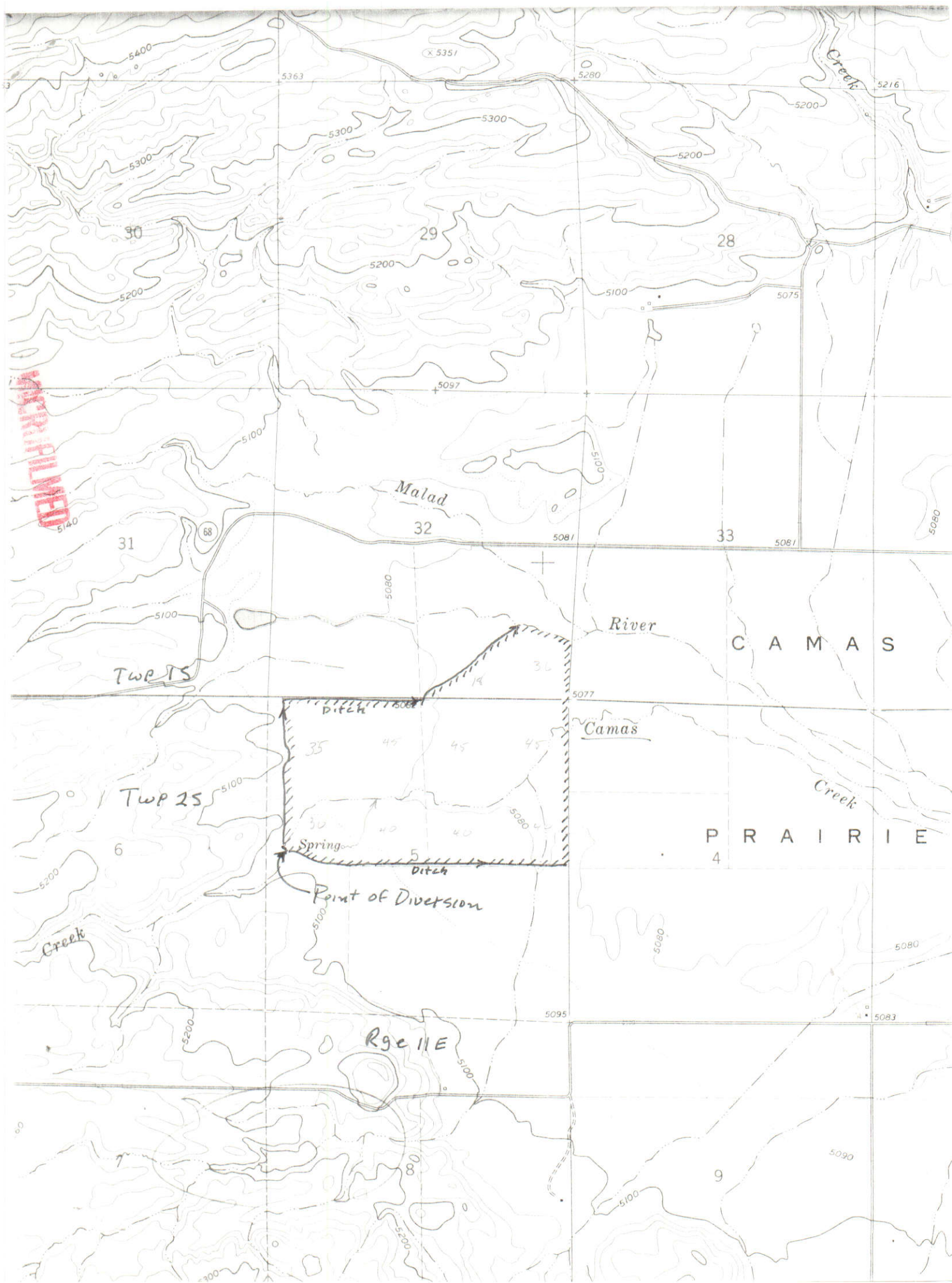




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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 Fred Malcomsen &/or Agnes Malcomsen
(Name of Claimant)
329 Utah St. Gooding, ID 83330 Telephone No. 934-5985
(Mailing Address) (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) June 1, 1889

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)
Camas Creek tributary to Big Wood River

(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>4.0</u>	Use <u>Irrigation</u>	Period of Use From <u>June 1</u>	To <u>Sept 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 4.0 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec. 5 Twp. 2S Rge. 11E B.M., County of Elmore
Additional points of diversion:

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. Check Dam & Ditches

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>T1S</u>	<u>11E</u>	<u>32</u>															<u>18</u>	<u>36</u>	<u>54</u>
<u>2S</u>	<u>11E</u>	<u>5</u>	<u>45</u>	<u>45</u>	<u>40</u>	<u>40</u>	<u>45</u>	<u>35</u>	<u>30</u>	<u>40</u>									<u>320</u>

No. of acres 374

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

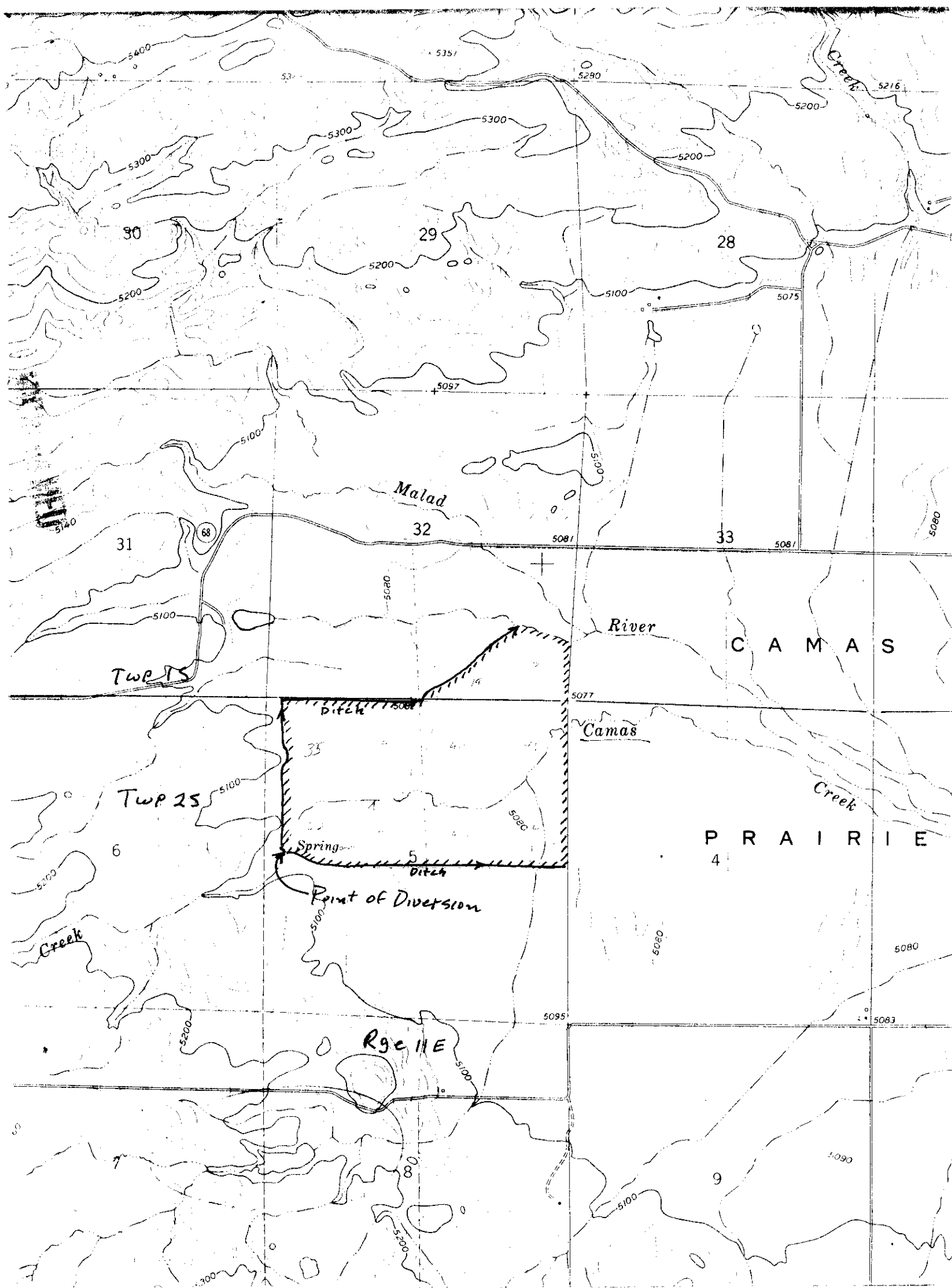
NOTE: Include here the type and number of stock watered:

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

[illegible]

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.

Received by J.F. Stepten Date 4-22-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 5-4-83 claimant by: _____
\$30.00 fee received by JP Date 4-22-83 #27256
Published in Mountain Home News _____
Dates 6/30 & 7/7/83 _____



NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

37-4323

MALCOMSON, FRED &/or
AGNES
329 UTAH ST., GOODING, ID
83330

Source: JOHNNY'S SPRING trib.
to CAMAS CREEK

Priority Date: 06/01/1881

Diversion Pt: SENW Sec 05 T 02S
R 11E

Use: IRRIGATION (3.00 CFS)

In: SWSE SESE Sec 32 T 01S R
11E LOT 01 (NENE) LOT 02
(NWNE) SWNE SENE Sec 05 T
02S R 11E FOR 140 ACRES

37-4324

MALCOMSON, FRED &/or
AGNES
329 UTAH ST., GOODING, ID
83330

Source: SPRING trib. to SINKS

Priority Date: 05/01/1889

Diversion Pt: NESW Sec 25 T 01S
R 11E

Use: STOCKWATER (2.00 CFS)

In: NENW Sec 25 T 01S R 11 E

37-4325

MALCOMSON, FRED &/or
AGNES

329 UTAH ST., GOOD, ID 83330

Source: CAMAS CREEK trib. to
BIG WOOD RIVER

Priority Date: 06/01/1889

Diversion Pt: SWNW Sec 05 T 02S
R 11E

Use: IRRIGATION (4.00 CFS)

In: SWSE SESE Sec 32 T 01S R
11E LOT 01 (NENE) LOT 02
(NWNE) SWNE SENE LOT 03
(NENW) LOT 04 (NWNW) SWNW
SENW Sec 05 T 02S R 11E FOR 374
ACRES

37-4326

MALCOMSON, FRED &/or
AGNES
329 UTAH ST., GOODING, ID
83330

Source: WILD HORSE CREEK
trib. to CAMAS CREEK

Priority Date: 06/01/1961

Diversion Pt: NENE Sec 28 T 01S
R 11E

Use: IRRIGATION (0.25 CFS)

In: SWNW Sec 27 T 01S R 11E
FOR 3 ACRES

37-4343

BENNETT, EMMA MALCOM-
SON

BOX 120, HILL CITY, ID 83337

Source: SPRING trib. to MALAD
RIVER

Priority Date: 07/01/1903

Diversion Pt: SWSE Sec 28 T 01S
R 11E

Use: IRRIGATION (2.40 CFS)

In: SWSE Sec 28 T 01S R 11E
NWNE SWNE Sec 33 T 01S R 11E
FOR 120 ACRES

Any exception to any claim of wa-
ter right may be filed with the Direc-
tor of the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 6/30 & 7/7/83.

Affidavit of Publication

County of Elmore

STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 30 day
of June, 1983, and
the last publication having been made on the
7 day of July,
1983; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters
Subscribed and sworn to me this 7th day of
July, 1983

Allen W. Swenson
Notary Public

RECEIVED

JUL 11 1983

Department of
Southern District

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY ¹⁹~~18~~ 1983

FRED MALCOMSON
AGNES MALCOMSON
329 UTAH ST.
GOODING

ID 83330

RE: Claim No. 37-4325

Dear Claimant:

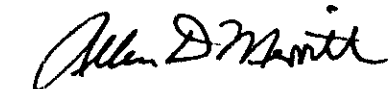
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

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:

37-4325

MALCOMSON, FRED &/or AGNES

329 UTAH ST., GOODING, ID 83330

Source: CAMAS CREEK trib. to BIG WOOD RIVER

Priority Date: 06/01/1889

Diversion Pt: SWNW Sec 05 T 02S R 11E

Use: IRRIGATION (4.00 CFS)

In: SWSE SESE Sec 32 T 01S R 11E LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE
LOT 03 (NENW) LOT 04 (NWNW) SWNW SENW Sec 05 T 02S R 11E FOR 374 ACR.

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 6/30 & 7/7/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 22, 1983

Mountain Home News
P.O. Drawer 0
Mountain Home, ID 83647

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 .

Yours truly,

Mary A. Newby
Secretary

Encl.

IDENT. NO. 37-4325

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 37-4325 Applicant MALCOMSON, Fred &/or Agnes

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.

~~Send copy to W.M.
Dist. 37~~

FINAL REGIONAL PROCESSING REVIEW:

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

By ADM Date 7/19/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V. Date 7-22-83

RECEIVED
JUL 22 1983

Department of Water Resources