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

DEPT. OF WATER RESOURCES

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 37-22797

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Alvin V. Shoemaker and Sally P. Shoemaker Phone (208) _____

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

2. Date of Priority (Only one (1) per claim) July 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 2 North, Range 19 East, Section § 33,
NW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Blaine

Parcel (PIN) no. _____

Additional points of diversion if any: _____

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. An embankment and on-stream pond are located at the above
referenced point of diversion of water from Seamans Creek for irrigation purposes. The pond is approximately 7
feet deep, has a surface area of approximately 5.9 acres and a volume of approximately 41.3 af. Diversions from
the pond are accomplished by (1) opening the outlets and lowering the pond to provide an adequate discharge for
irrigation, and then (2) closing the outlet gates until the pond fills again. In the winter months the pond is lowered
and the flow from Seamans Creek is allowed to proceed downstream.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For storage for irrigation* purposes from 4-15 to 10-31 amount or 634 ac feet

For aesthetic, wildlife, rec* purposes from 1-1 to 12-31 amount or 27.9 ac feet

For irrigation from storage*** purposes from 4-15 to 10-31 amount or 322 ac feet

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 634 (acre feet)

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

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	
02N	19E	31	26			15	28	33	3.0	4.4									
02N	19E	32	31	25	7.1														
02N	19E	33					18	26											
02N	19E	33	awr																

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.

or None (✓)

13. Remarks: This claim is for a storage right associated with irrigation Water Right No. 37-22582, and for Recreation Storage. As shown by the attached Affidavit of Les Cameron, there has been significant public use of the pond for hunting and fishing purposes.

* Storage for irrigation includes storage above the minimum pool for irrigation cycles (322 ac ft), plus open water evaporation (15.2 ac ft, U of I Et for Idaho, Hailey Ranger Station), plus seepage (297 ac ft), for a total of 634 ac ft.

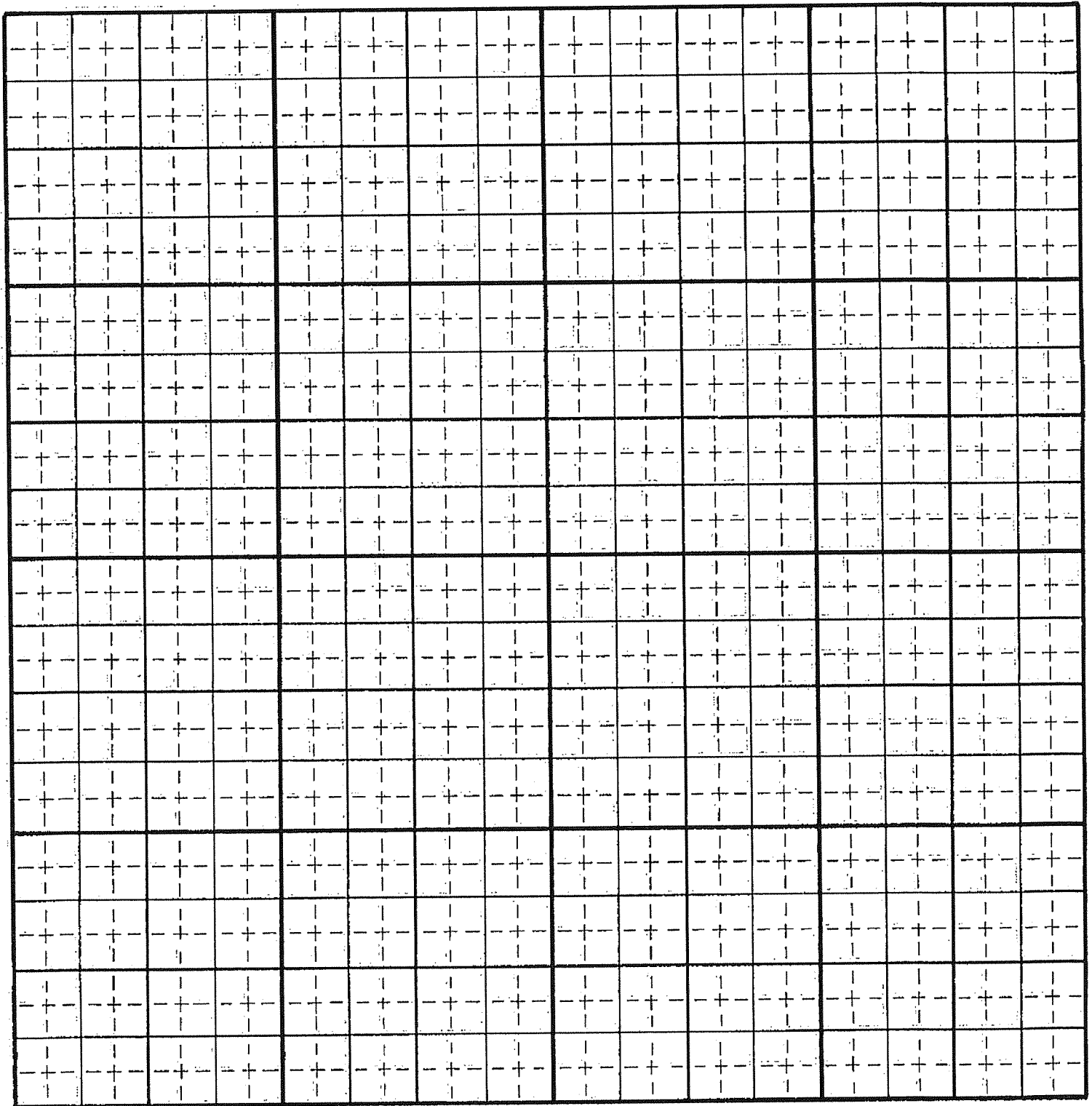
** Recreation, aesthetics and wildlife storage equals the minimum storage volume or 27.9 ac. ft.

*** Irrigation from storage equals the sum of refill volumes (24) delivered for irrigation (322 ac ft) delivered to the place of use under water right 37-22582.

Last Name Identification No.

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____ Identification No. _____

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

Court Blaine Cnty Dist Decree Date 5/25/1909 Plaintiff v. Defendant Joslyn vs Daly

If applicable provide IDWR Water Right Number _____

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: _____

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) _____ Date: _____

_____ 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, Robert E. Williams, 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 PO Box 168

Jerome ID 83338

Last Name _____ Identification No. _____

HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of the department; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at www.srba.state.id.us/docket.htm. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with the department will be available for inspection from all offices of the department. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. Director reports will be prepared in each administrative basin within the Snake River Basin Adjudication. When the report for your basin is filed with the court, you will be mailed a notice informing you that the report for your basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department or the court.

If you are acquiring property with water rights in the Snake River Basin Adjudication water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. You may contact IDWR regional offices or the IDWR web site www.idwr.idaho.gov for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department or the court.

STATE OF IDAHO)
) ss
County of Blaine)

1. I am a resident of Bellevue, Idaho. My current mailing address is P.O. Box 326, Bellevue, Idaho 83313. I am a lifelong resident of Bellevue, Blaine County, Idaho. I am presently sixty-five (65) years of age.

2. Commencing in the early 1950s and continuing through the 1960s I frequently hiked or drove to a pond approximately five (5) acres in size located in the NE¼ NE¼ Section 33 and W½NW¼ and NE¼SW¼ Section 34, Township 2 North, Range 19 East. My purpose in going to the pond was to hunt or fish. During my frequent visits to the pond during the time period I have mentioned, I became aware that the pond was used for the storage of irrigation water from Seamans Creek for irrigation purposes. The irrigation water was used for irrigation of what is now Ee-Da-How Ranch, and a ranch to the west of EE-Da-How Ranch. The property west of Ee-Da-How Ranch is now a subdivision.

3. When I commenced visiting the pond in the early 1950s there were many dead aspen trees within the perimeter of the pond. These aspen trees appeared to have been dead for a long time, and must have been dead, in my estimation, for several decades prior to the early 1950s.

4. From the early 1950s through approximately 1961 I would visit the pond four (4) or (5) during each summer.

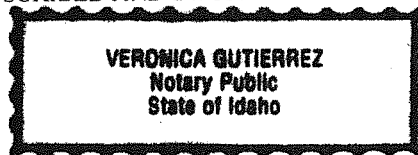
5. I recently visited the pond I have previously described. The pond currently appears to have the same configuration in terms of its location and area that it had when I visited it in the 1950s and 1960s.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 11 day of November, 2012.

LES CAMERON

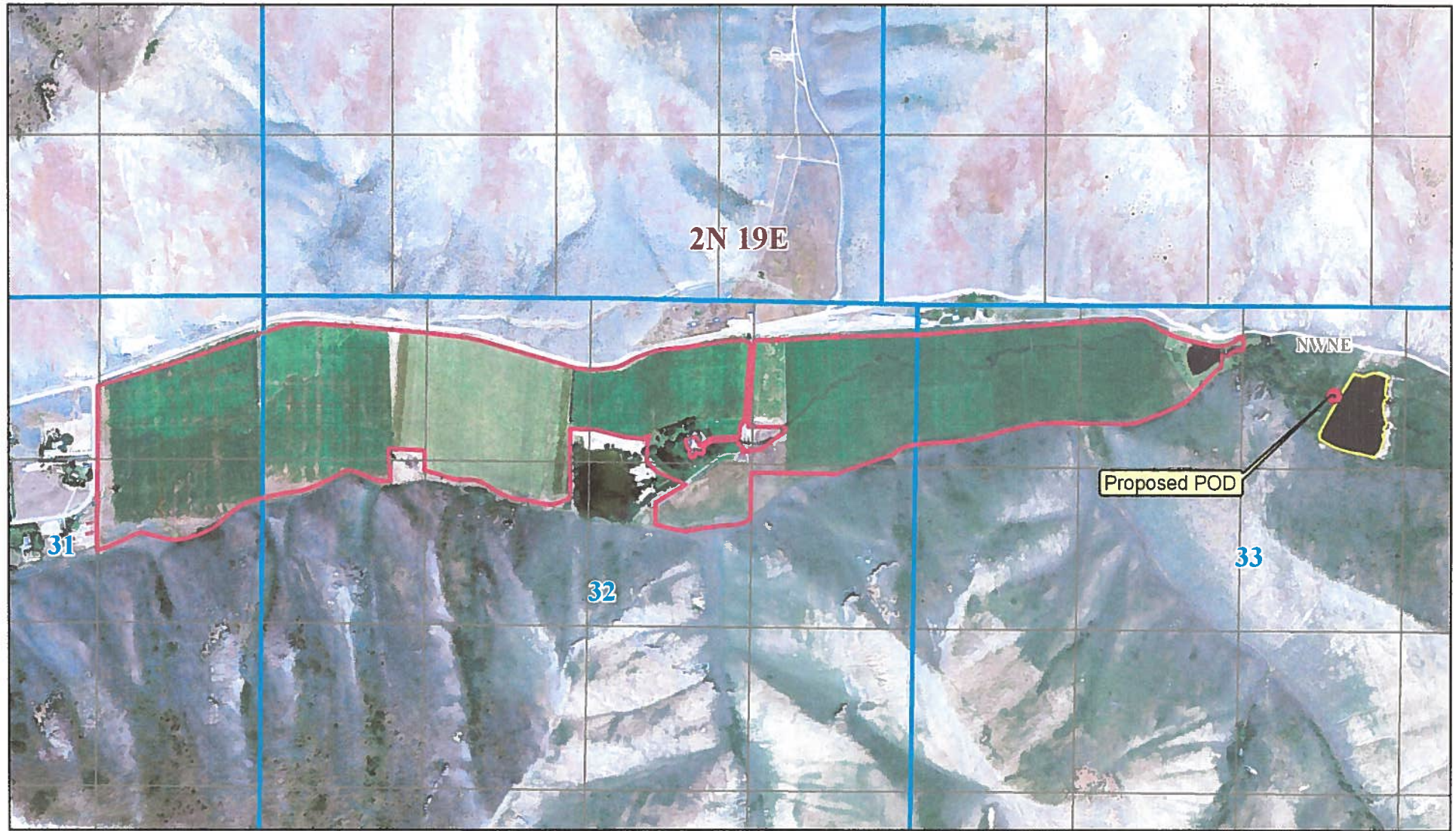
SUBSCRIBED AND SWORN to before me this 20th day of November, 2012.



NOTARY PUBLIC

Residing at:

My commission expires



0 500 1,000 2,000 Feet

**ALVIN V & SALLY P SHOEMAKER
AMENDED CLAIM UPPER POND
NAIP 2011 AERIAL**

Legend

- 37-22582 WR POU
- Upper Pond
- first
- township
- lades