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In File

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 John A. Servoss

(Name of Claimant)

Malad, ID 83252

(Mailing Address)

Telephone No. 766-4368

(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) March 4, 1883

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)

Spring 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>4.0 cfs</u>	Use <u>irrigation</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
Quantity		Use	Period of Use From	To

- (4) 4.0 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NW ¼ SW ¼, Sec. 33 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. Headgate and ditch.

- (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	
14S	36E	33									10	40	40	20					110

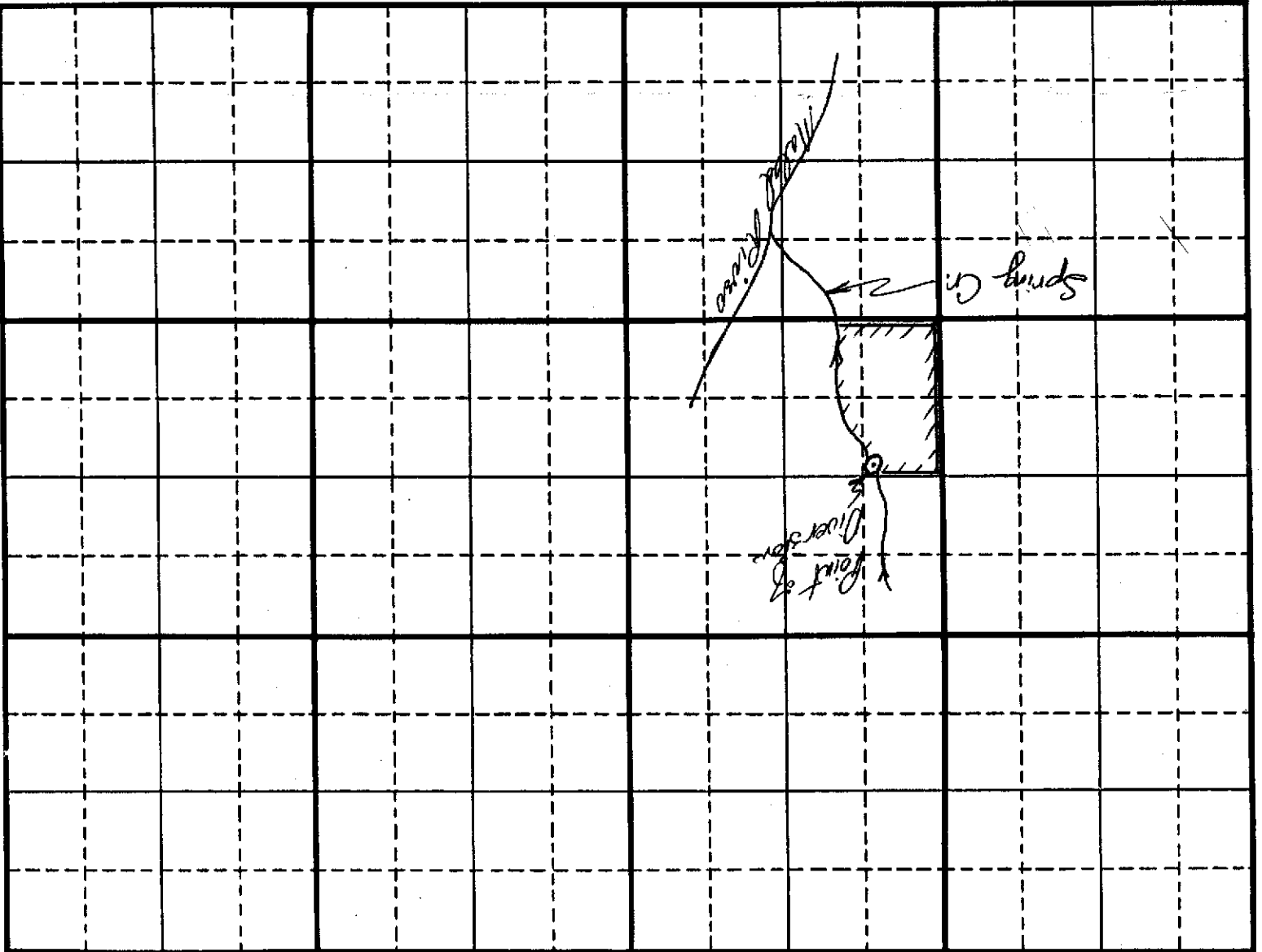
No. of acres 110

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

NOTE: Include here the type and number of stock watered:

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

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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 Blaine

) 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 28 day of April, 1980

John A. Johnson
(Claimant)
Eric & Spring
Notary Public
Residing at Maad, Idaho

My commission expires July 10, 1983

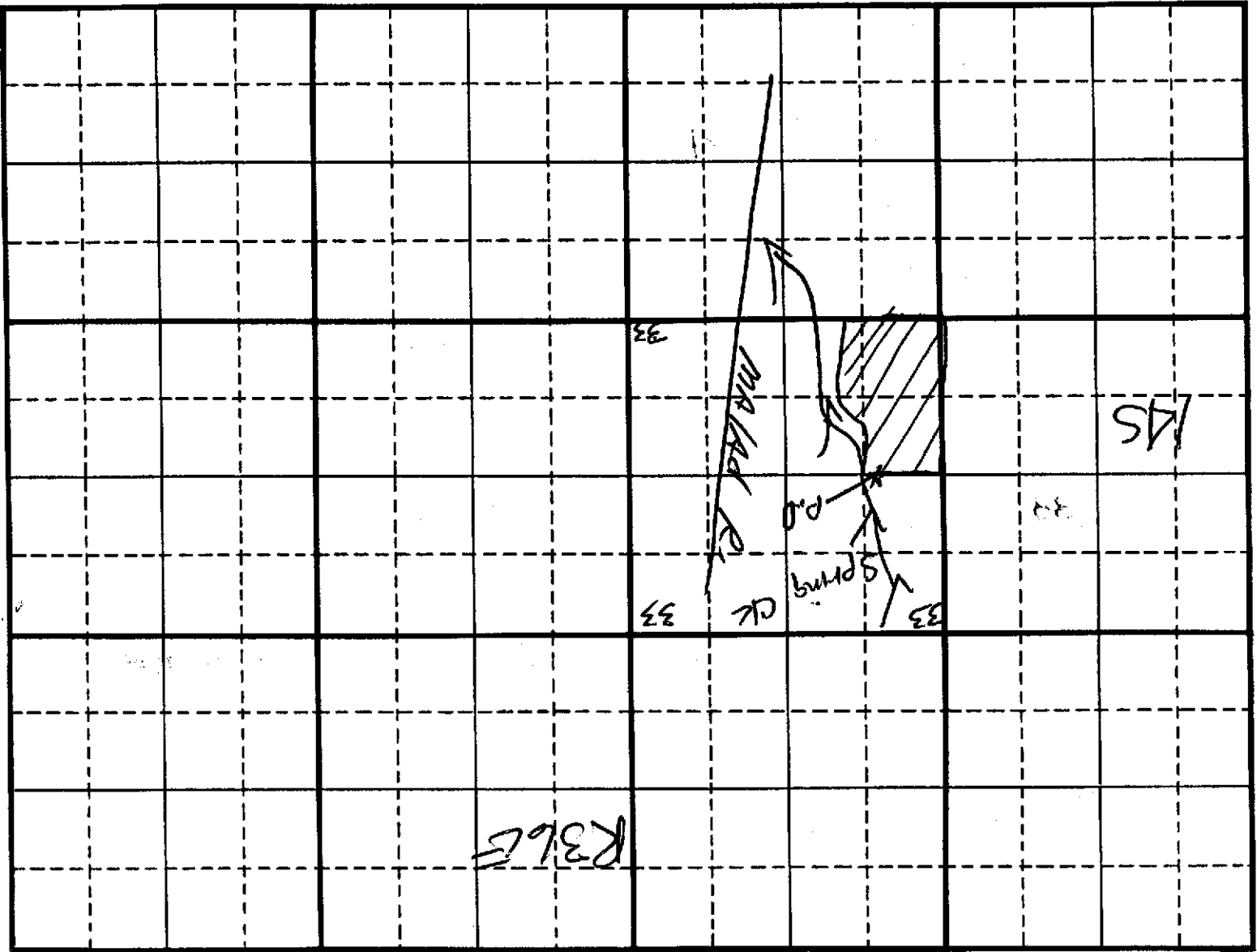
FOR DEPARTMENT USE ONLY

Received by CMC Date 4/29/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CMC Date 4/29/80 claimant by: _____
Published in _____ Date _____
\$20.00 fee received by N/A Date _____
Dates _____

CLAIM TO A WATER RIGHT

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

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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) ss.
Bonneville)

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 18th day of March

Notary Public
Residing at Malad Idaho

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by *BPC* Date *3/30/80* Exception filed by: Forwarded to Date
Prelim. check by *gc* Date *3/31/80 #13875* claimant by:
Published in Idaho Enterprise Dates *4/03 & 4/10/1980*

Legal Notice

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. 15-4047

SERVOSS, JOHN A.
MALAD, ID 83252
Source: SPRING CREEK
tributary to MALAD RIVER
Priority Date: 03-04-1883
Amount: 4.00 CFS
Diversion Point: NWSW Sec. 33
T 14S R 36E, ONEIDA Co.
Use: IRRIGATION (4.00 CFS)
from 04-01 to 11-01
Place of Use: NESW NWSW
SWSW SESW Sec. 33 T 14S R 36E
FOR 110 ACRES
Diversion Means: HEADGATE
& DITCH.

No. 15-4048

SERVOSS, JOHN A.
MALAD, ID 83252
Source: MITCHELL DRAIN
tributary to SPRING CREEK
Priority Date: 05-01-1886
Amount: 1.00 CFS
Diversion Point: NESW Sec. 33
T 14S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS)
from 04-01 to 11-01
Place of Use: NESW SESW Sec.
33 T 14S R 36E FOR 33 ACRES
Diversion Means: POND,
PUMP & SPRINKLER.

No. 15-4049

SERVOSS, JOHN A.
MALAD, ID 83252
Source: DRAINS tributary to
MALAD RIVER
Priority Date: 05-01-1955
Amount: 1.00 CFS
Diversion Point: NESW Sec. 34
T 14S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS)
from 04-01 to 11-01
Place of Use: NESW SWSW
SESW NWSE Sec. 34 T 14S R 36E
FOR 119 ACRES
Diversion Means: HEADGATE
& DITCH.

No. 15-4050

BLAISDELL, LELA D.
RT. 1, MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 04-01-1932
Amount: 0.25 CFS
Diversion Point: SENE SWNE
NWSE Sec. 18 T 15S R 36E,
ONEIDA Co.
Use: IRRIGATION (0.25 CFS)
from 04-01 to 11-01
Place of Use: SWNE SENE
NESE NWSE Sec. 18 T 15S R 36E
NWSW Sec. 17 T 15S R 36E FOR
130 ACRES
Diversion Means: 3 ARTESIAN
WELLS & DITCHES.

No. 15-4051

JONES, MORRIS J.
P.O. BOX 458, BOUNTIFUL,
UT. 84010
Source: BIG CANYON SPRING
tributary to SINKS
ALDRIDGE CANYON
SPRING tributary to SINKS
Priority Date: 04-18-1888
Amount: 0.62 CFS
Diversion Point: SWSW Sec. 25 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.62 CFS)
from 04-01 to 11-01
Place of Use: NWNE SWNE
NENW SENW Sec. 25 T 15S R
35E NWSE SWSE Sec. 24 T 15S R
35E FOR 66 ACRES
Diversion Means: HEADGATES
& DITCHES.

Any exception to any claim of
water rights may be filed with
the Director of the Idaho Depart-
ment of Water Resources, 1515
Lincoln Road, Idaho Falls, Idaho
83401.

C. STEPHEN ALLRED
Director

Published 4-03 & 4-10-80.
4-3-10 t2

State of Idaho
County of Oneida, ss.

Carole Himmell being first duly sworn on
her oath, states: That she is Secretary
of the Idaho Enterprise, a newspaper of general circulation
in Oneida County, Idaho published weekly at Malad, in said
county, that said newspaper has been published in said
county uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publi-
cation of said notice a newspaper of general circulation made
up of at least four pages of at least five columns each, printed
from type matter or stereotyped forms of at least seventeen
and three-fourths inches depth, and said newspaper during
all of the times of publication aforesaid had more than 200
bonafide subscribers thereto living within the County of
Oneida in which said newspaper was published at regular
intervals not less frequently than once a week.

That the annexed notice was published per clipping attach-
ed in the regular and entire edition of said newspaper and

not in any supplement thereof for 2 successive weekly
issues thereof of the date of the first publication being the

3 day of April, 1980 the day of the last
publication being the 10 day of April

1980

Subscribed and sworn to before me this 10th of April

1980

Cindy Williams
Notary Public, residing at Malad, Idaho

My Commission expires the 3rd day of July 1980

Costs:
101 lines at 23c per line first insertion \$23.23
lines tabulated as 34 1/2c per line \$
15c per line each subsequent insertion - 1 - \$15.15
TOTAL \$38.38

(Rates for legal notices are fixed by Idaho law)

RECEIVED

APR 11 1980

Department of Water Resources
Eastern District Office

Notice of Water appropriation. (Spring Creek Canal)

Public Notice

Notice is hereby given that the undersigned has claimed and appropriated the waste water and all the springs of water in this creek (commonly known as Spring Creek Oneida Co Idaho Ter) between this point and the south end of the Homestead of Mrs Easton and further that the said water has been and is conveyed on to my land by a Dam & Ditches to the extent of five hundred inches under a four inch pressure. The foregoing appropriation was used and will be used for irrigation and agricultural purposes by and on the land owned by the undersigned
George Stuart

Territory of Idaho 333
County of Oneida 3

George Stuart first being duly sworn deposes and says that a notice of which the foregoing is a true and correct copy was by him posted at and on the dam therein described on the 7th day of March 1883 in the presence of Benjamin Evans

George Stuart
subscribed and sworn to before me this 7th day of March 1883

WMB Shew

Co Recorder
By NR Evans Deputy

Recorded this 7th day of March 1883
WMB Shew Co Recorder
By NR Evans Deputy

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: gc

Right Number 15 4047 Applicant Servos
15-4047

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. 4/21
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlsen Date 4/21/1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jm Date 5/12/80

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

APRIL 24, 1980

JOHN A. SERVOSS
MALAD

ID 83252

RE: Claim No. 15-4047

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

MICROFILMED

April 22, 1980

RE: Claim to a Water Right No. 15-4047

John A. Servoss
Malad,
Idaho 83252

Dear Mr. Servoss:

The initial processing of your claims to water rights is now completed and normally they would all be forwarded to the State Office at this time. However, we are only forwarding two of them, the third claim contained an error on the legal description for the place of use. We have taken the liberty of retyping this claim to reflect a change from township 15S to 14S in item #6, and have enclosed it for your review and notarized signature. Since the claim will be ready to forward to the State Office, provided the information is correct, it is hoped you can give this matter your immediate attention.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kv
Enclosure

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April 1, 1980

RE: Claims to Water Rights Nos. 15-4047, 15-4048 & 15-4049

John A. Servoss
Malad, ID 83252

Dear Mr. Servoss:

Attached herewith is Departmental Receipt No. 13875 in the amount of \$60.00 for the above referenced claims.

Sincerely,

KAY WALKER
Secretary

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

MARCH 27, 1980

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 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. 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 APRIL 21, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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NOTICE OF CLAIMS TO WATER RIGHTS

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

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED
Director

Published 4/03 & 4/10/80.

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15-4047

SERVOSS, JOHN A.

MALAD, ID 83252

Source: SPRING CREEK tributary to MALAD RIVER

Priority Date: 03/04/1883

Amount: 4.00 CFS

Diversion Point: NWSW Sec 33 T 14S R 36E, ONEIDA Co.

Use: IRRIGATION (4.00 CFS) from 04/01 to 11/01

Place of Use: NESW NWSW SWSW SESW Sec 33 T 14S R 36E FOR 110 ACRES

Diversion Means: HEADGATE & DITCH.

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