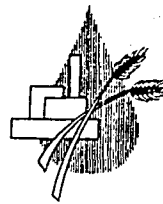


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Guy L. Higley
(Name of Claimant)

P.O. Box 537 BRIGHAM CITY, UTAH 84302 Telephone No. 723-2271
(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) 1-1-1890

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)

BLACK PINE CANYON (see below also) 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:

HIGLEY SPRING, SPRINGS - trib to SINKS

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
* Quantity	<u>7.0 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>Apr 15</u>	To <u>Oct 15</u>
Spring → Quantity	<u>0.03 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>JAN 1</u>	To <u>Dec 31</u>
Spring → Quantity	<u>0.04 cfs</u>	Use <u>Domestic (Single)</u>	Period of Use From <u>JAN 1</u>	To <u>Dec 31</u>
Quantity	<u>4.5 Acre Feet</u>	Use <u>STORAGE FOR IRRIGATION</u>	Period of Use From <u>JAN 1</u>	To <u>Dec 31</u>
Quantity	<u>4.5 Acre Feet</u>	Use <u>Irrigation & Stock from Storage</u>	Period of Use From <u>JAN 1</u>	To <u>Dec 31</u>

- (4) 7.0 and 4.5 Acre Ft. TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 SW 1/4, Sec. 28 Twp. 16 S Rge. 29 E B.M., County of CASSIA

Additional points of diversion: SW NE SEC 18 T16S R30E (springs)

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. open diversion channel into ditch, ditch flows into spring area, water is either diverted into ditch to field or small reservoir

- (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.

* AMT FROM ALL SOURCES COMBINED

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	
16S	30E	18			20	7									40	40			107

No. of acres 107

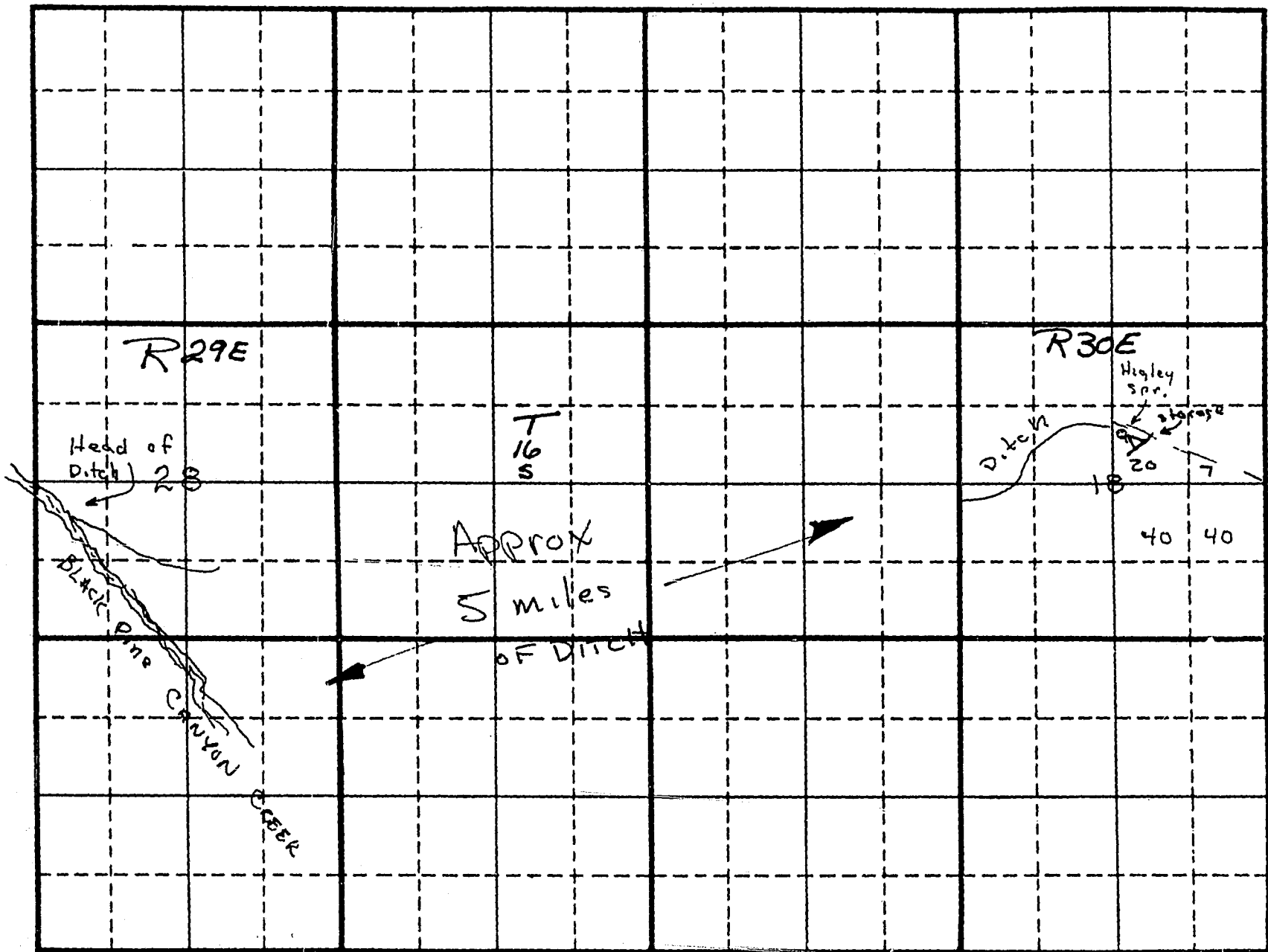
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Water is used for stockwater and domestic use all sources are combined in the area of Higley Springs. A small reservoir is located below springs and stores water for stockwater and irrigation.

NOTE: Include here the type and number of stock watered: 60 HEAD RANGE CATTLE

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

(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)
County of ADA) 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 8 day of November, 1982.

Guy L. Hixley
(Claimant)

Jim Johnson
Notary Public
Residing at Bonnie Rd.

My commission expires life

Received by CW Date 11-8-82 FOR DEPARTMENT USE ONLY
Prelim. check by Jim (Kew) Date 11-8-82 (11-16-82) Exception filed by: _____ Date _____
\$30.00 fee received by CW Date 11-16-82 #82585 Forwarded to claimant by: _____ Date _____
Published in South Idaho Press
Dates 11/25 & 12/2/82

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

.....Mary Summers..... being first
duly sworn, deposes and says that...he is the

.....Clerk..... 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 November 25th 19.....82, and ending
with the issue dated December 2, 19.....82

Mary Summers
Subscribed and sworn to before me
this 7th day of November
1982

Kenick Moore Notary Public

Cost of Publication \$ 22.75

Notary Fee

Total Cost

RECEIVED

DEC 8 1982

Department of Water Resources
Southern District Office

82-346

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on water
right(s) created by diversion and beneficial use:

17-4041

HIGLEY, GUY L., P.O. BOX 537, BRIGHAM CITY,
UT. 84302. Source: BLACK PINE CANYON tributary
to SINKS

HIGLEY SPRING tributary to SINKS
SPRINGS tributary to SINKS

Priority Date: 01/01/1890

Amount: 7.00 CFS 4.5 AC-FT

Diversion Point: NWSW Sec. 28 T. 16S R. 29E
SWNE Sec. 18 T. 16S R. 30E, CASSIA Co.

Use: IRRIGATION (7.00 CFS) from 04/15 to
10/15; IRRIGATION STORAGE (4.5 AC-FT) from
01/01 to 12/31; IRRIGATION FROM STORAGE
(4.5 AC-FT) from 01/01 to 12/31; STOCKWATER
(0.03 CFS) from 01/01 to 12/31; STOCKWATER
STORAGE (4.5 AC-FT) from 01/01 to 12/31;
STOCKWATER FROM STORAGE (4.5 AC-FT) from
01/01 to 12/31; DOMESTIC (0.04 CFS) from
01/01 to 12/31.

Place of Use: SWNE SENE NESE Sec. 18 T. 16S R.
30E FOR 107 ACRES.

Diversion Means: DIVERSION CHANNEL &
DITCH.

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho 83402.

/s/ KEN DUNN
Director

Published in the South Idaho Press November 25
and December 2, 1982.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summers being first

duly sworn, deposes and says that she is the

Clerk 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 two

consecutive weeks, commencing with the issue

dated December 30th 1982 and ending

with the issue dated January 6th, 1983

Mary Summers

Subscribed and sworn to before me

this day of

1983

Notary Public

Cost of Publication No Charge

Notary Fee

Total Cost No Charge

RECEIVED

JAN 12 1983

Department of Water Resources
Eastern District Office

82-373

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

17-4041

HIGLEY, GUY L., P.O. BOX 537, BRIGHAM CITY, UT 84302. Source: BLACK PINE CANYON tributary to SINKS

HIGLEY SPRING tributary to SINKS
SPRINGS tributary to SINKS

Priority Date: 01/01/1890

Amount: 7.00 CFS 4.5 AC-FT

Diversion Point: NWSW Sec. 28 T 16S R 29E
SWNE Sec 18 T 16S R 30E, CASSIA Co.

Use: IRRIGATION (7.00 CFS) from 04/15 to 10/15; IRRIGATION STORAGE (4.5 AC-FT) from 01/01 to 12/31; IRRIGATION FROM STORAGE (4.5 AC-FT) from 01/01 to 12/31; STOCKWATER (0.03 CFS) from 01/01 to 12/31; STOCKWATER STORAGE (4.5 AC-FT) from 01/01 to 12/31; STOCKWATER FROM STORAGE (4.5 AC-FT) from 01/01 to 12/31; DOMESTIC (0.04 CFS) from 01/01 to 12/31.

Place of Use: SWNE, SENE, NESE, NWSE, Sec. 18, T. 16S, R. 30E, B.M. FOR 107 ACRES.

Diversion Means: DIVERSION CHANNEL & DITCH.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

/s/ KEN DUNN
Director

Published in the South Idaho Press December 30, 1982 and January 6, 1983.

RECEIVED

JAN 11 1983

Department of Water Resources
Southern District Office

OK

WARRANTY DEED

For Value Received

CLIFFORD F. NEAL, single

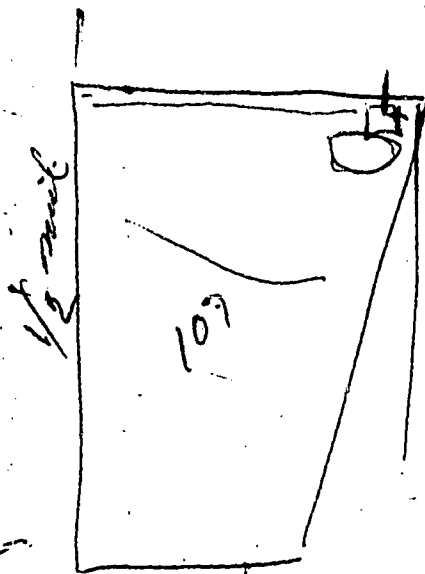
the grantor, do hereby grant, bargain, sell and convey unto

GUY L. HIGLEY and JUNE HIGLEY, husband and wife

the grantee s, the following described premises, in Oneida County Idaho, to wit:

Commencing at the Southeast Corner of the Northeast quarter of Section 18, Township 16 South, Range 30 East, Boise Meridian; thence running West 160 rods, thence North 54 rods, thence Southeasterly 166 rods, more or less, to the point of beginning; Also,

The North half of the Southeast quarter of Section 18, Township 16 South, Range 30 East, Boise Meridian.



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 4, 1971

Clifford F. Neal

STATE OF IDAHO, COUNTY OF Oneida

On this 4th day of November 19 71, before me, a notary public in and for said State, personally appeared

State of Idaho, County of Oneida: ss.

I hereby certify that this instrument was filed for record at request of R. B. Scott at 30 minutes past 11 o'clock A.M. this 4 day of Nov A.D., 19 71 and duly recorded on Film as Inst. No. 89668

Furnished by the AMERICAN

17-4041

HIGLEY, GUY L.

P.O. BOX 537, BRIGHAM CITY, UT 84302

Source: BLACK PINE CANYON tributary to SINKS
HIGLEY SPRING tributary to SINKS
SPRINGS tributary to SINKS

Priority Date: 01/01/1890

Amount: 7.00 CFS 4.5 AC-FT

Diversion Point: NWSW Sec 28 T 16S R 29E SWNE Sec 18 T 16S R 30E,
CASSIA Co.

Use: IRRIGATION	(7.00 CFS)	from 04/15 to 10/15
IRRIGATION STORAGE	(4.5 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(4.5 AC-FT)	from 01/01 to 12/31
STOCKWATER	(0.03 CFS)	from 01/01 to 12/31
STOCKWATER STORAGE	(4.5 AC-FT)	from 01/01 to 12/31
STOCKWATER FROM STORAGE	(4.5 AC-FT)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: ^{SWNE}SWNW SENE NESE NWSE Sec 18 T 16S R 30E FOR 107 ACRES

Diversion Means: ^{SWNE}DIVERSION CHANNEL & DITCH

Computer chg. made 12/22/82 BP
place of use to. SWNE, SENE, NESE, NWSE
Sec. 18, T16S, R30E

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 11/25 & 12/2/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 17, 1982

South Idaho Press
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 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 DECEMBER 13, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C Wilson

Right Number 17 4041

Applicant Guy L. Higley

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.

Dec. 13, 1982
Jan. 17, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Feb 1, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 2/3/83

-Suite 15

December 15, 1982

RE: Claim to a Water Right No. 17-4041 HIGLEY

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on November 25 and December 2, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 17-4041 in the name of Guy L. Higley, was advertised incorrectly on Nov. 25 & Dec. 2, 1982. The place of use was advertised as being within the SWNW, SENE, NESE, Sec. 18, T. 16S, R. 30E, B.M.

WHEREAS, the actual place of use is within the SWNE, SENE, NESE, NWSE, Sec. 18, T. 16S, R. 30E, B.M.

Any exception to any claim must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402.

A. KENNETH DUNN

Director

Published in the South Idaho Press on Dec. 30, 1982 & Jan. 6, 1983.

82-373

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:
17-4041

HIGLEY, GUY L., P.O. BOX 537, BRIGHAM CITY, UT. 84302. Source: BLACK PINE CANYON tributary to SINKS

HIGLEY SPRING tributary to SINKS
SPRINGS tributary to SINKS
Priority Date: 01/01/1890

Amount: 7.00 CFS 4.5 AC-FT
Diversion Point: NWSW Sec. 28 T 14S R 29E
SWNE Sec 18 T 16S R 30E, CASSIA Co.
Use: IRRIGATION (7.00 CFS) from 04/15 to 10/15; IRRIGATION STORAGE (4.5 AC-FT) from 01/01 to 12/31; IRRIGATION FROM STORAGE (4.5 AC-FT) from 01/01 to 12/31; STOCKWATER (0.03 CFS) from 01/01 to 12/31; STOCKWATER STORAGE (4.5 AC-FT) from 01/01 to 12/31; STOCKWATER FROM STORAGE (4.5 AC-FT) from 01/01 to 12/31; DOMESTIC (0.04 CFS) from 01/01 to 12/31.

Place of Use: SWNE, SENE, NESE, NWSE, Sec. 18, T. 16S, R. 30E, B.M. FOR 107 ACRES.

Diversion Means: DIVERSION CHANNEL & DITCH.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.
/s/ KEN DUNN
Director

Published in the South Idaho Press December 30, 1982 and January 6, 1983.

*Newspaper republished
entire notice instead
of correction. Second
notice is correct.
Cw
1-14-83*

December 22, 1982

RE: Notice of Correction No. 17-4041 HIGLEY

SOUTH IDAHO PRESS
Box 190
Burley, ID 83318

Gentlemen:

We are resubmitting a legal notice to be published on December 30 and January 5, 1983. This notice was originally published in your paper on November 25 and December 2, 1982. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by January 17, 1983. Your cooperation in this matter is greatly appreciated.

Very truly yours,

BARBARA POWERS
Secretary

Enclosure: Legal Notice (1)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 13, 1982

GUY L. HIGLEY
P.O. BOX 537
BRIGHAM CITY UT 84302

RE: Claim No. 17-4041

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
FEB 02 1983

Department of Water Resources