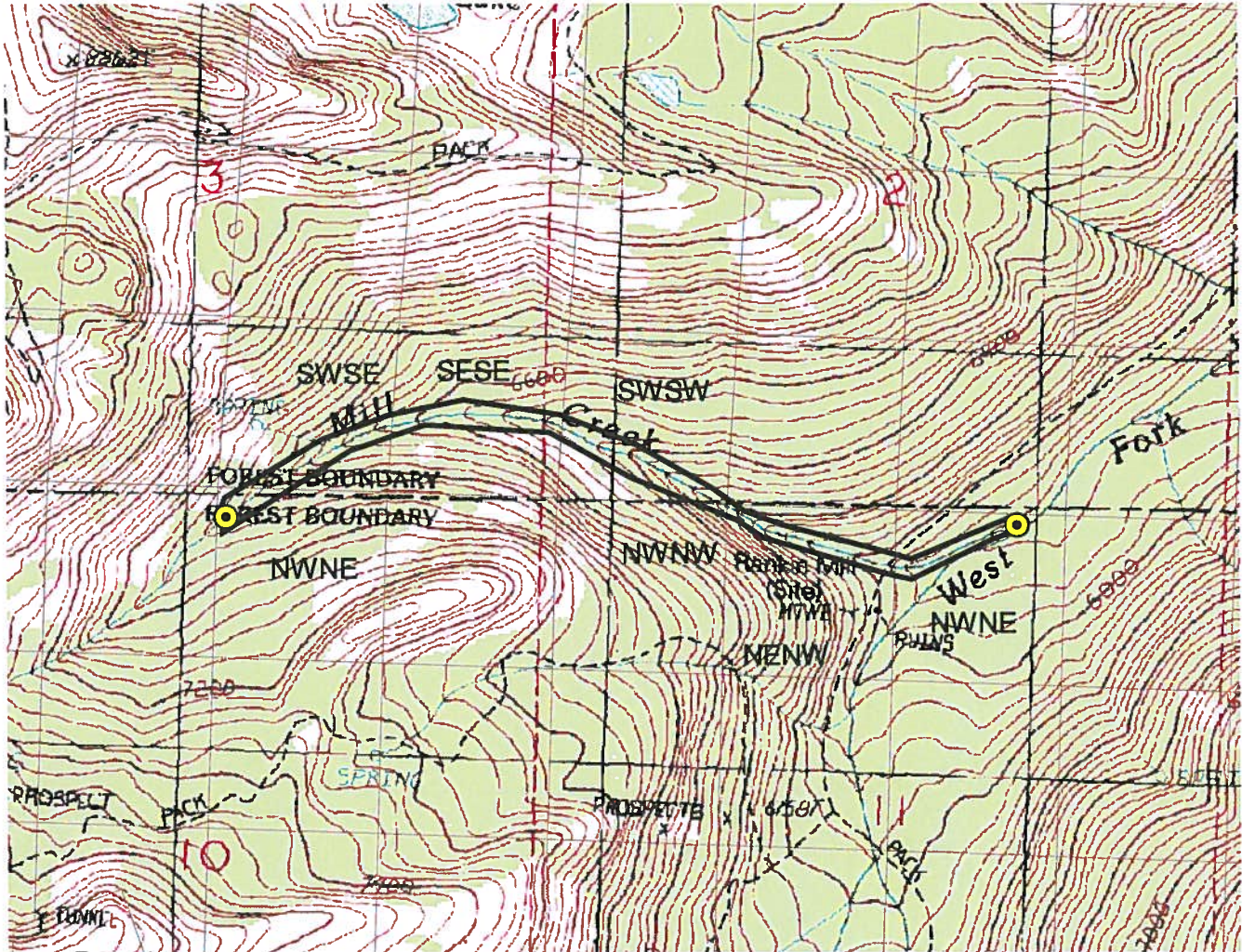


- ### ● Point of Diversion

- ## Place of Use

Map prepared on November 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12115



0 1000 2000 Feet



Sections 2, 3, 10 & 11
T22N R2W
Mill Creek



● Point of Diversion

□ Place of Use

Map prepared on November 14, 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

Fax (208) 769-1454

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 light blue 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: 78-12115

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: 05/01/1895

3. Source: Mill Creek Trib. to: Rapid River West Fork

Deep Creek Rapid River West Fork

Dog Creek Rapid River West Fork

Hanson Creek Rapid River West Fork

McCrea Creek Rapid River West Fork

Bridge Creek Rapid River West Fork

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
22N	02W	10	NW NE		ADAMS
22N	02W	11	NW NE		ADAMS
23N	01W	29	NE SW		ADAMS
23N	01W	29	SW SE		ADAMS

7/31/00

23N	02W	35	NE	NW	ADAMS
23N	02W	36	SE	SE	ADAMS
23N	02W	25	SW	NE	ADAMS
23N	02W	29	SE	SW	ADAMS
23N	01W	19	SE	SE	ADAMS
23N	01W	29	SE	NE	ADAMS
23N	01W	18	NW	NW	ADAMS
23N	01W	28	SW	NE	ADAMS

5. Description of diverting works:

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: 190 Head

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	02W	2	SW SW		STOCKWATER	
22N	02W	10	NW NE		STOCKWATER	

Handwritten notes: 22N, 20, 3, SW SE/SESE

23N	01W	30	SW NE ✓	STOCKWATER
			SE NE ✓	STOCKWATER
			SW NW <i>lot 2</i> ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			NE SE ✓	STOCKWATER
			NW SE ✓	STOCKWATER
23N	02W	25	SW NE ✓	STOCKWATER
			SE NE ✓	STOCKWATER
<i>23N</i>	<i>2W</i>	<i>26</i>	<i>SE SW SE SE</i>	
23N	02W	35	NE NE ✓	STOCKWATER
			NW NE ✓	STOCKWATER
			NE NW ✓	STOCKWATER
23N	02W	36	NW NW ✓	STOCKWATER
			SW NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			NW SE ✓	STOCKWATER
			SW SE ✓	STOCKWATER
			SE SE ✓	STOCKWATER

11. Place of use in counties: IDAHO, ADAMS

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

13. Other Water Rights Used:

78-10649, 78-10650, 78-10651, 78-10652, 78-10653, 78-10655

14. Remarks:

Filed as duplicate claims to the Forest Service claims. 78-10649 (withdrawn), 78-10651, 78-10650, 78-10652, 78-10653, 78-10655

15. Basis of Claim: Beneficial Use

16. Signature(s) N / A

22N	02W	11	NW	NE	STOCKWATER
			NE	NW	
23N	01W	3	SW	SE	STOCKWATER
			SE	SE	STOCKWATER
23N	01W	7	SE	SE	STOCKWATER
23N	01W	17	NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
23N	01W	18	NE	NE	STOCKWATER
			NW	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
23N	01W	19	SE	SE	STOCKWATER
23N	01W	20	NW	NE	STOCKWATER
			SW	NE	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
			SE	SE	STOCKWATER
23N	01W	28	SW	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SE	NW	STOCKWATER
23N	01W	29	NE	NE	STOCKWATER
			NW	NE	STOCKWATER
			SW	NE	STOCKWATER
			SE	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER

DeVeny

Source	Tributary	POD	
DEEP CREEK	RAPID RIVER WEST FORK	Beginning Ending	T23N R01W S29 NESW ✓ T23N R01W S29 SWSE
DOG CREEK	RAPID RIVER WEST FORK	Beginning Ending	T23N R02W S35 NENW ✓ T23N R02W S36 SESE
HANSON CREEK	RAPID RIVER WEST FORK	Beginning Ending	T23N R02W S25 SWNE ✓ T23N R01W S29 SESW
MC CREA CREEK	RAPID RIVER WEST FORK	Beginning Ending	T23N R01W S19 SESE ✓ T23N R01W S29 SENE
BRIDGE CREEK	RAPID RIVER WEST FORK	Beginning Ending	T23N R01W S18 NWNW ✓ T23N R01W S28 SWNE

Old (D) Number -

*** K - ALSO KNOWN AS ***

1 -	State- ID	Zip- 0
2 -		
3 -		
City- X		
Phone -		

1 - USDA FOREST SERVICE
2 - 200 E BROADWAY
3 -
City- MISSOULA
State- MT Zip- 598077669
Phone - 406-329-3233

+	-	-	Stat
W	-	WITHDRAWN	

- - Tributary -
WEST FORK RAPID

- - - - -

0.020

ive
0-0

County IDAHO

Prefix Translation: ADJUDICATION CLAIM

GEN FOREST SERVICE RECORD ID = 011717060210010552 00

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

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

+ - - - Decree Defendant - - - +

- - -Comments- -
No Comments Found

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/25/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claim Received Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Proof Due Date	- 00/00/0000	Receipt Number	- X111111	Federal/State Indicator	- S
Licensed Date	- 00/00/0000	POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

Stage: BENEFICIAL USE

IDAHO County
IDAHO County

NE

POU County: IDAHO

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Objection Filed Date: 09/17/1999

Field Inspection Flag:
Presumption Flag:

Audit:	11/18/98 AJCTR	12/01/98 AUJ5-JSH	01/26/99 CVALKER	03/04/99 CPDSIAFF
	04/06/99 ADT-DSIA	10/15/99 UPD-SEGB		

DATE: 07/24/00
PAGE: 13

Stage: BENEFICIAL USE

IDAHO County
IDAHO County

SE

POU County: IDAHO

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
			09/17/1999

Comments: Date: 12/01/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND M13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit:	11/18/98 AJCTR	12/01/98 AUJ5-JSH	01/26/99 CHALKER	03/04/99 CPDShAFF
	04/06/99 ADT-DSHA	10/15/99 UPD-SEGB		

Stage: BENEFICIAL USE

IDAHO County
IDAHO County

SE

N11 - THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

STOCKWATER, 270 RANGE CATTLE

Objection Filed Date: 09/17/1999

lag:

ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

03/04/99	CPDSHAFF	04/06/99	ADT-DSHA	10/15/99	UPD-SEGB
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Stage: BENEFICIAL USE

IDAHO County
IDAHO County

ME

POU County: IDAHO

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
			09/17/1999

Presumption Flag:

ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

04/06/99 ADT-DSHA 10/15/99 UPD-SEGB

11/18/98	AJCIR	12/01/98	AJU5-JSH	01/26/99	CWALKER	03/04/99	CPDASHAF
04/06/99	ADT-DSHA	10/15/99	UPD-SEGB				

11/18/98	AJCIR	12/01/98	AJU5-JSH	01/26/99	CWALKER	03/04/99	CPDASHAF
04/06/99	ADT-DSHA	10/15/99	UPD-SEGB				



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". The signature is written in dark ink and is positioned above the typed name and title.

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

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.

Situation 2 ~~TRIP TO SHINGLE CREEK~~ (NORTH & SOUTH) ~~TRIP TO RAPID RIVER~~ (CLAIM) ~~AND OTHERS TRIP TO W.F.K. RAPID RIVER~~ (CLAIM)

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.

- 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 5 (INCLUDED CONNECTED PORTION IN 522 SESE S. 24 NENE) 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) later report for irrigation + other water rights report
- 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 - pre - dev.

78-10657 Cottonwood Creek - 60 we did not object - no running water

78-10653 + 78-12010 - may be same

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

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

A78-12115

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 & or Betty G Delany Phone (208) 628-3462

Mailing Address PO Box 1160, Riggs ID Zip 83549

2. Date of Priority (Only one (1) per claim) 5-1-1895

3. Source of water supply (a) Mill Creek

which is tributary to (b) Rapid River, West Fork

4. a. Location of existing point of diversion is: Township 22N Range 2W Section 2,

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

Additional points of diversion if any: See Attached

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

Township 22N Range 2W Section 10, — 1/4 of NW 1/4 of NE 1/4,

Govt. Lot B.M., County of ADAMS

ending point is: Township 22N Range 2W Section 11, — 1/4 of NW 1/4 of

NE 1/4, Govt. Lot B.M., County of ADAMS

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.

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 78-12115
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: 05/01/1895

3. Source: MILL CREEK	Trib. to: RAPID RIVER WEST FORK
HANSON CREEK	RAPID RIVER WEST FORK
DEEP CREEK	RAPID RIVER WEST FORK
DOG CREEK	RAPID RIVER WEST FORK
BRIDGE CREEK	RAPID RIVER WEST FORK
MCCREA CREEK	RAPID RIVER WEST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4Lot	County	Type
22N	02W	10	NW NE	ADAMS	Beginning Point
22N	02W	11	NW NE	ADAMS	Ending Point
23N	02W	25	SW NE	ADAMS	Beginning Point
23N	01W	29	NE SW	IDAHO	Beginning Point
23N	01W	29	SW SE	IDAHO	Ending Point
23N	02W	35	NE NW	IDAHO	Beginning Point
23N	02W	36	SE SE	IDAHO	Ending Point
23N	01W	29	SE NE	ADAMS	Ending Point

23N	01W	18	NW	NW	ADAMS	Beginning Point
23N	01W	28	SW	NE	ADAMS	Ending Point
23N	02W	29	SE	SW	ADAMS	Ending Point
23N	01W	19	SE	SE	IDAHO	Beginning Point

5. Description of diverting works:

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	2	SW SW		STOCKWATER	
22N	02W	10	NW NE		STOCKWATER	
22N	02W	11	NW NE NE NW		STOCKWATER STOCKWATER	
23N	01W	3	SW SE SE SE		STOCKWATER STOCKWATER	
23N	01W	7	SE SE		STOCKWATER	
23N	01W	17	NE NW NW NW SE NW NE SW NW SE SW SE		STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER	

23N	01W	18	NE NE NW NE NE NW NW NW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	19	SE SE	STOCKWATER
23N	01W	20	NW NE SW NE NW SE SW SE SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	28	SW NE NE NW NW NW SE NW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	29	NE NE NW NE SW NE SE NE NE NW NW NW NE SW NW SW SW SW SE SW NW SE SW SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	30	SW NE SE NE SW NW SE NW NE SW NE SE NW SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	02W	25	SW NE SE NE	STOCKWATER STOCKWATER
23N	02W	35	NE NE NW NE NE NW	STOCKWATER STOCKWATER STOCKWATER
23N	02W	36	NW NW SW NW SE NW NE SW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER

NW SE
SW SE
SE SE

STOCKWATER
STOCKWATER
STOCKWATER

11. Place of use in counties: IDAHO, ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Filed as duplicate claims to the Forest Service claims. 78-10649 (withdrawn), 78-10651,
78-10650, 78-10652, 78-10653, 78-10655

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 .01

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

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.

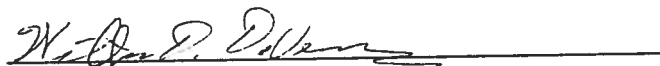
5. Description of the management of the LLC
The Management of the LLC shall be conducted by Willis D. DeVeney and Bryan G. DeVeney. If either of them are unable to serve, Michael G. DeVeney will be designated a manager. If he cannot serve, Janet DeVeney will be designated as a manager. Craig DeVeney 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

15. Basis of Claim (check one) Beneficial Use ☒ 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 ☒
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) _____

Date 7/28/00

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

Residing at

My Commission Expires

Jan D. Skute
Meridian, ID
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 _____

[illegible]

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For instream stockwater purposes from 10/1 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 Range Cattle

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	02W	2											X						
23N	01W	7															X	X	
		17					X	X		X	X					X	X		
		18	X	X			X	X											
		19																X	
		20		X	X											X	X	X	
		28			X		X	X		X									

See attached

Total number of acres irrigated _____

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

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. 78-10649, 78-10650, 78-10651, 78-10652, 78-10653, 78-10655 or None ()

14. Remarks:
Filed as duplicate claims to the Forest Service claims
78-10649 (withdrawn), 78-10651, 78-10650, 78-10652,
78-10653, 78-10655

Last Name _____ Ident No. _____

17'30"

5015

5016

5017

5018

5019

20'

5020

5021

(F.S. NO. 143-41)
(HE DEVIL S.E.)

