



4816
4815
6600
FEET
4814
4813
T2N
27'30"
T1N
4812
4811
(PINE)
2970 IV NE
4810

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 Malcomson ^{for} Agnes Malcomson
(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, 1959

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)
Spring tributary to Sinks

(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>.02</u>	Use <u>Stock water</u>	Period of Use From <u>5/1</u>	To <u>10/31</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) .02 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 33 Twp. 2N Rge. 9E 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. Headbox & Trough

(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>2N</u>	<u>9E</u>	<u>33</u>	<u>X</u>																

No. of acres

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: 50 head of Beef cattle

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

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Microfilm

[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.

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 affiant's knowledge.

Agnes Malcomson
(Claimant)

Notary Public
Residing at

My commission expires 2/10/84

Received by Date 4-26-83 Exception filed by: Forwarded to Date
Prelim. check by Date 5-4-83 claimant by:
\$30.00 fee received by Date 4/26/83 200#55
Published in Mountain Home News
Dates 5/26 & 6/2/83



4816
4815
660 C
FEET
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4813
27'30"
TIN
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4811
4810
(PINE)
2970 IV NE

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claims have been
filed on water rights created by
diversion and beneficial use:
61-4077

COCHRAN, LLOYD
635 N. 4TH E., MOUNTAIN
HOME, ID 83647
Source: GROUNDWATER
Priority Date: 10/01/1959
Diversion Pt: NWSW Sec 36 T
03S R 06E
Use: IRRIGATION (0.02 CFS);
DOMESTIC (0.12 CFS)
In: NWSW Sec 36 T 03S R 06E
FOR 1 ACRE
61-4078

MOOSO, LYONAL DWAIN
1505 S. 3RD. W., MOUNTAIN
HOME, ID 83647
Source: GROUNDWATER
Priority Date: 02/01/1958
Diversion Pt: SWSE Sec 36 T 03S
R 06E
Use: IRRIGATION (0.20 CFS);
STOCKWATER (0.02 CFS)
In: SWSE Sec 36 T 03S R 06E
FOR 10 ACRES
61-4079

TRAIL, LEE T.
P.O. BOX 66, KING HILL, ID
83633
Source: LITTLE CANYON
CREEK trib. to SNAKE
RIVER
Priority Date: 04/01/1967
Diversion Pt: NWNW Sec 28 T
04S R 10E
Use: IRRIGATION (0.71 CFS);
IRRIGATION STORAGE (141.0
AF); IRRIGATION FROM STOR-
AGE (141.0 AF)
In: NENE NWNE Sec 21 T 05S
R 09E FOR 47 ACRES
61-4080

HISEL, JAMES F. &/or
WANDA L.
BEACON STATION, MAY-
FIELD STAGE, BOISE, ID 83706
Source: GROUNDWATER
Priority Date: 09/01/1953
Diversion Pt: SESE Sec 10 T 01S
R 04E
Use: DOMESTIC (0.16 CFS)
In: SESE Sec 10 T 01S R 04E
61-4081

ALLISON, VIOLA A.
STAR RT. BOX 62, HAMMETT,
ID 83627
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversion Pt: NESE Sec 35 T 05S
R 08E
Use: DOMESTIC (0.15 CFS)
In: NESE Sec 35 T 05S R 08E
63-5006

MALCOMSON, FRED &/or
AGNES
329 UTAH ST., GOODING, ID
83330
Source: SPRING trib. to SINKS
Priority Date: 07/01/1960
Diversion Pt: SESE Sec 28 T 02N
R 09E
Use: STOCKWATER (0.02 CFS)
In: SESE Sec 28 T 02N R 09E
63-5007

KALANGE, THOMAS E. &/or
MARILYN E.
P.O. BOX 431, TWIN FALLS,
ID 83301
Source: QUARTZ CREEK trib.
to BOISE RIVER, MIDDLE
FORK
Priority Date: 07/01/1955
Diversion Pt: NWSE Sec 03 T
05N R 11E
Use: DOMESTIC (0.04 CFS)
In: SWNE Sec 03 T 05N R 11E
63-5012

MALCOMSON, FRED &/or
AGNES
329 UTAH ST., GOODING, ID
83330
Source: SPRING trib. to SINKS
Priority Date: 06/01/1959
Diversion Pt: NENE Sec 33 T
02N R 09E
Use: STOCKWATER (0.02 CFS)
In: NENE Sec 33 T 02N R 09E
63-5024

BYERS, DELBERT L. &/or
PATRICIA A.
2112 LEMHI CIR., BOISE, ID
83705
Source: SPRING trib. to BOISE
RIVER, SOUTH FORK
Priority Date: 07/01/1936
Diversion Pt: SWNW Sec 10 T
03N R 10E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 10 T 03N R 10E
Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.
KEN DUNN, Dir.
Published 05/26 & 06/02/83.

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 26 day
of May, 1983, and
the last publication having been made on the
2 day of June,
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 2nd
day of June, 1983

Alan W. Surmon
Notary Public

Deposited in the
Western Record & News Co.

WRR100
63-5012

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5012

02 OLD (D) NUMBER -

LAST NAME
03001 - MALCOMSON
03002 - MALCOMSON

FIRST NAME
04001 - FRED
04002 - AGNES

ORIG. OWNER
05001 - C
05002 - C

06 ADD LINE 1 - 329 UTAH ST. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - GOODING ✓

10 STATE - ID ✓ 11 ZIP - 83330

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SPRING ✓

TRIBUTARY OF
15001 - SINKS ✓

16 DIVERSION MEANS - HEADBOX & TROUGH ✓

17 COUNTY - 39 ELMORE ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .020 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

DIVERSION POINTS										
TRACT	SEC	TWN	RNG	LOT	RPLG	STREAM INDEX FIELDS				
22001 - NENE	23001 - 33	24001 - 02N	25001 - 09E	26001 -	27001 -					
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	

29 NON-IRRIGATION USE - S/50 RANGE

PLACE OF USE						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 04 STOCKWATER ✓	31001 - 02N	32001 - 09E	33001 - 33	34001 - NENE	35001 -	36001 -
						TOTAL ACRES: 0

WATER USE			DIVERSION RATE	DIVERSION VOLUME
PERIOD FROM	PERIOD TO	USE CODE / USE		
37001 - 0501 ✓	38001 - 1031 ✓	39001 - 04 STOCKWATER ✓	40001 - 0.020	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47 PRIORITY	1-JUN-1959 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		

WRR100
63-5012

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----

54 LAST UPDATE - 24-MAY-1983

62 DATE_2 -

11/24/87
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. Jover

Right Number 63-5012 Applicant MALCOMSON

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. 6/2/83
- ☒ Claim published correctly. Mountain Home News
5/26 & 6/2/83 30/27955
- ☐ Exceptions processed.

By DBS Date 6/24/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V. Date 7-6-83

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RECEIVED
JUN 8 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 15, 1983

FRED MALCOMSON
AGNES MALCOMSON
329 UTAH ST.
GOODING

ID 83330

RE: Claim No. 63-5012

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.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

Enclosure

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63-5012_

MALCOMSON, FRED &/or AGNES

329 UTAH ST., GOODING, ID 83330

Source: SPRING trib. to SINKS

Priority Date: 06/01/1959

Diversion Pt: NENE Sec 33 T 02N R 09E

Use: STOCKWATER (0.02 CFS)

In: NENE Sec 33 T 02N R 09E

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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]