

**NOTICE OF ERROR
REPLY**

Stockwater

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10221

BETTY ANN HIGLEY
2200 RODOCKER LANE BOX 57
MALTA ID 83342
Telephone Number: (208)645-2444

TED HIGLEY
2200 RODOCKER LANE BOX 57
MALTA ID 83342
Telephone Number: (208)645-2444

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-6-01

SIGNATURE: *Ted Higley*

Please print your name: Ted Higley

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

AJ5856NP

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

DATE: AUG-18-1997
PAGE: A-102

RIGHT NUMBER: 43-10221

NAME & ADDRESS: TED V HIGLEY
BETTY ANN HIGLEY
PO BOX 57
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/15/1965

POINT OF DIVERSION: T16S R23E S21 SWNWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R23E S21 NWSE

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. RP16S23E210600
STOCKWATER, 200 RANGE

Claim proofread by: KT
Date: 9-5

AJ5856NP

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

DATE: AUG-8-1997

PAGE: A-107

RIGHT NUMBER: 43-10221

NAME & ADDRESS: TED V HIGLEY
BETTY ANN HIGLEY
PO BOX 57
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/15/1965

POINT OF DIVERSION: T16S R23E S21 SWNWSE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 200 RANGE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R23E S21 NWSE

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

PARCEL NO. RP16S23E21D6D0

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: BS 7

Date: 8/13/97

Data entry verified by: JWL

Date: 8-15-97

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: **A43-10221**

Date Received: 5/26/1989

Receipt No: S007349

Received By: _____

ownership change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TED V HIGLEY 208-645-2444
Address: PO BOX 57
MALTA ID 83342

AND

Name: BETTY ANN HIGLEY 208-645-2444
Address: PO BOX 57
MALTA ID 83342

2. Date of Priority: JUL 15, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	23E	21	SW	NW	SE		CASSIA

5. Description of diverting works:
ARTESIAN WELL, PIPELINE TO TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	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:
S/200 RANGE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	23E	21	NW	SE		STOCK	

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:
OWNERSHIP CHANGE 12/17/91 BY JR.

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 _____

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SD-33

Last Name: ELISON

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
—	ELISON						
—	ELMO	C	A43-02561	02/13/1956	GROUNDWATER	3.000	01 IRR
—	LOUISE	C	A43-02561	02/13/1956	GROUNDWATER	3.000	01 IRR
—	LOUISE	C	A43-10220	08/15/1882	GROUNDWATER	0.040	04 STOCK
—	ELMO	C	A43-10220	08/15/1882	GROUNDWATER	0.040	04 STOCK
—	LOUISE	C	A43-10221	07/15/1965	GROUNDWATER	0.040	04 STOCK
—	ELMO	C	A43-10221	07/15/1965	GROUNDWATER	0.040	04 STOCK
—	ELMO	C	A43-10225	05/20/1942	GROUNDWATER	0.040	43 DOMEST
—	LOUISE	C	A43-10225	05/20/1942	GROUNDWATER	0.040	43 DOMEST
—	ELMO	C	A43-10226	08/20/1965	GROUNDWATER	0.040	04 STOCK
—	LOUISE	C	A43-10226	08/20/1965	GROUNDWATER	0.040	04 STOCK
—	LANO	C	A43-02295E	03/05/1945	GROUNDWATER	1.736	01 IRR
—	LOIS	C	A43-02295E	03/05/1945	GROUNDWATER	1.736	01 IRR
—	JOHN A.	O	A43-02331B	12/29/1948	GROUNDWATER	0.280	01 IRR
—	LANO	C	A43-00165A	04/01/1871	RAFT RIVER	0.380	01 IRR
—	JOHN A.	O	A43-02331	12/29/1948	SPLIT RIGHT	1.000	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

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SD-36		Township: 16S		Range: 23E		Section: 21		Tract:		Lot:	
S	L	O	Water	Name	O	S	Max #	Records	8		
E	O				W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
---	---	---	---	---	---	---	---	---	---	---	---
			A43-04234	HIGLEY, TED	C		S	04/27/1959	01	IRR	
				HIGLEY, BETTY ANN	C				04	STOCK	
---	NWNW		A43-04234	HIGLEY, TED	C	40	S	04/27/1959	01	IRR	
				HIGLEY, BETTY ANN	C				04	STOCK	
---	SWNW		A43-04234	HIGLEY, TED	C	40	S	04/27/1959	01	IRR	
				HIGLEY, BETTY ANN	C				04	STOCK	
---	NWSW		A43-02204	HIGLEY, BETTY ANN	C	40	L	04/27/1916	01	IRR	
				HIGLEY, TED	C				43	DOMEST	
---	NWSW		A43-04234	HIGLEY, TED	C	40	S	04/27/1959	01	IRR	
				HIGLEY, BETTY ANN	C				04	STOCK	
---	SWSW		A43-02204	HIGLEY, BETTY ANN	C	40	L	04/27/1916	01	IRR	
				HIGLEY, TED	C				43	DOMEST	
---	SWSW		A43-04234	HIGLEY, TED	C	40	S	04/27/1959	01	IRR	
				HIGLEY, BETTY ANN	C				04	STOCK	
---	NWSE		A43-10221	ELISON, LOUISE	C		J	07/15/1965	04	STOCK	
				ELISON, ELMO	C						

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

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MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

17-Dec-1991

LAND TITLE AND ESCROW
PO BOX 177
BURLEY ID 83318
ATTN.: NANCY

RE: CHANGE OF OWNERSHIP - ADJUDICATION CLAIM NO. A36-10221 - ELISON
/HIGLEY

Dear Nancy:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant(s).

Please review the records(s) and if you have any corrections or any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

/jr
Enclosures

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Land Title and Escrow, Inc.

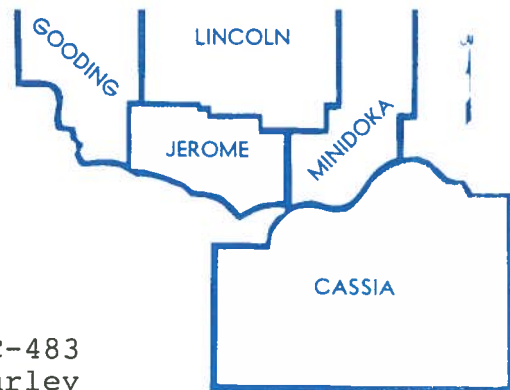
RECEIVED

A FULL SERVICE TITLE COMPANY

JUL 16 1991

Department of Water Resources
Southern Region Office

REFER TO: EC-483
OFFICE: Burley



July 15, 1991

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Clerk:

Enclosed please find an original executed New Property Owner Notice of Change executed by Ted V. Higley and Betty Ann Higley, husband and wife, and Elmo Elison and Louise M. Elison, husband and wife.

Please receipt for this document and return to Land Title and Escrow.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Escrow Department

/nrg
enc.

*I guess looks like
a stewart right*

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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MAR 05 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: July 15, 1991

JUL 16 1991

LEGAL DESCRIPTION OF PROPERTY: Township 16 South Range 23 East

Section 21, 1/4 of 1/4 of 1/4 Govt. Lot BM

Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Section 21: $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

- ☐ Water Right Number(s)

Assigned by IDWR:

A 43-10221-

- ☐ Name and Address of Former Owner/Claimant(s)(Seller):

Elmo Elison and Louise M. Elison

HC-72 Box 2180

- ☐ New Owner/Claimant (Purchaser):

Malta, Idaho 83342

Ted V. Higley and Betty Ann Higley

- ☐ New Mailing Address:

P. O. Box 57

Malta, Idaho 83342

- ☐ New Telephone Number:

(208) 645-2444-

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:

recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s)

Ted V. Higley

Date 7-15-91

Date

- ☐ Signature of Former Owner/Claimant(s):

Elmo Elison

Date 7-15-91

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/17/91 By: [Signature]

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 12/17/91 By: [Signature]

Claim Numbers of Split, if any:

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MAR 05 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

214315

WARRANTY DEED

COPY

For Value Received

ELMO ELISON and LOUISE M. ELISON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

TED V. HIGLEY and BETTY ANN HIGLEY, husband and wife

Address: P. O. Box 57
Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 16 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 21: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to all water rights filed under Snake River Adjudication Identification No. A43-10221.

RECEIVED

JUL 16 1991

Department of Water Resources
Southern Region Office

SUBJECT TO:

Accruing taxes, levies and assessments; easements and rights-of-way of record, if any.

All reservations in Patents or Deeds in the chain of title.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 1991

Elmo Elison

Louise M. Elison

STATE OF IDAHO, COUNTY OF Cassia

On this 15th day of July, 1991,
before me, a notary public in and for said State, personally appearedElmo Elison and
Louise M. Elisonknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.


Notary Public

Residing at
Commission expires: 6-30-97. Bunley, Idaho.
 REC'D TITLE & ESCROW
 JUL 15 7 30 PM '91
 214315

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 MAR 05 1993

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: A43-10221
Date Received: 5/23/1989
Receipt No: 5007345
Received By: ADN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUISE ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342

OR
Name: ELMO ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342

2. Date of Priority: JUL 15, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	23E	21	SW	NW	SE		CASSIA

5. Description of diverting works:
ARTESIAN WELL, PIPELINE TO TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	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:
S/200 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	23E	21	NW SE		STOCK	

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:

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): Elma Edison Date: 5-26-89

Date: _____

State of Idaho)
County of Thur Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Ken Dunn
RECEIVED

DATE OF CLOSING: July 15, 1991

JUL 16 1991

LEGAL DESCRIPTION OF PROPERTY: Township 16 South Range 23 East

Section 21, 1/4 of 1/4 of 1/4 Govt. Lot 02 BM

Lot _____, Block _____, Subdivision/Townsite _____

Department of Water Resources
Southern Region Office

If you have additional legal descriptions, please attach separate sheet.

Section 21: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

- [] Water Right Number(s)
Assigned by IDWR:

A 43-10221-

- [] Name and Address of Former
Owner/Claimant(s)(Seller):

Elmo Elison and Louise M. Elison

HC-72 Box 2180

Malta, Idaho 83342

- [] New Owner/Claimant
(Purchaser):

Ted V. Higley and Betty Ann Higley

- [] New Mailing Address:

P. O. Box 57

Malta, Idaho 83342

- [] New Telephone Number:

(208) 645-2441-

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of
ownership, describe
proof attached:

recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New
Owner/Claimant(s)

Ted V. Higley

Date 7-15-91

Date _____

- [] Signature of Former
Owner/Claimant(s):

Elmo Elison

Date 7-15-91

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/17/91 By: [Signature]

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 12/17/91 By: [Signature]

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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