

12/12/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-7007C

NAME AND ADDRESS: J BLAINE SHOEMAKER
PO BOX 41
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.130 CFS
836.500 AFY

PRIORITY DATE: 05/18/1969

POINT OF DIVERSION:

T03S R36E S4 SWSWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/01 10/31

QUANTITY
3.130 CFS
836.50 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R36E S04	NENE	34.8 33	T03S R36E S04	NWNE	33.6 33
T03S R36E S04	SWNE	39.7 39	T03S R36E S04	SENE	36.7 35
T03S R36E S04	SWNW	1.0 1.2	T03S R36E S04	SENE	18.4 17
T03S R36E S04	NESW	34.6 34	T03S R36E S04	NWSW	9.1 11
T03S R36E S04	SWSW	0.6 2.0	T03S R36E S04	SESW	7.5 8.8
T03S R36E S04	NESE	0.5 1.5	T03S R36E S04	NWSE	22.6 23

4 SWSW - 0.2
239.1 ACRES TOTAL

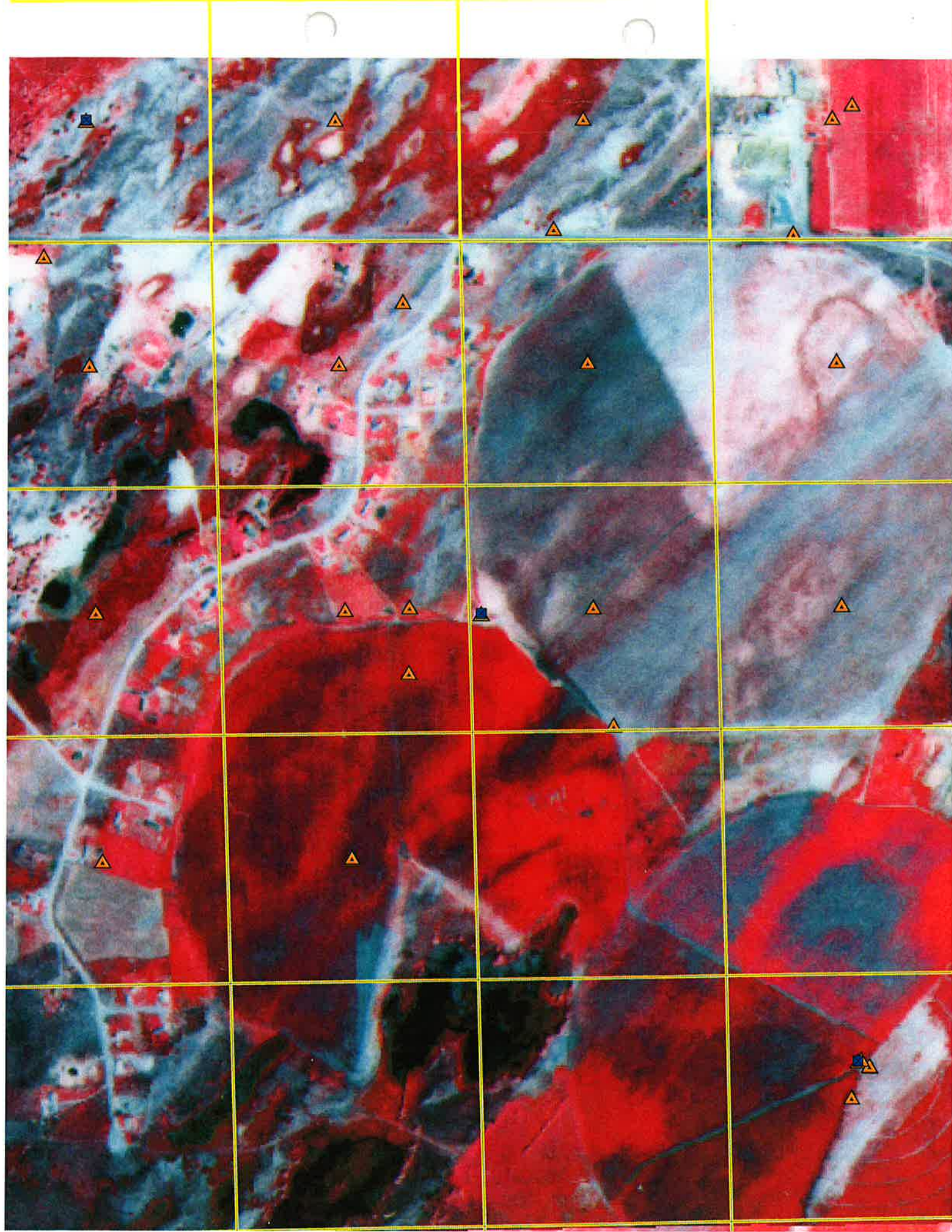
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: License

RIGHT NO. 27-7007B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

238.8





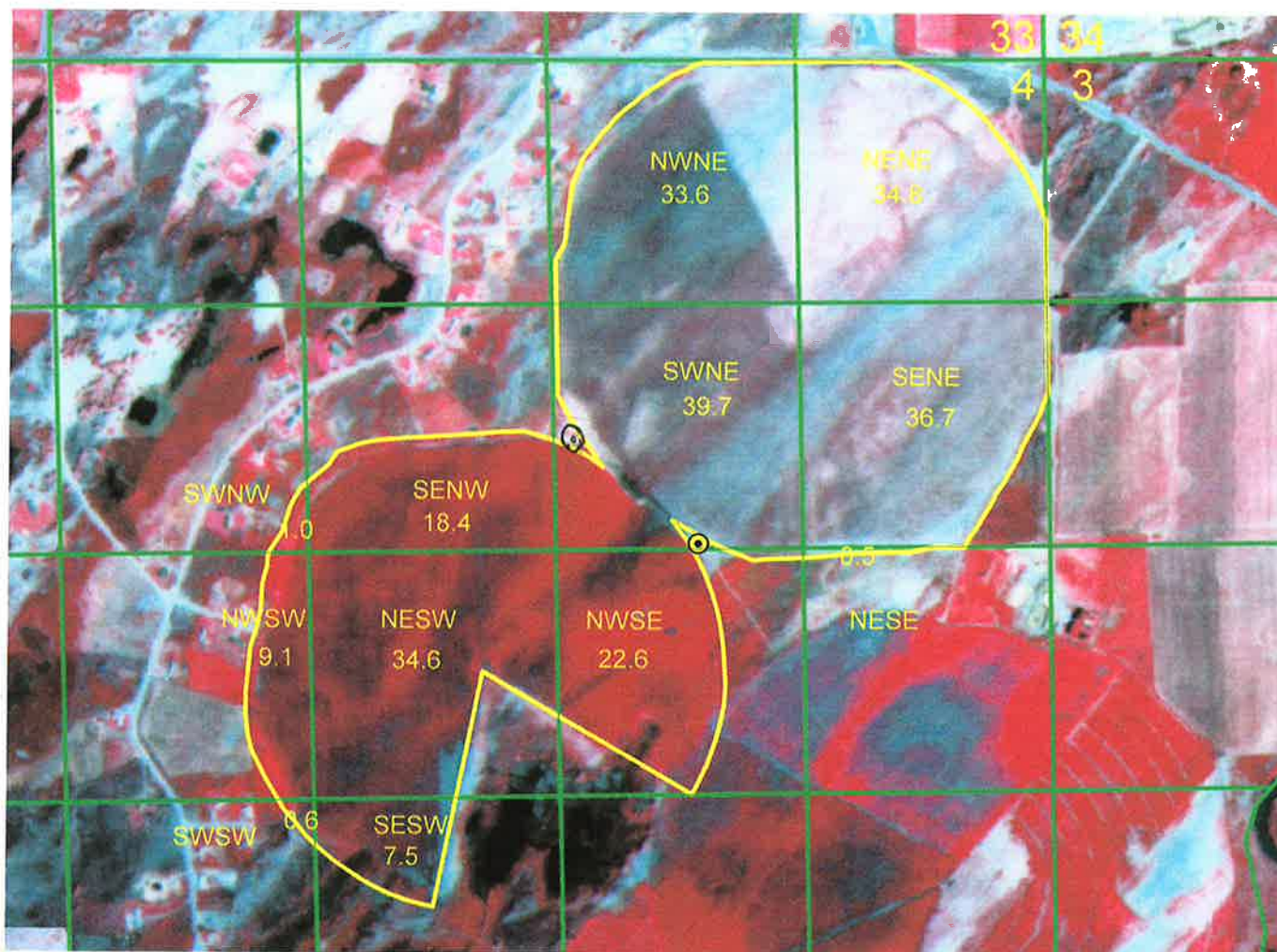
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7007C



800 0 800 1600 Feet



PROFILED

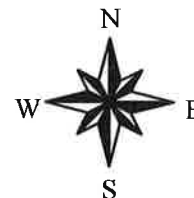
IRRIGATED ACRES 239.0

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R36E:
(part of) Sec. 4, NENE, NWNE,
SWNE, SENE, SWNW, SENW,
NESW, NWSW, SWSW,
SESW, NWSE NESE.

Point(s) of Diversion: T3S, R36E:
Sec. 4, SWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: December 2003

12/12/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-7007C

J. Blaine Shoemaker

PO Box 41-----please change to street address: 24 South 200 East
Blackfoot ID 83221 Daytime ph: (208) 785-5936 Evening Phone: same

1. Describe the portion of the proposed recommendation with which you disagree
(e.g. priority date, period of use, source):

quantity – CFS

2. Describe the changes you wish to make in the proposed recommendation:

Restore the CFS to 1" per acre.
27-7007B is no longer a part of this system

3. Give a brief explanation as to why you disagree with these portions:

Explained in the attached memo and attachments

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-27-05

SIGNATURE: J. Blaine Shoemaker

Please print your name: J. BLAINE SHOEMAKER

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls ID 83402, 2085257161

PROFILED

SCANNED

MAY 17 2006



1969 – Installed new motor and pump in a new 20" well

2003 – Replicated the installation by using the same motor (reconditioned), the same pump rebuilt to its original specifications and set at the same pumping depth; the same well which was deepened in 1987 to stop the pumping of small gravel and sand which was causing accelerated wear on the pump bowls. This is a request for a new test of the now replicated system. These test results should duplicate the CFS pumped in 1969 under Permit #27-7007C.

Because of the excessive wear on the bowls between 1969 and 1978 when the IDWR executed the official test the inspection determined a reduced water flow.

The IDWR sets the time of tests. This is the basis of my filing the notice of error. If the Department had performed the inspection in a timely manner, the erosion of the pumping system would have been greatly reduced.

I had the right to appeal the results of the 1978 inspection, but the grounds for the appeal were not revealed until 1987 when the pump was pulled and inspection found it to be gutted. By then it was too late.

On the advice of IDWR personnel, I have applied for a new permit for 1.65 CFS, which would bring it to 1" per acre.

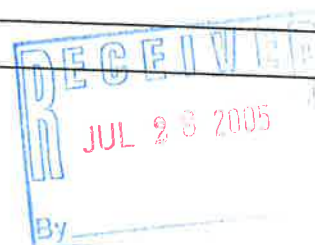
I believe that, unless it is prevented by regulations, it would be better to proceed under the original permit. It has been advertised, and it has pumped to the requested CFS (to be substantiated by the next inspection). It met the criteria to qualify for the license. Could this be done? I don't want to fall through the cracks because of factors beyond my control.

J. Blaine Shoemaker 7-27-05
J. Blaine Shoemaker Date



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant J. Blaine Shoemaker (208) Phone 785-5936
Mailing address 24S 200E, Blackfoot, Id 83221
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 3S Range 36E Sec. 4, in the SW 1/4, NE 1/4, Govt. Lot _____, B.M., Bingham County
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.65 cfs for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.65 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source well pump to center pivot
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 20 inches; proposed depth of well is 710 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? 1969; Drilling firm Barcus / Cushman
Well was drilled for (well owner) Shoemaker; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. _____



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 the use (example: D for Domestic) in the corresponding place of below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOT
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	36E	4	35	35	39	35			1	17	34	9	1	11		22			23

Total number of acres to be irrigated 234

10. Describe any other water rights used for the same purposes as described above. 27-7007

11. a. Who owns the property at the point of diversion? Applicant

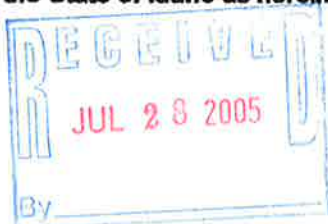
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to n this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diver place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.



J. Blaine Shewmaker
 Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____
 Publication prepared by _____ Date _____ Published in _____



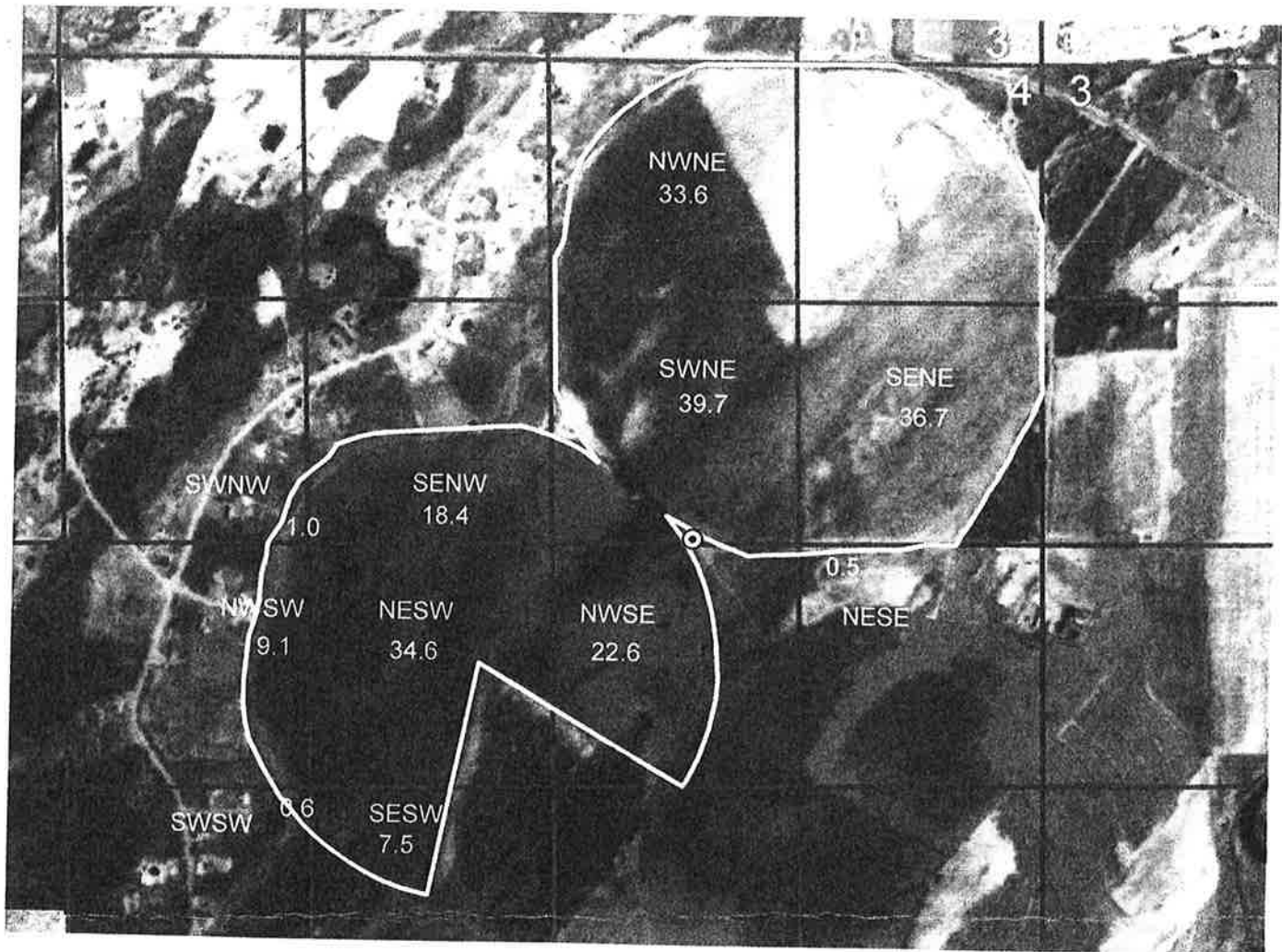
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7007C



800 0 800 1600 Feet

IRRIGATED ACRES 223

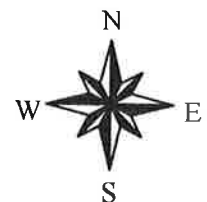
LEGEND

- ⊙ Point of Diversion
- Place of Use

- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R36E:
(part of) Sec. 4, NENE, NWNE,
SWNE, SENE, SWNW, SENW,
NESW, NWSW, SWSW,
SESW, NWSE NESE.

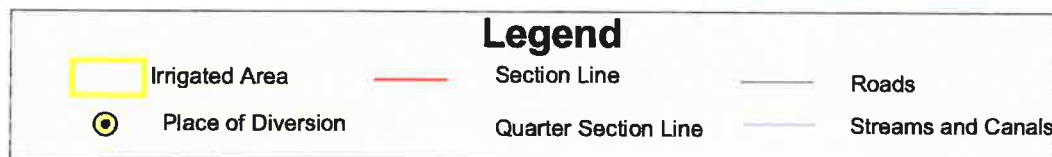
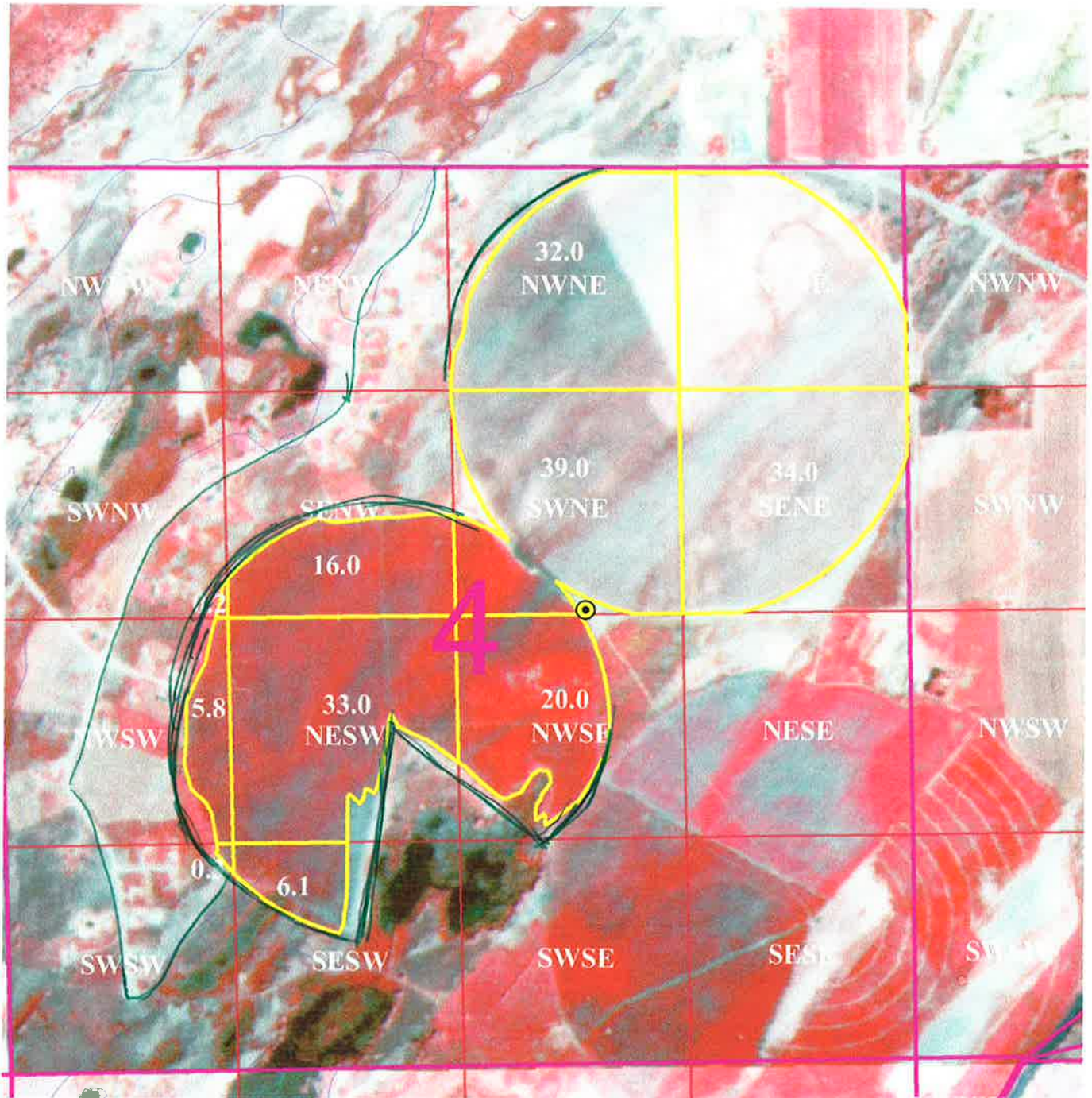
Point(s) of Diversion: T3S, R36E:
Sec. 4, SWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: December 2003

Water Right Claim Number 27-07007C
Township , 3S36E

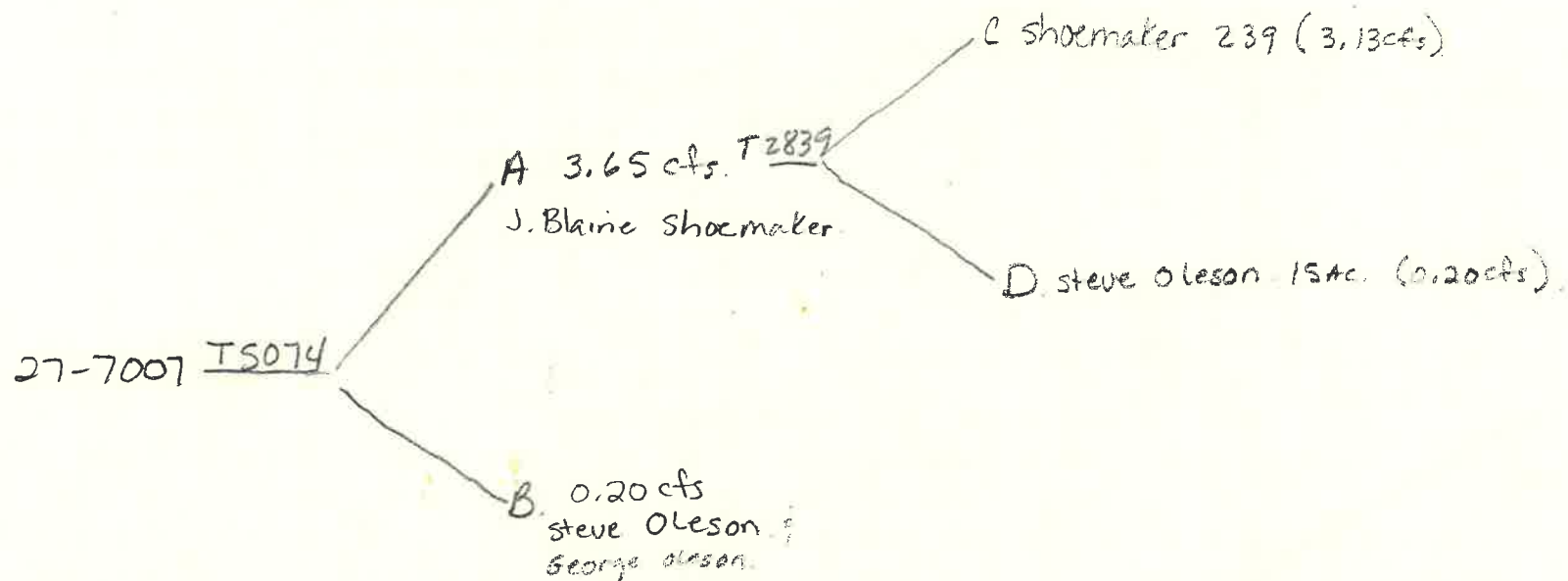
12/27/2000



600 0 600 1200 Feet



SPATIAL DYNAMICS



Trans.	w/R	Div. rate	POD
5074	7007B	0.20	NW3/4 Sec 3 T35, R36E

POU
T35, R36E, Sec 4
15Ac. N1/2SE

Notes

12/8/03 27-7007A
database search.

C. 239 Ac. Shoemaker

D 15 Ac. Oleson

A.J. claims:

27-7007B	0.52	4-Seasons	40 Ac.
27-7007C	3.13 ✓	Shoemaker	239 Ac.
27-7007D	0.20	Oleson	15 ac.

27-7007 294 Ac. 3.85 cfs

$$\frac{3.85 \text{ cfs}}{294 \text{ ac}} = 0.0130952 \text{ cfs/acre.}$$

27-7007

- A 3.65
 - C 3.13
 - D 0.52
- B 0.20

We may need to add a COS remark to clarify the actual acres determined by ArcView. CB

Contacts Data Entry Form

[illegible]

Current Owner see claim

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: UB

Date: 10/8/03

Priority Date Data Entry FormClaim Number: A27-7007C

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

licenseReviewer: CBDate: 12/8/03

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (☒)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (☒) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (☒) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (☒) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (☒) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *hurse*
16. Is a Priority Date remark and/or condition required? Yes () No (☒)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: 127-7007C

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

☒

Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 27-7007B

Document how the POD and Source were verified and/or Pump and Motor data:

lunsi, transferTransfers Changing POD 2839Reviewer: CBDate: 12/8/03

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

SourceClaim No. 27 - 7007C

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes ☒ No ☐

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes ☐ No ☐

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes ☐ No ☐

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes ☒ No ☐

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes ☒ No ☐

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes ☐ No ☐

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes ☐ No ☐

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes ☐ No ☐

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes ☐ No ☐

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes ☐ No ☐

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes ☐ No ☒**Source**

Purpose of Use Data Entry FormClaim Number: A27-7007C

Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

license, T2839

Transfers Changing Purpose of Use NOReviewer: CPBDate: 12/8/03

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes (☐) No (☒)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-7007C☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

License, Transfer

Transfers Changing POU 2839Reviewer: CBDate: 12/8/03

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.
If No, POU review is complete.

Yes (☐) No (☒)

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A27-7007C☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

license, transfer 2839

Reviewer: CBDate: 12/8/03

1. Is the basis of claim a Decree or License? Yes ☒ No ☐
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes ☐ No ☐
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes ☒ No ☐
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes ☒ No ☐
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes ☐ No ☐
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes ☐ No ☐
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes ☐ No ☐
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes ☐ No ☐
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes ☐ No ☐
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes ☐ No ☐
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes ☐ No ☐
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes ☐ No ☐
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes ☒ No ☐
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes ☐ No ☐
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes ☐ No ☒
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes ☐ No ☐
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes ☐ No ☒
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Period of Use

Quantity

Claim No. 27 - 7007C

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☐)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☐)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
Yes (☐) No (☐)
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7
Yes (☒) No (☐)
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
If No, go to 7
Yes (☒) No (☐)
6. Is the basis of claim a posted notice?
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
Yes (☐) No (☐)
7. Is a flow measurement required?
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
Yes (☐) No (☐)
8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9
Yes (☒) No (☐)
9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11
Yes (☐) No (☐)
10. Is irrigation a purpose of use?
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
Yes (☒) No (☐)
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
Yes (☐) No (☐)
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.
Yes (☐) No (☒)

Quantity

Summary

Claim No. 27-70070

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Yes (☐) No (☒)

Yes (☐) No (☐)

Yes (☐) No (☐)

Yes (☒) No (☐)

Yes (☒) No (☐)

Yes (☒) No (☐)

Yes (☐) No (☒)

Yes (☒) No (☐)

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

F05 Rem Exp 27-7007B

Split or Combined Right Analysis:

A27-7007C came from 27-7007C on the
water right side.

Attached Field Notes or Other Documents:

Claim No.:

27-7007C

Reviewer

CB

Date

12/8/03



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

August 19, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

J BLAINE SHOEMAKER
24 SOUTH 200 EAST
BLACKFOOT ID 83221

Re: License 27-7007

Dear Mr. Shoemaker:

The Department of Water Resources has received your July 27, 2005 letter and documentation requesting either an exemption from the moratorium for a new permit, or a change in the diversion rate for your portion of the water right license referenced above. I will address your requests in the order presented.

The moratorium for the Snake River Basin upstream from Milner Dam (non-trust area) expired on December 12, 1997; however, the Director has instructed that all applications for new appropriations for a consumptive use (such as irrigation) must provide mitigation or show that water is available and will not injure senior appropriators on the Snake River. The reason for the directive is due to water shortages that have occurred on the Snake River in prior years. In addition, junior appropriators have been faced with possible curtailment of water use and the need to provide mitigation to continue diverting water. From the information presented in your letter, it appears that your proposal for additional water will result in increased consumption, at least in some years, and mitigation will be required to process the application.

I have reviewed the documentation you submitted and also the water right file for license 27-7007 and found the following as described below. The permit to develop the water right was approved on May 12, 1969 for irrigation use on 320 acres from a source of ground water in the amount of 6.4 cfs. The permit required the applicant to permanently install and maintain a measuring device of a type approved by the Department.

Proof of beneficial use was submitted on June 28, 1974. In accepting the proof, the Department reminded the applicant of the requirement to install an approved measuring device. The Department attempted to examine the system on July 30, 1976 and noted in a letter to the applicant that the exam could not be completed because a measuring device had not been installed as required under the permit.

A second scheduled exam was completed on May 23, 1979; however, the examiner's notes indicate that the existing flow meter was non-functional. The examiner estimated the total capacity of the pumping system by measuring sprinkler nozzle pressure and summing the estimated nozzle flow for each of the nozzles in the sprinkler laterals found on the system. The method is a reasonable and accepted method to estimate flow in the absence of a flow meter.

Your letter indicated that during the 1969 to 1978 time frame, the pressure gauges continued to show adequate pressure. The 1979 field exam by the Department appears to confirm adequate pressure showing 80 psi at the head of laterals near the pump and not less than 64 psi at the end of the furthest lateral, with all laterals operating.

The purpose of a field exam is to document the extent of beneficial use of the water as developed under authority of a water right permit. A license cannot be issued for more than the amount beneficially used during the development period of the permit. A permit holder may appeal a license within the time period allowed under the administrative process or as provided under Idaho law.

Results of the Department's exam were mailed to you on June 30, 1982, just prior to licensing. The letter indicated that the examiner found irrigation of 294 acres with a flow of 3.85 cfs. The letter indicated that you should contact the Department within 30 days if you did not concur with the findings. The license was issued on September 28, 1982 and sent to the applicant on October 4, 1982. The license was not appealed.

Although the Department cannot increase the licensed quantity due to changes after the authorized development period, the Department has amended licenses (after the appeal period) in cases where the licensed amount was based on clear computational or clerical errors. In this case, it does not appear that the Department made any computational or clerical errors that would justify an increase in the licensed diversion rate. Non-compliance with the flow meter requirements created a delay in the exam and required the examiner to determine the capacity of the system using an alternate method. Results of the estimate were not questioned by the permit holder during the appeal period.

To conclude, the Department does not find sufficient evidence to support a change in the amount licensed. If you have additional questions or concerns regarding this matter, please feel free to contact the Department.

Sincerely,



Jeff Peppersack, Section Manger
Water Right Permits Section

STATE OF IDAHO

LICENSING

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

AUG 1982
Department of Water Resources

Comes now J. Blaine Shoemaker Phone _____
of (address) P.O. Box 41, Blackfoot, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 27-7007, and requests that the permit and permit map be changed as follows:

NO CHANGE
1. Point of diversion: 1/4 1/4, Section _____, Township _____, Range _____, B.M.,
County of _____ . Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.85 for irrigation purposes from 3/1 to 10/31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	36E	4		39	40	40	20		18	37	35	35				30			294

Total number of acres to be irrigated = 294

4. a. Who owns the property at the point of diversion? Triple B Land Co
b. Who owns the land to be irrigated or the place of use? Triple B Land Co and JB Shalen
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Triple B Land Co is a family owned corporation. Contract of sale of land was entered into with JB Shoemaker retaining all irrigation equip.

NOT NECESSARY

[illegible]

of August, 1983
Blaine Shoemaker
(Signature)

Acting for the Director

NOTICE OF PROPOSED CHANGE OF WATER RIGHT .

NO. 27-7007

Notice is hereby given that J. Blaine Shoemaker, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of a groundwater source. The right sought to be changed is evidenced by License No. 27-7007 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: 5-18-1969

POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4, T. 3S, R. 36E, B.M.
Bingham County;

The water is used to irrigate 294 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, T. 3S, R. 36E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M. Bingham County, and used to irrigate 294 acres within the NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 16, 1983.

A. KENNETH DUNN

Director

Published in the Blackfoot News on 4/28 & 5/5/83.

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 27-7007

NOTICE IS HEREBY GIVEN that J. Blaine Shoemaker, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of a groundwater source. The right sought to be changed is evidenced by License No. 27-7007 and is recorded as follows:

AMOUNT: 3.85 cfs; PRIORITY: 5-18-1969;
POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M. Bingham County.

The water is used to irrigate 294 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M.

TO BE CHANGED
AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M. Bingham County, and used to irrigate 294 acres within the NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 16, 1983.

A. KENNETH DUNN
Director

SD-0611-2 Basin: 27 Starting Water Right: 07007

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	27-07007	SHOEMAKER, J. BLAINE	C	05/18/1969	L/	GROUNDWATER	IRR	WR
-	T27-07007A	SHOEMAKER, J. BLAINE	C	05/18/1969	L/	GROUNDWATER	IRR	WR
-	T27-07007B	OLESON, STEVE	C	05/18/1969	L/	GROUNDWATER	IRR	WR
-		OLESON, GEORGE	C					
-	A27-07007	SPLIT RIGHT	C	05/18/1969	/Z	GROUNDWATER	IRR	AJ
-	A27-07007A	SPLIT RIGHT	C	05/18/1969	/Z	GROUNDWATER	IRR	AJ
-						SPLIT RIGHT		
-	A27-07007B	FOUR SEASON WATER US	C	05/18/1969	L/	GROUNDWATER	IRR	AJ
-	A27-07007C	SHOEMAKER, J BLAINE	C	05/18/1969	L/	GROUNDWATER	IRR	AJ
-	A27-07007D	OLESON, STEVE	C	05/18/1969	L/	GROUNDWATER	IRR	AJ
-		OLESON, GEORGE	C					

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

TS074

JUL 18 2001

Log for claim 27-07007C

Spatial Dynamics LTD

12/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s36e	4	NENE	35	34	
03s36e	4	NWNE	35	32	
03s36e	4	SWNE	39	39	POD placement?
03s36e	4	SENE	35	34	
03s36e	4	SWNW	1	0.2	
03s36e	4	SENE	17	16	
03s36e	4	NESW	34	33	
03s36e	4	NWSW	9	5.8	
03s36e	4	SWSW	1	0.3	
03s36e	4	SESW	11	6.1	
03s36e	4	NWSE	22	20	
Totals:			239	220.4	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MAY 7, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVE/GEORGE OLESON
36 E 200 N
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-07007A

Dear Steve and George:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A27-07007C, SHOEMAKER, 239 ACRES, 3.13 CFS
A27-07007D, OLESON, 15 ACRES, .20 CFS

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

CC: J. BLAINE SHOEMAKER/COPY CLAIM/LETTER

DE.209

De
4-15-97
OK

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right Number(s) A27-07007A
Adjudication Claim Number(s) A27-07007A
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) J. Blaine Shoemaker
4. New Owner/Claimant(s) Oleson, George for Steve
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 36E 200N
City, State and ZIP Code Blackfoot
New Telephone Number () -
5. Date you acquired the property 2/5/1991
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 actually irrigated 15 Number and type of stock _____
Diversion rate in CFS 0.20 Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) George Oleson Date 4/15/97
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

RECEIVED

MAY 13 1983

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 27-7007**

NOTICE IS HEREBY GIVEN that J. Blaine Shoemaker, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of a groundwater source. The right sought to be changed is evidenced by License No. 27-7007 and is recorded as follows:

AMOUNT: 3.85 cfs; PRIORITY: 5-18-1969;
POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M. Bingham County.

The water is used to irrigate 294 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M. Bingham County, and used to irrigate 294 acres within the NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 3S, R. 36E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 16, 1983.

A. KENNETH DUNN
Director

(7752)
Pub.: 4-28; 5-5

37

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown do
solemnly

Publisher

swear that I am the _____ of
The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive week.

the first publication having been made on the
28th day of April, 19 83.

and the last publication having been made on the
5th day of May, 19 83;

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 11th

day of May, 19 83

Patricia A. Johnson

Notary Public for the State of Idaho.
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

MAILED

STATE OF IDAHO
LICENSING

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

RECEIVED
AUG
Department of Water Resources

Comes now J. Blaine Shoemaker Phone _____
of (address) P.O. Box 41, Blackfoot, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 27-7007 and requests that the permit and permit map be changed as follows:

1. NO CHANGE
Point of diversion: 1/4 1/4, Section _____, Township _____, Range _____, B.M.,
County of _____ Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.85 for irrigation purposes from 3/1 to 10/31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

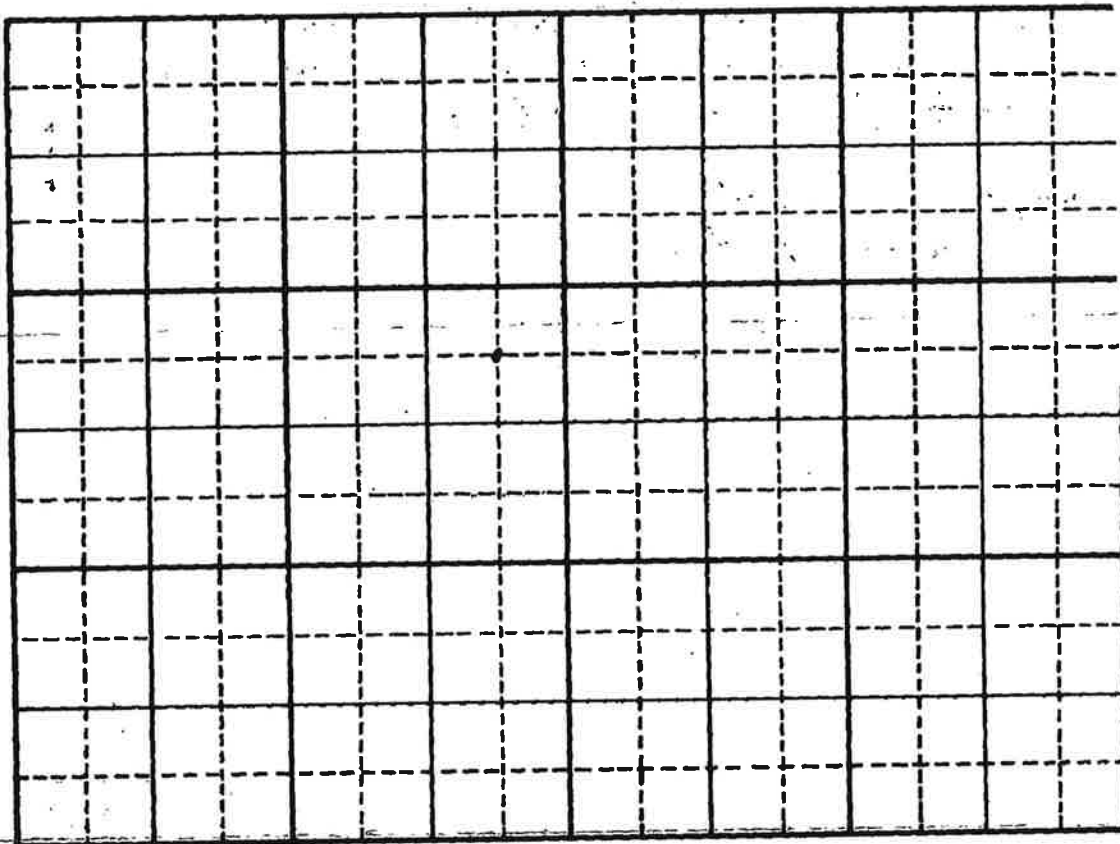
3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	36E	4		39	40	40	20		18	37	35	35				30			294

Total number of acres to be irrigated = 294

4. a. Who owns the property at the point of diversion? Triple B Land Co
b. Who owns the land to be irrigated or the place of use? Triple B Land Co and JB Shoemaker
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Triple B Land Co is a family owned corporation. Control of sale of land was entered into in JB Shoemaker retaining all irrigation equip.

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches. NOT NECESSARY



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Blackfoot, Idaho, this 3rd day of August, 19 83.
Johnnie Sholmaker
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jui Fee = \$20.00 Received by RG Date 9-14-82 #24682
Publication prepared by JA Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for Amendment of Permit No. 27-7007.

Witness my hand this 28TH day of September, 19 82.

Norman C. Young
Acting for the Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7007 (late proof)
Priority May 18, 1969 Amount 3.85 cfs

THIS IS TO CERTIFY, that J. Blaine Shoemaker
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 27-7007 issued pursuant to Application for Permit dated March 21, 1969,
and has submitted proof to the Department of Water Resources on June 28, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.85 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 01 to October 31	at 3.85 cfs and	1029.0 acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.85 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1029.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Twp.
3S, Rge. 36E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	Totals
3S	36E	4	39	40	40	20	18	37	35	35	30				294

Total number of acres irrigated 294

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28th day of
September, 19 82.

Acting for the Director

Transfer No. 2839

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant J. Blaine Shoemaker Phone 785-5936
Post Office address P.O. Box 41 Blackfoot Idaho 83221

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 27-7007 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant is original holder of right.

3. Source of water Ground water tributary to _____
4. Date of priority May 18, 1969
5. Water is used for the following purposes:
amount 3.85cfs for Irrigation purposes from 3-1 to 10-31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 3.85 cubic feet per second
&/or
b. 1029.0 acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4
Township 3S Range 36E B.M. in Bingham County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>3S</u>	<u>36E</u>	<u>4</u>		<u>39</u>	<u>40</u>	<u>40</u>	<u>20</u>		<u>18</u>	<u>37</u>	<u>35</u>	<u>35</u>				<u>30</u>			<u>294</u>

Total number of acres to be irrigated 294

9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years
If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 3.85 c.f.s. &/or 1029.0 acre feet
b. Description of diverting works 12" diameter well with 25 Hp. motor & pump
20" diameter well with 150 Hp. motor & pump
c. Describe the reasons for the proposed changes 12" diameter well was drilled to
provide water to 4 Seasons Ranch Division # II which is located
on lands originally irrigated under License # 27-7007

2. Change in point of diversion

Point of diversion SW 1/4 NE 1/4, Section 4 Township 3S
Range 36E, B.M., Bingham County
Additional points SE 1/4 NW 1/4 Sec. 4 T.3S R. 36E

3. Change in place of use

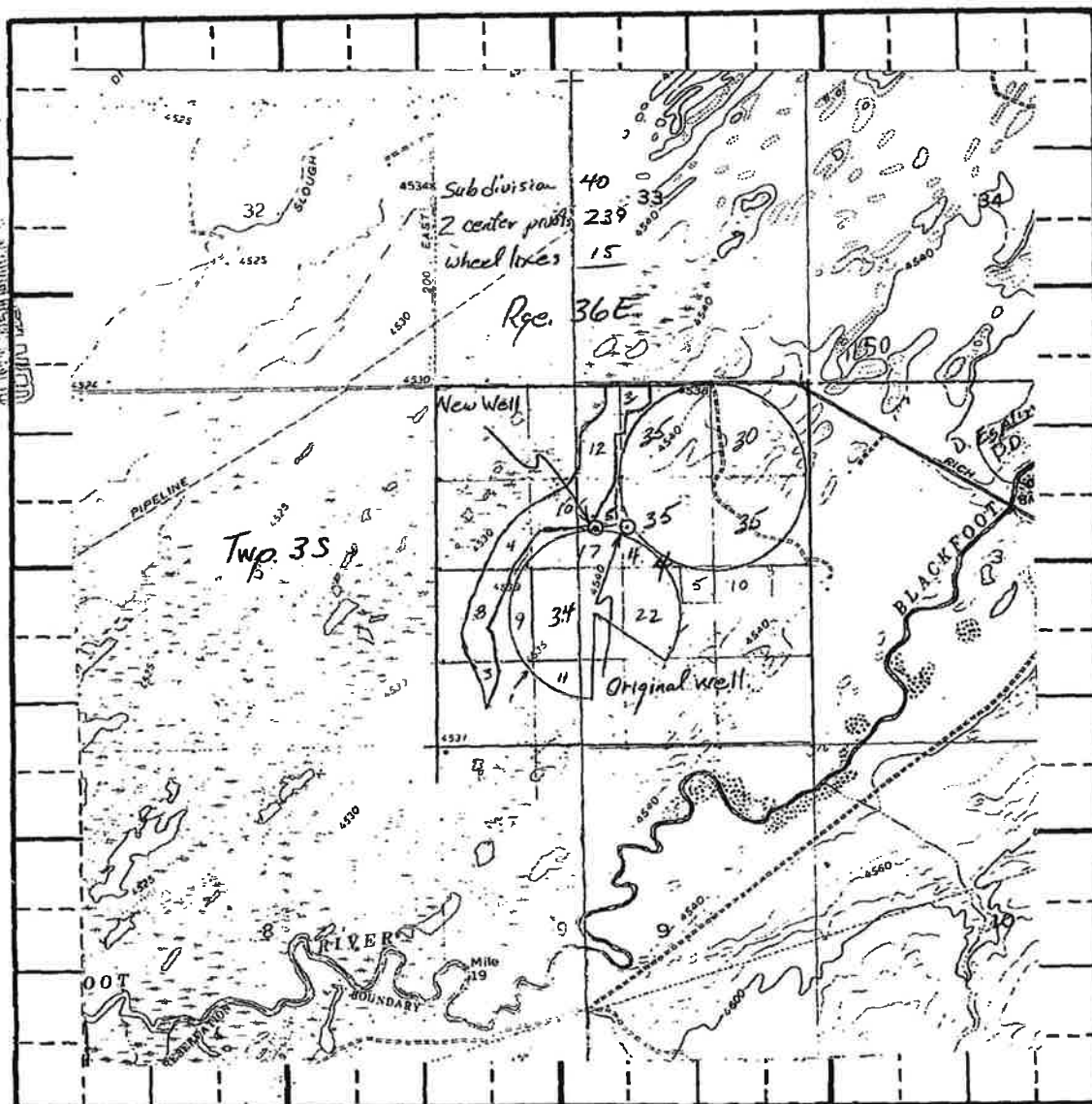
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Property originally licensed but not included under this
transfer will become dry land

c. Describe the lands or place of use to which the right will be transferred

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Original Well																			
3S	36E	4	30	35	39	35				1	22	34	9	1	11	10	27		254
New Well																			
3S	36E	4		3			12		4	10		8	3						40

Total number of acres to be irrigated 294

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 14th day of April, 19 83

J. Blaine Shoemaker
(Signature of Applicant)

Colleen Wray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-7007
and said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 7th day of July, 19 83

L. Glen Saxton
L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Assisted by EMC Date 4/14/1983 Protest filed by _____
Received by EMC Prelim. check by KCW Fee 50.00 _____
Receipted by OW Date 4-14-83 _____
Published in Blackfoot News # 28047 Copies of protest forwarded by _____
Pub. dates 4/28 & 5/5/83 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial _____
_____ rec'd. by EMC for Dr

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7007A

WATER RIGHT NUMBER: 27-7007A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J BLAINE SHOEMAKER PO BOX 41 BLACKFOOT, ID 83221

Priority Date: 05/18/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 10/31	3.650 CFS	976.50 AF
	<u>Total Diversion:</u>	3.650 CFS	976.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 4,	Twp 03S,	Rge 36E, B.M.
BINGHAM County				
GROUND WATER	SE1/4NW1/4	Sec. 4,	Twp 03S,	Rge 36E, B.M.
BINGHAM County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	36E	4	30.0	38.0	39.0	35.0	12.0		5.0	32.0	34.0	17.0	4.0	11.0		22.0			279.0

Total Acres: 279

Conditions of Approval:Remarks:

- General TRANS. 2839.
REINSTATED 7/15/1974.

Comments:

- PSKAGGS 6/29/1998 TRANSFER 5074

Comment: Transfer 5074 changes the point of diversion under a portion of Right 27-07007, splitting the right into Parts A & B.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7007A

Dates and Other Information:

Licensed Date: 10/25/1982
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7007B

WATER RIGHT NUMBER: 27-7007B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J BLAINE SHOEMAKER PO BOX 187 POCATELLO, ID 83201
Current Owner	GEORGE OLESON 363 E 200 N BLACKFOOT, ID 83221 (208)785-2414
Current Owner	STEVEN OLESON 359 E 200 N BLACKFOOT, ID 83221 (208)785-2414

Priority Date: 05/18/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.200 CFS	60.00 AF
	<u>Total Diversion:</u>	0.200 CFS	60.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 3,	Twp 03S,	Rge 36E, B.M.
BINGHAM County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	36E	4													10.0	5.0			15.0

Total Acres: 15

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7007B

5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:Comments:

1. PSKAGGS 6/29/1998 TRANSFER 5074

Comment: Transfer 5074 changes the point of diversion under a portion of Right 27-07007, splitting the right into Parts A & B.

Dates and Other Information:

Licensed Date: 10/25/1982
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

JUL 18 2001

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: A27-07007C
Date Received: 2/13/1991
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2707007C

1. Name: J BLAINE SHOEMAKER
Address: PO BOX 41
BLACKFOOT ID 83221

2. Date of Priority: MAY 18, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	36E	4	SW	NE			BINGHAM

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/31	3.130		836.50

7. Total Quantity Appropriated is:
3.130 C.F.S. (and/or) 836.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	36E	4	NE	NE		IRR	35.0
			NW	NE		IRR	35.0
			SW	NE		IRR	39.0
			SE	NE		IRR	35.0
			SW	NW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	36E	4	SE		NW		IRR	17.0
			NE		SW		IRR	34.0
			NW		SW		IRR	9.0
			SW		SW		IRR	1.0
			SE		SW		IRR	11.0
			NW		SE		IRR	22.0

Section Acres 239.0

Total Acres 239.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2839.

REINSTATED 7/15/1974.

15. Basis of Claim: LICENSE

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: _____