

01/12/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 24-2007B

EUGENE C. SHINKLE
PO BOX 343
FREEDOM WY 83120

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

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 09-25-06

SIGNATURE:

Eugene C. Shinkle

Please print your name:

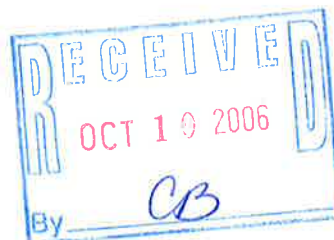
Eugene C. Shinkle

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

RECEIVED

OCT 05 2006

Department of Water Resources
Eastern Region



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APR 02 2009

COMPLETE

NOE: 10/16/06
KMO

Notes

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

$$0.0179687 \text{ cfs/ac.}$$
$$128 / 2.3 \text{ cfs}$$

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

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

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

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

Notes

1-9-06 the not recommending about what
under the claim because it wasn't
known as a pumping area. They almost
probably give a separate in-theory
check claim with the proper priority
date in that case. This is what we had
decided to do in June 07.

1-12-06 Recommendation completed

-- linked POP & Poll

-- Verified ownership - we didn't recommend

any property that was claimed if we could
verify with the owner office that the
claimant owned the property.

OS

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Quick Look	Contacts	Priority	POD	Source	POU	Water Use	Period of Use	Quar
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Review/Verify Log

Status: Active

Claim Number: 24 2007 B Version Number: 1

[View Documents](#) [View Recommendation](#)

Check List [Print Form](#)

☒ Priority Date	
☒ Contacts	No
☐ Point of Diversion	
☒ Source	
☐ Place of Use	
☒ Purpose of Use	
☐ Period of Use	
☐ Quantity	
☐ Summary	Yes to All

Contacts

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

Comments

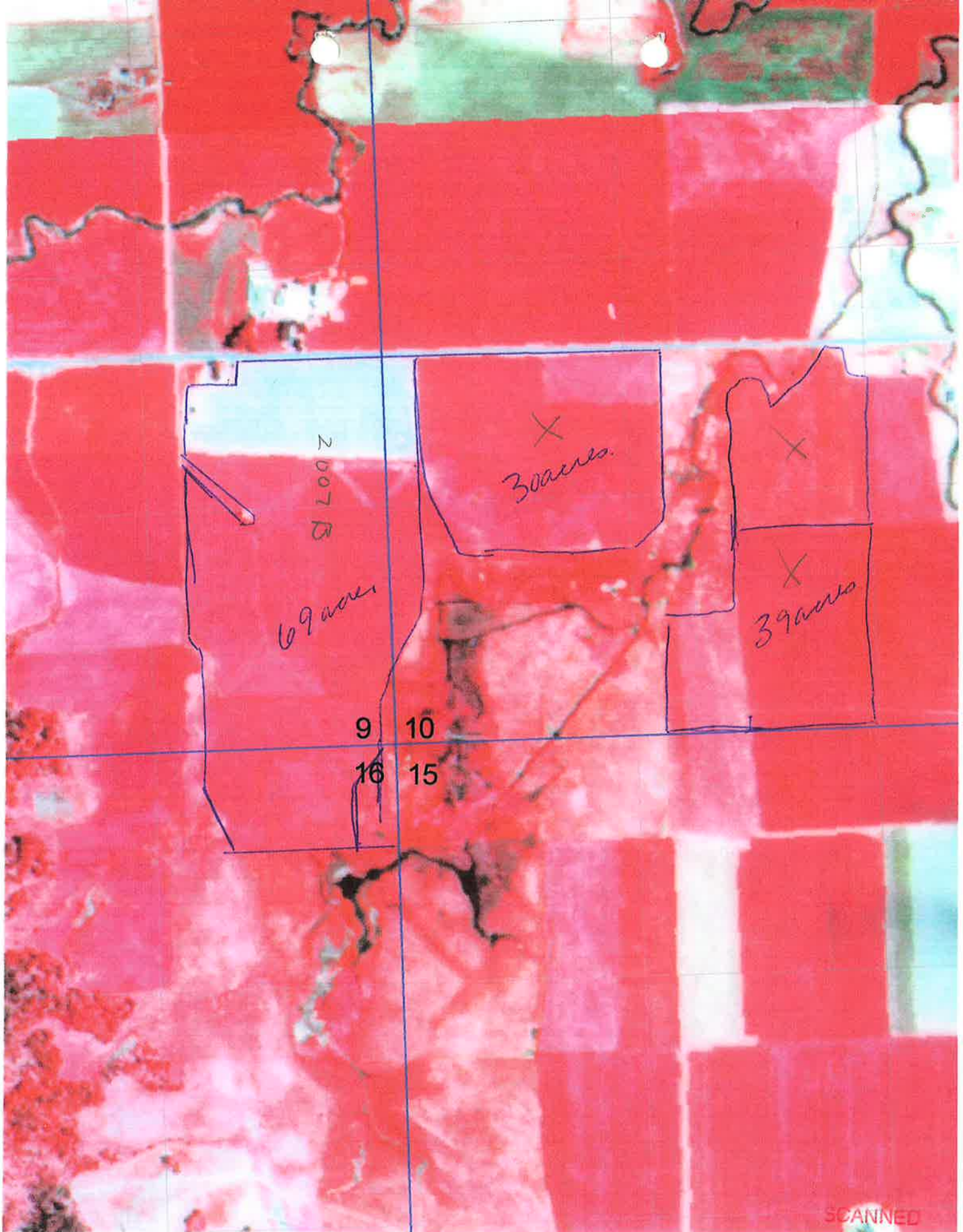
Author: cbird Text

Subj:

Date: 12 - 06 - 2005 [Add](#) [Edit](#) [Remove Selected](#)

[S](#)
[Con](#)

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

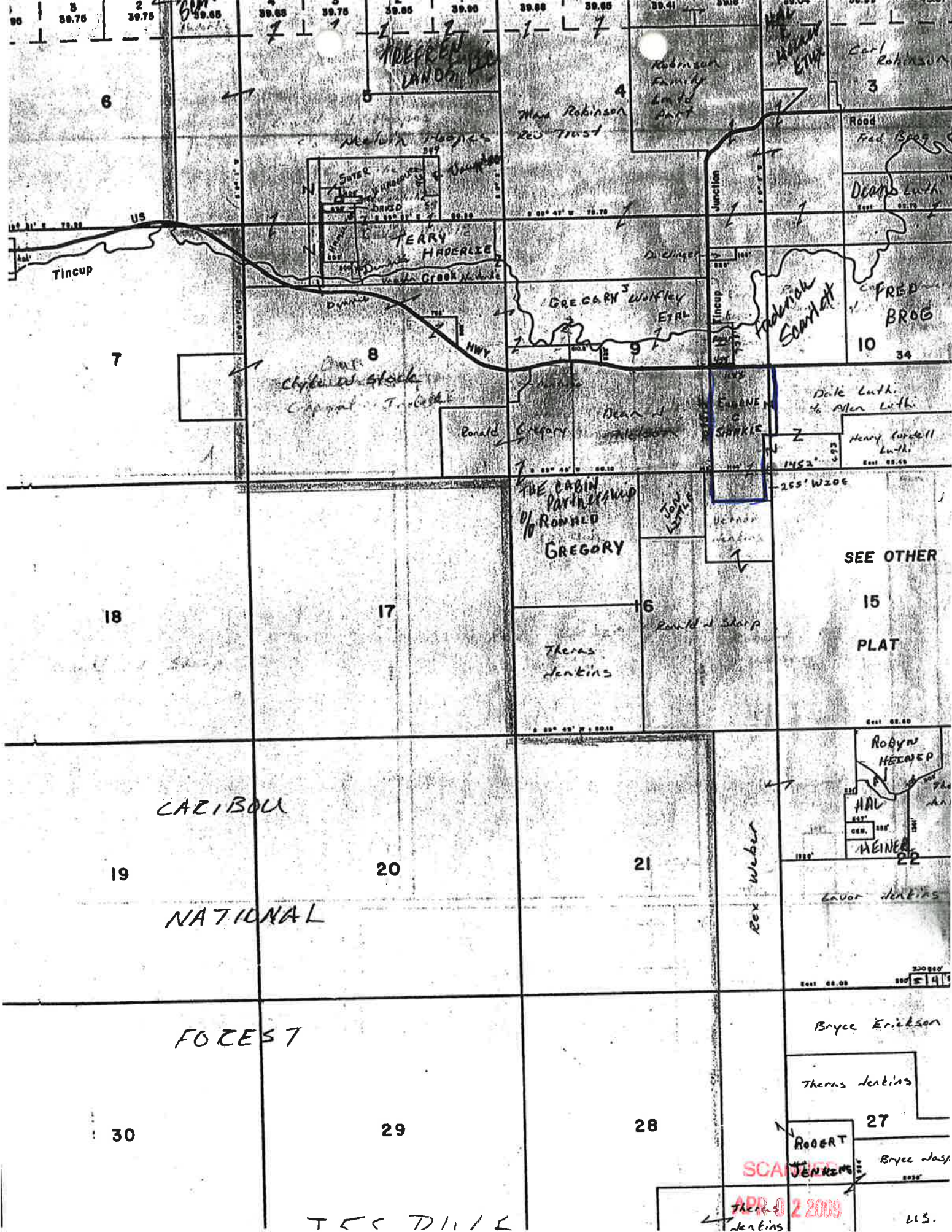


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$$2.3 \div 138 = 0.01667 \text{ cfs/ac.}$$

$\approx 138 \text{ ac/15}$

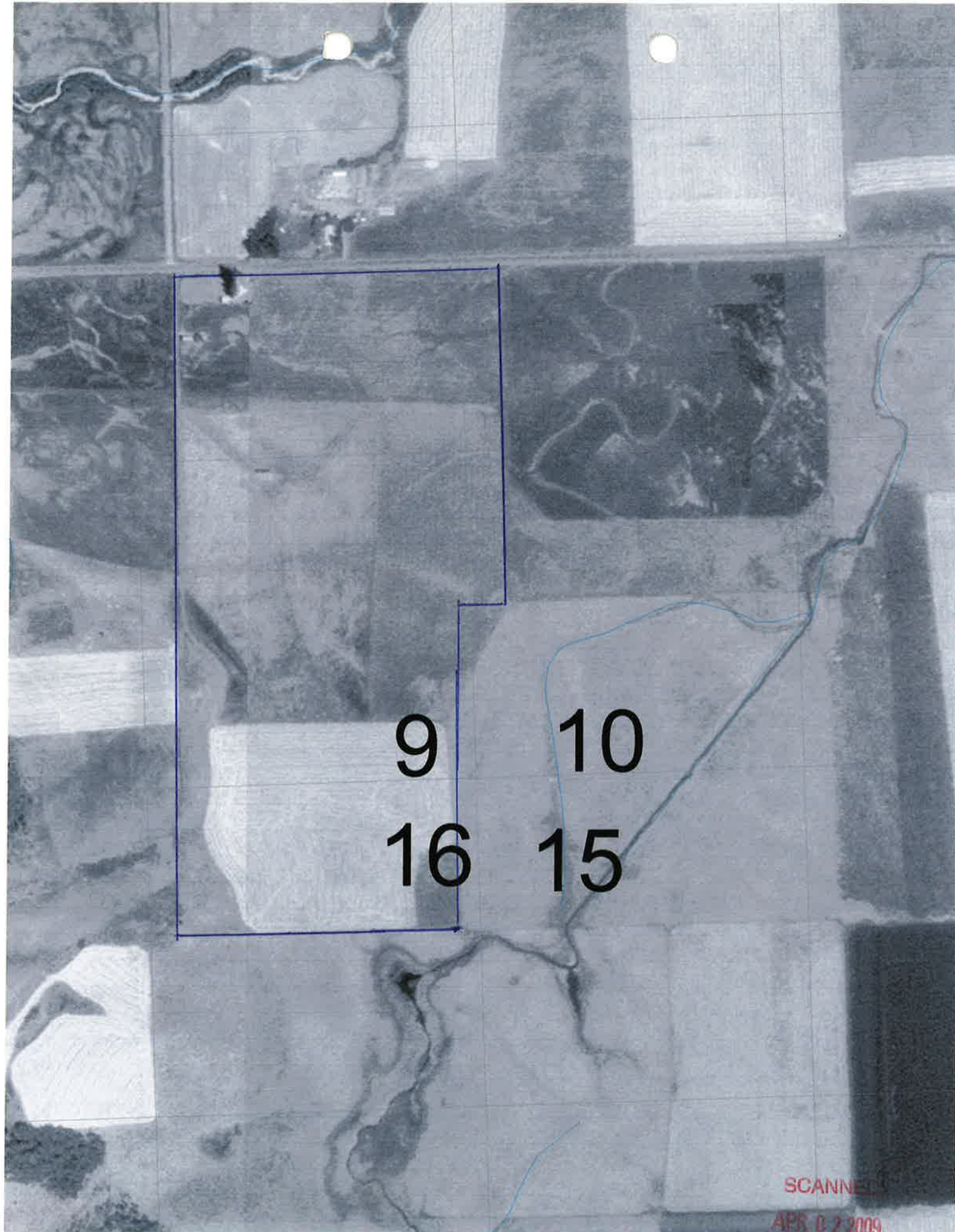


T E C D I I L

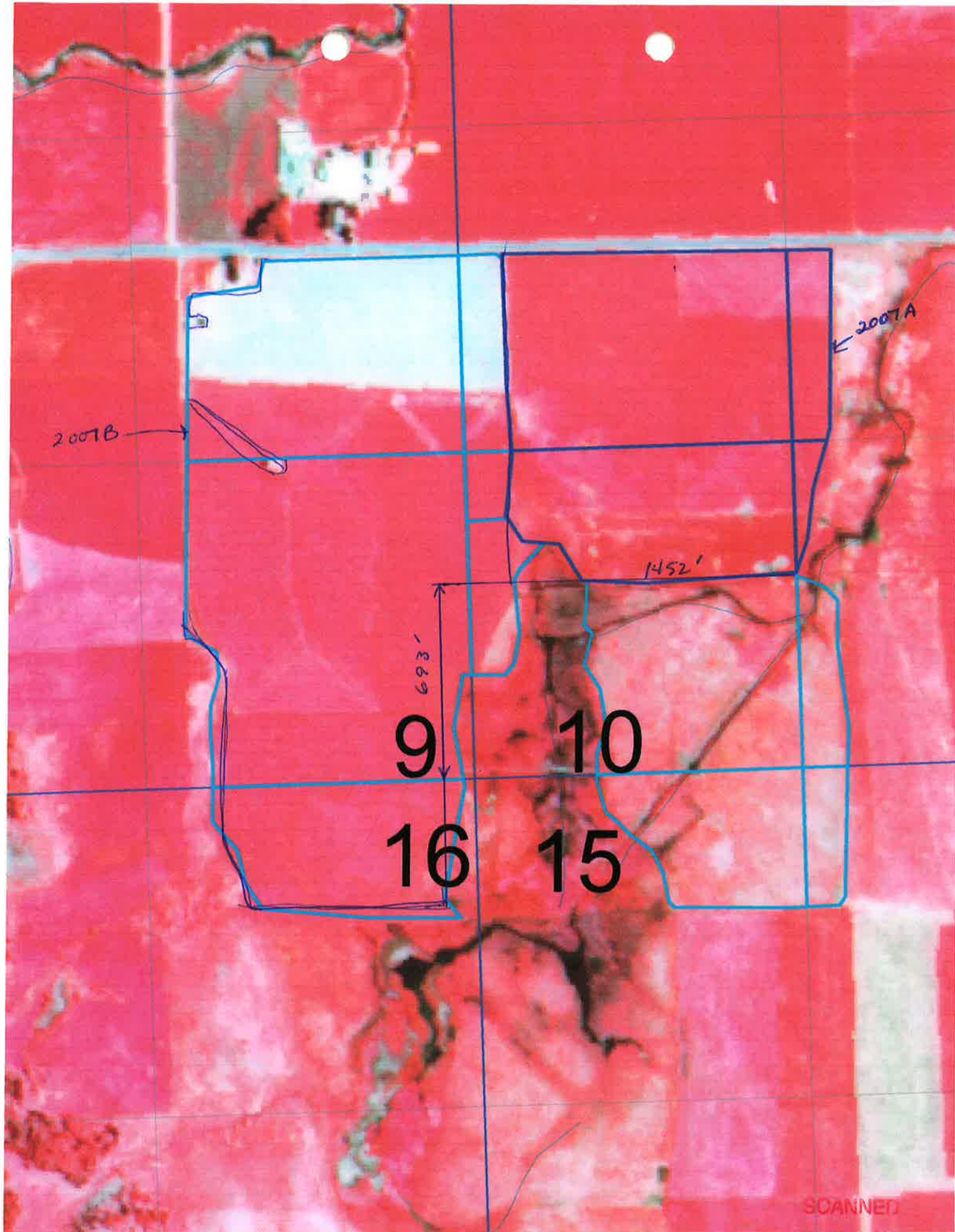
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APR 22 2009

U.S.

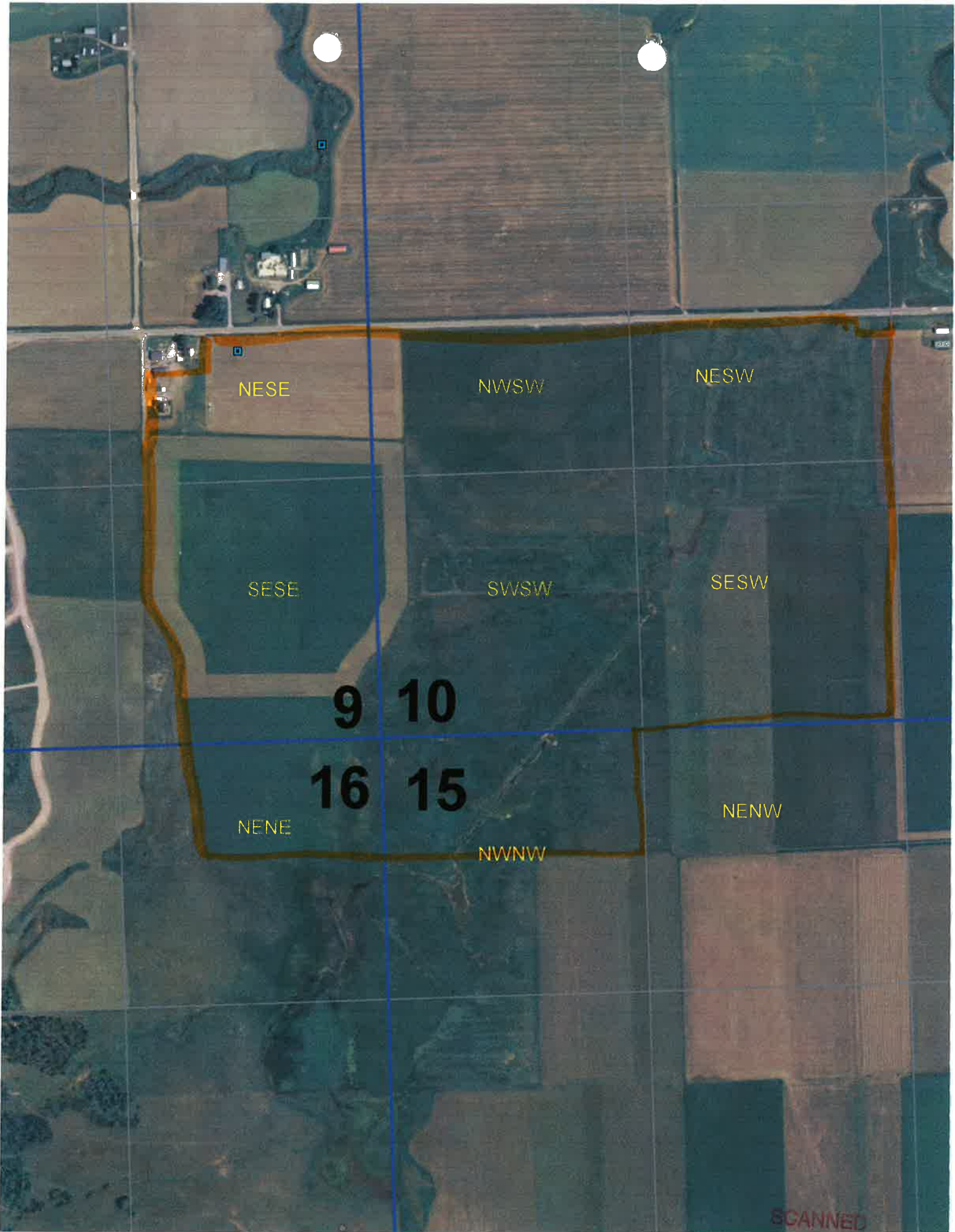


1994 imagery - Eugene Shinkle



24-2007B. TSS R46E Sh

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24-2007.

208.34 acres APR 02 2009

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TSS R46E. 69 30 139 = 138 ac.

Notes

10-21-04 Assessment Dfe:

Eugene C. Shrinkle, et al

PO Box 343

Freedom, Ky 83120

Split License w/ 24-7007A

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

4 Aug 05 Postcard sent Bae

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

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

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

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

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

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Contacts Data Entry Form

208 873-2932

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Eugene C. Shinkle	Box 343	Freedom	WV	83120	
Name connector: and		or		and/or	X	Jeanne M. Shinkle (same address)
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

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

Reviewer: _____

Date: _____

Contacts Data Entry Form

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Priority Date Data Entry Form

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

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

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

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

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

Reviewer: CB

Date: 1/5/06

Priority Date Data Entry Form

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

Priority Date

Claim No. A24 - 2007B

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APR 02 2009

Point of Diversion and Source Data Entry Form

Claim Number: A24-2007B

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of Q	County	Source
55	46E	9		SESW NW	Carbon	Tinney Creek
GPS Coordinates:				2238345 E	1314949 N	
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						

Other rights from this POD? A24-2007A

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

GPS, field inspection. Site tag A0013654 Bae 22 Aug 05

Transfers Changing POD _____

Reviewer: CBDate: 1/5/06

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

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

Yes (X) No ()

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

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

Yes () No ()

3. Has the License been issued?

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

Yes () No ()

4. Does the parent right have a POD?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

8. Was a transfer filed?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

Point of Diversion

Claim No. A24 - 2007B

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APR 02 2009

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

Yes (X) No ()

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

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

Yes () No ()

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

3. Has the License been issued?

Yes () No ()

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

4. Does the parent right have a Source?

Yes (X) No ()

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

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

Yes (X) No ()

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

6. Is the basis of claim a Posted Notice?

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

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

9. Did the claimant file a transfer?

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No (X)

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

Source

Claim No.

SCANNED
APR 02 2005

A24-2007B

Claim Number: A27-2007B

Water Right Purpose of Use

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

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

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

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

Reviewer: _____

Date: _____

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

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

Yes (☒) No (☐)

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

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

Yes (☐) No (☐)

3. Has the License been issued?

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

Yes (☐) No (☐)

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

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

Yes (☒) No (☐)

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

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

Yes (☒) No (☐)

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

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

9. Was an enlargement claim filed?

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

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

12. Did the claimant file a transfer?

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☒)

Purpose of Use

Claim No.

224-2007B
APR 02 2009

Place Of Use Data Entry Form

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

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

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

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

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APR 02 2009

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

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

Yes (X) No ()

2a. Is a POU required?

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

Yes () No ()

2b. Is a POU required?

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

Yes () No ()

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

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

Yes () No ()

4. Has the License been issued?

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

Yes () No ()

5. Does the parent right have a POU?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

10. Was an enlargement claim filed?

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

Yes () No ()

11. Did the claimant file an enlargement claim?

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

Yes () No ()

12. Was a transfer filed?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

Place of Use

Claim No.

4121-2007B

SCANNED

Period of Use and Quantity Data Entry Form

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

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

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

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Please see split discussion in A24-2007 A. Sac
If split is not recd, recommend 1.63 cfs. If split is
received, 0.53 cfs to Left split, 1.10 to Shrub split

Reviewer: _____

Date: _____

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1. Is the basis of claim a Decree or License? Yes (☒) No (☐)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes (☐) No (☐)
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes (☐) No (☐)
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes (☐) No (☐)
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes (☐) No (☐)
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes (☐) No (☐)
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes (☐) No (☐)
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes (☐) No (☐)
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes (☐) No (☐)
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes (☐) No (☐)
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes (☐) No (☐)
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (☐) No (☐)
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes (☐) No (☐)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes (☐) No (☐)
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes (☐) No (☐)
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes (☐) No (☐)
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes (☐) No (☐)
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes (☐) No (☐)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Period of Use

Claim No. A24 - 2007B

SCANNED
APR 02 2009

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

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

Yes (X) No ()

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

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

Yes () No ()

3. Has the License been issued?

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

Yes () No ()

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

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

Yes (X) No ()

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

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

Yes () No ()

6. Is the basis of claim a posted notice?

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

Yes () No ()

7. Is a flow measurement required?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

10. Is irrigation a purpose of use?

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

Yes () No ()

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

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

Yes () No ()

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

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

Yes () No ()

Quantity

Claim No.

A24-AP200709

SCANNED

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

Summary

Claim No.

SCANNED
APR 02 2009
A24-2007B

Claim No.: _____

[illegible]

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

Reviewer _____ Date **APR 02 2000**

Date APR 02 2009

~~SCANNED~~

[illegible][illegible]

Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Total
Claim	24-4006	ROY ROBINSON,	TIN CUP CREEK	05S46E10					4	19	40	8	3	14							88
Claim	24-2000B	ROBINSON FAMILY	TINCUP CREEK	05S46E10					2.5	20											22.5
Claim	24-2018	VONA VEE LUTHI, REED LUTHI,	TINCUP CREEK	05S46E10	19	X			13												31.6
Claim	24-10038	VONA VEE LUTHI, REED LUTHI,	GROUND WATER	05S46E10	X	X															0
Claim	24-2007A	ALLEN B LUTHI, ANN S LUTHI,	TINCUP CREEK	05S46E10									3	21	16	2					42
Claim	24-10035	ELMINA J HADERLIE, CONN J HADERLIE,	GROUND WATER	05S46E10													X				0
Claim	24-10035	ELMINA J HADERLIE, CONN J HADERLIE,	GROUND WATER	05S46E10													X				0
Claim	24-2007B	GENEVA NAGEL,	TIN CUP CREEK	05S46E10											28						28
Claim	24-10038	VONA VEE LUTHI, REED LUTHI,	GROUND WATER	05S46E10	X	X															0
Claim	24-10031	FRED BROG, ANNIE	TINCUP CREEK	05S46E10		3	2		21			31	12								69
Claim	24-10676	FRED BROG, ANNIE	TIN CUP CREEK	05S46E10		3	2		21			31	12								69
Claim	24-10677	FRED BROG, ANNIE BROG,	KIRK MC BRIDE SLOUGH	05S46E10		40	40											10			90
Claim	24-10678	FRED BROG, ANNIE BROG,	KIRK MC BRIDE SLOUGH	05S46E10		40	40											10			90
Rec	24-2007A	ALLEN B LUTHI, ANN S LUTHI,	TINCUP CREEK	05S46E10									3	21	16	2					42
Rec	24-2000B	ROBINSON FAMILY	TINCUP CREEK	05S46E10					2.5	20											22.5
Rec	24-2007B	EUGENE C. SHINKLE, JEANNE M. SHINKLE,	TIN CUP CREEK	05S46E10											28						28
Right	24-10018	ANN S LUTHI, ALLEN B LUTHI,	GROUND WATER	05S46E10														X			0
Right	24-2018	HASEL LUTHI, JOHN LUTHI JR, WILLARD	TIN CUP CREEK	05S46E10					13												13
Right	24-2007	ARTHUR R CLARK,	TIN CUP CREEK	05S46E10									X	X	X	X					0
Right	24-2037	ANNETTE H LUTHI, HENRY CORDELL LUTHI,	RAINEY SPRINGS	05S46E10															X		0
Right	24-10017	ALLEN B LUTHI, ANN S LUTHI,	GROUND WATER	05S46E10													X				0
Right	24-2037	ANNETTE H LUTHI, HENRY CORDELL LUTHI,	RAINEY SPRINGS	05S46E10															X		0
Right	24-10018	ANN S LUTHI, ALLEN B LUTHI,	GROUND WATER	05S46E10														X			0
Right	24-2000B	REYNOLD F ROBINSON,	TINCUP CREEK	05S46E10					2	20											22
Right	24-4006	ROY ROBINSON,	TIN CUP CREEK	05S46E10					1	19	40	3	1	22							86

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

APR 12 2009
SCANNED

N
Byrne

Field Exam

Claim # 24-2007B

APR 02 2009

Bryce
Field Exam

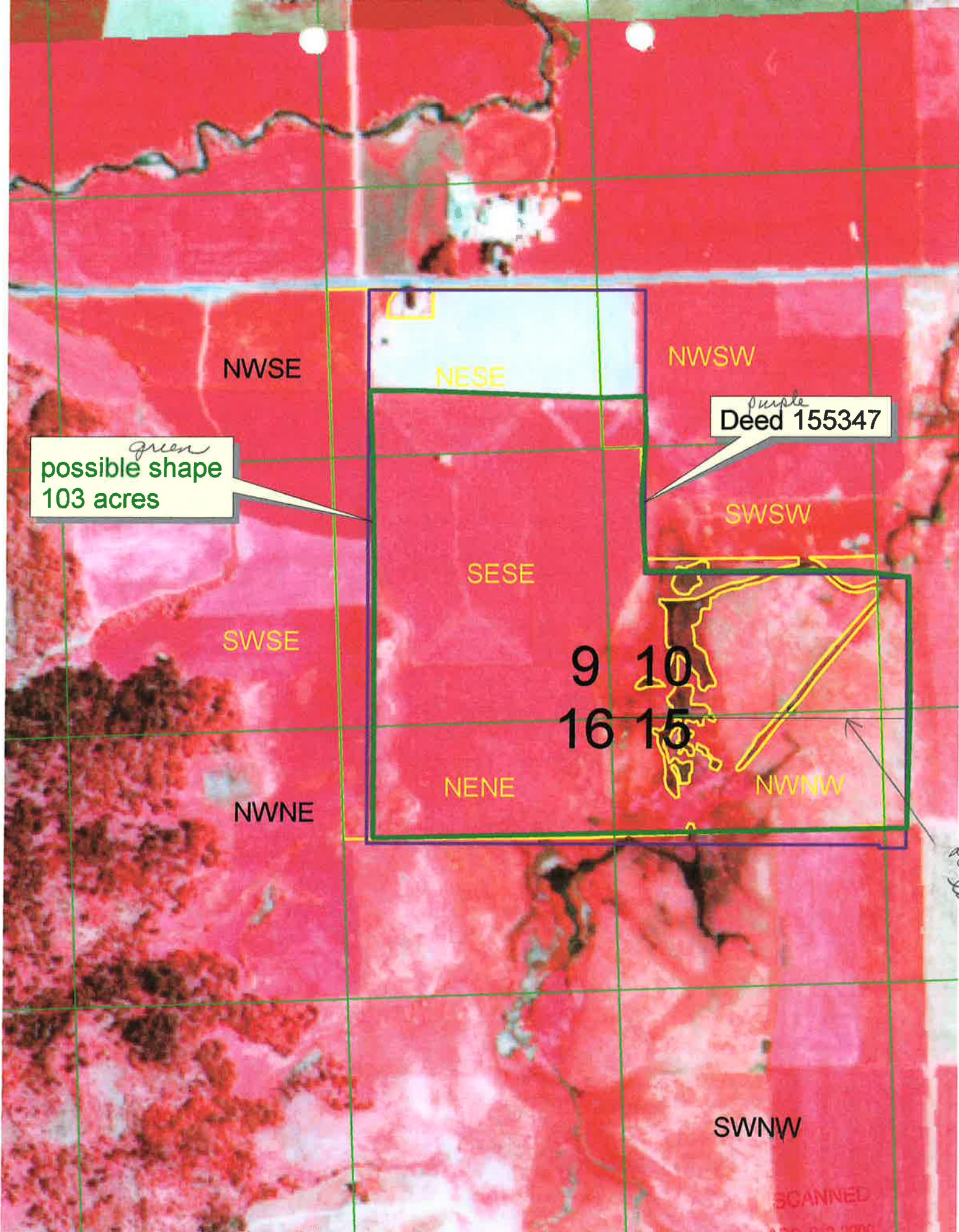
SCANNED
APR 02 2009

COPY

24-2007
License 1838
2 3/10 cfs

24-2007A Allen Luthi 0.870

24-2007B Shinkle, Eugene 2.32
114 ac 3.29



green
possible shape
103 acres

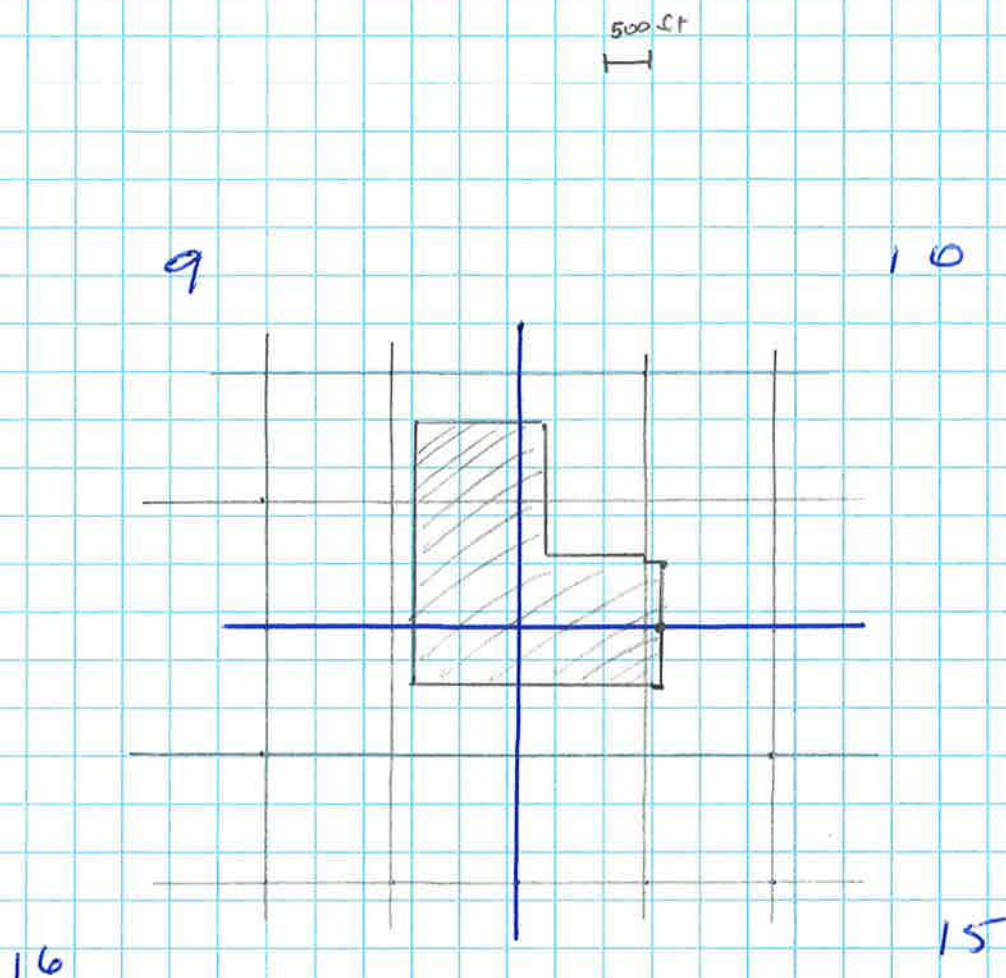
purple
Deed 155347

9 10
16 15

dogline

SCANNED
APR 02 2009

24-2007B



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

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

IF Luthi A ownership is received, split according to circled QQ lists (copied from paper file A24-2007A).

Split analysis of 24-2007. Please see narrative						
T,R	S	QQ	Q	Split	Acres	CFS
05S46E		10 NE	SW	Luthi_2007A	3	
05S46E		10 NW	SW	Luthi_2007A	21	
05S46E		10 SW	SW	Luthi_2007A	14	
05S46E		10 SE	SW	Luthi_2007A	0.9	
Split subtotal					38.9	0.67
05S46E		9 SE	SE	Luthi_2007B	2.6	
05S46E		10 SW	SW	Luthi_2007B	14	
05S46E		10 SE	SW	Luthi_2007B	2.6	
05S46E		15 NE	NW	Luthi_2007B	2.2	
05S46E		15 NW	NW	Luthi_2007B	8.4	
		16 NE	NE	Luthi_2007B	1.3	0.53
Split subtotal					31.1	29.8
					29.8	0.51
05S46E		9 NE	SE	Shrinkle_2007B	19	
05S46E		9 SE	SE	Shrinkle_2007B	30	
05S46E		10 NW	SW	Shrinkle_2007B	3.1	
05S46E		10 SW	SW	Shrinkle_2007B	2.2	
05S46E		16 NE	NE	Shrinkle_2007B	9.7	
05S46E		16 NE	NE	Luthi_2007B	1.3	
Split subtotal					64.0	65.3
						1.10
						1.12
Total Acres					134	2.30

cfs total
1.63

IF Luthi A ownership is not received, recommend as listed below:

5 S 46 E	9	NE SE	19		19	} 21.6 51.6
		SE SE	30	2.6	3 2.6	
	10	NW SW	3.1		3.1	} 21.9
		SW SW	2.2	14	16.2	
		SE SW		2.6	2.6	
	15	NE NW		2.2	2.2	} 21.6
		NW NW		8.4	8.4	
	16	NE NE	9.7	1.3	11.0	} 21.6

SCANNED

APR 22 2015

Bae 5 Sept 05

April-2007A, 2007B

looking W from headgate

towards POD. Site for

A 0013654

cbac

SCANNED
APR 02 2008



POD. Arrow marks
inlet of ditch to

headgate. Waypoint 37

cbac

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



Eugene Shrinkle
PO Box 343
Freedom WY 83120

USPS 0000 Recycled

Dear Mr. Shrinkle

4 Aug 05

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

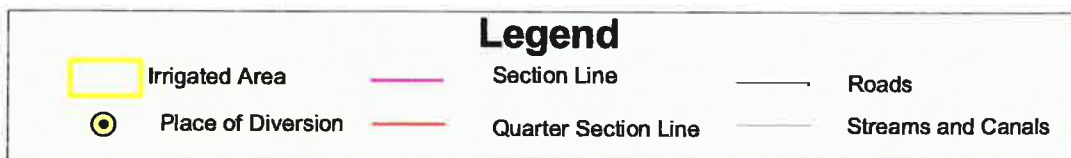
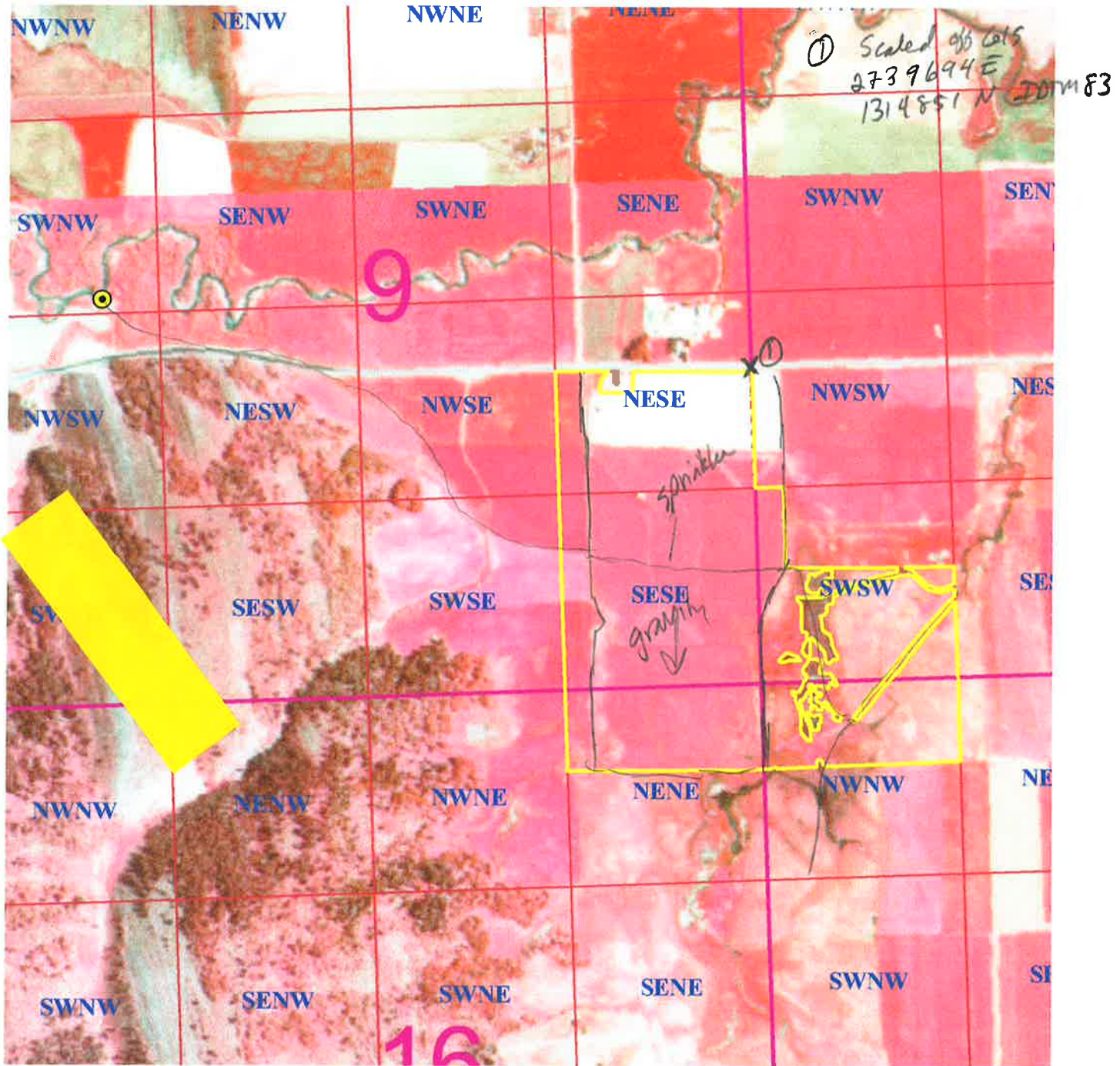
Please call me at 208 681-9100
to talk about when we can get
together. Thank you, Bryce A. Connor

SCANNED

APR 02 2009

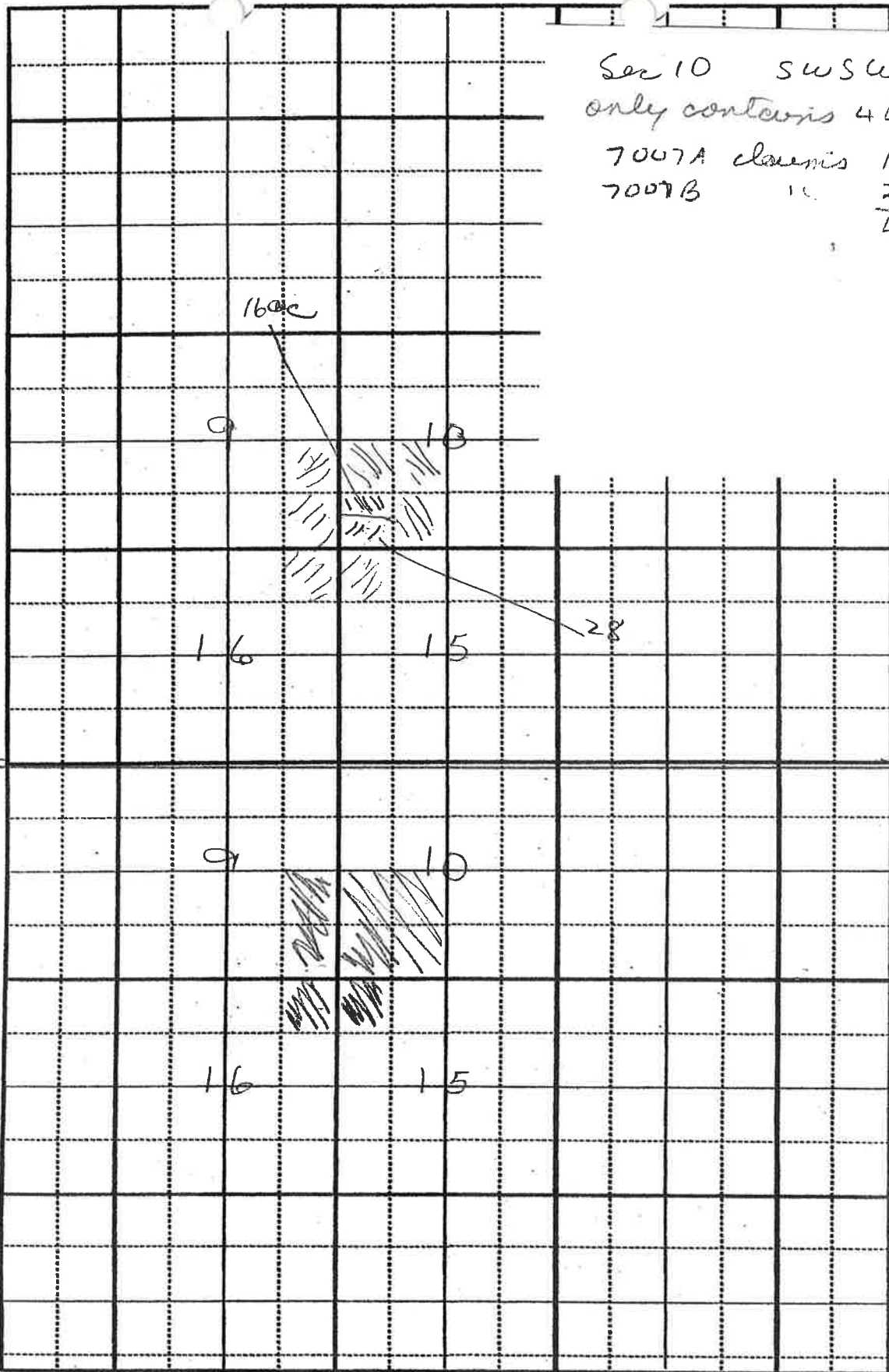
Water Right Claim Number 24-02007B
Township , 5S46E

04/02/2001



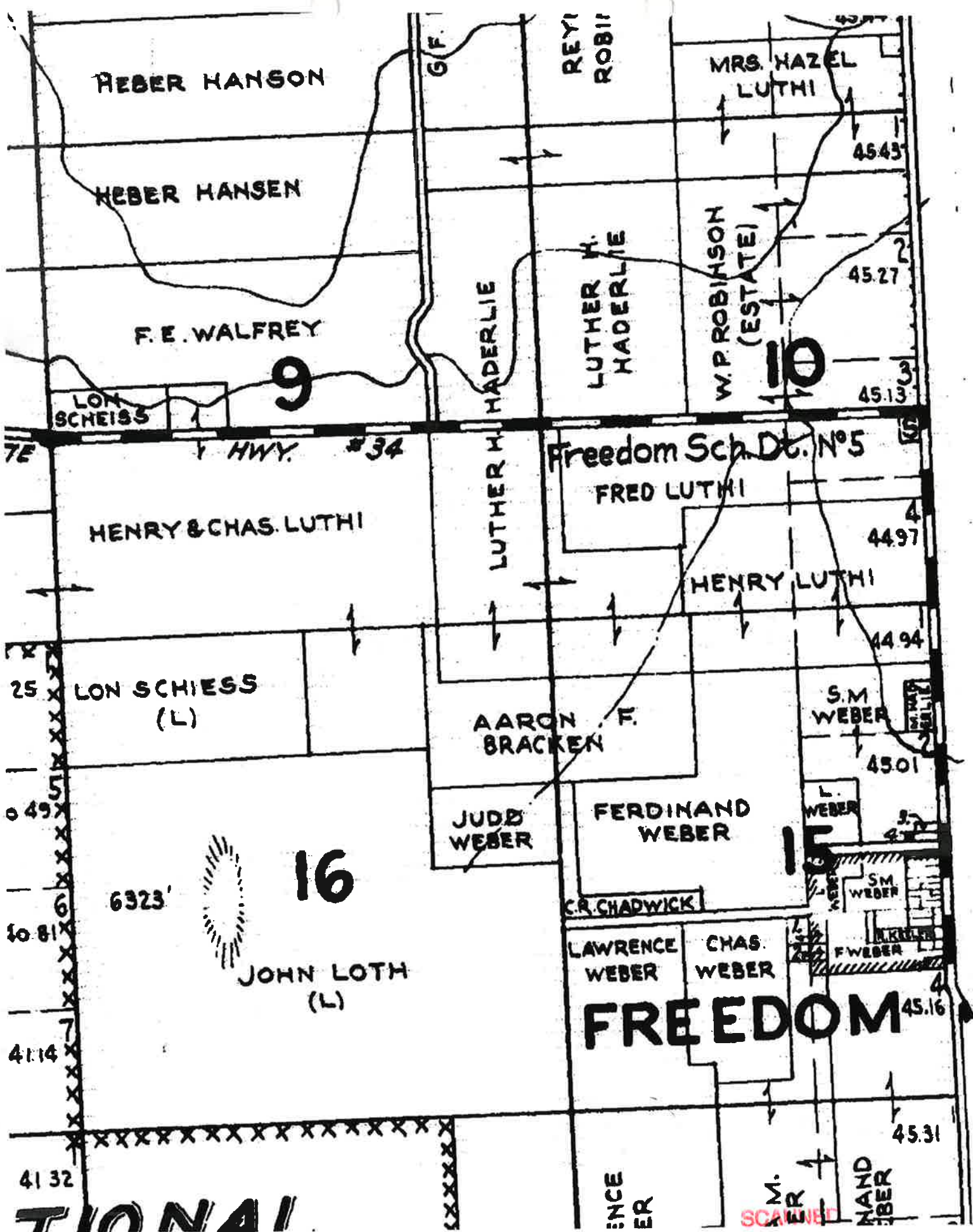
SCANNED BY SPATIAL DYNAMICS
APR 6 2 2009

Sec 10 SWSW
only contains 40 ac
7007A claims 16
7007B 11 28
44



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

SCANNED
APR 02 2009



10.21.04

Pat

Eugene C. Shunklee

~~11750~~

~~11860~~

~~11890~~

~~12160~~

Parcel 11750

5, 46, 9, TR 8 Irrigated 5.5 ac

Parcel 11860

5, 46, 10, TR 8 Meadow 9

Irrigated 12

Parcel 11890

5, 46, 15, TR 2 Meadow 7

Irrigated 5

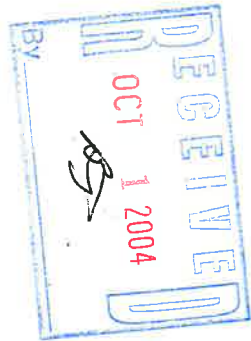
Parcel 12160

5, 46, 16, TR NENE Meadow 2

Irrigated 1.1

SCANNED

APR 02 2009



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

RETURN SERVICE REQUESTED

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

GENE
PO BOX
THAY



U.S. POSTAGE **ATV** PB3523907
04 SEP 10 30 2004 8977608-370 SEP 02 2004
6379 MAILED FROM ZIP CODE 83402

deleted

This needs removed from file 24-4023

*Assessor Has No Record of Ownership:
058 46E 9
058 46E 10
058 46E 15
058 46E 16*

APR 02 2009
SCANNED

SCANNED
SEP 10 2004

PROFILED

24-2007 B Caribou



Water Resources Field Services

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

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

Bae

Re: General narrative regarding Tincup Creek Adjudication claims.

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

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

1. Public Land Survey System.

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

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

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

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

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

2. Ownership Issues

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

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

3. Nature of Beneficial Use

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

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

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

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

4. Overlap of Wyoming Water Rights.

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

5. Unclaimed historical water use.

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

these lands.

6. Priority Administration.

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

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

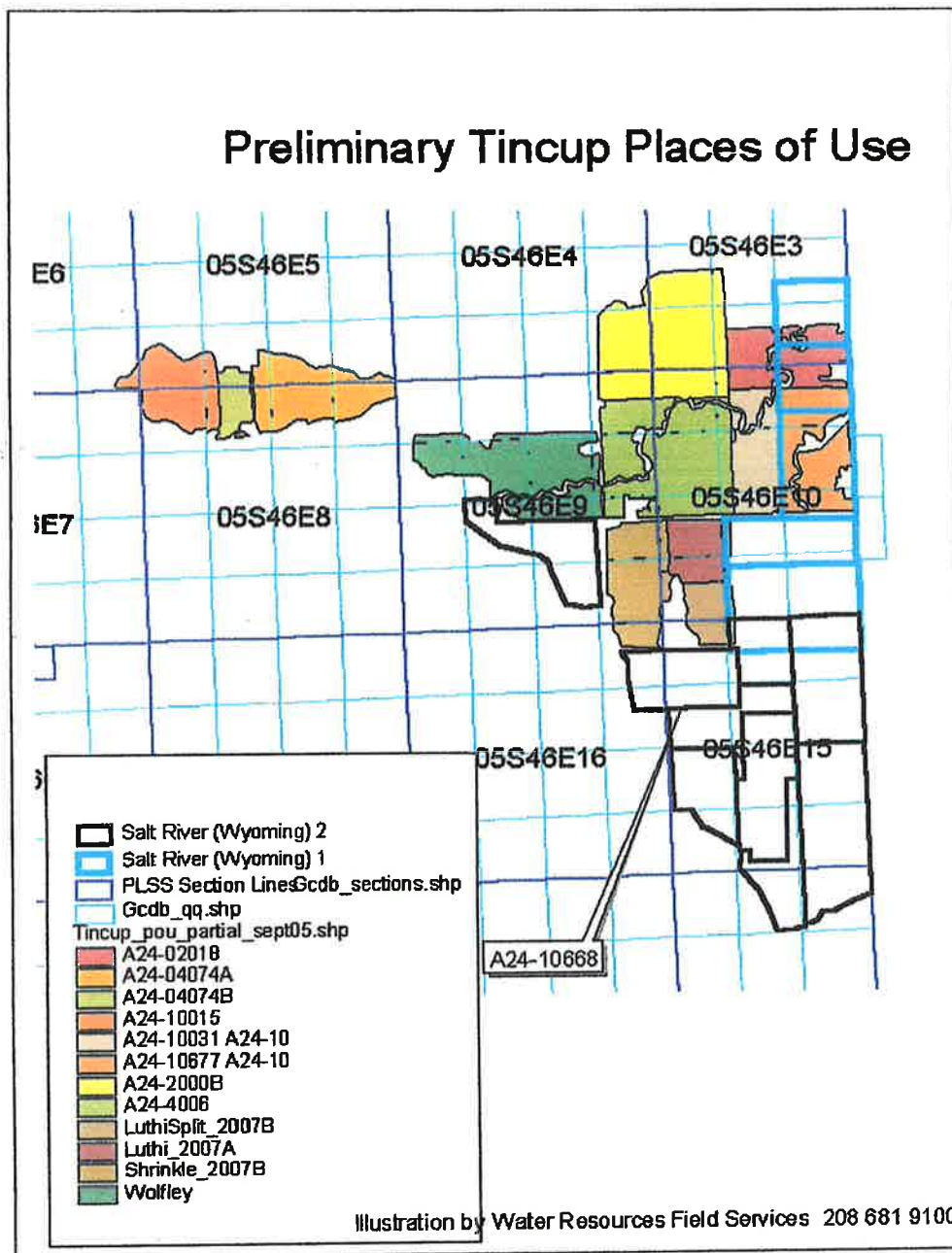


Figure 1. Approximate places of use and misalignment of Public Land Survey System with roads and property lines.

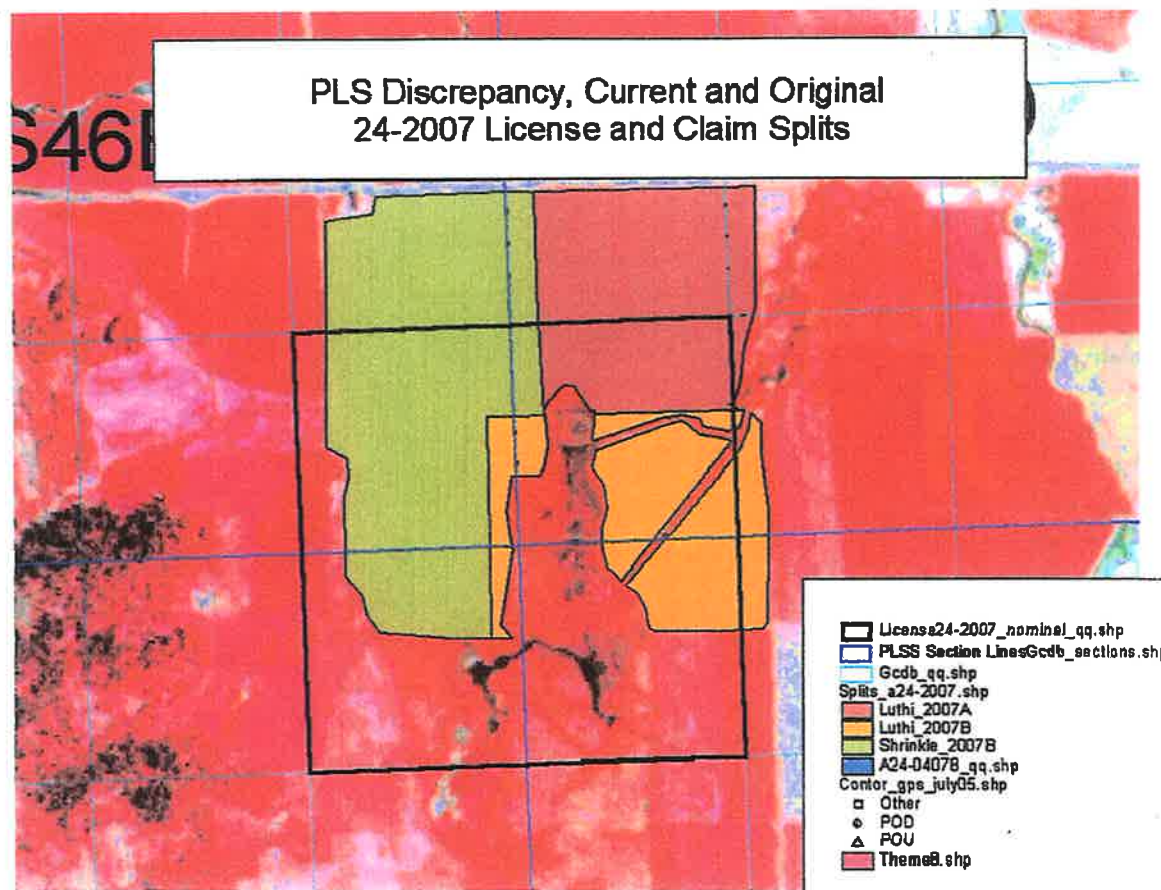


Figure 2. Licensed quarter-quarters and actual place of use, 24-2007.

DELOG CB
8-19-05

RECEIVED
AUG 19 2005
Department of Water Resources
Eastern Region

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A24-02007B		Y			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Geneva Nagel

4. New Owner/Claimant(s)

Eugene C Shinkle Jeannette M.

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

New Mailing Address

Box 343

City, State and ZIP Code

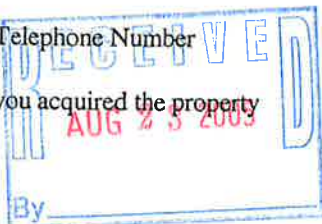
Freedom, Wyo 83120

New Telephone Number

(208) 873-2932

5. Date you acquired the property

17 October 1997



6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	see Adjudication file 1 change of	
Domestic	ownership from Allan Luthi, along with	
Other	legal description on deed.	
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)
(include title if applicable)

Eugene R Shinkbe Jeanne Shinkbe
OWNERS.

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

For Office Use Only

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

SCANNED

APR 02 2009

PERSONAL REPRESENTATIVE DEED

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

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

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

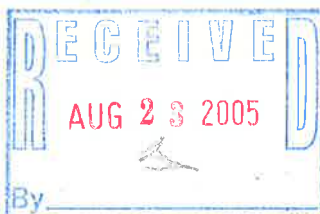
Township 5 South, Range 46 East of the Boise Meridian:

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

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

thence North 693 feet;
thence West 132 feet;
thence North 16.5 feet;
thence West 1155 feet;
thence North 1386 feet, more or less, to the center of the

County Road;
thence West 1353 feet;
thence South 2706 feet;
thence East 2508 feet;
thence South 16.5 feet;
thence East 132 feet;
thence North 627 feet,
to the point of beginning.



STATE OF IDAHO } ss.
County of Caribou }

155347

I hereby certify that this instrument was filed at the request

of Caribou Title
at 1:50 o'clock p m this 24 day of
October, 1997 in my office and duly

recorded in Microfilm Records

Deputy: Linda Jantz

Eugene Shinkle
Deputy

SCANNED 6⁰⁰
Deputy

APR 02 2009

155347

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

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

63 Allen Co. Eugene

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

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

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

Linda Hart

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

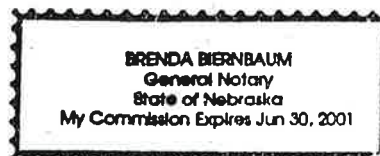
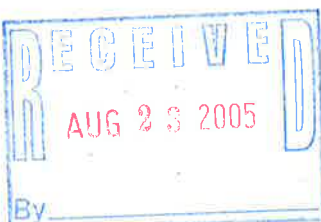
STATE OF ~~Nebraska~~)
County of ~~Lancaster~~) ss.

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

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

Brenda Biernbaum

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



SCANNED
APR 02 2009

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

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

CIVIL CASE NUMBER: 39576

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

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

1. Name of Claimant(s)

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

PO BOX 343
FREEDOM WY USA 83120

JEANNE M. SHINKLE Phone: (208) 873 2932

PO BOX 343
FREEDOM ID USA 83120

2. Date of Priority: 02/16/1906

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADGATE/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

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

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

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APR 02 2009

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	46E	9	NE	SE	IRRIGATION	14
					IRRIGATION	36
					Section Acres	50
05S	46E	10	SW	SW	IRRIGATION	28
					Section Acres	28
					Section Acres	20
05S	46E	15	NW	NW	IRRIGATION	20
					Section Acres	20
					Section Acres	16
05S	46E	16	NE	NE	IRRIGATION	16
					Section Acres	16
					Total Acres	114

2007A claimed
16 ac.

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

SEE FILE FOR P/U.

15. Basis of Claim: License

AA 50

SCANNED

AUG 0 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A24-02007B
Date Received: 5/14/1990
Receipt No: EO14508
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: FEB 16, 1906 -

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

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

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

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

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

9. Non-irrigation uses:
S/ STOCKWATER

10. Place of Use:

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

A24-02007B

Page 1

Date: 05/14/90



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NOV 0 6 1992

10. Place of Use: Continued

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

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE FILE FOR P/U.

15. Basis of Claim: LICENSE
Water Right Number: 1838

16. Signature(s)

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

Number of attachments: 2

For Individuals:

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

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

State of Idaho)
County of Lewhi) SS.

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

Seal

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

