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MAY 16 2014
DEPARTMENT 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 SRBA	)	Subcase No.: 37-22797
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:

Alvin V. & Sally P. Shoemaker

 5/14/14

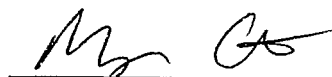
Robert E. Williams Date
Attorney for Alvin V. & Sally P. Shoemaker

IDWR CONCURRENCE:

 5/12/14

Steve Clelland Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

 5/19/14

Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22797

NAME AND ADDRESS: ALVIN V SHOEMAKER
PO BOX 550
BELLEVUE ID 83313
SALLY P SHOEMAKER
PO BOX 550
BELLEVUE ID 83313

SOURCE: SEAMANS CREEK Tributary: SINKS

QUANTITY: 337.2 AFY ~~10-800 AFY~~
The capacity of the storage reservoir is 41.3 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 04/15/1964 ~~07/10/1953~~

POINT OF DIVERSION: T02N R19E S33 NWNE Within BLAINE County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	<u>IRRIGATION STORAGE</u>	<u>04/15 10/31</u>	<u>337.2 AFY</u>
	<u>IRRIGATION FROM STORAGE</u>	<u>04/15 10/31</u>	<u>322.0 AFY</u>
	<u>WILDLIFE STORAGE</u>	<u>01/01 12/31</u>	<u>27.9 AFY</u> ~~10-80 AFY~~
	<u>RECREATION STORAGE</u>	<u>01/01 12/31</u>	<u>27.9 AFY</u>
	<u>AESTHETIC STORAGE</u>	<u>01/01 12/31</u>	<u>27.9 AFY</u>

PLACE OF USE: IRRIGATION FROM STORAGE within BLAINE County

<u>T02N R19E S31 NENE 26.0</u>	<u>T02N R19E S31 SENE 15.0</u>
<u>T02N R19E S32 NENE 31.0</u>	<u>T02N R19E S32 NWNE 25.0</u>
<u>T02N R19E S32 SWNE 7.1</u>	<u>T02N R19E S32 NENW 28.0</u>
<u>T02N R19E S32 NWNW 33.0</u>	<u>T02N R19E S32 SWNW 3.0</u>
<u>T02N R19E S32 SENW 4.4</u>	<u>T02N R19E S33 NENW 18.0</u>
<u>T02N R19E S33 NWNW 26.0</u>	

WILDLIFE STORAGE within BLAINE County

T02N R19E S33 NWNE

RECREATION STORAGE within BLAINE County

T02N R19E S33 NWNE

AESTHETIC STORAGE within BLAINE County

T02N R19E S33 NWNE

216.5 ACRES TOTAL

Right Nos. 37-22582 and 37-22797 are limited to the irrigation of a combined total of 216.5 acres in a single irrigation season.

*See
RWR
me*

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

*See
new
re*

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 37-22582 is also diverted through point of diversion described above.

CERTIFICATE OF SERVICE

I certify that on May 20th, 2014, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

CLERK OF THE COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
PO BOX 2707
TWIN FALLS ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

DIRECTOR OF IDWR
PO BOX 83720
BOISE ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

ROBERT E. WILLIAMS
WILLIAMS MERSERVY
& LOTH SPEICH LLP
PO BOX 168
JEROME ID 83338-0168

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form