

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-14278
Date Received: 4/28/1992
Receipt No: S014463
Received By: AD

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

1. Name: ALVIN SHOEMAKER
Address: PO BOX 2172
KETCHUM ID 83340

OR

Name: DBA SHOEMAKER PROPERTIES
Address: PO BOX 2172
KETCHUM ID 83340

2. Date of Priority: JUL 1, 1966

3. Source: SEAMONS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	19E	32	SW	NW	NE		BLAINE
			NW	SE	NE		BLAINE

5. Description of diverting works:

CHECKDAM TO DITCH TO POND & EARTHEN DAM IN CREEK FORMING POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	3.000		
WILDLIFE STORAGE	01/01	12/31			33.40
RECREATION STORAGE	01/01	12/31			33.40

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or) 33.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

WILDLIFE & RECREATION STORAGE/TWO PONDS; 1 ON STREAM 1 OFF STREAM

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	19E	32	NW	NE		WILD S	
			NW	NE		REC S	
			SW	NE		WILD S	
			SW	NE		REC S	
			NE	NW		WILD S	
			NE	NW		REC S	
			SE	NW		WILD S	
			SE	NW		REC S	

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:
NONE

14. Remarks:

STORAGE CAPACITY IS 33.4 AF COMPRISED OF 33.0 AF IN THE LARGE POND ON SEAMONS CREEK AND 0.4 AF FOR THE SMALL OFF-STREAM STORAGE POND UPSTREAM FROM THE LARGE POND. THE DIVERSION TO STORAGE IS FOR THE SMALLER POND ONLY. THIS CLAIM IS SUBMITTED FOR BOTH PONDS SINCE THEY WERE BUILT AT THE SAME TIME AND ARE USED FOR THE SAME PURPOSES.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
APR 23 1992 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Southern Region Office

CIVIL CASE NUMBER: 39356

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

Ident Number A37-14278
Date Received _____
Receipt Number 5014463- AM

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Alvin Shoemaker dba Shoemaker Properties
Phone: _____
Mailing Address: P. O. Box 2172
Ketchum, ID 83340
2. Date of Priority: July 1, 1966
3. Source of water supply (a) Seamons Creek
which is tributary to (b) Big Wood River
4. a. Location of point of diversion is:

	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>Lot</u>	<u>County</u>
1:	2N	19E	32	SW	NW	NE		Blaine
2:	2N	19E	32	NW	SE	NE		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>Lot</u>	<u>County</u>
--	-----------------	--------------	----------------	----------	----------	----------	------------	---------------

Ending point:

	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>Lot</u>	<u>County</u>
--	-----------------	--------------	----------------	----------	----------	----------	------------	---------------

5. Description of existing diversion works: P/D #1 is diversion from Seamons Creek to small pond, and P/D #2 is in-stream dam in Seamons Creek to form much larger pond. Both ponds are used to store water for wildlife habitat and aesthetic purposes.

COPY
MICROFILMED

MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Diversion to Storage	January 1	December 31	3.0 cfs
Storage for Wildlife Habitat	January 1	December 31	33.4 AF
Storage for Recreation	January 1	December 31	33.4 AF

7. Total Quantity Claimed: 3.0 cfs/33.4 AF

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses: Wildlife habitat and aesthetics.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1</u>	<u>1</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	19E	32	NW	NE	W/J	--
2N	19E	32	SW	NE	W/J	--
2N	19E	32	NE	NW	W/J	--
2N	19E	32	SE	NW	W/J	--

Total number of irrigated acres: None.

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks: Priority is based upon the Affidavit of W. W. "Mike" Ivie attached hereto. The total amount for storage consists of 33 AF for the larger pond and 0.4 AF for the small pond. The amount for diversion to storage is for the small pond only. One claim is submitted for both ponds since they were built at the same time and are used for the same purposes.

COPY

Last Name: Shoemaker Properties
j\water\shoemaker.clm

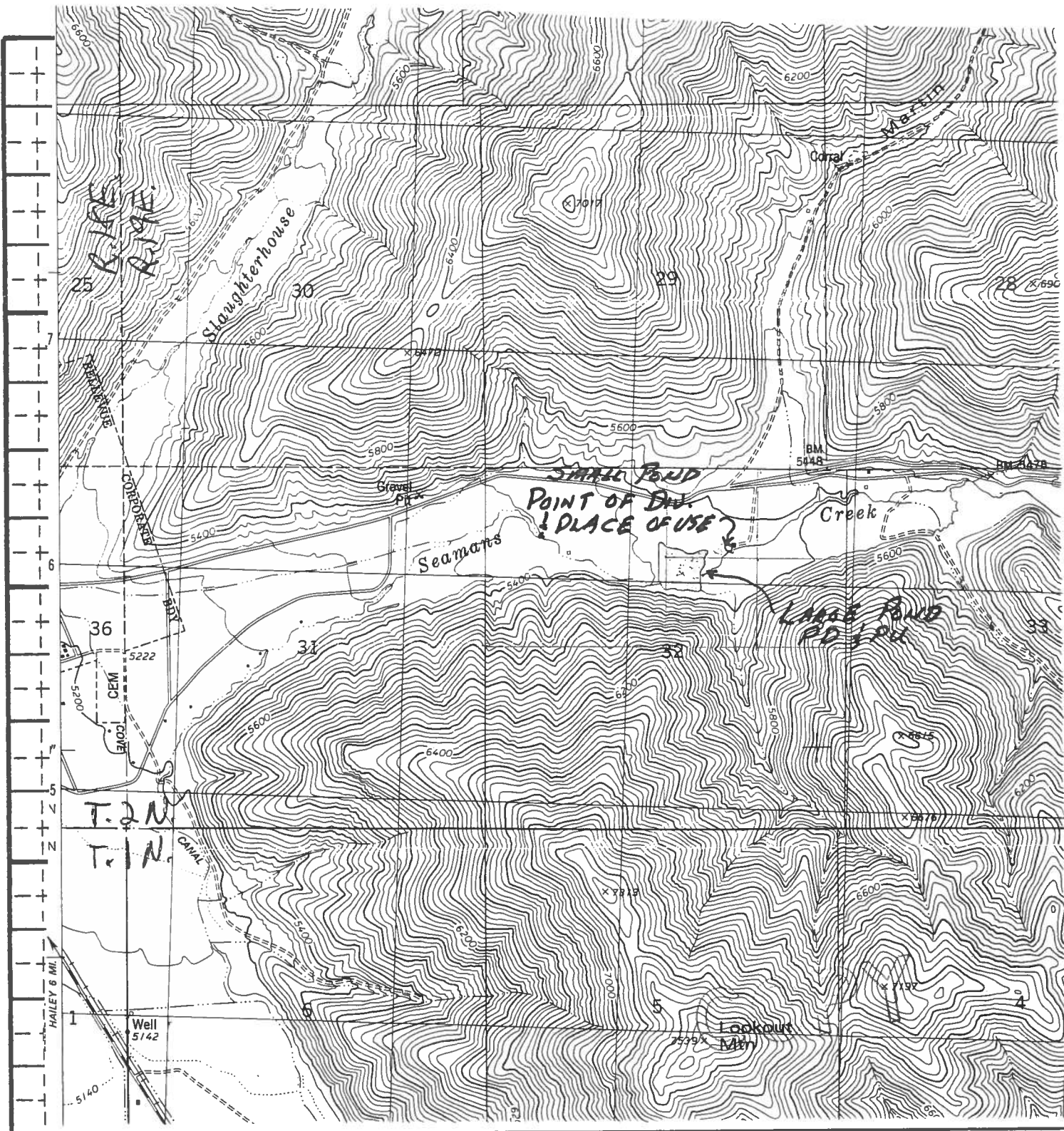
Ident No. _____

MICROFILMED

PLAN 0 1 1333

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name SHOEMAKER PROPERTIES Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
MAR 01 1993

15. Basis of Claim: Beneficial Use.

IDWR Water Right Number:

Court:

Case Number:

Decree Date:

Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - one (1).

[For Organizations] I do solemnly swear or affirm that I am the sole owner of Shoemaker Properties, that I have signed the foregoing document in the space below as sole owner of Shoemaker Properties and that the statements contained in the foregoing document are true and correct.

SHOEMAKER PROPERTIES

DATE: 4/20/92

By: Alvin Shoemaker
Alvin Shoemaker

State of NS)
County of Morris) ss.

Subscribed and sworn before me this 20th day of April, 1992.

Notary Public Kathryn E. Wilson
Residing at _____
Commission Expires _____
KATHRYN E. WILSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 25, 1995

17. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law 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 the address listed below.

Signature: _____

Date: _____

COPY

Last Name: Shoemaker Properties
j\water\shoemaker.clm

Ident No. _____

MICROFILMED

MAR 01 1993

RECEIVED

APR 23 1992

Department of Water Resources
Southern Region Office

AFFIDAVIT

RECEIVED

MAR 5 1992

Hogue, Speck & Aarnestad

STATE OF IDAHO)
) ss.
County of Blaine)

I. W. W. "Mike" Ivie, being duly sworn, under oath, depose and state as follows:

1. I have been a resident of Blaine County since 1931.
2. In the summer of 1966, Mr. Wright, who was managing the ranch along Seamons Creek west of Bellevue, Idaho, asked me to build two ponds along the Creek. I built the first pond in approximately July, 1966 next to the original ranch house. This pond was about 75 feet long by 40 feet wide. I cut a short ditch from Seamons Creek to the pond.
3. At the same time, I built the larger pond just downstream by constructing a dam across Seamons Creek. The dimensions were approximately 600 feet by 600 feet. The material from the bottom of the pond was used to build the dam and I installed a concrete overflow outlet and gated culvert to allow the water to continue down Seamons Creek for the downstream irrigators.
4. The ponds were built to enhance the wildlife habitat and provide aesthetic enjoyment for the ranch owners.

DATED this 4 day of March 1992

W.W. Ivie
W.W. "Mike Ivie"

SUBSCRIBED AND SWORN TO before me this 4th day of March, 1992

Nicola Miller
Notary Public for Idaho

Residing at Hailey, Idaho
4/10/96

MICROFILMED
MAR 01 1993

A37-14278

Basis for writing ltr fee by AD

22-9574

2/19/91

①

WARRANTY DEED

311495
BLAINE CO. REQUEST
OF
89 OCT 13 PM 4 50
FEE \$ 5.00

THIS INDENTURE, made this 18th day of October, 1989,
between LITA WALKER WEST, an unmarried woman, and LITA WALKER
WEST, Personal Representative of the Estate of James Everett
West, Deceased, hereinafter collectively referred to as
"GRANTOR," and ALVIN V. SHOEMAKER and SALLY P. SHOEMAKER, husband
and wife, hereinafter referred to as "GRANTEE";

W I T N E S S E T H :

FOR VALUE RECEIVED, the GRANTOR has granted, conveyed,
bargained and sold, and does hereby grant, bargain, sell, convey
and confirm to the GRANTEE and their successors and assigns
forever, that certain real property situate in the COUNTY OF
BLAINE, STATE OF IDAHO, which is more particularly described on
Exhibit "A" attached hereto and by this reference made a part
hereof.

TOGETHER with all and singular the buildings,
structures, improvements, tenements, hereditaments,
appurtenances, water and water rights thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder and
remainders, rents, issues and profits thereof.

MICROFILMED
MAR 01 1993

SUBJECT TO:

1. Property taxes, including any assessments collected with taxes, levied for the year 1989 and all subsequent years.
2. Right of Way Deed for ditch and reservoir dated May 28, 1887, and recorded May 24, 1888, in Book 11 of Deeds, Page 305, records of Blaine County, Idaho, which also grants a right to enter said land to repair ditch and pipe line; ALSO granted in Deed Recorded November 28, 1887, in Book 11 of Deeds, Page 247, records of Blaine County, Idaho, which was granted to the City of Bellevue, Idaho, said ditch crossing said property and running in a westerly direction toward the City of Bellevue, Idaho.
3. Agreement dated April 19, 1920, entered into between the City of Bellevue, a municipal corporation of the State of Idaho, and LeMoyne Farm & Livestock Co., a corporation, granting a right of way ten feet in width to first party over and across lands of second party, being NW¹/₄NE¹/₄, N¹/₂SE¹/₄ Sec. 33, NE¹/₄NE¹/₄, ^{SW}W¹/₄NE¹/₄, E¹/₂NW¹/₄ Sec. 32, T. 2N., R. 19 E., and granting exclusive use of land surrounding a certain spring in the NW¹/₄NE¹/₄ of Section 33, T. 2 N., R. 19 E., said right of way to be for a pipe line to the City of Bellevue; recorded July 21, 1920, in

MICROFILMED
MAR 01 1993

Book 74 of Agreements and Contracts, Page 628, records of Blaine County, Idaho.

A Memorandum Agreement

By and between: CITY OF BELLEVUE, a municipal corporation,
the STATE OF IDAHO, and the LEMOYNE FARM &
LIVESTOCK COMPANY, a corporation

Dated: April 19, 1920

Recorded: March 14, 1975

Instrument No.: 158779, records of Blaine County, Idaho

An Agreement

By and between: CITY OF BELLEVUE and JAMES E. WEST & DONNA Q.
WEST, husband and wife

Recorded: April 2, 1985

Instrument No.: 261649, records of Blaine County, Idaho

4. Reservations in Warranty Deed dated June, 1965, executed by Margaret Jane Robertson, a widow, to Paul Dana and Lillian Dana, husband and wife, and recorded July 7, 1965, in Book 180 of Deeds, Page 42, records of Blaine County, Idaho, as follows: EXCEPTING and reserving an undivided one-half interest in and to all minerals and mineral rights thereon.

MAR 01 1993

5. Easement granted by Judgment and Decree of the District Court of the Fourth Judicial District in and for the County of Blaine, State of Idaho, dated March 11, 1912, and recorded in Book 6 of Judgments, Page 629, and Order of Condemnation out of said Court dated April 12, 1912, and filed April 15, 1912, and recorded in Book 6 of Judgments, Page 633, records of Blaine County, Idaho, said easement condemned being for a right of way for construction of a ditch for irrigation purposes, and said ditch to be 10 feet wide and 882 feet long, across NE¼NW¼ of Section 32, T. 2N., R. 19 E., Blaine County, Idaho.

6. An easement for the purpose shown below and rights incidental thereof as set forth in a Power Line Easement

Granted to:	IDAHO POWER COMPANY, a corporation
Purpose:	Power line easement
Recorded:	February 23, 1966
Book:	180 of Deeds
Page No.:	357, records of Blaine County, Idaho

7. An easement for the purpose shown below and rights incidental thereof as set forth in a Access Road Easement

Granted to:	UNITED STATES OF AMERICA
Purpose:	Roadway easement

Recorded: June 13, 1963
Book: 178 of Deeds
Page No.: 11, records of Blaine County, Idaho

8. An easement for the purpose shown below and rights incidental thereof as set forth in a Power Line Easement

Granted to: IDAHO POWER COMPANY, a corporation
Purpose: Power line easement
Recorded: June 16, 1975
Instrument No.: 160240, records of Blaine County, Idaho

9. An easement for the purpose shown below and rights incidental thereof as set forth in a Power Line Easement

Granted to: IDAHO POWER COMPANY, a corporation
Purpose: Power line easement
Recorded: December 14, 1978
Instrument No.: 189545, records of Blaine County, Idaho

10. All other easements, claims of easement or encumbrances which are shown by the public records or which appear on the premises.

11. Discrepancies between the location of the existing fence lines and the boundaries between state or federal lands and

- 5 -

422-352

FROM HANLEY TROXELL 25101 88. 81 100

juw
MICROFILMED
MAR 01 1993

the real property being conveyed hereunder, shortage in acreage, and any easements or encroachments which would be revealed by inspection of the property.

12. Unpatented mining claims, reservations or exceptions in patents or state deeds or in acts authorizing the issuance thereof.

13. That certain Mortgage dated October ^{4th} 18, 1989 granted by Alvin V. Shoemaker and Sally P. Shoemaker, husband and wife, to Lita Walker West, an unmarried woman, and Lita Walker West, Personal Representative of the Estate of James Everett West, deceased, which was recorded on October __, 1989 as Instrument No. _____, records of Blaine County, Idaho.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE; the GRANTOR covenants to the GRANTEE, their successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the above-described premises, and GRANTOR warrants to the GRANTEE, their successors and assigns, that GRANTOR is the owner of said premises in fee simple and has the right and authority to convey the same to GRANTEE, and they will defend the same from all lawful claims whatsoever.

The current address of the GRANTEE is: 34 Chandler
Road, Chatham, New Jersey 07928.

IN WITNESS WHEREOF, this WARRANTY DEED has been duly
executed by the GRANTOR the day and year herein first above
written.

Lita Walker West
LITA WALKER WEST

THE ESTATE OF JAMES EVERETT WEST,
DECEASED

By Lita Walker West
LITA WALKER WEST,
Personal Representative

STATE OF IDAHO)
) ss.
County of Blaine)

On this 18th day of April, 1989, before me,
Carol Walker, the undersigned, a Notary
Public in and for said State, personally appeared LITA WALKER
WEST, known or identified to me to be the person whose name is
subscribed to the foregoing instrument, and acknowledged to me
that she executed the same.

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

Carol Walker
Notary Public for Idaho
Residing at Hailey, Idaho
My commission expires 9-7-1990

- 7 -

100.1572

100 18 09 13159 FROM HANDED TROFFEL

MICROFILMED
MAR 01 1993

STATE OF IDAHO)
County of Blaine) ss.

On this 18th day of October, 1989, before me,
Carol M. Stinson, a Notary Public in and for said
State, personally appeared LITA WALKER WEST, known or identified
to me to be the person whose name is subscribed to the within
instrument as Personal Representative of the Estate of James
Everett West, deceased, and acknowledged to me that she executed
the same as such Personal Representative.

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

Carol M. Stinson
Notary Public for Idaho
Residing at Hailey, Idaho
My commission expires 9-2, 1992

311495 of seeds

April 92 30

Rosa M. Stinson may green
JWW

EXHIBIT "A"

PARCEL I

Township 2 North, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 31: E1/2NE1/4
Section 32: NW1/4, SW1/4NE1/4, N1/2NE1/4, EXCEPTING THEREFROM
S1/2SE1/4NW1/4NE1/4
Section 33: N1/2N1/2, SE1/4NE1/4,
Section 34: N1/2N1/2, SE1/4NW1/4,
Section 35: N1/2N1/2, NE1/4SW1/4, SE1/4

and

Township 1 North, Range 19 East, of the Boise Meridian, Blaine County, Idaho

Section 1: Lots 1, 2, 3, 4, 5, 6; N1/2SW1/4, S1/2NW1/4,
NW1/4SE1/4
Section 2: Lot 1

PARCEL II

Township 2 North, Range 19 East, of the Boise Meridian, Blaine County, Idaho

Section 32: S1/2SE1/4NW1/4NE1/4

MICROFILMED
MAR 01 1993

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098


**NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD**

Box 4

Return to Sender
Not at this Box in Ketchum
37-14228
TLK

Alvin Shoemaker
SHOEMAKER PROPERTIES
PO BOX 2172
KETCHUM ID 83340

FIRST CLASS



UNITED STATES POSTAGE
PRIMEVAPORALS
02 1A
0004389393
MAILED FROM ZIP CODE 83700
\$00.87
MAR 08 2007

RECEIVED
MAR 13 2007
DEPARTMENT OF
WATER RESOURCES

MEMORANDUM

TO: 37-14278

FROM: Erin Retelle

RE: Field Exam

Date: January 8, 2007

.....

On October 31, 2006, I visited the EE-Da-How Ranch. The ranch is irrigated with water primarily from Seamons Creek.

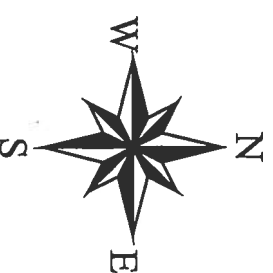
With the assistance of the ranch manager, I performed a Manning's equation estimate on Seamons Creek in Section 34, just upstream of the ranch. The calculation gave a flow rate of 0.73 cfs.

The water is collected in a large reservoir in the middle of the ranch (see layouts) and pumped through mainlines throughout the property. At the point labeled "Pumps 1" is a pumphouse containing a 20 hp pump. At the point labeled "Pumps 2" are 2 7hp submersible pumps. The ranch also has smaller aesthetic/recreational ponds that are not part of the irrigation system.

The outflow from the reservoir is through a glory hole in to a channel. The water sinks near the middle of the NW quarter of Section 32, and rises again in a lesser amount in the NENE of Section 31. At the time I visited the area, no water was flowing off the ranch. However, a very small channel (2 ft wide x less than a foot deep) meandered into the subdivision downstream of the ranch. The channel was evident on the Schwenk and Beudet properties in the SWNE of Section 31, but became less defined and fizzled out in the properties to the west. I marked a GPS point where someone built their driveway over where the channel would have been with no drainage pipe (labeled "no water possible beyond here).

37-14278

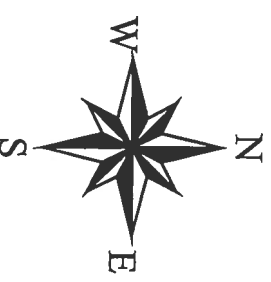
- ☐ Blaine taxlots
- ☒ Recommendation POD
- ☐ Administrative BasinsAdminbas.shp
- ☐ Township/Range
- ☐ Sections
- qq



January 8, 2007
Erin Retelle, IDWR

37-14278

- Recommendation POD
- Administrative BasinsAdminbas.shp
- Township/Range
- Sections
- QQ



January 8, 2007
Erin Retelle, IDWR

MANNING EQUATION CHANNEL CAPACITY RESULTS

11-01-2006

File Number: 37-14278
Claimant: Shoemaker
Channel measured: Seamon's Creek
Date of measurement: 10/31/2006
Measurement location:

Calculation prepared by: Erin Retelle
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 60 feet.
The upstream and downstream rod readings are 4.99 and 5.90 feet.
The channel cross section is 1.19 ft-sq.
The wetted perimeter is 8.79 feet.
The hydraulic radius is 0.14 feet.
The slope is 0.0152
The roughness coefficient is 0.0793
The flow velocity is 0.611 ft/sec.
The rate of flow is 0.73 cfs.

CROSS SECTION NUMBER 1

For File Number 37-14278 for the Seamon's Creek

Number	Rod Reading	Water Depth	Distance
1	5.09	0.00	0.00
2	4.80	-0.29	0.50
3	4.80	-0.29	1.00
4	5.50	0.41	1.50
5	5.14	0.05	2.00
6	5.24	0.15	2.50
7	5.38	0.29	3.00
8	5.33	0.24	3.50
9	5.40	0.31	4.00
10	5.45	0.36	4.50
11	5.60	0.51	5.00
12	5.55	0.46	5.50
13	5.48	0.39	6.00
14	5.34	0.25	6.50
15	5.12	0.03	7.00
16	4.79	-0.30	7.50
17	4.73	-0.36	8.00

The area for this cross section is 1.19 square feet
and the wetted perimeter is 8.79 feet.

Adjudication Claim Notes

Claim(s): 37-37-14278

37-1200 } surrounding
37-1198 } land

Background Data

- Beneficial Use Claim
- Source is Seaman's Creek tributary to Big Wood River
- Claimed for 3.0 cfs for Diversion to Storage
- Claimed for 33.40 af for Wildlife Storage
- Claimed for 33.40 af for Recreation Storage

Place Of Use Data

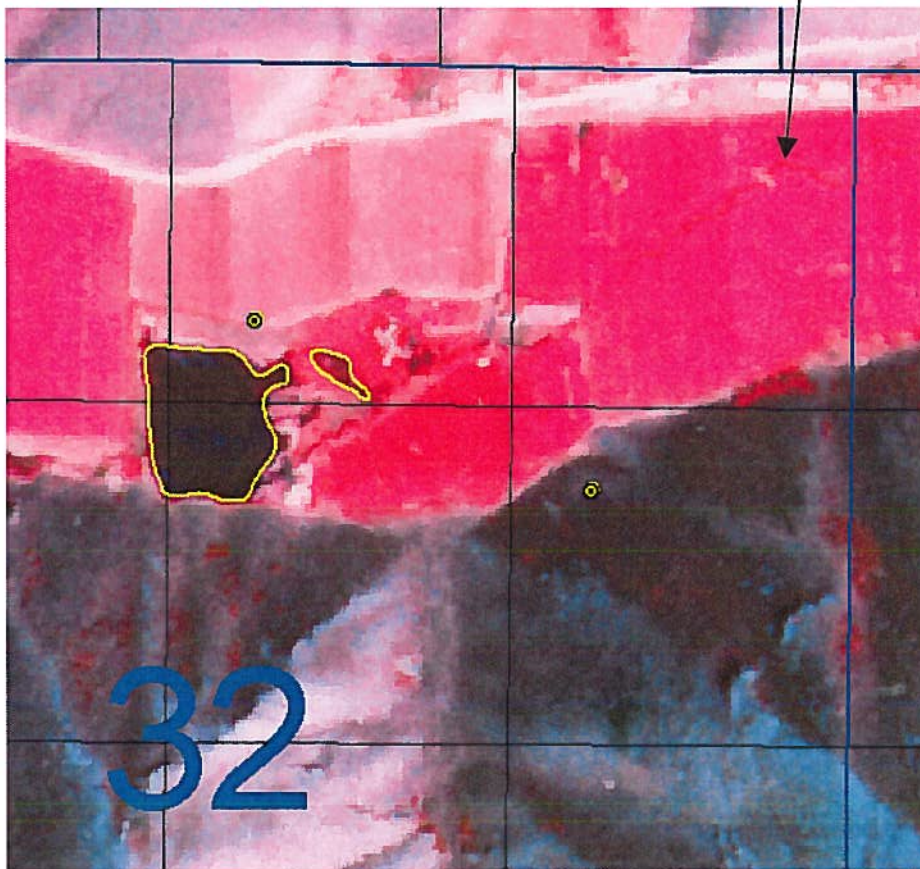
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

Seaman's Creek



2004 Aerial Photo



Notes

T2N R19E Section 32

- Found 2 ponds
- What is permit 37-8739 for?
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-8739

WATER RIGHT NUMBER: 37-8739

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN V SHOEMAKER DBA SHOEMAKER PROPERTIES C/O BOB MARCROFT PO BOX 1092 HAILEY, ID 83333 (788)788-2921

Priority Date: 03/04/1991

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
SEAMANS CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	4/15 to 10/15		12.00 AF
IRRIGATION STORAGE	1/01 to 12/31		12.00 AF
	<u>Total Diversion:</u>		12.00 AF

Location of Point(s) of Diversion

SEAMANS CREEK	NE1/4NE1/4NW1/4	Sec. 33, Twp 02N, Rge 19E, B.M.
BLAINE County		
SEAMANS CREEK	SE1/4NW1/4NE1/4	Sec. 32, Twp 02N, Rge 19E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	19E	32	1.0	2.5	8.8	1.5													13.8

Total Acres: 13.8

Conditions of Approval:

1. 052 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. 051 Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
3. 053 The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-8739

4. 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. 18A The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
6. This permit does not authorize the development and irrigation of new land not previously irrigated. The point of rediversion is from a recreational pond back into Seamans Creek.
7. 18B The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:

1. MILLER 9/22/1992 BIG WOOD GWMA EXEMPTION

Comment: This permit is within the acceptable parameters of the Big Wood GWMA.

2. ANDREGG 10/14/1992 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Permit Proof Due Date: 11/1/1993
 Permit Proof Made Date: 10/13/1992
 Permit Approved Date: 9/28/1992
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Field Exam Date:
 Date Sent to State Office:
 Date Received at State Office:
 State or Federal:
 Owner Name Connector:
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

Memorandum

To: FILE

CC:

From: Cheryl E. Timm

Date: 01/18/00

Re: PHONE CONVERSATION WITH ROBERT MARCROST

Robert wanted info on how to change water rights to Alvin Shoemaker, Eedaho Ranch. I am sending profile reports for 37-14278 (currently in Shoemaker's name), 37-12375; 12376; 12377; 12378 (currently in Estate of James E West Deceased), along with an ownership change form. Mr. Shoemaker states there are 4 ponds on the property and that Charles Brockway helped to 'license' them some years back. Mr. Shoemaker had no knowledge of the stockwater claims until he received a packet from Leta West. I advised him to look over the packet I'm sending and to then make an appointment with an agent to complete his claim of ownership.



CHARLES
BROCKWAY
ENGINEERING

March 23, 1992

George Kneeland
Kneeland, Korb and Collier
P.O. Box 249
Ketchum, Idaho 83340

Subject: Water Right Claim-Shoemaker Properties

Dear George:

Enclosed is the completed application for the water right claim under the Snake River Basin Adjudication for the lower pond and the pond near the house on Seaman's Creek. The claim is based on W.W. "Mike" Ivie's affidavit regarding the construction of the ponds in 1968 prior to the 1971 cutoff date. Mr. Jim Speck assisted in preparation of the claim form at no cost since he had inadvertently missed filing the claim when doing the work for the former owners.

Please have Mr. Shoemaker sign the claim as sole owner of Shoemaker Properties and mail the completed claim and affidavit to the Idaho Department of Water Resources, Southern Region, 220 Shoshone Street East, Twin Falls, ID 83301.

I am continuing to work with Bob Marcroft to facilitate the permitting of a new small storage pond on the ranch directly below the Bellevue City water supply facilities. The watermaster has agreed to drop his protest or disapproval of the permit application after a recent site visit.

Sincerely,

C. E. Brockway, P.E.

CHARLES E.
BROCKWAY,
PHD., P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938

RECEIVED

APR 23 1992

Department of Water Resources
Southern Region Office

MICROFILMED
MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Apr-1992

RE: ADJUDICATION CLAIM NO. A37-14278

ALVIN SHOEMAKER
DBA SHOEMAKER PROPERTIES
PO BOX 2172
KETCHUM ID 83340

Dear Claimant(s):

Enclosed please find a copy of a computer-generated claim based on the information from your original claim, which has been entered in our records.

Please review the claim for accuracy. In a few instances, clarifications may have been added by the Department at the time of data entry. Should you have any questions or objections regarding this record of your claim, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED
MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Apr-1992

RE: ADJUDICATION CLAIM NO. A37-14278 - SHOEMAKER

CHARLES BROCKWAY
706 SUNRISE BLVD N
TWIN FALLS ID 83301

DEAR CLAIMANT(S):

PLEASE FIND ENCLOSED YOUR RECEIPT AND A COPY OF A COMPUTER GENERATED CLAIM BASED ON THE INFORMATION FROM YOUR ORIGINAL CLAIM(S) WHICH HAS BEEN ENTERED IN OUR COMPUTER RECORDS.

PLEASE REVIEW THE COMPUTER GENERATED CLAIM(S) FOR ACCURACY. IN A FEW INSTANCES CLARIFICATIONS MAY HAVE BEEN ADDED BY THE DEPARTMENT AT THE TIME OF DATA ENTRY. IF YOU HAVE ANY QUESTIONS OR OBJECTIONS REGARDING YOUR CLAIM(S), PLEASE CONTACT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

JEANIE ROBERTSON
RECORDS CLERK

/jr

Enclosures:

Send to:
Charles Brockway
706 Sunrise Blvd. N.
Twin Falls, 83301

MICROFILMED

MAR 01 1993