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DEPT. OF WATER RESOURCES
SOUTHERN REGION

SRBA Form No.42-1409-1 (Internet 2/09)

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 37-22582

Date Received: _____

Receipt No: _____

Received By: _____

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

Please type or print clearly

1. Name of Claimant (s) ALVIN V and/or SALLY P SHOEMAKER Phone (208) 788-2921

Mailing Address P.O. BOX 550 BELLEVUE ID 83313
Street or Box City State

2. Date of Priority (Only one (1) per claim) 7/21/1880
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) SEAMANS CREEK
which is tributary to (b) SINKS

4. a. Location of Point of Diversion is: Township 02N, Range 19E, Section 32,
NW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of BLAINE

Parcel (PIN) no. _____

Additional points of diversion if any: T.02N. R.19E SEC.33 SENWNE

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well: Water is diverted from Seamans Creek for irrigation on property.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/31 amount 3.40 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 3.40 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	19E	31	26			15													41
2N	19E	32	31	25	7.1		28	33	3	4.4									131.5
2N	19E	33					18	26											44

Parcel (PIN) no(s).

Total number of acres irrigated 216.5

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

37-1198

or None ()

13. Remarks: (See Exhibit A attached hereto)

Last Name SHOEMAKER

Identification No. 37-22582

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 37-1200

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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: 2

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alexis V. Shomaker & Selley Date: 3/16/11
P. Shomaker by P. Selley, agent-in fact Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name SHOEMAKER Identification No. 37-22582

EXHIBIT A

The priority date claimed is one (1) day after the priority date for the City of Bellevue's right in Seamans Creek, #37-1208, which is July 20, 1880. The priority date claimed is one (1) day before the claim of Harry Rinker for right # 37-20624, also in Seamans Creek. Summons in the case of Goble vs. Kimbrough was issued June 18, 1890. The Complaint in that case alleged that water from "Seamonds Creek" had been used for ten (10) years prior to that date. A subsequent agreement of the litigants dated 4/21/92 divided "Seamonds Creek" water among Goble, Galbraith, and Kimbrough, who are predecessors in interest to the current claimants of rights in Seamans Creek. The City of Bellevue was involved as Plaintiff in the separate case of Bellevue vs. Goble, et al, begun in 1884, in which its right in Seamans Creek was given a July 20, 1880 priority date. The Complaint in that case and other historical documents establish that competing uses in Seamans Creek began as early as March, 1880.

37-22582

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, **ALVIN V. SHOEMAKER and SALLY P. SHOEMAKER**, do hereby make, constitute and appoint **ROBERT E. WILLIAMS**, P.O. Box 168, 153 East Main Street, Jerome, Idaho 83338, our true and lawful attorney for us, in our name, place and stead, and on our behalf, with full power and authority to execute any and all documents on our behalf as fully and effectually to all intents and purposes as we could do in our proper person, with full power of substitution, hereby ratifying and confirming all that our said attorney in fact shall lawfully do, or cause to be done, by virtue of the authority herein granted and necessary or useful to carry into effect any or all of the following acts, deeds and things:

1. To execute on our behalf notices of claim, motions, or other pleadings to be filed with the Idaho Department of Water Resources, including filings, in Case No. 39576 or any of its subcases, now pending in the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, commonly referred to as the Snake River Basin Adjudication. Our attorney shall also have the power to execute on our behalf any Application for appropriation of a water right, transfer of a water right or other similar documents affecting any water right which we now have an ownership interest in, or may hereafter acquire, or which water right is owned, in whole or in part, by a trust, corporation, limited liability company or other business entity of which we are a trustee, officer, member or owner.
2. This instrument is to be construed and interpreted as a special power of attorney, limited to the enumeration of the specific terms, items, acts, rights or powers herein granted. This power of attorney shall remain in effect until it is revoked by us in writing.
3. This power of attorney shall not be affected by our disability.

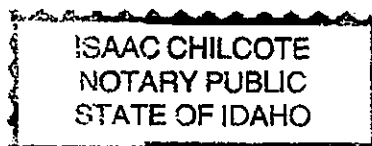
IN WITNESS WHEREOF, we have hereunto set our hands at _____,
this _____ day of September, 2010.

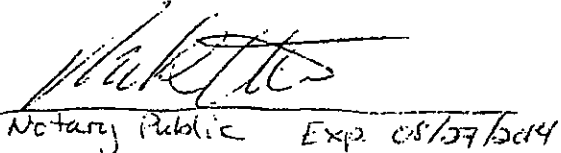

ALVIN V. SHOEMAKER


SALLY P. SHOEMAKER

County: Blaine
State: Idaho

Subscribed and duly sworn before me
on this 11th day of September, 2010. by
Alvin and Sally Shoemaker.




Notary Public Exp. 08/27/2014

31-22582