

No Color  
Documents  
In File

Identification No. 43-4045

Transfer No. 1874

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

**APPROVED**

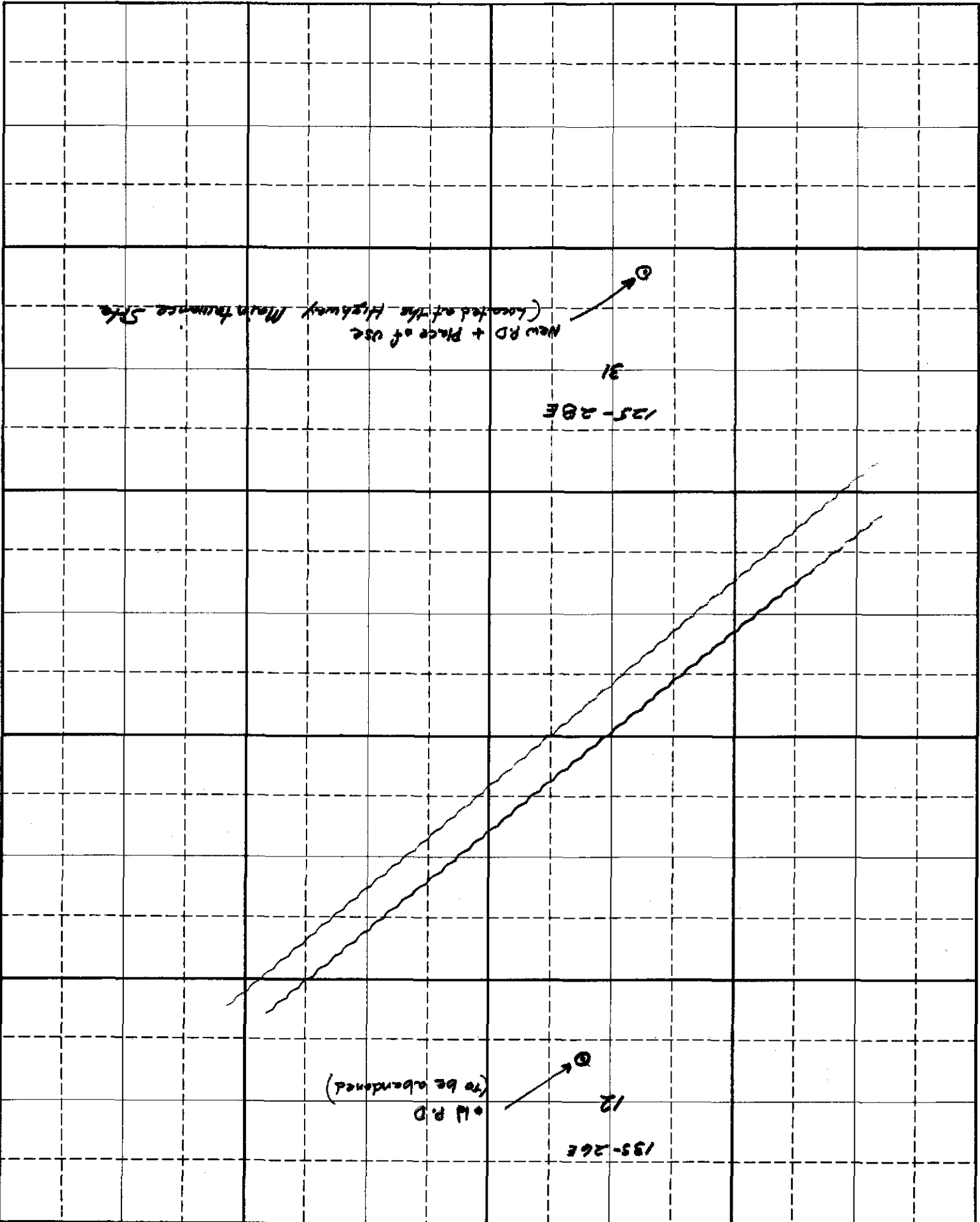
**APPLICATION FOR TRANSFER OF WATER RIGHT  
To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder State of Idaho, Department of Highways  
Post office address P.O. Box 7129, Boise, Idaho
2. Right obtained by:  
a. Decree to \_\_\_\_\_ in Case of \_\_\_\_\_  
(Name)  
vs. \_\_\_\_\_, Dated \_\_\_\_\_ in \_\_\_\_\_  
(Name of Court)  
Court. County of \_\_\_\_\_  
Claim \_\_\_\_\_ assigned to State of Idaho, Dept. of Highways  
b. ~~license~~ No. 43-4045 issued by the State of Idaho, Department of Reclamation.
3. Source of water Domestic well tributary to \_\_\_\_\_  
(Name of stream or source)
4. Date of Priority 1883
5. Amount of water a. 0.03 c.f.s. and/or  
b. \_\_\_\_\_ acre feet/annum
6. Water is used for domestic purposes from Jan. 1 to Dec. 31  
(Month, Day) (Month, Day)
7. Original location of point of diversion is NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 12,  
Township 13S, Range 26E, B.M., in Cassia County;  
Additional points of diversion, if any None
8. Lands presently irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres presently irrigated \_\_\_\_\_

43-4045



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

\* This map has (2) different Town & Range Nos.

9. If applicant was not the original holder of this right explain how it was acquired:\_\_\_\_\_

Through assignment of Claim No. 43-4045

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 0.03 c.f.s. and/or \_\_\_\_\_ acre feet

b. New point of diversion: SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 31, Township 12S  
\_\_\_\_\_, Range 28E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Pump and motor  
with pipe leading to place of use.

d. Is water to be conveyed to the lands previously irrigated? Yes \_\_\_\_\_ No X

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

The new well will be located at SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, T. 12S, R. 28E, which  
is the site for the Highway Maintenance Site.

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 12S  | 28E   | 31   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | X                |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated \_\_\_\_\_

43-4045

2/3-4045

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: There was no irrigation involved.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

CHIEF RIGHT OF WAY AGENT

BY: *[Signature]*

(signature of applicant)

Subscribed and sworn to before me this 22nd day of March, 1972

*[Signature]*  
(notary public)

My commission expires 9-14-74

ACTION OF STATE RECLAMATION ENGINEER  
AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4045

APPROVED

and said application is hereby

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 27th day of July 1972  
*[Signature]*  
C. STEPHEN ALLRED, Deputy Director  
Idaho Dept. of Water Administration  
FOR DEPARTMENT USE ONLY

Received by *JE B* Date 3-22-72  
Protest filed by: Date

Prelim. check by *JE B* Date 3-22-72  
Fee received by *[Signature]* Date 3/22/72 Fee \$10.00

Approved for publication by *[Signature]*

Published in South Idaho Press at Burley, Idaho  
Dates May 23 & 30, 1972

Hearing held

Watermaster Recommendation sent

**SOUTH IDAHO PRESS**

**BURLEY, IDAHO**

**AFFIDAVIT OF PUBLICATION**

County of Cassia, )  
STATE OF IDAHO ) ss.

Ruth Chambers, being first

duly sworn, deposes and says that she is the

Baakkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated May 23 1972, and ending

with the issue dated May 30, 1972.

Ruth Chambers

Subscribed and sworn to before me  
this 1st day of June  
1972.

Edith Raustadt Notary Public

Cost of Publication 15.84

Notary Fee \_\_\_\_\_

Total Cost \_\_\_\_\_

My commission expires October 23, 1975

72-168

**NOTICE OF  
PROPOSED CHANGE  
OF WATER RIGHT  
NO. 43-4045**

Notice is hereby given that the State of Idaho, Department of Highways of P.O. Box 7129, Boise, Idaho, has applied to the Department of Water Administration for a change of the point of diversion and place of use of the waters of a ground water source. The right sought to be changed is evidenced by Claim to a Water Right No. 43-4045 and is recorded as follows. Amount: 0.03 cfs Priority: 1883 Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, Twp. 13S, Rge. 26E, B.M., Cassia County. The water is used for domestic purposes from Jan. 1 to Dec. 31.

**TO BE CHANGED  
AS FOLLOWS**

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12S, Rge. 28E, B.M. The water will be used for domestic purposes from Jan. 1 to Dec. 31 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12S, Rge. 28E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before June 9, 1972.

**R. KEITH HIGGINSON**  
Director

Published in the South Idaho Press, Burley, Idaho, on May 23 and May 30, 1972.

43-1075

State of Idaho

Department of Water Administration

CLAIM  
ASSIGNMENT OF ~~PERMIT~~

I, Harvey J. Wight, hereby assign to State of Idaho, Dept. of Highways  
of P.O. Box 7219, Boise, Idaho

Address

Claim No.

☒

All my right, title, and interest, in and to ~~Permit No.~~ 43-4045  
to appropriate the public waters of the State of Idaho.

☐

The following described portion of my right, title, and interest in and  
to Permit No. \_\_\_\_\_ to appropriate the public waters of the State  
of Idaho. (Describe that portion of the permit being assigned by list-  
ing the acreage within each 40-acre subdivision, the point of diversion  
and the amount of water in cubic feet per second for direct diversion,  
or acre feet for storage.)

The Department of Highways is obtaining the use rights for a domestic  
well owned by Harvey Wight, then abandon the well and file a transfer  
to a new location within the Critical Ground water area.

Made this 21 day of March, 19 72.

Harvey J. Wight

~~Permit Holder~~  
Claim Holder

Sarah D. Wight

Spouse of ~~Permit~~ Holder  
Claim

State of Idaho )  
County of Cassia ) ss.

On this 21 day of March, 19 72, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged  
to me that he (she) (they) executed the same.

Stanley M. Dwyer  
Notary Public residing at

Jerome

My commission expires: 3-27-76

43-4045

ASSIGNED TO:  
State of Idaho  
Dept. of Highways  
P. O. Box 7219  
Boise, Idaho

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Identification No. \_\_\_\_\_  
Claim No. 43-4045  
Map No. \_\_\_\_\_

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)

1. Name of claimant Harvey J. Wight  
post office address Malta, Idaho
2. The point of diversion is in NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  Section 12 Township 13 So.  
Range 26 East B.M. located on Ground Water  
(name of source)  
tributary to \_\_\_\_\_ in Cassia 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:  
1883 amount: .03 c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
Total claimed .03 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 Domestic period of use from Jan. 1 to Dec. 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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 20 to 22 feet; diameter of well is 4' <sup>XX</sup> inches; type of pump is Sump Pump type  
capacity of pump is 17 g.p.m.; name and address of well driller is dug by hand by the  
original homesteaders in 1883

43-4045

c. Conveying works: length of ditch to place of use is \_\_\_\_\_feet; width of ditch at top is \_\_\_\_\_feet;

ing date and dimensions if possible

d. If water is stored: name of reservoir \_\_\_\_\_

total capacity of reservoir is \_\_\_\_\_ acre feet; active capacity of reservoir is \_\_\_\_\_ acre feet;

period of storage is from \_\_\_\_\_ to \_\_\_\_\_; is reservoir drained each year \_\_\_\_\_.

\_\_\_\_\_ is reservoir on or off stream \_\_\_\_\_ explain \_\_\_\_\_

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

describe

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

\_\_\_\_\_ Total number of acres to be irrigated

Explain any significant increase in area irrigated since first use, give dates and acreages if known \_\_\_\_\_

83-1045

b. Do you get water through a ditch owned by several users? \_\_\_\_\_ 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 \_\_\_\_\_

7. Where water is used for domestic or municipal purposes give number of families served one 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 \_\_\_\_\_

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation  
This well was dug by the original homesteaders. This property goes by the local name of the old George Wake place.

State of Idaho

County of Cassia } 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 affiants knowledge.

Sworn to before me this 14 day of March, 1972

Harvey J. Wright  
Sarah J. Wright  
Claimant

Stanley M. Sniflen  
Notary Public  
Residing at Idaho

My commission expires 3-27-76

After-dept. of  
Recorder of Deeds  
For Department Use Only

| Received by                           | Date                       | Exception filed by: | Forwarded to claimant by: | Date |
|---------------------------------------|----------------------------|---------------------|---------------------------|------|
| <u>TE</u>                             | <u>3/17/72</u>             |                     |                           |      |
| Prelim. check by <u>TE</u>            | Date <u>3/17/72</u>        |                     |                           |      |
| Fee received by <u>TE</u>             | Date <u>3/17/72</u>        | Fee \$ <u>10.00</u> |                           |      |
| Approved for publication by <u>TE</u> |                            |                     |                           |      |
| Published in <u>South Ida. Press</u>  | Dates <u>4-4 + 4-11-72</u> |                     |                           |      |

43-4045

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 it 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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

IN THE MATTER OF: Claim to a water )  
right on the Harvey J. Wight property )  
at Malta, Idaho in Cassia County )  
 )  
 )  
State of Idaho )  
 )  
County of Cassia )

AFFIDAVIT

Gene Ward being first duly sworn,

deposes and says: I lived on this property for approximately 20 years prior to 1968.  
The old hand dug well was there when I came. It was approximately 4' in diameter with  
hand placed rock walls. I put the present pump in the well about 15 years ago. The  
well was just used for drinking water for the house. It was the old George Wake place  
and I imagine the well was dug by the original homesteaders some where around 1883 when  
the country was first settled.

Eugene Ward  
(signature)

Subscribed and sworn to before me this 14 day of March 19 72.

Stanley M. Frazier  
(notary public)

Residing at Jerome  
My commission expires 3-27-76

43-4095

IN THE MATTER OF: Claim to a water )  
right on the Harvey J. Wight property )  
at Malta, Idaho in Cassia County )  
\_\_\_\_\_)  
State of Idaho )  
County of Cassia )

AFFIDAVIT

Harvey J. Wight being first duly sworn,  
deposes and says: I purchased this property about five years ago. The house was  
occupied by Mr. Gene Ward and his family at the time. This well was the culinary water  
supply for the house. The well was dug by the original homesteaders of the property  
around 1883. It goes by the local name of the George Wake place. Mr. Ward moved  
out about 3½ years ago and it has not been used since. The present pump was installed  
bt Mr. Ward.

Harvey J. Wight  
Sarah W. Wight  
(signature)

Subscribed and sworn to before me this 14 day of March 19 72.

Stanley M. Fritzen  
(notary public)

Residing at Jerome.  
My commission expires 3-27-76.

43-4045

Description \_\_\_\_\_

Location \_\_\_\_\_

Sheet \_\_\_\_\_ of \_\_\_\_\_

20 1972

Administration

Fred

I think these Affidavits should  
have been filed with Claim No. 43-4045

Thank you  
Gwain Gould  
R&M Division

Computed by \_\_\_\_\_ Date \_\_\_\_\_ Project No. 43-4045  
Checked by \_\_\_\_\_ Date \_\_\_\_\_ File or Book No. \_\_\_\_\_  
Designed \_\_\_\_\_ Checked \_\_\_\_\_

# SOUTH IDAHO PRESS

BURLEY, IDAHO

## AFFIDAVIT OF PUBLICATION

County of Cassia, )  
 ) ss.  
STATE OF IDAHO )

Ruth Chambers, being first

duly sworn, deposes and says that he is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated April 4 1972, and ending

with the issue dated April 11, 1972

Ruth Chambers

Subscribed and sworn to before me

this 13th day of April

1972.

Edith Rawstett Notary Public

Cost of Publication 11.16

Notary Fee

Total Cost

My commission expires October 23, 1975

72-102

### NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4045

Notice is hereby given that Harvey J. Wight, Malta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a ground water source with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, T. 13S, R. 26E, B.M., Cassia County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1883; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, T. 13S, R. 26E, 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 South Idaho Press, Burley, Idaho on April 4 and April 11, 1972.

43-4045

TO: Bob Fleenor

DATE: November 21, 1972

FROM: Mike Steele

SUBJECT: Inspection of Transfer No. 43-4045

RECEIVED

Department of Water Administration

Their measuring device has been installed and is operating:

DESCRIPTION OF MEASURING DEVICE

Brand: Neptune

Triseal 1½" installed by Denton Driller

Serial No. 20656360

Pumps 50 gpm to 315 gal. pressurized tank

Dean Young, Rupert Highway Dept., accompanied this inspection

DDF  
ok to file

*mfibe*

*43-4045*

July 27, 1972

Re: Transfer No. 43-4045

Idaho Dept. of Highways  
Right-of-Way Division  
P.O. Box 7129  
Boise, Idaho 83707

Gentlemen:

Enclosed is a copy of the approved Application for Transfer of Water Right No. 43-4045.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed upon this transfer. We are enclosing a letter describing different types of measuring devices accepted by this Department.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR  
Enc: Copy of transfer  
Information letter

bc: Southern District Office

43-4045

May 15, 1972

Re: Transfer No. 43-4045 - Dept. of Highways

South Idaho Press  
Box 190  
Burley, Idaho 83318

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)

Very truly yours,

Donald W. McKelowney  
Appropriation Supervisor

DWM:DR  
Enc: Legal notice

*Bill submitted  
6-9-72  
ds 43-1015*

72-168

**NOTICE OF  
PROPOSED CHANGE  
OF WATER RIGHT  
NO. 43-4045**

Notice is hereby given that the State of Idaho, Department of Highways of P.O. Box 7129, Boise, Idaho, has applied to the Department of Water Administration for a change of the point of diversion and place of use of the waters of a ground water source. The right sought to be changed is evidenced by Claim to a Water Right No. 43-4045 and is recorded as follows. Amount: 0.03 cfs Priority: 1883 Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, Twp. 13S, Rge. 26E, B.M., Cassia County. The water is used for domestic purposes from Jan. 1 to Dec. 31.

**TO BE CHANGED  
AS FOLLOWS**

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12S, Rge. 28E, B.M. The water will be used for domestic purposes from Jan. 1 to Dec. 31 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12S, Rge. 28E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before June 9, 1972.

**R. KEITH HIGGINSON**  
Director

Published in the South Idaho Press, Burley, Idaho, on May 23 and May 30, 1972.

4/3-4045

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-4045

Notice is hereby given that the State of Idaho, Department of Highways  
of P.O. Box 7129, Boise, Idaho, has applied to the Department of Water  
Administration for a change of the point of diversion and place of use of the waters of  
a ground water source

The right sought to be changed is evidenced by Claim to a Water Right No. 43-4045  
and is recorded as follows.

Amount: 0.03 cfs Priority: 1883 Point of  
Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, Twp. 13 S, Rge. 26 E, B.M., Cassia County  
The water is used for domestic purposes from Jan. 1 to Dec. 31

TO BE CHANGED AS FOLLOWS

~~Amount:~~                      Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12 S, Rge. 28 E, B.M.  
The water will be used for domestic purposes from Jan. 1 to Dec. 31  
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, Twp. 12 S, Rge. 28 E, B.M.

Any protests against approval of the proposed change of water right application  
must be filed with the Department of Water Administration, Statehouse, Annex #2,  
Boise, Idaho, on or before June 9, 1972.

R. KEITH HIGGINSON  
Director

Published in the South Idaho Press, Burley, Idaho, on  
May 23 and May 30, 1972

43-4045

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



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

May 15, 1972

Re: Claim to a Water Right No. 43-4045

State of Idaho  
Department of Highways  
P.O. Box 7219  
Boise, Idaho

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim 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 claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

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

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:cr

Enc: copy of claim

43-4045

CECIL D. ANDRUS  
GOVERNOR

STATE OF IDAHO

IDAHO BOARD OF  
HIGHWAY DIRECTORS

HOWARD B. THOMASON - CHAIRMAN  
LLOYD F. BARRON - VICE CHAIRMAN  
JOHN G. FANNING - MEMBER

WAYNE SUMMERS  
EXECUTIVE SECRETARY



E. L. MATHES  
STATE HIGHWAY ENGINEER

## DEPARTMENT OF HIGHWAYS

P.O. BOX 7129  
BOISE, IDAHO 83707

March 22, 1972

Sublett Maintenance Shed  
Cassia County  
District No. 2

Mr. R. Keith Higginson, Director  
Idaho Dept. of Water Administration  
State House Annex No. 2  
Boise, Idaho 83707

Dear Mr. Higginson:

Attention Mr. C. Stephen Allred

Enclosed are the completed forms "Assignment of Claim" and "Application for Transfer of Water Right" for Claim No. 43-4045 in connection with the captioned Maintenance Shed. The forms have been completed with the assistance of Mr. Fred Eisenbarth of your office.

Also enclosed is a voucher for the transfer fee.

Very truly yours,

A handwritten signature in cursive script, appearing to read "O. B. White".

O. B. WHITE  
Chief R/W Agent

jk  
Encl.

43-4045

Better Highways for a Better Idaho

April 20, 1972

Re: Claim to a Water Right No. 43-4045

State of Idaho  
Dept. of Highways  
P. O. Box 7219  
Boise, Idaho

Gentlemen:

Enclosed is a copy of the recorded assignment conveying Claim No. 43-4045. We are also enclosing a copy of the claim.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/BL

Enclosures

43-4045

March 23, 1972

Re: Claim No. 43-4045 - Harvey J. Wight

South Idaho Press  
Box 190  
Burley, Idaho 83318

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)

Very truly yours,

Fred Risenbarth  
Appropriation Examiner

FE:CR

Enc: Legal Notice

*Bill submitted 4-19-72. cr*  
*43-4045*

72-102

NOTICE OF CLAIM  
TO A WATER  
RIGHT

No. 43-4045

Notice is hereby given that Harvey J. Wight, Malta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a ground water source with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, T. 13S, R. 26E, B.M., Cassia County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, T. 13S, R. 26E, 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 South Idaho Press, Burley, Idaho on April 4 and April 11, 1972.

O.K.  
3-29-72  
BL

43-4045

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4045

Notice is hereby given that Harvey J. Wight,

Malta, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second ~~exceeding~~ of water from a ground water source

with point of diversion in the NW<sup>1</sup>SE<sup>4</sup>, Sec. 12, T. 13S, R. 26E, B.M.,

Cassia County

The water is claimed to be used from Jan. 1 to Dec. 31 for

domestic purposes

with a priority of 1883;

the place of use is within the NW<sup>1</sup>SE<sup>4</sup>, Sec. 12, T. 13S, R. 26E, B.M.

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

~~concurrent with the~~

R. KEITH HIGGINSON

Director

Published in the South Idaho Press, Burley, Idaho

on April 4 and April 11, 1972

43-4045