



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

September 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALVIN V SHOEMAKER
SALLY P SHOEMAKER
PO BOX 1504
SUN VALLEY ID 83353

RE: Decreed Water Right 37-12375
SRBA Adjudication Claim 37-1200

Dear Mr. and Mrs. Shoemaker:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-12375 V1

WATER RIGHT NUMBER: 37-12375 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN V SHOEMAKER PO BOX 1504 SUN VALLEY, ID 83353 (208)788-1135
Current Owner	SALLY P SHOEMAKER PO BOX 1504 SUN VALLEY, ID 83353 (208)788-1135
Original Owner	ESTATE OF JAMES E WEST DECEASED C/O MRS LITA WEST PO BOX 360 BELLEVUE, ID 83313 (208)788-4445

Priority Date: 12/31/1891

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SEAMANS CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SEAMANS CREEK	NW1/4NW1/4NW1/4	Sec. 34, Twp 02N, Rge 19E, B.M.
BLAINE County		

Place of UseSTOCKWATER Within BLAINE County

T02N R19E S31	NENE	T02N R19E S31	SENE
T02N R19E S32	NENE	T02N R19E S32	NWNE
T02N R19E S32	SWNE	T02N R19E S32	NWNW
T02N R19E S32	SWNW	T02N R19E S32	SENW
T02N R19E S33	NWNE	T02N R19E S33	NENW
T02N R19E S33	NWNW	T02N R19E S34	NWNW

Total Acres: 0

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-12375 V1

1. Explanatory STOCKWATER 700 HEAD OF BEEF CATTLE PARCEL NOS. 02N19031423A,
02N19031424B, 02N19033425, 02N19034425A

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: AND/OR

Water District Number:

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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

AUG 31 2001

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

Department of Water Resources
 Southern Region

1. Water Right No(s): 37-1200 & 37-12375
 Adjudication Claim No(s): 37-1200

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Estate of James E. West, Deceased & Lita West
Box 867 Bellevue, Id 83313

4. New Owner/Claimant(s) Alvin V. Shoemaker
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address Box 1504
 City, State and ZIP Code Sun Valley, ID 83353
 New Telephone Number (208) 788-1135

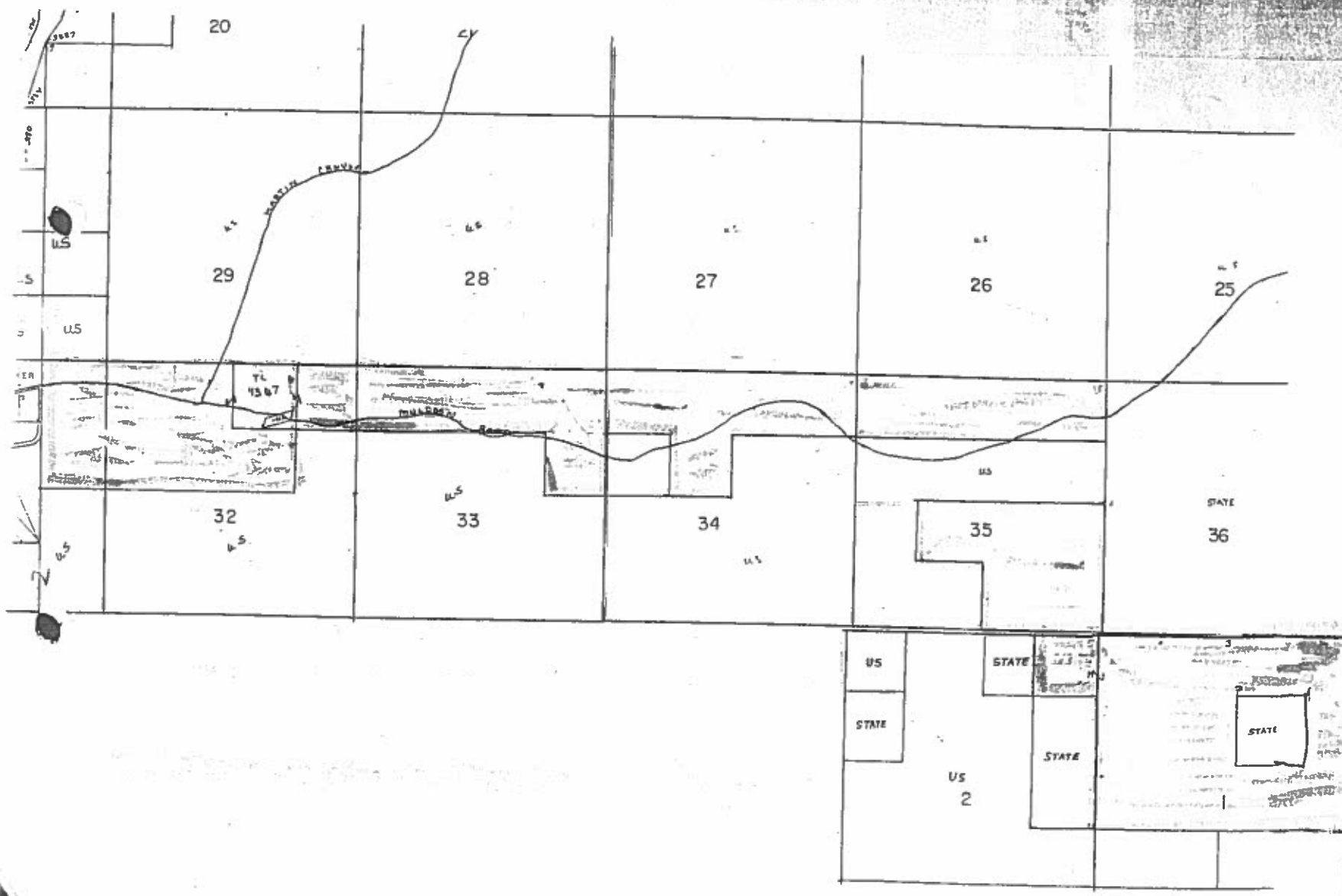
5. Date you acquired the property 10-18-89

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Alvin V. Shoemaker
Sally P. Shoemaker
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..



22-9574
2/19/11

①

311495

Sub E

BLAINE CO. REQUEST

OF:

'89 OCT 18 PM 4 50

MARY GREEN

Fees \$ 27.00

WARRANTY DEED

THIS INDENTURE, made this 15th 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.

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 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$, ^{SW $\frac{1}{4}$} W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, T. 2N., R. 19 E., and granting exclusive use of land surrounding a certain spring in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 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

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.

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

juw

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 ¹⁶₁₆, 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 October, 1989, before me,
Cassie Majerus, 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.

Cassie Majerus
Notary Public for Idaho
Residing at Hailey, Idaho
My commission expires 9-7-1994

STATE OF IDAHO

County of Blaine

)
) ss.
)

On this 18th day of October, 1989, before me,
CAROL MARRAS, 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 MARRAS
Notary Public for Idaho

Residing at Hailey

My commission expires 9-2, 1994

Idaho

SWW

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

LAW OFFICES
KNEELAND, KORB, COLLIER & LEGG
KNEELAND PROFESSIONAL BUILDING
128 SADDLE ROAD, SUITE 103
P.O. BOX 249
KETCHUM, IDAHO 83340

ROBERT KORB III
BRUCE COLLIER
MICHAEL J. DORAZIO

G.R. KNEELAND
OF COUNSEL

(208) 726-9311
TELEFAX (208) 726-4515

STANLEY OFFICE
C. ANN LEGG
P.O. BOX 24
STANLEY, ID 83278
(208) 774-3498

August 30, 2001

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: Notice of Change of Water Right Ownership
KKCL File No.

Dear Sirs:

Enclosed please find the following with regard to this Notice of Change:

1. Notice of Change of Water Right Ownership;
2. Adjudication Claim Report 37-1200;
3. Adjudication Claim Report 37-12375;
4. Site map; and
5. Warranty Deed

Please file these documents at your early convenience. Please contact our office if you need additional information.

Thank you.

Very truly yours,

KNEELAND, KORB, COLLIER & LEGG

By Carol Monteverde
Carol Monteverde
Legal Assistant

cm
Enclosures: As stated
cc: Client
rk\shoemaker,ltr IDWR 08-30-01

RECEIVED

AUG 31 2001

Department of Water Resources
Southern Region

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.

AJ0749NP
No. R37-12375

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/03/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF JAMES E WEST DECEASED % MRS LITA WEST POBOX 360 BELLEVUE ID 83313 (208) 788-4445	12/31/1891	STOCKWATER	01-01 12-31	0.16 CFS	0.16 CFS
				TOTAL DIVERSION:	0.16 CFS	

Water Source: SEAMANS CREEK

Tributary to: BIG WOOD RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T02N R19E S34 NWNWNW

BLAINE County

Place of use Legal Description for: STOCKWATER

NE													NW													SW													SE																											
T	R	S	NENE				NWNE				SWNE				SENE				NENW				NWNW				SWNW				SENW				NESW				NWSW				SWSW				SESW				NESE				NWSE				SWSE				SESE			
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																						
02N	19E	31	:																																																															
02N	19E	32	:	S																																																														
02N	19E	33	:		S																																																													
02N	19E	34	:																																																															

POU County: BLAINE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER 700 HEAD OF BEEF CATTLE
PARCEL NOS. 02N19031423A, 02N19031424B, 02N19033425, 02N19034425A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/03/1998 User-ID: SEGBERT Subject: COPIED FROM REMARKS

no DID works.
INSTREAM stock
.02
2/8/99

AJ0749NP
No. R37-12375

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/03/98
PAGE: 2

=====

Comments: Date: 12/03/1998 User-ID: SEGBERT Subject: COPIED FROM REMARKS
PRIORITY CLAIMED IS YEAR CONTRACT WAS ENTERED INTO BY CLAIMANT'S
PREDECESSORS FOR THE DIVISION OF THE WATERS OF SEAMANS CREEK,
WHICH CLAIMANT BELIEVES TO BE THE EARLIEST USAGE OF THE LANDS,
AND INCLUDED IN-STREAM STOCKWATERING (SEE CLAIM FOR COMBINATION
OF 37-1200, 1201, & 1202 ALSO FILED BY THIS CLAIMANT.)

Audit: 12/03/98 SEGBERT

AJ5856NP

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

DATE: SEP-19-1997
PAGE: A-179

RIGHT NUMBER: 37-12375

NAME & ADDRESS: ESTATE OF JAMES E WEST DECEASED
% MRS LITA WEST
POBOX 360
BELLEVUE ID 83313

*Alvin & Sally Shoemaker
C/o Susan Farris
60 Brush Hill Rd
Kennerlon NJ 07405*

SOURCE: SEAMANS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 12/31/1891

POINT OF DIVERSION: T02N R19E S34

NWNWNW

Within BLAINE County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
STOCKWATER S/700 HEAD OF BEEF CATT

PERIOD OF USE
01-01 12-31

QUANTITY
0.16 CFS

PLACE OF USE:

STOCKWATER

Within BLAINE County

T02N R19E S31

NENE

SENE

S32

NENE

NWNE

SWNE

NWNW

SWNW

SENE

S33

NWNE

NENW

NWNW

S34

NWNW

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

PRIORITY CLAIMED IS YEAR CONTRACT WAS ENTERED INTO BY CLAIMANT'S
PREDECESSORS FOR THE DIVISION OF THE WATERS OF SEAMANS CREEK,
WHICH CLAIMANT BELIEVES TO BE THE EARLIEST USAGE OF THE LANDS,
AND INCLUDED IN-STREAM STOCKWATERING (SEE CLAIM FOR COMBINATION
OF 37-1200, 1201, & 1202 ALSO FILED BY THIS CLAIMANT.)

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*02N19031423A
02N19031424B
02N190334255
02N19034425A*

Verified by

Duf

Date: *11-2-98*

Verification Source:

City Parcel Rpts 91+98d map

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: A37-12375
Date Received: 12/16/1988
Receipt No: S004704
Received By: CRV-21

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF JAMES E. WEST, DECEASED 208-788-4445
Address: % MRS. LITA WEST
P.O.BOX 360
BELLEVUE, ID 83313

2. Date of Priority: DEC 31, 1891

3. Source: SEAMANS 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	34	NW	NW	NW		BLAINE

5. Description of diverting works:
NONE,--ONLY IN-STREAM STOCK WATERING IS CLAIMED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.160		

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/700 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	19E	31	NE	NE		STOCK	
			SE	NE		STOCK	

A37-12375

Page 1

Date: 01/31/89

MICROFILMED
FEB 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	19E	32	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			NW		NW		STOCK	
			SW		NW		STOCK	
		33	SE		NW		STOCK	
			NW		NE		STOCK	
			NE		NW		STOCK	
		34	NW		NW		STOCK	
			NW		NW		STOCK	

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:

PRIORITY CLAIMED IS YEAR CONTRACT WAS ENTERED INTO BY CLAIMANT'S PREDECESSORS FOR THE DIVISION OF THE WATERS OF SEAMANS CREEK, WHICH CLAIMANT BELIEVES TO BE THE EARLIEST USAGE OF THE LANDS, AND INCLUDED IN-STREAM STOCKWATERING (SEE CLAIM FOR COMBINATION OF 37-1200,1201, & 1202 ALSO FILED BY THIS CLAIMANT.)

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)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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 A37-12375
Date Received _____
Receipt Number 5004704 *SLC*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 16 1988

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Estate of James E. West, deceased
Phone: (208) 788-4445
Mailing Address: c/o Mrs. Lita West, Personal Representative
P. O. Box 360
Bellevue, ID 83313

2. Date of Priority: 1891

3. Source of water supply (a) Seamans 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>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Additional points of diversion if any:

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	19E	34	NW	NW	NW		Blaine

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	19E	31	NW	SE	NE		Blaine

5. Description of existing diversion works: None - only in-stream
stockwatering is claimed.

MICROFILMED

FEB 26 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	January 1	December 1	0.16 cfs

7. Total Quantity Claimed: 0.16 cfs

8. Total consumptive use claimed is de minimus.

9. Non-irrigation uses: Stockwater (in-stream only) - seven hundred (700) head of non-dairy cattle.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
✓ 2N	19E	31 ✓	NE	NE	S	--
✓ 2N	19E	31 ✓	SE	NE	S	--
✓ 2N	19E	32 ✓	NE	NE	S	--
✓ 2N	19E	32 ✓	NW	NE	S	--
2N	19E	32	SW	NE	S	--
2N	19E	32	NW	NW	S	--
2N	19E	32	SW	NW	S	--
2N	19E	32	SE	NW	S	--
2N	19E	33	NW	NE	S	--
2N	19E	33	NE	NW	S	--
2N	19E	33	NW	NW	S	--
2N	19E	34	NW	NW	S	--

Total number of irrigated acres: N/A

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 claimed is year contract was entered into by Claimant's predecessors for the division of the waters of Seamans Creek, which Claimant believes to be the earliest usage of the lands, and included in-stream stockwatering (see Claim for combination of 37-1200, 1201 & 1202 also filed by this Claimant.)

Last Name: Estate of James E. West

Ident No. _____

MICROFILMED
FEB 26 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 - none.

[For Organizations] I do solemnly swear or affirm that I am the Personal Representative of the Estate of James E. West, deceased, that I have signed the foregoing document in the space below as Personal Representative of said Estate, and that the statements contained in the foregoing document are true and correct.

Estate of James E. West, deceased

By: Lita W. West
Lita West, Personal Representative

Date: December 15, 1988

State of Idaho)
) ss.
County of Blaine)

Subscribed and sworn before me this 15th day of December, 1988.

Notary Public James P. Speck
Residing at East Fork, ID
Commission Expires 1/22/91

17. **Notice of Appearance:**

Notice is hereby given that I, James P. Speck, 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: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 12/15/88

Last Name: Estate of James E. West
a:west10.clm

Ident No.: _____

MICROFILMED
FEB 20 1993

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

OCT 24 1988

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional extension of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Estate of James E. West

Name of Claimant

c/o Lita West, P.O. Box 360

Post Office Address

Bellevue, Idaho 83313

City, State, Zip Code

Blaine

County(s) where Place of Use is located

October 26, 1988

Date Claim Originally Due

See attached Addendum

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

See attached Addendum

Claimant requests an extension to December 15, 1988.

James P. Shaw
Signature

ATTORNEY FOR ESTATE OF JAMES E. WEST
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted _____ denied,

and the filing deadline extended to 12/15, 1988.

RECEIVED

Signed this 24 day of October, 1988.

NOV 8 1988

K & Aarrestad

Director or his designated agent

DAVID B. SHAW

MICROFILMED

FEB 7 1993