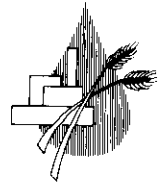


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that James Freeman Shaw (Name of Claimant)
427 Mink Creek, Pocatello, Idaho 83201 (Mailing Address) Telephone No. (208) 232-1758 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1957 (used for domestic since 1904)
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed spring (Sec. 30, T7S, R35EBM) tributary to Mink Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>Jan. 1</u> To <u>Dec. 31</u>
Quantity	<u>.12 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>Apr. 1</u> To <u>Nov. 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .16 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 20 Twp. 7S Rge. 35E. B.M., County of Bannock
Additional points of diversion: All are located within the above described location.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 18" concrete headgate & pump from ponds along spring

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

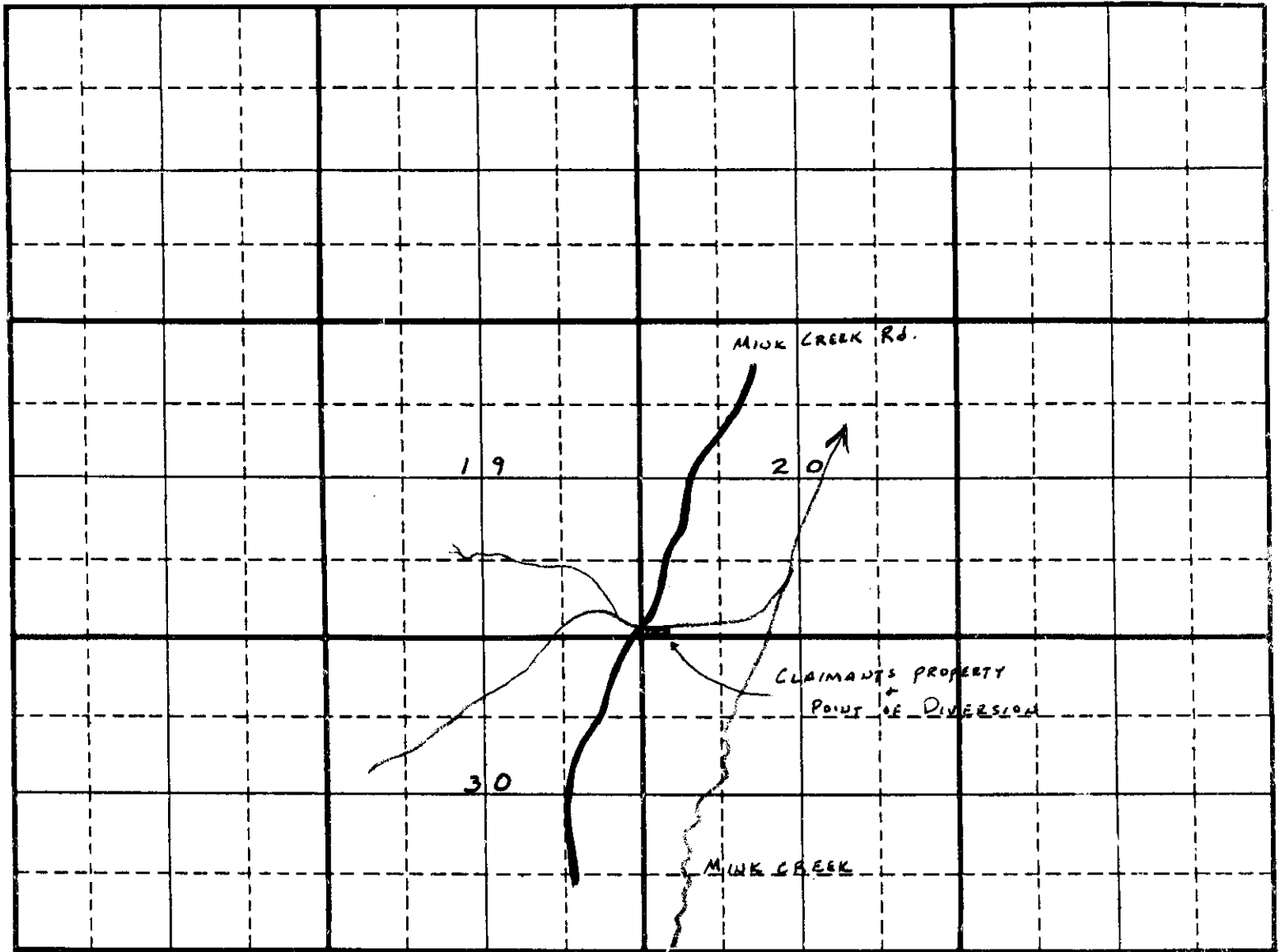
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	35E	20										6							

No. of acres 6

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The claimant has a residence on the land and uses the spring to water the area immediately adjacent to his home, garden crops and to facilitate the residence. The spring is also enjoyed, used and appreciated for its aesthetic quality as it passes by this claimant's land.

NOTE: Include here the type and number of stock watered: Domestic animals and fowl
(7) If you are claiming water as a member of an organization, list name of organization: N/A

(8) Remarks In 1977 Neil Gardner filed an irrigation claim naming James Shaw and others as users of the water. The spring has also been used for domestic purposes since approximately 1904, being the house water supply. This is submitted to clarify that claim.



Scale: 2 inches equal 1 mile.

T 7 S., R 35 E. B.M.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) ss.

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 affiant's knowledge.

Sworn to before me this 2nd day of November 1982

James Freeman Shaw
(Claimant)
John H. Sh. E.
Notary Public
Residing at Pocatello Idaho

My commission expires Life time

FOR DEPARTMENT USE ONLY

Received by AW Date 11-04-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 11-04-82 claimant by: _____
\$30.00 fee received by AW Date 11-04-82
Published in Idaho State Journal #32571
Date 11/18 & 11/25/82

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOV 29 1992

Department of Water Resources
Eastern District Office

Sheryl Gardiol

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed
on water right(s) created by diversion
and beneficial use:

29-4267
BERNIER, GORDON &/or IRIS
BOX 9920, INKOM, ID 83245
Source: STREAM tributary to RAPID
CREEK
Priority Date: 06-01-1949
Amount: 0.01 CFS
Diversion Point: NWNE Sec 23 T 07S R
36E, BANNOCK Co.
Use: IRRIGATION (0.01 CFS) from
03-15 to 11-14
DOMESTIC (0.01 CFS) from 01-01 to
12-31
Place of Use: SENW Sec 23 T 07S R 36E
FOR 1 ACRES
Diversion Means: HEADBOX & PIPES

29-4268
SHAW, JAMES FREEMAN
427 MINK CREEK, POCATELLO, ID
83201
Source: SPRING tributary to MINK
CREEK
Priority Date: 04-01-1957
Amount: 0.16 CFS
Diversion Point: SWSW Sec 20 T 07S R
35E, BANNOCK Co.
Use: IRRIGATION (0.12 CFS) from
04-01 to 11-01
DOMESTIC (0.04 CFS) from 01-01 to
12-31
Place of Use: SWSW Sec 20 T 07S R 35E
FOR 6 ACRES
Diversion Means: HEADGATE &
PUMPS
Exceptions to a claim may be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.
S/KEN DUNN, Dir.
November 18, 25, 1982
No. 419

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

November 18, 19 82, 19__

November 25, 19 82, 19__

19__, 19__

19__, 19__

19__, 19__

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sheryl Gardiol

Subscribed and sworn to before me this 26th

day of November, 19 82

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECORDED

Hugh C. Maguire, Jr.
Martin R. Ward
David H. Maguire
Robert O. Eldredge

D. Kirk Bybee
F. Randall Kline

Law Office
MAGUIRE, WARD, MAGUIRE & ELDREDGE
Professional Association

353 E. Lander
P. O. Box 4758
Pocatello, Idaho 83205-4758

Telephone
Area Code 208
232-5167 or 232-5170

April 2, 1984

RECEIVED

APR 4 1984

Department of Water Resources
Eastern District Office

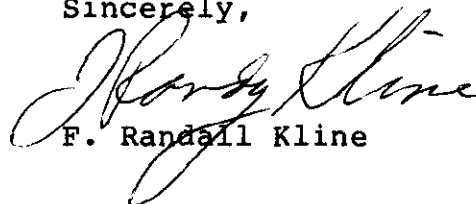
Idaho Department Of Water Resources
Eastern Regional Office
150 Shoup
Idaho Falls, Idaho 83401

Re: James Freeman Shaw, Claimant
To: The Department of Water Resources

Enclosed herein is a signed affidavit of Edward P. Say
regarding the water rights of the above named.

If you should have any comments or questions concernig
the same please do not hesitate to contact me.

Sincerely,


F. Randall Kline

FRK:cw

Enc.

cc: James E. Shaw

RECEIVED

RECEIVED

APR 4 1984

Department of Water Resources
Eastern District Office

November 23, 1983

Idaho Department Of Water Resources
Eastern Regional Office
150 Shoup
Idaho Falls, Idaho 83401

Re: James Freeman Shaw, Claimant

To: The Department Of Water Resources

Please be advised that my name is Edward P. Say of Route 2, Box 216, Kimberly, Idaho and that I grew up and formerly resided in the old farm house with the current address of 427 Mink Creek Road, Pocatello, Idaho.

I lived in the house from 1905 to 1924. During that period the unnamed spring running behind the house served as our principal source of water for the house. Further, the spring was used for incidental water uses associated with a home, such as garden and lawn watering and it also watered the livestock, poultry and other animals kept on the property at the time as well as for irrigation of the land.

To the best of my knowledge the spring has been used for those domestic uses since about 1904 to the present date.

Edward P. Say,
Edward P. Say

STATE OF Idaho)
COUNTY OF Twin Falls) :ss

SUBSCRIBED AND SWORN to before me this 23rd day
of March, 1984.

(SEAL)

[Signature]
NOTARY PUBLIC for Idaho
Residing at Twin Falls

MICROFILMED

Law Office
MAGUIRE, WARD, MAGUIRE & ELDREDGE
Professional Association
353 E. Lander - P. O. Box 4758
Pocatello, Idaho 83205-4758

MICROFILMED

Idaho Department of Water Resources
Eastern Regional Office
150 Shoup
Idaho Falls Idaho 83401

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 6, 1982

JAMES FREEMAN SHAW
427 MINK CREEK
POCATELLO

ID 83201

RE: Claim No. 29-4268

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

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

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
JAN 03 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 29 4268 Applicant Shaw

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

Dec. 6, 1982

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Dec 27, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 1/4/83

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 11/18 & 11/25/82.

RECEIVED

29-4268

SHAW, JAMES FREEMAN

427 MINK CREEK, POCA TELLO, ID 83201

Source: SPRING tributary to MINK CREEK

Priority Date: 04/01/1957

Amount: 0.16 CFS

Diversion Point: SWSW Sec 20 T 07S R 35E, BANNOCK Co.

Use: IRRIGATION (0.12 CFS) from 04/01 to 11/01
DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 20 T 07S R 35E FOR 6 ACRES

Diversion Means: HEADGATE & PUMPS

23 29-4268
24 SHAW, JAMES FREEMAN
25 427 MINK CREEK, POCA TELLO, ID
26 83201
27 Source: SPRING tributary to MINK
28 CREEK
29 Priority Date: 04-01-1957
30 Amount: 0.16 CFS
31 Diversion Point: SWSW Sec 20 T 07S R
32 35E, BANNOCK Co.
33 Use: IRRIGATION (0.12 CFS) from
34 04-01 to 11-01
35 DOMESTIC (0.04 CFS) from 01-01 to
36 12-31
37 Place of Use: SWSW Sec 20 T 07S R 35E
38 FOR 6 ACRES
39 Diversion Means: HEADGATE &
40 PUMPS

MICROFILMED