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Documents

In File

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: A65-21548
Date Received: 4/18/1990
Receipt No: W012166
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT A SHAW 208-674-2005
Address: 3755 HWY 95
PARMA ID 83660
OR
Name: PHYLLIS M SHAW 208-674-2005
Address: 3755 HWY 95
PARMA ID 83660
OR
Name: VERNA M SHAW 208-674-2005
Address: 3755 HWY 95
PARMA ID 83660

2. Date of Priority: FEB 28, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	33	NE	SE	NW		PAYETTE

5. Description of diverting works:
120' WELL, 6" CASING, SUBMERSIBLE PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 100 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	33	SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

BLACK CANYON IRRIGATION COMPANY

14. Remarks:

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

CIVIL CASE NUMBER: 39576

Identification No. AL5-21548
Date Received 4-18-90
Receipt Number 0012166

BAS

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

APR 18 1990

Department of Water Resources
Western Regional OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Verma M. Shaw or ROBERT A. or Phyllis M. Shaw Phone (208) 674-2005Mailing Address 3255 Hwy. 95 Parna, Idaho Zip 836602. Date of Priority (Only one per claim) 2/71 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 7N Range 5WSection 33 N.E. 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,County of PALETTE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well well casing, 120' deep, submersible pump, pipe to house.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 to 12-31 amount 0.04 (cfs)For Stock purposes from 1-1 to 12-31 amount 0.03 (Both dates are inclusive)7. Total quantity claimed 0.07 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household Stock 100/head.

MICROFILMED

OCT 22 1996

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 7 N Range 5 W
Section 33, SE 1/4 of 16 W 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Payette
12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or Black Canyon Irrigation Company
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thyllis McShaw Date 4-12-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization
_____ of _____ Title _____ Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 12 day of April 19 90

SEAL

Notary Public Brian

Residing at Boise

My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 22 1996

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

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

01/22/2002

WATER RIGHT NUMBER: 65-21548

NAME AND ADDRESS: PHYLLIS M SHAW
3755 HWY 95
PARMA ID 83660

ROBERT A SHAW
3755 HWY 95
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION:

T07N R05W S33 NESENW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.030 CFS

PLACE OF USE: DOMESTIC Within PAYETTE County

T07N R05W S33 SENW

STOCKWATER Within PAYETTE County

T07N R05W S33 SENW

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 100 RANGE CATTLE
PARCEL NO. RP 07N05W331200

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

In Re SRBA)
)
Case No. 39576)
)
_____)

Water Rights: 65-21548 & 65-21549

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

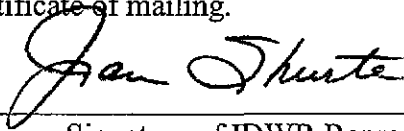
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 23, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 23, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

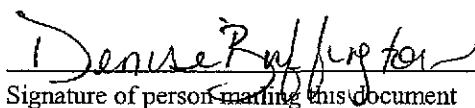
3. Copies to all parties to the subcase:

Robert A Shaw *(Former Owners)*
Verna M Shaw
Phyllis M Shaw
3755 Hwy 95
Parma ID 83660

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Robert A Shaw *(Current Owners)*
Phyllis M Shaw
3755 Hwy 95
Parma ID 83660

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person making this document

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

RECEIVED

JAN 07 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A65-21548				
	A65-21549				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

VERNA M. SHAW

4. New Owner/Claimant(s)

[Signature]

Name Connector (Check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Robert J. Shaw
Phyllis M. Shaw

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

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

RECEIVED

JAN 07 2002

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN - 4 2002

Department of Water Resources

Please find enclosed the
will of Vera M. Shaw. This
is to show her name can be
dropped from the ownership and
leave Robert A. Shaw and or
Phyllis M. Shaw.

Thank you!

Robert A. Shaw

Robert A Shaw only on 05-21549

RECEIVED
JAN 07 2002
WESTERN REGION

1543

RECEIVED

JAN - 4 2002

RECEIVED

JAN 07 2002

WATER RESOURCES
WESTERN REGION

Department of Water Resources

LAST WILL AND TESTAMENT

I, VERNA M. SHAW, residing in the County of Canyon, State of Idaho, do make, publish and declare this to be my Last Will and Testament, hereby revoking, cancelling and annulling all former wills and testamentary dispositions by me heretofore made.

FIRST: I direct the payment of all my just debts and funeral expenses as soon after my death as may be practicable.

SECOND: I direct that all estate, inheritance or other death taxes or duties imposed and made payable by reason of my death, by the laws of the United States, or of any state, territory or country, be paid out of the corpus or capital of my estate without apportionment.

THIRD: I give, devise and bequeath all the rest, residue and remainder of my estate and property, both real and personal, whatsoever the same may be and wheresoever situated, of which I may die seized or possessed, or to which I may be entitled, to my husband, ROBERT C. SHAW.

FOURTH: In the event that my said husband shall predecease me, or shall die with me in the course of, or as result of a common accident, epidemic or disaster or within thirty days after my decease, or under such circumstances as shall raise a legal presumption of his prior death, then and in any of said events, I give, devise and bequeath all of my residuary estate to my son, ROBERT A. SHAW.

FIFTH: In the event that my said son shall predecease me, leaving descendants who survive me, I direct that the legacy or share to which my said son would have become entitled, pursuant to the provisions of this Will, shall be distributed among his descendants who survive me, per stirpes, providing, however, that my grandson, ROBERT A. RICE, and his descendants, shall not be included in those descendants who are entitled to share in my estate.

SIXTH: In every instance herein where it is material, I desire that a legally adopted child shall be considered as if it were a natural born child of the adoptive parent.

SEVENTH: I do hereby authorize and empower my Personal Representative hereinafter named to sell at such time and times and for prices as to my Personal Representative shall seem proper, at public or private sale, without court order or confirmation and without any reference to order of distribution of real and personal property and without any petition, citation, hearing, notice of sale, order or any other action, upon such terms and conditions as my Personal Representative shall deem proper, the whole or any portion of any real or personal property whereof I shall die seized or which may at any time be held by my Personal Representative and to convey the same and to that end sign, seal and deliver any or all necessary or proper deeds of conveyance of the same or to execute any bills of sale or other instruments necessary to transfer title to personal property; to exchange, lease, control, mortgage, pledge or partition any or all of such real estate or interest in any real estate in any manner and for the purpose of liquidating said property as my Personal Representative shall deem proper; to replace loans thereon and to secure the repayment of such loan or loans by executing to the lender a promissory note or notes or other evidence of indebtedness binding my estate. I further authorize my Personal Representative to hold, manage and operate any property and any business belonging to my estate at the risk of my estate as a whole.

EIGHTH: It is my intention that this Will shall dispose of all of my separate property and my share of the community property owned by my said husband and me.

NINTH: I nominate and appoint my husband, ROBERT C. SHAW, as Personal Representative of this, my Last Will and Testament, and in the event of the death, resignation or disability of

my said Personal Representative, I nominate and appoint my son, ROBERT A. SHAW, as alternate Personal Representative of my said Will, granting to my said alternate Personal Representative the same powers as provided for my Personal Representative. In the event of the resignation or disability of my said alternate Personal Representative, I nominate and appoint my daughter-in-law, PHYLLIS M. SHAW, as second alternate Personal Representative of my said Will, granting to my said second alternate Personal Representative the same powers as provided for my Personal Representative. I do further direct that no bond or other security shall be required of my Personal Representative, or any alternate Personal Representative named in this Will in the State of Idaho or elsewhere for the lawful performance of her or his duties as such.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12 day of October, in the year One Thousand Nine Hundred Eighty-eight.

Verna M. Shaw (L.S.)

The foregoing instrument was, at the date hereof, subscribed, sealed, published and declared by the above named Testatrix, VERNA M. SHAW, as and for her Last Will and Testament in the presence of us, who at her request, in her presence and in the presence of each other, have at the same time subscribed our names as witnesses thereto.

Rose Mary Orosu, residing at Ontario, Oreg.
Alita V. Richter, residing at Nyssa, Oregon.

AFFIDAVIT OF SUBSCRIBING WITNESSES

STATE OF OREGON)
) ss.
County of Malheur)

Each of the undersigned, being duly sworn, deposes and says:

The foregoing Will was subscribed in our presence by VERNA M. SHAW, on the 12th day of October, 1988, at Nyssa, Oregon.

The said Testatrix at the time of making such subscription declared the attached instrument to be her Last Will and Testament.

Each of the undersigned thereupon signed his or her name at the request of the Testatrix and in her presence and in the presence of each other.

Said Testatrix, at the time of the execution of said Will, was over the age of 18 years, and, in the respective opinions of the undersigned, was of sound mind, was in all respects competent to make a Will, and was not under any restraint.

The attached Will was executed by the Testatrix and witnessed by each of the undersigned affiants under the supervision of Gene Stunz, an attorney at law.

This Affidavit is being made at the request of the Testatrix.

Rose Mary Orosco
Alita C Richter

Severally sworn to before me this 12th day of October, 1988.

Gene Stunz
Notary Public for Oregon
My Commission Expires: 2/23/92

12-1-92

CLAIMANT'S NAME Shaw, Vernon Robert or Phyllis CLAIM IDENT. NO. _____DATE RECEIVED 4-18-90 RECEIPT # WD12116 FEE PAID \$ 25.00 FEE REQ'D \$ 25.00

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	___	*
2. Is a priority date entered?	<u>X</u>	___	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	___	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	___	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	___	___	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	___	*
5. Is there a description of the diverting works?	<u>X</u>	___	
6. Are the water uses appropriate for the form?	<u>X</u>	___	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	___	
Is a quantity claimed for each use?	<u>X</u>	___	*
7. Is a total quantity claimed entered?	<u>X</u>	___	
8. If required is a consumptive use entered? N/A <u>X</u>	___	___	
Is the consumptive use correct? N/A <u>X</u>	___	___	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	___	*
If multiple domestic, is single ownership indicated?	___	___	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	___	*
11. Is (are) the county(ies) entered?	<u>X</u>	___	
12. Is the ownership of p.u. checked?	<u>X</u>	___	
13. Are other water rights listed or "none" indicated?	<u>X</u>	___	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A <u>X</u>	___	___	
15. Is the basis of the claim indicated?	<u>X</u>	___	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u>X</u>	___	___	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	___	___	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>	___	___	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>	___	___	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	___	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	___	*
21. Was this claim filed on time?	<u>X</u>	___	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	___	___	*
22. Is the fee enclosed correct? Exempt ___	<u>X</u>	___	*

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	YES	NO
23. Is this claim being rejected and returned to claimant?	<u> </u>	<u> ✓ </u>
24. Can this claim be data entered?	<u> X </u>	<u> </u>
25. Was claim modified?	<u> X </u>	<u> </u>
If yes, do modifications require notification to claimant?	<u> X </u>	<u> </u>

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: Jed Date 11-22-94
 Claim data entered by: Jed Date 12-1-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Modify priority dates.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 23, 2002

ROBERT A SHAW
PHYLLIS M SHAW
3755 HWY 95
PARMA ID 83655

RE: Water Right No. 65-21548 & 65-21549

Dear Property Owners:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB: db

Enclosures

12/29/2000

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

RIGHT NUMBER: 65-21548

NAME AND ADDRESS: PHYLLIS M SHAW
ROBERT A SHAW
VERNA M SHAW
3755 HWY 95
PARMA, ID 83660

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T07N R05W S33 NESENW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.03 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within PAYETTE County
T07N R05W S33 SENW
DOMESTIC Within PAYETTE County
T07N R05W S33 SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 100 RANGE CATTLE
PARCEL NO. RP 07N05W331200

**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: April 13, 2001

Water right number: 65-21548

ROBERT A SHAW
3755 HWY 95
PARMA ID 83660
Telephone Number: (208)674-2005

VERNA M SHAW
3755 HWY 95
PARMA ID 83660
Telephone Number: (208)674-2005

PHYLLIS M SHAW
3755 HWY 95
PARMA ID 83660
Telephone Number: (208)674-2005

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

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

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

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

DATE: 4/16/01 SIGNATURE: 
Please print your name: Robert A. Shaw

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ0749NP
No. R65-21548

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

DATE: 04/18/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A SHAW	10/19/1977	STOCKWATER	01-01 12-31	0.030 CFS	
C	PHYLLIS M SHAW		DOMESTIC	01-01 12-31	0.040 CFS	
C	VERNA M SHAW					
	3755 HWY 95					
	PARMA ID 83660					
	(208) 674-2005					
				TOTAL DIVERSION:	0.070 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S33

NESENW

PAYETTE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: NENW NWNW SWNW SENW	: NESW NWSW SWSW SESW	: NESE NWSE SWSE SESE	:								
07N	05W	33	:	:	S	:	:	:	:	:	:	:	:		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: NENW NWNW SWNW SENW	: NESW NWSW SWSW SESW	: NESE NWSE SWSE SESE	:								
07N	05W	33	:	:	D	:	:	:	:	:	:	:	:		

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

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.
- C18 - 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.

Remarks: EXP STOCKWATER, 100 RANGE CATTLE

add Parcel #

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

SDE?, OK-P00

✓ Tax lot - same parcel as 21549

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A SHAW	10/19/1977	STOCKWATER	01-01 12-31	0.03 CFS	
C	PHYLLIS M SHAW		DOMESTIC	01-01 12-31	0.04 CFS	
C	VERNA M SHAW					
	3755 HWY 95			TOTAL DIVERSION:	0.07 CFS	
	PARMA ID 83660					
	(208) 674-2005					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S33

NESENW

PAYETTE 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	:
07N	05W	33	:					:					:					:					:

Place of use Legal Description for: DOMESTIC

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	:
07N	05W	33	:					:					:					:					:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: BLACK CANYON IRRIGATION COMPANY

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, 100 RANGE CATTLE
PARCEL NO. RP 07N05W331200

Dates: Exam Made Date: Verified Date: 03/05/1998 Objection Filed Date:

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

AJ0749NP
No. R65-21548

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

DATE: 03/05/98
PAGE: 2

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Audit: 03/05/98 DBUFFING

AJ0749NP
No. R65-21548

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

DATE: 02/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A SHAW	10/19/1977	STOCKWATER	01-01 12-31	0.03 CFS	
C	PHYLLIS M SHAW		DOMESTIC	01-01 12-31	0.04 CFS	
C	VERNA M SHAW					
	3755 HWY 95					
	PARMA ID 83660					
	(208) 674-2005					
				TOTAL DIVERSION:	0.07 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R05W S33

NESENW

PAYETTE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N 05W 33	:		:		:		:		:		:		:		:	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N 05W 33	:		:		:		:		:		:		:		:	

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: BLACK CANYON IRRIGATION COMPANY

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, 100-HEAD
PARCEL NO. RP 07N05W331200

Dates: Exam Made Date: Verified Date: 02/20/1998 Objection Filed Date:

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

AJ0749NP
No. R65-21548

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

DATE: 02/20/98
PAGE: 2

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Audit: 02/20/98 SEGBERT

AJ5856NP

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

DATE: AUG-26-1997
PAGE: A-531

RIGHT NUMBER: 65-21548

NAME & ADDRESS: ROBERT A SHAW
PHYLLIS M SHAW ✓
VERNA M SHAW
3755 HWY 95
PARMA ID 83660

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

PRIORITY DATE: 02/28/1971

POINT OF DIVERSION: T07N R05W S33 NESENW ✓ Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T07N R05W S33 SENW ✓

DOMESTIC Within PAYETTE County
T07N R05W S33 SENW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP07N05W331200

Verified by DMS Date: 12-9-97
Verification Source: City Alpha



State of Idaho DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DECEMBER 1, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[ROBERT A SHAW]
PHYLLIS M SHAW
VERNA M SHAW
3755 HWY 95
PARMA ID 83660
[]

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).**

X Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

 Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

 Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

 Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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_____ Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

_____ Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

_____ Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

_____ Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

_____ Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

_____ Other _____

If you have any problems or questions concerning these additions
and/or changes, please contact this office within 30 days from the
date of this letter. If we do not hear from you within this time, we
will assume you agree with these changes, and your claim will remain
on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

**SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS
CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE
LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR
ADDRESS ON A WATER RIGHT.**

MICROFILMED
OCT 22 1996