

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: A36-00082A
Date Received: 6/ 9/1988
Receipt No: S000381
Received By: su

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RUTH C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

AND/OR

Name: EDWARD C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

2. Date of Priority: JAN 2, 1891

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	SE	SE	NE		GOODING

5. Description of diverting works:
BUCKEYE DITCH AND HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

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

8. Total consumptive use is 113.4 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	27.8

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	11	SW SE		IRR	10.0

Section Acres 37.8

Total Acres 37.8

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:

A36-00081B, A36-00080B, A36-07271A

14. Remarks:

*** AMENDED NOTES ***

CHANGES MADE IN POU AND DIVERSION RATE. SCC 10-28-91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BA

Decree Plaintiff

IDAHO POWER COMPANY

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

Signature of Claimant(s): Eleanor C. Threlkeld Date: Oct 28 91
Kathleen L. Threlkeld Date: 10 28 91

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of October 19 91

Steve C. [Signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

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: A36-00082A
Date Received: 6/09/1988
Receipt No: S000381
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD C. SHOKAL 208-837-4577
Address: RT. 1 BOX 410
HAGERMAN, ID 83332

AND/OR

Name: RUTH C. SHOKAL
Address: HAGERMAN, ID 83332

2. Date of Priority: JAN 02, 1891

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	SE	NE		GOODING

5. Description of diverting works:
BUCKEYE DITCH AND HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.620		

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

8. Total consumptive use is 140.4 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	36.8
			SW	SE		IRR	10.0
						Section Acres	46.8
						Total Acres	46.8

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:
36-0081, 36-0082, 36-7271

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date: 3/22/1932

INTERNATIONAL MORTGAGE BANK
Decree Plaintiff

vs

IDAHO POWER COMPANY
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Edward C. Shoket Date: June 9 88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of June 19 88

Mary G. Baldwin
Notary Public

Seal

Residing at Gooding Id

My Commission Expires 10/16/1992

RECEIVED
JUN 11 1988

Entry No.	45 cont.	Name	Amount of Water In Second Fe And Source	Priority of Appropriation	Diversion Point
					36-0080
Neal,	2	Billingsley Creek	April 1, 1885	Sands Ditch	
Louis,	1	Billingsley Creek	April 1, 1910	Sands Ditch	36-0081
Harry H.	2	Billingsley Creek	Jan. 2, 1891	Granger Ditch	36-0082
and Effie	.8	Spring	Jan. 2, 1891	Unnamed Spring;	
M. Neal,					
and Alva					
Reed					

(Said Unnamed spring arises in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. at a point 1065 feet north 2 degrees 2' West from the southeast corner of said forty acres tract of land.)

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M. excepting approximately nine acres described as follows:

Beginning at the Southeast Corner of the said Southwest Quarter of the SE $\frac{1}{4}$ of said Sec. 11, Thence north along the center of the Hagerman road 305.25 feet, thence North 80 degrees 50' West 907.5 feet, thence South 44 degrees 55' West 631.15 feet to the Quarter corner of the boundary line between Sections 11 and 14, thence due east to the place of beginning.

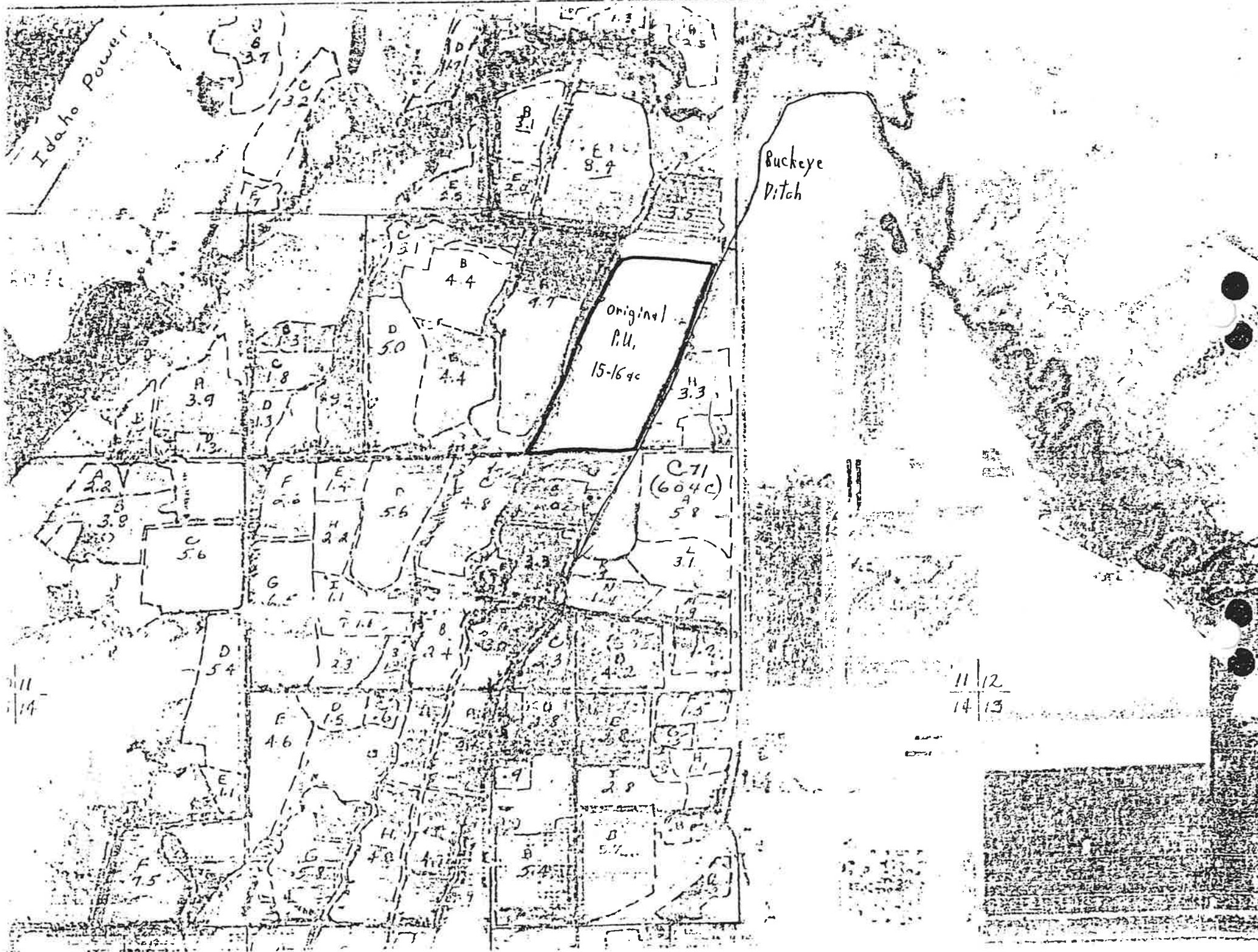
Also the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 11, Twp. 7 S. R. 13 E.B.M., excepting a strip of ground extending along the entire length of the south side of the said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, which strip is 28 feet wide on the west and runs to a point at the east end, or the quarter corner of the above mentioned secs. 11 and 14, Twp. 7 S.R.13 E.B.M.

(Other amounts to other parties)

It is further Ordered, Adjudged and Decreed, That the plaintiff, defendants, cross-complainants, counter-claimants, and intervenors and their attorneys, agents, servants, and employees and any and all persons acting in aid of or for any of said parties, and any persons in privy with or claiming under any of said parties and each and every of them are hereby forever enjoined and restrained from in any manner interfering with or diverting or using the waters of said Billingsley Creek, or said Riley Creek, or the Springs, adjudication of which has been made herein, excepting in accordance with the terms of this decree.

Signed: Charles C. Cavanah, District Judge.

Certificate of correct transcript of the original, given under date of April 8, 1932, by W. D. McReynolds, Clerk of the United States District Court for the District of Idaho, By Dorothy G. Wylie, Deputy (U.S.D.C.Seal)



Idaho Power

Buckeye Ditch

Original
P.U.
15-164c

C 71
(604c)

11
14

11 12
14 13

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-00082A

2002 MAR -6 PM 2:41

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RUTH C. SHOKAL
963 PIONEER ROAD
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.69 CFS

THIS QUANTITY IS DIVERTED AT THE HEADGATE OF THE BUCKEY DITCH.
0.01 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT AND RIGHT NO. 36-07271.

PRIORITY DATE: 01/02/1891

POINT OF DIVERSION: T07S R13E S11 SESENE Within Gooding County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.69 CFS

PLACE OF USE:	Irrigation	Within Gooding County
	T07S R13E S11	SWSE 12.0
	SESSE 6.0	
	18.0 Acres Total	

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

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO 1.62 CFS AT THE
FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE
APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A
VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF
WATER FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE
0.69 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY
ABOVE 0.69 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL BY THIS
WATER RIGHT ON JUNIOR WATER RIGHTS, AND, (4) DIVERSION OF THAT
QUANTITY DOES NOT CONSTITUTE WASTE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-00082A -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
14. ☒ Other: I respond to the objection concerning:

ATTACHMENTS

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially

used (Idaho Code Secs. 42-104 and 42-1402).

Although the claimant did not specifically identify objection item 7, Purpose(s) of Use, as an item being objected to, IDWR deems the claimant's comments regarding stockwater to constitute an objection to that item. In response to that item, IDWR responds as follows: The claimant did not claim stockwater as a use on the notice of claim. IDWR recommended the same purpose of use that was identified on the notice of claim and that was found when the claim was investigated. By identifying in the objection an additional use that the claimant did not list on the notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. Water may be used for irrigation outside the standard season of use, subject to the conditions set forth in general provision 12b of the director's report. IDWR further responds that it recommended the season of use that was claimed. By identifying in the objection a longer season of use than originally claimed, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 14, IDWR deems the description of that item to constitute only a reference to attachments and not an objection. Accordingly, IDWR does not believe a response to that item is necessary.

(Over)

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents.. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-00082A

3

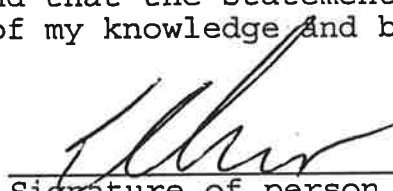
VERIFICATION (Must be Completed)

State of IDAHO

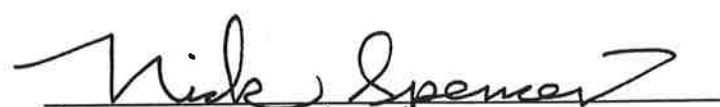
County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

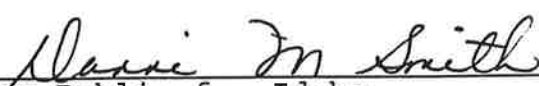
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 31st day of August,
1993.


Notary Public for Idaho

Residing at: _____

My Commission expires _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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 the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: EDWARD C & RUTH C SHOKAL
Address: 963 PIONEER RD
HAGERMAN ID 83332

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent'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: A36-00082A
Date Received: 6/ 9/1988
Receipt No: S000381
Received By: SW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RUTH C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

AND/OR

Name: EDWARD C SHOKAL 208-837-4577
Address: 963 PIONEER RD
HAGERMAN ID 83332

2. Date of Priority: JAN 2, 1891

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	SE	NE		GOODING

5. Description of diverting works:
BUCKEYE DITCH AND HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

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

8. Total consumptive use is 113.4 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		IRR	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	11	SW SE		IRR	10.0
Section Acres						37.8
Total Acres						37.8

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:
A36-00081B, A36-00080B, A36-07271A

14. Remarks:
*** AMENDED NOTES ***
CHANGES MADE IN POU AND DIVERSION RATE. SCC 10-28-91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
vs Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Edward C. Shehal Date: Oct 28 91
Ruth C. Shehal Date: 10/28/91

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of October 19 91

Steve C. [Signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

ED SHOKAL

963 PIONEER RD, HAGERMAN

837-4577

2. SUBJECT OF INQUIRY:

Concerned about the combined water right
with Martin. Should he come in to discuss it?

3. RESPONSE TO INQUIRY:

I told him coming in will not resolve the issue; the report now belongs to the Court and not me. I suggested he file a transfer to move the ponds' place of use to the Martin property. I explained we had to recommend the right as licensed since no ponds were licensed on the Martin parcel. Review of the license exam shows the ponds only on the remaining Shokal property and a change of ownership as filed cannot replace the need for the transfer. I confirmed either party can transfer the right and suggested that Mr. Martin make the filing (since he owns the new pond).

I mentioned he can file the objection with the Court from this point on until May 1, 1993. He said he will obtain the forms later.

4. IDWR STAFF AND DATE:

Steve Clelland

11-9-92

Print name and initial

STEVE CLELLAND

SC

WATER RIGHT CLAIM (Nos.):

A36-00082 A36-00080B

A36-00081MED

OCT 12 1994

RECEIVED

APR 14 1993

Department of Water Resources
Southern Region Office

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

Case No. A36-00082A
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

OBJECTION RECEIVED

MAR 22 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

MICROFILMED

OCT 12 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name:

Edward C. Shekal

Address:

963 Pioneer Rd
Hagerman Idaho 83332

Briefly describe your interest in this water right:

Please read Attachment No. 1 5 pages

D.W.R = Dept. of Water Resources

2. Owner of the water right:

Name:

Edward C. and Ruth C. Shekal

Address:

963 Pioneer Rd
Hagerman Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name:

NA

Attorney Address:

Attorney Phone No.:

NA

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; *See Attachment No 2, A, B, C, D, E, F, G, H 11 pages*
 - b. ☐ the total quantity of water stored in acre feet per year; or *" " No 3, 3A, 3B 16 pages*
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
See Attachment No 4 and 2G.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: _____

Please read Attachment #2, A, B, C, D, E, F, G & H 11 pages

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

General Information - Person Objecting: see Attachment #1 5 pages

Box No. 3 Quantity: See Attachment No 3, A + 3B 16 pages

Box No. 8 Period of yr: See Attachment No 4 and 2 G

Box No. 14 Other: See Attachment No 2 A, B, C, D, E, F, G, H 11 pages

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Case A36-00082A; Decreed water right No A36-00082A
for 1.640 C.F.S. water to be used from March 1 to Nov 15
for irrigation and watering cattle from Jan 1 to Dec 31.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

General Information - Person Objecting See Attachment No 1 5 pages

Box # 3 Quantity: See Attachment (No 3, 3A, 3B) 16 pages

Box No 8 Period of years: See Attachment No 4 1 page

Box No 14 Other: See Attachment No. 2 A B C D E F G H. 11 pages

VERIFICATION (Must be Completed)

State of

Idaho

County of

Landing

Edward C. Shokal

(Name of person filing objection)

sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Edward C. Shokal

Signature of person filing objection

By:

NA
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 18th day of March, 1993.

John D. Merritt

Notary Public for State of Idaho

Residing at: Kimberly, ID

My Commission expires: 6/30/94

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 19 day of March, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, 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 the owner of the water right, and you must fill in the following information:

Owner name:

Owner's address:

Edward C. and Ruth C. Shokal
963 - Pioneer Rd
Hagerman Idaho 83332

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Edward C. Shokal

Signature of Objector or attorney
mailing on Objector's behalf

Briefly, my interest in this water right is to beneficially use it so I can have an economic income from my ranch. The main operation of my ranch is to grow agriculture products, alfalfa, pasture and cattle for the market.

I have in the past had a lot of technical challenges that involved a diversity of scientific projects. During this 35 years I was awarded 98 U.S. patents and over 400 overseas patents. This work built an excellent foundation of knowledge so working with plants and soil did not bring any surprises to me as a rancher. Capillary water movements in the soil around root hairs; formation of colloids in soil; the tremendous increase in the surface area when particle sizes are reduced from sand to micron size; the water and nutrient absorption and adsorption on mineral surfaces was already in my foundation of knowledge so there were no mysteries on how to beneficially put water to work to grow plants.

Attached for reference, is a copy of the diploma awarded to me by the California Chapter of the Sigma XI (a society devoted to the promotion of research in science), and a list of U.S. patents in my name.

MICROFILMED

OCT 12 1994

THE SOCIETY OF THE SIGMA XI

DEVOTED TO THE PROMOTION OF RESEARCH IN SCIENCE

BY THIS DIPLOMA CERTIFIES THAT

EDWARD CHARLES SHOKAL

WAS DULY ELECTED A MEMBER OF THE

CALIFORNIA CHAPTER

OF THE SOCIETY OF THE SIGMA XI ON THE

11TH DAY OF DECEMBER IN THE YEAR

1952 AND IS FULLY ENTITLED TO

ALL THE PRIVILEGES GRANTED BY THE

CONSTITUTION AND BY-LAWS.



W. M. Stanley
CHAPTER PRESIDENT

Walter W. Soroka
CHAPTER SECRETARY

[June 1968]

Patents:

- U.S. 2,260,753 (Oct. 28, 1941) - "Process for the Production of Derivatives of Epihalohydrins"
- U.S. 2,314,039 (March 16, 1943) - "Process for the Production of (Novel) Epoxide Ethers (e.g., Allyl Glycidyl Ether)"
- U.S. 2,327,053 (Aug. 17, 1943) - "Production of Hydroxy Ethers"
- U.S. 2,355,319 (Aug. 8, 1944) - "Stabilization of Halobutenes"
- U.S. 2,360,555 (Oct. 17, 1944) - "Preparation of Cyclic Mono-Olefins"
- U.S. 2,360,860 (Oct. 24, 1944) - "Solvent Extraction Process"
- U.S. 2,360,862 (Oct. 24, 1944) - "Solvent Extraction Process"
- U.S. 2,364,587 (Dec. 5, 1944) - "Stabilization of Halobutenes"
- U.S. 2,364,588 (Dec. 5, 1944) - "Stabilization of Halobutenes"
- U.S. 2,364,921 (Dec. 12, 1944) - "Leaded Motor Fuels"
- U.S. 2,372,941 (April 3, 1945) - "Process for Concentrating Diolefins in Mixtures Containing Same"
- U.S. 2,376,075 (May 15, 1945) - "Stabilization of Halobutenes"
- U.S. 2,380,185 (July 10, 1945) - "Production of Hydroxy Ethers"
- U.S. 2,391,330 (Dec. 18, 1945) - "Synthetic Rubber Compositions"
- U.S. 2,393,925 (Jan. 29, 1946) - "Insecticides"
- U.S. 2,394,251 (Feb. 5, 1946) - "Hydraulic Fluids"
- U.S. 2,407,508 (Sept. 10, 1946) - "Unsaturated Bicyclic Carbonylic Compounds and Their Preparation"
- U.S. 2,408,922 (Oct. 8, 1946) - "Separation of Diolefins by Azeotropic Distillation"
- U.S. 2,418,991 (April 15, 1947) - "Polymers of Unsaturated Derivatives of 3-Sulfolanol"
- U.S. 2,419,082 (April 15, 1947) - "Unsaturated Ethers of Cyclic Sulfones"
- U.S. 2,426,821 (Sept. 2, 1947) - "Azeotropic Distillation of Five Carbon Diolefins in the Presence of Methyl Formate"
- U.S. 2,427,640 (Sept. 16, 1947) - "Polymerizable Esters and Polymers Thereof"
- U.S. 2,428,235 (Sept. 30, 1947) - "Production of Aromatic Hydroxy Ethers"
- U.S. 2,428,590 (Oct. 7, 1947) - "Production of Allyl Type Compounds"
- U.S. 2,433,616 (Dec. 30, 1947) - "Stabilized Polymers of Diallyl Esters of Dicarboxylic Acids"
- U.S. 2,435,071 (Jan. 27, 1948) - "Amides of Cyclic Sulfones"
- U.S. 2,445,189 (July 13, 1948) - "Polymerization of Unsaturated Compounds in the Presence of a Peroxide and a Hydrogen Halide"
- U.S. 2,445,799 (July 27, 1948) - "Organic Sulfur-Containing Polymers"
- U.S. 2,446,314 (Aug. 3, 1948) - "Process for the Preparation of Soluble Polymers of Unsaturated Esters of Polycarboxylic Acids"
- U.S. 2,449,173 (Sept. 14, 1948) - "Alkenyl Sulfolanyl and Sulfolenyl Carbonates"
- U.S. 2,449,956 (Sept. 21, 1948) - "Dialkylcyclohexyl Glycols and Certain Derivatives Thereof"
- U.S. 2,450,234 (Sept. 28, 1948) - "Autocondensation Polymers of Unsaturated Glycidyl Ethers and Method of Producing Same"
- U.S. 2,451,299 (Oct. 12, 1948) - "Sulfolanyl Esters"
- U.S. 2,452,949 (Nov. 2, 1948) - "Sulfolanyl Sulfones"
- U.S. 2,460,233 (Jan. 25, 1949) - "Esters of Sulfonene Halohydrins"
- U.S. 2,461,339 (Feb. 8, 1949) - "Unsaturated Thioethers of Cyclic Sulfones"
- U.S. 2,464,753 (March 15, 1949) - "Allyl Glycidyl Mixed Diether of bis-(4-hydroxy-phenyl)-2,2-Propane and Polymers Thereof"
- U.S. 2,469,309 (May 3, 1949) - "Method for Preventing Ice Formation on Surfaces"
- U.S. 2,469,317 (May 3, 1949) - "Insecticidal and Fungicidal Composition"
- U.S. 2,475,296 (July 5, 1949) - "Catalytic Polymerization of Allyl Esters"
- U.S. 2,475,297 (July 5, 1949) - "Catalytic Polymerization of Allyl Esters"

OCT 12 1994

- U.S. 2,476,922 (July 19, 1949) - "Glycidyl Allyl Phthalate and Related Mixed Esters Together with Polymers Thereof"
- U.S. 2,488,883 (Nov. 22, 1949) - "Polymers of the Condensation Product of Formaldehyde with Unsaturated Esters of Ketocarboxylic Acids"
- U.S. 2,553,718 (May 22, 1951) - "Glycidyl Ether Compositions"
- U.S. 2,545,184 (March 13, 1951) - "Diallyl Esters and Polymers Thereof"
- U.S. 2,545,832 (March 20, 1951) - "Method for Manufacturing Laminated Articles"
- U.S. 2,548,447 (April 10, 1951) - "Fluid Compositions Containing Glycidyl Polyethers"
- U.S. 2,561,613 (July 24, 1951) - "Condensation Products of Unsaturated Ether-Aldehydes, Polymers Thereof, and Methods for Producing the Same"
- U.S. 2,567,675 (Sept. 11, 1951) - "Plastic Compositions From Copolymers of Unsaturated Esters of Ethereal Oxygen-Containing Acids"
- U.S. 2,575,558 (Nov. 20, 1951) - "Glycidyl Ether Compositions and Method of Using Same"
- U.S. 2,578,950 (Dec. 18, 1951) - "Unsaturated Esters of t-Butyl Benzoic Acid, Their Polymers, and Compositions"
- U.S. 2,585,506 (Feb. 12, 1952) - "Stabilization of Halogen-Containing Organic Materials"
- U.S. 2,588,890 (March 11, 1952) - "Allyl Alcohol-Styrene Copolymers"
- U.S. 2,596,344 (May 13, 1952) - "Fractionation Process"
- U.S. 2,596,945 (May 13, 1952) - "Copolymers of 1-Alkenyl Nitriles and Allylic Esters of Aromatic Dicarboxylic Acids"
- U.S. 2,599,817 (June 10, 1952) - "Carbo-Polymerization Homopolymers of Unsaturated Alcohol Ethers of Glycidols and Their Homologs"
- U.S. 2,630,430 (March 3, 1953) - "Allyl Alcohol-Styrene Copolymers"
- U.S. 2,633,458 (March 31, 1953) - "Sulfur-Containing Resinous Products From Poly-Epoxides"
- U.S. 2,642,412 (June 16, 1953) - "Curing Glycidyl Polyethers with N,N-Dialkyl-1,3-Propanediamines"
- U.S. 2,643,239 (June 23, 1953) - "Nitrogen-Containing Polyethers and Process for Curing Glycidyl Polyethers to Resinous Products"
- U.S. 2,651,589 (Sept. 8, 1953) - "Process for Forming Cured Glycidyl Ether Resinous Bonds Between Two Solid Surfaces"
- U.S. 2,671,060 (March 2, 1954) - "Unsaturated Esters of Substituted Cyclohexane-Carboxylic Acids, Polymers Thereof, and Compositions Containing the Same"
- U.S. 2,700,036 (Jan. 18, 1955) - "Fractionation of Fatty Acid Glycerides"
- U.S. 2,728,744 (Dec. 27, 1955) - "Compositions Containing a Polyhydric Alcohol and Glycidyl Ethers or Esters"
- U.S. 2,728,781 (Dec. 27, 1955) - "Acyloxy Substituted-Glycidyl Polyethers of Dihydric Phenols"
- U.S. 2,732,367 (Jan. 24, 1956) - "Fusible Soluble Resins Having Improved Flame Resistance are Obtained by Reacting a Polyepoxide (EPON 828) With a Phosphonic Acid (Benzene-Phosphonic Acid)"
- U.S. 2,768,153 (Oct. 23, 1956) - "Process for Curing Polyepoxides and Resulting Products"
- U.S. 2,778,855 (Jan. 22, 1957) - "Production of Hydroxy Ethers"
- U.S. 2,792,381 (May 14, 1957) - "Epoxy Ethers of Acetylenic Alcohols and Their Polymers"
- U.S. 2,795,572 (June 11, 1957) - "Epoxy Esters of Carbonic Acids and Their Polymers, e.g., Allyl 2,3-Epoxy Propyl Carbonate"
- U.S. 2,809,177 (Oct. 8, 1957) - "Polyhydroxy-Substituted Polyethers, Their Preparation and Resinous Products Prepared Therefrom"
- U.S. 2,809,185 (Oct. 8, 1957) - "Polymerization of Unsaturated Aldehydes with Nitrile Catalysts"
- U.S. 2,817,644 (Dec. 24, 1957) - "Process for Curing Polyepoxides and Resulting Products"
- U.S. 2,819,252 (Jan 7, 1958) - "Polymerization of Acrolein"

- U.S. 2,826,562 (March 11, 1958) - "Hydroxy-Substituted Unsaturated Esters Prepared from Polyepoxides and Derivatives Thereof"
- U.S. 2,826,592 (March 11, 1958) - "Epoxy Esters of Phosphorus-Containing Acids, Their Polymers and Their Use in Treating Textiles"
- U.S. 2,839,507 (June 17, 1958) - "Production of Copolymer of a 2-Aryl-Alkene-1 and an Alpha, Beta-Olefinic Aldehyde, and Derivatives Thereof"
- U.S. 2,839,514 (June 17, 1958) - "Copolymer of Allyl Glycidyl Monoether and Styrene"
- U.S. 2,840,617 (June 24, 1958) - "New Polyols, Their Preparation and Derivatives"
- U.S. 2,856,369 (Oct. 14, 1958) - "Epoxy-Substituted Esters of Phosphorus-Containing Acid and Their Polymers"
- U.S. 2,864,804 (Dec. 16, 1958) - "Hydroxy-Substituted Allylic Ethers and Derivatives"
- U.S. 2,886,493 (May 12, 1959) - "Stabilization of Unsaturated Aldehydes"
- U.S. 2,895,947 (July 21, 1959) - "Polymerization of di-(2,3-Epoxypropyl Phthalate)"
- U.S. 2,915,485 (Dec. 1, 1959) - "Process for Preparing Flexible Resinified Products from Polyepoxides and Resulting Products"
- U.S. 2,925,403 (Feb. 16, 1960) - "New Polyepoxides from Epoxy-Substituted Cycloaliphatic Alcohols, Their Preparation and Polymers"
- U.S. 2,940,946 (June 14, 1960) - "Allyl Alcohol-Vinyl Aromatic Copolymers"
- U.S. 2,950,955 (June 14, 1960) - "Olefin Copolymer"
- U.S. 2,941,003 (June 14, 1960) - "New Sulfur and Phosphorus-Containing Hydroxy Polyamines and Their Preparation"
- U.S. 3,044,996 (July 17, 1962) - "Oil-Soluble Polymers From Acrolein"
- U.S. 3,040,010 (June 19, 1962) - "Allyl Glycidyl Ether and Vinyl Acetate"
- U.S. 3,125,559 (March 17, 1964) - "Process for Polymerization of Monomers With a Catalyst Containing a Metal Salt Plated on a Metal"
- U.S. 3,156,674 (Nov. 10, 1964) - "Additional Polymers of Alkenyl Epoxy Ethers, Ethylenically Unsaturated Alcohols and Monoethylenically Unsaturated Hydrocarbons and Cured Products Prepared From Same"
- U.S. 3,215,670 (1965) - "Polymers of Alkenyl Epoxy Hydrocarbon Ethers and Conjugated Diolefins and Cured Products Obtained Therefrom"
- U.S. 3,238,146 (1966) - "Catalysts and Their Preparation, Olefin Polymerization"
- U.S. 3,284,375 (1966) - "Epoxy Containing Condensation Products and Method of Making Same"
- U.S. 3,336,241 (1967) - "Process for Preparing Epoxy Compounds and Resulting Products. Selective Hydrogenation of Aromatic Glycidyl Compounds to Corresponding Glycidyl Cycloaliphatics"

MICROFILMED

OCT 12 1994

Case A36-00082A
Box #3, Quantity; Attachment 2A (3pages)

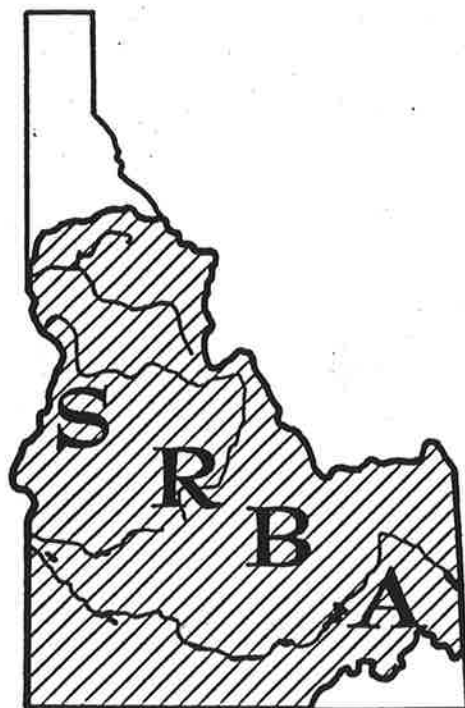
(A) This water right was adjudicated and tested in the U. S. District court of the United States for the District of Idaho, southern division; New International Mortgage Bank (plaintiff) vs Idaho Power Company (defendant); decree dated March 22, 1932.

Further, the DWR states in their February '88 "Users Information Guide" that "a decree issued by the judge which will identify each water right and will, "stand good against the world" (copy attached).

Therefore, my 1932 decreed water right should be left undisturbed.

The
SNAKE RIVER BASIN
WATER RIGHT
ADJUDICATION

A Water User's Information Guide



Idaho Department of Water Resources
February 1988

MICROFILMED

OCT 12 1994

cient determination of all water rights including private, public, industrial, commercial and agricultural. Federal reserved water rights are also included.

The Idaho Department of Water Resources (IDWR), a separate entity from the court, reviews each claim to a water right to ensure its accuracy. After the Department reviews the

claims, the Director of IDWR reports his findings and makes recommendations to the court.

Following any objections or necessary hearings, a judgment will then be entered and a decree issued by the judge which will identify each water right and which will, "stand good against the world".

***A WATER RIGHT IS A TITLE TO USE
A PORTION OF THE PUBLIC WATERS OF
THE STATE FOR A BENEFICIAL PURPOSE.***

Water law is a very complex subject. The SRBA will be administered by procedures ordered by the court and provided for by Idaho law. Rules and Regulations governing general adjudication of water rights have been adopted by the Idaho Department of Water Resources.

The right to use Idaho water is generally limited and regulated by Idaho law. Idaho law states that "first in time is the first in right." Thus the individual who first appropriates water and puts it to a beneficial use has a right superior to someone who later appropriates water for beneficial use.

**Check with any office
of the
Idaho Department of Water Resources
to see if you need to file a
NOTICE OF CLAIM
on your water right
OR CALL TOLL-FREE
1-800-451-4129**

A water right is simply a title c right to divert water from a natural source and put it to beneficial use. Rights to use water developed under Idaho law and claims to water base upon federal law within the boundaries of the SRBA will also be determined.

Water right law is constantly evolving, but there are basically three types of state water rights: statutory right constitutional or 'use' rights, and decreed rights. A decreed water right is a water right listed in a state or federal court.

The statutory right is obtained by applying to and receiving from the Idaho Department of Water Resources a permit to divert water for beneficial purpose.

Before 1903, the statutory method

***THE FILING OF A NOTICE
IS ESSENTIAL TO SECURE A WATER
RIGHT YOU ALREADY HAVE TITLE TO
ONLY BY FILING A NOTICE OF CLAIM
YOUR WATER RIGHT CAN YOU
PROTECT YOUR RIGHT FOR YOU AND YOUR***

The order commencing the proceeding was filed on January 17, 1989. Filing of a notice of claim for domestic and stockwater rights in streams may be deferred until a future date if it may arise at a future date. However, IDWR strongly encourages you to file your small domestic and stockwater right so that your water right will be protected in the adjudication. The costs to adjudicate a water right in the future will certainly be more than the filing fee. Do It Now!

(B) I have operated this ranch for 20-plus years with the production being mainly alfalfa hay, pasture and cattle for market. When I first purchased the ranch, it was obvious that the production of the ranch could be improved by better control of the available water. Anticipating that some day I would be limited to my 5 cfs of decreed water (adjudicated 1932) I started a project where the water diversions from my several sources would be measured. I used the rectangular box-type weir (with end contractions) and (without end contractions) with a thin metal crest. The book "Treatise on Hydraulics", Merriman; J. Wiley, was used as a reference guide. After several years I learned that my sources of water varied by several factors such as time of the year and water level of source. Since my ranch is one of the first diversions from the main supply, I was not troubled with water shortages.

After about eight years I found out that my water consumption was pretty close to my decreed rights of 5 cfs for the entire ranch. This water was beneficially used up with practically no run-off. In fact, most of my corrugates were dry at the ends. It was practically impossible to control hundreds of corrugations in one day so that the optimum water flows were maintained. In summation the ranch was more often having dry spots than being irrigated completely.

I established that all the 5 cfs of water decreed in 1932 was beneficially used. For all practical purposes this experience extended through subsequent years to the end of 1991.

Therefore, my 1932 decreed water right should be left undisturbed.

Case No. A36-00082A
Box 14, Other; Attachment #2C

(C) It should be pointed out that when the DWR was estimating how much water they were going to allow me, they did not consider trees as water consuming factors. I have over 100 trees on my ranch, they grow along the edges of the fields and the water ditches. They are all sizes and ages.

Trees are environmentally desirable. They make shelter for me on a hot summer day when working the fields; make shade for the cattle; produce organic matter for the soil; temper the winds, convert CO₂ into oxygen; and bring pleasant aesthetics that help alleviate the hard work in ranching. These are all beneficial uses of water.

Because the DWR does not factor in the value of trees, it is another indication that their water need estimates are incomplete.

They prefer to make their estimates from graphs, curves and calculators, rather than all the factors involved in on-site studies.

Case No. A36-00082A

Box 14, Other; Attachment #2D, 2 pages.

(D) The DWR use of the Hubble Engineering report for estimating my water needs is flawed, because they extrapolated some data from the Hubble report and applied it to my ranch without making the necessary measurements on my ranch.

When I was reviewing my decreed water with the water agent of the DWR, we came to a point of disagreement that reached a stalemate. I argued that I needed all this water and asked him how he arrived otherwise. His reply was "we use the Hubble Engineering report prepared for the DWR". I asked if I could see a copy of this report. He did not have a copy, but one volume of the two volume report was found in the building. I looked at it very briefly and asked him if he had read it. His answer was "No". I asked him how he could use this report as a guide line if he did not read it. His reply was that he had enough information so he could do his work. I was very disappointed, so I purchased a copy of this report from the DWR office in Boise.

I read both volumes of this report (a total of over 100 pages) and found that there was considerable flexibility in its interpretation and possible errors in its use if not used as a whole piece of work. I quote a few statements from the "Guideline Vol." of the Hubble Engineering report:

p.33 Chapter IV Conveyance Loss

Line 19 "Seepage varies with soil texture, but the relationship is not closely correlated. Computation of seepage based upon texture are valid only in general terms."

Line 25 "Other biological factors, such as plant roots and worms, are known to increase seepage, but their effects vary greatly and are difficult to measure or estimate."

Page 1 Introduction

A. Purpose of Guidelines.

"These irrigation guidelines were prepared to serve as the basis for evaluating irrigation diversion claims in the Snake River Basin in Idaho. They are not intended to be the only procedure for determining irrigation diversion rates."

Line 16 "All factors affecting irrigation diversion requirements must be considered."

Line 22 "These guidelines will not provide judgements on an irrigation diversion requirement, they will only provide knowledge about the irrigation practice under the diversion."

MICROFILME

OCT 12 1994

Page 2 -- D continued.

Page 2, Line 8C

"Determination of irrigation diversion requirement is a rather complicated process involving considerable data and calculations."

Now add factors like cow droppings, cow hoof scuffs on the grass surfaces, weeds growing from seeds in the irrigation water source, grass uprooted and dropped back from animals eating, sticks, dried weeds, pieces of tree bark and leaves blown into the corrugations from winds, etc.; running a ranch is definitely an art and not a science. A few calculations, no matter how carefully made, do not predict how a ranch can be operated. Further, since the DWR did not follow all the necessary steps to determine the water needs as instructed by the Hubble Engineering report, their recommendation for my ranch is flawed and is invalid.

Therefore, I should be allowed by 1932 decreed water right.

Case No. A36-00082A
Box 14, Other; Attachment #2E

(E) The Director of DWR has not told me what he intends to do with the water he wants to take away from me. There is plenty of water at the sources of my permits. According to the Idaho Constitution, Article XV, Section 3 "WATER OF NATURAL STREAM-RIGHT TO APPROPRIATE-STATE'S REGULATORY POWER -PRIORITIES." and Section 4 "CONTINUING RIGHTS TO WATER GUARANTEED.", my water rights should not be disturbed because the Director of DWR has not declared an emergency of my water supply, not declared a need of water at a higher priority.

Therefore; my 1932 decreed water right should not be disturbed.

MICROFILMED
OCT 12 1994

Case No. A36-00082A
Box 14, Other; Attachment #2F

This ranch has been irrigated by the corrugation (furrow) method since 1920 and earlier.

I discussed the corrugation method with Mr. B. Crisp, the previous owner of the ranch. He used the corrugation method and showed me the fields that were difficult to irrigate because the soil was so sandy (lava sand).

In 1976, Mr. Fred Cunningham (the owner of this ranch before Mr. Crisp) visited with me and we discussed the irrigation problems he had with the corrugation method. He also pointed out the difficulties he had with the sandy soil and recalled that this ranch was irrigated by the corrugation method when Mr. Middleton was running it back in 1890.

Case A36-00082A
Box 14, Other; Attachment #2G

No water rights were stipulated for cattle drinking water before and after the official irrigation season.

Before part of my ranch was sold we wintered 70 head of cattle. While the number of cattle wintered over varies now, we still need winter water for cattle in the various grazing fields.

Therefore, I want this water right to include the use of watering cattle.

MICROFILMED
OCT 12 1994

Case A36-00082A

Box 14, Other; Attachment #2, H

If the D.W.R. thinks that my ranch can be operated for a financial profit using less than the 1932 decreed water right, I would like to see it demonstrated. I am willing to turn over my ranch to the D.W.R. for three consecutive years so they can demonstrate that one man can make a profit on the ranch following all their water limitations.

If they make a profit, they can use the money to help finance this adjudication. This is not a joke of some kind, I am serious.

Case A36-00082A

Box 3, Quantity; Attachment #3A and #3B

(Total ~~15~~ 16 pages)

(A) On 10/30/91 the D.W.R. made out "Notice of Claim" to a water right acquired under State law, (A36-00082A.) This was the correct amount after the water right was split by change in ownership. It was for 1.640 cfs. A copy is attached for your reference.

(B) Also for your reference is a copy of our response to the D.W.R. (addressed to Mr. Steve Clelland, Water Agent) Southern Regional Area Office, after we were requested to give them details on the operation of the ranch. This was supposed to help them in the adjudication process. It has soil maps and related information. The attachment has ~~15~~ 16 pages.

MICROFILMED

OCT 12 1994

with 7-inch screw gates and 20-foot corrugated pipes for better control.

(3) Installed over 110 6-inch slide gates to replace the sod-grass water controls.

(4) Installed 8 and 10-inch gates in irrigation ditches for better water control.

(5) Relocated feed ditches to better fit land contours.

(6) Changed the corrugate spacing from 29 inches to 36 inches to maximize water use.

(7) Installed water measuring devices so that the quantity of water used could be estimated.

(8) Removed high spots to improve water flow.

This has been an ongoing program for 20 years. While trying not to use more than our adjudicated water rights and keeping the water runoff to none or practically none, we have a difficult time to keep the land properly irrigated under the best conditions.

(D) This parcel of land was laid down by the Snake River as it receded from the Lake Boniville flood. Examination of the ditch banks, ditch bottoms and postholes shows a preponderance of pure lava sand. It will vary in thickness from inches to more than several feet thick in places (fish pond 8 plus feet). Fortunately, the greatest area is a fine sandy soil that is good for production. All the soil produces well when it gets enough water. All the land is basically very porous and should not be disturbed any more than is absolutely necessary.

Conclusion: The water needs of this parcel of land were properly considered in the adjudication procedure in the District Court of the United States for the District of Idaho, Southern Division. In Equity No. 1602, New International Mortgage Bank a corporation plaintiff -vs- Idaho Power Company, a corporation, defendants. The decreed water rights were recorded April 19, 1932.

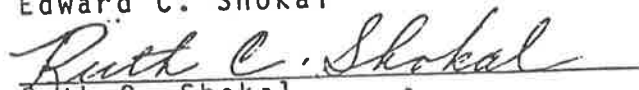
We have found by good management of the land that the adjudicated amount of water is not excessive, in fact it is minimal, if the land is to be put to full production.

Therefore, we believe that our water rights as established by the above 1932 adjudication should not be disturbed.

Yours truly,

Attachments - 7 pages.


Edward C. Shokal


Ruth C. Shokal

963 Pioneer Road
Hagerman, Idaho 83332

Mr. Steve Clelland, Water Agent Jan 16 92
DWR. Twin Falls

Dear Mr. Clelland: Ref. Civil Case No 39576

These notes are in response to the phone call we had several days ago.

1) Profile of Shobals ranch.

(a) Direction from U.S. 30 toward Snake River
The direction $\perp$ to above direction is "rolling" except for field # 6 + 7 which is practically flat. (See attached map)

(b) Red lines on map indicate where measurements were actually made with transit + pole

Field #1	=	4%
" #2	=	3%
" #11	=	2 1/2%
" #7	=	2% (estimated)

2) Length of Corrugates

Red lines on map indicate where measurements were made.

Field #1	=	400 ft long
#2	=	300 " "
#11	=	400 to 600 ft (maximum)
#7	=	400 ft long

3) Days water runs once started (per set)

Sections of water sets varies from 6 to 9 corrugates. MICROFILMED
Water runs from 2 to 4 days depending on conditions. 12. 12. 12.

running is a balance ~~B~~ of getting the water down & not having any run-off.

4) Number of corrugates operating at the same time.

(Note: ~~after~~ 35 Ac. after sale of 12 Ac to Martin King)

The number of corrugates in operation at (1) time varies from 70 to 100. This is a tough one to estimate because many variables are in place.

5) Times a water set is used per year

This depends on the length and width of the field. A field with a short row of corrugates is attended differently than if the field has a long row from the same feed ditch. I am referring to the number of corrugates per feed ditch and not to the length of the corrugates.

An example: Field #1 has corrugates 400 to 600 ft long but only 5 sets from the feed ditch. Running 1 set of 5 corrugates for 4 days takes 20 days. Field #7, 400 ft corrugates has many sets from the feed ditch so it takes much longer to finish one round. My estimate is some fields (#7) get only 15 cycles while the pasture fields get 10 to 12 cycles per year.

6) Volume of water used per corrugate.

I do have some data on some fields at the start of a field & after it is established (2 to 3 yrs). Some fields are contoured with a 5 to 6% slope for the first 50' & then go flat 3% slope for the rest of the distance. To limit soil erosion I start these fields with a 2 to 3 ft section of steel pipe 3/4" in diameter. Once the water starts it will run for 10-15 days & not get all the way down. Then I stop the water and start it again for 10 to 15 days. Repeating this by year and the 3/4" diam. pipe is not big enough. The 2nd year I use 1" diam pipe and the 3d year 2" diam pipe is just about correct. All the corrugates do not need the pipe treatment but most of them do on a "new field."

In troubled spots I use 2" Dia. pipe in old established fields. Steel pipe is used because plastic pipe is crushed by cow hoofs.

Ed. Sh., 1 Jan 16 92

Edward C. Shokal R. party

EPB Ephrata fine sandy loam, 1 to 6 percent slopes

COMPOSITION

Ephrata soil - 85 percent

Inclusions - 15 percent

EPHRATA SOIL

Positions on landscape: stream terraces

Elevation: 2600 to 3100 feet

Climatic data: (average annual)

* precipitation - about 9 inches

* air temperature - about 52 degrees F.

* frost free period - about 130 days

Typical profile:

0 to 5 inches - yellowish brown fine sandy loam

5 to 26 inches - yellowish brown and light yellowish brown fine sandy loam

26 to 30 inches - multi-colored very gravelly loamy coarse sand

30 to 61 inches - multicolored very gravelly coarse sand

Depth class: very deep (more than 60 inches)

Drainage class: well drained

Permeability: moderately rapid to 26 inches and very rapid below this depth

Available water capacity: low; 3 to 6 inches

Potential rooting depth: 60 or more inches

Restriction to rooting depth: sand and gravel at 26 inches

Runoff: very slow

Hazard of erosion: by water - slight
by wind - moderate

INCLUDED AREAS

Contrasting inclusions:

Tupper extremely bouldery fine sandy loam and Tupper extremely stony fine sandy loam, usually occurring on slightly higher positions of the stream or river terrace

MICROFILMED
JUL 2 1994

Similar inclusions:

of Kecko loamy fine sand and Fathom fine sand occurring in concave positions and Ephrata gravelly loamy fine sand

MAJOR USES

Current uses:

cropland
pasture
hayland

Potential uses: homesites

CROPLAND

Suitable crops:

wheat
barley
sugar beets
potatoes
sweet corn
corn

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface on this map unit.

The hazard of water erosion is increased where corrugation or furrow irrigation is used.

Suitable management practices:

Conservation cropping system
Conservation tillage
Irrigation water management
Suitable irrigation systems are:
sprinkler
furrow
corrugation

Sprinkler irrigation is the most suitable method of applying irrigation water.

HAYLAND AND PASTURELAND

Suitable crops:

irrigated -
alfalfa
pasture

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface on this map unit.

Edward C. Shokal Property

KOB Kecko fine sandy loam, 2 to 4 percent slopes

COMPOSITION

Kecko soil - 85 percent

Inclusions - 15 percent

KECKO SOIL

Positions on landscape: terraces

Elevation: 2800 to 3000 feet

Climatic data: (average annual)

* precipitation - about 9 inches

* air temperature - about 52 degrees F.

* frost free period - about 130 days

Typical profile:

0 to 9 inches - brown fine sandy loam

9 to 21 inches - yellowish brown fine sandy loam

21 to 44 inches - light yellowish brown loamy very fine sand and fine sandy loam

44 to 60 inches - very pale brown silt loam

Depth class: very deep (more than 60 inches)

Drainage class: well drained

Permeability: moderately rapid

Available water capacity: moderate; 6 to 9 inches

Potential rooting depth: 60 inches or more

Runoff: slow

Hazard of erosion: by water - slight
by wind - moderate

INCLUDED AREAS

Contrasting inclusions:

Ephrata fine sandy loam and Quincy fine sand

Similar inclusions:

Kecko fine sandy loam on 0 to 2 percent slopes

MICROFILMED
OCT 12 1994

Suitable management practices:

Planned grazing system
Pasture and hayland planting
Irrigation water management
Suitable irrigation systems are:
sprinkler
furrow
corrugation

INTERPRETATIVE GROUPS

Capability classification:

IIIe irrigated, and VIe non-irrigated

MAJOR USES

Current uses:

cropland
pasture
hayland

Potential uses:

homesites

CROPLAND

Suitable crops:

wheat
barley
sugar beets
potatoes
sweet corn
corn

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface.

The hazard of water erosion is increased where corrugation or furrow irrigation is used.

Suitable management practices:

Conservation cropping system

Conservation tillage

Irrigation water management

Suitable irrigation systems are:

sprinkler

furrow

corrugation

Sprinkler irrigation is the most suitable method of applying irrigation water.

HAYLAND AND PASTURELAND

Suitable crops:

irrigated -
alfalfa
pasture

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface map.

Suitable management practices:

Planned grazing system

Pasture and hayland planting

Irrigation water management

MICROFILMED

OCT 12 1994

Suitable irrigation systems are:
sprinkler
furrow
corrugation

SANITARY FACILITIES AND BUILDING SITE DEVELOPMENT

General management considerations:

Sanitary facilities include septic tank absorption fields, sewage lagoons (area type), sanitary landfills (trench type), sanitary landfills (area type), and daily cover for landfills.

Building site development includes shallow excavations, dwellings without basements, dwellings with basements, small commercial buildings, local roads and streets, lawns, landscaping, and golf fairways.

KECKO SOIL

The limitations for sanitary facilities are:
seepage
slope

The limitations for building site development are:
slope

INTERPRETIVE GROUPS

Capability classification:

I1e irrigated, and VIe non-irrigated

Mr. Steve Clelland, Water Agent Jan 16 92
DWR. Twin Falls

Dear Mr. Clelland: Ref. Civil Case No 39576

These notes are in response to the phone call we had several days ago.

1) Profile of Snake's ranch.

(a) Direction from U.S. 30 toward Snake K.
The direction $\perp$ to above direction is "rolling" except for field # 6 + 7 which is practically flat. (See attached map)

(b) Red lines on map indicate where measurements were actually made with transit + po

Field # 1 = 4 %
" # 2 = 3 %
" # 11 = $2\frac{1}{2}$ %
" # 7 = 2 % (estimated)

2) Length of Corrugates

Red lines on map indicate where measurements were made.

Field # 1 = 400 ft long.
2 = 300 " "
11 = 400 to 600 ft (maximum)
7 = 400 ft Long

3) Days water runs once started (per set).

Sections of water sets varies from 6 to 9 corrugates.
Water runs from 2 to 4 days depending on conditions. Time

MICROFILMED

OCT 12 1998

running is a balance ~~of~~ of getting the water down + not having any run-off.

4) Number of corrugates operating at the same time.

(Note: ~~after~~ 35 Ac. after sale of 12 Ac to Martin King)

The number of corrugates in operation at (1) time varies from 70 to 100. This is a tough one to estimate because many variables are in place.

5) Times a water set is used per year.

This depends on the length and width of the field. A field with a short row of corrugates is attended differently than the field has a long row from the same feed ditch. I am referring to the number of corrugates per feed ditch and not to the length of the corrugates.

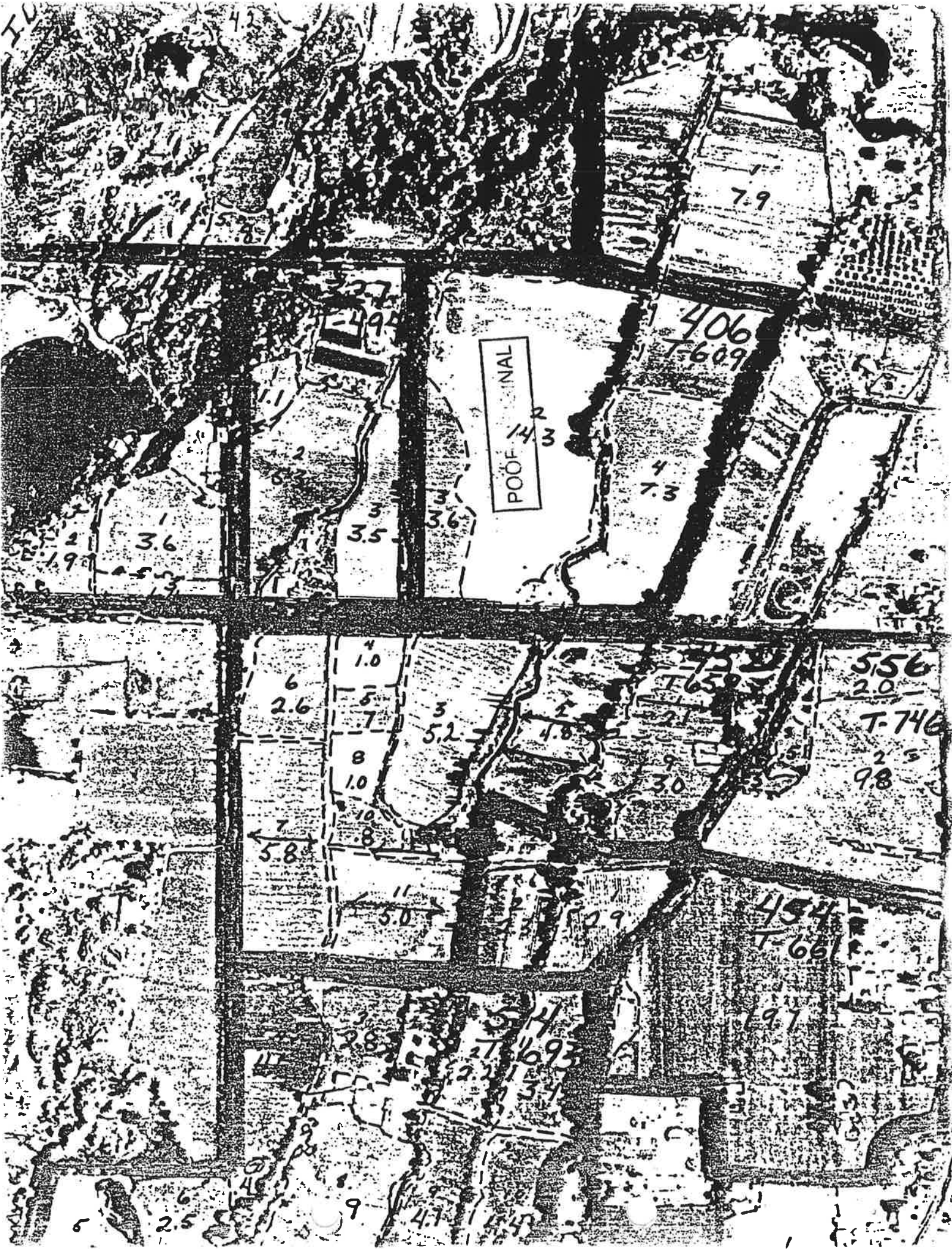
An example: Field has corrugates 400 to 600 ft long but only 5 sets from the feed ditch. Running 1 set of 5 corrugates for 4 days takes 20 days. Field # 7, 400 ft corrugates has many sets from the feed ditch so it takes much longer to finish one round. My estimate is some fields (# 7) get only 5 cycles while the pasture fields get 10 to 12 cycles per year.

6) Volume of water used per corrugate.

I do have some data on some fields at the start of a field + after it is established (2 to 3 yrs). Some fields are contoured with a 5 to 6% slope for the first 50' + then go flat 3% slope for the rest of the distance. To limit soil erosion I start these fields with a 2 to 3 ft section of steel pipe 3/4" in diameter. Once the water starts it will run for 10-15 days + not get all the way down. Then I stop the water and start it again for 10 to 15 days. Repeating this by year and the 3/4" diam pipe is not big enough. The 2nd year I use 1" diam pipe and the 3d year 2" diam pipe is just about correct. All the corrugates do not need the pipe treatment but most of them do on a "new field."

In troubled spots I use 2" dia. pipe in old established fields. Steel pipe is used because plastic pipe is crushed by cow hoofs.

Ed. Shokal Jan 16 92



NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

JAN 21 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

OCT 12 1994

ED

AUG-24-1992

NOTICE OF ERROR FORM

flag set 9-10-92
scu

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-000 82 A
2. Name: Edward and Ruth Shokal
Address: 963 Pioneer Rd
Hagerman Idaho 83332
Weekday Telephone Number: 833-4577

INDEXED
JAN 21 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

THOMAS E KING
PO BOX 254
BURLEY ID 83318

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-07271, 07271B, 00080B, 00080C,
00081C, & 00082A

DEAR MR. KING:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOES QUESTION THESE POINTS; 1) YOUR NOES INDICATE THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE. 3) YOUR MAILING ADDRESS IS SHOWN INCORRECTLY. 4) YOU REQUEST INFORMATION AS TO THE BASIS OF OUR FINDINGS.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO 3/15 TO 11/15.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY

PAGE 2

REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

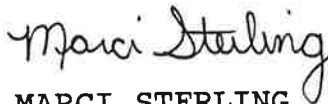
3) YOUR ADDRESS HAS BEEN CHANGED FROM HAGERMAN TO BURLEY AS SHOWN ABOVE. IF THE ADDRESS IS STILL INCORRECT, PLEASE CONTACT US.

4) YOU HAVE REQUESTED INFORMATION AS TO THE STUDIES ON WHICH WE HAVE BASED OUR FINDINGS. YOU MAY CONTACT JEFF PEPPERSACK IN OUR STATE OFFICE AT 327-7900 IF YOU WOULD LIKE MORE INFORMATION REGARDING THOSE STUDIES.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES: PROFILE REPORTS OF 36-00080B, 00080C, & 00082A



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

JAMIE MARTIN
PO BOX 356
HAGERMAN ID 83332

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-00080B, 00081C, 00082A, 00082C,
07271, & 07271B

DEAR MR. MARTIN:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOE QUESTIONS TWO POINTS; 1) YOUR NOE INDICATES THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. AND 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO 3/15 TO 11/15.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY

PAGE 2

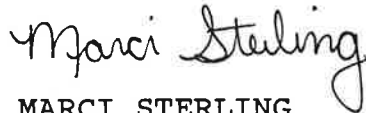
REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES: PROFILE REPORTS OF 36-00080B, 00080C, 00082A, & 00082C

MAILED 12 JAN 2 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

OCTOBER 16, 1992

R. KEITH HIGGINSON
Director

EDWARD & RUTH SHOKAL
963 PIONEER ROAD
HAGERMAN ID 83332

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-07271, 07271A, 00081B, 00080B,
00082A, & 00039B

DEAR MR. & MRS. SHOKAL:

THIS LETTER IS IN RESPONSE TO THE NOTICES OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIMS LISTED ABOVE. YOUR NOES QUESTION THESE POINTS; 1) YOUR NOES INDICATE THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE; 3) FEWER ACRES RECOMMENDED FOR IRRIGATION THAN WERE CLAIMED; 4) NEW OWNERS OF RIGHT 36-00039B; 5) OWNERSHIP AND DIVERSION AMOUNTS FOR RIGHT 36-07271.

1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGERMAN VALLEY TO 3/15 TO 11/15.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGH THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS

PAGE 2

LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE AMOUNT REQUIRED USING IRRIGATION METHODS THAT ARE REASONABLY EFFICIENT UNDER CURRENT CIRCUMSTANCES. IF THE AMOUNT OF A WATER RIGHT SHOWN IN A DECREE IS GREATER THAN THE AMOUNT THAT IS BENEFICIALLY USED, THEN THE PORTION THAT IS NOT BENEFICIALLY USED IS FORFEITED.

THE AMOUNT PROPOSED TO BE RECOMMENDED FOR YOUR CLAIM IS BASED ON THE AMOUNT OF WATER DETERMINED TO BE BENEFICIALLY USED FOR THE RECOMMENDED USES, BASED ON AVAILABLE DATA AND CURRENT METHODS OF ANALYSIS.

- 3) WE HAVE RECOMMENDED A TOTAL OF 29 IRRIGATED ACRES FOR YOUR IRRIGATION RIGHTS. THIS IS THE NUMBER OF ACRES ACTUALLY FOUND TO BE IRRIGATED AT THE TIME OF THE FIELD EXAM. THAT TOTAL IS ALSO SUPPORTED BY ASCS MAPS AND NAPP PHOTOGRAPHY.
- 4) FOR RIGHT 36-00039B, WE HAVE CHANGED OUR RECORDS TO SHOW MR. DUKE AS THE CURRENT OWNER OF THE RIGHT. A PROFILE REPORT OF THAT RIGHT WITH THE CHANGES HAS BEEN ENCLOSED WITH THIS LETTER.
- 5) WITH REFERENCE TO RIGHT 36-07271, THE PONDS IN WHICH THE WATER IS USED WERE FOUND TO BE ON YOUR PROPERTY. BECAUSE OF THIS, THE WATER RIGHT WAS NOT TURNED OVER ENTIRELY TO MR. MARTIN. A TRANSFER IS REQUIRED IN ORDER FOR MR. MARTIN TO OBTAIN OWNERSHIP OF ANY PART OF THIS WATER RIGHT. THE CLAIM WILL REMAIN AS LICENSED WITH BOTH OF YOU NAMED AS CURRENT OWNERS OF THE RIGHT.

IF YOU STILL DISAGREE WITH IDWR'S RECOMMENDATIONS YOU WILL HAVE AN OPPORTUNITY TO FILE AN OBJECTION TO THE DIRECTOR'S REPORT WITH THE COURT. WHEN THE DIRECTOR'S REPORT IS FILED WITH THE COURT, YOU WILL BE MAILED A NOTICE THAT WILL CONTAIN MORE INFORMATION ABOUT THE OBJECTION PROCESS.

WE HAVE ENCLOSED PROFILE REPORTS OF THOSE RECOMMENDED RIGHTS WHICH HAVE HAD ITEMS CHANGED. YOU MAY KEEP THESE FOR YOUR RECORDS.

SINCERELY,



MARCI STERLING
ENGINEERING SPECIALIST (EIT)

ENCLOSURES:

CHANGE OF OWNERSHIP FORM
PROFILE REPORTS OF 36-00080B, 00082A, & 00039B

RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No: 36-10077 Contact Date: 9-9-92

IDWR Contact Person: (print and initial) STEVE CLELLAND SEC

Claimant Contact Person ED SHOKAL

Others Present NONE

Contact By (give date) _____

Meeting (location): IDWR - SOUTHERN

Phone Call (no.) _____

Letter (attach letter): _____

IDWR USE ONLY

Date _____ Initials _____

Date Entered 9-9-92 SEC

Verified 9-10-92 SEC

I. Issues identified by claimant: INCORRECT DIVERSION RATE.
IRRIGATIONAL USES.

II. Reasons provided claimant for original recommendation: AS CLAIMED.

III. Additional information provided by claimant: CHANGE IN PUMP HORSEPOWER
and WELL DEPTH. AMENDED CLAIM TO INCREASE DIVERSION
RATE.

IV. Changes to be made in final recommendation (if any): INCREASE DIVERSION RATE
TO 0.07 CFS AS CONFIRMED BY THEORETICAL
CALCULATION.

V. Action taken (date): AMENDED CLAIM & MADE ABOUT CHANGES
ON 9-9-92

CONVERSATION MEMO

DATE: 9-10-92AGENT: Steve ChillumRE: Ed SHOKAL

(phone call to Mr. Shokal) 3:30pm

No Flume across the Sands Ditch for
Buckeye Ditch right; only below the Bell Ditch

(IDWR NOTE*** where is the remark limiting R3600082A to 12 Acres?
will not be significant with the changes made
above.

MICROFILMED

JAN 21 1993

Water Right Number - R36-00082A

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SHOKAL

RUTH C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

SHOKAL

EDWARD C

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/02/1891 ERROR IN REGION D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County
07S	13E	11	SE SE NE		(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.250	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.250 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	11	SE SW		4.0	01	IRRIGATION	(47) GOODING
07S	13E	11	SW SE		8.0	01	IRRIGATION	(47) GOODING

Total Acres: 12.0

+ - - Diversion Means - BUCKEYE DITCH AND HEADGATE, FURROW SYSTEM, FLUME ACROSS BELL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00080B

+ - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH BUCKEYE DITCH.
0.01 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 36-07271.

Water right number - R36-00082A

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

3600082

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - +
NEW INTERNATIONAL MORTGAGE BANK+ - - - - Decree Defendant - - - +
IDAHO POWER COMPANY+ - - Decree Date - +
03/22/1932

+ - - - - -Comments- - - - - +

Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)

NOE RECEIVED 9/25/92 FROM THOMAS KING & JAMIE MARTIN. NOE FLAG WAS ALREADY CHANGED TO A.
CLAIM VERIFIED 9/10/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/15/1992 User Id: CLELLAND Subject: RESPONSE TO NOE

MR. SHOKAL CAME IN TO FILE HIS NOE AND HE MENTIONED THIS RIGHT IS NOT USED BELOW THE SANDS DITCH ONLY BELOW THE BELL DITCH. HE
STATED THERE WERE NO FLUMES ACROSS THE SANDS DITCH AS I HAD DESCRIBED IN THE FILE. ACRES HAVE BEEN CHANGED TO THE TOTAL OF
THIS RIGHT AT 12.0 ACRES AND THE REMARK DESCRIBING THE COMBINED EFFECTS WITH 36-00080B HAVE BEEN REMOVED.
STANDARD NOE LETTERS WERE SENT TO ADDRESS THE ISSUE OF AMOUNTS, ACRES AND SEASON OF USE.+ - - Audit Fields - - +
00/00/00

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 06/09/1988Field Inspection Made - 07/24/1990
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - S000381
POU Ownership Flag - Y
Name Connector - AND/ORCivil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District - 36A
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag - C

R PROOF



CVR



MAPS



PHOTOS



MISC



JAN 2 1992

Water Right Number - R36-00082A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SHOKAL

EDWARD C

1 - 963 PIONEER RD
2 -
3 -

City- HAGERMAN State- ID Zip- 83332

Phone - 208-837-4577

1 - 963 PIONEER RD

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4577

SHOKAL

RUTH C

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/02/1891 ERROR IN REGION D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
07S 13E 11 SE SE NE (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION <04/01 10/31 3/15 - 11/15 0.250+ - Total Div. Rate - + + - Total Div. Volume - + (new standard) + - Total Consumptive Use - + + - KW Usage - +
0.250 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 11 SE SW 21.0 01 IRRIGATION (47) GOODING
07S 13E 11 SW SE 8.0 01 IRRIGATION (47) GOODING

Total Acres: 29.0

+ - - Diversion Means - BUCKEYE DITCH AND HEADGATE, FURROW SYSTEM, FLUME ACROSS BELL, SAND

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00080B

+ - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH BUCKEYE DITCH.
0.01 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 36-07271.

changes made by M. Stirling 10/15/02

Water right number - R36-00082A

Prefix Translation: RESEARCH

```

+ - - - - Remarks - - - - - +
+ - - - - USE OF THIS RIGHT WITH RIGHT NO. 36-00080B IS LIMITED TO A
+ - - - - TOTAL COMBINED ANNUAL CONSUMPTIVE USE OF 87.0 AF, AND TO THE
+ - - - - IRRIGATION OF A COMBINED TOTAL OF 29.0 ACRES IN A SINGLE
+ - - - - IRRIGATION SEASON.
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - 3600082
+ - - - - Conditions of Approval - - - - - +
+ - - - - No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - Decree Date - +
+ - - - - NEW INTERNATIONAL MORTGAGE BANK IDAHO POWER COMPANY 03/22/1932
+ - - - - -Comments- - - - - +
+ - - - - No Comments Found
+ - - - - Audit Fields - - +
+ - - - - 08/18/92 THORNTON
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
+ - - - - Court Report Filing - 00/00/0000 Field Inspection Made - 07/24/1990 Civil Case Number - 39576
+ - - - - Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
+ - - - - Response Filed Date - 00/00/0000 Verified Date - 08/18/1992 Old Judicial District -
+ - - - - Claim Received Date - 06/09/1988 Last Amended Date - 00/00/0000 Temporary Right - P
+ - - - - Receipt Number - S000381 Water District - 36A
+ - - - - POU Ownership Flag - Y Federal/State Indicator - S
+ - - - - Name Connector - AND/OR Presumption Flag -
+ - - - - Notice of Error Flag -

```

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:17:59
06/29/90

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00082A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N			N		HAT 8/4/92	RB	
POINT OF DIV	Y N			N				
SOURCE	N			N				
PLACE OF USE	Y (Y)		7-24-90 SC/HHT	(Y)	1, 2, 4, 5, 6			
DIV. AMOUNT CFS/VOLUME	Y (*)			(Y)	6. Deane			
CONSUMPTIVE USE	- N			(Y)				
PURPOSES	N			N				
PERIOD OF USE	Y N			N				
BASIS OF CLAIM	Y N			N				
REMARKS	N			(Y)	6.			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

See A36-00080A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:17:59
06/29/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00082A

LAST: SHOKAL
ADDRESS:
CITY: HAGERMAN
PHONE NUMBER: 208-000-0000

FIRST: RUTH C.

STATE: ID ZIP: 83332

OWNER CODE: C

LAST: SHOKAL
ADDRESS: RT. 1 BOX 410
CITY: HAGERMAN
PHONE NUMBER: 208-837-4577

FIRST: EDWARD C.

STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 7/24/90

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: 112 Shohed

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-00082A PRIORITY DATE: 01-02-1891 STAGE: D

B. WR RECORD: # 36-00082 PRIORITY DATE: 01-02-1891 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
15

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
01-02-1891

REVIEWED BY

DATE 1-17-90

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00082A	07S	13E	11	SE	SE	NE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A36-10223 NONE

A36-00103A

A36-00003B

A36-00003C

A36-00003E

A36-00003F

A36-00003J

A36-00039G

WR RECORDS IN SAME 40 ACRE TRACT

36-00003

36-00005

36-00019

36-00021

36-00024

36-00025

36-00026

36-00027

36-00034

36-00035A

36-00035B

36-00039A

36-00039B

36-00040

36-00051

36-00052

36-00064

36-00065

36-00067

36-00071

36-00076

36-00077

36-00083

36-00085

36-00087

36-00088

36-00089

36-00090

36-00091

36-00094

36-00095

36-00096

36-00103

36-00108

36-00112A

36-00112B

36-00113B

36-00113C

36-00113D

36-00125

36-04008

36-04115

36-04261

36-07271

36-07658

36-07739

36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-00082	07S	13E	11		SE	NE		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00003	A36-00025	NONE
36-00005	A36-00087	
36-00019	A36-07658	
36-00021	A36-10409	
36-00024	A36-00051D	
36-00025	A36-10119	
36-00026	A36-10120	
36-00027	A36-10751	
36-00034	A36-10752	
36-00035A	A36-10755	
36-00035B	A36-10061	
36-00039A	A36-00103B	
36-00039B	A36-00108A	
36-00040	A36-00003G	
36-00051	A36-00027	
36-00052	A36-00039C	
36-00064	A36-00090E	
36-00065	A36-00051B	
36-00067	A36-00076A	
36-00071	A36-00089B	
36-00076	A36-00089D	
36-00077	A36-10283	
36-00083	A36-10312	
36-00085	A36-00090A	
36-00087	A36-00003D	
36-00088	A36-00090B	
36-00089	A36-00090C	
36-00090	A36-00090D	
36-00091	A36-00090F	
36-00094	A36-00108F	
36-00095	A36-00125A	
36-00096	A36-00026	
36-00103	A36-00051C	
36-00108	A36-00071A	
36-00112A	A36-00089A	
36-00112B	A36-00108C	
36-00113B	A36-00108D	
36-00113C	A36-00108E	

36-00115D
36-00125
36-04008
36-04115
36-04261
36-07271
36-07658
36-07739
36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

A36-00100H
A36-04008
A36-04115
A36-04261
A36-00113B
A36-10316
A36-10588
A36-00039J
A36-00096A
A36-00113F
A36-00113G
A36-10559
A36-00048B
A36-00048C
A36-10223
A36-00103A
A36-00003B
A36-00003C
A36-00003E
A36-00003F
A36-00003J
A36-00039G

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N.
N.

REMARKS:

VIA BUCKETS DITCH

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S.</u>	<u>13E.</u>	<u>11</u>	<u>SE</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>HI</u>

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY: _____

DATE: 7-17-70

VIA BUCKEYE DITCH

A. ROOT WATER RIGHT NUMBERS: A36-00082A
A36-00082B

JAN 21 1993

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	11	SW	SE		SHOKAL, RUTH C.	A36-00082A /10.0	- /	35.0	2.0	3.0
						SHOKAL, EDWARD C.	A36-10077 /	- /			
						MARTIN, JAMIE	A37-11292 / 3.0	- /		8.0	8
						HAGERMAN WATER USERS ASSOCIATION	A36-00057 /36.0	- /			
						SHOKAL, RUTH C.	A36-00080A /10.0	- /			
						SHOKAL, EDWARD C.	A36-00081A /10.0	- /			
						MC KENZIE, PAULA JOAN	A36-00082B / 2.0	- /			
						SHOKAL, EDWARD C.	A36-07271 /36.8	36-07271 /			
						NEAL, HARRY H.		36-00080 /			
						NEAL, HARRY H.		36-00081 /			
						CUNNINGTON, FRED		36-00082 /			
						CUNNINGTON, FRED		36-00083 /			
07S	13E	11	SE	SW		SHOKAL, RUTH C.	A36-00082A /36.8	- /	34.0	37	37.6
						MCKENZIE, BRET A.	A36-10352 /	- /		32	
						MARTIN, JAMES	A37-11291 /	- /			
						MARTIN, JAMIE	A37-11292 / 4.0	- /			
						BECKSTEAD, FRED A.	A36-00065 / 0.5	36-00065 /			
						COATES, FAYE	A36-00067 / 0.5	36-00067 /			
						SHOKAL, RUTH C.	A36-00080A /36.8	- /			
						SHOKAL, EDWARD C.	A36-00081A /36.8	- /			
						MC KENZIE, PAULA JOAN	A36-00082B / 1.0	- /			
						SHOKAL, EDWARD C.	A36-07271 /10.0	36-07271 /			
						BECKSTEAD, FRED A.	A36-00066 / 0.5	36-00066 /			
						NEAL, HARRY H.		36-00080 /			
						NEAL, HARRY H.		36-00081 /			
						CUNNINGTON, FRED		36-00082 /			
						CUNNINGTON, FRED		36-00083 /			
						REED, ALVA		36-00144 /			
						SMITH, O. S.		36-04022 /30.0			
TOTAL ACRES							A36-00082A	46.80	69.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
YES

This claim originally covered the pou we found to contain 40 Acres total. 11 acres of that was sold to J. Martin (WR from Sands Ditch only) leaving 29 Acres remaining. Based on the Hubble-Report analysis these lands can be irrigated with 0.02 cfs/acre. The Sands Ditch Right for these same acres can supply the crop requirement and so 18 of the 29 acres will be listed under the Sands Ditch Right. That leaves 12 acres remaining to be covered by this water right.

Total ASIS Acres = 32.0

See 7-9-92

PRESUMPTION FLAG:

REMARKS:

Buckeye water
Flumes across Sands & Bell Ditches allow use below these ditches.

28 // Acres below Sands ditch also use water from Sands ditch.

12 acres can be used within this
entire 29 Acre Permissible Place of Use
7-9-92 SCC

RECOMMENDATIONS:

TOTAL ACRES:

12 / 29 Ac PPU

REVIEWED BY:

SCC

DATE:

11-23-90

R.P.U.
29 Ac of SHOKAL

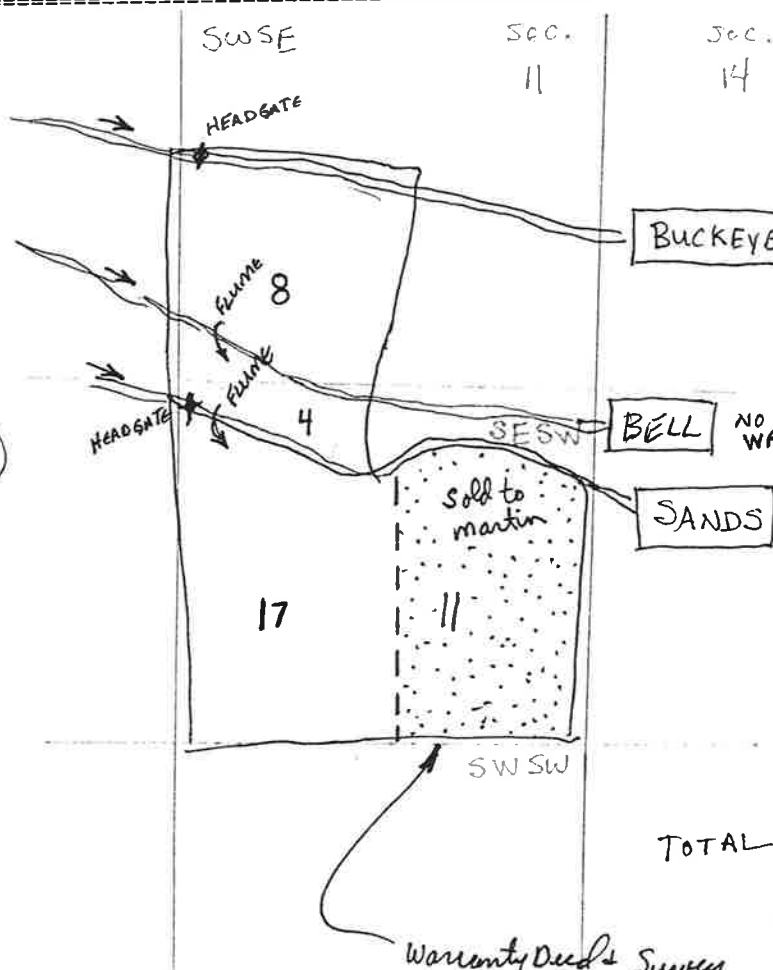
$$29 \times 0.02 = 0.58 \text{ cfs}$$

$$A36-00082A \rightarrow 0.24$$

$$12 \text{ Ac. (on 29 Ac.)}$$

A36-00080C
(Sands Ditch)
17 Ac. @ 0.34 cfs

See
7-9-92



SHOKAL A36-00082A

$$12 \text{ Ac} \times 0.02 = 0.24$$

(This water right can be used
below the Sands Ditch on 17 Ac, but
no more Diversion is allowed)

SHOKAL A36-00080B + 81B

$$17 \text{ Ac} \times 0.02 = 0.34 \text{ cfs}$$

MARTIN A36-00080C + 81C

$$11 \times 0.02 = 0.22 \text{ cfs}$$

TOTAL 40

0.80

original
Right prior to
ownership change

Warranty Deed & Survey
Describe this lot size as 12.0 Acres

A. AJ CLAIMED USES:

PURPOSES
A36-00082A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
1.620 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.620 CFS

B. WR RECORDED USES:

PURPOSES
36-00082 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE
N
Y
Y

FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☒)

Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.620 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

Hand Report Analysis, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-00081A, A36-00082A, A36-07271 36-00080 B

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00082A	BILLINGSLEY CREEK	SHOKAL , RUTH C.	1.620	0.034		
A37-11292	BILLINGSLEY CREEK	MARTIN , JAMIE	0.120	0.017		
A36-00080A	BILLINGSLEY CREEK	SHOKAL , RUTH C.	2.000	0.042		
A36-00081A	BILLINGSLEY CREEK	SHOKAL , EDWARD C.	1.000	0.021		
A36-00082B	BILLINGSLEY CREEK	MC KENZIE , PAULA JOAN	0.120	0.040		
A36-07271	BILLINGSLEY CREEK	SHOKAL , EDWARD C.	4.620	0.098		
A36-00065	BILLINGSLEY CREEK	BECKSTEAD , FRED A.	0.700	0.019		
A36-00067	BILLINGSLEY CREEK	COATES , FAYE	0.500	0.014		
A36-00066	BILLINGSLEY CREEK	BECKSTEAD , FRED A.	1.400	0.039		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10077	DOMESTIC	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	.040 CFS	
A36-00057	STOCKWATER	HAGERMAN WATER USERS ASSOCIAT	FROM 01-01 TO 12-31	.300 CFS	
A36-07271	FIRE PROTECTION	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	2.880 CFS	
A36-07271	FISH PROPAGATION	SHOKAL , EDWARD C.	FROM 01-01 TO 12-31	4.620 CFS	
A36-10352	DOMESTIC	MCKENZIE , BRET A.	FROM 01-01 TO 12-31	.040 CFS	
A37-11291	DOMESTIC	MARTIN , JAMES	FROM 01-01 TO 12-31	.040 CFS	
A37-11291	STOCKWATER	MARTIN , JAMES	FROM 01-01 TO 12-31	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 12 0.24
ACRES 40 x 0.02 CFS/ACRE = 0.80 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N()*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(X) N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 140.4 AF/A

ACRES 40 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =TOTAL CONSUMPTIVE USE 120 AF/A36

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 40 x DIVERSION VOL. AF/A FOR AREA 4 =TOTAL DIVERSION VOLUME 160 AF/AN/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

See Irrigation
Analysis sheet
for basis of div. rate
recommendation

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31 11-01	DATABASE EXAMINER 1:620 1.00	DATABASE EXAMINER 160 N/A	DATABASE EXAMINER 140.4 120
TOTAL FOR THIS RIGHT		1:620 0.24		140.4

REVIEWED BY: SCC DATE: 11-23-90

$$\text{WR proportional Rate} = \frac{2.0 \text{ cfs}}{80.0 \text{ Ac.}} = 0.025 \text{ cfs/Ac.}$$

- Add:

combined

F01 = Buckeye

D02 =

K06 = 12 Ac.

F09 (modified)

E10 = w/ 36-00080B
(no Vol)Div. Rate 0.24
Conv. Loss 0.01

0.25

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	(X)
ADDITIONAL DIV. AMOUNT _____	()	(X)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00082

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 2.000	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-00082	A36-00082A	1.620	1.00	-	36-00082	2.000
A36-00082	A36-00082B	0.120	0.09	-	36-00082	2.000
TOTAL CFS		1.740	1.09			2.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
NFIELD
EXAMINER
N
N

REMARKS:

Recommended amounts do not exceed the decreed rate.
Also see split review

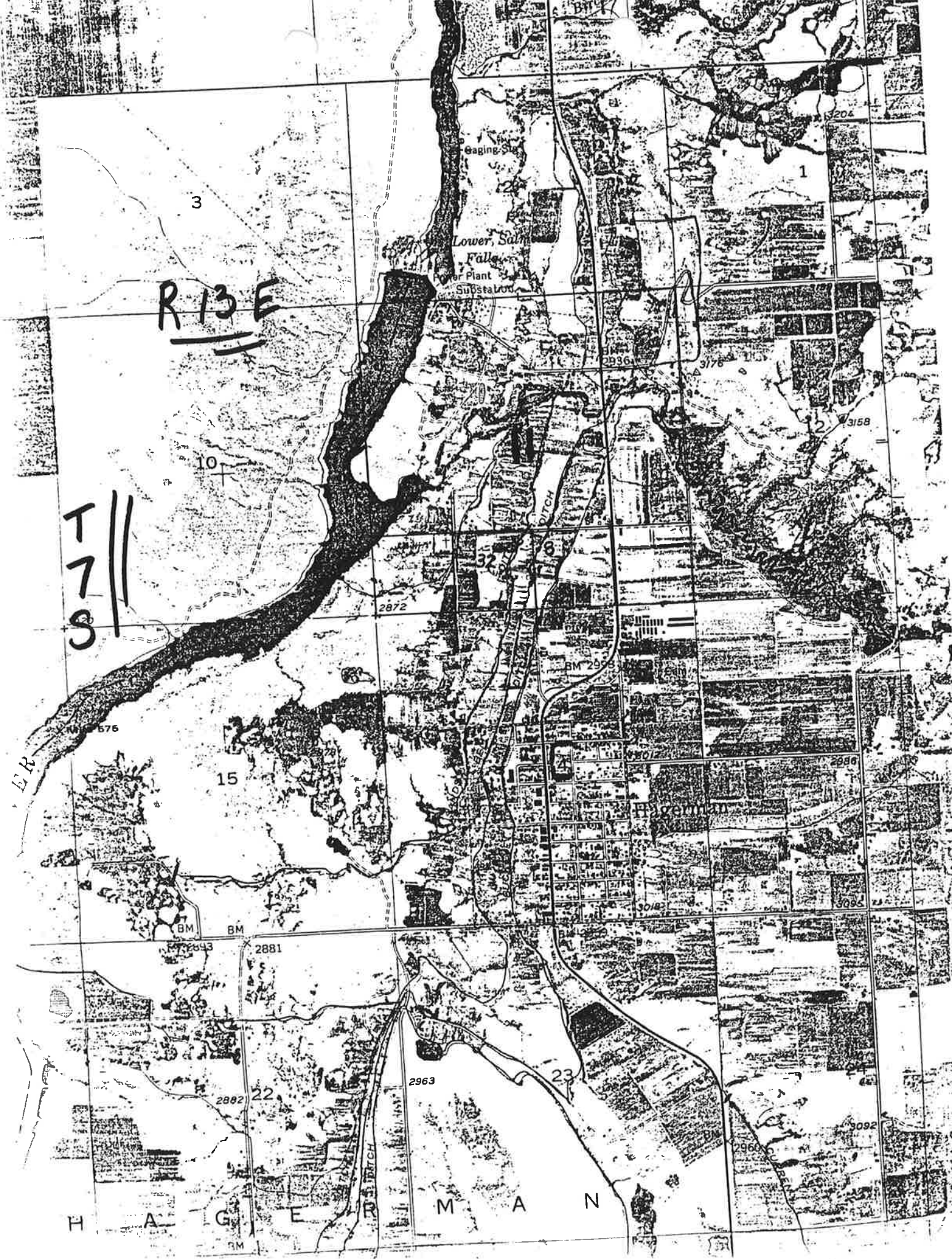
AUTHENTICATION:

SIGNATURE: see Steve Cell 2DATE: 11-23-90

NAME OF FIELD EXAMINER: _____

TITLE: _____

JAN 21 1993



R 13 E

T 7 S

Eaging Site

Lower Salmon Falls
Power Plant Substation

DITCH

Hagerman

ER

3

10

15

2881

2802

22

2963

23

3204

3158

2886

3096

3092

H

A

G

E

M

A

N

PREPARATION DATE 8/4/92 HHT

[illegible]

CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	800	10.0	2.00	0.20	0.06	18.83	0.0107	0.00	26.81
2	600	10.0	2.00	0.15	1.02	18.77	0.0081	0.02	26.55
3	1400	10.0	2.00	0.35	0.24	17.75	0.0199	0.01	25.38
4	800	10.0	2.00	0.20	0.44	17.51	0.0115	0.02	24.79
5	1100	10.0	2.00	0.28	0.17	17.07	0.0163	0.01	24.14
6	1200	10.0	2.00	0.30	0.10	16.90	0.0179	0.01	23.70
7	300	10.0	2.00	0.08	1.22	16.80	0.0045	0.11	23.29
8	1000	10.0	2.00	0.25	0.16	15.58	0.0162	0.02	22.00
9	500	10.0	2.00	0.13	0.50	15.42	0.0082	0.06	21.58
10	2200	10.0	2.00	0.56	4.13	14.92	0.0373	0.62	20.96
11	5500	10.0	2.00	1.39	0.20	10.79	0.1288	0.06	16.27
12	1700	10.0	2.00	0.43	0.09	10.59	0.0406	0.03	14.68
13	3900	10.0	2.00	0.99	0.34	10.50	0.0938	0.14	14.16
14	600	10.0	2.00	0.15	0.27	10.16	0.0149	0.12	12.84
15	1500	10.0	2.00	0.38	0.62	9.89	0.0383	0.29	12.42
16	1600	10.0	2.00	0.40	1.00	9.27	0.0436	0.51	11.42
17	600	10.0	2.00	0.15	0.30	8.27	0.0183	0.16	10.01
18	300	10.0	2.00	0.08	3.25	7.97	0.0095	1.75	9.56
19	3000	10.0	2.00	0.76	0.24	4.72	0.1606	0.17	6.24
20	3000	10.0	2.00	0.76	4.48	4.48	0.1692	3.89	5.24
TOTALS	31600			7.98	18.83			7.98	

BUCKEYE DITCH

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

* AS RECOMMENDED *

SCC
7-9-92

REVIEW OF SHOKAL/MARTIN SPLIT

A36- (SANDS)
-80 A (1885)
2.0 cfs
46.8 Ac

(SANDS)
-81 A (1910)
1.0 cfs
46.8 Ac.

-727#
4.62# SANDS Buck

S
-A
3.68
SANDS + BUCKEYE

m
-B
0.96
SANDS ONLY

all beneficially used
water is supplied by 36-0080
This right Disallowed.

(0.56 cfs)
28 Ac.

s
-80 B
37.8
1.62

m
-80 C
9.0
0.38 cfs

s
-81 B
37.8
0.42

m
-81 C
9.0
0.19 cfs (= .57)

R36-0080B
17 Ac.
0.34 cfs

R36-0080C
11 Ac.
0.22 cfs

R36-0081B
DISALLOW

R36-0081C
DISALLOW

0.39 cfs (= .39)
0.58 (= .96)
48"

R36-00082 A (1885)
(BUCKEYE)
0.24 cfs
12.0 ACRES (above Sands) Basis for Right
17.0 Acres (below Sands) No extra water

* NO BENEFICIAL USE
FOUND

Consult
original field
Exam for Review
of water used for
this amount of water
sold above the
proportional rates
as claimed.

10-28-91
Steve C

A36-00082 A

7-27-92 sec

Buckeye D.T.H
@ SNOKAL

INTAKE FAMILY <If> = 0.55
 DESIGN APPLICATION <Fn> = 2.42 INCHES
 FURROW SLOPE <S> = 0.030 FEET/FOOT
 FURROW SPACING <W> = 3.00 FEET
 FURROW LENGTH <L> = 400 FEET
 INFLOW RATE <Q> = 3 GPM/FURROW
 APPLICATION TIME <Ti> = 12 HOURS

ADVANCE TIME <TT> = 41.6 MINUTES; OR 0.7 HOURS
 GROSS APPLICATION <FG> = 2.89 INCHES
 NET APPLICATION <Fx> = 2.52 INCHES
 RUNOFF <RO> = 0.29 INCHES
 DEEP PERCOLATION <DP> = 0.17 INCHES
 EFFICIENCY <E> = 63.81 %

TO CHANGE: PRESS (EXISTING)
 Design Application <1> 2.42 in
 Furrow Slope <2> 0.030 ft/ft
 Furrow Spacing <3> 3.00 ft
 Furrow Length <4> 400 ft
 Furrow Intake Family <5> 0.55
 Inflow Rate <6> 3 gpm/furrow
 Inflow Time <7> 12 hours <ANALYSIS MODE>

TO PRINT: DATA/WITH HEADING PRESS:<8/9>

NEW DESIGN PRESS <10>, NEW ANALYSIS PRESS <11>, QUIT PRESS <12>?

INTAKE FAMILY	DESIGN APPLIC. Inches	FURROW SLOPE Ft/Ft	FURROW SPACING Feet	FURROW LENGTH Feet	INFLOW RATE Gpm	APPROXIMATE INFLOW TIME Hours	ADVANCE TIME Minutes	GROSS IRRIGATION APPLICATION Inches	NET IRRIGATION APPLICATION Inches	RUNOFF Inches	DEEP PERC. In.	IRRIGATION EFFICIENCY %
0.55	2.42	.030	3.00	400	5	12	27.8	4.81	2.76	2.01	0.38	50.29
0.55	2.42	.030	3.00	400	4	12	32.3	3.85	2.65	1.14	0.29	62.86
0.55	2.42	.030	3.00	400	3	12	41.6	2.89	2.52	0.29	0.17	83.81

$$F.I.R. = 4.2 \frac{cu}{EFF\%}$$

$$= 4.2 \frac{0.267}{62.86}$$

$$= 0.0178 \text{ cfs/ac}$$

* allow 1.02 cfs/ac

IRRIGATION ANALYSIS WORKSHEET

CLAIM NO. A36-00082A
 DATE 7/5/92
 AGENT John

CLAIMANT/SYSTEM DESCRIPTION Corrugation 136
 IRRIGATION SYSTEM Gravity Corrugation
 ANALYSIS METHOD BORDER FURROW
 TYPE OF CROP Alfalfa
 MAXIMUM PROFILE DEPTH 60 INCHES
 INTAKE FAMILY 0.55

 SOIL TYPE EP (EPD) KDB FAB SYSTEM TOTAL
 ACRES PER TYPE 18 19 3 40 ACRES
 SOIL PROFILE WHC 3.46 5.78 5.7
 DESIGN IRR $\frac{1}{2}$ WHC 1.83 2.89 2.85

 WEIGHTED AVE $1.83 + 1.39 \quad 0.2 = 2.42$

CROP REQUIREMENT:

REPORT AREA & FIGURE NO. Tables (10-8)

DAILY CROP REQUIREMENT:

6.79 (MM/DAY) / 25.4 (FACTOR IN MM/IN) 0.267 IN/DAY

ACTUAL ROTATION PRACTICED 16 DAYS

DRY DAY ROTATION 16 IRR DAY ROTATION 16

THEORETICAL ROTATION:

2.42 DESIGN IRR / 0.267 CROP REQ = 9.06 DAYS

DESCRIPTION OF FIELD:

AVERAGE LENGTH RUN 400'

TOTAL WIDTH OF FIELD 4356'

CHECK 400 L * 4356 W / 43,560 = 40 ACRES

% SLOPE 3%

BORDER WIDTH N/A

WIDTH OF FIELD / DAYS OF ROTATION 36" (3')

FURROW / CORRUGATION WIDTH 48-96 Hrs

SET TIME

70 to 100 Corr/Set - Avg 85 Corr

1.946 to 2.8ac / Set - Avg 2.35

3.7400'

43560

40 Ac.
2.35 AC = 15.95 days total rotation

RECOMMENDED

A36-00082A

7-9-92 sec/RWJ

INTAKE	DESIGN	FURROW	FURROW	FURROW	INFLOW	APPROXIMATE	ADVANCE	GROSS	NET		DEEP	IRRIGATION
FAMILY	APPLIC.	SLOPE	SPACING	LENGTH	RATE	INFLOW TIME	TIME	IRRIGATION	IRRIGATION	RUNOFF	PERC.	EFFICIENCY
	Inches	Ft/Ft	Feet	Feet	Gpm	Hours	Minutes	Inches	Inches	Inches	In.	%
0.55	2.42	.030	3.00	400	5	12	27.8	4.81	2.76	2.01	0.38	50.29

$$\text{FIELD REQUIREMENT} = 4.2 \frac{0.267}{50.29}$$

$$= 0.022 \text{ cfs/ACRE}$$

* revised data 7-27-92

see update printout
see

ACTUAL USE

A36-00082A

7-9-92 S-C
RUW

INTAKE FAMILY	DESIGN APPLIC.	FURROW SLOPE	FURROW SPACING	FURROW LENGTH	INFLOW RATE	APPROXIMATE INFLOW TIME	ADVANCE TIME	GROSS IRRIGATION APPLICATION	NET IRRIGATION APPLICATION	RUNOFF	DEEP PERC.	IRRIGATION EFFICIENCY
	Inches	Ft/Ft	Feet	Feet	Gpm	Hours	Minutes	Inches	Inches	Inches	In.	%
0.55	2.42	.030	3.00	400	18	48	17.9	69.30	9.85	59.42	7.46	3.49

As this system is currently used the crop is under stress. The long set times, over 12 hours, create a long Rotation period, which actually depletes the entire soil profile WHC.

Recommend 12 Hour sets. This will eventually build up the WHC in the profile and the rotation will be in line with the theoretical rotation to avoid crop stress.

RECEIVED

JAN 16 1992

Department of Water Resources
Southern Region Office

Mr. Steve Clelland, Water Agent
DWR. Twin Falls.

Jan 16 92

Dear Mr. Clelland: Ref. Civil Case No 39576

These notes are in response to the phone call we had several days ago.

1) Profile of Shokals ranch.

(a) Direction from U.S. 30 toward Snake River
The direction $\perp$ to above direction is "rolling" except for field # 6 + 7 which is practically flat. (See attached map)

(b) Red lines on map indicate where measurements were actually made with transit + pole.

Field # 1 = 4 %
" # 2 = 3 %
" # 11 = $2\frac{1}{2}$ %
" # 7 = 2 % (estimated)

2) Length of Corrugates

Red lines on map indicate where measurements were made.

Field # 1 = 400 ft long
2 = 300 " "
11 = 400 to 600 ft (maximum)
7 = 400 ft Long

3) Days water runs once started (per set)

Sections of water sets varies from 6 to 9 corrugates.
Water runs from 2 to 4 days depending on conditions. Time

JAN 21 1992

running is a balance ~~to~~ of getting the water down & not having any run-off.

4) Number of corrugates operating at the same time.

(Note: ~~after~~ 35 Ac. after sale of 12 Ac to Martin King)

Avg = 33
? The number of corrugates in operation at (1) time varies from ¹⁰⁻²⁰ 20 to ²⁰⁻¹⁰⁰ 100. This is a tough one to estimate because many variables are in place.

5) Times a water set is used per year

This depends on the length and width of the field. A field with a short row of corrugates is attended differently than the field has a long row from the same feed ditch. I am referring to the number of corrugates per feed ditch and not to the length of the corrugates.

An example: Field #1 has corrugates 400 to 600 ft long but only 5 sets from the feed ditch. Running 1 set of 5 corrugates for 4 days takes 20 days. Field #7, 400 ft corrugates has many sets from the feed ditch so it takes much longer to finish one round. My estimate is some fields (#7) gets only 15 cycles while the pasture fields get 10 to 12 cycles per year.

6) Volume of water used per corrugate.

I do have some data on some fields at the start of a field & after it is established (2 to 3 yrs). Some fields are contoured with a 5 to 6% slope for the first 50' & then go flat 3% slope for the rest of the distance. To limit soil erosion I start these fields with a 2 to 3 ft section of steel pipe $\frac{3}{4}$ " in diameter. Once the water starts it will run for 10-15 days & not get all the way down. Then I stop the water and start it again for 10 to 15 days. Repeating this by year end the $\frac{3}{4}$ " diam pipe is not big enough. The 2nd year I use 1" diam pipe and the 3rd year 2" diam pipe is just about correct. All the corrugates do not need the pipe treatment but most of them do on a "new field."

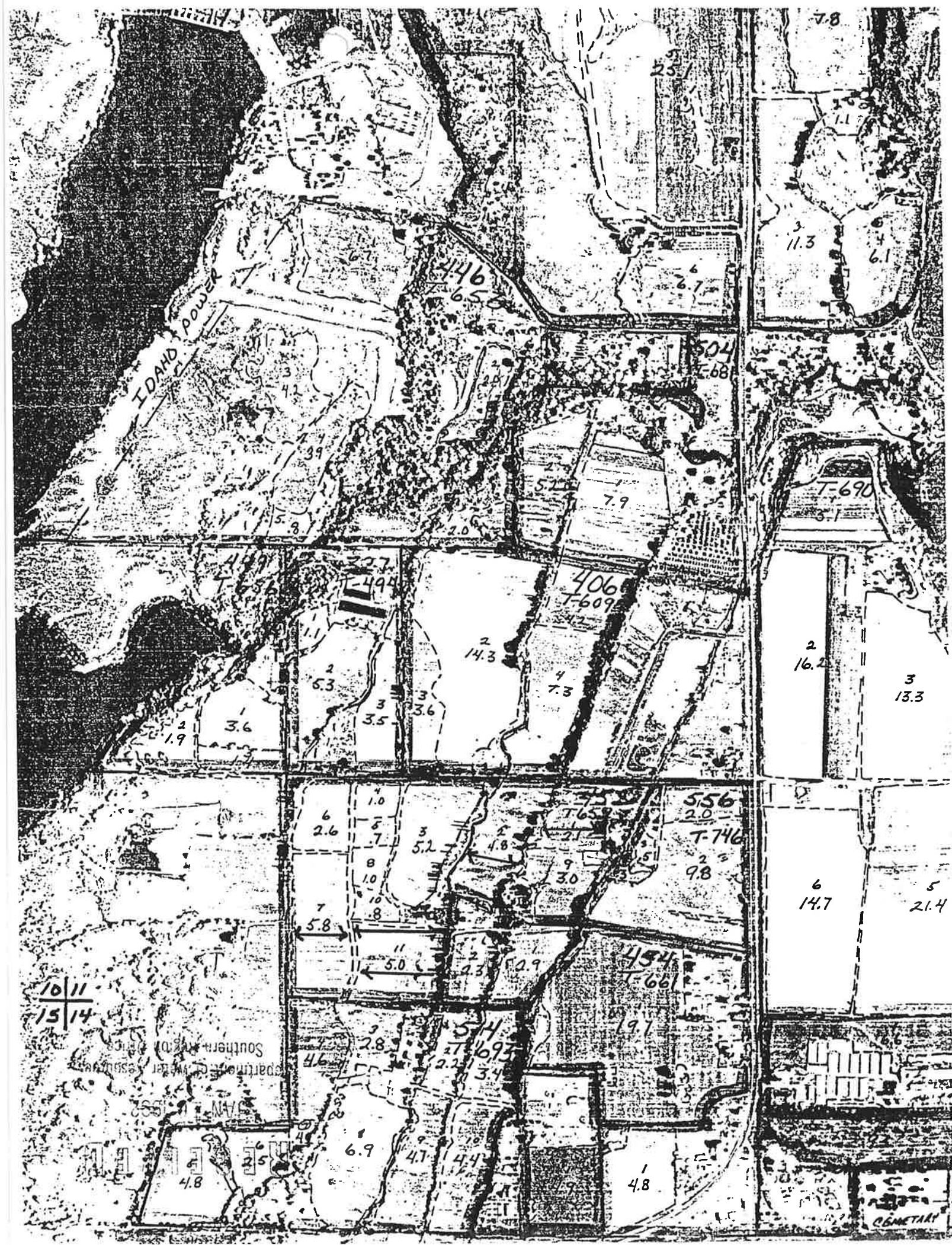
In troubled spots I use 2" Dia. pipe in old established fields. Steel pipe is used because plastic pipe is crushed by cow hoofs.

Ed. Shokal Jan 16 92

Shokal, Ed

JAN 21 1993





7.8

25.1

1.1
11.3
6.1

IDAHO POWER

446
6.58

504
6.8

T-690

528
7.9
406
T-609

449
T-658
327
T-494

2
1.9
3.6
2
5.3
3
3.5
3
3.6

2
14.3

4
7.3

2
16.2

3
13.3

6
2.6
1.0
7
5.2
8
10
10
8
5.8
11
5.0
2.3
5.9
11
2.2
3.4

556
2.0
T-746
2.5
9.8

6
14.7

5
21.4

10/11
15/14

Southern Oregon
Department of Water Resources

54
T-6095
2.2
3.4

454
T-661
19.7

4.8
2.5

6.9

4.7

4.4

4.8

CEMETERY

433-00000 B, 81B, 82A
January 8, 1992

Mr. Steve Clelland, Water Agent
Adjudication Bureau
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JAN 10 1992

Department of Water Resources
Southern Region Office

Reference: Civil Case Number 39576

Dear Mr. Clelland:

In the evening meeting of District 36-A on December 18, 1991, you reviewed some of the considerations being made in preparing water rights applications for the pending adjudication process. You made it clear that the DWR welcomes any information that is pertinent to a water right and its beneficial use that would be helpful in the adjudication process. Therefore, enclosed are some facts on how we use our water, the topography and shape of our land and an official description of our soil types.

(A) We have consulted with the Soil Conservation office in Gooding and they have supplied us with a printout of the properties of our soils. They are classified as EPB Ephrata fine sandy loam (lava sand, sand, sandy loam) and KOB Kecko (fine sandy loam). Copies of these printouts are attached.

(B) Please note (map attached) that my parcel of land is crossed with four water ditches (Buckeye, Bell, Sands and Barlogy). Because of these ditches and irregular contours, the most efficient management of the water use is by corrugated field irrigation. Sprinkle irrigation on multiple small irregular shaped parcels is economically not practical. On the plus side all the land has a gentle slope down from the water sources so the corrugated method is practical and efficient. This is how this land was irrigated by Mr. Cunningham and Mr. Crisp, the two sequential previous owners. I obtained this information by personal discussions with them. During this period and before the New International Mortgage Bank/Idaho Power adjudication, the land was irrigated by the corrugation method.

(C) When we purchased this parcel of land it was obvious that ;improvements were needed in the water distribution system if the land would be made more productive using adjudicated water rights. To improve the water distribution we made some improvements which included:

(1) Installed a 10-inch concrete pipeline about 500 ft. long with 2 risers so water could be brought down to the lower field with a minimum loss of water and land erosion.

(2) Replaced three of the existing 12-inch slide gates

with 7-inch screw gates and 20-foot corrugated pipes for better control.

(3) Installed over 110 6-inch slide gates to replace the sod-grass water controls.

(4) Installed 8 and 10-inch gates in irrigation ditches for better water control.

(5) Relocated feed ditches to better fit land contours.

(6) Changed the corrugate spacing from 29 inches to 36 inches to maximize water use.

(7) Installed water measuring devices so that the quantity of water used could be estimated.

(8) Removed high spots to improve water flow.

This has been an ongoing program for 20 years. While trying not to use more than our adjudicated water rights and keeping the water runoff to none or practically none, we have a difficult time to keep the land properly irrigated under the best conditions.

(D) This parcel of land was laid down by the Snake River as it receded from the Lake Bonville flood. Examination of the ditch banks, ditch bottoms and postholes shows a preponderance of pure lava sand. It will vary in thickness from inches to more than several feet thick in places (fish pond 8 plus feet). Fortunately, the greatest area is a fine sandy soil that is good for production. All the soil produces well when it gets enough water. All the land is basically very porous and should not be disturbed any more than is absolutely necessary.

Conclusion: The water needs of this parcel of land were properly considered in the adjudication procedure in the District Court of the United States for the District of Idaho, Southern Division. In Equity No. 1602, New International Mortgage Bank a corporation plaintiff -vs- Idaho Power Company, a corporation, defendants. The decreed water rights were recorded April 19, 1932.

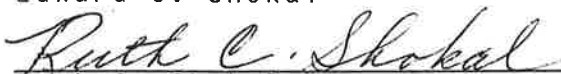
We have found by good management of the land that the adjudicated amount of water is not excessive, in fact it is minimal, if the land is to be put to full production.

Therefore, we believe that our water rights as established by the above 1932 adjudication should not be disturbed.

Attachments - 7 pages.

Yours truly,


Edward C. Shokal


Ruth C. Shokal

963 Pioneer Road
Hagerman, Idaho 83332

Elder & C. Shokal Property

EPB Ephrata fine sandy loam, 1 to 6 percent slopes

COMPOSITION

Ephrata soil - 85 percent

Inclusions - 15 percent

EPHRATA SOIL

Positions on landscape: stream terraces

Elevation: 2600 to 3100 feet

Climatic data: (average annual)

* precipitation - about 9 inches

* air temperature - about 52 degrees F.

* frost free period - about 130 days

Typical profile:

0 to 5 inches - yellowish brown fine sandy loam

5 to 26 inches - yellowish brown and light yellowish brown fine sandy loam

26 to 30 inches - multi-colored very gravelly loamy coarse sand

30 to 61 inches - multicolored very gravelly coarse sand

Depth class: very deep (more than 60 inches)

Drainage class: well drained

Permeability: moderately rapid to 26 inches and very rapid below this depth

Available water capacity: low; 3 to 6 inches

Potential rooting depth: 60 or more inches

Restriction to rooting depth: sand and gravel at 26 inches

Runoff: very slow

Hazard of erosion: by water - slight
by wind - moderate

INCLUDED AREAS

Contrasting inclusions:

Tupper extremely bouldery fine sandy loam and Tupper extremely stony fine sandy loam, usually occurring on slightly higher positions of the stream or river terrace

JAN 2 1982

Similar inclusions:

of Kecko loamy fine sand and Fathom fine sand occurring in concave positions and Ephrata gravelly loamy fine sand

MAJOR USES

Current uses:

cropland
pasture
hayland

Potential uses: homesites

CROPLAND

Suitable crops:

wheat
barley
sugar beets
potatoes
sweet corn
corn

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface on this map unit.

The hazard of water erosion is increased where corrugation or furrow irrigation is used.

Suitable management practices:

Conservation cropping system
Conservation tillage
Irrigation water management
Suitable irrigation systems are:
sprinkler
furrow
corrugation

Sprinkler irrigation is the most suitable method of applying irrigation water.

HAYLAND AND PASTURELAND

Suitable crops:

irrigated -
alfalfa
pasture

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface on this map unit.

JAN 2 1972

Suitable management practices:

Planned grazing system
Pasture and hayland planting
Irrigation water management
Suitable irrigation systems are:
sprinkler
furrow
corrugation

INTERPRETATIVE GROUPS

Capability classification:

IIIe irrigated, and VIe non-irrigated

IDAHO

504
E-68

T-690

227
T-494

5.2

7.9

406
T-609

2
14.3

4
7.3

2
16.2

3
13.3

2
5.3

3
3.5

3
3.6

2
3.6

2
1.9

556
T-746

2.0

2.5

9.8

6
14.7

5
21.4

6
2.6

4
1.0

5
7

8
10

10
8

7
5.8

3
5.2

2
4.8

2
2.1

9
3.0

2
2.3

1
2.9

454
T-661

19.7

5
5.4

2
2.2

3
3.4

3
2.8

4
4.1

6
6.9

9
4.7

10
4.4

6
2.5

5
4.8

1
4.8

11 12
14 13

10 11
15 14

Hand shown
Edward C. Shovel
Property

CEMETARY

Edward C. Shokal Property

KOB Kecko fine sandy loam, 2 to 4 percent slopes

COMPOSITION

Kecko soil - 85 percent

Inclusions - 15 percent

KECKO SOIL

Positions on landscape: terraces

Elevation: 2800 to 3000 feet

Climatic data: (average annual)

* precipitation - about 9 inches

* air temperature - about 52 degrees F.

* frost free period - about 130 days

Typical profile:

0 to 9 inches - brown fine sandy loam

9 to 21 inches - yellowish brown fine sandy loam

21 to 44 inches - light yellowish brown loamy very fine sand and fine sandy loam

44 to 60 inches - very pale brown silt loam

Depth class: very deep (more than 60 inches)

Drainage class: well drained

Permeability: moderately rapid

Available water capacity: moderate; 6 to 9 inches

Potential rooting depth: 60 inches or more

Runoff: slow

Hazard of erosion: by water - slight
by wind - moderate

INCLUDED AREAS

Contrasting inclusions:

Ephrata fine sandy loam and Quincy fine sand

Similar inclusions:

Kecko fine sandy loam on 0 to 2 percent slopes

MAJOR USES

Current uses:

cropland
pasture
hayland

Potential uses:

homesites

CROPLAND

Suitable crops:

wheat
barley
sugar beets
potatoes
sweet corn
corn

Management considerations:

Management considerations:
Proper irrigation water management is needed to overcome the low available water capacity of the soil surface.

The hazard of water erosion is increased where corrugation or furrow irrigation is used.

Suitable management practices:

Conservation cropping system
Conservation tillage
Irrigation water management
Suitable irrigation systems are:
sprinkler
furrow
corrugation
Sprinkler irrigation is the most
irrigation water.

HAYLAND AND PASTURELAND

Suitable crops:

irrigated -
alfalfa
pasture

Management considerations:

Proper irrigation water management is needed to overcome the low available water capacity of the soil surface map.

Suitable management practices:

Planned grazing system
Pasture and hayland planting
Irrigation water management

1947 7 1 1950

Suitable irrigation systems are:
sprinkler
furrow
corrugation

SANITARY FACILITIES AND BUILDING SITE DEVELOPMENT

General management considerations:

Sanitary facilities include septic tank absorption fields, sewage lagoons (area type), sanitary landfills (trench type), sanitary landfills (area type), and daily cover for landfills.

Building site development includes shallow excavations, dwellings without basements, dwellings with basements, small commercial buildings, local roads and streets, lawns, landscaping, and golf fairways.

KECKO SOIL

The limitations for sanitary facilities are:

seepage
slope

The limitations for building site development are:

slope

INTERPRETIVE GROUPS

Capability classification:

Ile irrigated, and VIe non-irrigated