

Form No. 243
9/81

NOTE:
The filing deadline has been extended
with a substantially increased fee:

Date Claim Filed	Fee
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$10
7-01-1984 thru 6-30-1985	\$2

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

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:

- 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.

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

(4) 22.12 TOTAL QUANTITY USED.
(cfs. af)

- Additional points of diversion: See letter

(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.

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 1, 1985

Ted &/or Betty Ann Higley
P. O. Box 57
Malta, Idaho 83342

Re: Claim to a Water Right

Dear Ted &/or Betty Ann Higley:

In reviewing your Claim to a Water Right completed in this office on June 28, 1985, an error in the legal description of the point of diversion in item(s) 5 was discovered.

Since this error appears to simply be a mistake in transcribing the legal description from the map to written form, we have taken the liberty of correcting the document and will proceed with processing unless otherwise advised.

A copy of the corrected document is enclosed for your files.

If you have any questions concerning this matter, please contact this office.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
Sue Subia, being first

duly sworn, deposes and says that she is the
clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated 8-8 1985, and ending
with the issue dated 8-15, 1985

Subscribed and sworn to before me
this 22nd day of August

1985.
Patty Staker Notary Public

Cost of Publication 160.16
Notary Fee 50
Total Cost 160.66

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following
claim(s) to water right(s) have been established
by diversion and application to beneficial use:

43-4240
GARDINER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 03/01/1949
Diversion Pt: SENW Sec 23 T 13S R 26E
Use: IRRIGATION (2.40 CFS)
In: NESE NWSE Sec 23 T 13S R 26E NWSW Sec 24
T 13S R 26E FOR 116 ACRES

43-4239
PIERCE, INC.
ALVIN NEDDO
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 09/27/1954
Diversion Pt: SENW Sec 26 T 13S R 28E
Use: STOCKWATER (0.51 CFS)
In: SWSW SWSE Sec 23 T 13S R 28E NENE SWNE
Sec 26 T 13S R 28E NESW Sec 27 T 13S R 28E
NWSW NWSE Sec 34 T 13S R 28E SENE NENW
SESW SESE Sec 35 T 13S R 28E NESE NWSE Sec 28
T 13S R 28E NWSW Sec 36 T 13S R 28E NENE
NWNE Sec 01 T 14S R 28E

43-4238
PIERCE, JOHN A.
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 01/22/1960
Diversion Pt: SENW Sec 30 T 13S R 27E
Use: IRRIGATION (1.40 CFS)
STOCKWATER (0.33 CFS)
DOMESTIC (0.08 CFS)
In: SWNE SWNW SENW Sec 30 T 13S R 27E NWNE
MENW Sec 30 T 13S R 27E SESW SESE Sec 19 T
13S R 27E FOR 80 ACRES

43-4237
PIERCE, JOHN A.
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 07/07/1950
Diversion Pt: SWSE Sec 30 T 13S R 27E
Use: IRRIGATION (2.00 CFS)
In: NESW NWSE SWSE Sec 30 T 13S R 27E FOR
120 ACRES

43-4236
PIERCE, JOHN A.
MALTA, ID 83342
Source: MORTENSON SPRING trib. to SINKS
Priority Date: 07/15/1967
Diversion Pt: SWNW Sec 24 T 14S R 28E
Use: STOCKWATER (0.0155 CFS)
In: NESW NWSW Sec 20 T 14S R 29E SENW Sec
18 T 14S R 29E

43-4235
ADAMS, LYLE &/or BETTY
H/C 61 BOX 1116, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 01/01/1905
Diversion Pt: SENE Sec 12 T 13S R 28E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.27 CFS)
DOMESTIC (0.04 CFS)
In: NESE Sec 12 T 13S R 28E SENE SESE Sec 12 T
13S R 28E FOR 1 ACRES

43-4234
HIGLEY, TED &/or BETTY ANN
P.O. BOX 57, MALTA, ID 83342
Source: COTTONWOOD CREEK trib. to RAFT
RIVER
Priority Date: 04/27/1916
Diversion Pt: NWSE Sec 18 T 16S R 23E
Use: IRRIGATION (22.12 CFS)
In: SESE Sec 18 T 16S R 23E NENE SENE NESE Sec
19 T 16S R 23E NENE SWNE SENE NWNW SWNW
SESW NWSE NWSW SWSW SESW NESE NWSE SWSE
SESE Sec 20 T 16S R 23E SWNW SENW SWSW
SESW Sec 21 T 16S R 23E SWNE NWNW SENW
NESW NWSE Sec 28 T 16S R 23E NENE NWNE Sec
29 T 16S R 23E FOR 1106 ACRES

43-4233
GARDINER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 04/01/1955
Diversion Pt: NENE Sec 26 T 13S R 26E
Use: IRRIGATION (2.00 CFS)
In: SWSW Sec 24 T 13S R 26E NWNW Sec 25 T
13S R 26E NENE Sec 26 T 13S R 26E FOR 88
ACRES

43-4232
GARDINER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 04/01/1931
Diversion Pt: SENW Sec 23 T 13S R 26E
Use: IRRIGATION (0.80 CFS)
In: NESW NWSE Sec 24 T 13S R 26E FOR 80
ACRES

43-4231
HALL, RODNEY
P.O. BOX 631, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 04/01/1953
Diversion Pt: NWSW Sec 20 T 13S R 27E NESE
Sec 19 T 13S R 27E SESE SWNE Sec 18 T 13S R
27E
Use: IRRIGATION (0.68 CFS)
In: NENE Sec 18 T 13S R 27E FOR 34 ACRES

43-4228
ALMO WATER CO.
ALMO, ID 83312
Source: ALMO CREEK trib. to RAFT RIVER
Priority Date: 05/15/1918
Diversion Pt: NENE Sec 05 T 15S R 24E
Use: IRRIGATION (20.80 CFS)
In: SENE Sec 03 T 15S R 24E SENW NESE Sec 0
15S R 24E SENE NWNW SWNW Sec 10 T 15
24E NESE NWSE SWSE Sec 16 T 15S R 24E N
SWSE Sec 22 T 15S R 24E NENE NWNE SW
NESW NWSW Sec 26 T 15S R 24E NENE SW
NENW SWNW SENW NESW NWSW SWSW SE
NWSE Sec 27 T 15S R 24E NWNW SWNW Sec
T 15S R 24E FOR 1120 ACRES

45-4256
STREETER, MICHAEL J.
RT. 2 BOX 2434, BURLEY, ID 83318
Source: WILLOW CREEK trib. to SINKS
Priority Date: 03/17/1908
Diversion Pt: NESE Sec 26 T 12S R 23E NW
Sec 23 T 12S R 23E (REDIVERSION)
Use: IRRIGATION (0.13 CFS)
In: NENE Sec 22 T 12S R 23E FOR 6.25 ACRES

45-4255
CONRAD, JULIE
RT. 1, MURTAUGH, ID 83344
Source: MACKAY WASH trib. to SINKS
Priority Date: 04/29/1959
Diversion Pt: SESE SWSE Sec 16 T 13S R 23E
Use: IRRIGATION (1.90 CFS)
STOCKWATER (0.02 CFS)
In: NESE NWSE SWSE SESE Sec 16 T 13S R 2
FOR 160 ACRES

45-4254
WYATT, GRANT M.
RT. 2 BOX 2174, BURLEY, ID 83318
Source: WASTE WATER trib. to SINKS
Priority Date: 06/01/1955
Diversion Pt: NWNE Sec 10 T 11S R 22E
Use: IRRIGATION (1.00 CFS)
In: NWNE SWNE Sec 10 T 11S R 22E FOR
ACRES

Any exception to any claim of water right
may be filed with the Director of the Idaho
Department of Water Resources, 1041 Blk
Lakes Blvd. North, Twin Falls, Idaho 83301.
/s A. KENNETH DUNN, Director
Published in the South Idaho Press on Augu-
8, 15, 1985.

43-4230
IDAHOME FARMS, INC.
1925 OAKLEY AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 03/02/1950
Diversion Pt: SESW Sec 29 T 11S R 27E SE
SESE NESE NWSE SWSE SESE NENE NWNE SW
SENE Sec 32 T 11S R 27E
Use: IRRIGATION (4.00 CFS)
In: NENW NWNW SWNW SENW NESW NW
SWSW SESW Sec 33 T 11S R 27E FOR 272 ACRE

43-4229
LUKE, C. GORDON
310 PALMER, ROAD, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 06/23/1955
Diversion Pt: NWNE SWNE Sec 22 T 11S R 26E
Use: IRRIGATION (1.60 CFS)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 26, 1985

TED HIGLEY
BETTY ANN HIGLEY
P.O. BOX 57
MALTA

ID 83342

RE: Claim No. 43-4234

Dear Claimant:

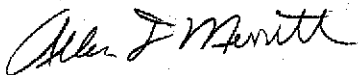
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4234

HIGLEY, TED &/or BETTY ANN

P.O. BOX 57, MALTA, ID 83342

Source: COTTONWOOD CREEK trib. to RAFT RIVER

Priority Date: 04/27/1916

Diversion Pt: NWSE Sec 18 T 16S R 23E

Use: IRRIGATION (22.12 CFS)

In: SESE Sec 18 T 16S R 23E NENE SENE NESE Sec 19 T 16S R 23E NENE SWNE SENE
NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 20 T 16S R 23E
SWNW SENW SWSW SESW Sec 21 T 16S R 23E SWNE NWNW SENW NESW NWSE
Sec 28 T 16S R 23E NENE NWNE Sec 29 T 16S R 23E FOR 1106 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 8/8 & 8/15/85.

MICROFILMED

ok
meyer
8/13/85

43-4234

HIGLEY, TED &/or BETTY ANN
P.O. BOX 57, MALTA, ID 83342
Source: COTTONWOOD CREEK trib. to RAFT
RIVER

Priority Date: 04/27/1916

Diversion Pt: NWSE Sec 18 T 16S R 23E

Use: IRRIGATION (22.12 CFS)

In: SESE Sec 18 T 16S R 23E NENE SENE NESE Sec

19 T 16S R 23E NENE SWNE SENE NWNW SWNW

SENEW NESW NWSW SWSW SESW NESE NWSE SWSE

SESE Sec 20 T 16S R 23E SWNW SENW SWSW

SESW Sec 21 T 16S R 23E SWNE NWNW SENW

NESW NWSE Sec 28 T 16S R 23E NENE NWNE Sec

29 T 16S R 23E FOR 1106 ACRES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 31, 1985

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 26, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Day J. [Signature]

Right Number 43-4234 Applicant Higley, Ted &/or Betty Ann

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By ADM Date 8/27/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 9/6/85

RECEIVED
SEP 06 1985

Department of Water Resources
RECEIVED
AUG 29 1985

Department of Water Resources
MICROFILMED