

RECEIVED

SEP 22 1972

Department of Water Administration

STATE OF IDAHO)
COUNTY OF ADA) ss.

OK
9-27-72

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4175**

Notice is hereby given that BRADFORD P. & CAMILLE SHAW & M. B. & LEXOLA P. SHAW, 1119 Warm Springs Avenue, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.5 cubic feet per second of water from Ten Mile Creek, trib. to Boise River, with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 2 N., R. 1 E., B.M., Ada County.

The water is claimed to be used from April 1 to March 31 for the irrigation of 50.34 acres with a priority of Oct. 22, 1902 the place of use is within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 2 N., R. 1 E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director
Pub.: Sept. 14, 21, 1972 910

Marilyn A Connell, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two ~~consecutive~~ Weekly insertions, beginning with the issue of September 14, 19 72, and ending with the issue of September 20 19 72.

Marilyn A Connell

Subscribed and sworn to before me this 22nd day of September, 19 72.

Jana A Young
Notary Public for Idaho, Residing at Boise, Idaho

Identification No. _____

Claim No. 63-4175

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

Bradford P. Shaw and Camille Shaw, husband and wife

1. Name of claimant M.B. Shaw and Lexola P. Shaw, husband and wife

post office address 1119 Warm Springs Avenue, Boise, Idaho

2. The point of diversion is in N-17/2 ^{NE} of SE $\frac{1}{4}$ Section 4 Township 2 North

Range 1 East B.M. located on Ten Mile Creek

(name of source)

tributary to Boise River in Ada County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

(50 inches)

October 22, 1902 amount: .5 c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

Total claimed .5 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 to March 31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____

_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

NOTE: Ten Mile Creek runs through property of claimant including into a small storage reservoir. Water is diverted directly out of said creek.

b. Underground water diverting works: is well flowing or pumped Not applied; depth of well is _____ feet; diameter of well is _____ inches; type of pump is cable

capacity of pump is _____ g.p.m.; name and address of well driller is _____

63 4175

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

100

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch _____
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered. Not Applicable

7. Where water is used for domestic or municipal purposes give number of families served Not Applicable
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities. Not Applicable

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho

County of Ada

53.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this.

87

day of

Amaret

_____, 1972

Claimant

Notary Public

Residing at Boise, Idaho

My commission expires _____

7-19-1975

For Department Use Only

Received by us Date 8/31/72

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by KAR Date 8/31/72 # 8782

Fee received by h Date 9-5-72 Fee \$ 10.00

Approved for publication by KAR 9/5/92

Published in Joshua Statesman Dates 9/14/72

63 4175

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

DE C

CH 100-427-72

**NOTICE OF SALE
TO A WATER RIGHT**
No. 0-117
Notice is hereby given that
ADFORD P. & CAMILLE
AND M. S. & LEO J. P.
1119 Warm Springs Av-
enue Boise, Idaho, have filed a
petition for a right of aban-
donment of a water right ap-
propriated for beneficial use of 8.5
cubic feet per second of water
from Snake Creek, tributary to
Snake River with the point of
diversion in the N. 1/4 SE 1/4,
Sec. 4, T. 2 N., R. 1 E., S. M.
County.
The water is claimed to be
used from April 1 to March 31
for the irrigation of 50.34 acres
with priority of Oct. 2, 1902
the place of use is within the
N. 1/4 SE 1/4, Sec. 4, T. 2 N., R. 1
E., S. M. County.
Any person wishing to claim
a water right may be heard
with the Idaho Department of
Water Administration, Boi-
se, Idaho, 83726.
KEITH HIGGINSON,
Director
Pub. Sale 44, 21, 1932 919

Subscribed and sworn to before me this 22nd

Lana A. Young

63 4175

Western District Office

October 2, 1972

REEL CLAIM TO A WATER RIGHT NOS. 63-4175
63-4176

Mr. Bradford P. Shaw
1119 Warm Springs Ave.
Boise, Idaho 83702

Dear Mr. Shaw:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosures

63 4175

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 7, 1972

**RE: CLAIM TO A WATER RIGHT NO. 63-4175, BRADFORD P. & CAMILLE SHAW & M. B. & LEXOLA SHAW
63-4176, BRADFORD P. & CAMILLE SHAW & M. B. & LEXOLA SHAW**

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

63 4175

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4175

Notice is hereby given that BRADFORD P. & CAMILLE SHAW & M.B. &
LEXOLA P. SHAW, 1119 Warm Springs Avenue, Boise, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.5 cubic feet per second ~~none feet~~ of water
from Ten Mile Creek, trib. to Boise River
with the point of diversion in the NW¹SE⁴, Sec. 4, T. 2 N., R. 1 E., B.M.,
Ada County

The water is claimed to be used from April 1 to March 31 for the
irrigation of 50.34 acres
with a priority of Oct. 22, 1902;
the place of use is within the N¹SE⁴, Sec. 4, T. 2 N., R. 1 E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho Statesman, Boise, Idaho
on Sept. 14, 1972 and Sept. 21, 1972

Western District Office

C September 5, 1972

RE: CLAIM TO A WATER RIGHT NOS. 63-4175
63-4176

O Mr. Bradford P. Shaw
1119 Warm Springs Avenue
Boise, Idaho

Dear Mr. Shaw:

P Attached herewith is your Receipt No. 8782 in the amount of \$20.00 for
Claim to a Water Right Nos. 63-4175 and 63-4176 which was received in
this office August 31, 1972.

Sincerely,

Y KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

63 4175

CLEMONS, COSHO, HUMPHREY & SAMUELSEN

DALE CLEMONS
LOUIS H. COSHO
HOWARD D. HUMPHREY
DAVID R. SAMUELSEN
MAX A. EIDEN, JR.
RANDALL C. FREDRICKS
R. MICHAEL SOUTHCOMBE

COUNSELLORS AND ATTORNEYS AT LAW
1110 BANK OF IDAHO BUILDING
BOISE, IDAHO 83702

C. STANLEY SKILES
[1909-1967]

TELEPHONE
AREA CODE 208
344-7811

September 1, 1972

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SEP 3 1972

63-4175
63-4176

State of Idaho
Department of Water Administration
614 West State
Boise, Idaho 83702

Department of Water Administration

Re: Water Claims - Bradford P. Shaw et ux. and
M. B. Shaw et ux.

Gentlemen:

In reply to your request for additional information,
particularly as to the 40-acre section on which the water is
diverted, I submit the following:

1. Claim for waste water from New York Canal system:

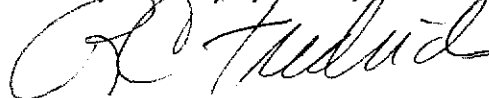
Point of diversion would be in the Southwest
quarter of the Southwest quarter, Section 3,
Township 2 North, Range 1 East, Boise Meridian.

2. In regard to the water claimed out of the Ten Mile
Creek:

Point of diversion would be in the Northwest
quarter of the Southeast quarter, Section 4,
Township 2 North, Range 1 East, Boise Meridian.

If you need any further information, please
advise.

Very truly yours,



Randall C. Fredricks

mb

63 4175

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CLEMONS, COSHO, HUMPHREY & SAMUELSEN

COUNSELLORS AND ATTORNEYS AT LAW

1110 BANK OF IDAHO BUILDING

BOISE, IDAHO 83702

August 30, 1972

AUG 31 1972

C. STANLEY SKILES
[1909-1967]

Department of Water Administration

TELEPHONE
AREA CODE 208
344-7811

DALE CLEMONS
LOUIS H. COSHO
HOWARD D. HUMPHREY
DAVID R. SAMUELSEN
MAX A. EIDEN, JR.
RANDALL C. FREDRICKS
R. MICHAEL SOUTHCOMBE

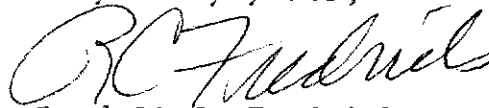
State of Idaho
Department of Water Administration
614 West State
Boise, Idaho 83702

Gentlemen:

Enclosed please find two Claims to a Water Right,
which are self-explanatory.

Hopefully, there is sufficient information on
the Claims. If you have any questions or need any additional
information, please advise.

Very truly yours,



Randall C. Fredricks

mb
Enclosures

63 4176