

In Re SRBA	)	Subcase No. 78-12116
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	AMENDED CLAIM
	)	FOR DOMESTIC & STOCKWATER RIGHTS
	)	

Garrick L. Baxter
Deputy Attorney General

Date

CERTIFICATE OF MAILING

I certify that on September ___, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Shingle Creek LLC
P.O. Box 1160
Riggins, ID 83549

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of person mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 78-12116

Name and Address: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS, ID 83549

Source:	DUTCH OVEN CREEK	Tributary: RAPID RIVER
	RAPID RIVER	Tributary: LITTLE SALMON RIVER
	WEST FORK RAPID RIVER	Tributary: RAPID RIVER
	SHINGLE CREEK	Tributary: RAPID RIVER
	WYANT CREEK	Tributary: RAPID RIVER

Quantity: .02 CFS

This right shall be used in conjunction with right no. 78-10627, 78-10628, 78-10636, 78-10637, 78-10638 and 78-10648 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

Diversion Point: T22N R01W S02 SWSE End of Stream Flow Within IDAHO County
S04 SESE Begin of Stream Flow Within IDAHO County
S15 NENE Begin of Stream Flow Within ADAMS County
R02W S02 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S01 ~~SWNE~~ End of Stream Flow Within IDAHO County
SENW
S12 SWNE End of Stream Flow Within IDAHO County
S26 SWNE End of Stream Flow Within IDAHO County
S33 SESE Begin of Stream Flow Within IDAHO County
S35 NWSE End of Stream Flow Within IDAHO County
T24N R01W S32 SWSE Begin of Stream Flow Within IDAHO County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	06-01 TO 10-31	.02 CFS

Place of Use: Stockwater Within Idaho County

T22N R01W S02	NWNE	SWNE
	NESW	NWSW
	SESW	NWSE
	SWSE	
S03	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	
S04	SESE	
S06	NWNW	
S10	SESE	

	S11	NENW	SWNW
		SENW	NWSW
		SWSW	
	S15	NENE	
R02W	S01	NENE	NWNE
		NENW	SWNW
		SENW	NESW
		NWSW	SWSW
	S02	SESW	SESE
T23N R01W	S01	~~SWNE~~	NENW
		NWNW	SENW
	S12	SWNE	NESW
		SESW	
	S13	NENW	SENW
		NESW	SWSW
		SESW	
	S22	SESW	SWSE
		SESE	
	S23	NENE	SENE
		NESE	NWSE
		SWSE	
	S24	NWNW	
	S26	NWNE	SWNE
		NWNW	SWNW
		SENW	NESW
		SESW	NWSE
		SWSE	
	S27	NENE	NENW
		NWNW	
	S28	NENE	NWNE
		SWNE	SWNW
		SENW	NWSW
	S29	SESW	NESE
		NWSE	SWSE
	S31	SENE	NESW
	LOT 1	(SWSW)	SESW
		NESE	NWSE
	S32	NENW	NWNW
		SWNW	
	S33	SESE	
	S34	SWSW	SESW
		SWSE	SESE
	S35	NWNE	SWNE
		SENW	NESW
		NWSW	SWSW
		SESW	NWSE
		SWSE	
T24N R01W	S32	SWSE	SESE
	S33	NESW	NWSW
		SWSW	NESE
		NWSE	
	S34	SWNE	SENE
		SENW	NESW
		NWSW	NESE
	S35	NWSW	SWSW
		SESW	SWSE
		SESE	

Other Provisions Necessary for Definition / Administration of 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.

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.

Explanatory Material: Basis of Claim - Beneficial Use

12/26/2006

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

RIGHT NUMBER: 78-12116

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

SOURCE: DUTCH OVEN CREEK
RAPID RIVER
SHINGLE CREEK
WYANT CREEK
WEST FORK RAPID RIVER

TRIBUTARY: RAPID RIVER
TRIBUTARY: LITTLE SALMON RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER

QUANTITY: 0.020 CFS

This right shall be used in conjunction with right no. 78-10627, 78-10628, 78-10636, 78-10637, 78-10638 and 78-10648 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 R01W S2 SWSE End of Stream Flow Within IDAHO County
T22N R01W S4 SESE Begin of Stream Flow Within IDAHO County
T22N R01W S15 NENE Begin of Stream Flow Within ADAMS County
T22N R02W S2 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S1 SWNE End of Stream Flow Within IDAHO County
T23N R01W S12 SWNE End of Stream Flow Within IDAHO County
T23N R01W S26 SWNE End of Stream Flow Within IDAHO County
T23N R01W S33 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S35 NWSE End of Stream Flow Within IDAHO County
T24N R01W S32 SWSE Begin 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 IDAHO County

T22N R01W S02	NWNE	T22N R01W S02	SWNE
T22N R01W S02	NESW	T22N R01W S02	NWSW
T22N R01W S02	SESW	T22N R01W S02	NWSE
T22N R01W S02	SWSE	T22N R01W S03	NESW
T22N R01W S03	NWSW	T22N R01W S03	SWSW
T22N R01W S03	SESW	T22N R01W S03	NESE
T22N R01W S03	NWSE	T22N R01W S03	SWSE
T22N R01W S04	SESE	T22N R01W S06	NWNW
T22N R01W S10	SESE	T22N R01W S11	NENW
T22N R01W S11	SWNW	T22N R01W S11	SENW
T22N R01W S11	NWSW	T22N R01W S11	SWSW

12/26/2006

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

T22N R01W S15	NENE	T22N R02W S01	NENE
T22N R02W S01	NWNE	T22N R02W S01	NENW
T22N R02W S01	SWNW	T22N R02W S01	SENW
T22N R02W S01	NESW	T22N R02W S01	NWSW
T22N R02W S01	SWSW	T22N R02W S02	SESW
T22N R02W S02	SESE	T23N R01W S01	SWNE
T23N R01W S01	NENW	T23N R01W S01	NWNW
T23N R01W S01	SENW	T23N R01W S12	SWNE
T23N R01W S12	NESW	T23N R01W S12	SESW
T23N R01W S13	NENW	T23N R01W S13	SENW
T23N R01W S13	NESW	T23N R01W S13	SWSW
T23N R01W S13	SESW	T23N R01W S22	SESW
T23N R01W S22	SWSE	T23N R01W S22	SESE
T23N R01W S23	NENE	T23N R01W S23	SENE
T23N R01W S23	NESE	T23N R01W S23	NWSE
T23N R01W S23	SWSE	T23N R01W S24	NWNW
T23N R01W S26	NWNE	T23N R01W S26	SWNE
T23N R01W S26	NWNW	T23N R01W S26	SWNW
T23N R01W S26	SENW	T23N R01W S26	NESW
T23N R01W S26	SESW	T23N R01W S26	NWSE
T23N R01W S26	SWSE	T23N R01W S27	NENE
T23N R01W S27	NENW	T23N R01W S27	NWNW
T23N R01W S28	NENE	T23N R01W S28	NWNE
T23N R01W S28	SWNE	T23N R01W S28	SWNW
T23N R01W S28	SENW	T23N R01W S28	NWSW
T23N R01W S29	SESW	T23N R01W S29	NESE
T23N R01W S29	NWSE	T23N R01W S29	SWSE
T23N R01W S31	SENE	T23N R01W S31	NESW
T23N R01W S31 Lot 1	SWSW	T23N R01W S31	SESW
T23N R01W S31	NESE	T23N R01W S31	NWSE
T23N R01W S32	NENW	T23N R01W S32	NWNW
T23N R01W S32	SWNW	T23N R01W S33	SESE
T23N R01W S34	SWSW	T23N R01W S34	SESW
T23N R01W S34	SWSE	T23N R01W S34	SESE
T23N R01W S35	NWNE	T23N R01W S35	SWNE
T23N R01W S35	SENW	T23N R01W S35	NESW
T23N R01W S35	NWSW	T23N R01W S35	SWSW
T23N R01W S35	SESW	T23N R01W S35	NWSE
T23N R01W S35	SWSE	T24N R01W S32	SWSE

12/26/2006

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

T24N R01W S32	SESE	T24N R01W S33	NESW
T24N R01W S33	NWSW	T24N R01W S33	SWSW
T24N R01W S33	NESE	T24N R01W S33	NWSE
T24N R01W S34	SWNE	T24N R01W S34	SENE
T24N R01W S34	SENW	T24N R01W S34	NESW
T24N R01W S34	NWSW	T24N R01W S34	NESE
T24N R01W S35	NWSW	T24N R01W S35	SWSW
T24N R01W S35	SESW	T24N R01W S35	SWSE
T24N R01W S35	SESE	T24N R01W S36	SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 A78-12116

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 Dallery Phone (208) 628-3462

Mailing Address Box 1160 Riggs ID Zip 83549

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

3. Source of water supply (a) Shingle Creek, Dutch oven Creek, Wyant Creek, Rapid River w/ Fort
which is tributary to (b) Rapid River

4. a. Location of existing point of diversion is: Township See attached Range See attached Section See attached,
_____ 1/4 of _____ 1/4 of _____ 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 _____ 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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Instream Stock 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: See attached

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	01W	2		X	X						X	X		X		X	X		
		3									X	X	X	X	X		X	X	
		4																X	
		6					X												
		10																X	
		11					X		X	X		X	X						

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.
78-10627, 78-10628, 78-10636, 78-10637, 78-10638, 78-10648 or None ()

14. Remarks:
Filing duplicate claims to mirror Forest Service claims;
78-10627, 78-10628, 78-10636, 78-10637, 78-10638, and
78-10648. Stockwater Range Cattle

Last Name _____ Ident No. _____

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	01W	15	X																
	02W	1	X	X			X			X	X	X	X						
		2																X	
23N	01W	12			X		X	X		X				X					
		13			X		X			X	X		X	X					
		22												X			X	X	
		23	X			X									X	X	X		

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	
		24						X											
		26		X	X			X	X	X				X		X	X		
		27	X				X	X											
		28	X	X	X				X	X		X							
		29												X	X	X	X		
		31				X							X	X	X	X			
		32					X	X	X										

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	
		33																X	
		34											X	X			X	X	
		35		X	X						X	X	X	X		X	X	X	
24N	01W	36											X				X	X	
		33									X	X	X		X	X			
		34									X	X			X	X			
		35										X	X	X			X		

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) Betty M. De Verry Date 7/28/00

William D. De Verry 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 _____

DeVeney

Source	Tributary	POD	
SHINGLE CREEK	RAPID RIVER	Beginning Ending	^{SWSE} T24N R01W S34 NWSW ~~T24N R01W S35 SWSE~~ T23N R01W S1 SWNE
SHINGLE CREEK	RAPID RIVER	Beginning Ending	T24N R01W S32 SWSE T24N R01W S34 NWSW
DUTCH OVEN CREEK	RAPID RIVER	Beginning Ending	T23N R01W S33 SESE T23N R01W S35 NWSE
WYANT CREEK	RAPID RIVER	Beginning Ending	T22N R01W S04 SESE T22N R01W S02 SWSE
RAPID RIVER WEST FORK	RAPID RIVER	Beginning Ending	T22N R02W S02 SESE T23N R01W S26 SWNE
RAPID RIVER	LITTLE SALMON RIVER	Beginning Ending	T22N R01W S15 NENE T23N R01W S12 SWNE

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.

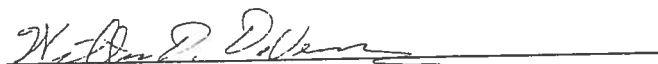
5. Description of the management of the LLC
The Management of the LLC shall be conducted by Willis D. DeVeney and Bryan G. DeVeney. If either of them are unable to serve, Michael G. DeVeney will be designated a manager. If he cannot serve, Janet DeVeney will be designated as a manager. Craig DeVeney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

FILED/EFFECTED **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

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. DeVeny
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 _____
Riggins, ID 83549
 City, State and ZIP Code _____
 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.

Notice of Change in Water Right Ownership - continued

adjudication Claim No.

78-12113

78-12114

78-12115

78-12116

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 _____

Knoblock, Ken

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Thursday, November 30, 2006 2:22 PM
To: Knoblock, Ken
Subject: Fw: DeVeney Recommendations



error notice
78-12111.pdf

Ken, I've been instructed by my paralegal that the date on the DeVeney recommendations 78-12109, 78-12110, 78-12111, 78-12112, 78-12113, 78-12114, 78-12115 and 78-12116 should be August 29, 2002 not August 28th. It was probably my fault providing the incorrect information to you previously. Go ahead and add a year to my sentence.

In addition, at the present time my feeling on the NOE for 78-12111 is that it is subject to the terms of the stockwater settlement and the claim should be recommended as it was going forward without the enlarged season of use.

If you have any questions about this business please contact me. I also spent Tuesday with Rick Patten and others in Coeur d'Alene downloading everything I know about the Northern Idaho Adjudication and what they need to begin considering and move to the front burner.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

----- Forwarded by Steven M Spencer/R4/USDAFS on 11/30/2006 03:09 PM

Jamie

Gough/R4/USDAFS

To 11/30/2006 02:29 sspencer@fs.fed.us
PM
cc

Subject DeVeney Recommendations

78-04239

AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

78-12110 ✓ (no overlap or conjunctive use phrase needed)

78-12111 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.

78-10491

AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

78-12112 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.

78-10626

AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

78-12113 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.

78-10654

AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

78-12114 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.

78-12008

AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

78-12115 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NOS.

78-10650, 78-10651, 78-10652, 78-10653 AND 78-10655 AND IS LIMITED TO A

TOTAL

COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000

GALLONS

PER DAY.

78-12116 THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NOS.

78-10627, 78-10628, 78-10636, 78-10637, 78-10638 AND 78-10648 AND IS

LIMITED

TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF

13,000 GALLONS PER DAY.

As an example of the way we've had these stockwater settlement claims ultimately decreed by the court, the format would be something like is for

78-12116:

(See attached file: WR 78-12116.doc)

And finally, Betty told me that they traded the property associated with 78-12111 to the Cross O Ranch (Dave and Aaron Wilson). I see that the name

of the claimant has been changed to reflect this transaction.

If you have any questions about this business please contact me. Thank you for your help.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

Knoblock, Ken

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Tuesday, October 17, 2006 12:02 PM
To: Knoblock, Ken
Cc: Fritschle, Carter
Subject: Basin 78 DeVeney



WR 78-12116.doc

Ken, I haven't been able to get you on the phone to warn you of this message. DeVeney's have 8 claims that will be recommended in the Basin 78 report. I sent Betty DeVeney the information that needs to be on their claims that are on NFS land pursuant to the stockwater settlement about 3 weeks ago. I finally was able to talk to her on the phone this morning. She is in agreement with the two particular statements that need to be included on the recommendations so that we don't have to object and have them added as part of the SF5 process. I've talked briefly to Carter about these.

The water right numbers are 78-12109, 78-12110, 78-12111, 78-12112, 78-12113, 78-12114, 78-12115 and 78-12116.

Each water right needs to have a statement that I believe Carter has already provided and I see are on the recommendations I have access to on the Departments site.

|
| 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.
|
|

In addition, the priority date for each water right needs to be 05-09-1906.

Then for each individual water right recommendation under the 13,000 gpd statement when appropriate there is a conjunctive use statement. For each of these recommendations individually that phrase is:

78-12109 ✓ THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.

Steve,

I double checked my information and I believe that the DeVenys are the only ones with claims due to be reported in Basin 78. They are for 78-12109, 78-12110, 78-12111, 78-12112, 78-12113, 78-12114, 78-12115 and 78-12116. According to the IDWR website it looks like they were recommended with very early priority dates. The conjunction language looks okay but the clause regarding the stockwater stipulation has an error. The date of the Stipulation should be August 29, 2002 not August 28th. If you could give Ken a call on that and see if they can fix it for the finals it would be helpful.

Also, just a note that 78-12111 has a new owner, Aaron Wilson, Cross O Ranch Inc. Attached is his Notice of Error seeking an enlargement of period of use. Is he a new permittee on the Cannonball Allotment? Will this be our first test of the stockwater settlement with a successor? More intrigue!

(See attached file: error notice 78-12111.pdf)

Jamie Gough
Paralegal Specialist
USDA Forest Service
324 25th Street
Ogden, Utah 84401
(801) 625-5809
(801) 625-5378 (FAX)

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: 78-12116

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, county, quantity

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

*Change priority date to 5/9/1906 - 1 day prior to Forest Reserve.
Change Idaho County to Adams County - see Attaches
Change quantity to .05 cfs*

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

*In accordance with stipulation in 425169
County per map boundary
Change quantity per IDWR recommended diversion rate*

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

DATE: 11/25/06

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

Please print your name: Willis D. DelVeny, manager

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

11/15/2006

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

RIGHT NUMBER: 78-12116

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

SOURCE: DUTCH OVEN CREEK
RAPID RIVER
WEST FORK RAPID RIVER
SHINGLE CREEK
WYANT CREEK

TRIBUTARY: RAPID RIVER
TRIBUTARY: LITTLE SALMON RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER

QUANTITY: 0.020 CFS

This right shall be used in conjunction with right no. 78-10627, 78-10628, 78-10636, 78-10637, 78-10638 and 78-10648 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 R01W S2 SWSE End of Stream Flow Within IDAHO County
T22N R01W S4 SESE Begin of Stream Flow Within IDAHO County
T22N R01W S15 NENE Begin of Stream Flow Within IDAHO County
T22N R02W S2 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S1 SWNE End of Stream Flow Within IDAHO County
T23N R01W S12 SWNE End of Stream Flow Within IDAHO County
T23N R01W S26 SWNE End of Stream Flow Within IDAHO County
T23N R01W S33 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S35 NWSE End of Stream Flow Within IDAHO County
T24N R01W S32 SWSE Begin 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:	<u>STOCKWATER in IDAHO County</u>		
	T22N R01W S02 NWNE	T22N R01W S02 SWNE	
	T22N R01W S02 NESW	T22N R01W S02 NWSW	
	T22N R01W S02 SESW	T22N R01W S02 NWSE	
	T22N R01W S02 SWSE	T22N R01W S03 NESW	
	T22N R01W S03 NWSW	T22N R01W S03 SWSW	
	T22N R01W S03 SESW	T22N R01W S03 NESE	
	T22N R01W S03 NWSE	T22N R01W S03 SWSE	
	T22N R01W S04 SESE	T22N R01W S06 NWNW	
	T22N R01W S10 SESE	T22N R01W S11 NENW	
	T22N R01W S11 SWNW	T22N R01W S11 SENW	
	T22N R01W S11 NWSW	T22N R01W S11 SWSW	
	T22N R01W S15 NENE	T22N R02W S01 NENE	
	T22N R02W S01 NWNE	T22N R02W S01 NENW	
	T22N R02W S01 SWNW	T22N R02W S01 SENW	
	T22N R02W S01 NESW	T22N R02W S01 NWSW	

09/19/2006

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

RIGHT NUMBER: 78-12116

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

SOURCE: DUTCH OVEN CREEK
RAPID RIVER
SHINGLE CREEK
WYANT CREEK
WEST FORK RAPID RIVER

TRIBUTARY: RAPID RIVER
TRIBUTARY: LITTLE SALMON RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER
TRIBUTARY: RAPID RIVER

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

PRIORITY DATE: 05/01/1895

POINT OF DIVERSION:
T22N R01W S2 SWSE End of Stream Flow Within IDAHO County
T22N R01W S4 SESE Begin of Stream Flow Within IDAHO County
T22N R01W S15 NENE Begin of Stream Flow Within IDAHO County
T22N R02W S2 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S1 SWNE End of Stream Flow Within IDAHO County
T23N R01W S12 SWNE End of Stream Flow Within IDAHO County
T23N R01W S26 SWNE End of Stream Flow Within IDAHO County
T23N R01W S33 SESE Begin of Stream Flow Within IDAHO County
T23N R01W S35 NWSE End of Stream Flow Within IDAHO County
T24N R01W S32 SWSE Begin 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 Within IDAHO County

T22N R01W S02	NWNE	T22N R01W S02	SWNE
T22N R01W S02	NESW	T22N R01W S02	NWSW
T22N R01W S02	SESW	T22N R01W S02	NWSE
T22N R01W S02	SWSE	T22N R01W S03	NESW
T22N R01W S03	NWSW	T22N R01W S03	SWSW
T22N R01W S03	SESW	T22N R01W S03	NESE
T22N R01W S03	NWSE	T22N R01W S03	SWSE
T22N R01W S04	SESE	T22N R01W S06	NWNW
T22N R01W S10	SESE	T22N R01W S11	NENW
T22N R01W S11	SWNW	T22N R01W S11	SENW
T22N R01W S11	NWSW	T22N R01W S11	SWSW
T22N R01W S15	NENE	T22N R02W S01	NENE
T22N R02W S01	NWNE	T22N R02W S01	NENW

09/19/2006

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

T22N R02W S01	SWNW	T22N R02W S01	SENW
T22N R02W S01	NESW	T22N R02W S01	NWSW
T22N R02W S01	SWSW	T22N R02W S02	SESW
T22N R02W S02	SESE	T23N R01W S01	SWNE
T23N R01W S01	NENW	T23N R01W S01	NWNW
T23N R01W S01	SENW	T23N R01W S12	SWNE
T23N R01W S12	NESW	T23N R01W S12	SESW
T23N R01W S13	NENW	T23N R01W S13	SENW
T23N R01W S13	NESW	T23N R01W S13	SWSW
T23N R01W S13	SESW	T23N R01W S22	SESW
T23N R01W S22	SWSE	T23N R01W S22	SESE
T23N R01W S23	NENE	T23N R01W S23	SENE
T23N R01W S23	NESE	T23N R01W S23	NWSE
T23N R01W S23	SWSE	T23N R01W S24	NWNW
T23N R01W S26	NWNE	T23N R01W S26	SWNE
T23N R01W S26	NWNW	T23N R01W S26	SWNW
T23N R01W S26	SENW	T23N R01W S26	NESW
T23N R01W S26	SESW	T23N R01W S26	NWSE
T23N R01W S26	SWSE	T23N R01W S27	NENE
T23N R01W S27	NENW	T23N R01W S27	NWNW
T23N R01W S28	NENE	T23N R01W S28	NWNE
T23N R01W S28	SWNE	T23N R01W S28	SWNW
T23N R01W S28	SENW	T23N R01W S28	NWSW
T23N R01W S29	SESW	T23N R01W S29	NESE
T23N R01W S29	NWSE	T23N R01W S29	SWSE
T23N R01W S31	SENE	T23N R01W S31	NESW
T23N R01W S31 Lot 1	SWSW	T23N R01W S31	SESW
T23N R01W S31	NESE	T23N R01W S31	NWSE
T23N R01W S32	NENW	T23N R01W S32	NWNW
T23N R01W S32	SWNW	T23N R01W S33	SESE
T23N R01W S34	SWSW	T23N R01W S34	SESW
T23N R01W S34	SWSE	T23N R01W S34	SESE
T23N R01W S35	NWNE	T23N R01W S35	SWNE
T23N R01W S35	SENW	T23N R01W S35	NESW
T23N R01W S35	NWSW	T23N R01W S35	SWSW
T23N R01W S35	SESW	T23N R01W S35	NWSE
T23N R01W S35	SWSE	T24N R01W S32	SWSE
T24N R01W S32	SESE	T24N R01W S33	NESW

09/19/2006

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

T24N R01W S33	NWSW	T24N R01W S33	SWSW
T24N R01W S33	NESE	T24N R01W S33	NWSE
T24N R01W S34	SWNE	T24N R01W S34	SENE
T24N R01W S34	SENW	T24N R01W S34	NESW
T24N R01W S34	NWSW	T24N R01W S34	NESE
T24N R01W S35	NWSW	T24N R01W S35	SWSW
T24N R01W S35	SESW	T24N R01W S35	SWSE
T24N R01W S35	SESE	T24N R01W S36	SWSW

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

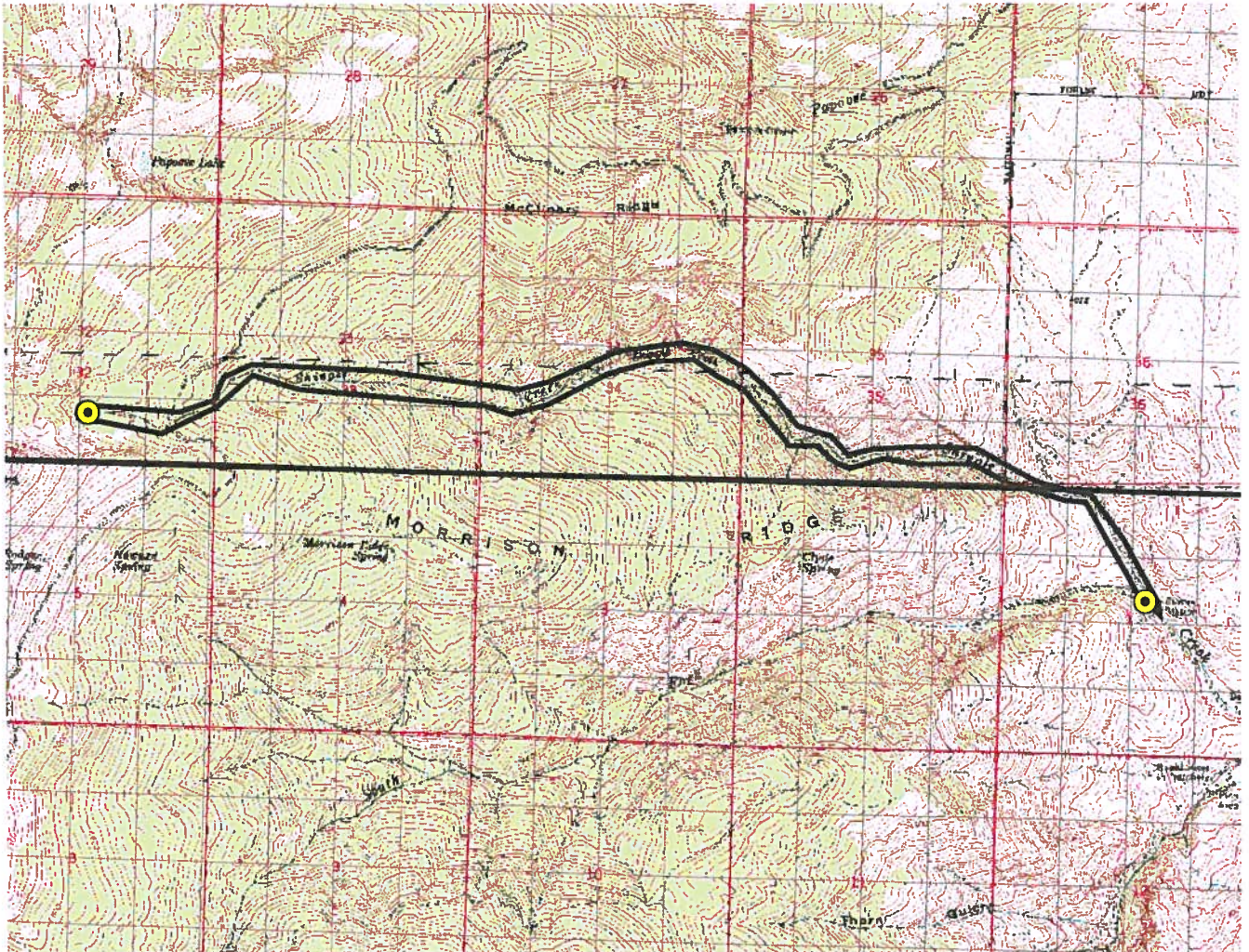
The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-12116



0 2000 4000 Feet



Sections 32, 33, 34, 35 & 36
T24N R1W
Section 1
T23N R1W
Shingle Creek

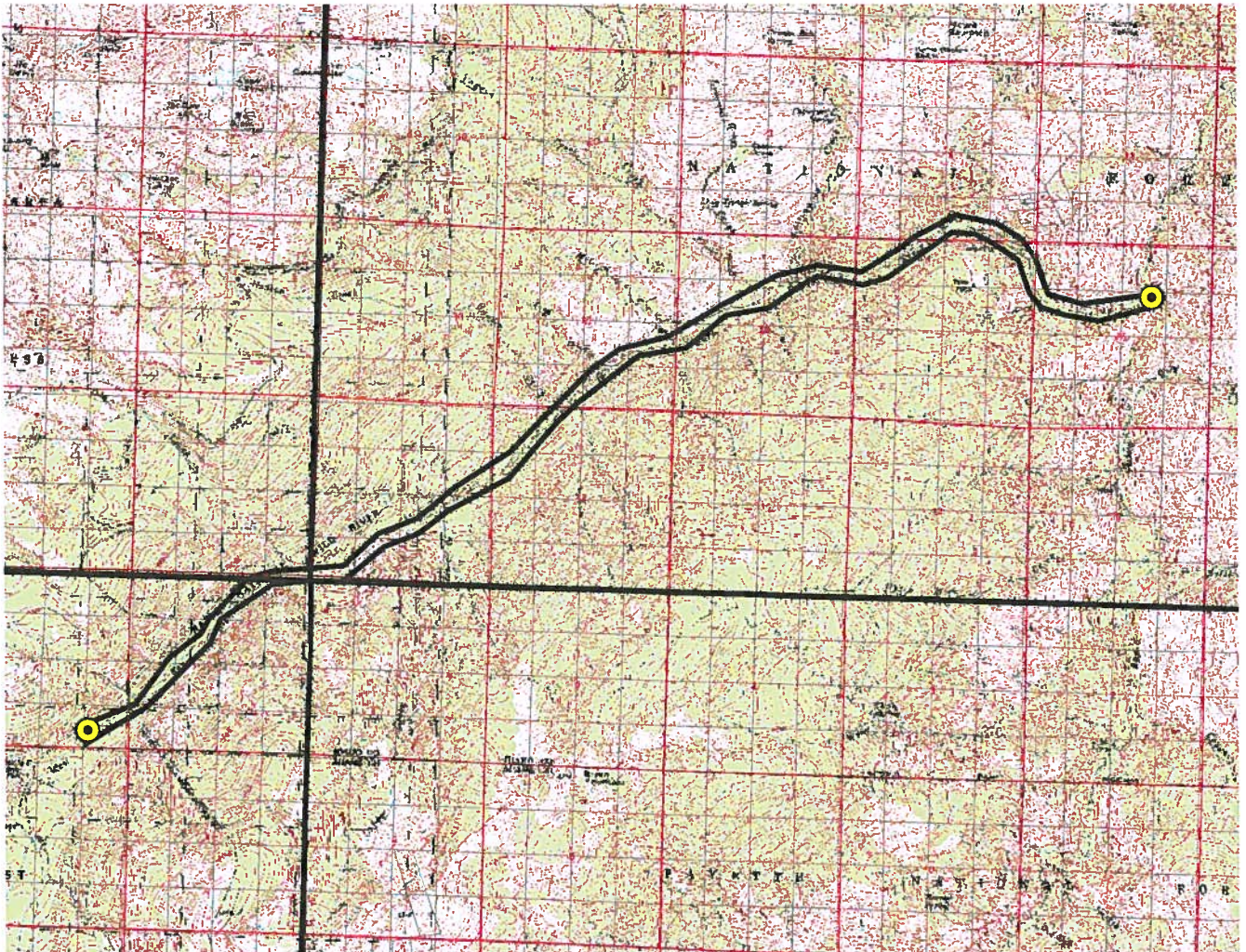


● Point of Diversion

□ Place of Use

Map prepared on November 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12116



0 3000 6000 Feet



Sections 1 & 2 T22N R2W
Section 36 T23N R2W
Sections 22, 26, 27, 28, 29, 31 & 32
T23N R1W
West Fork Rapid River

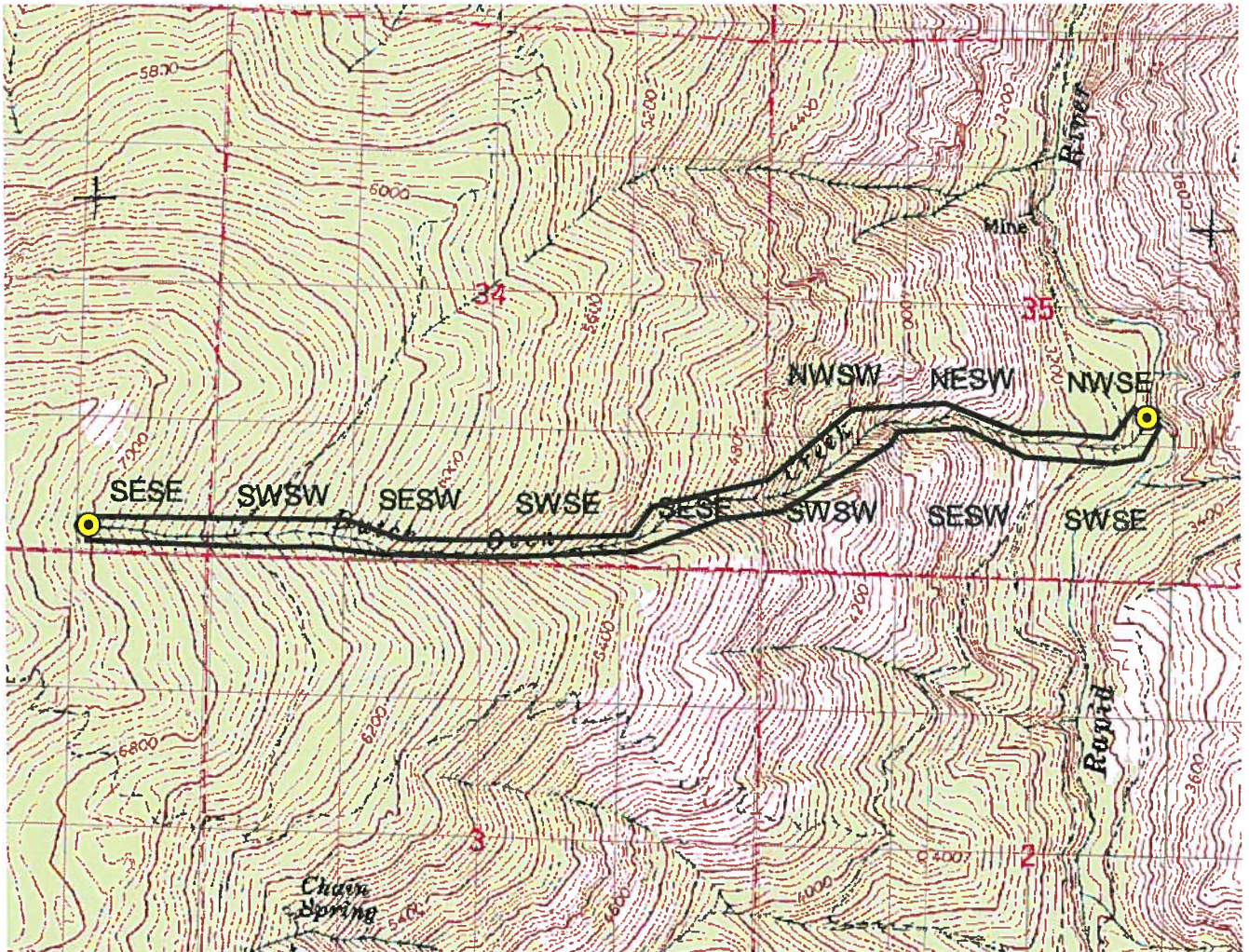


● Point of Diversion

□ Place of Use

Map prepared on November 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12116



0 1000 2000 Feet



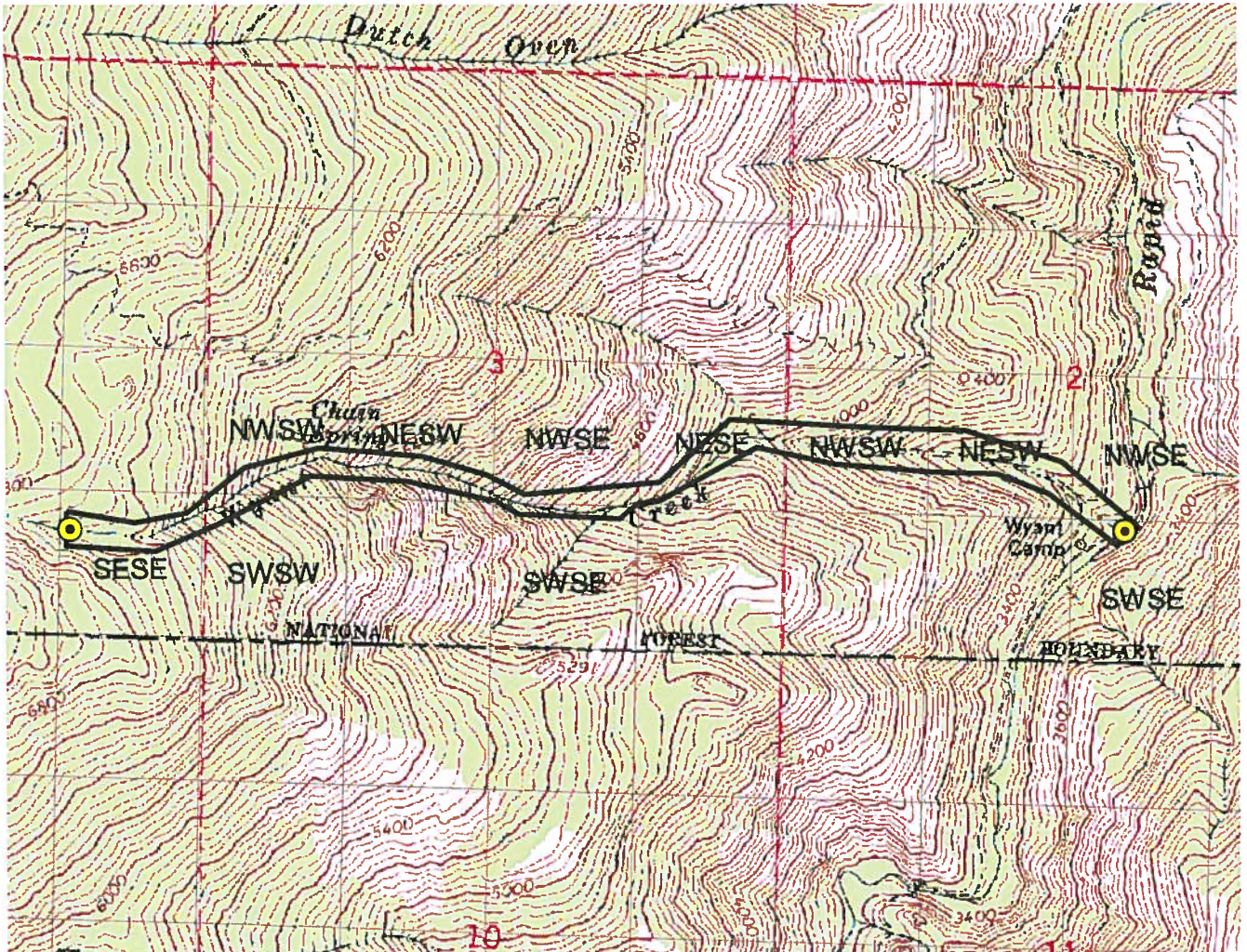
Sections 33, 34 & 35
T23N R1W
Dutch Oven Creek

● Point of Diversion

□ Place of Use

Map prepared on November 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12116



0 1000 2000 Feet

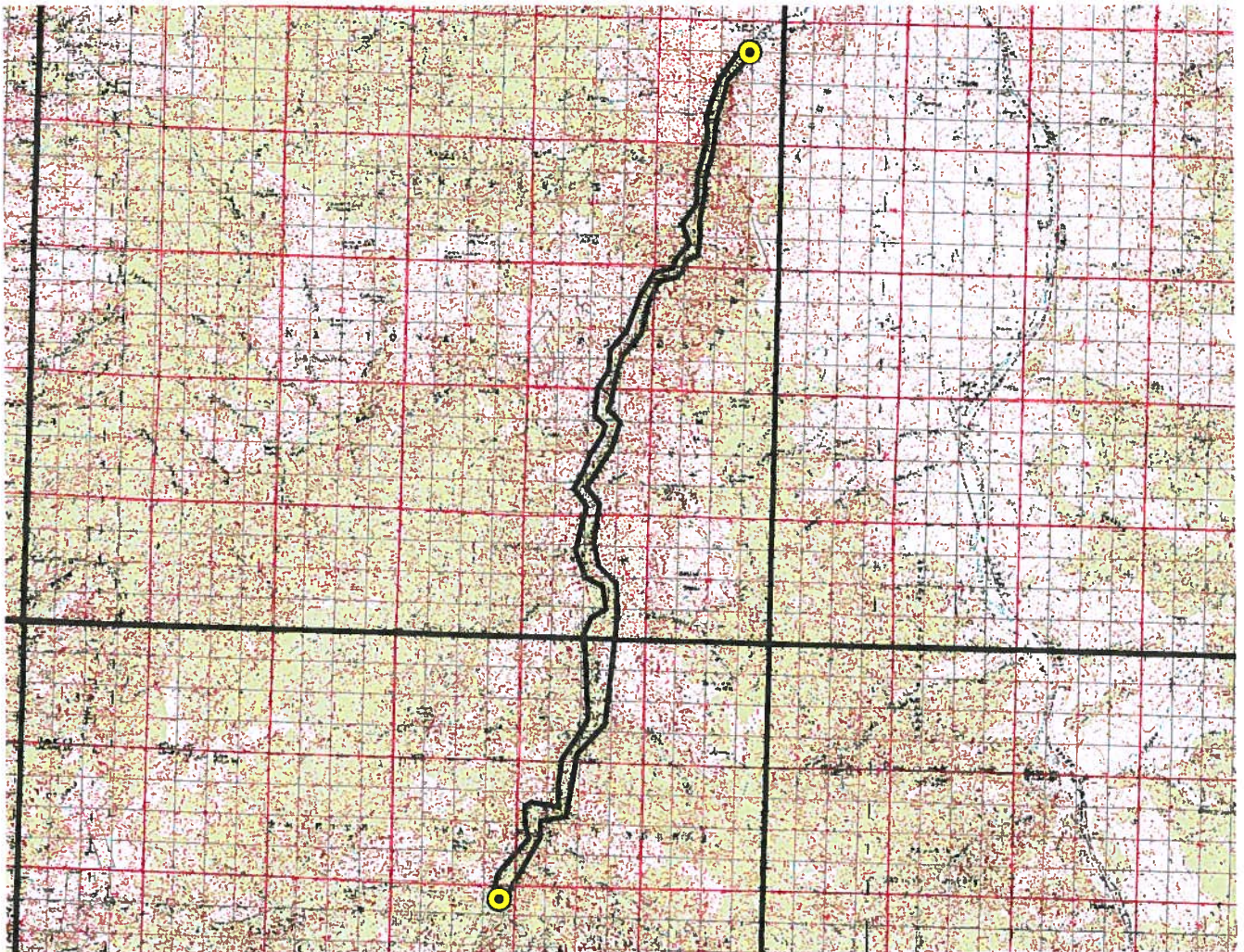
Sections 2, 3 & 4
T22N R1W
Wyant Creek



-  Point of Diversion
-  Place of Use

Map prepared on November 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

78-12116



0 4000 8000 Feet

Sections 2, 10, 11 & 15
T22N R2W
Sections 12, 13, 23, 24, 26 & 35
T23N R1W
Rapid River



● Point of Diversion

□ Place of Use

Map prepared on November 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

Shingle Creek Ranch

P.O. Box 1160
Riggins, ID 83549

ph: (208) 628 3462
fax: (208) 628 3462

November 25, 2005

RECEIVED
NOV 23 2005
IDWR/North

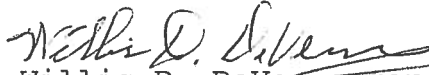
Department of Water Resources
attn: Kenneth Knoblock
Northern Region, Suite No. 210
1910 Northwest Blvd.
Coeur d'Alene, ID 83814-2615

Dear Mr. Knoblock:

In response to your letter of November 17, 2005 the
identification numbers for our Forest Service grazing permit are
as follows:

Permit No. 01014
Allotment no. 106
Name: Cannonball Allotment

Sincerely,


Willis D. DeVeney, manager
Shingle Creek LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-261
(208) 769-1450

Fax (208) 769-1450

DIRK KEMPTHORN
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

Knoblock, Ken

From: Harvey, Becky
Sent: Tuesday, July 19, 2005 4:13 PM
To: Knoblock, Ken
Subject: RE: 78-12116

Ken: [I will get back to you on this on Thursday.](#) Becky

-----Original Message-----

From: Knoblock, Ken
Sent: Tuesday, July 19, 2005 5:04 PM
To: Harvey, Becky
Subject: 78-12116

This claim was filed by Willis DeVeney with the statement "Filing duplicate claims to mirror Forest Service claim; ...78-10638.". 78-10638 has been decreed for stock water use out of Wyant Creek with a Beginning of Stream Flow is SESE S4 T22N R1W and the end is SWSE S2 T22N R1W. The stream flows through the NESW of S2 and that 40 was not included in the Place of Use. That 40 was filed on by Willis DeVeney. There was a Stipulated Agreement made on this.

How do I proceed on 78-12116?

ken

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 78-12116
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 Phone: (208) 628-3462
PO BOX 1160
RIGGINS ID USA 83549

2. Date of Priority: 05/01/1895

3. Source: SHINGLE CREEK Trib. to: RAPID RIVER
DUTCH OVEN CREEK RAPID RIVER
WYANT CREEK RAPID RIVER
RAPID RIVER WEST FORK RAPID RIVER
RAPID RIVER LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4Lot	County Type
24N	01W	34	NW SW	IDAHO Beginning Point
23N	01W	1	SW NE	IDAHO Ending Point
24N	01W	32	SW SE	IDAHO Beginning Point
24N	01W	34	NW SW	IDAHO Ending Point
23N	01W	33	SE SE	IDAHO Beginning Point
23N	01W	35	NW SE	IDAHO Ending Point
22N	01W	4	SE SE	IDAHO Beginning Point
22N	01W	2	SW SE	IDAHO Ending Point
22N	02W	2	SE SE	IDAHO Beginning Point

22N	01W	6	NW NW ✓	STOCKWATER
22N	01W	10	SE SE ✓	STOCKWATER
22N	01W	11	NE NW ✓	STOCKWATER
			SW NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NW SW ✓	STOCKWATER
			SW SW ✓	STOCKWATER
22N	01W	15	NE NE ✓	STOCKWATER
22N	02W	1	NE NE ✓	STOCKWATER
			NW NE ✓	STOCKWATER
			NE NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			NW SW ✓	STOCKWATER
			SW SW ✓	STOCKWATER
22N	02W	2	SE SE ✓	STOCKWATER
23N	01W	1	SW NE } <i>private</i>	STOCKWATER
			NE NW }	STOCKWATER
			NW NW }	STOCKWATER
			SE NW }	STOCKWATER
23N	01W	12	SW NE ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
23N	01W	13	NE NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			SW SW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
23N	01W	22	SE SW ✓	STOCKWATER
			SW SE ✓	STOCKWATER
			SE SE ✓	STOCKWATER
23N	01W	23	NE NE ✓	STOCKWATER
			SE NE ✓	STOCKWATER
			NE SE ✓	STOCKWATER
			NW SE ✓	STOCKWATER
			SW SE ✓	STOCKWATER
23N	01W	24	NW NW ✓	STOCKWATER
23N	01W	26	NW NE ✓	STOCKWATER

			SW NE ✓	STOCKWATER
			NW NW ✓	STOCKWATER
			SW NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
			NW SE ✓	STOCKWATER
			SW SE ✓	STOCKWATER
23N	01W	27	NE NE ✓	STOCKWATER
			NE NW ✓	STOCKWATER
			NW NW ✓	STOCKWATER
23N	01W	28	NE NE ✓	STOCKWATER
			NW NE ✓	STOCKWATER
			SW NE ✓	STOCKWATER
			SW NW ✓	STOCKWATER
			SE NW ✓	STOCKWATER
			NW SW ✓	STOCKWATER
23N	01W	29	SE SW ✓	STOCKWATER
			NE SE ✓	STOCKWATER
			NW SE ✓	STOCKWATER
			SW SE ✓	STOCKWATER
23N	01W	31	SE NE ✓	STOCKWATER
			SW SW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
			NE SE ✓	STOCKWATER
			NW SE ✓	STOCKWATER
23N	01W	32	NE NW ✓	STOCKWATER
			NW NW ✓	STOCKWATER
			SW NW ✓	STOCKWATER
23N	01W	33	SE SE ✓	STOCKWATER
23N	01W	34	SW SE ✓	STOCKWATER
			SE SE ✓	STOCKWATER
			SW SW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
23N	01W	35	NW NE ✓	STOCKWATER
			SW NE ✓	STOCKWATER
			NE SW ✓	STOCKWATER
			NW SW ✓	STOCKWATER
			SW SW ✓	STOCKWATER
			SE SW ✓	STOCKWATER
			NW SE ✓	STOCKWATER
			SW SE ✓	STOCKWATER
			SE SE	STOCKWATER

23N	01W	36	SW	SW <i>no source</i>	STOCKWATER
24N	01W	32	SW	SE ✓	STOCKWATER
			SE	SE ✓	STOCKWATER
24N	01W	33	NE	SW ✓	STOCKWATER
			NW	SW ✓	STOCKWATER
			SW	SW ✓	STOCKWATER
			NE	SE ✓	STOCKWATER
			NW	SE ✓	STOCKWATER
24N	01W	34	NE	SW ✓	STOCKWATER
			NW	SW ✓	STOCKWATER
			NE	SE ✓	STOCKWATER
			NW	SE ✓	STOCKWATER
24N	01W	35	NW	SW ✓	STOCKWATER
			SW	SW ✓	STOCKWATER
			SE	SW ✓	STOCKWATER
			SW	SE ✓	STOCKWATER

1. 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:

Receipt No. W026797

Filing duplicate claims to mirror Forest Service claims; 78-10627, 78-10628, 78-10636, 78-10637, 78-10638, 78-10648. Stockwater, Range cattle.

Name change by DB 1/16/2002

15. Basis of Claim: Beneficial Use

23N	01W	26	SW	NE	IDAHO Ending Point
22N	01W	15	NE	NE	IDAHO Beginning Point
23N	01W	12	SW	NE	IDAHO Ending Point

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	

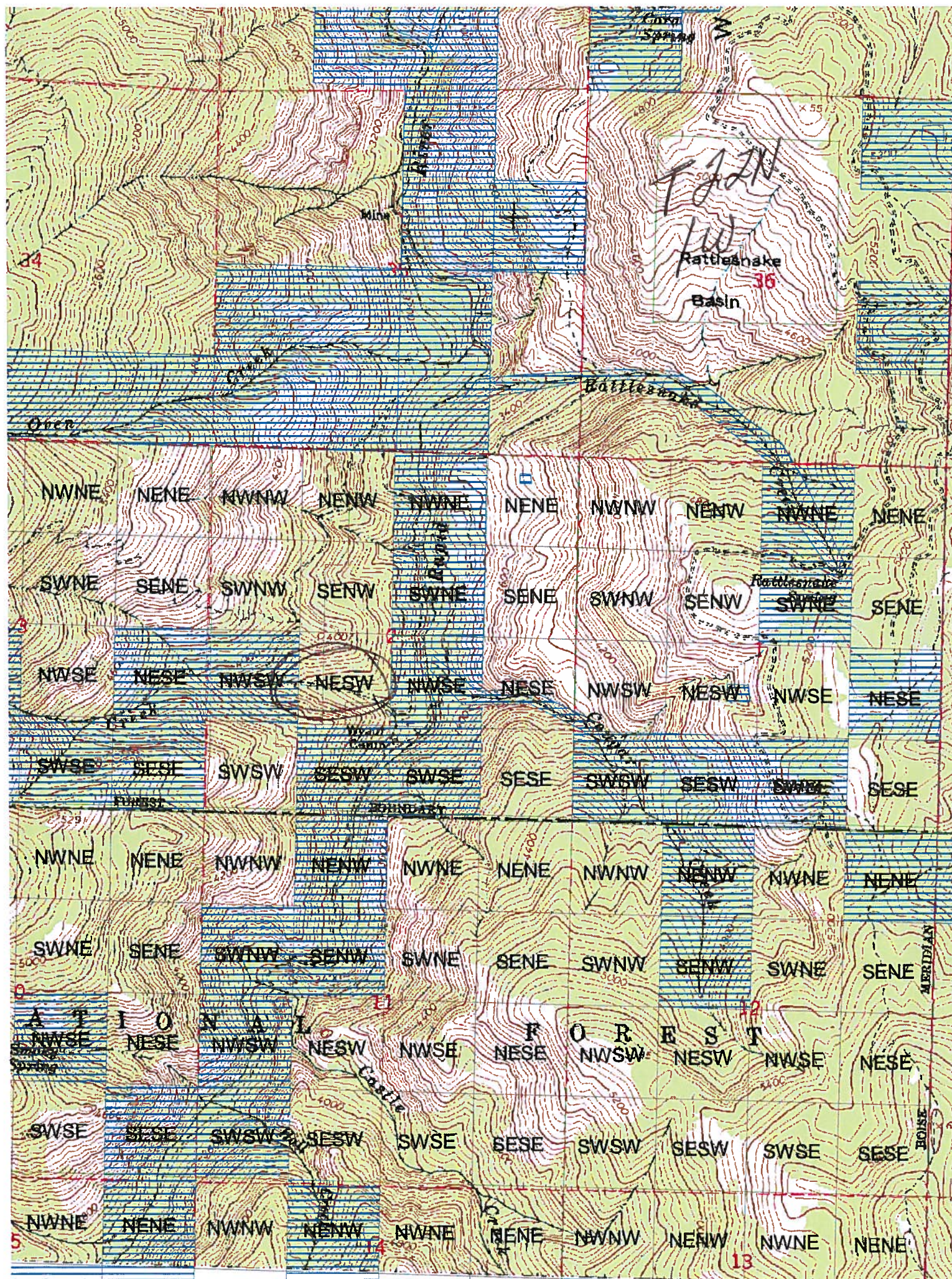
7. Total Quantity Appropriated is:
0.02 C.F.S.

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	01W	2	NW NE ✓		STOCKWATER	
			SW NE ✓		STOCKWATER	
			NE SW ✓		STOCKWATER	
			NW SW ✓		STOCKWATER	
			SE SW ✓		STOCKWATER	
			NW SE ✓✓		STOCKWATER	
			SW SE ✓✓		STOCKWATER	
22N	01W	3	NE SW ✓		STOCKWATER	
			NW SW ✓		STOCKWATER	
			SW SW ✓		STOCKWATER	
			SE SW ✓		STOCKWATER	
			NE SE ✓		STOCKWATER	
			SW SE ✓		STOCKWATER	
			SE SE ✓		STOCKWATER	
22N	01W	4	SE SE ✓		STOCKWATER	



RECEIVED

MAY - 8 2007

Department of Water Resources
Adjudication Bureau

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase: _78-12116 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5944

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Shingle Creek LLC
Address: P.O. Box 1160
Riggins, ID 83549

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☒ **Instream Flow Description**
Should be: The End of Stream Flow in Sec 1 should be SENW. See E below.
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☐ **Places of Use**
Should be:
11. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

Pursuant to the Stipulation and Joint Motion for Order Approving Stipulation, dated August 29, 2002, the United States and Shingle Creek LLC agreed to the elements of the water rights listed on Exhibit F of the stipulation that had not yet been reported at the time of the settlement. This is a water right claim listed on Exhibit F that requires a change in order to comply with the terms of the settlement. This change is that the Instream Flow Description in section 1 should be described as T23N R01W S1 SENW [End of Stream Flow].

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Steven M. Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

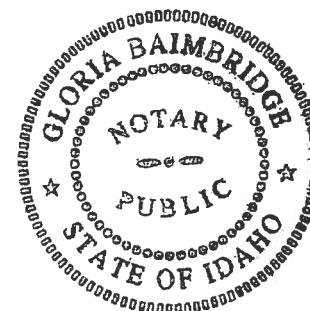
Steven M. Spencer
(Signature of person filing objections)

Dan
(Attorney signing in representative capacity)

Subscribed and sworn before me on: May 7, 2007

Gloria Baimbridge
Gloria Baimbridge

Notary Public for: Idaho
Residing at: Boise, Idaho
Commission Expires: 10/17/2008



INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on May 7, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Shingle Creek LLC

Address: P.O. Box 1160
Riggins, ID 83549

3. Copies to:

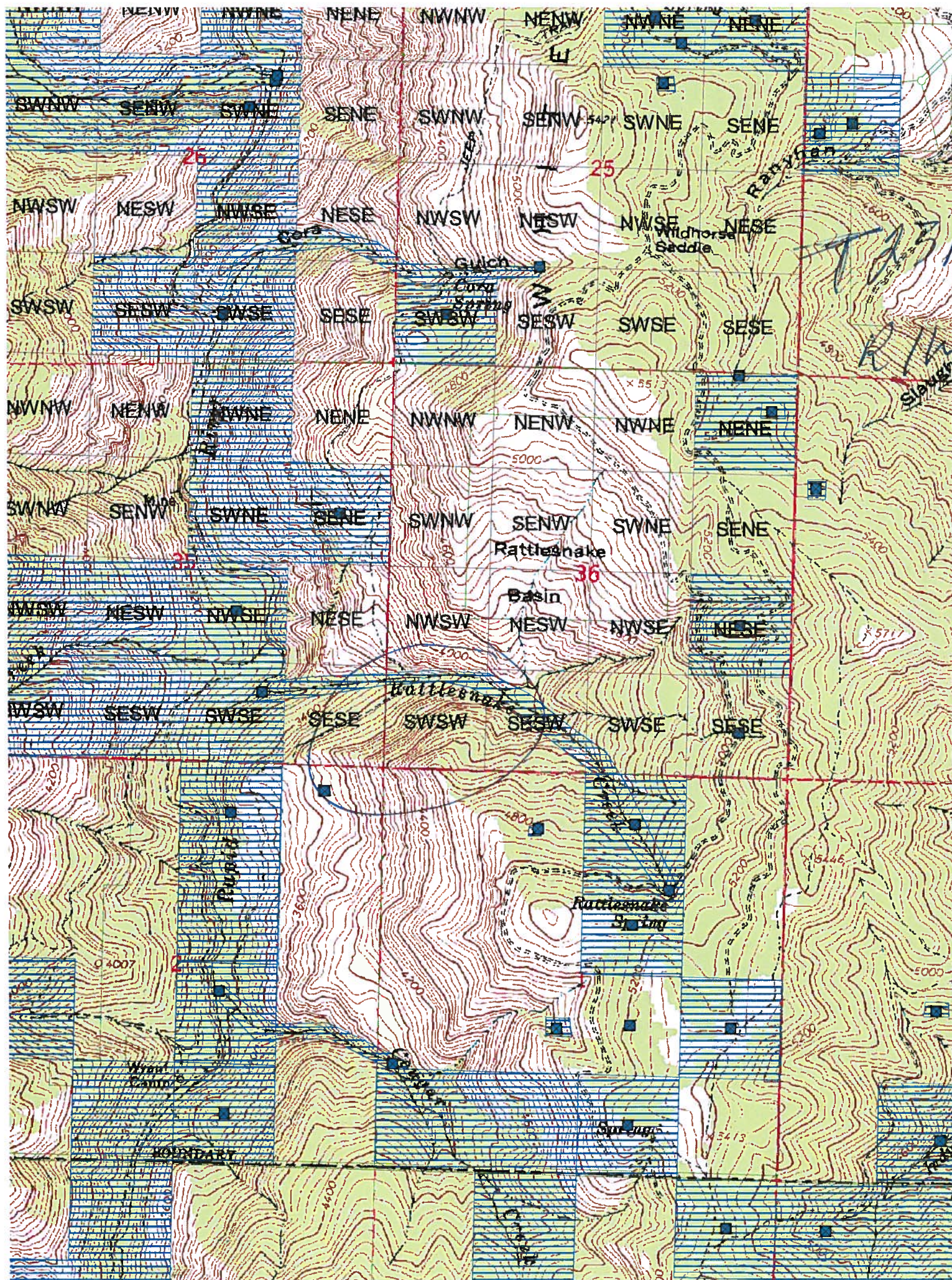
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf



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: 78-12116

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: DUTCH OVEN CREEK Trib. to: Rapid River
RAPID RIVER Little Salmon River
RAPID RIVER West Fork Rapid River
SHINGLE CREEK Rapid River
WYANT CREEK Rapid River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
24N	01W	34	NW SW		IDAHO
23N	01W	1	SW NE		IDAHO
24N	01W	32	SW SE		IDAHO
24N	01W	34	NW SW		IDAHO

23N	01W	33	SE	SE	IDAHO
23N	01W	35	NW	SE	IDAHO
22N	01W	4	SE	SE	IDAHO
22N	01W	2	SW	SE	IDAHO
22N	02W	2	SE	SE	IDAHO
23N	01W	26	SW	NE	IDAHO
22N	01W	15	NE	NE	IDAHO
23N	01W	12	SW	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	01W	2	NW NE		STOCKWATER	
			SW NE		STOCKWATER	
			NE SW		STOCKWATER	

			NW	SW	STOCKWATER
			SE	SW	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
22N	01W	3	NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			NE	SE	STOCKWATER
			SW	SE	STOCKWATER
			SE	SE	STOCKWATER
22N	01W	4	SE	SE	STOCKWATER
22N	01W	6	NW	NW	STOCKWATER
22N	01W	10	SE	SE	STOCKWATER
22N	01W	11	NE	NW	STOCKWATER
			SW	NW	STOCKWATER
			SE	NW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
22N	01W	15	NE	NE	STOCKWATER
22N	02W	1	NE	NE	STOCKWATER
			NW	NE	STOCKWATER
			NE	NW	STOCKWATER
			SE	NW	STOCKWATER
			NE	SW	STOCKWATER
			NW	SW	STOCKWATER
			SW	SW	STOCKWATER
22N	02W	2	SE	SE	STOCKWATER
23N	01W	1	SW	NE	STOCKWATER
			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
			SE	NW	STOCKWATER
23N	01W	12	SW	NE	STOCKWATER
			NE	SW	STOCKWATER
			SE	SW	STOCKWATER

23N	01W	13	NE NW SE NW NE SW SW SW SE SW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	22	SE SW SW SE SE SE	STOCKWATER STOCKWATER STOCKWATER
23N	01W	23	NE NE SE NE NE SE NW SE SW SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	24	NW NW	STOCKWATER
23N	01W	26	NW NE SW NE NW NW SW NW SE NW SE SW NW SE SW SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	27	NE NE NE NW NW NW	STOCKWATER STOCKWATER STOCKWATER
23N	01W	28	NE NE NW NE SW NE SW NW SE NW NW SW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	29	SE SW NE SE NW SE SW SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	31	SE NE SW SW SE SW	STOCKWATER STOCKWATER STOCKWATER

			NE NW	SE SE	STOCKWATER STOCKWATER
23N	01W	32	NE NW SW	NW NW NW	STOCKWATER STOCKWATER STOCKWATER
23N	01W	33	SE	SE	STOCKWATER
23N	01W	34	SW SE SW SE	SE SE SW SW	STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	35	NW SW NE NW SW SE NW SW SE	NE NE SW SW SW SW SE SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
23N	01W	36	SW	SW	STOCKWATER
24N	01W	32	SW SE	SE SE	STOCKWATER STOCKWATER
24N	01W	33	NE NW SW NE NW	SW SW SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER STOCKWATER
24N	01W	34	NE NW NE NW	SW SW SE SE	STOCKWATER STOCKWATER STOCKWATER STOCKWATER

24N	01W	35	NW	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
			SW	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:

Receipt No. W026797
Filing duplicate claims to mirror Forest Service claims; 78-10627, 78-10628, 78-10636, 78-10637, 78-10638, 78-10648. Stockwater, Range cattle.

15. Basis of Claim: Beneficial Use

16. Signature(s) N / A

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.

Remarks: EXP FOREST SERVICE RECORD ID = 0117 17060210 01 0252
STOCKWATER, 270 RANGE CATTLE

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

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

Comments: Date: 12/01/1998 User-ID: AUJ5-JSH Subject: AUJ5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit:	11/18/98 AUCTR	12/01/98 AUJUS-JSH	01/26/99 CWALKER	03/04/99 CPDSHAFF
	04/06/99 ADT-DSHA	02/25/00 UPD-SEGB		

Audit:	11/18/98 AJCTR	12/01/98 AJU5-JSH	01/26/99 CWALKER	03/04/99 CPDSHAFF
	04/06/99 ADT-DSHA	02/25/00 UPD-SEGB		

Audit:	11/18/98 AJCTR	12/01/98 AJUS-JSH	01/26/99 CWALKER	03/04/99 CPDASHAFF
	04/06/99 ADT-DSHA	10/15/99 UPD-SEGB		

Stage: BENEFICIAL USE

IDAHO County
IDAHO County

MS

6

1

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
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Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

Comments: Date: 12/01/1998 User-ID: AUJ5-JSH Subject: AUJ5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLN/USFS, DELETED L12.

Audit:	11/18/98 AJCTR	12/01/98 AJU5-JSH	01/26/99 CWALKER	03/04/99 CPDSHAFF
	04/06/99 ADT-DSHA	10/15/99 UPD-SEGB		

AJ5809NP
No. 78-10648

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/24/00
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	05/01/1895	STOCKWATER	06-01 10-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: RAPID RIVER, WEST FORK

Tributary to: RAPID RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T22N R02W S02
Point(s) of Ending Stream Reach: T23N R01W S26

SESE
SHNE

IDAHO County
IDAHO County

Place of use Legal Description for: STOCKWATER

Place of use Legal Description for: STOCKWATER											
NE			NW			SW			SE		
T	R	S	NE	NE	SE	NE	NW	NW	SE	SW	SE
1	22N	01W	6	1	2	3	4	5	6	7	8
2	22N	02W	1	2	3	4	5	6	7	8	9
3	23N	01W	22	1	2	3	4	5	6	7	8
4	23N	01W	26	1	2	3	4	5	6	7	8
5	23N	01W	27	1	2	3	4	5	6	7	8
6	23N	01W	28	1	2	3	4	5	6	7	8
7	23N	01W	29	1	2	3	4	5	6	7	8
8	23N	01W	31	1	2	3	4	5	6	7	8
9	23N	01W	32	1	2	3	4	5	6	7	8

POU County: IDAHO

Conditions of Approval:

- 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.

Remarks: EXP FOREST SERVICE RECORD ID = 0117 17060210 01 0551
STOCKWATER, 270 RANGE CATTLE

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

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/01/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

AJ5809NP
No. 78-10648

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/24/00
PAGE: 11

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 N13 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 AJU5-JSH 02/05/99 CHALKER 03/04/99 CPDShAF
04/06/99 ADT-DSHA 10/15/99 UPD-SEGB

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE ID 83724	05/01/1895	STOCKWATER	06-01 10-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: RAPID RIVER

Tributary to: LITTLE SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T22N R01W S15
Point(s) of Ending Stream Reach: T23N R01W S12

NENE
SWNE

IDAHO County
IDAHO County

Place of use legal Description for: STOCKWATER

NE											
NW											
SW											
SE											
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
22N	01W	2	:								
22N	01W	10	:								
22N	01W	11	:								
22N	01W	15	:								
23N	01W	12	:								
23N	01W	13	:								
23N	01W	23	:								
23N	01W	24	:								
23N	01W	26	:								
23N	01W	35	:								

POU County: IDAHO

Conditions of Approval:

- 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.

Remarks: EXP FOREST SERVICE RECORD ID = 0117 17060210 01 0351
STOCKWATER, 270 RANGE CATTLE

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

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/01/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

AJ5809NP
No. 78-10636

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/24/00
PAGE: 7

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 N13 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 AJU5-JSH 01/26/99 CHALKER 03/04/99 CPD SHAFF
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 printed name and title of the signatory.

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 VENY

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.

Situation 2 ~~TRIP TO SHINGLE CREEK (NORTH & SOUTH)~~ ~~TRIP TO SHINGLE CREEK~~ TRIP TO RAPID RIVER (1 CLAIM)

AND OTHERS TRIP TO W.F.K. RAPID RIVER (1 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.

SAME
PRIORITY
DATE AS
USFS CLAIM

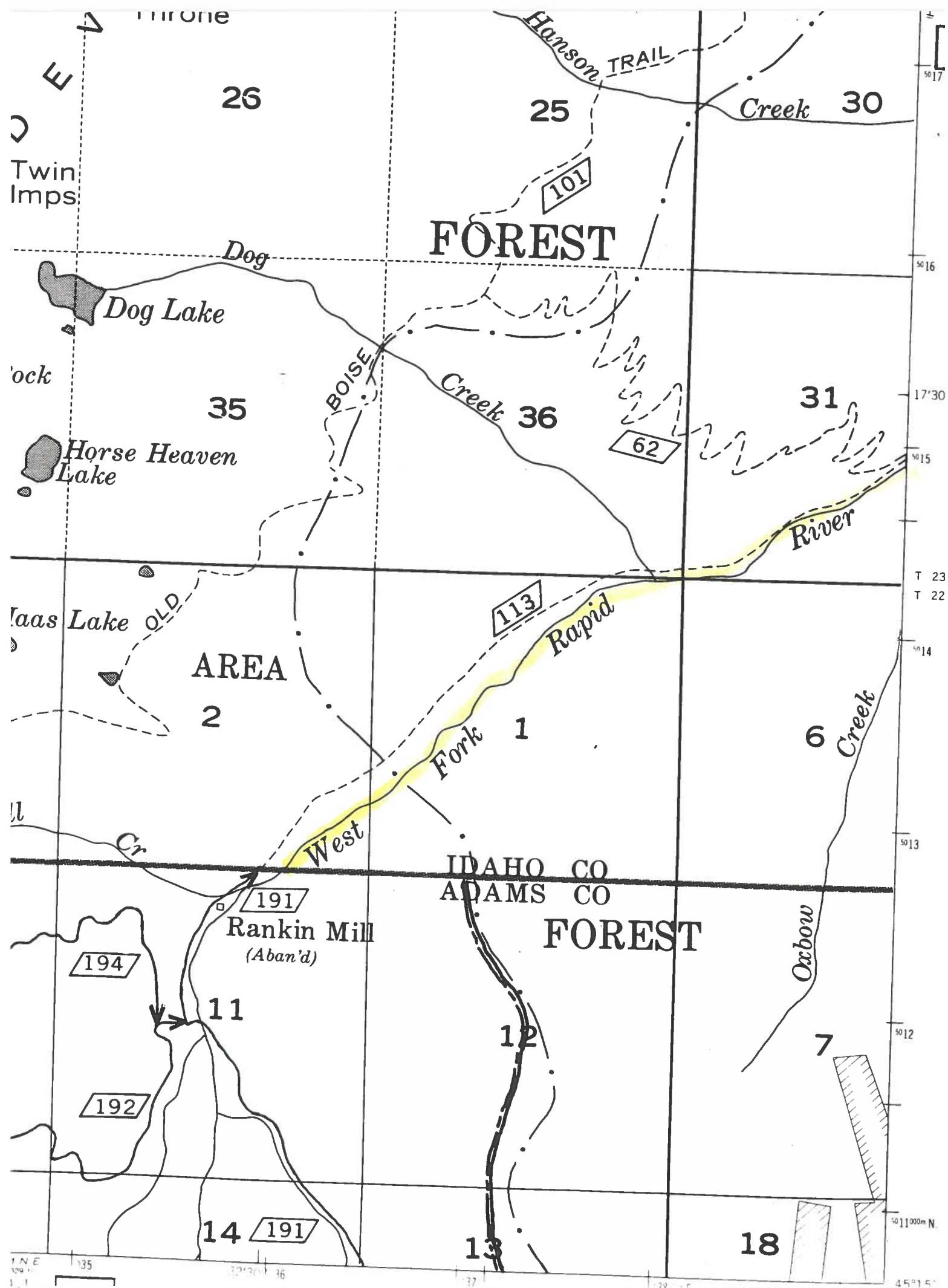
- 78-10626 - S. Fork Shingle Creek 51
- 78-10627 - Shingle Creek 53 + 52 OK identify
- 78-10628 - Shingle Creek } INCLUDE ENTIRE STRETCH
- 78-10636 - Rapid River 51
- 78-10637 - Dutch Oven Creek 52
- 78-10638 - Wyant Creek 53
- 78-10648 - West Fork Rapid River 5 (INCLUDED ADJACENT PORTION IN S. 22 SEC. S. 24 NE 1/4)
- 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.

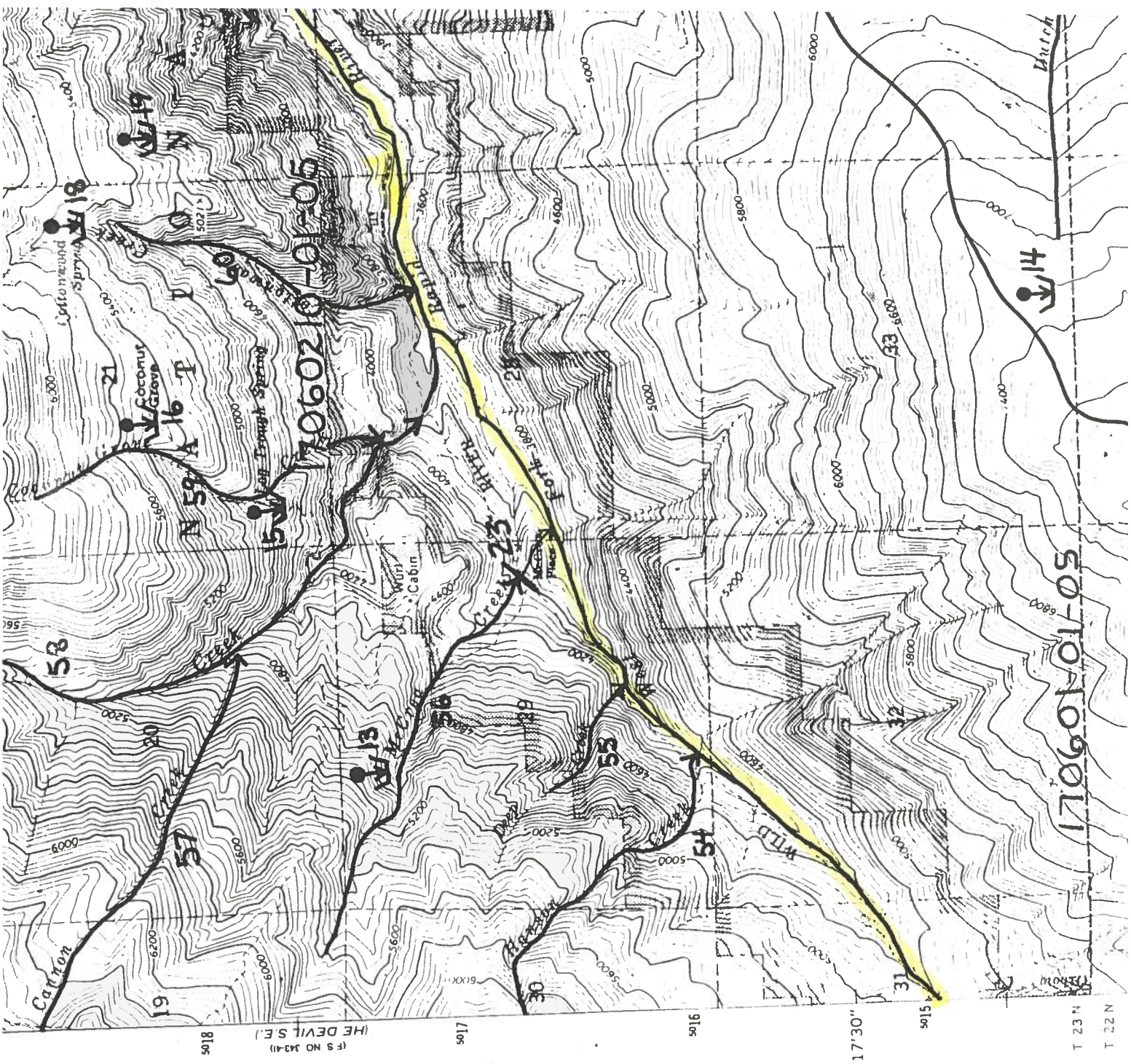
→ SAME AS 10653

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

78-10653 & 78-12010 - may be same

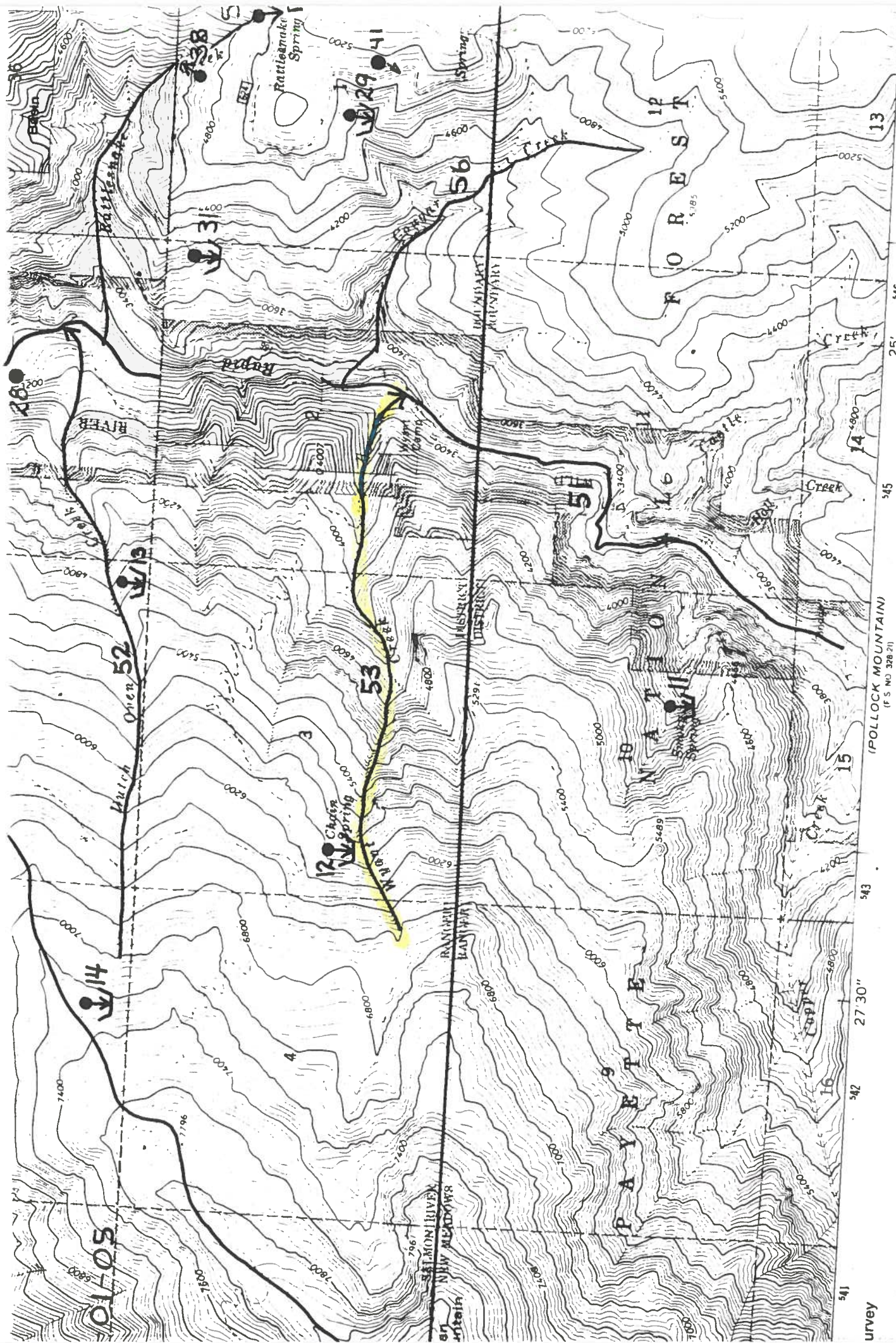
HORSE HEAVEN LAKE & HAAS LAKE - 1891 - 190 NO CATTLE.





17060101-05

T 23 N
T 22 N



Handwritten: 547

546 25' 545

544 15' 543

542 27' 30" 541

540 27' 30" 539

538

SCALE 1:24,000

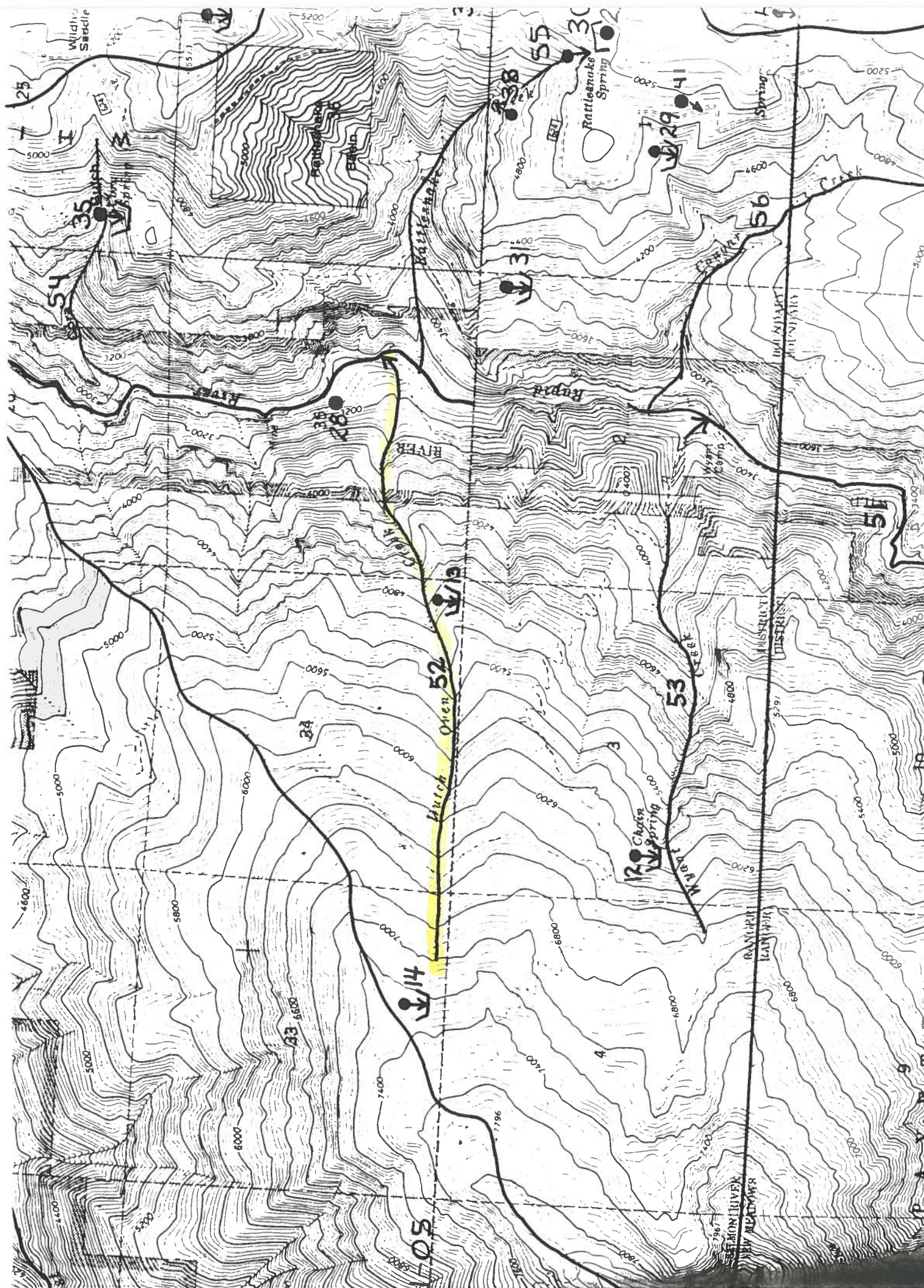
1 MILE 1:63,360

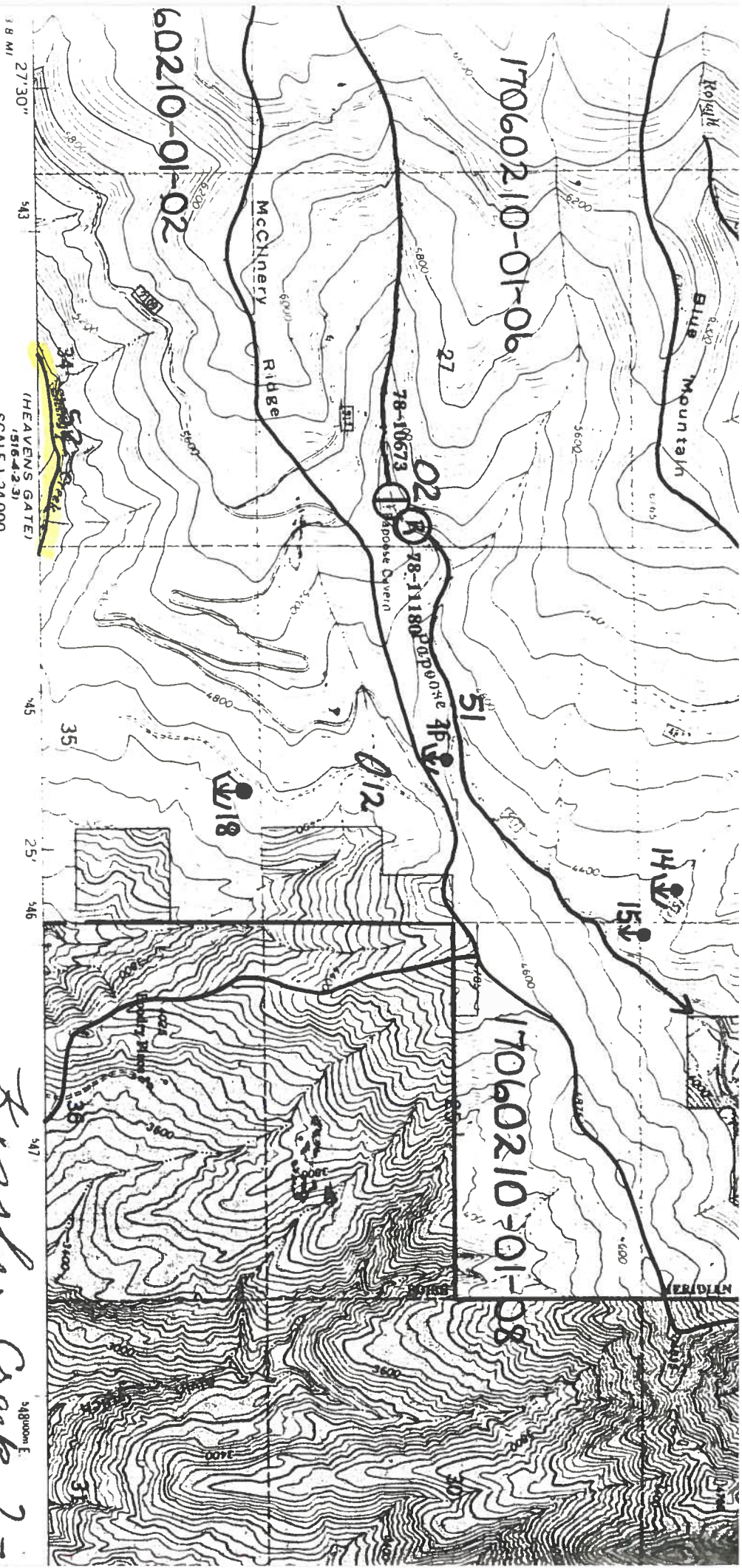
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1 MILE 1:63,360

1 MILE 1:63,360

1 MILE 1:63,360





UNITED STATES
DEPARTMENT OF THE INTERIOR
BIOLOGICAL SURVEY
FOR U.S.D.A. FOREST SERVICE USE

HEAVENS GATE

IDA

7.5 MINUTE SERIES

