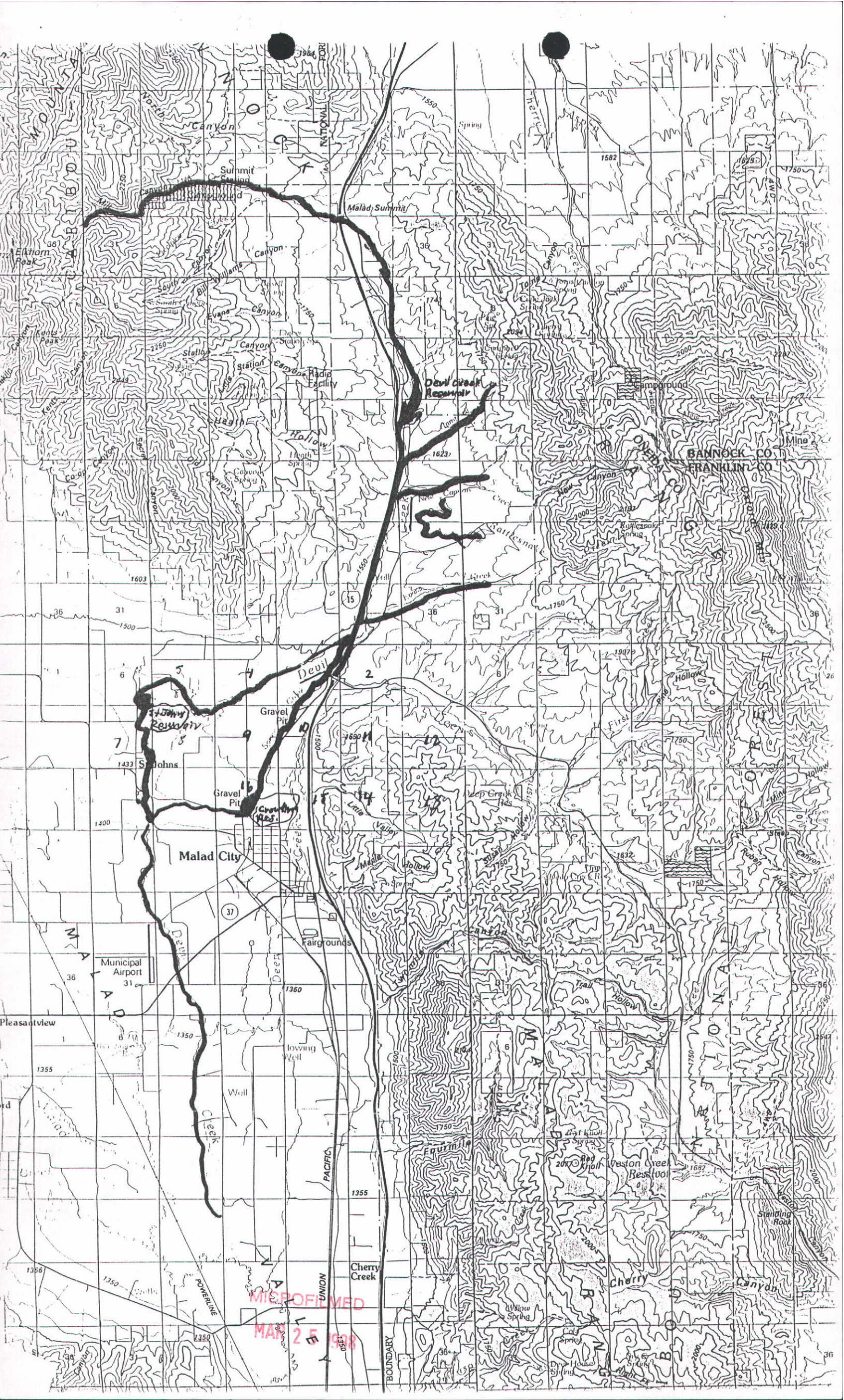




MICROFILMED
MAR 25 1968

15-4203

ST. JOHNS
Reservoir
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 06 1998

CLAIM TO A WATER RIGHT

Department of Water Resources

Department of Water Resources
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 Malad Valley Irrigation Company

c/o Louis Dredge, Malad, Id.

(Name of Claimant)

Telephone No. 766-4383

(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) May 1, 1901

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)

Birch Creek _____ tributary to _____ Malad 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>810 AF</u>	Use	<u>Storage for Irrigat</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>810 AF</u>	Use	<u>Irrig. from storage</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 810 AF TOTAL QUANTITY USED.
(cfs prod. AFA)

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

NE ¼ NE ¼, Sec. 7 Twp. 14S Rge. 36E B.M., County of Oneida

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.

(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.

SEE ATTACHED SHEET

[illegible]

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:

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

MICROFILMED

MAR 9 5 1978

{8}

Scale: 2 inches equal 1 mile.

State of Idaho

County of Oreida

Wilton E. Earl Pres

(Claimant)

Sworn to before me this 4th day of March, 1982.

Notary Public

Residing at

^c Esie J. Perry
Cal, Ida

My commission expires _____

55 July 10, 1983

FOR DEPARTMENT USE ONLY

Received by Qu

Date 3-08-82

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date _____

claimant by:

\$20.00 fee received by Cul

Date _____

Published in 10 Enterprise, Statewide

Dates 2-5 and 12-98

MICROFILMED

MAR 25 1968

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	36E	6		39			30												69
14S	36E	31	40	40	40	40	40	40	40	40	40			30	35	40	39	38	542
		32	38	36	20	10	20	40	39	20		35	35						293
		33					30	40											70
		30	40	40	36	40	35	39	38	39	39	39	38	40	39	40	40	40	622
		29	35	36	40	39	36	35	40	40	40	37	38	30	39	40	39	39	603
		28		25	25		38	38	38	38	35	36	36	35					344
		21					15	38	40	10	38	40	40	38		15	35		309
		20	39	39	40	40	39	35	35	40	40	38	10	38	40	40	40	40	593
		19	35		40	35					40	40	38	40	35	38	40	40	421
		15						35	35			39	20						129
		16	35	15	10	33	38	35	35	25	35	38	38	35	38	5	10	20	445
		17	35	35	30	39	35	30	25	40	38	38	38	39	38	38	39	39	576
		18													20			35	55
		10						30	15			35	38						118
		9	35	38	39	35	40	30	39	39	39	40	37	38	30	39	35	38	591
		8	30	40	20	33	40			10	20			20	32	38	38	40	361
		2						15											15
		3	30	30	36	25	10	10	30	35	35	40	38	10		10			339
		4	10	30	39	30	35	35	38	35	40	25	20	30	38	35	39	39	518
		5	35	30	35	38	30	30	38	38	35	30		38	38	35	36	40	526
		6			40	39									35	40	35		189
14S	35E	24																39	39
		25	39		39	39									38	39	39	39	272
		36	40	35		39													114
13S	36E	13										20	20						40
		24						20	10										30
		23													5			15	20
		25						15	30			5							50
		26	35	10	15	30									25	25	30	10	180

Total number of acres irrigated _____

MAR 23 1931

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

1900-1901

MAR 25 1978

**AFFIDAVIT OF WATER RIGHT CLAIMS
OF
MALAD VALLEY IRRIGATING COMPANY**

STATE OF IDAHO)
 : ss
County of Oneida)

The undersigned officers and directors of Malad Valley Irrigating Company, being first duly sworn, depose and state as follows:

1. The undersigned Affiants, Grant Jones, Lon Corbridge and Louis Dredge (hereinafter referred to collectively as "Affiants") as officers and directors, submit this Affidavit on behalf of Malad Valley Irrigating Company (hereinafter "the Company") for filing with the State of Idaho Department of Water Resources ("the Department") for the purpose of setting forth the rights owned and claimed by the Company to the public waters of Idaho established by permit, license, claim and by diversion and application to beneficial use under the laws and Constitution of the State of Idaho.

2. Affiant Grant Jones is 69 years of age, the President of the Company since 1996 and a shareholder since 1962. Affiant Lon Corbridge is 71 years of age, currently the Secretary of the Company, a past President and member of the Board of Directors continuously since 1985 and a shareholder since 1973. Affiant Louis Dredge is 55 years of age, a member of the Board of Directors continuously since 1977, a past President and shareholder since 1971.

The information contained in this Affidavit is true and correct to the best of Affiants' knowledge, information and belief based upon their personal knowledge, review of the Company's records, and observations as shareholders, board members and officers of the Company, together with the Articles of Incorporation, By Laws, Minutes and other records maintained by the Company since its inception.

3. The Company was incorporated as an Idaho nonprofit corporation by Articles of Incorporation filed with and approved by the Office of the Territorial Secretary of the State of Idaho on June 12, 1882. The Company has existed and operated since that time for the purpose of

delivering irrigation water to its shareholders in Oneida County, Idaho. Presently the Company has 180 shareholders who collectively irrigate 8924 acres..

4. Attached hereto as Exhibit "A" and incorporated by reference is a map depicting Devil Creek and its tributaries together with Devil Creek, Crowther and St. Johns Reservoirs described below. Commencing on April 1, 1882, the Company has continuously diverted and applied to beneficial use all of the water naturally flowing in Devil Creek and its tributaries. The headwaters of Devil Creek arise in Mill Canyon, commonly known as Power House Canyon. Near the Malad Summit the water is divided with one-fourth diverted in a northerly direction into Marsh Valley and three-fourths diverted in a southerly direction into the Devil Creek drainage via a canal. There are numerous unnamed springs and streams tributary to Devil Creek including, but not limited to Campbell, Heath Hollow, Station, New Canyon, Rattlesnake, Evans, Birch and Spring Creeks. These creeks contribute to Devil Creek below Devil Creek Reservoir and above Crowther and St. Johns Reservoirs. The water naturally flowing in Devil Creek and its tributaries is contained and stored in Devil Creek, St. Johns and Crowther Reservoirs on a year-round basis, although the primary storage results from winter snowmelt and spring runoff.

During the normal irrigation season from April 1 through November 1 the natural flow is passed through the reservoirs and, combined with released storage water, provides the irrigation water needs of the shareholders. The records of the Company reflect that on the average it delivers approximately 7500 acre feet of water to the shareholders. The annual water delivered varies based upon availability, climatic conditions and needs and has varied from a low of 2500 acre feet in times of extreme drought to in excess of 10,000 acre feet in the best water years. The shareholders of the Company irrigate some 8924 acres located in Townships 13, 14 and 15 S., and Ranges 35 and 36 E., B.M., Oneida County. These lands are generally adjacent to Devil Creek downstream from Devil Creek Reservoir and are more specifically described in the "Land List Attachment" attached to the Application for Permit, attached hereto as Exhibit B.

5. St. Johns Reservoir was constructed and first became operational in the spring of 1898. In approximately 1908 this reservoir was washed out and rebuilt to a larger size in the same location. In 1952 this reservoir again was washed out and again was rebuilt a larger size at the same location. St. Johns Reservoir has a capacity of 810 A.F., is primarily filled from Birch Creek, and

is also used to store water naturally flowing in Devil Creek and water released from Devil Creek Reservoir.

Crowther Reservoir was constructed in 1948 and has been continuously used since that time for the purpose of storing and releasing irrigation water. Crowther Reservoir has a capacity of 1053 A.F., is filled from stored water released from Devil Creek Reservoir and from the natural flow of Devil Creek and its tributaries.

Devil Creek Reservoir was constructed in 1969. Department Water Right No. 15-02081 authorizes the storage of water from Devil Creek up to a maximum of 4464.0 A.F. per year, with a priority date of June 10, 1940. The authorized use is for storage for irrigation and irrigation from storage. This water right resulted from Bureau of Reclamation Permit No. R682, which authorized the construction of the Devil Creek Reservoir. Attached hereto as Exhibit C is a copy of the "Proof of Application of Water to Beneficial Use", based upon which License No. 15-02081 was issued.

Water from Right No. 15-02081 is also stored both in Devil Creek and Crowther Reservoirs. Water is diverted from Devil Creek at the "D.L. Evans Diversion" located in the SW1/4 SW1/4, Section 35, Township 13 S., Range 36 E., B.M., into the "Reservoir Diversion Ditch" which transports water in a southwesterly direction to St. Johns Reservoir, or remains in the natural drainage of Devil Creek which runs in a southerly direction to Crowther Reservoir.

6. There are no other water rights along Devil Creek drainage other than the Company's, except in the lower reach of New Canyon. The Company diverts all water flowing in New Canyon into a ditch near the mouth of the canyon which transports the water to Devil Creek. In the lower reach of New Canyon below the Company's diversion, water arises from springs and seeps into the New Canyon drainage where it is diverted and used by approximately three other users who are believed to hold rights pursuant to a private decree for irrigation purposes during the normal irrigation season. Return flows and winter flows in the lower reach of New Canyon are also stored year round in the Company's reservoirs described above.

7. There are no minimum stream flow requirements in Devil Creek or any of its tributaries. There are no minimum pool requirements on St. Johns or Crowther Reservoirs, although the Company does voluntarily maintain minimum pool levels to enhance fisheries and public recreation. Devil Creek Reservoir has a minimum pool requirement of 300 A.F.

8. On March 4, 1982, the Company filed a "Claim to a Water Right", under the provisions of Section 42-243, Idaho Code, pertaining to water naturally flowing in Birch Creek and stored in St. Johns Reservoir, a copy of which is attached as Exhibit "D". As indicated on page 2, this claim and the \$30 filing fee was receipted for on March 8, 1982, by the Department's employee initialed "CW", whom we have since been advised was Colleen Wray, the secretary/receptionist in the Department's Idaho Falls Office at that time. For reasons unknown, we are informed the Department has no record of this claim which apparently was not assigned an identifying number, published or processed, even though it was filed well before the 1988 cut-off date. .

This claim appears to have been lost and not published or processed by the Department due to neglect or oversight. Accordingly, the Company requests that this claim now be accepted, filed and processed by the Department.

9. The Company has recently been informed by the Department that its records do not reflect the Company's water rights in Devil Creek which are stored in Crowther Reservoir. The Company's water rights in Crowther Reservoir are acknowledged in the remarks which are part of Water Right No. 15-02081, Exhibit C attached. To confirm and clarify the Company's water rights in Devil Creek and Crowther Reservoir, the Company's claimed rights in Crowther Reservoir are set forth in the Department's Form 202 "Application for Permit" attached hereto as Exhibit "E". The place of use is the same described in the "Land List Attachment" attached to the Application for Permit, Exhibit E attached. The Company requests that the Department properly file and process this Application for Permit pertaining to Devil Creek and Crowther Reservoir.

10. The Company will promptly respond to any inquiries and provide such additional information as may be requested by the Department upon filing, review and processing of this Affidavit and the attached exhibits.

DATED this 5 day of January, 1998.

MALAD VALLEY IRRIGATING COMPANY

By Grant W. Jones
GRANT JONES, President

By *Lon Corbridge*
LON CORBRIDGE, Secretary

By *Louis Dredge*
LOUIS DREDGE, Director

STATE OF IDAHO)
 : ss
County of ~~Bannock~~ ^{Oneida})

On this 5 day of January, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared GRANT JONES, LON CORBRIDGE and LOUIS DREDGE, the President, Secretary and Director of Malad Valley Irrigating Company, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to me that they executed the same on behalf of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Dandy Jacer
NOTARY PUBLIC FOR IDAHO,
Residing at ~~Pocatello~~ ^{malad, Idaho}
My Commission Expires: ~~10/11/2000~~ 10-2003

(SEAL)

EXHIBIT "A"

MICROFILMED

MAR 25 1980

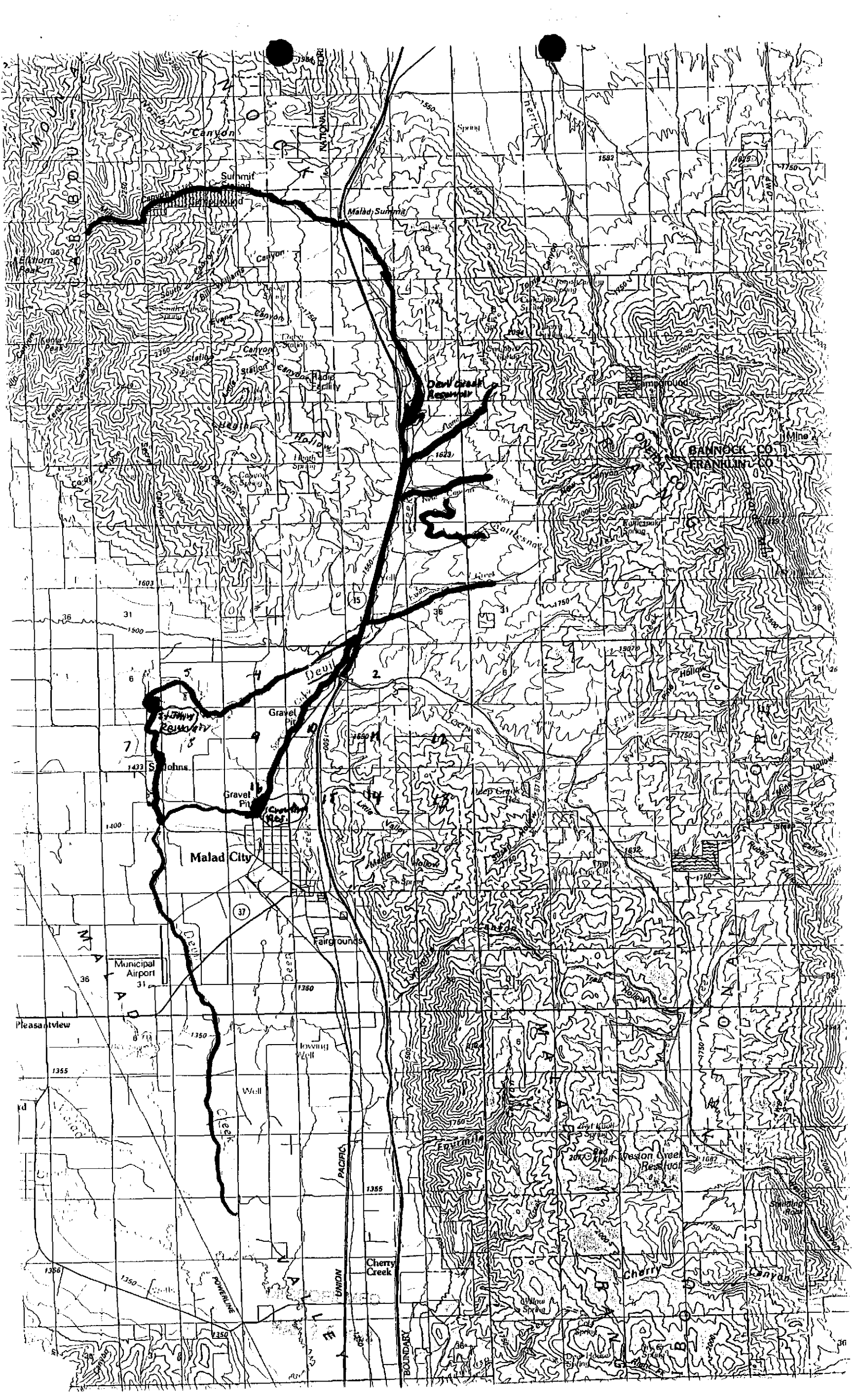


EXHIBIT "B"

MICROFILMED

SEP 25 1968

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	36E	6		39			30												69 *
14S	36E	31	40	40	40	40	40	40	40	40				30	35	40	39	38	542 *
		32	38	36	20	10	20	40	39	20		35	35						293 *
		33					30	40											70 *
		30	40	40	36	40	35	39	38	39	39	39	38	40	39	40	40	40	622 *
		29	35	36	40	39	36	35	40	40	40	37	38	30	39	40	39	39	603 *
		28		25	25		38	38	38	38	35	36	36	35					344 *
		21					15	38	40	10	38	40	40	38		15	35		309 *
		20	39	39	40	40	39	35	35	40	40	38	10	38	40	40	40	40	593 *
		19	35		40	35					40	40	38	40	35	38	40	40	421 *
		15						35	15			39	20						129
		16	35	15	10	33	38	35	35	25	35	38	38	35	38	5	10	20	445
		17	35	35	30	39	35	30	25	40	38	38	38	39	38	38	39	39	576
		18														20		35	55
		10						30	15			35	38						118
		9	35	38	39	35	40	30	39	39	39	40	37	38	30	39	35	38	591
		8	30	40	20	33	40			10	20			20	32	38	38	40	361
		2						15											15
		3	30	30	36	25	10	10	30	35	35	40	38	10		10			339
		4	10	30	39	30	35	35	38	35	40	25	20	30	38	35	39	39	518
		5	35	30	35	38	30	30	38	38	35	30		38	38	35	36	40	526
		6			40	39									35	40	35		189
14S	35E	24																39	39 *
		25	39		39	39									38	39	39	39	272 *
		36	40	35		39													114 *
13S	36E	13										20	20						40
		24						20	10										30
		23													5			15	20
		25						15	30			5							50
		26	35	10	15	30									25	25	30	10	180

Total number of acres irrigated

Additional parcels NOT Listed above

15S 36E 4 ~~40 40 40 40~~ 40 40 40 30 *

15S 36E 5 40 20 *

MAR 25 1958

*Land irrigated from Crowther Reservoir equals 4501 acres.

EXHIBIT "C"

MICROFILMED
MAR 25 1988

Identification No. _____

Permit No. R 622

STATE OF IDAHO

New number 29-2559

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Malad Valley Irrigating Company, Inc.
- b) Post Office Address 64 W 400 N., Malad, Idaho 83252
2. Permit Number R-682 (New Number -29-2559)
3. ~~A right to decreed waters from Devil Creek and tributaries 1882~~ All water rights Devil Creek & tributaries 1882
3. Date of Priority that you are prepared to establish 3/4 flow of Birch Creek also known as Mill Creek, and all flood waters in
4. a) Source from which water was appropriated run off impounded in reservoirs in west part of Creek in
- b) Location of the point of diversion: N 1/4 SE 1/4 Section 27
- Township 12 S., Range 36 E. Boise Meridian, Other points of diversion: _____
- water carried in channel of Devil Creek a distance of approximately 19.75
- is to several points of diversion located along stream channels.

5. a) The amount of water and use to which the water has been applied:

amount <u>40 cfs</u>	for <u>irrigation</u>	purposes from <u>4/5</u>	to <u>10/1</u>	incl.
(cfs and/or acre feet per annum)		(Month-Day)	(Month-Day)	
amount <u>30 cfs</u>	for <u>irrigation</u>	purposes from <u>10-2</u>	to <u>1-15</u>	incl.
(cfs and/or acre feet per annum)		(Month-Day)	(Month-Day)	
amount <u>35 cfs</u>	for <u>irrigation</u>	purposes from <u>1-16</u>	to <u>4-4</u>	incl.
(cfs and/or acre feet per annum)		(Month-Day)	(Month-Day)	
- b) Total amount appropriated 40 cfs cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Bureau of Reclamation

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 - a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

- b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) canal carrying water approximately 19.75 miles to points of diversion.

- b) Describe the type and size of measuring device which you have installed at your point of diversion: Concrete structure 5 - 6 feet high with slots in side of stilling box. Other diversion are concrete, with measuring devices which permits various amounts of water to be diverted into different ditches. (See remarks attached).
- c) Give well drillers name and address and date the well was completed None.

RECORDED
MAR 25 1960

		NE	N	SE	E	SE	SW	SW	SE	NE	NE	SE	SE	NE	NE	SW		
24	6		20			30												
24	51	40	40	40	40	40	40	40	40	40			30	35	40	30	25	540
	22	30	30	30	10	30	40	30	30		35	35						295
	25					30	40											70
	30	40	40	35	40	35	30	30	30	30	30	30	40	30	40	40	40	620
	20	35	35	40	30	35	35	40	40	40	30	30	30	30	40	30	30	605
	20		35	30		30	30	30	30	35	30	30	30					340
	21					15	30	40	10	30	40	40	30		15	35		300
	20	30	30	40	30	30	35	35	40	40	35	30	30	40	40	40	40	500
	17	35		40	35					40	40	30	40	35	30	40	40	421
	15						35	35			30	30						150
	16	30	15	10	35	30	35	35	25	35	30	30	35	30	5	10	20	445
	17	35	35	30	30	30	30	30	40	30	30	30	30	30	30	30	30	575
	18													20			20	55
	10						30	15			35	35						110
	9	35	30	30	35	40	30	30	30	30	40	30	30	30	30	30	35	591
	8	30	40	30	30	40			10	20			20	30	30	30	40	360
	2						15											15
	3	30	30	35	35	10	10	30	35	35	40	30	10		10			330
	4	30	30	30	30	35	35	30	35	40	30	30	30	30	35	30	30	510
	5	35	30	35	35	30	30	30	30	35	30		30	30	35	35	40	520
	6			40	30									30	40	35		180
25	24																30	50
	25	30			30	30								30	30	30	30	270
	26	40	35		30													110
27	27										30	30						40
	28						20	10										30
	29													5			15	20
	30						15	30			5							50
	31	30	30	10	15	30								25	25	30	10	100
	32	30	30	30	30	10			15	30	10	30	10		30			231
	33																10	10

MAR 25 1960

Remarks:

The main diversion diverts water into Devil Creek channel which runs into the Devil Creek Reservoir, where the water is stored. Live water and storage water, during irrigation season, is distributed to the stockholders by means of diversion from the company's ditches to the individual owners.

The main diversion, after the water comes out of the reservoir, is what is known as David E. Evans diversion. The next diversion is the Jensen diversion, followed by the D. L. Evans diversion, at which point water is diverted in several directions; one goes to the St. Johns Reservoir and from the reservoir to the company's diversion where water is distributed south to the Robert Reas diversion, where water is distributed in two directions, west to individual ditches approximately 3 miles and south to individual ditches approximately 4½ miles.

Also from the D. L. Evans diversion, water is distributed down the main channel into Crowthers Reservoir. From Crowthers Reservoir, after leaving the reservoir, water is distributed to the west and south; south to Samaria Lane diversion where water is diverted in two directions, west and south.

Also from the D. L. Evans diversion, water is distributed south to the Parry Jones diversion. From Parry Jones diversion, water is distributed on the east side of the old channel to David E. Jones diversion, and South from the Parry Jones diversion to the Harvey Jones diversion, where it is distributed to individual users and also south from Harvey Jones diversion to the Zundel diversion, which is the end of the company ditches.

When referring to the St. John Reservoir and Crowther Reservoir, these are reservoirs owned by Malad Valley Irrigating Company, Inc..

MICROFILMED

MAR 25 1968

EXHIBIT "D"

MICROFILMED
MAR 25 1980

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

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of solid black lines forming the outer border and dashed horizontal lines separating the rows. There are 6 columns and 8 rows of squares visible.

State of Idaho)
County of Ozweida) ss.

Milton E. Hall Pres
(Claimant)

My commission expires July 10, 1983

Notary Public
Residing at Elsie J. Sperry
Malad, Ida

Received by CW Date 3-08-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$30.00 fee received by CW Date _____
Published in _____
Dates _____

2007-2-3 09:00

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	36E	6		39			30												69
14S	36E	31	40	40	40	40	40	40	40	40				30	35	40	39	38	542
		32	38	36	20	10	20	40	39	20		35	35						293
		33					30	40											70
		30	40	40	36	40	35	39	38	39	39	39	38	40	39	40	40	40	622
		29	35	36	40	39	36	35	40	40	40	37	38	30	39	40	39	39	603
		28		25	25		38	38	38	38	35	36	36	35					344
		21					15	38	40	10	38	40	40	38		15	35		309
		20	39	39	40	40	39	35	35	40	40	38	10	38	40	40	40	40	593
		19	35		40	35					40	40	38	40	35	38	40	40	421
		15						35	35			39	20						129
		16	35	15	10	33	38	35	35	25	35	38	38	35	38	5	10	20	445
		17	35	35	30	39	35	30	25	40	38	38	38	39	38	38	39	39	576
		18													20			35	55
		10						30	15			35	38						118
		9	35	38	39	35	40	30	39	39	39	40	37	38	30	39	35	38	591
		8	30	40	20	33	40			10	20			20	32	38	38	40	361
		2						15											15
		3	30	30	36	25	10	10	30	35	35	40	38	10		10			339
		4	10	30	39	30	35	35	38	35	40	25	20	30	38	35	39	39	518
		5	35	30	35	38	30	30	38	38	35	30		38	38	35	36	40	526
		6			40	39									35	40	35		189
14S	35E	24																39	39
		25	39		39	39									38	39	39	39	272
		36	40	35		39													114
13S	36E	13										20	20						40
		24						20	10										30
		23													5			15	20
		25						15	30			5							50
		26	35	10	15	30									25	25	30	10	180

Total number of acres irrigated _____

MICROFILM
MAR 25 1978

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

REC'D - CIVIL
MAR 23 1964

EXHIBIT "E"

RECORDED

MAR 23 1938

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Malad Valley Irrigation Company Phone _____
Mailing address c/o President Grant Jones, 2601 W. 500 S., Malad, ID 83252
2. Source of water supply Devils Creek which is a tributary of Malad River
3. Location of point of diversion is Township 14 S. Range 36 E. Sec. 16 1/6 in the NE 1/4,
SW 1/4 1/4, Govt. Lot _____, B.M., _____ County;
additional points of diversion if any: (Crowthers Reservoir Dam)
4. Water will be used for the following purposes:
Amount 1053 AF for Storage for Irr. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1053 AF for Irr. from Storage purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 930 A.F.
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Earth filled dam, vertical control outlet gate and 22' outflow pipe
 - b. Height of storage dam 102 feet; active reservoir capacity 1053 A.F. acre-feet; total reservoir capacity 1053 acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is * years (minimum 1 year)
completed 1948
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

(SEE ATTACHED)

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated 4501

10. Describe any other water rights used for the same purposes as described above. Devils Creek Reservoir
Water Right No. 15-02081

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Shareholders of Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This Application pertains to Crowther Reservoir and is intended
to document the Applicant's storage water right that has existed since
the Crowther Reservoir was constructed in 1948. (See Supporting Affidavit
of Officers and Directors of Applicant.)

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Malad Valley Irrigation Company

Grant Jones
Signature of Applicant (and title, if applicable)

By: Grant Jones, President

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	36E	6		39			30												69 *
14S	36E	31	40	40	40	40	40	40	40	40				30	35	40	39	38	542 *
		32	38	36	20	10	20	40	39	20		35	35						293 *
		33					30	40											70 *
		30	40	40	36	40	35	39	38	39	39	39	38	40	39	40	40	40	622 *
		29	35	36	40	39	36	35	40	40	40	37	38	30	39	40	39	39	603 *
		28		25	25		38	38	38	38	35	36	36	35					344 *
		21					15	38	40	10	38	40	40	38		15	35		309 *
		20	39	39	40	40	39	35	35	40	40	38	10	38	40	40	40	40	593 *
		19	35		40	35					40	40	38	40	35	38	40	40	421 *
		15						35	35			39	20						129
		16	35	15	10	33	38	35	35	25	35	38	38	35	38	5	10	20	445
		17	35	35	30	39	35	30	25	40	38	38	38	39	38	38	39	39	576
		18													20			35	55
		10						30	15			35	38						118
		9	35	38	39	35	40	30	39	39	39	40	37	38	30	39	35	38	591
		8	30	40	20	33	40			10	20			20	32	38	38	40	361
		2						15											15
		3	30	30	36	25	10	10	30	35	35	40	38	10		10			339
		4	10	30	39	30	35	35	38	35	40	25	20	30	38	35	39	39	518
		5	35	30	35	38	30	30	38	38	35	30		38	38	35	36	40	526
		6			40	39									35	40	35		189
14S	35E	24																39	39 *
		25	39		39	39									38	39	39	39	272 *
		36	40	35		39													114 *
13S	36E	13										20	20						40
		24						20	10										30
		23													5			15	20
		25						15	30			5							50
		26	35	10	15	30									25	25	30	10	180

Total number of acres irrigated

Additional parcels NOT Listed above

15S 36E 4 ~~40 40 40 40~~ 40 40 40 30 *

15S 36E 5 40 20 *

*Land irrigated from Crowther Reservoir equals 4501 acres.

State of Idaho
Department of Water Resources

15-4203

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number _____ Applicant MALAD Valley Irrigation

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.

This claim was taken in 1982
by department personnel and
inadvertently misplaced.

HWT
1-7-98

FINAL REGIONAL PROCESSING REVIEW:

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

By HWT Date 3-3-98

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 3/6/98

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
**NOTICE OF APPLICATION FOR
WATER RIGHT**

No. 15-07167

The Following application (s)
have been filed to appropriate the
public waters of the State of Idaho:
**MALAD VALLEY IRRIGATION CO
C/O PRESIDENT GRANT JONES
2601 W 500 S
MALAD ID 83252**

This application pertains to
Crowther Reservoir and is in-
tended to document the Applicant's
storage water right that has existed
since the Crowther Reservoir was
constructed in 1948.

Source: DEVILS CREEK

Trib. to: MALAD RIVER

Diversion Pt: NESW SEC 16 T 14S
R 36E in ONEIDA COUNTY

Use: IRRIGATION

STORAGE (1053.00 AFA)

IRRIGATION FROM

STORAGE (1053.00 AFA)

Total Diversion: (1053.00 AFA)

Date Filed: 01/09/98

In: ONEIDA COUNTY

T14S R35E S24, S25, S36

T14S R36E S19, S20, S21, S28,
S29, S30, S31, S32, S33

T15S R36E S04, S05, S06

4,501 ACRES TOTAL

The permit will be subject to all
prior water rights. Protests must be
filed with the applicant and the Di-
rector, Dept. of Water Resources,
along with a \$25.00 filing fee, East-
ern Region, 900 N. Skyline, Idaho
Falls, Idaho 83402 on or before
February 23, 1998.

KARL J. DREHER, Director

Published: 02/05/1998 & 02/12/
1998

**NOTICE OF CLAIM TO WATER
RIGHT**

No. 15-04203

The Following claim has been
filed to appropriate the public wa-
ters of the State of Idaho:
**MALAD VALLEY IRRIGATION CO
C/O PRESIDENT GRANT JONES
2601 W 500 S
MALAD ID 83252**

This claim pertains to St. Johns
Reservoir and is intended to docu-
ment the Claimant's storage water
claim that has existed since St.
Johns Reservoir was constructed
in 1898.

Source: BIRCH CREEK

Trib. to: MALAD RIVER

Diversion Pt: NENE SEC 07 T 14
S R 36E in ONEIDA COUNTY

Use: IRRIGATION

STORAGE (810.00 AFA)

IRRIGATION

FROM STORAGE (810.00 AFA)

Total Diversion: (810.00 AFA)

Date Filed: 05/01/1901

In: ONEIDA COUNTY

T13S R36E S13, S23, S24, S25,
S26, S35

T14S R35E S24, S25, S36

T14S R36E S02, S03, S04, S05,
S06, S08, S09, S10, S15, S16,
S17, S18, S19, S20, S21, S28,
S29, S30, S31, S32,
S33

T15S R36E S06

8,704 ACRES TOTAL

The claim will be subject to all
prior water rights. Protests must be
filed with the applicant and the Di-
rector, Dept. of Water Resources,
along with a \$25.00 filing fee, East-
ern Region, 900 N. Skyline, Idaho
Falls, Idaho 83402 on or before
February 23, 1998.

KARL J. DREHER, Director

Published 02/05/1998/ & 02/12/
1998

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and the
director, Dept. of Water Resources,
along with a \$25.00 filing fee, East-
ern Region, 900 N. Skyline, Idaho
Falls, Idaho 83402 on or before
FEBRUARY 23, 1998.

KARL J. DREHER, Director

Published: 2/5/1998 & 2/12/1998 L.
2403 2/5/12/98/T2

2403

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
 That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Feb. 5, 1998, and ending with the issue of Feb 12, 1998.

Kristine D. Smith

STATE OF IDAHO)
)
 COUNTY OF ONEIDA)

On this 27 day of February in the year of 1998, before me, Susan J. Wittman, a Notary Public, personally appeared Kristine D. Smith, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Susan J. Wittman
 Notary public for Idaho
 Residing at Malad, Idaho
 My commission expires: 2-9-2000

RECEIVED

MAR 2 1998

Department of Water Resources
Eastern Region

MICROFILMED

MAR 25 1998

NOTICE OF CLAIM TO WATER RIGHT NO 15-04203

The following claim has been filed to appropriate the public waters of the State of Idaho:
MALAD VALLEY IRRIGATION CO
C/O PRESIDENT GRANT JONES
2601 West 500 South
Malad, Idaho 83252

This claim pertains to St. Johns Reservoir and is intended to document the Claimant's storage water claim that has existed since St. Johns Reservoir was constructed in 1898.

Source: BIRCH CREEK Trib. to: MALAD RIVER
 Diversion Pt: NENE SEC 07 T 14S R 36E in ONEIDA COUNTY

Use: IRRIGATION STORAGE (810.00 AFA)
 IRRIGATION FROM STORAGE (810.00 AFA)
 Total Diversion: (810.00 AFA)

Date Filed: 05/01/1901
 In: ONEIDA COUNTY

T13S R36E S13, S23, S24, S25, S26, S35

T14S R35E S24, S25, S36

T14S R36E S02, S03, S04, S05, S06, S08, S09, S10, S15, S16, S17, S18, S19, S20, S21, S28, S29, S30, S31, S32, S33

T15S R36E S06

8,704 ACRES TOTAL

The claim will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before February 23, 1998.
KARL J. DREHER, Director

PUBLISH: February 5 and 12, 1998

Notice of Publication

OF IDAHO
 OF TWIN FALLS } SS.

No 30225

Emily McKnight being first duly sworn upon oath, depose that I am Principal Clerk of the TIMES-NEWS, published daily, at Idaho Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per attached, was published in the regular and entire issue of said newspaper, and not in any part thereof, for two consecutive weeks, beginning with the issue dated February 5, 19 98, and ending with the issue dated February 12, 19 98.

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

I do further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day for publication of legal notice by law or by order of any court of competent 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, Thursday is announced as the day on which said legal notices will be published.

IDAHO
 OF TWIN FALLS

12th day of Feb. in the year of 1998, before me,

a Notary Public, personally appeared Emily McKnight, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

RECEIVED

FEB 19 1998

Department of Water Resources
 Eastern Region

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/03

aint.

NOTICE OF CLAIM TO WATER

The following claim has been made by the public waters of the State of Idaho: **GRANT JOHNSON**, 2601 West 500 South, Malad, Idaho 83252

This claim pertains to St. John's Creek, which has existed since St. John's Creek was first settled in 1898. Source: BIRCH CREEK. Division: Pt. NENE SEC 07 3(1) COUNTY: T14S R36E S02, S03, S04, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25, S26, S27, S28, S29, S30, S31, S32, S33, S34, S35, S36, S37, S38, S39, S40, S41, S42, S43, S44, S45, S46, S47, S48, S49, S50, S51, S52, S53, S54, S55, S56, S57, S58, S59, S60, S61, S62, S63, S64, S65, S66, S67, S68, S69, S70, S71, S72, S73, S74, S75, S76, S77, S78, S79, S80, S81, S82, S83, S84, S85, S86, S87, S88, S89, S90, S91, S92, S93, S94, S95, S96, S97, S98, S99, S100.

Use: IRRIGATION FROM STORAGE. The Total Division: of PUBLIC In: ONEIDA COUNTY T14S R36E S13, S23, S24, S25, S26, S27, S28, S29, S30, S31, S32, S33, S34, S35, S36, S37, S38, S39, S40, S41, S42, S43, S44, S45, S46, S47, S48, S49, S50, S51, S52, S53, S54, S55, S56, S57, S58, S59, S60, S61, S62, S63, S64, S65, S66, S67, S68, S69, S70, S71, S72, S73, S74, S75, S76, S77, S78, S79, S80, S81, S82, S83, S84, S85, S86, S87, S88, S89, S90, S91, S92, S93, S94, S95, S96, S97, S98, S99, S100.

The claim will be subject to tests must be filed with the Dept. of Water Resources, at Eastern Region, 900 N. Skyline on or before February 23, 1998. KARL J. DREHER, Director. PUBLISH: February 5 and 12, 1998.

Affidavit of Publication
STATE OF IDAHO
COUNTY OF TWIN FALLS

SS.

I, Emily McKnight, being first duly sworn upon oath, depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of 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 weeks, commencing with the issue dated February 5, 19 98, and ending with the issue dated February 12, 19 98.

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 competent 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 thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 12th day of Feb., 1998, in the year of 1998, before me,

a Notary Public, personally appeared Emily McKnight, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, depose and say that the statements therein are true, and acknowledged to me that he executed the same.

RECEIVED

FEB 19 1998

Department of Water Resources
Eastern Region

Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/03

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT. OF WATER RESOURCES	
AD NUMBER 156845	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 02/12/98
AD DESCRIPTION NOTICE OF CLAIM TO WATER RIGHT NO 1		START DATE 02/05/98	STOP DATE 02/12/98
PUBLICATION 4 THE TIMES NEWS LEGAL TOTAL AD CHARGE	INSERTIONS 2	RATE LGS 59.84 59.84	NET AMOUNT 59.84 59.84
4 AFFIDAVIT CHARGE		AFFID 2.00	GROSS AMOUNT
DAYS RUN			
PURCHASE ORDER legal		PAY THIS AMOUNT	
		61.84	61.84*

MESSAGE:

RECEIVED

FEB 19 1998

Department of Water Resources
Eastern Region

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER 156845	CLASS 050 LEGAL	START DATE 02/05/98	STOP DATE 02/12/98
AD DESCRIPTION NOTICE OF CLAIM TO WATER RIGHT NO 1		BILLING DATE 02/12/98	TELEPHONE NUMBER 208-525-7161

GROSS AMOUNT OF
61.84
DUE AFTER

☐ VISA ☐ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____

SIGNATURE: _____

DEPT. OF WATER RESOURCES
900 N SKYLINE
IDAHO FALLS, ID

83402-1718



TOTAL AMOUNT DUE 61.84
ENTER AMOUNT ENCLOSED

2040000000156845000000000000000000618400000061846

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

				Amount Due	
				\$111.00	
Account Number/Trans. #		Identification			
100564		NOTICE OF CLAIM TO WATER RIGHT			
Ordered By	P.O. Number	Rate	Run Dates		
RITA BODELL		TT	FEBRUARY 5, 12, 1998		
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES 900 N SKYLINE DRIVE IDAHO FALLS, ID 83402			Estimated Inches		Real Inches
			# Affidavits		Legal Number
			1		9580

RECEIVED

FEB 19 1998

Department of Water Resources
Eastern Region

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for two

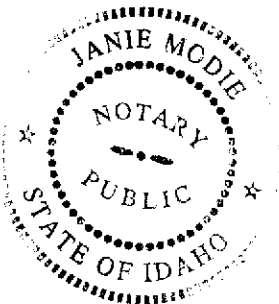
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of
FEBRUARY 5, 1998
 and ending with the issue of
FEBRUARY 12, 1998

Janice Hildreth

STATE OF IDAHO)
) ss.
 COUNTY OF ADA)

On this 12TH day of FEBRUARY in the year of
1998, before me, a Notary Public, personally appeared
JANICE HILDRETH known or identified
 to me to be the person whose name subscribed to the within instrument,
 and being by me first duly sworn, declared that the statements therein
 are true, and acknowledged to me that she executed the same.



Janie Modie

Notary Public for Idaho
 Residing at: Boise, Idaho
 My commission expires: 5703

MICROFILMED

MAR 23 1998

LEGAL NOTICE
NOTICE OF CLAIM TO WATER RIGHT
No. 15-04203

The Following claim has been filed to appropriate the public waters of the State of Idaho:

MALAD VALLEY IRRIGATION CO
C/O PRESIDENT GRANT JONES
2601 W 500 S
MALAD ID 83252

This claim pertains to St. Johns Reservoir and is intended to document the Claimant's storage water claim that has existed since St. Johns Reservoir was constructed in 1898.

Source: BIRCH CREEK Trib. to: MALAD RIVER
Diversion Pt: NENE SEC 07 T 14S R 36E In ONEIDA COUNTY
Use: IRRIGATION STORAGE { 810.00 AFA)
IRRIGATION FROM STORAGE { 810.00 AFA)
Total Diversion: { 810.00 AFA)

Date Filed 05/01/1901

In: ONEIDA COUNTY

T13S	R36E	S13,	S23	S24	S25,	S26,	S35						
T14S	R35E	S24,	S25,	S36									
T14S	R36E	S02,	S03,	S04,	S05,	S06,	S08,	S09,	S10,	S15,	S16		
		S17,	S18,	S19,	S20,	S21,	S28,	S29,	S30,	S31	S32,		
		S33											
T15S	R36E	S06											

8,704 ACRES TOTAL

The claim will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before February 23, 1998.

KARL J. DREHER, Director

Pub. February 5 & 12, 1998

9580

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TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 02/12/98

INVOICE NO. 165636

Account No. 446600

Description 165636NOTICEOFCLAIMTOW

LEGAL ADVERTISING INVOICE

Times 2

Lines 31

Tab. Lines

\$ 93.00

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

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FEB 17 1998

Department of Water Resources
Eastern Region

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 165636NOTICEOFC attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 02/05, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 02/05/98, and the last publication thereof being on the 02/12/98, and said 165636NOTICEOFC was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 13

day of FEBRUARY 1998

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/1/00

165636
NOTICE OF CLAIM TO WATER RIGHT
No. 15-04203
The following claim has been filed to appropriate the public waters of the State of Idaho:
MALAD VALLEY IRRIGATION CO
C/O PRESIDENT GRANT JONES
2601 W 500 S
MALAD ID 83252
This claim pertains to St. Johns Reservoir and is intended to document the Claimant's storage water claim that has existed since St. Johns Reservoir was constructed in 1898.
Source: BIRCH CREEK Trib. to: MALAD RIVER
Diversion Pt: NENE SEC 07 T 14S R 36E in ONEIDA COUNTY (810.00 AFA)
Use: IRRIGATION STORAGE (810.00 AFA)
IRRIGATION FROM STORAGE (810.00 AFA)
Total Diversion:
Date Filed: 05/01/1901
In: ONEIDA COUNTY
T13S R36E S13 S23, S24, S25, S26, S35
T14S R35E S24, S25, S36
T14S R36E S02, S03, S04, S05, S06, S08, S09, S10, S15, S16, S17, S18, S19, S20, S21, S28, S29, S30, S31, S32, S33
T15S R36E S06
8,704 ACRES TOTAL
The claim will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N. Skyline, Idaho Falls, Idaho 83402 on or before February 23, 1998.
KARL J. DREHER, Director
Published: 02/05/1998 & 02/12/1998

MICROFILMED

MAR 7 5 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1998

GRANT JONES
MALAD VALLEY IRRIGATION CO
2601 W 500 S
MALAD ID 83252

RE: Notice of Application for Permit No. 15-07167 and
Notice of Claim to a Water Right No. 15-04203

Dear Applicants:

This office is currently in the process of advertising the applications statewide and in the Idaho Enterprise on FEB. 05 & 12, 1998. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested, you will be sent a copy of the protest. The protest must be resolved before the applications are approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones *rh*
Harold W. Jones
Water Right Supervisor

HWJ/rb

NOT RECORDED
MAY 28 1998

NOTICE OF CLAIM TO WATER RIGHT
No. 15-04203

The Following claim has been filed to appropriate the public waters of the State of Idaho:

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C/O PRESIDENT GRANT JONES
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Use: IRRIGATION STORAGE	(	810.00 AFA)
IRRIGATION FROM STORAGE	(	810.00 AFA)
Total Diversion:	(	810.00 AFA)

Date Filed: 05/01/1901

In: ONEIDA COUNTY

T13S R36E S13, S23, S24, S25, S26, S35

T14S R35E S24, S25, S36

T14S R36E S02, S03, S04, S05, S06, S08, S09, S10, S15, S16,
S17, S18, S19, S20, S21, S28, S29, S30, S31, S32,
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KARL J. DREHER, Director

Published: 02/05/1998 & 02/12/1998

66-10000-1000
MAR 28 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

PHILIP F. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JANUARY 22, 1998

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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. 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 FEBRUARY 23, 1998.

Yours truly,

Rita Bodell
Secretary

Encl.

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JAN 23 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

January 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE TIMES NEWS
CLASSIFIED ADS
PO BOX 548
TWIN FALLS ID 83303

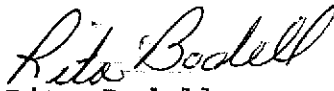
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State of Idaho

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EASTERN REGION

January 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEWISTON MORNING TRIBUNE
CLASSIFIED ADS
PO BOX 957
LEWISTON ID 83501

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EASTERN REGION

January 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO STATESMAN
CLASSIFIED ADS
PO BOX 40
BOISE ID 83707

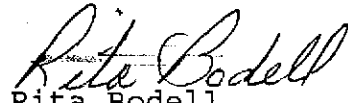
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