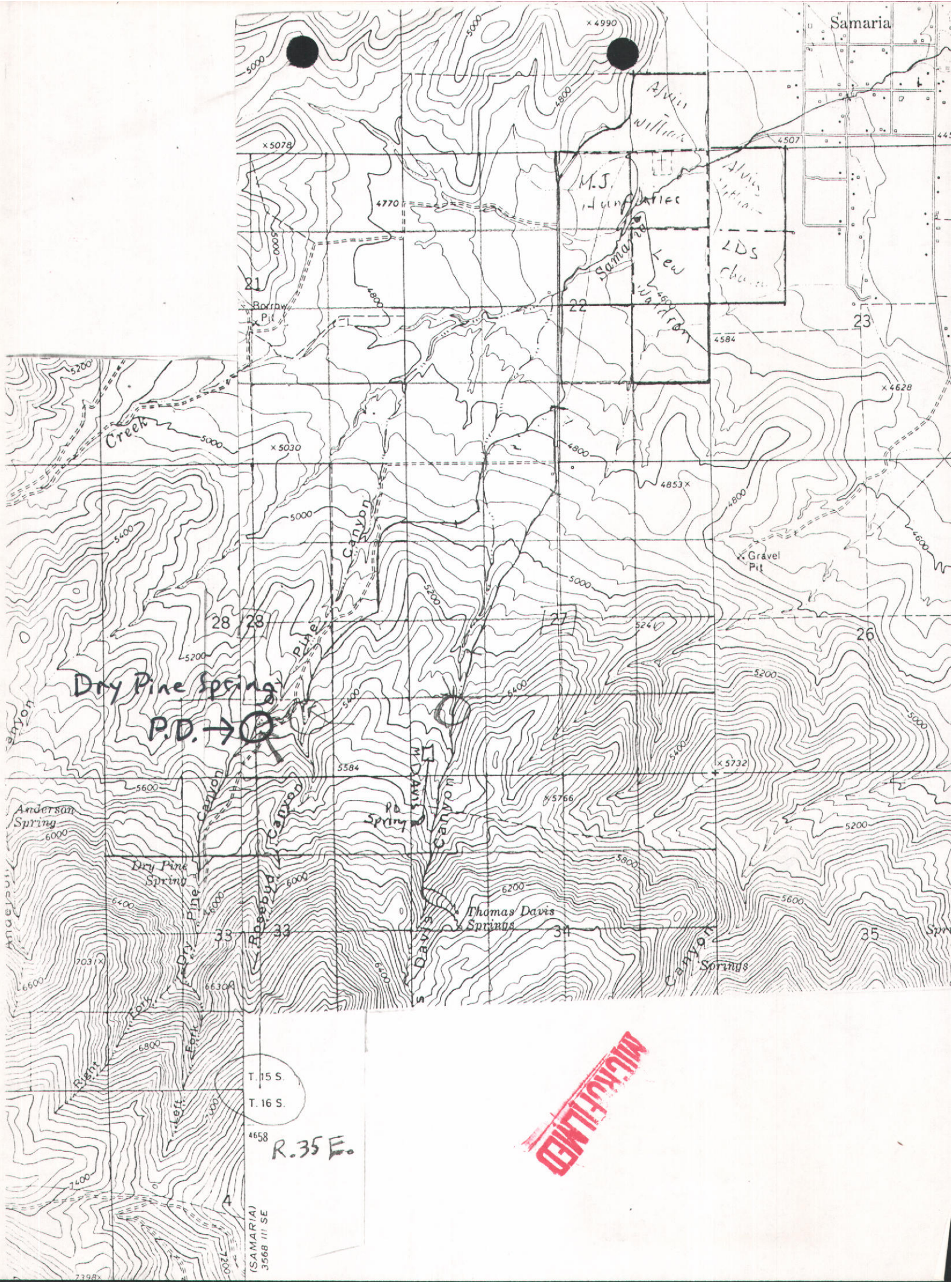




Samaria

x 4990

x 5078

4770

4507

21

Borrow Pit

M.J. Humphries

Samaria

LDS Church

23

4584

x 4628

Creek

x 5030

Canyon

4800

4853x

Gravel Pit

28

28

27

26

Dry Pine Spring

P.D. -> Q

5584

Anderson Spring

6000

Dry Pine Spring

6400

Pine Canyon

6000

Rosebud Canyon

6000

66300

R.D. Spring

6200

Thomas Davis Springs

x 5766

5800

Spring

5600

35

T. 15 S.

T. 16 S.

4658

R. 35 E.

(SAMARIA)
3568 III SE

MULTI-FILED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

RECEIVED

JAN 16 1981

Department of Water Resources
Eastern District Office

Cecile A. Hummel

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper 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 paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper 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 January 8, 1980, and ending with the issue of January 15, 1981

Cecile A. Hummel
Fee \$ 63.87

Subscribed and sworn to before me this 15th day

of January, 1981,
Cindy Williams
Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

NOTICE OF CLAIMS TO WATER RIGHTS

NOTICE IS HEREBY GIVEN that the following claims to water rights have been established by diversion and application to beneficial use:

No. 15-4066

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: THOMAS DAVIS
SPRING tributary to SAMARIA CREEK

Priority Date: 11-01-1925
Amount: 0.90 CFS
Diversion Point: SWSW Sec. 27 T 15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS) from 04-01 to 11-01

STOCKWATER (0.01 CFS) from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S R 35E NENE NWNE SENE NENW NWNW Sec 23 T 15S R 35E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 24 T 15S R 35E NENE NWNE SENE NENW Sec 25 T 15S R 35E FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4067

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: ROSE BUD SPRING tributary to SAMARIA CREEK
Priority Date: 11-01-1925

Amount: 0.20 CFS
Diversion Point: SWSE Sec 28 T 15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.20 CFS) from 04-01 to 11-01

STOCKWATER (0.01 CFS) from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S R 35E NENE NWNE SENE NENW NWNW Sec. 23 T 15S R 35E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 24 T 15S R 35E NENE NWNE SENE NENW Sec 25 T 15S R 35E FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4068

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: DRY PINE SPRING tributary to SAMARIA CREEK
Priority Date: 11-01-1925

Amount: 0.90 CFS
Diversion Point: SWSE Sec 28 T 15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS) from 04-01 to 11-01

STOCKWATER (0.01 CFS) from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S R 35E NENE NWNE SENE NENW NWNW Sec. 23 T 15S R 35E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 24 T 15S R 35E NENE NWNE SENE NENW Sec 25 T 15S R 35E FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4069

PETERSON, MARK W.
RT. 1 BOX 152, MALAD, ID 83252
Source: KENTS CANYON SPRINGS tributary to KENTS CANYON STREAM

Priority Date: 05-01-1900
Amount: 4.00 CFS
Diversion Point: NENW Sec 24 T 13S R 35E, ONEIDA Co.
Use: IRRIGATION (2.50 CFS) from 03-15 to 11-15

STOCKWATER (1.50 CFS) from 01-01 to 12-31
Place of Use: SENW Sec 24 T 13S R 35E FOR 40 ACRES
Diversion Means: DITCH.

No. 15-4070

PETERSON, MARK W.
RT. 1, BOX 152, MALAD, ID 83252
Source: CO-OP HOLLOW SPRINGS tributary to CO-OP HOLLOW STREAM

Priority Date: 05-01-1900
Amount: 2.50 CFS
Diversion Point: NENE Sec 24 T 13S R 35E, ONEIDA Co.
Use: IRRIGATION (1.50 CFS) from 03-15 to 11-15

STOCKWATER (1.00 CFS) from 01-01 to 12-31
Place of Use: SENW Sec. 24 T 13S R 35E FOR 40 ACRES
Diversion Means: DITCH.

Any exception to any claim of water rights may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published 01-08 & 01-15-81.
1-8-15 t2
Lines: 145

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Carol A. Hummel

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper 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 paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper 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 January 29, 1981, and ending with the issue of FEBRUARY 5, 1981

Carol Hummel

Fee \$ NO CHARGE

Subscribed and sworn to before me this 5th day of February, 1981

Cindy Williams

Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

ok kw 2/18/81

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN that Claim to a Water Right No. 15-4068 was advertised incorrectly on January 8 and 15, 1981. The claim was advertised without a diversion means mentioned.

WHEREAS, the water is diverted by means of an open ditch.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
Director

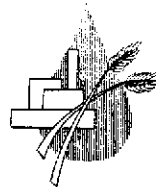
Published in the Idaho Enterprise 1-29 and 2-05-81.
1-29 2-5 t2

RECEIVED
FEB 06 1981

Department of Water Resources
Eastern District Office

MICROFILMED

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 Samaris Water & Irrigation Company
(Name of Claimant)
% Deverl John, President, RFD, Malad, Idaho 83252 Telephone No. 766-2554
(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) November, 1925

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)
Dry Pine Spring tributary to Samaris Creek

(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>.90 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity	<u>.01 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>May 1</u>	To <u>Sept. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .90 cfs TOTAL QUANTITY USED:
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 28 Twp. 15S Rge. 35 E.B.M., County of Oneida
Additional points of diversion: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

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. Diversion at spring and 4 miles of open ditch used for irrigation.

(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.

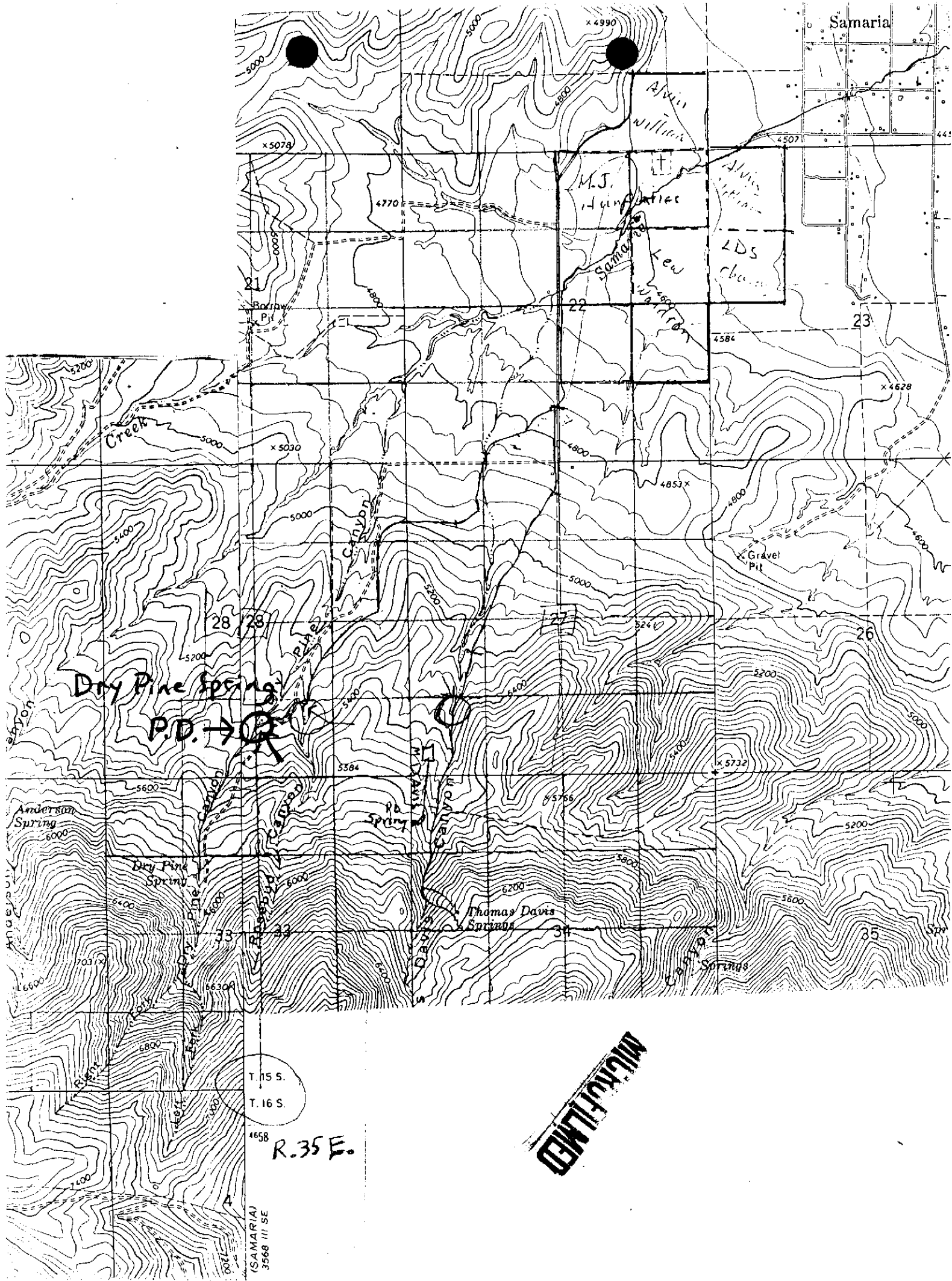
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	35E	14												20					20
		23	35	5		20	20	25											105
		24	40	40	40	40	40	40	40	40	40	40	30	40	40	40	40	40	630
		25	40	35		5	10												90

No. of acres 845

If water is used for other than irrigation, fully describe that use, being as specific as possible: Used for Stockwater during grazing season.

NOTE: Include here the type and number of stock watered: Range cattle, 600 head.

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



Samaria

M.J. Humphries

LDS Church

Dry Pine Spring

P.D. →

Rb Spring

Thomas Davis Springs

DELETED

T. 15 S.

T. 16 S.

R. 35 E.

(SAMARIA)
3568 III SE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

RECEIVED

JAN 16 1981

Department of Water Resources
Eastern District Office

Cable A. Hummel

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper 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 paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper 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 January 8, 1980, and ending

with the issue of January 15, 1981

Cable A. Hummel

63-87

Subscribed and sworn to before me this 15th day

January, 1981

Cindy Williams

Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

NOTICE OF CLAIMS TO WATER RIGHTS

NOTICE IS HEREBY GIVEN that the following claims to water rights have been established by diversion and application to beneficial use:

No. 15-4066

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: THOMAS DAVIS
SPRING tributary to SAMARIA
CREEK

Priority Date: 11-01-1925
Amount: 0.90 CFS
Diversion Point: SWSW Sec. 27 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS)
from 04-01 to 11-01

STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec
24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E
FOR 845 ACRES

Diversion Means: DITCH.

No. 15-4067

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252

Source: ROSE BUD SPRING
tributary to SAMARIA CREEK
Priority Date: 11-01-1925

Amount: 0.20 CFS
Diversion Point: SWSE Sec 28 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.20 CFS)
from 04-01 to 11-01

STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec. 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec
24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E
FOR 845 ACRES

Diversion Means: DITCH.

No. 15-4068

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252

Source: DRY PINE SPRING
tributary to SAMARIA CREEK
Priority Date: 11-01-1925

Amount: 0.90 CFS
Diversion Point: SWSE Sec 28 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS)
from 04-01 to 11-01

STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec. 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
SENE NESW NWSW SWSW
SESE Sec 24 T 15S R 35E NENE
NWNE SENE NENW Sec 25 T
15S R 35E FOR 845 ACRES

Diversion Means: DITCH.

No. 15-4069

PETERSON, MARK W.
RT. 1 BOX 152, MALAD, ID
83252

Source: KENTS CANYON
SPRINGS tributary to KENTS
CANYON STREAM

Priority Date: 05-01-1900
Amount: 4.00 CFS
Diversion Point: NENW Sec 24 T
13S R 35E, ONEIDA Co.
Use: IRRIGATION (2.50 CFS)
from 03-15 to 11-15

STOCKWATER (1.50 CFS)
from 01-01 to 12-31
Place of Use: SENW Sec 24 T 13S
R 35E FOR 40 ACRES

Diversion Means: DITCH.

No. 15-4070

PETERSON, MARK W.
RT. 1, BOX 152, MALAD, ID
83252

Source: CO-OP HOLLOW
SPRINGS tributary to CO-OP
HOLLOW STREAM

Priority Date: 05-01-1900
Amount: 2.50 CFS
Diversion Point: NENE Sec 24 T
13S R 35E, ONEIDA Co.
Use: IRRIGATION (1.50 CFS)
from 03-15 to 11-15

STOCKWATER (1.00 CFS)
from 01-01 to 12-31
Place of Use: SENW Sec. 24 T
13S R 35E FOR 40 ACRES

Diversion Means: DITCH.

Any exception to any claim of water rights may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 01-08 & 01-15-81.

1-8-15 t2

Lines: 145

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Carol A. Hummell

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper 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 paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper 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 January 29, 19 81, and ending with the issue of FEBRUARY 5, 19 81

Carol Hummell

Fee \$ NO CHARGE

Subscribed and sworn to before me this 5th day

of February, 19 81

Cindy Williams

Notary Public, Residing at Malad, Idaho

My Commission Expires July, 19 81

ok pd 2/18/81

NOTICE IS HEREBY GIVEN
that Claim to a Water Right No. 15-4068 was advertised incorrectly on January 8 and 15, 1981. The claim was advertised without a diversion means mentioned.

WHEREAS, the water is diverted by means of an open ditch.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
Director

Published in the Idaho Enterprise 1-29 and 2-05-81.
1-29 2-5 12

RECEIVED
FEB 06 1981

Department of Water Resources
Eastern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 28, 1981

SAMARIA WATER & IRRIGATION COMPANY
C/O DEVERL JOHN
RFD
MALAD ID 83252

RE: Claim No. 15-4068

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

MICROFILMED

January 22, 1981

RE: Notice of Correction No. 15-4068 SAMARIA WATER & IRRIGATION CO.

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Gentlemen:

We are resubmitting a legal notice to be published on January 29 and February 5, 1981. This notice was originally published in your paper on January 8 and 15, 1981. Unfortunately, it was advertised incorrectly. As we did not receive a galley proof, 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.

Please submit a galley proof before the first dates we have requested, assuming the notice is correct. If we have any corrections, we will notify you before the first date of 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 February 16, 1981. Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

Enclosure

CW:kw

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 15-4068 was advertised incorrectly on January 8 and 15, 1981. The claim was advertised without a diversion means mentioned.

WHEREAS, the water is diverted by means of an open ditch.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

Published in the Idaho Enterprise 1/29 and 2/05/81.

MICROFILMED

15-4068-

SAMARIA WATER & IRRIGATION COMPANY

C/O DEVERL JOHN, RFD, MALAD, ID 83252

Source: DRY PINE SPRING tributary to SAMARIA CREEK

Priority Date: 11/01/1925

Amount: 0.90 CFS

Diversion Point: SWSE Sec 28 T 15S R 35E, ONEIDA Co.

Use: IRRIGATION	(0.90 CFS)	from 04/01 to 11/01
STOCKWATER	(0.01 CFS)	from 05/01 to 09/01

Place of Use: SESW Sec 14 T 15S R 35E NENE NWNE SENE NENW NWNW
Sec 23 T 15S R 35E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW
NWSW SWSW SESW NESE NWSE SWSE SESE Sec 24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E FOR 845 ACRES

Diversion Means: DITCH.

MICROFILMED