

**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 BEAR RIVER BASIN WATER SYSTEM**

RECEIVED

SEP 10 2024

CIVIL CASE NUMBER: 79576

Claim ID: 13-630

Date Received: 9/10/2024

Receipt No: P001276

Claim Fee: \$75.00 By: CG

IDWR/Preston

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of claimant(s) Shaw Land & Livestock Co., LLC Phone (801) 6432888
Mailing address 3601 North Higley Road Ogden UT Zip 84404
Street or Box City State
Email address (optional) rcshawesq@gmail.com
2. Date of priority: (Only one per claim) December/08/1882 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Alder Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 11S, Range 40E, Section 20,
NW 1/4 of SW 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 11S40E203601
Additional points of diversion, if any: None
If available, GPS Coordinates 42.451496, -111.817179
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, 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.
See Attachment

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 04/20 to 09/30 amount 0.5 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 0.5 (cfs) and/or (b) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Stockwater - Beef cattle (300 hd)

9. 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	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	20							25										25

Parcel no(s) 11S40E203601 Total number of acres irrigated 25

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

11. 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.

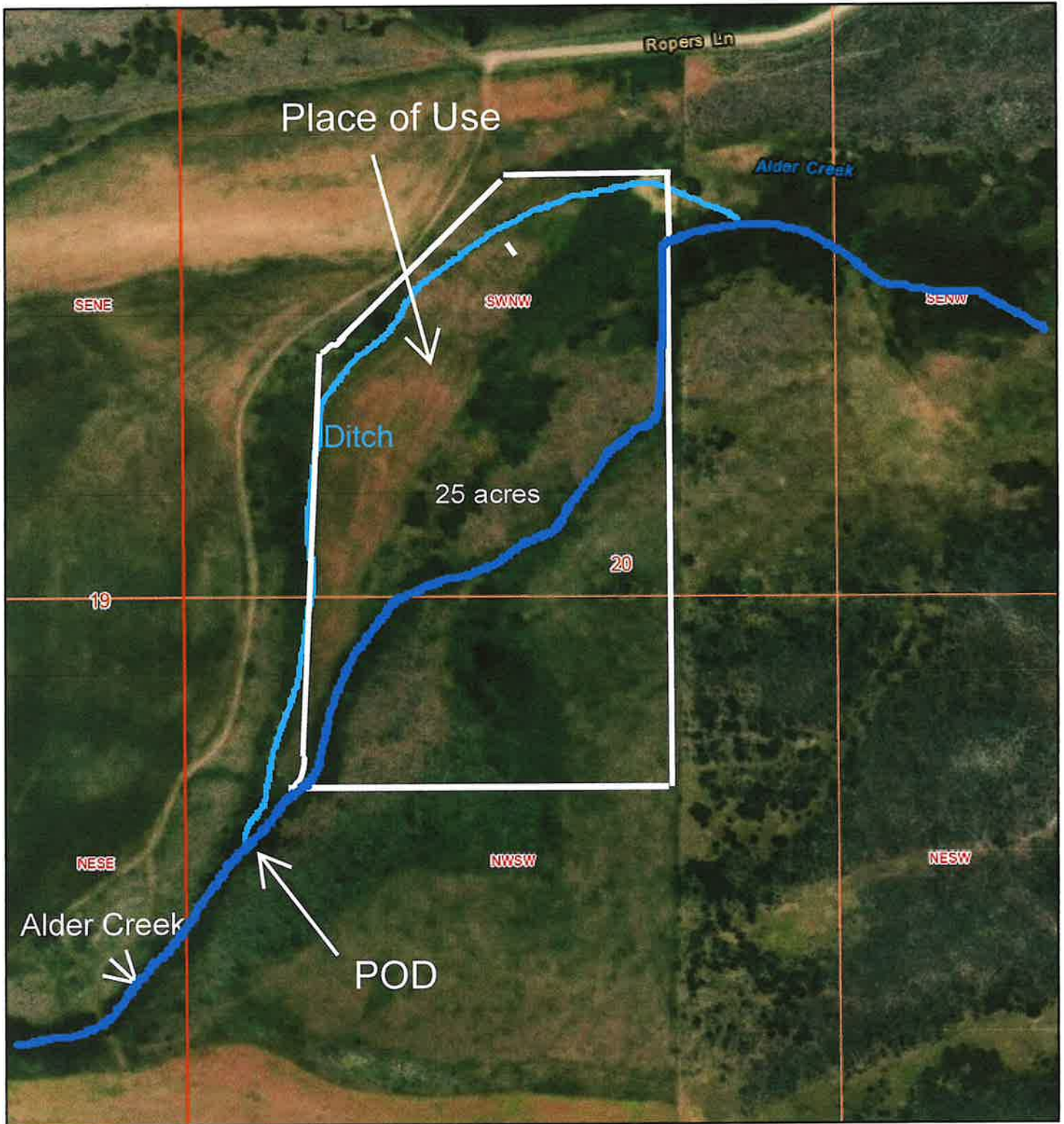
12. Describe any other water rights used at the same place and for the same purposes as described above.
or None (✓)

13. Remarks (Include an explanation of the priority date selected):

The priority date selected is the priority date listed in the water right decree.

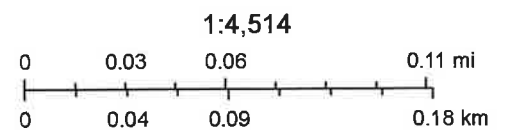
Name of claimant(s) Shaw Land & Livestock Co., LLC Claim ID

13-630



9/3/2024, 8:39:42 AM

-  Quarter Quarters
-  PLS Sections
-  Townships



Esri, HERE, IPC, Esri, HERE, Garmin, IPC, Maxar

Name of Claimant(s): Shaw Land & Livestock Co., LLC

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date 07/14/1920 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-630

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (X) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Manager/Member _____ of Shaw Land & Livestock Co., LLC
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ryan C. Shaw Date 10 Sept 2024

Printed Name of Authorized Agent Ryan C. Shaw

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, 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 _____ Date _____

Address _____

Name of claimant(s) Shaw Land & Livestock Co., LLC Claim ID _____

ATTACHMENT

Claim Application for Water Right 13-630

Claim Section

5. The diversion is a rock and earthen diversion into an open irrigation ditch. There is no permanent diversion structure. The ditch runs for approximately 130 feet to the Place of Use (POU) and then along the up-hill side of the POU providing for flood and sub-irrigation of the POU. The irrigation water eventually flows back into Alder Creek.

Claimant Shaw Land & Livestock Co., LLC respectfully requests that the Point of Diversion (POD) and POU identified in this Claim Application be approved as an Accomplished Change under Idaho Code 42-1425. The current POD and POU identified in this Claim differ slightly from the POD and POU identified in the original water right decree. Claimant makes this request based upon the following:

1. The new POD and POU are in the adjacent Section to the original POD and POU, just upstream.
2. The new POD and POU have been in use by the Claimant since its acquisition of the property over 45 years ago. Claimant believes the new POD and POU were in use prior to its acquisition of the property.
3. The new POU is smaller than the original POU. No additional acreage is being irrigated.
4. This change does not constitute an enlargement of the water right as no additional water is being used, nor does it injure other water users.
5. It is Claimant's belief that the change was made for ease of accessing the water and allowing the irrigation of an entire single field rather than the previous POD which only permitted the irrigation of partial fields within the POU.

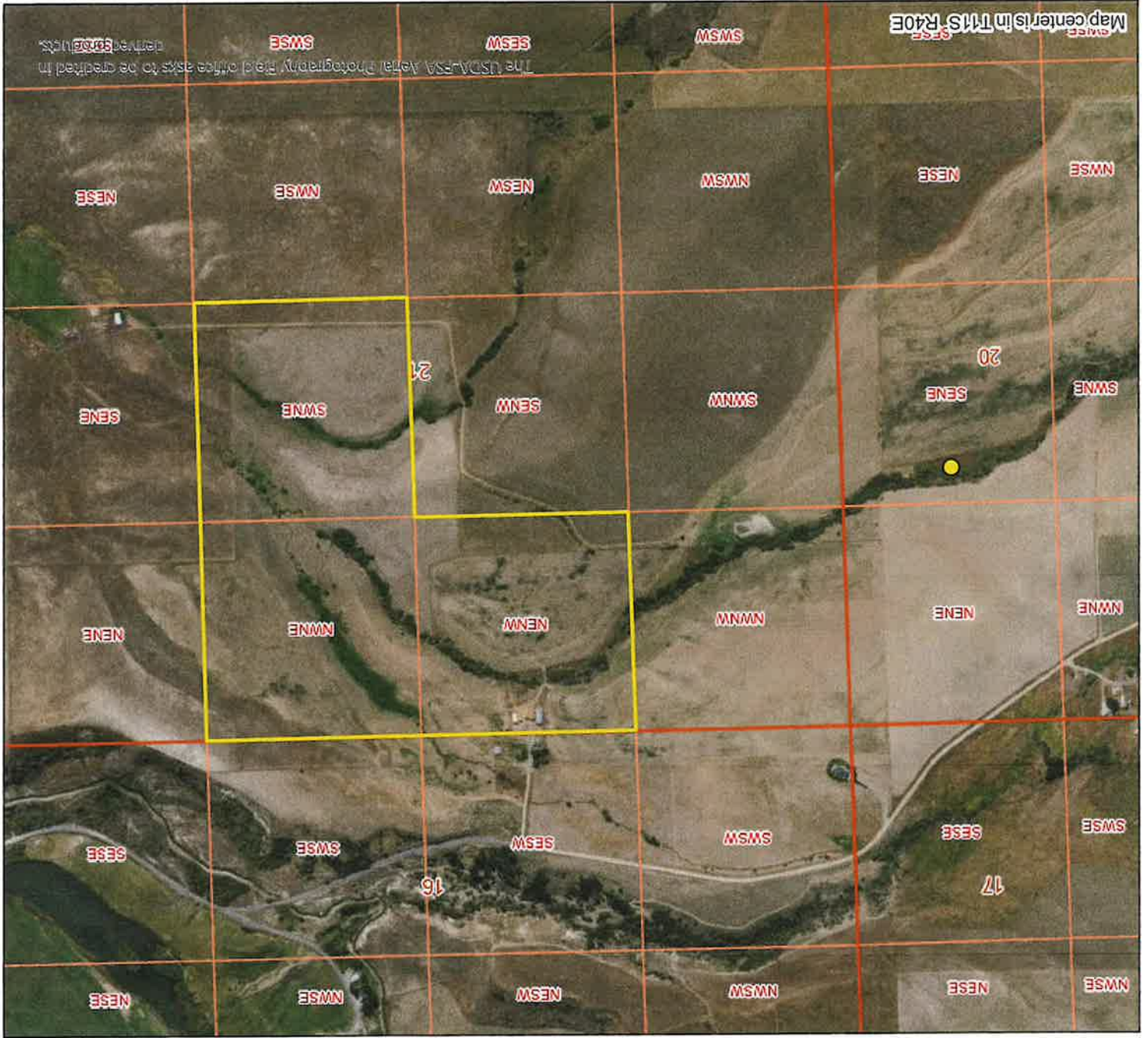
State of Idaho
Department of Water Resources

Water Right

13-630

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



Date created: 9/3/2024



Water Right Report : 13-630(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SHAW LAND & LIVESTOCK CO LLC	3601 N HIGHLEY RD	OGDEN	UT	83241
Previous Owner	BARTOME, JOHN			ZZ	

Water Right Status

Priority Date : 12/8/1882
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
ALDER CREEK		BEAR RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
ALDER CREEK	11S	40E	20	0			SE	NE CARIBOU	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/20	9/30	0.50 CFS	
TOTAL			0.50 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
11S	40E	21			NW	NE	
11S	40E	21			SW	NE	
11S	40E	21			NE	NW	

Irrigation Totals

Total Acres Acre Limit

Conditions

Code Conditions

P/U, AC IRR=25.

Dates

Licensed Date :

Decreed Date : 7/14/1920

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargment Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date:

Protest Deadline Date:

Other Information

State or Federal :

Water District Number : 11

Generic Max Rate Per Acre : 0

Generic Max Volume Per Acre : 0

Civil Case Number :

Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :

Cary Act Number :

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

7/27/20