

JUN 30 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Department of Water Resources
Southern District Office

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 Galen O. Myers

(Name of Claimant)

Route 1, Murtaugh, Idaho 83344

(Mailing Address)

Telephone No. 432-5235

(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) April 1, 1944

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)

Ground Water tributary to

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>35</u>	<u>Miners</u>	In Use	<u>irrigation</u>	Period of Use From <u>4-1</u>	To <u>10-15</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) 0.2 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

WELL 1 - SW 1/4 NE 1/4, Sec. 2 Twp. 12S Rge. 19 EBM., County of Cassia
Additional points of diversion: WELL 2 - SE 1/4 NE 1/4 Sec. 2, Twp. 12 S, Rge. 19 EBM
Cassia County

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.

WELL NO. 1 - 200 hp.

WELL NO. 2 - 75 hp.

Buried & portable mainline, wheel line & hand line sprinklers.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	19E	2	X	X	X	X	X			X				X	X	X	X		350
12S	19E	1						X	X			X							110

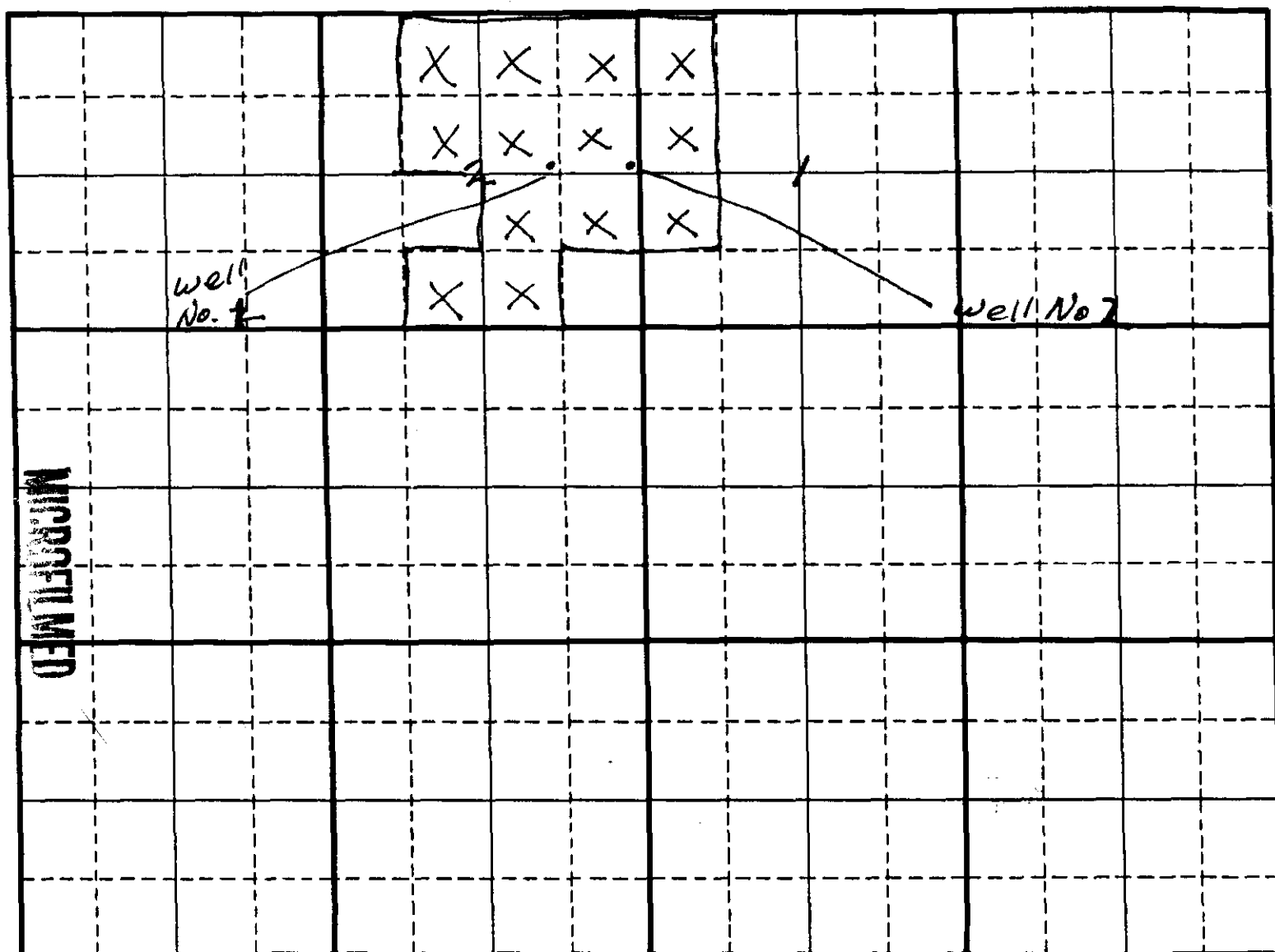
No. of acres 460

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:

(8) Remarks This right is supplemental to and in addition to the right decreed in the case of William Noh and Amelia Noh vs. J. H. Stoner dated 10-9-1931.



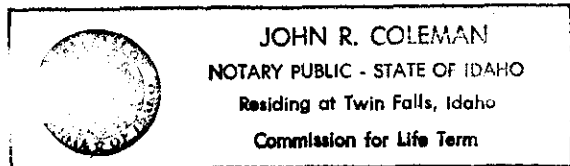
Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of Twin Falls) 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 affiant's knowledge.

Sworn to before me this 29th day of April, 19 83.



My commission expires _____

John O. Myers
(Claimant)

John R. Coleman
Notary Public
Residing at Twin Falls, Idaho

FOR DEPARTMENT USE ONLY

Received by LH Date 6/30/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TSB Date _____
3- \$20.00 fee received by TSB Date 6/30/83 # 29123
Published in South id press
Dates 10/19 & 10/20/83 10/20 & 10/27/83

STATE OF IDAHO

)

) ss.

AFFIDAVIT

County of Twin Falls)

CECIL W. THORNTON, being first duly sworn, deposes and says:

1. From 1944 through 1958 I operated as tenant, the following described real property situated in Cassia County, Idaho, which real property was owned by John Noh and Harry Noh, to-wit:

The West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$); the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$); the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$); the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Two (2), Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; AND: Commencing at the Northeast corner of Section Two (2), from which the North Quarter corner bears South $89^{\circ}58'$ West; thence South $0^{\circ}47'$ West 2,772.2 feet; thence North $86^{\circ}21'$ West 192.8 feet to the TRUE POINT OF BEGINNING; thence North $86^{\circ}21'$ West 113.6 feet; thence North 123 feet; thence south $86^{\circ}21'$ East 113.6 feet; thence South 123 feet to the Point of Beginning.

ALSO the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$) of Section 11, Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; EXCEPTING AND RESERVING a non-exclusive road right of way described as follows: A thirty-foot strip of land located in Section 2, Township 12 South, Range 19 East of the Boise Meridian in Cassia County, Idaho, more particularly described as follows: Commencing at the Northeast corner of Section 2 from which the North $\frac{1}{4}$ corner bears South $89^{\circ}58'$ West; thence running South $0^{\circ}47'$ West for 2,772.2 feet; thence North $86^{\circ}21'$ West for 192.8 feet to the real point of beginning; thence describing a strip of land being 15 feet right and left of the following described centerline; thence North $86^{\circ}21'$ West for 510 feet; thence North $83^{\circ}00'$ West for 850 feet;

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, excepting and reserving an undivided one-half interest in that certain well, pump, and related equipment located on the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 2, Township 12 South, Range 19 E.B.M., and an undivided one-half interest in 2.8 c.f.s. of the waters produced therefrom, together with rights of ways for ditches and for ingress to and egress from said well to adjoining lands owned by

1 parties of the first part, as more particularly
2 described in that certain Agreement dated August 1,
3 1969, between Dale J. Kirkpatrick and Rheta M.
4 Kirkpatrick, his wife, and James A. Kirkpatrick and
5 Irene M. Kirkpatrick, his wife, recorded November 12,
6 1969, as Instrument No. 48662 on Film Number 63,
7 records of Cassia County, Idaho; and also, excepting
8 and reserving an undivided one-half interest in 10.0
9 c.f.s. of the flood waters of Dry Creek, as decreed,
10 with priorities of 1908 and 1911.

11 ALSO Lot Four (4); the Southwest Quarter of the
12 Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$); and the Northwest Quarter
13 of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section One (1);
14 the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) and the
15 Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of
16 Section Two (2), ALL in Township Twelve (12) South,
17 Range Nineteen (19) East of the Boise Meridian,
18 EXCEPTING THEREFROM: Commencing at the Northeast
19 corner of Section Two (2), from which the North Quarter
20 corner bears South 89°58' West; thence South 0°47' West
21 2,772.2 feet; thence North 86°21' West 192.8 feet to
22 the TRUE POINT OF BEGINNING; thence North 86°21' West
23 113.6 feet; thence North 123 feet; thence South 86°21'
24 East 113.6 feet; thence South 123 feet to the Point of
25 Beginning, EXCEPTING AND RESERVING a non-exclusive road
26 right of way described as follows: A thirty-foot strip
of land located in Section 2, Township 12 South, Range
19 East of the Boise Meridian in Cassia County, Idaho,
more particularly described as follows: Commencing at
the Northeast corner of Section 2 from which the North
 $\frac{1}{4}$ corner bears South 89°58' West; thence running South
0°47' West for 2,772.2 feet; thence North 86°21' West
for 192.8 feet to the real point of beginning; thence
describing a strip of land being 15 feet right and left
of the following described centerline; thence North
86°21' West for 510 feet; thence North 83°00' West for
850 feet; and also EXCEPTING AND RESERVING a non-
exclusive road right of way described as follows: A
30-foot strip of land located in Sections 1 and 2,
Township 12 South, Range 19, East of the Boise Meridian
in Cassia County, Idaho, more particularly described as
follows: Commencing at the Northeast corner of Section
2 from which the North Quarter corner of said Section 2
bears South 89°58' West; thence running South 0°47'
West for 2,772 feet to the real point of beginning;
thence describing a strip of land being 15 feet right
and left of the following described centerline; thence
South 85°16' East for 190 feet; thence South 81°19'
East for 555 feet; thence South 80°39' East for 596
feet, more or less, to the centerline of a county road.

Together with all water and water rights, ditches and
ditch rights, used thereon or appurtenant thereto,
EXCEPTING AND RESERVING an undivided one-half interest

1 in that certain well, pump, and related equipment
2 located on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 12 South,
3 Range 19 E.B.M., and an undivided one-half interest in
4 2.8 c.f.s. of the waters produced therefrom, together
5 with rights of ways for ditches and for ingress to and
6 egress from said well to adjoining lands owned by
7 parties of the first part, as more particularly
8 described in that certain Agreement dated August 1,
1969, between Dale J. Kirkpatrick and Rheta M.
Kirkpatrick, his wife; and James A. Kirkpatrick and
Irene M. Kirkpatrick, his wife, recorded November 12,
1969, as Instrument No. 48662 on film number 63,
records of Cassia County, Idaho. And also EXCEPTING
AND RESERVING an undivided one-half interest in 10.0
c.f.s. of the flood waters of Dry Creek, as decreed,
with priorities of 1908 and 1911.

9 Subject to exceptions and reservations contained in
10 patents from the United States.

11 Subject to existing easements for roads, highways,
12 ditches, canals, laterals and power and transmission
lines.

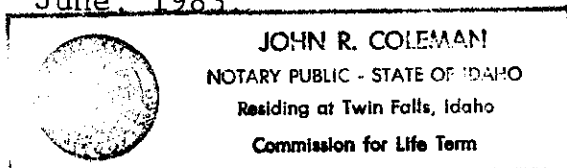
13 ALL IN CASSIA COUNTY, STATE OF IDAHO

14 During that period of time I irrigated 300 acres of said property
15 from two irrigation wells designated as well number 1 and well
16 number 2. Well number 1 was equipped with a 75 hp pump and
17 produced 100 miners inches of water. Well number 2 was equipped
18 with a 75 hp pump and produced 75 miners inches of water. Said
19 water was used for the irrigation of crops on an annual basis on
20 said property during each year of my occupancy of the property.
21 Said land is arid in nature and would not produce crops if
22 irrigation water were not supplied.

23 Cecil W. Thornton
24 CECIL W. THORNTON

25 SUBSCRIBED and SWORN to before me this 15th day of

26 June, 1983



27 John R. Coleman
28 NOTARY PUBLIC FOR IDAHO

STATE OF IDAHO)

County of Twin Falls)

) ss.

AFFIDAVIT

ROBERT PETERSON, being first duly sworn, deposes and says:

1. From 1958 to 1966 I operated as tenant the following described real property situated in Cassia County, Idaho, which real property was owned by John Noh and Harry Noh, to-wit:

The West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$); the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$); the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$); the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Two (2), Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; AND: Commencing at the Northeast corner of Section Two (2), from which the North Quarter corner bears South $89^{\circ}58'$ West; thence South $0^{\circ}47'$ West 2,772.2 feet; thence North $86^{\circ}21'$ West 192.8 feet to the TRUE POINT OF BEGINNING; thence North $86^{\circ}21'$ West 113.6 feet; thence North 123 feet; thence south $86^{\circ}21'$ East 113.6 feet; thence South 123 feet to the Point of Beginning.

ALSO the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$) of Section 11, Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; EXCEPTING AND RESERVING a non-exclusive road right of way described as follows: A thirty-foot strip of land located in Section 2, Township 12 South, Range 19 East of the Boise Meridian in Cassia County, Idaho, more particularly described as follows: Commencing at the Northeast corner of Section 2 from which the North $\frac{1}{4}$ corner bears South $89^{\circ}58'$ West; thence running South $0^{\circ}47'$ West for 2,772.2 feet; thence North $86^{\circ}21'$ West for 192.8 feet to the real point of beginning; thence describing a strip of land being 15 feet right and left of the following described centerline; thence North $86^{\circ}21'$ West for 510 feet; thence North $83^{\circ}00'$ West for 850 feet;

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, excepting and reserving an undivided one-half interest in that certain well, pump, and related equipment located on the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 2, Township 12 South, Range 19 E.B.M., and an undivided one-half interest in 2.8 c.f.s. of the waters produced therefrom, together with rights of ways for ditches and for ingress to and egress from said well to adjoining lands owned by parties of the first part, as more particularly described in that certain Agreement dated August 1, 1969, between Dale J. Kirkpatrick and Rheta M. Kirkpatrick, his wife, and James A. Kirkpatrick and Irene M. Kirkpatrick, his wife, recorded November 12, 1969, as Instrument No. 48662 on Film Number 63, records of Cassia County, Idaho; and also, excepting and reserving an undivided one-half interest in 10.0 c.f.s. of the flood waters of Dry Creek, as decreed, with priorities of 1908 and 1911.

ALSO Lot Four (4); the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$); and the Northwest Quarter

MICROFILMED

1 of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section One (1);
2 the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) and the
3 Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of
4 Section Two (2), ALL in Township Twelve (12) South,
5 Range Nineteen (19) East of the Boise Meridian,
6 EXCEPTING THEREFROM: Commencing at the Northeast
7 corner of Section Two (2), from which the North Quarter
8 corner bears South 89°58' West; thence South 0°47' West
9 2,772.2 feet; thence North 86°21' West 192.8 feet to
10 the TRUE POINT OF BEGINNING; thence North 86°21' West
11 113.6 feet; thence North 123 feet; thence South 86°21'
12 East 113.6 feet; thence South 123 feet to the Point of
13 Beginning, EXCEPTING AND RESERVING a non-exclusive road
14 right of way described as follows: A thirty-foot strip
15 of land located in Section 2, Township 12 South, Range
16 19 East of the Boise Meridian in Cassia County, Idaho,
17 more particularly described as follows: Commencing at
18 the Northeast corner of Section 2 from which the North
19 $\frac{1}{4}$ corner bears South 89°58' West; thence running South
20 0°47' West for 2,772.2 feet; thence North 86°21' West
21 for 192.8 feet to the real point of beginning; thence
22 describing a strip of land being 15 feet right and left
23 of the following described centerline; thence North
24 86°21' West for 510 feet; thence North 83°00' West for
25 850 feet; and also EXCEPTING AND RESERVING a non-
26 exclusive road right of way described as follows: A
27 30-foot strip of land located in Sections 1 and 2,
28 Township 12 South, Range 19, East of the Boise Meridian
29 in Cassia County, Idaho, more particularly described as
30 follows: Commencing at the Northeast corner of Section
31 2 from which the North Quarter corner of said Section 2
32 bears South 89°58' West; thence running South 0°47'
West for 2,772 feet to the real point of beginning;
thence describing a strip of land being 15 feet right
and left of the following described centerline; thence
South 85°16' East for 190 feet; thence South 81°19'
East for 555 feet; thence South 80°39' East for 596
feet, more or less, to the centerline of a county road.

Together with all water and water rights, ditches and
ditch rights, used thereon or appurtenant thereto,
EXCEPTING AND RESERVING an undivided one-half interest
in that certain well, pump, and related equipment
located on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 12 South,
Range 19 E.B.M., and an undivided one-half interest in
2.8 c.f.s. of the waters produced therefrom, together
with rights of ways for ditches and for ingress to and
egress from said well to adjoining lands owned by
parties of the first part, as more particularly
described in that certain Agreement dated August 1,
1969, between Dale J. Kirkpatrick and Rheta M.
Kirkpatrick, his wife; and James A. Kirkpatrick and
Irene M. Kirkpatrick, his wife, recorded November 12,
1969, as Instrument No. 48662 on film number 63,
records of Cassia County, Idaho. And also EXCEPTING
AND RESERVING an undivided one-half interest in 10.0
c.f.s. of the flood waters of Dry Creek, as decreed,
with priorities of 1908 and 1911.

Subject to exceptions and reservations contained in
patents from the United States.

Subject to existing easements for roads, highways,
ditches, canals, laterals and power and transmission
lines.

1 ALL IN CASSIA COUNTY, STATE OF IDAHO

2 During that period of time I irrigated 320 acres on said
3 property from two irrigations wells designated as well number 1
4 and well number 2. Well number 1 was equipped with a 75 hp pump
5 and produced 100 miners inches of water. Well number 2 was
6 equipped with a 75 hp pump and produced 75 miners inches of
7 water. Said water was used for the irrigation of crops on an
8 annual basis on said property during each year of my occupancy of
9 the property. Said land is arid in nature and would not produce
10 crops if irrigation water were not supplied.

11
12 Robert C. Peterson
13 ROBERT PETERSON

14 SUBSCRIBED and SWORN to before me this 21st day of
15 March, 1983.

16
17 John P. Culman
18 NOTARY PUBLIC FOR IDAHO
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STATE OF IDAHO)

County of Twin Falls)

) ss.

AFFIDAVIT

JAMES KIRKPATRICK, being first duly sworn, deposes and says:

1. I acquired the following described real property situated in Cassia County, Idaho, in 1966, and commenced farming said property in the farming season of 1967:

The West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$); the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$); the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$); the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Two (2), Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; AND: Commencing at the Northeast corner of Section Two (2), from which the North Quarter corner bears South $89^{\circ}58'$ West; thence South $0^{\circ}47'$ West 2,772.2 feet; thence North $86^{\circ}21'$ West 192.8 feet to the TRUE POINT OF BEGINNING; thence North $86^{\circ}21'$ West 113.6 feet; thence North 123 feet; thence south $86^{\circ}21'$ East 113.6 feet; thence South 123 feet to the Point of Beginning.

ALSO the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$) of Section 11, Township Twelve (12) South, Range Nineteen (19) East of the Boise Meridian; EXCEPTING AND RESERVING a non-exclusive road right of way described as follows: A thirty-foot strip of land located in Section 2, Township 12 South, Range 19 East of the Boise Meridian in Cassia County, Idaho, more particularly described as follows: Commencing at the Northeast corner of Section 2 from which the North $\frac{1}{4}$ corner bears South $89^{\circ}58'$ West; thence running South $0^{\circ}47'$ West for 2,772.2 feet; thence North $86^{\circ}21'$ West for 192.8 feet to the real point of beginning; thence describing a strip of land being 15 feet right and left of the following described centerline; thence North $86^{\circ}21'$ West for 510 feet; thence North $83^{\circ}00'$ West for 850 feet;

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, excepting and reserving an undivided one-half interest in that certain well, pump, and related equipment located on the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 2, Township 12 South, Range 19 E.B.M., and an undivided one-half interest in 2.8 c.f.s. of the waters produced therefrom, together with rights of ways for ditches and for ingress to and egress from said well to adjoining lands owned by parties of the first part, as more particularly described in that certain Agreement dated August 1, 1969, between Dale J. Kirkpatrick and Rheta M. Kirkpatrick, his wife, and James A. Kirkpatrick and Irene M. Kirkpatrick, his wife, recorded November 12, 1969, as Instrument No. 48662 on Film Number 63, records of Cassia County, Idaho; and also, excepting and reserving an undivided one-half interest in 10.0 c.f.s. of the flood waters of Dry Creek, as decreed, with priorities of 1908 and 1911.

ALSO Lot Four (4); the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$); and the Northwest Quarter

1 of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section One (1);
2 the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) and the
3 Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of
4 Section Two (2), ALL in Township Twelve (12) South,
5 Range Nineteen (19) East of the Boise Meridian,
6 EXCEPTING THEREFROM: Commencing at the Northeast
7 corner of Section Two (2), from which the North Quarter
8 corner bears South 89°58' West; thence South 0°47' West
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10 the TRUE POINT OF BEGINNING; thence North 86°21' West
11 113.6 feet; thence North 123 feet; thence South 86°21'
12 East 113.6 feet; thence South 123 feet to the Point of
13 Beginning, EXCEPTING AND RESERVING a non-exclusive road
14 right of way described as follows: A thirty-foot strip
15 of land located in Section 2, Township 12 South, Range
16 19 East of the Boise Meridian in Cassia County, Idaho,
17 more particularly described as follows: Commencing at
18 the Northeast corner of Section 2 from which the North
19 $\frac{1}{4}$ corner bears South 89°58' West; thence running South
20 0°47' West for 2,772.2 feet; thence North 86°21' West
21 for 192.8 feet to the real point of beginning; thence
22 describing a strip of land being 15 feet right and left
23 of the following described centerline; thence North
24 86°21' West for 510 feet; thence North 83°00' West for
25 850 feet; and also EXCEPTING AND RESERVING a non-
26 exclusive road right of way described as follows: A
27 30-foot strip of land located in Sections 1 and 2,
28 Township 12 South, Range 19, East of the Boise Meridian
29 in Cassia County, Idaho, more particularly described as
30 follows: Commencing at the Northeast corner of Section
31 2 from which the North Quarter corner of said Section 2
32 bears South 89°58' West; thence running South 0°47'
West for 2,772 feet to the real point of beginning;
thence describing a strip of land being 15 feet right
and left of the following described centerline; thence
South 85°16' East for 190 feet; thence South 81°19'
East for 555 feet; thence South 80°39' East for 596
feet, more or less, to the centerline of a county road.

Together with all water and water rights, ditches and
ditch rights, used thereon or appurtenant thereto,
EXCEPTING AND RESERVING an undivided one-half interest
in that certain well, pump, and related equipment
located on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 12 South,
Range 19 E.B.M., and an undivided one-half interest in
2.8 c.f.s. of the waters produced therefrom, together
with rights of ways for ditches and for ingress to and
egress from said well to adjoining lands owned by
parties of the first part, as more particularly
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Kirkpatrick, his wife; and James A. Kirkpatrick and
Irene M. Kirkpatrick, his wife, recorded November 12,
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records of Cassia County, Idaho. And also EXCEPTING
AND RESERVING an undivided one-half interest in 10.0
c.f.s. of the flood waters of Dry Creek, as decreed,
with priorities of 1908 and 1911.

Subject to exceptions and reservations contained in
patents from the United States.

Subject to existing easements for roads, highways,
ditches, canals, laterals and power and transmission
lines.

ALL IN CASSIA COUNTY, STATE OF IDAHO

At the time I acquired said property there were two irrigation wells on the property, designated as well number 1 and well number 2. Well number 1 produced 100 miners inches of water and was equipped with a 75 hp pump. Well number 2 was equipped with a 75 hp pump and produced 75 miners inches of water. The water from both of said pumps was used by me during 1968 to irrigate 320 acres of land included in the foregoing description.

2. In 1968 I installed a 150 hp pump on well number 1, which increased the production of water from said well to 200 miners inches of water. In 1968 I also brought an additional 80 acres of ground, described in the foregoing description, under irrigation.

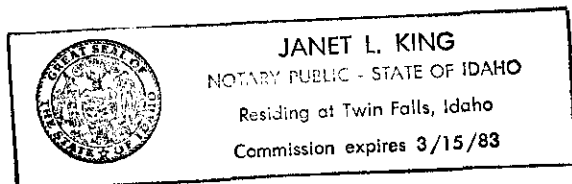
3. In 1969 I lowered the bores in well number 2 an additional 40 feet, which increased the production of water from well number 2 to 80 miners inches.

4. I continued to operate said farm until February 1974, when I sold the property. From 1968 until I sold the property, well number 1 continually produced 200 miners inches of water, and from 1969 until I sold the property, well number 2 continually produced 80 miners inches of water.

5. The above described real property is arid in nature and would not produce crops except for the application of irrigation water from the wells hereinabove mentioned.

James Kirkpatrick
JAMES KIRKPATRICK

SUBSCRIBED and SWORN to before me this 9th day of February, 1983.



Janet L. King
NOTARY PUBLIC FOR IDAHO

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia.

STATE OF IDAHO

Mary Summers, being first
duly sworn, deposes and says that

Clark 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 *October 20th* 19*83*, and ending
with the issue dated *October 27th* 19*83*.

Subscribed and sworn to before me
this *3rd* day of *November*
19*83*.

Kenneth Dunn Notary Pub

Cost of Publication *\$126.12*

Notary Fee

Total Cost *\$126.12*

RECEIVED

4 1983

Dept of Water Resources
Burley District Office

83-289

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:

01-4050

U.S. DEPT. OF INTERIOR
BUREAU OF RECLAMATION, ATTN: 424 BOX 043,
550 W. FORT ST., BOISE, ID 83724
Source: LAKE WILCOTT RESERVOIR trib. to SNAKE
RIVER

Priority Date: 01/01/1907
Diversion Pt: LOT 03 LOT 08 Sec 01 T 09S R 25E
Use: IRRIGATION (30000.0 AF); POWER
(30000.0 AF)

43-4191

COTTLE, ALBERT J.
MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 06/15/1873
Diversion Pt: SWSW Sec 20 T 13S R 26E
Use: IRRIGATION (4.00 CFS)
In: SWSW SESW NESE NWSE Sec 21 T 13S R 26E FOR
160 ACRES

43-4192

COTTLE, ALBERT J.
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 10/30/1917
Diversion Pt: SWNW Sec 12 T 13S R 26E
Use: IRRIGATION (0.04 CFS); DOMESTIC (0.08
CFS)
In: SWNW Sec 12 T 13S R 26E FOR 3 ACRES

43-4193

COTTLE, ALBERT J.
MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 06/15/1873
Diversion Pt: NENW SWSW SESW Sec 21 T 13S R
26E
Use: STOCKWATER (0.11 CFS)
In: NENW SWSW SESW Sec 21 T 13S R 26E

43-4194

SIMPLOT INDUSTRIES, INC.
P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 02/11/1960
Diversion Pt: NESE Sec 31 T 10S R 27E
Use: IRRIGATION (2.14 CFS)
In: NENW NWNW SWNW SENW NESW Sec 31 T 10S R 27E
FOR 125 ACRES

43-4195

SIMPLOT INDUSTRIES, INC. - C&Y
P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 06/12/1956
Diversion Pt: NESW Sec 19 T 12S R 27E
Use: IRRIGATION (10.40 CFS)
In: NENW NWNW SWNW SENW NESW Sec 19 T 12S R
27E NENW NWNW SWNW SENW NESW NWSW SWSW
SESW Sec 18 T 12S R 27E FOR 520 ACRES

43-4196

SIMPLOT INDUSTRIES, INC.
DBA C&Y FARMS, RAFT RIVER CATTLE CO., P.O.
BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 12/28/1948
Diversion Pt: LOT 04 (SWSW) Sec 07 T 13S R 27E
Use: IRRIGATION (3.20 CFS)
In: NWNE SWNE NENW NWNW SWNW SENW NWSW
SWSW NWSE Sec 07 T 13S R 27E FOR 284 ACRES

43-4197

SIMPLOT INDUSTRIES, INC.
DBA C&Y FARMS, P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 06/29/1961
Diversion Pt: NWSW Sec 14 T 13S R 26E
Use: IRRIGATION (2.40 CFS)
In: NWNW SWNW Sec 12 T 13S R 26E NWSW Sec 13
T 13S R 26E FOR 120 ACRES

43-4198

SIMPLOT INDUSTRIES, INC.
P.O. BOX 27, BOISE ID 83703
Source: GROUNDWATER
Priority Date: 03/10/1961
Diversion Pt: NESE Sec 26 T 10S R 27E
Use: IRRIGATION (3.40 CFS)
In: SENE SESW NESE NWSE SWSE SESE Sec 26 T 10S R
27E FOR 170 ACRES

43-4199

SIMPLOT INDUSTRIES, INC. (C&Y)
P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 07/01/1961
Diversion Pt: NWSW NWSE Sec 01 T 11S R 26E
In: NWSW SWSW SESW NESE NWSE SESE Sec 01
T 11S R 26E FOR 280 ACRES

43-4200

SIMPLOT INDUSTRIES, INC. (C&Y)
P.O. BOX 27, BOISE, ID 83701

Source: GROUNDWATER

Priority Date: 12/23/1959
Diversion Pt: NWNE Sec 30 T 11S R 27E
Use: IRRIGATION (7.40 CFS)
In: NENE NWNE SWNE SENE NESW SESW NWSE SWSE
Sec 19 T 11S R 27E NWNE NENW Sec 30 T 11S R
27E FOR 370 ACRES

43-4201

SIMPLOT INDUSTRIES, INC.
P.O. BOX 27, BOISE, IDA 83701
Source: GROUNDWATER
Priority Date: 07/05/1952
Diversion Pt: SWNW Sec 02 T 12S R 26E
Use: IRRIGATION (8.90 CFS)
In: NENW NWNW SWNW SENW NESE NWSE SWSE
SESE NESW NWSW SWSW SESW Sec 02 T 12S R 26E
FOR 445 ACRES

43-4202

SIMPLOT INDUSTRIES, INC. (C&Y)
P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 02/25/1959
Diversion Pt: SESE Sec 12 T 12S R 26E
Use: IRRIGATION (9.60 CFS)
In: NENE SENE NESE SESE Sec 12 T 12S R 26E NENW
NWNW SWNW SENW NESW NWSW SWSW SESW Sec
07 T 12S R 27E FOR 480 ACRES

43-4203

SIMPLOT INDUSTRIES, INC. (C&Y)
P.O. BOX 27, BOISE, ID 83701
Source: GROUNDWATER
Priority Date: 04/01/1961
Diversion Pt: SWNE Sec 35 T 10S R 27E
Use: IRRIGATION (2.40 CFS)
In: NWNE SWNE NENW Sec 35 T 10S R 27E FOR
120 ACRES

43-4204

DURFEE, MARK
SUBLETTE RT., MALTA, ID 83342
Source: DIVE HOLLOW CREEK SPRING trib. to
SINKS
Priority Date: 09/18/1912
Diversion Pt: SESE Sec 03 T 14N R 12E SWSE Sec 29
T 16S R 28E
Use: IRRIGATION (0.1840 CFS); DOMESTIC
(0.1840 CFS)
In: SENW Sec 29 T 16S R 28E

43-4205

MACKLEY, THOMAS J.
C/O RAFT RIVER STORE, MC 76 BOX 1050, AMER-
CIAN FALLS, ID 83211
Source: GROUNDWATER
Priority Date: 01/01/1959
Diversion Pt: SENE Sec 36 T 09S R 27E
Use: DOMESTIC (0.04 CFS)
In: SENE Sec 36 T 09S R 27E

43-4223

MYERS, GALEN O.
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 04/01/1944
Diversion Pt: SWNE SENE Sec 02 T 12s R 19E
Use: IRRIGATION (0.70 CFS)
In: NENE NWNE SWNE SENE NENW SENW SESW NESE
NWSE SWSE Sec 02 T 12S R 19E NWNW SWNW
NWSW Sec 01 T 12S R 19E FOR 460 ACRES

43-4224

CONGLETON, EUNICE H.
RT. 3 BOX 3036, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1913
Diversion Pt: SWNW Sec 09 T 11S R 23E
Use: IRRIGATION (0.02 CFS); STOCKWATER (0.06
CFS); DOMESTIC (0.04 CFS)
In: SWNW Sec 09 T 11S R 23E FOR 1 ACRES

43-4225

SIMPLOT, J.R.
RT. 3 BOX 25, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 01/01/1910
Diversion Pt: SENE Sec 08 T 11S R 23E
Use: IRRIGATION (0.02 CFS); STOCKWATER (0.03
CFS); DOMESTIC (0.04 CFS)
In: SENE Sec 08 T 11S R 23E FOR 80 ACRES

43-4226

CASSIA COUNTY FARM LABOR SPONSORING ASSN
3821 HILAND AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 05/01/1950
Diversion Pt: SWSW Sec 33 T 10S R 23E
Use: DOMESTIC (0.09 CFS)
In: SWSW Sec 33 T 10S R 23E FOR 7 1/2 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 in the South Idaho Press on October
20 and 27, 1983.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

NOVEMBER 10, 1983

GALEN O. MYERS
ET. 1
MURTAUGH

ID 83344

RE: Claim No. 45-4223

Dear Claimant:

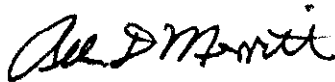
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

RECEIVED

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:

45-4223-

MYERS, GALEN O.

RT. 1. MURTAUGH. ID 83344

Source: GROUNDWATER

Priority Date: 04/01/1944

Diversion Pt: SWNE SENE Sec 02 T 12S R 19E

Use: IRRIGATION (0.70 CFS)

In: NENE NWNE SWNE SENE NENW SENW SESW NESE NWSE SWSE Sec 02 T 12S R 19E NWNW
SWNW NWSW Sec 01 T 12S R 19E FOR 460 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 10/²⁰/~~18~~ & 10/²⁷/~~26~~/83.

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45

43-4223

MYERS, GALEN O.
RT. 1, MURTAUGH, ID 83344
Source: GROUNDWATER
Priority Date: 04/01/1944
Diversion Pt: SWNE SENE Sec 02 T 12s R 19E
Use: IRRIGATION (0.70 CFS)
In: NENE NWNE SWNE SENE NENW SENW SESW NESE
NWSE SWSE Sec 02 T 12S R 19E NWNW SWNW
NWSW Sec 01 T 12S R 19E FOR 460 ACRES

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 7, 1983

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 sales 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 NOVEMBER 7, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED