

05/11/2004

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

RIGHT NUMBER: 45-11204  
NAME AND ADDRESS: HARRY J SHAW  
1220 W 16TH ST  
BURLEY ID 83318  
  
JERRY D SHAW  
1803 WASHINGTON AVE  
BURLEY ID 83318  
  
SONI SHAW  
1220 W 16TH ST  
BURLEY ID 83318

VERIFIED BY 

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 10/30/1951

POINT OF DIVERSION:

T10S R23E S19 SWSESE Within CASSIA 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       |

PLACE OF USE: DOMESTIC Within CASSIA County

T10S R23E S19 SESE

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  
PARCEL NO. 10S23E199435

AJ0749NP  
No. R45-11204

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

DATE: 01/15/98  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C             | HARRY J SHAW        | 10/30/1951       | DOMESTIC  | 01-01 12-31           | 0.04 CFS          |                     |
| C             | SONI SHAW           |                  |           |                       |                   |                     |
|               | 1220 W 16TH ST      |                  |           | TOTAL DIVERSION:      | 0.04 CFS          |                     |
|               | BURLEY ID 83318     |                  |           |                       |                   |                     |
|               | (208) 678-5300      |                  |           |                       |                   |                     |
| C             | JERRY D SHAW        |                  |           |                       |                   |                     |
|               | 1803 WASHINGTON AVE |                  |           |                       |                   |                     |
|               | BURLEY ID 83318     |                  |           |                       |                   |                     |
|               | (208) 678-7727      |                  |           |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R23E S19 SWSESW

CASSIA County

Place of use Legal Description for: DOMESTIC

|     |     |    | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |
|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| T   | R   | S  | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE |
|     |     |    | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |
| 10S | 23E | 19 | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    |
|     |     |    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    | :    |

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE.

Conditions of Approval:

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

Remarks: EXP PARCEL NO. 10S23E199435

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

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

Comments: Date: 12/01/1992 User-ID: WELSH Subject: COPIED FROM REMARKS  
IRRIG. WATER FROM THE BURLEY IRRIG. DIST.

Date: 01/15/1998 User-ID: JROBERTS Subject: POU AND POD DISCREPANCY

*see Comments →*

AJ0749NP  
No. R45-11204

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

DATE: 01/15/98  
PAGE: 2

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Comments: Date: 01/15/1998 User-ID: JROBERTS Subject: POU AND POD DISCREPANCY  
CASSIA COUNTY COURTHOUSE SAYS THIS PARCEL IS LOCATED IN THE SESE  
WHICH IS DIFFERENT THAN CLAIMED IN BOTH POU AND POD. jr

Audit: 01/15/98 JROBERTS

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-818

RIGHT NUMBER: 45-11204

NAME & ADDRESS: HARRY J SHAW  
SONI SHAW  
1220 W 16TH ST  
BURLEY ID 83318

JERRY D SHAW  
1803 WASHINGTON AVE  
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/30/1951

POINT OF DIVERSION: T10S R23E S19

SWSESW

Within CASSIA County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE  
DOMESTIC 1 HOME

PERIOD OF USE  
01-01 12-31

QUANTITY  
0.04 CFS

PLACE OF USE: DOMESTIC  
T10S R23E S19

Within CASSIA County

SWSE  
SESE

as per Cassia Cty.  
Ct house

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. 10S23E199435

(different than claimed in  
both POU and POD!)  
Hold back for further  
review... 1/15/98

Claim proofread by: CA

Date: 9-23

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: A45-11204  
Date Received: 6/08/1989  
Receipt No: S007651  
Received By: B. V. [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HARRY J. SHAW 208-678-5300  
Address: 1220 W. 16TH ST.  
BURLEY, ID 83318  
OR  
Name: SONI SHAW 208-678-5300  
Address: 1220 W. 16TH ST.  
BURLEY, ID 83318  
OR  
Name: JERRY D. SHAW 208-678-7727  
Address: 1803 WASHINGTON AVE.  
BURLEY, ID 83318

2. Date of Priority: OCT 30, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 23E   | 19      | SW     | SE     | SW     |     | CASSIA |

5. Description of diverting works:  
WELL & PUMP.

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 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSE.

A45-11204

Page 1

Date: 06/08/89

MICROFILMED

MAR 09 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S      | 23E   | 19      | SW     | SE  |     | DOMEST |       |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE.

14. Remarks:  
IRRIG. WATER FROM THE BURLEY IRRIG. DIST.

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): X Jerry D. Shaw Date: X June 8, 1989  
Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 8th day  
of June 19 89

Robert V. Westell  
Notary Public

Seal

Residing at Twin Falls, Idaho  
My Commission Expires 1/16/1995

OLD (D) NUMBER -

**MICROFILMED**  
- OCT 28 1994 -

WATER RIGHT NUMBER - A45-11204

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.  
+ - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.  
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +  
00/00/0000  
+ - - AUDIT FIELDS - 06/08/89 WORSTELL  
+ - - - - -COMMENTS- - - - - +  
NO COMMENTS FOUND  
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

|                       |   |            |                       |   |            |                         |   |       |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| COURT REPORT FILING   | - | 00/00/0000 | FIELD INSPECTION MADE | - | 00/00/0000 | CIVIL CASE NUMBER       | - | 39576 |
| OBJECTION FILED DATE  | - | 00/00/0000 | FIELD INSPECTION FLAG | - |            | OLD CASE NUMBER         | - |       |
| RESPONSE FILED DATE   | - | 00/00/0000 | VERIFIED DATE         | - | 00/00/0000 | OLD JUDICIAL DISTRICT   | - |       |
| CLAIM RECEIVED DATE   | - | 06/08/1989 | LAST AMENDED DATE     | - | 00/00/0000 | TEMPORARY RIGHT         | - | P     |
| PROOF DUE DATE        | - | 00/00/0000 | PROOF MADE DATE       | - | 00/00/0000 | WATER DISTRICT          | - |       |
| LICENSED DATE         | - | 00/00/0000 | RECEIPT NUMBER        | - | S007651    | FEDERAL/STATE INDICATOR | - | S     |
| CLAIMS TAPE ERROR FLG | - |            | PDU OWNERSHIP FLAG    | - | Y          | PRESUMPTION FLAG        | - |       |
| FEE EXEMPT FLAG       | - |            | NAME CONNECTOR        | - | OR         | NOTICE OF ERROR FLAG    | - |       |

10523E199435

DATA ENTRY  
ENTERED 12/1/1991  
CHECKED 2/6/1991

"Verified By"  
Topo Map/Ortho-PQ  
ASCS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
NOV 0 5 1991

CERTIFIED  
DEC 23 1991  
WATER EXAMINER