

37-12574

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

DISTRICT OF THE

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 37-12574

IDWR has completed the following Administrative Proceeding:

<u>[-]</u>	Change of Address
<u>[X]</u>	Substitution of Party
<u>[-]</u>	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 37-12574

From (Claimant/Seller):

Name of Claimant: SUSAN E SHIRK
WILLIAM L SHIRK
Address: 1759 S 2250 E
GOODING ID 83330
Phone: (208) 934-4308

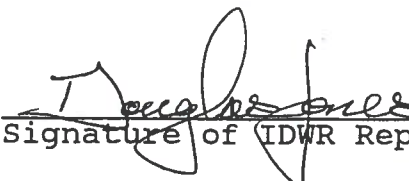
To (Claimant/Purchaser):

Name of Claimant: SUSAN E SHIRK
Address: 1759 S 2250 E
GOODING ID 83330
Phone: (208) 934-4308

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4/22/99



Signature of IDWR Representative

COB

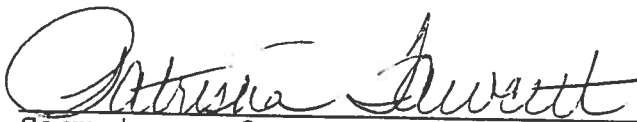
CERTIFICATE OF MAILING

I certify that on 4/26/99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

SUSAN E SHIRK
WILLIAM L SHIRK
1759 S 2250 E
GOODING ID 83330
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

SUSAN E SHIRK
1759 S 2250 E
GOODING ID 83330
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: APR-20-1999
PAGE: A-15

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-12574

NAME & ADDRESS: SUSAN E SHIRK
1759 S 2250 E
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 03/15/1982

POINT OF DIVERSION: T05S R15E S35 NENESW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S35 NESW

DOMESTIC Within GOODING County
T05S R15E S35 NESW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP05S15E354915A
STOCKWATER, 20 RANGE, 2 HORSES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SUSAN E SHIRK
1759 S 3350 E
GOODING ID 83330

RE: SRBA Claim(s) 37-12574

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

AJ0749NP
No. 37-12574

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN E SHIRK	03/15/1982	STOCKWATER	01-01 12-31	0.03 CFS	
D	SUSAN E SHIRK		DOMESTIC	01-01 12-31	0.04 CFS	
D	WILLIAM L SHIRK 1759 S 2250 E GOODING ID 83330 (208) 934-4308			TOTAL DIVERSION:	0.07 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R15E S35

NENESW

GOODING County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	15E	35	:																

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	15E	35	:																

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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 PARCEL NO. RP05S15E354915A
STOCKWATER, 20 RANGE, 2 HORSES

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 08 1999
Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
 Adjudication Claim No(s).: 37-12574

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant William S. Shirk and Susana E. Shirk

4. New Owner/Claimant(s) Susana E. Shirk
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1759 S. 2250 E.
 City, State and ZIP Code Gooding, Idaho 83330
 New Telephone Number (208) 934-4308

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Susana E. Shirk
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

QUITCLAIM DEED

For Value Received, WILLIAM L. SHIRK, does hereby convey, release, remise and forever quit claim unto SUSAN E. SHIRK, the following described premises, to-wit:

TOWNSHIP 5 SOUTH, RANGE 15 E.B.M.

Section 35: That part of NE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

Beginning at the SE Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, said Corner being a found R.R. spike, thence along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ N 0° 05' 58" W, 660.00 feet to the TRUE POINT OF BEGINNING.

Thence S 89° 40' 02" W, 805.92 feet;
thence N 4° 12' 08" E, 619.67 feet to a point on the Southerly Right of Way line of Lateral B-1 of the Big Wood Canal Co.; thence along the said Southerly Right of Way line of Lateral B-1 S 62° 57' 21" E, 320.83 feet;
thence N 87° 03' 19" E, 159.44 feet;
thence S 79° 10' 43" E, 167.20 feet;
thence S 60° 06' 35" E, 173.79 feet to a point on the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence along said East line thereof S 0° 05' 58" E, 357.64 feet to the TRUE POINT OF BEGINNING.

Containing 8.75 acres, more or less.

Subject to County road Right of Way of 25 feet in width along the East boundary line thereof.

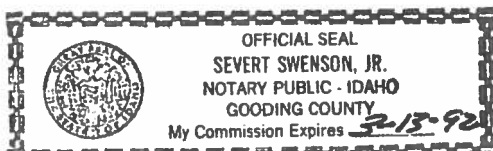
AND EXCEPTING AND RESERVING an easement along the Eastern Boundary of the said described parcel for an irrigation ditch.

DATED: December 23rd, 1988.

William L. Shirk
WILLIAM L. SHIRK

STATE OF IDAHO)
)ss.
County of Gooding)

On this 23rd day of December, 1988, before me the undersigned, a notary public in and for said State, personally appeared WILLIAM L. SHIRK, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he has executed the same.



Severt Swenson Jr.
Notary Public for Idaho
residing at Gooding

135154

STATE OF IDAHO
COUNTY OF GOODING, S S
RECORDED AT REQUEST —

Susan E. Shink

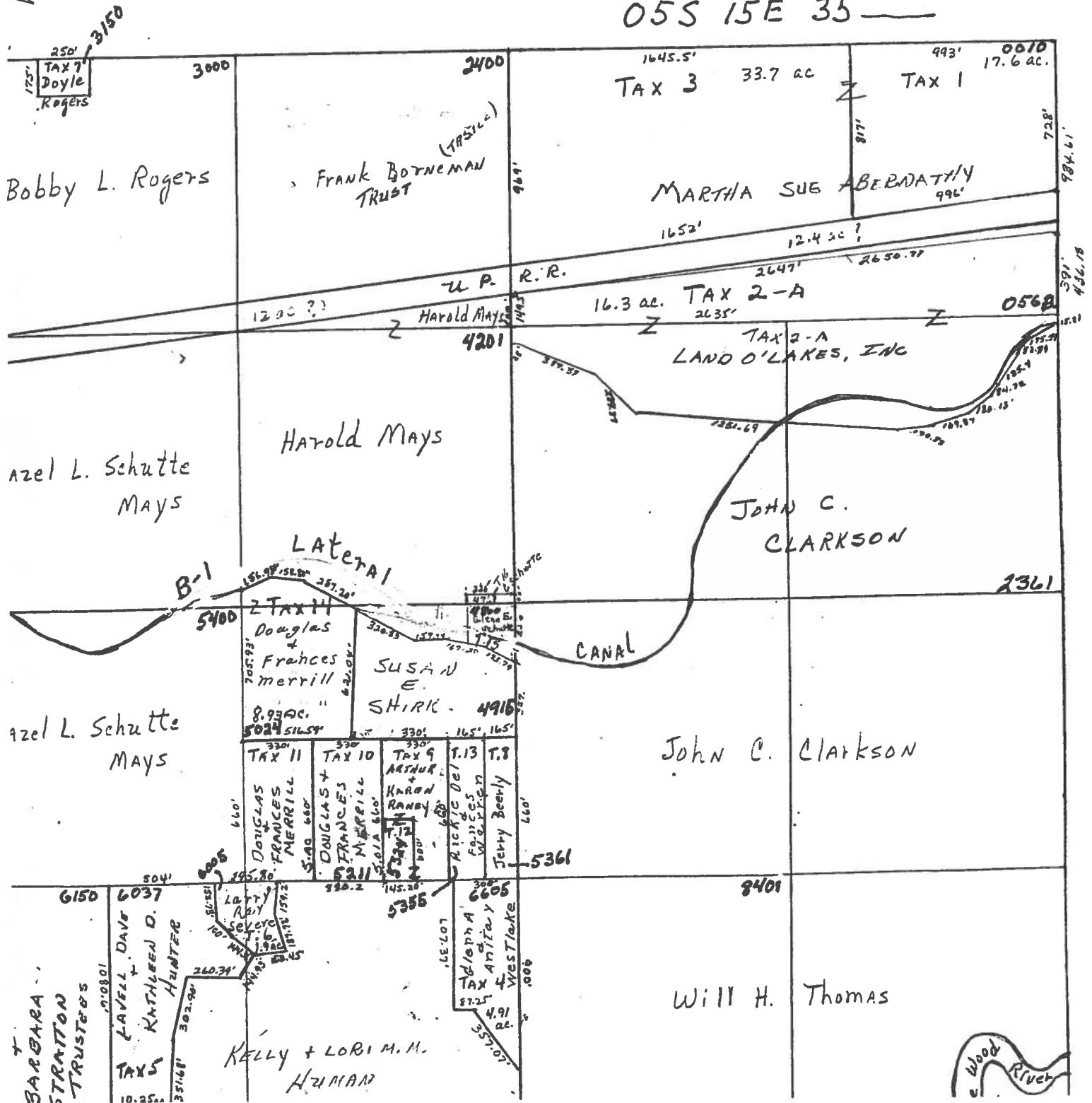
'89 JAN 13 PM 1 46

J. A. MYERS, REC.
DEP. *He* FEE *3⁰⁰*

Send tax notice to:
1759 South 2250 East
Gooding, Idaho

Sec. 35 Twp 5 Rng 15

05S 15E 35—



AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1369

RIGHT NUMBER: 37-12574

NAME & ADDRESS: WILLIAM L SHIRK
SUSAN E SHIRK
1759 S 2250 E
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 03/15/1982

POINT OF DIVERSION: T05S R15E S35 NENESW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S35 NESW

DOMESTIC Within GOODING County
T05S R15E S35 NESW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP05S15E354915A
STOCKWATER, 20 RANGE, 2 HORSES

Claim proofread by: Ww

Date: 1103

D7-29-98

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-12574
Date Received: 8/25/1988
Receipt No: S002386
Received By: ✓ JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM L. SHIRK 208-934-4308
Address: 1759 S. 2250 E.
GOODING, ID 83330

AND

Name: SUSAN E. SHIRK 208-934-4308
Address: 1759 S. 2250 E.
GOODING, ID 83330

2. Date of Priority: MAR 15, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	35	NE	NE	SW		GOODING

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE S/20 RANGE, 2 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	35	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

SP

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A37-12574

Date Received

Receipt Number

5002386

RECEIVED

AUG 25 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Southern Region Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) WILLIAM L. AND SUSAN E. SHIRK Phone (208) 9344308Mailing Address 1759 S 2250 E. Gooding, Idaho Zip 833302. Date of Priority (Only one (1) per claim) March 15, 19823. Source of water supply (a) Ground Water
which is tributary to (b) _____4. Location of point of diversion is: Township T 5 S Range R 15 E
Section 35, NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
County of Gooding

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Domestic Well and Pump 185 ft. deep

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive)

(cfs)

For Domestic purposes from 1-1 to 12-31 amount 0.04For Stockwater purposes from 1-1 to 12-31 amount 0.037. Total quantity claimed 0.07 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) One household 20 head range cattle 2 head of horses

FEB 26 1993

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
5 S	15 E	35									D&S							

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

12. Do you own the property listed above as place of use? Yes X No _____
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.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) William L. Moore Date Aug 22, 1988
Susan E. Shrike Date Aug. 22, 1988

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 Gooding) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of August 19 88

SEAL

Notary Public Victor L. B. Chadmon

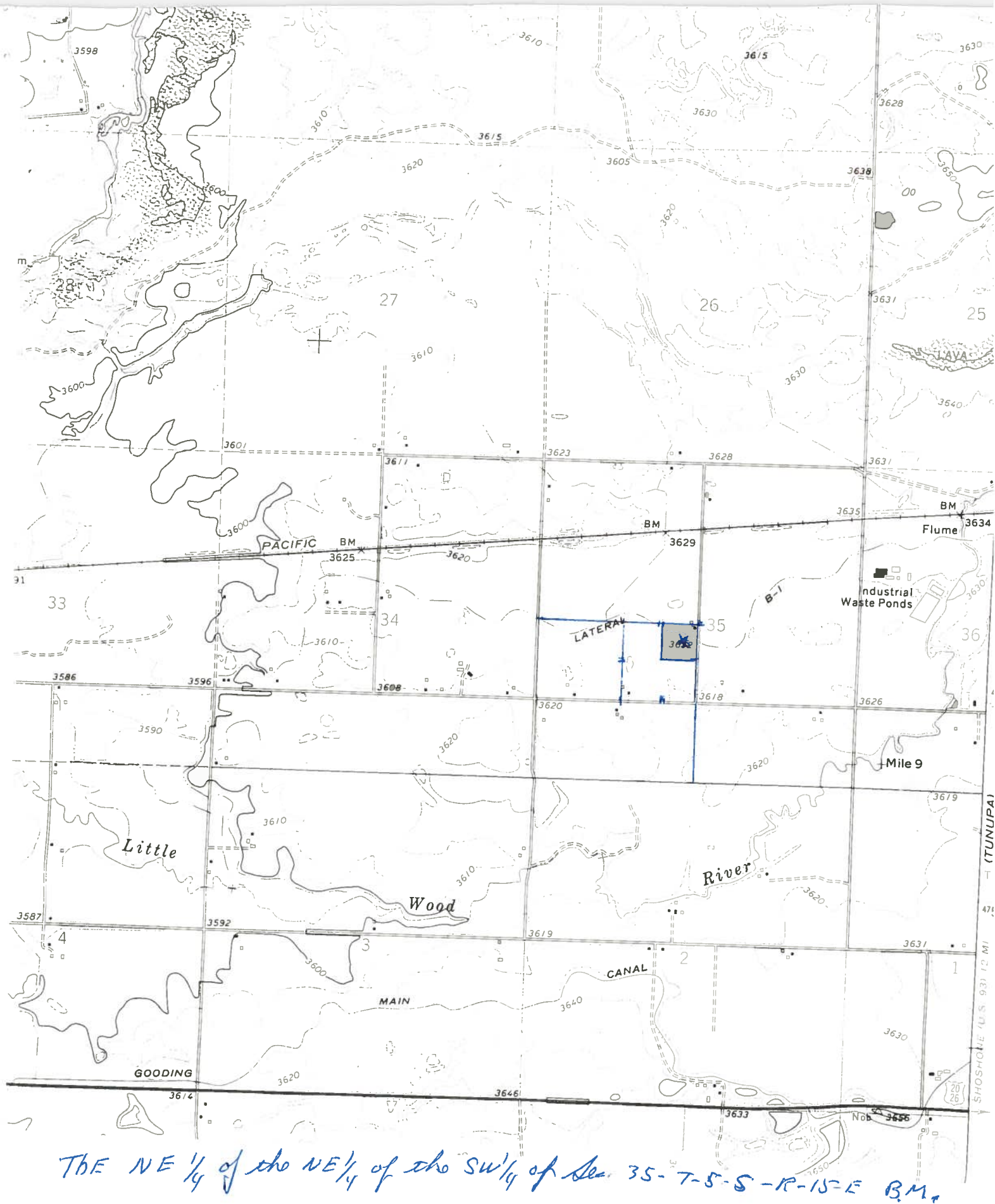
Residing at Gooding, Idaho

My Commission Expires 11/8/92

Last Name _____ Ident No. _____

MICROFILMED

FEB 26 1993



MICROFILMED
FEB 26 1993

NOV 27 1996

WATER RIGHT NUMBER - A37-12574

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 01/24/89 SRBA 07/25/89 CLELLAND 10/03/89 REFUNDML

+ - - - - 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	- 08/25/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S002386	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND	NOTICE OF ERROR FLAG	-

RPOSISE 354915A

DATA ENTRY

ENTERED 11-4-93 ns

CHECKED 2/3/94 DND

"Verified By"
Topo Map/Ortho PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

PROOF

JAN 06 1992

VERIFIED

MAR 01 1992

CERTIFIED
MAR 27 1992
WATER EXAMINER