

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 37-22016
Date Received: 12/13/2006
Receipt No: 5029115
Received By: *AD*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM L SHERBINE Phone: (208)788-2806

153 BASELINE RD
BELLEVUE ID USA 83313

NANCY SHERBINE Phone: (208)788-2806

153 BASELINE RD
BELLEVUE ID USA 83313

RECEIVED
DEC 13 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

2. Date of Priority: 05/01/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	31	NW NW SE	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.18	206.5

7. Total Quantity Appropriated is:
1.18 C.F.S. and/or 206.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	8	SE	NW	IRRIGATION	40
			NE	NW	IRRIGATION	19
					Section Acres	59
					Total Acres	59

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

This claim is for the spreading of ground water from the well which currently supplied water to rights 37-4114 and 37-2554. This claim represents acres brought into irrigation from 1954 to 1965. These lands were irrigated by portable PTO pump and flood irrigation. A pivot was installed in 1992 and the northeast and southeast corners have not been irrigated since then. The northwest corner of NWNW is flood irrigated. A portion of the SWNW is owned by Rocky Sherbine and his decreed surface water and/or ground water is used there (a portion through the pivot. The pivot is supplied water from the wells and surface water via a ditch then pipeline to center of pivot where it is pumped.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

1 Affidavit

Number of attachments: _____

For Individuals:

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

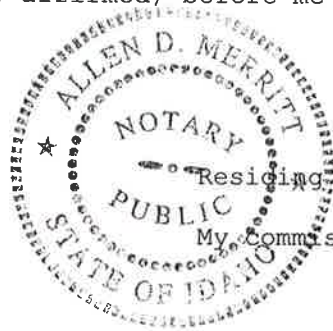
Signature of Claimant(s): William H. Sherbine Date: 12-13-06

Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this

of Dec 20 06



13th
Allen D. Merritt

Notary Public

Residing at

Kinsley, ID

My Commission Expires

6/30/2012

December 12, 2006

I Don Nisson swear to the fact, prior to 1987 Bill Sherbine was irrigating his property referred to as the Melick Place. All of the west half and the majority of the east half was irrigated either by flood or hand lines with a portable PTO pump.

Don Nisson

Don Nisson



Rustin Miller

Notary Public for Idaho

Residing at Hailey ID

My Commission Expires: 12/24/2012

RECEIVED

JAN 04 2007

DEPARTMENT OF
WATER RESOURCES

12/18/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-22016

WILLIAM L SHERBINE
153 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-2806

NANCY SHERBINE
153 BASELINE RD
BELLEVUE ID 83313
Telephone Number: (208)788-2806

RECEIVED
JAN 09 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

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

DATE: 12-27-06 SIGNATURE: William L. Sherbine

Please print your name: WILLIAM L. SHERBINE

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

SCANNED

JAN 04 2007

12/15/2006

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

RIGHT NUMBER: 37-22016

NAME AND ADDRESS: WILLIAM L SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

NANCY SHERBINE
153 BASELINE RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.940 CFS
164.500 AFY

Right Nos. 37-2554 and 37-4114 and 37-22016 are limited to a total combined diversion rate of 4.52 cfs and to a total combined annual diversion volume of 969.5 AF.

PRIORITY DATE: 05/01/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T01N R19E S31 NWNWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.940 CFS 164.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S31	NESE	39.00	T01N R19E S31	NWSE	37.00
T01N R19E S31	SWSE	35.00	T01N R19E S31	SESE	38.00
T01S R19E S08	NENW	34.00	T01S R19E S08	NWNW	40.00
T01S R19E S08	SWNW	20.00	T01S R19E S08	SENW	34.00

277 ACRES TOTAL

This right is limited to the irrigation of 47 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 277 acres in a single irrigation season. Combined Right Nos.: 37-468, 37-469, 37-470, 37-893A, 37-2554, 37-4114 and 37-22016.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right No. 37-2554 and 37-4114 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Base Line Canal Co.

This ground water right is supplemental to surface water decrees.



Idaho Department of Water Resources

SRBA Recommendation:

37-22016

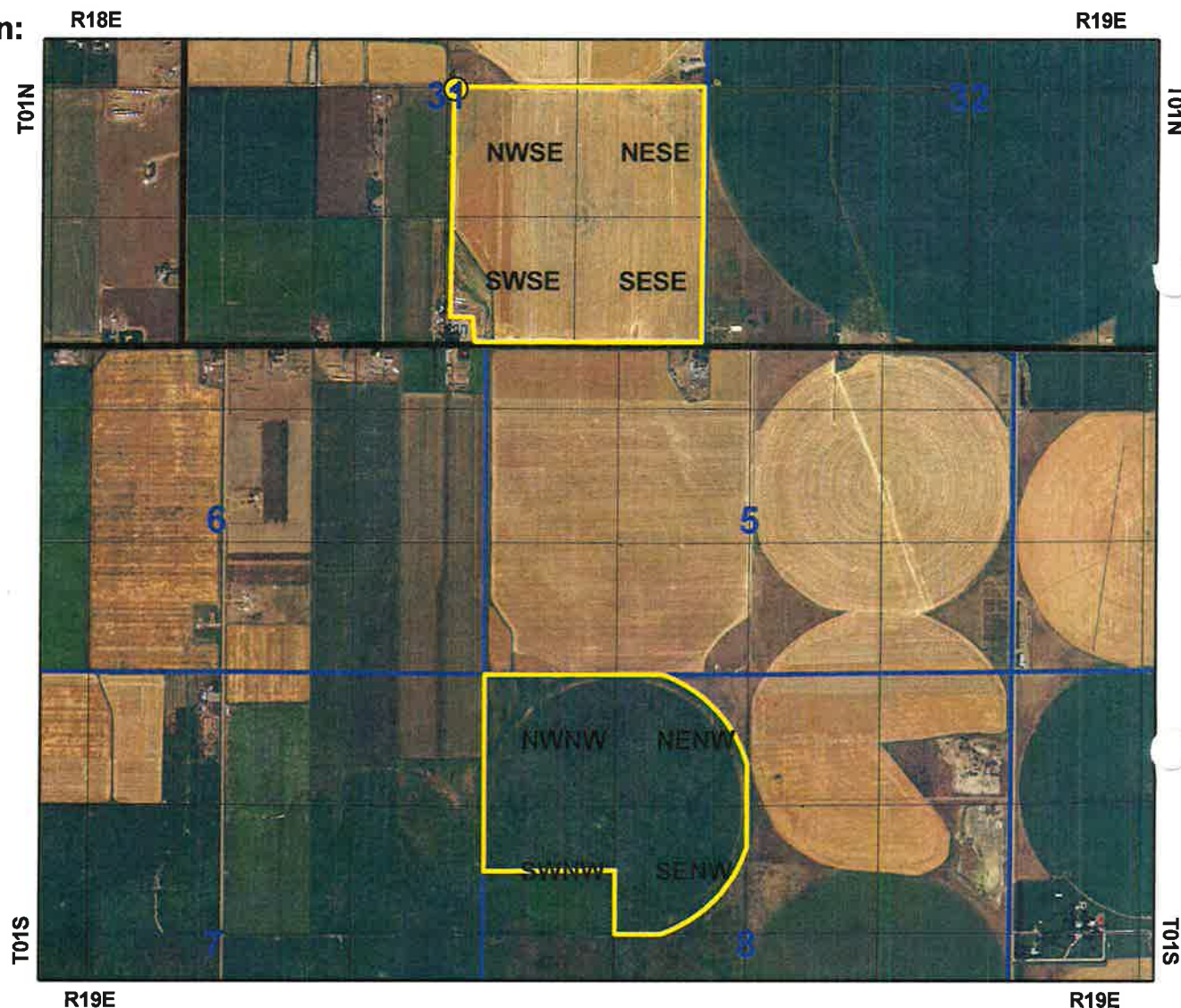
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 0.7 1.4 Miles

Prepared by A. Merritt
On Friday, December 15, 2006
2004 Aerial Photography

Owner: William L Sherbine

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Total Acres

277

230

47

acres.