

02/01/2005

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

RIGHT NUMBER: 79-10377

NAME AND ADDRESS: LYLE A SHAW
PO BOX 123
WHITE BIRD ID 83554

LOIS J SHAW
PO BOX 123
WHITE BIRD ID 83554

SOURCE: WHITE BIRD CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 11/14/1941

POINT OF DIVERSION:

T28N R01E S14 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.020 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T28N R01E S14 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.

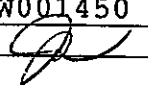
The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

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: A79-10377
Date Received: 11/17/1988
Receipt No: W001450
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYLE A. SHAW 208-839-2334
Address: P.O. BOX 123
WHITEBIRD, ID 83554

OR
Name: LOIS J. SHAW 208-839-2334
Address: P.O. BOX 123
WHITEBIRD, ID 83554

2. Date of Priority: NOV 14, 1941

3. Source: WHITEBIRD CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	14	NE	SE	NW		IDAHO

5. Description of diverting works:
2 HP PUMP IN CREEK - 1 1/2" PLASTIC PIPELINE TO PL. OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
28N	01E	14	SE NW		IRR	0.5
Section Acres						0.5
Total Acres						0.5

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT INDICATED THAT THIS CLAIM WAS BASED ON A PERMIT WITH THE DEED. HOWEVER, AFTER RESEARCHING THE LEGAL DESC. NO RIGHT COULD BE FOUND IN THE NAME OF SHAW. LETTER IS BEING SENT W/COPY OF THE PLACE OF USE REPORT TO SEE IF THEY RECOGNIZE ANY NAMES. THE # OF ACRES WAS NOT SHOWN ON THE CLAIM, THEREFORE, SINCE A \$25 FEE WAS SUBMITTED THE ACRES WERE LIMITED TO 1/2 ACRE OF IRRIG. THE LETTER ALSO ASKS THEM IF 1/2 ACRE IS SUFFICIENT AND IF NOT AN ADDITIONAL FEE WILL BE REQUIRED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: A79-10377

39356

Ident. Number 36684-Deed Book 71-Page 204Date Received 8-1-88Receipt Number W001450

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 1 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) LYLE A. OR LOIS J. SHAW Phone () 839-2334
Mailing Address P.O. Box 123 Zip 83554

2. Date of Priority (Only one (1) per claim) Nov. 14 - 1941

3. Source of water supply (a) WHITE BIRD CREEK
which is tributary to (b) SALMON RIVER SNAKE RIVER

4. a. Location of existing point of diversion is: Township 28 N. Range 1 E Section 14,
NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Idaho

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

2 h.p. PUMP IN CREEK - 1 1/2 in PLASTIC PIPE LINE
TO PLACE OF USE

MICROFILMED

OCT 06 1992

TAX PARCEL # RPW000000144220 A

Copies: White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

T 28 N R 1 E

[illegible]

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OCT 06 1992

Last Name Shaw

Ident No.

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATED purposes from 4-15 to 10-15 amount 0.2 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed: (a) 0.2 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
28N	1E	14								1/2									1/2

Total number of acres irrigated 1 1/2

11. In which county (ies) are lands listed above as place of use located? Idaho

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

Shallow well 6 ft deep or None ()

14. Remarks: Above well used for back up water

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OCT 06 1992

Last Name Shaw Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit WITH DECREE
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) Lyn Ann Loring Shaw Date July 26 1988
Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 26th day of July 19 88
SEAL Notary Public Patricia M. Cape
Residing at White Bird
My Commission Expires 10-2-93

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Loring Shaw
Address P.O. Box 123 White Bird IDA
Date _____

Last Name Shaw Ident. Number _____

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OCT 06 1992
Copies White-State, Yellow-Claimant

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Jhaw, Kyle A.

CLAIM IDENT. NO.

A79-10377

DATE RECEIVED

11-17-88

CK #

AMOUNT \$

25.00Required
Info?

1. Is the name and address complete with zip code? YES NO Info? *
2. Is a priority date entered? YES NO Info? *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. YES NO *
3. (a) Is a source entered? YES NO *
- (b) Is a tributary to entered? (if required) N/A YES NO *
4. Is the legal description of the p.d. sufficient? YES NO *
5. Is there a description of the diverting works? YES NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES NO *
- Is the period of use included? YES NO *
- Is a quantity claimed for each use? YES NO *
7. Is a total quantity claimed entered? YES NO *
8. If required is a consumptive use entered? N/A YES NO *
- Is the consumptive use correct? N/A YES NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A YES NO *
10. Is (are) the place(s) of use and purpose(s) indicated? YES NO *
11. Is (are) the county(ies) entered? YES NO *
12. Is the ownership of p.u. checked? YES NO *
13. Are other water rights listed or "none" indicated? YES NO *
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 YES NO *
15. Is the basis of the claim indicated? YES NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A YES NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. YES NO *
18. Has the claim been signed, sealed, and dated by a notary? YES NO *
19. Was this claim filed on time, or was an extension granted? YES NO *
20. Is the fee enclosed correct? Exempt YES NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A YES NO *
22. Should this claim be receipted and data entered? YES NO *

Claim checked by: _____

Date: _____

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

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OCT 06 1992

Comments: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 28, 1989

Lyle A. or Lois J. Shaw
P.O. Box 123
Whitebird, ID. 83554

Dear Mr. and Mrs. Shaw,

We have received and processed your Notice of Claim submitted for use of the waters of Whitebird Creek. However, some questions need to be addressed at this time to avoid future complications.

Your Notice of Claim states that the Basis of the Claim, Item No. 15, is a permit with your deed. However, in researching our records I could not find a water right listed in your name, or one with a 1941 priority date. Enclosed is a copy of our place of use report for your legal description. Please review the names on these rights, and if any are that of a previous owner, contact us and your right will reflect that water right number. At this point, we have listed your right as being based on beneficial use of the water which is the usual basis when no existing right is found.

Another item concerns the number of acres being filed on. Under the \$25 fee submitted, up to 1½ acre of irrigation can be included. The \$25 claim is for domestic and/or stockwater use which includes up to 1½ acre of irrigation. If you have more than the 1½ acre, the fee is then a \$50 flat fee plus \$1 per acre, or a \$52 fee for 1½ acres. Therefore, in order for this claim to cover 1½ acres of irrigation an additional \$27 will be needed. If the additional fee is not submitted, this claim will be recommended for only 1½ acre of irrigation. When computing the number of acres being irrigated, only the area being irrigated, excluding buildings, roads, etc., should be used.

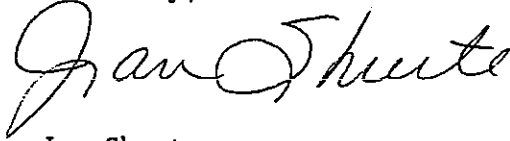
Once last item concerns the place of use for irrigation under item No. 10. This item was not completed and we have modified your claim to show the place of use in the same legal description as listed for your point of diversion (item No. 4). Enclosed is a map of this area with the quarter - quarter within which your legal lies outlined. Please locate your diversion point and place of use for irrigation on this map and return it to this office to help clarify the accurate legal description. This map can then be included as a part of your claim file.

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OCT 06 1992

Please contact us if you have any questions concerning this letter or if you want to submit the additional fee with the map so your claim will show over 1\2 acre of irrigation, or if one of the rights listed on the enclosed place of use report is yours.

Sincerely,

A handwritten signature in cursive script, reading "Jan Shurte".

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

6.79 G.P.
79-10377
~~105-1038~~

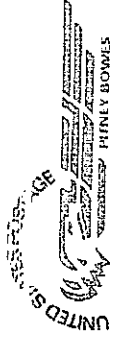
LOIS J SHAW

LYLE A SHAW

PO BOX 123

WHITE BIRD ID

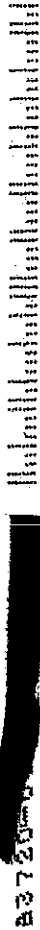
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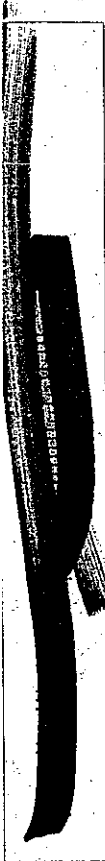


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0004227270 FEB 01 2007
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- ☐ Insure for up to \$500
- ☐ Move
- ☐ Unclassified
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- ☐ No Postage Needed
- ☐ No Postage Needed
- ☐ Box Substitution





Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



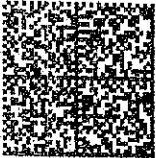
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☐ Moved, Left No Address
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☐ Returned For Better Address
☐ Postage Due _____

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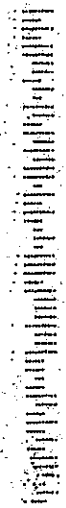
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DEPARTMENT OF
WATER RESOURCES

79-10377

LOIS J SHAW

LYLE A SHAW
PO BOX 123



Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

76-10377



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NOV 01 2006
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- ☐ Postage Due

LOIS J SHAW
PO BOX 400
LYLE A SHAW
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WHITE BIRD ID 83720-0098