

45-04073

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 20 1978

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

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 Melvin H. Tilley (Name of Claimant)
Rt #1, Murtaugh, Ida., 83344 (Mailing Address) Telephone No. 432-5514 (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, 1953

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)
groundwater 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:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.40 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 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) 1.40 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 28 Twp. 11S, Rge. 20E, B.M., County of Twin Falls
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. 300' ft. - 8" well with pump set at 180'; 30 H.P. pump delivering to pipeline delivering to gravity flow ditches with siphon tubes.

(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	
<u>11S.</u>	<u>20E.</u>	<u>28</u>			<u>40</u>	<u>40</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>240</u>

No. of acres 240

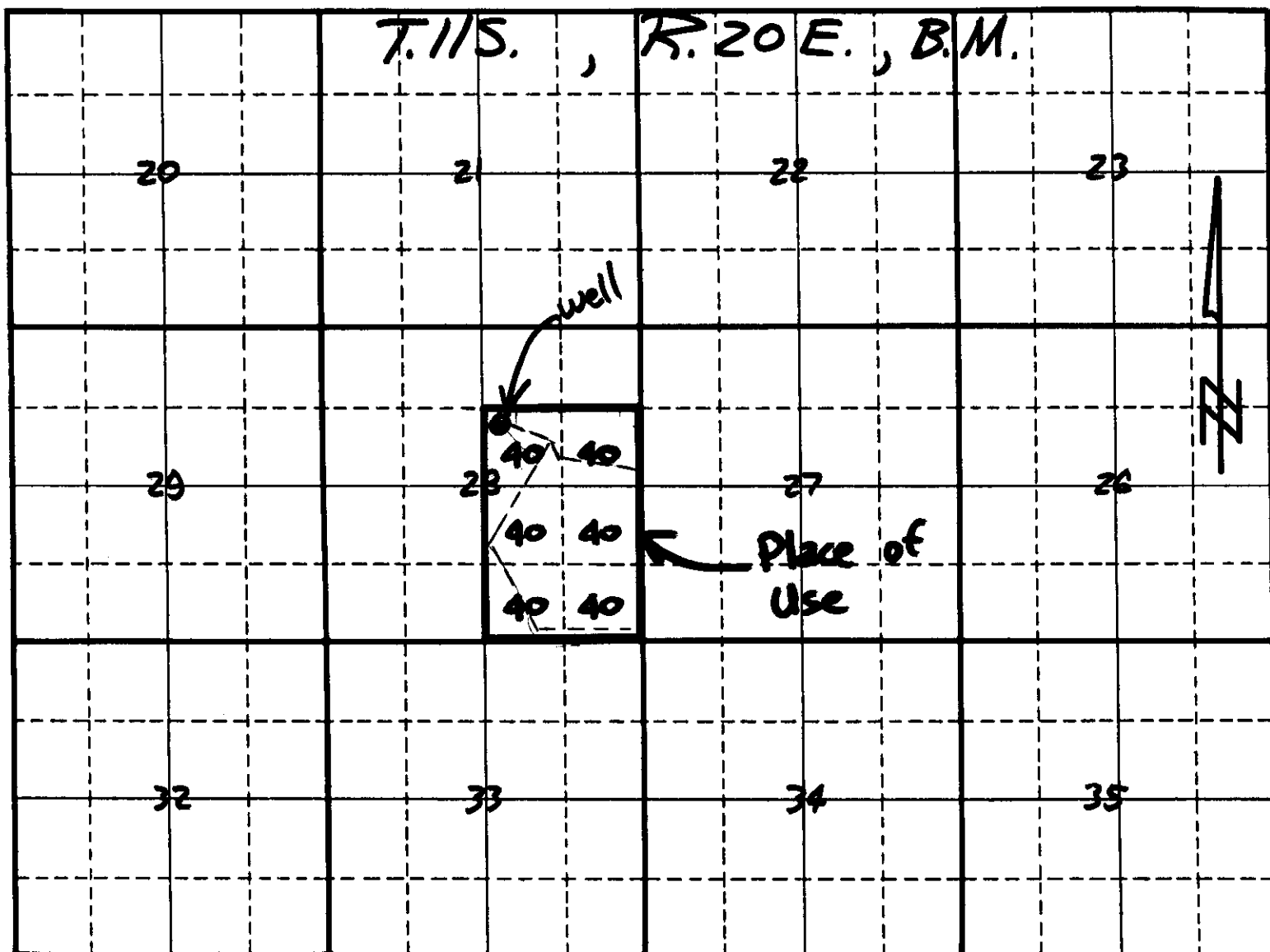
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

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(8) Remarks _____



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)
) ss.
County of Twin Falls)

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.

Melvin R. Stelling
(Claimant)

Sworn to before me this 20 day of November, 19 78.

[Signature]
Notary Public
Residing at Boise

My commission expires 2-22-81

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>11/20/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>11-22-78</u>		claimant by:	
\$20.00 fee received by <u>ADM</u>	Date <u>11/20/78</u>	#12622		
Published in <u>Times Journal</u>				
Dates <u>12/14 + 12/21/78</u>				

IN THE MATTER OF:

Claim to a Water Right

State of Idaho

County of Twin Falls

AFFIDAVIT

1978

Resources

H. R. Allred

being first duly sworn,

deposes and says: I initially developed the land described in Mr. Tilley's claim;

that being the S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 28, Twp. 11S, Rge. 20E, B. M.

The well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28 was drilled for the purpose of irrigation in

1953. All other statements on the claim are true to the best of my knowledge.

H. R. Allred
(signature)

Subscribed and sworn to before me this 20 day of November 19 78.

Ed. B. B. B.
(notary public)

Residing at Hauser

My commission expires 2-22-81

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to merge
in file

Affidavit of Publication

No 7871

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, John L. Hughes being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NE
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive Thursdays commencing with the issue dated
December 14, 1978, and ending with the issue dated
December 21, 1978.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this December 21 day of

Department of Water Resources
Southern District Office

Ray L. Mauer
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

WATER RIGHT
Notice is hereby given that the following
water right has been
approved by Division and application to
transfer has been
45-4073
MELVIN H.
MURTAUGH, ID 83344
GROUNSWATER
Priority Date: 01/01/1903
Amount: 1.45 CFS
Diversion Point: SWNE Sec 28 T 11S R 30E,
TWIN FALLS Co.
Use: IRRIGATION (1.45 CFS) from 03/15 to
11/15
Place of Use: SWSE SEBE Sec 38 T 11S R 30E CON 240
ACRES
Drainage Means: WELL AND PUMP
Any exception to any claim of water right
may be filed with the Director of the Idaho
Department of Water Resources, 1021 Blue
Lake Blvd., Boise, Twin Falls, Idaho 83301
D. ATHERTON ALLRED
Director
PUBLISHED: Thursday, Dec. 14, and 21, 1978

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DEC 21 1978

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ok
Marty
12/14/78

**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:

45-4073

TILLEY, MELVIN H.
ROUTE 1, MURTAUGH, ID 83344
Source: GROUNDWATER

Priority Date: 04/01/1953

Amount: 1.40 CFS

Diversion Point: SWNE Sec 28 T 11S R 20E,
TWIN FALLS Co.

Use: IRRIGATION (1.40 CFS) from 03/15 to
11/15

Place of Use: SWNE SENE NESE NWSE
SWSE SESE Sec 28 T 11S R 20E FOR 240
ACRES

Diversion Means: WELL AND PUMP

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

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Dec. 14, and 21, 1978.

Affidavit of Publication

No 7871

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

I, *Melvin H. Tilley*, being first duly sworn upon
oath, depose and say that I am *Melvin H. Tilley* of the TIMES-NE
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for *four*
consecutive *Thursday* days, commencing with the issue dated
December 14, 1978, and ending with the issue dated
December 21, 1978.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

day of

1978

Melvin H. Tilley
Ray L. Makeny

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 2, 1979

MELVIN H. TILLEY
ROUTE 1
MURTAUGH

ID 83344

RE: Claim No. 45-4073

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,

LOREN O. HOLMES
Southern Region Supervisor

Enclosure

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IN THE MATTER OF:

Melvin H. Tilley 45-4073

State of Idaho

County of Twin Falls

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AFFIDAVIT Department of Water Resources
Southern District Office

Theodore Sturgill being first duly sworn,
deposes and says: I have lived in the area since 1928 and have knowledge of the well
in the above referenced claim.

To the best of my knowledge the well was drilled and the water
put to use in 1953.

Theodore Sturgill
(signature)

Subscribed and sworn to before me this 7 day of December 19 78.

Loren O Halmer
(notary public)

Residing at Twin Falls, Idaho
My commission expires Life

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IN THE MATTER OF:

CLAIM 45-4073
~~15-1361~~

State of Idaho

County of Twin Falls

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DEC 1 1978

Department of Water Resources
Southern District Office

Arliss Lee

being first duly sworn,

deposes and says: I have lived in the area since 1946 and have knowledge of the
drilling of the well in the above referenced claim. To the best of my knowledge
the well was drilled in the fall of 1953 and pumped approximately 70 inches
of water.

Arliss Lee
(signature)

Subscribed and sworn to before me this 1 day of December 19 78.

Loren O. Halme
(notary public)

Residing at Twin Falls, Id
My commission expires Life

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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:

45-4023-

TILLEY, MELVIN H.

ROUTE 1, MURTAUGH, ID 83344

Source: GROUNDWATER

Priority Date: 04/01/1953

Amount: 1.40 CFS

Diversion Point: SWNE Sec 28 T 11S R 20E, TWIN FALLS Co.

Use: IRRIGATION (1.40 CFS) from 03/15 to 11/15

Place of Use: SWNE SENE NESE NWSE SESE Sec 28 T 11S R 20E
FOR 240 ACRES

Diversion Means: WELL AND PUMP

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.

C. STEPHEN ALLRED

Director

Published 12/14 & 12/21.

MICROFILMED

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

45-4073

TITLE: MELVIN H.

ROUTH, MURTAUGH, ID 83344

Source: GROUNDWATER

Prior Date: 04/01/1953

Amount: 1.40 CFS

Diversion Point: SWNE Sec 28 T 11S R 20E,
TWIN FALLS Co.

Use: IRRIGATION (1.40 CFS) from 03/15 to
11/15

Placof Use: SWNE SENE NESE NWSE
SESE SESE Sec 28 T 11S R 20E FOR 240
ACRES

Diversion Means: WELL AND PUMP

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

STEPHEN ALLRED

Director

PUBLISH: Thursday, Dec. 14, and 21, 1978.

*ok
mmp
12/13/78*

DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 1, 1978

Times News
P. O. Box 548
Twin Falls, Idaho 83301

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 billings to this office before JANUARY 2, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

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