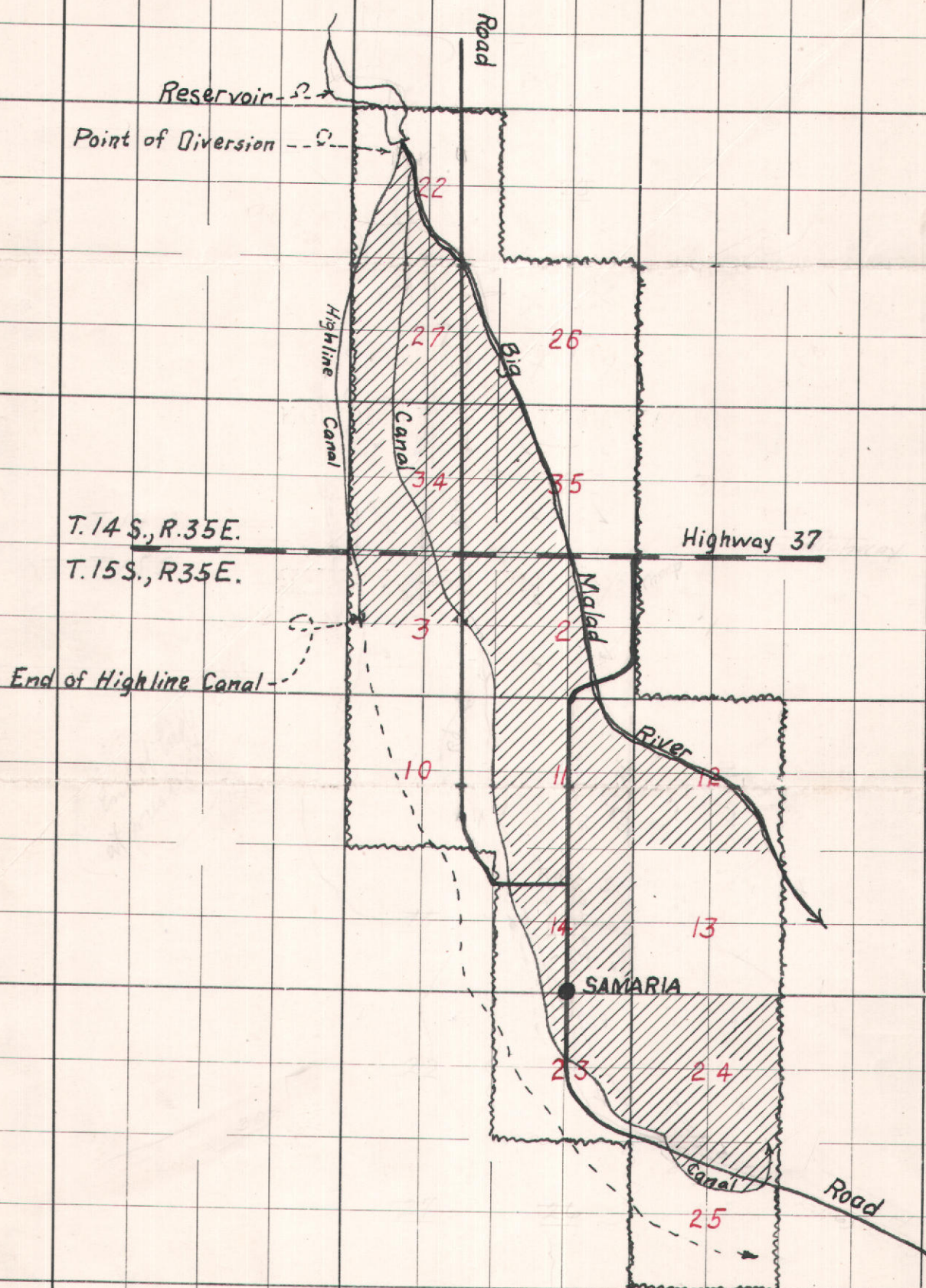
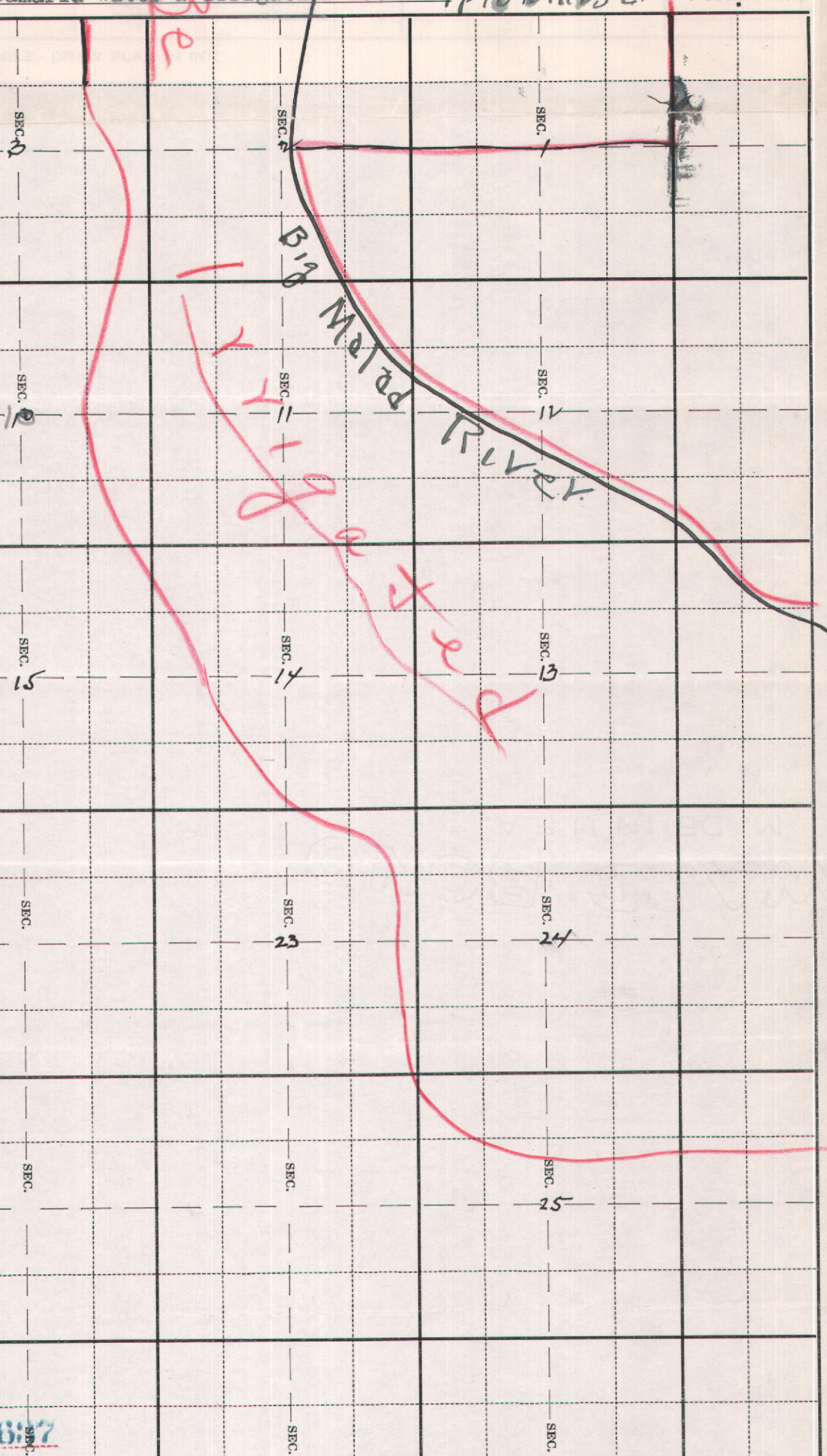
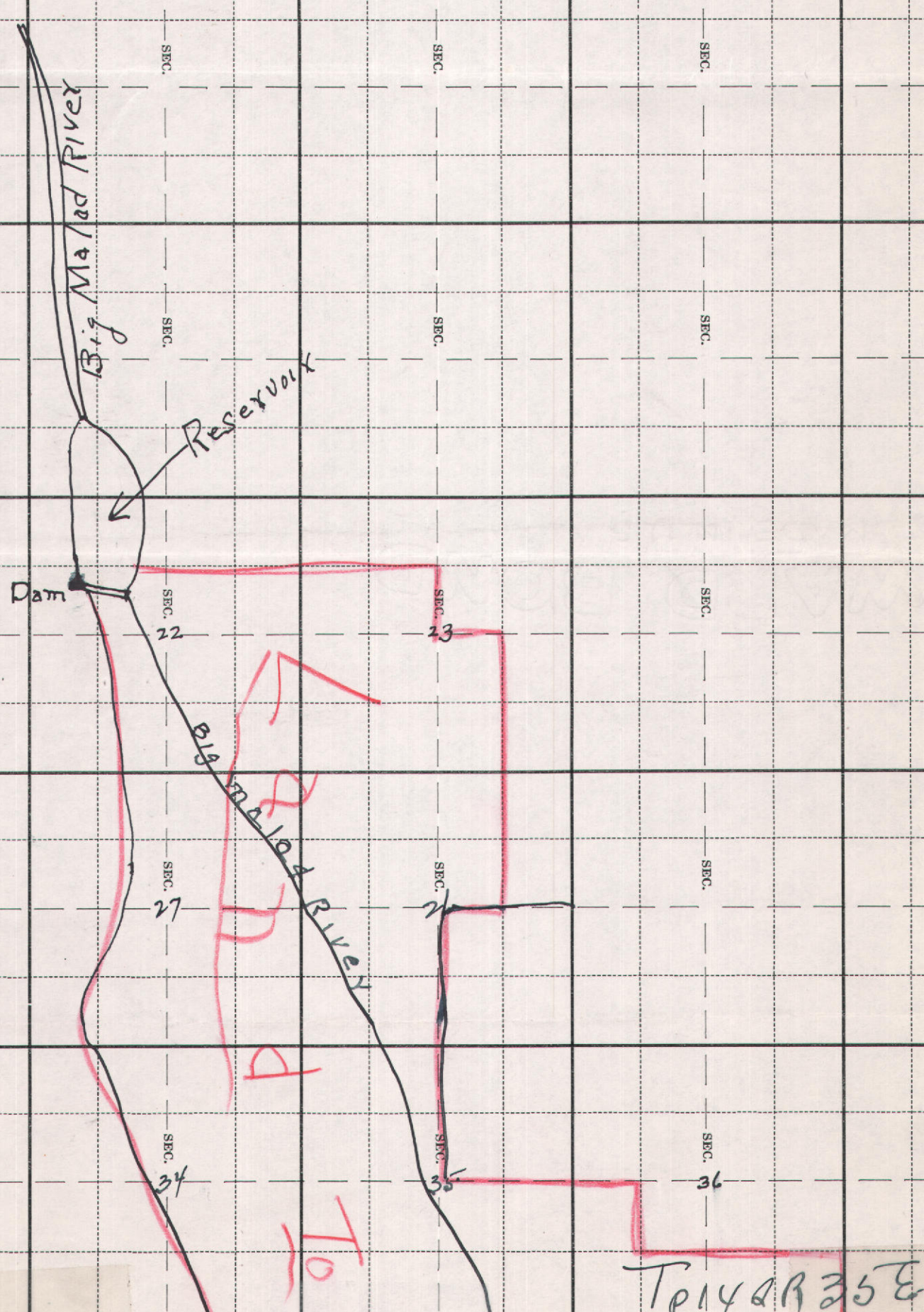


1200



Permit Map No. R 637

As Approved

SEP 1 1937

R. W. FARIS

Commissioner of Reclamation

R 637

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5276
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

This is to certify that: SAMARIA WATER & IRRIGATION CO
C/O DAVID EDWARDS
169 EDWARDS RD
MALAD ID 83252

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 15-02023 :			
IRRIGATION	04/01 to 10/31	3.00 CFS	1088.9 AF
Priority: 03/01/1940			
Right No. 15-02024 :			
IRRIGATION	04/01 to 10/31	3.50 CFS	1270.4 AF
Priority: 08/28/1940			
Right No. 15-02025 :			
IRRIGATION	04/01 to 10/31	22.00 CFS	7985.6 AF
Priority: 09/06/1940			
Right No. 15-02074 :			
IRRIGATION STORAGE	01/01 to 12/31		500.0 AF
IRRIGATION FROM ST	04/01 to 10/31		500.0 AF
Priority: 09/27/1937			
	SUBTOTAL:		500.0 AF
Right No. 15-02075 :			
IRRIGATION STORAGE	01/01 to 12/31		700.0 AF
IRRIGATION FROM ST	04/01 to 10/31		700.0 AF
Priority: 04/18/1947			
	SUBTOTAL:		700.0 AF
	TOTAL:	* 28.50 CFS	

1154 MICROFILMED
APR 13 2005

TRANSFER NO. 5276
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

SOURCETRIBUTARY OF

Right Nos. 15-02023 & 15-02024 :	
WARM SPRINGS	MALAD RIVER
Right Nos. 15-02025 & 15-02074 :	
MALAD RIVER	BEAR RIVER
Right Nos. 15-02075 :	
BIG MALAD SPRING	MALAD RIVER
MALAD RIVER	BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 15-02023 & 15-02024 :
NENE , Sec. 3, Township 15S, Range 35E

Right No. 15-02025 :
SENE , Sec. 22, Township 14S, Range 35E

Right No. 15-02074 :
SSENE , Sec. 22, Township 14S, Range 35E

Right No. 15-02075 :
SENE , Sec. 16, Township 14S, Range 35E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	35E	22	SWNE 20	SENE 40	SENE 20	
			NESW 40	SWSW 10	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 35			325
	23		SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NWSE 40	SWSE 40		320
	26		NWNE 40	SWNE 40	NENW 40	
			NWNW 40	SWNW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			400
	27		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 20	
			SWNW 20	SENE 40	NESW 40	
			NWSW 25	SWSW 25	SESW 40	
			NESE 40	SESE 20		470
	34		NWNE 40	SWNE 40	SENE 40	
			NENW 35	NWNW 10	SENE 25	
			NESE 40	NWSE 40	SWSE 20	
			SESE 40			

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APR 13 2000

TRANSFER NO. 5276
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
35			NENW 40	NWNW 10	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	450
36			NWSW 40	SWSW 40	SESW 40	
			SWSE 20	SESE 20		160
15S 35E	1		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	3		NENE 40	SENE 40	NESE 30	
			SESE 20			130
	10		NENE 15	SENE 15	NESE 25	
			SESE 10			65
	11		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	12		NENE 40	NWNE 40	NENW 40	
			NWNW 40	SWNW 20	SENW 5	
			NESW 30	NWSW 40	SWSW 40	
			SESW 40	SWSE 30		365
	13		NENE 25	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
	14		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 35	
			SWNW 30	SENW 40	NESW 30	
			NWSW 5	SESW 10	NESE 40	
			NWSE 40	SWSE 40	SESE 40	510
	23		NENE 35	NWNE 35	SWNE 35	
			SENE 20	NESE 20	NWSE 20	
			SESE 15			180

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APR 13 2000

TRANSFER NO. 5276
 WATER RIGHT NO(S) . 15-02023/15-02024/15-02025
 15-02074/15-02075

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
24		NENE	40	NWNE	40	630
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	30	
		NESE	40	NWSE	40	
		SESE	40			
25		NENE	40	NWNE	35	90
		NENW	10			
36E	30	NENW	8	NWNW	11	140
		SENW	10	NESW	20	
		NWSE	40			

Total number of acres irrigated: ** 7110

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under these rights may be affected by an agreement between the protestant and the right holder.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5276 shall not exceed 28.50 cfs.
- ** 6. Right 15-02023 is limited to the irrigation of 3215.0 acres in the place of use described above in a single irrigation season.
- ** 7. Right 15-02024 is limited to the irrigation of 3215.0 acres in the place of use described above in a single irrigation season.
- ** 8. Right 15-02025 is limited to the irrigation of 6735.0 acres in the place of use described above in a single irrigation season.
- ** 9. Rights 15-02023 and 15-02024 when combined shall not exceed the irrigation of 3,215 acres, and when combined with Right 15-02025 shall not exceed the irrigation of 6,735 total acres.
- ** 10. The right holder shall cease irrigation of 10 acres previously authorized under this right, and consolidate use of water on the remaining 7,110 acres.
11. Approval of Transfer 5276 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 3rd day of April, 2000

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED

APR 13 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5233
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

This is to certify that: SAMARIA WATER & IRRIGATION CO
C/O DON TUBBS
3232 W HWY 38
MALAD ID 83252

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 15-02023 :			
IRRIGATION	04/15 to 10/15	3.00 CFS	1088.9 AF
Priority: 03/01/1940			
Right No. 15-02024 :			
IRRIGATION	04/15 to 10/15	3.50 CFS	1270.4 AF
Priority: 08/28/1940			
Right No. 15-02025 :			
IRRIGATION	04/15 to 10/15	22.00 CFS	7985.6 AF
Priority: 09/06/1940			
Right No. 15-02074 :			
IRRIGATION STORAGE	01/01 to 12/31		500.0 AF
IRRIGATION FROM ST	04/15 to 10/15		500.0 AF
Priority: 09/27/1937			
	SUBTOTAL:		500.0 AF
Right No. 15-02075 :			
IRRIGATION STORAGE	01/01 to 12/31		700.0 AF
IRRIGATION FROM ST	04/15 to 10/15		700.0 AF
Priority: 04/18/1947			
	SUBTOTAL:		700.0 AF
	TOTAL:	28.50 CFS	11544.9 AF

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DEC 30 1992

TRANSFER NO. 5233
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right Nos. 15-02023 & 15-02024 : WARM SPRINGS	MALAD RIVER
Right Nos. 15-02025 & 15-02074 : MALAD RIVER	BEAR RIVER
Right No. 15-02075 : BIG MALAD SPRING	MALAD RIVER
MALAD RIVER	BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 15-02023 & 15-02024 :
NENE , Sec. 3, Township 15S, Range 35E

Right No. 15-02025 :
SENE , Sec. 22, Township 14S, Range 35E

Right No. 15-02074 :
SNNW , Sec. 22, Township 14S, Range 35E

Right No. 15-02075 :
SENE , Sec. 16, Township 14S, Range 35E

ONEIDA County

PLACE OF USE: IRRIGATION & IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	35E	22	SWNE 20	SENE 40	SENE 20	
			NESW 40	SWSW 10	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 35			325
		23	SNNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NWSE 40	SWSE 40		320
		26	NWNE 40	SENE 40	NENW 40	
			NWNW 40	SNNW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			400
		27	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 20	
			SNNW 20	SENE 40	NESW 40	
			NWSW 25	SWSW 25	SESW 40	
			NESE 40	SESE 40		490
		34	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 10	
			SENE 25	NESE 40	NWSE 40	
			SWSE 20	SESE 40		370
		35	NENW 40	NWNW 40	SNNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESE 40	NESE 40	

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DEC 30 1998

TRANSFER NO. 5233
 WATER RIGHT NO(S). 15-02023/15-02024/15-02025
 15-02074/15-02075

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSE 40	SWSE 40	SESE 40	480
	36		NWSW 40	SWSW 40	SESW 40	
			SWSE 20	SESE 20		160
15S	35E	1	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	3		NENE 40	SENE 40	NESE 30	
			SESE 20			130
	10		NENE 15	SENE 15	NESE 25	
			SESE 10			65
	11		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	12		NENE 40	NWNE 40	NENW 40	
			NWNW 40	SWNW 20	SENW 5	
			NESW 30	NWSW 40	SWSW 40	
			SESW 40	SWSE 30		365
	13		NENE 25	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
	14		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 35	
			SWNW 30	SENW 40	NESW 30	
			NWSW 5	SESW 10	NESE 40	
			NWSE 40	SWSE 40	SESE 40	510
	23		NENE 35	NWNE 35	SWNE 35	
			SENE 20	NESE 20	NWSE 20	
			SESE 15			180

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DEC 30 1998

TRANSFER NO. 5233
WATER RIGHT NO(S). 15-02023/15-02024/15-02025
15-02074/15-02075

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
24			NENE 40	NWNE 40	SWNE 40	630
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 30	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
25			NENE 40	NWNE 35	SENE 5	90
			NENW 10			
36E	30		NENW 8	NWNW 11	SWNW 31	60
			SENW 10			

Total number of acres irrigated: * 7120

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 4. Right 15-02023 is limited to the irrigation of 3215.0 acres in the place of use described above in a single irrigation season.
- * 5. Right 15-02024 is limited to the irrigation of 3215.0 acres in the place of use described above in a single irrigation season.
- * 6. Right 15-02025 is limited to the irrigation of 6735.0 acres in the place of use described above in a single irrigation season.
- * 7. Rights 15-02023 and 15-02024 when combined shall not exceed the irrigation of 3,215 acres, and when combined with Right 15-02025 shall not exceed the irrigation of 6,735 total acres.
8. Approval of Transfer 5233 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 14th day of December, 1998


Chief, Water Allocation Bureau

MICROFILMED

DEC 30 1998

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. R-637/15-2074 Priority Sept. 27, 1937 Amount 500 acrefeet

THIS IS TO CERTIFY, that Samaria Water & Irrigation Company
of Samaria, Idaho, has complied with the terms and conditions of Permit
No. R-637/15-2074 issued pursuant to Application for Permit dated August 25, 1937,
and has submitted proof to the Department of Water Administration on October 4, 1948,
(late proof)
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 500 acrefeet of water from Big Malad River,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>n/a</u> cfs and	<u>500 acre feet</u>
Irrigation	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than n/a of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* 500 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22,
Twp. 14 S, Rge. 35 E, B.M. in the County of Oneida

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	
See	Land	List	Attachment																

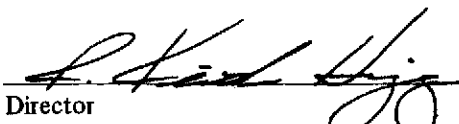
Total number of acres irrigated _____

* Subject to the condition that the maximum volume per year shall not exceed
3.5 acre feet per acre when combined with all other rights with the same
purpose and place of use.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
May, 19 74.


Director

15-2074

LAND LIST ATTACHMENT

[illegible]

15-2074

15-2074

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 25816
Permit No. R 637

1. Name of Applicant: **Samaria Water & Irrigation Co.**

Postoffice address: **Samaria** County **Oneida** State **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: **March 12, 1924** (b) Amount of Capital Stock: **\$ 14,400.00**
(c) Amount paid in: **\$ 14,400.00** (d) Names and addresses of directors: **David Hughes; Lewis Hughes; Alfred Atkinson; L. G. Waldron; Daniel Price, all of Samaria, Idaho; and C. E. Thomas and Jos. M. Isaacson of Malad, Idaho, R.F.D. No. 1**

II. The financial resources of the corporation are:

- (a) Cash on hand: \$ (b) Treasury Stock: \$
(c) Bonds to be issued: \$ (d) Other resources:

2. Quantity of water to be stored: **1000** *500 of per foot* acre feet per annum.
3. Source of water supply is **Big Malad** ~~(Creek)~~ (River) (Spring), a tributary of **Bear** River.
4. The outlet of the proposed reservoir is located **approx. / 2000** feet, distant from the **NW** corner of Section **22**, Township **14 S.**, Range **35 E.**, B. M. and is in the **SW 1/4** of **NW 1/4** of Section **22**, Township **14 S.**, Range **35 E.**, B. M. County of **Oneida**
5. Fill out either (a) or (b).

- (a) The reservoir is located in the channel of **Big Malad** ~~(Creek)~~ (River).
(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section , Township , Range , B. M., and is in the 1/4 of 1/4 of Section , Township , Range , B. M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.
6. (a) The area of the high water line of the reservoir is **50** acres.
(b) The reservoir capacity is **1000** acre feet.
7. Height of reservoir dam **40** feet, length at top **400** feet, length at bottom **260** feet, size of outlet **24"** / **circular pipe - 210' long**
by feet. The dam is to be constructed of materials as follows: **Concrete core, earth embankment, rip-rap.**

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of **Big Malad** ~~(Creek)~~ (River) ? **Yes.**
(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section , Township , Range , B. M., and in the 1/4 of 1/4 of Section , Township , Range B. M.
9. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir cubic feet per second.
10. Water is to be used for **Irrigation and Domestic** purposes.
11. If for mining, milling, power or manufacturing purposes give:
(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range B. M. and is in the 1/4 of 1/4 of Section , Township , Range , B. M.
(b) Amount of power generated: **H. P., under** feet head.
(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section , Township , Range , B. M., in the 1/4 of 1/4 of Section , Township , Range B. M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.

13. Kind of diversion works: Canals

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: **None** feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet. Height feet.

16. Diversion Canal: Width at bottom 12 feet, width at water line 15 feet, depth of water 2 feet, Dimensions of Flume

Diameter of Pipe	inches;	Length of Conduit	7	miles.	Average grade per mile	3	feet.
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17. Estimated cost of Works: Storage Works: \$ 20,000.00 Diversion Works: \$ 5000.00

18. Time required for completion of work 5 years.

19. Time required for complete application of water to proposed beneficial use is 6 additional years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

[illegible]

Total Number of Acres to be Irrigated

4410

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

Samaria Water and Irrigation Co.

Applicant.

By WILLIAM M. JONES

Agent.

Date of first receipt at office of Commissioner of Reclamation 9:00 A. M., Aug. 25, 1937

Returned to applicant for correction

Corrected application received

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 637

Recorded in book R 2, page 637 Approved September 1, 1937

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____, to be filed on or before _____

Work to begin on or before October 31, 1937 and to continue diligently and uninterrupted to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before **March 1, 1940**

The whole of said work to be completed on or before September 1, 1942

Beneficial use of water stored in accordance herewith, to be made on or before September 1, 1948

Witness my hand this 1st day of September

. 19 37

R. W. FARIS
Commissioner of Reclamation.

LICENSE ISSUED FOR 500 ^{of} SF. FL.
 LICENSE PAGE NO.

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed this 1st day of September, 1937.

STATE OF IDAHO

(SEAL)

By BARZILLA W. CLARK
Governor

Countersigned:

By IRA H. MASTERS
Secretary of State

Permit No. R-637

CERTIFICATE OF COMPLETION OF RESERVOIR AND
RIGHT TO STORE WATER

Amount 500 Acre Feet

Priority August 25, 1937

This is to certify that SAMARIA WATER & IRRIGATION CO., of Samaria, County of Oneida, and State of Idaho, the holder of Permit No. R-637, issued upon Application No. R-25816, bearing date of priority of August 25, 1937, authorizing the construction of a reservoir and the right to store the waters of Big Malad River, a tributary of Bear River, County of Oneida, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 500 acre feet of water annually; that the location of the outlet of said reservoir is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22, Township 14 S., Range 35 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume R-2, of Permits, at page 637, records of the Department of Reclamation on the 6th day of April, 1940; that the right hereby confirmed dates from August 25, 1937; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 500 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 6th day of April, A. D. 1940.

JAMES SPOFFORD
Commissioner of Reclamation

(SEAL)

Proof of completion of works made March 19, 1940
Certificate of Completion of Works issued April 6, 1940

MEMORANDUM

TO: FILE 15-02074

FROM: PAM SKAGGS

RE: TRANSFER # 5276

DATE: 6-8-98

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 15-02023.

MICROFILMED
APR 13 2000

MEMORANDUM

TO: Files 15-02023/02024/02025/02074 & 02075

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5233

DATE: October 23, 1998

Transfer 5233 changes the place of use under Rights 15-02023/02024/02025/02074 and 02075. The applicant is changing the place of use under the combined right system to include new land for a shareholder. The transfer also identifies the 7120.0 acre common place of use for these rights, and clarifies sources and uses.

Season of use for irrigation and irrigation from storage, and diversion volume were adjusted to current standards. Source and tributary names were corrected to match the names as identified on the USGS map.

Recommended conditions include irrigation overlap, permissible place of use limits for the non-storage rights, combined right limits, right-of-way and standard transfer conditions.

MICROFILMED

DEC 30 1998

MEMORANDUM

TO: FILE 15-02074
FROM: PAM SKAGGS
RE: TRANSFER # 5233
DATE: 3-26-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 15-02023.

MICROFILMED
DEC 30 1998

May 14, 1974

Re: Permits No. 15-2023
15-2024
15-2025
15-2074

Samaria Water & Irrigation Company
Samaria,
Idaho 83252

Gentlemen:

Enclosed herewith are copies of the Water Licenses issued on the above referenced permits.

We are also enclosing Receipt #14440 for \$224.60 covering the licensing fees.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

ta

Enclosures

15-2074

May 1, 1974

Re: Permits No. 18948 (New No. 15-2023)
19071 " " 15-2024
19072 " " 15-2025
R-637 " " 15-2074 ✓

Samaria Water & Irrigation Company
Samaria,
Idaho 83252

Gentlemen:

We are taking this opportunity to advise you that this office is currently in the process of clearing the Department's files of all old permits on which the statutory requirements have not been completed.

In reviewing our records, we find that the licensing fees have not been paid in connection with the above referenced permits. Therefore, upon receipt of licensing fees in the amount of \$224.60, the Department is prepared to issue water right licenses on the above numbered permits as follows:

Permit 18948/15-2023

Quantity: 3.0 cfs Source: Warm Springs
Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp. 15 S, Rge. 35 E, B. M.
Beneficial use: Irrigation of 3,215 acres (see enclosed land list)
Priority date established: March 1, 1940

Permit 19071/15-2024

Quantity: 3.5 cfs Source: Warm Springs
Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp. 15 S, Rge. 35 E, B. M.
Beneficial use: Irrigation of 3,215 acres (see enclosed land list)
Priority date established: August 28, 1940

15-2074

Permitt 19072/15-2025

Quantity: 22.0 cfs Source: Big Malad River
Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp. 14 S, Rge. 35 E, B.M.
Beneficial use: Irrigation of 6,735 acres (see enclosed land list)
Priority date established: Sept. 6, 1940

Permit R-637/15-2074

Quantity: 500 acre feet Source: Big Malad River
Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp. 14 S, Rge. 35 E, B.M.
Beneficial use: Storage for irrigation of 4,410 acres (see enclosed
land list)
Priority date established: Sept. 27, 1937

The licensing fee is based on \$2.00 for each 40-acre legal subdivision. We found 197 subdivisions, however, 89 of these subdivisions were covered by the fee paid under License No. R-791/15-2075. Also, under Permit 19072/15-2074 there is a \$8.60 completion of works fee due at the rate of \$5.00 for the first 10 second feet and 30¢ for each additional second foot.

Please submit the required \$224.60 licensing fee within 30 days of the date of this letter in order that we may issue the licenses as set forth herein. If the fee is not received within the 30-day period, the Department will proceed to cancel these permits.

If you should have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures (4)

bc: Eastern District Office
(no enclosures)

15-2074

April 6, 1919

Re: Perrit R-791 - R-637
19072

Samarita Water & Irrigation Co.
N. R. Ipsen
R. F. D. #1
Malad, Idaho

Gentlemen:

This is in reply to your letter of April 1, requesting information regarding the value of a license.

If you were to ask me "Just what is a water license?" I would say it is a legal document put out by the Idaho State Department of Reclamation that bears the seal of the State Department of Reclamation and is signed by the State Reclamation engineer. It states that there is a given amount of water from a given source of supply with a specified priority and a specified point of diversion, and listing the lands irrigated giving the number of acres irrigated in each 40-acre subdivision.

You could ask "What is the value of a license?" and it could be summed up as follows:

1. It is a legal document that sets out all of the conditions of a given water right.
2. When one has such a license it is no longer necessary to make proofs of the right by witnesses or notarized statements; all that is necessary is to show the license.
3. It is a legal document that shows right to use water, a right that can be transferred from one piece of land to another.
4. It is a legal document that can be used to transfer a right from one individual to another individual.
5. It is a legal document that is acceptable in court as proof that a right exists.
6. It is a legal document that is accepted without question regarding the facts covered in the document.
7. It is a document of which there is a copy in the State House and if the original is lost or destroyed a duplicate may be obtained by payment of a fee for copying and certification.

See letter 19072

R-637

April 6, 1959

Page Two - Continued - Samaria Water & Irrigation Co.

8. Usually a right of record such as a license is required by loan companies throughout all of South Idaho before making a loan on a given piece of land.

9. Licensed rights on a decreed stream are recognized by the State Supervisor of Water Distribution and delivery on same is made according to their priority.

10. A license is paid for but once. It is valid at all times thereafter.

11. It does not give this department or any other agency in the State any authority over you or the right without your consent.

12. A licensed right is never considered abandoned merely by reason of non-use. These are some of the values that come to mind at this time, and undoubtedly others exist.

In case you wish to know the difference between a license and a permit it is as follows:

A permit sets out the facts concerning anticipated use of water. It is in effect a contract between the person owning it and the State of Idaho. It is the intent of the law that a permit shortly matures into a license. Its sole value exists only during the limited life it has that is set out in the terms of the permit. If a permit is carried through only the proof of completion of works stage and not through the beneficial use proof stage it will lose priority day by day and thus actually lose its value. In contrast to the permit the license is a finished and completed document beyond which nothing else is required.

The only other "right of record" regarding usage of water that is equal to a license is the right obtained by court decree.

Perhaps a short statement regarding a use right should be made at this time. A use right may be as good and as valid as a right of record but one must always be prepared to go into court and prove that he has a valid use

R-637

Page Three - Continued - Samaria Water & Irrigation Co.

right in case validity is ever questioned. In case of the old use right, such becomes very difficult or perhaps even impossible to substantiate due to the fact, those who can testify move away from the region or perhaps are dead and gone, thus it is a "record right" is much easier to sustain than a use right.

Now a word regarding your dams. The state law definitely requires that the State Reclamation Engineer approve the plans and specifications for any dam in the State of Idaho over 10 feet in height or impounding 100 acre feet or more of water. I am enclosing a leaflet that quotes the state law regarding this.

I hope this gives you some of the information you desired, and thank you for your inquiry.

Yours truly,

GEO. W. CARTER
State Reclamation Engineer

By:

E. H. RUPPREY, Deputy
State Reclamation Engineer

ENH:ew
Enc. 1

R-637

March 16, 1959

Re: Permit Numbers:

19072; R-637; R-791

Samaria Water and Irrigation Company
Rt. # 1
Malad City, Idaho

Attention: Nephi E. Ipsen

Dear Mr. Ipsen:

Enclosed is a map as it appears to Mr. Price of your district where the water in above permits is used. It is being sent to you for your inspection and checking. In as much as, you said the water belonged to individuals rather than to land it would be well for each individual concerned to check the map and see if he has land within the area of this map.

If there are other forties that use the water, please indicate them with an "x". If the number of acres in any forty is wrong, please write in with red pencil the correct acres.

Also, if any ditches are wrong or additional ditches should have been included, please put them in with a red pencil.

As soon as you have returned this map duly corrected, I will turn in a report and we will then recheck everything after which you will hear from this office again.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

E. N. HUMPHREY
Deputy State Reclamation Engineer

ENH/lv
Enclosure

R-637

✓
March 14, 1950

Re: Permit No. R-637

Semeria Water & Irrigation Co.
C/o Mr. Wm. M. Jones, Secretary & Treasurer
R.F.D. 1, Box 100
Malad, Idaho

Gentlemen:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. R-637.

We can therefore issue you a License for the storage of 500 acre feet per annum from Big Malad River, upon receipt of the statutory fee of \$240.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

For your information, will say that this is in accordance with Section 42-215, Idaho Code, which also provides that in making Beneficial Use Proof on your later Permits where the water is used on the same land, there will be no additional charge for Beneficial Use Proof fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

R-637

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-637

REPORT ON PROOF OF Beneficial use

500 acft
mark.

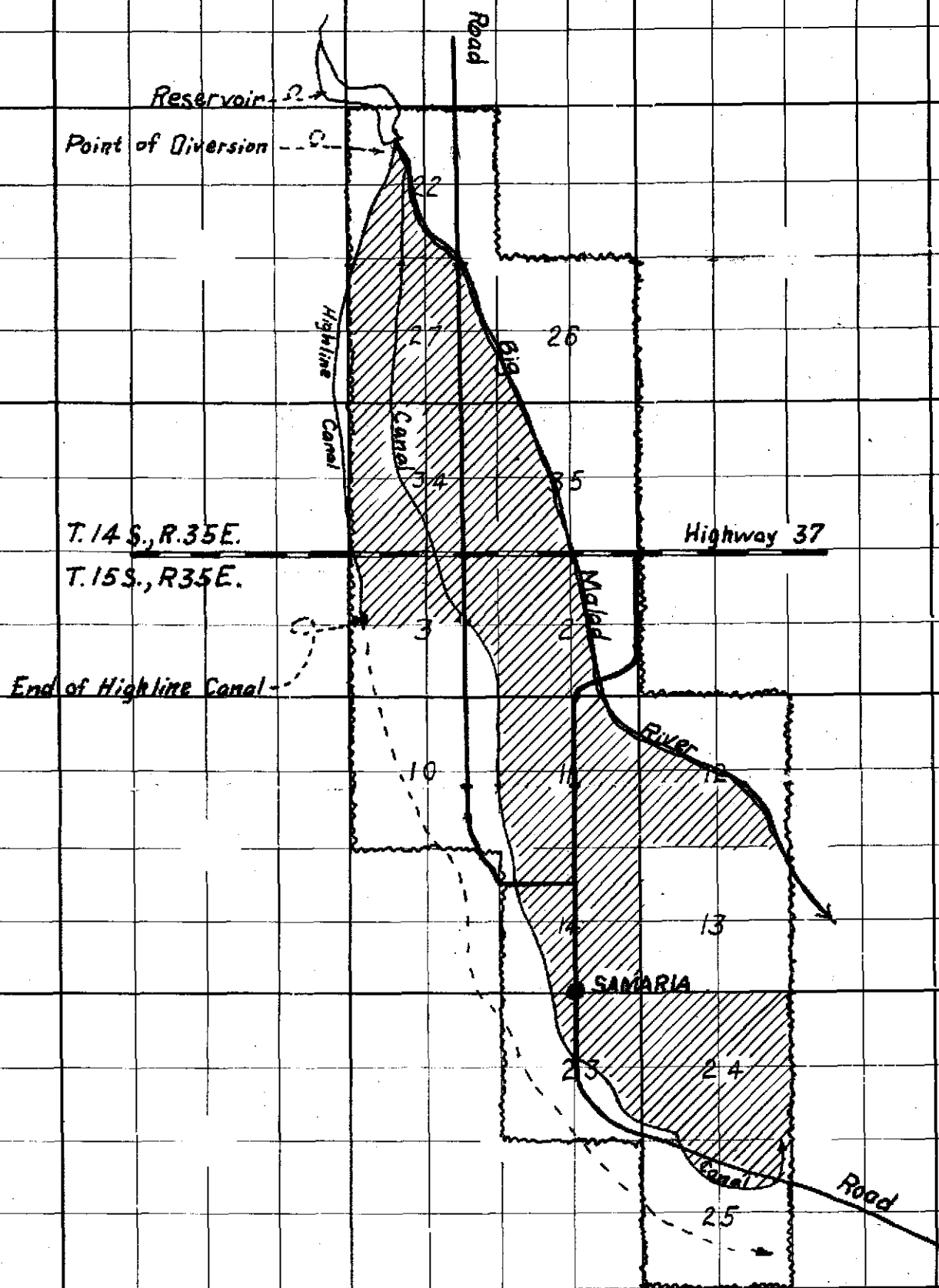
app. 1000 a.7

c/w - 500 a.7

app describes 4410 acres -

120 400

R-637



"4410" A. S. C. W.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-637This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Samaris Water & Irrigation Co., Malad, Idaho2. Source of water supply: Big Malad River3. Location of point of diversion: Is in the SW¹₄ NW¹₄ of Section 22T 14 S. R 35 E. County of Oneida

4. Describe works as they exist, giving dimensions and capacities of same:

(as filed)
Earthfill Dam: Height 40', top length 400', bottom length 260', outlet 24".Storage capacity 1000 acre feet.5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Land under main Samaris Water & Irrigation Company, in the following sections:Sections 22, 26, 27, 34, 35, Township 14 South, Range 35 East, B. M.Sections 2, 3, 10, 11, 12, 13, 14, 23, 24, 25, Township 15 South, Range 35 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Bear River

Remarks: _____

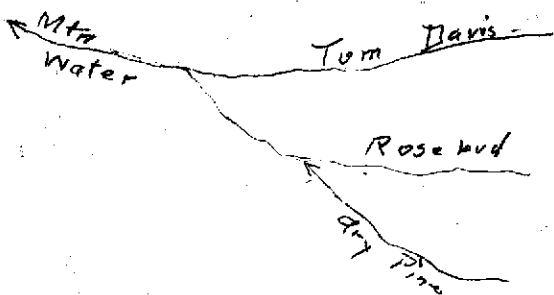
This examination was made on the 28 day of June, 1949

(Signed)

F. A. Tolman

Examiner.

R-637



Value of irrigation will
 1 share = 100 for 6 shares for turn
 8 turns come and big reason.
 600. for share

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Samaria Water & Irr. Co.
 Melad, Idaho

Permit No. R-637

Examination for Beneficial use

County Oneida

RECEIVED
 MAR 8 1950

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Samaria, Idaho; August 6th. 1948

(P. O.) _____

STATE RECLAMATION ENGINEER
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho Enterprise of Malad, Idaho, published in
the county in which the works are situated.

SAMARIA WATER AND IRRIGATION Company;

By *William M. Jones* Secty

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

NOTICE FOR PUBLICATION
**NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE**

Notice is hereby given that at 10-00 A. M. on the 16th day of Sept., 1948,
 at Malad City, County of Oneida, State of Idaho, before
Probate Judge of Oneida County, Idaho., proof will be submitted of the
 application to beneficial use of 500 acre feet per annum ~~cubic feet per second~~ of the waters of
Big Malad River in accordance with the terms and conditions of Permit No. R-637
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
SAMARIA WATER AND IRRIGATION COMPANY, of Samaria, Oneida County, Idaho.

The use to which said water has been applied is Irrigation
500 acre feet per annum ~~all the waters of Big Malad River and its~~
 The amount applied to beneficial use is all the waters of Big Malad River and its /

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated)

Place where this irrigation water is used is under the
Main Samaria Water and Irrigation Company canal for the following
numbered acres in the following numbered Sections, Townships and Ranges
to-wit;

150 acres in Section 22	
25 acres in " 26	
425 acres in " 27	
315 acres in " 34	
270 acres in " 35	all in Township 14 South, Range 35 East
365 acres in Section 2	
55 acres in " 3	
60 acres in " 10	
615 acres in " 11	
205 acres in " 12	
625 acres in " 13	
510 acres in " 14	
70 acres in " 23	
630 acres in " 24	
90 acres in " 25	all in Township 15 South, Range 35 East
4410 acres	

R-637

R-637

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10-00 A. M. on the 16th day of Sept., 1948,
at Malad City, County of Oneida, State of Idaho, before
Probate Judge of Oneida County, Idaho., proof will be submitted of the
application to beneficial use of 22 500 acre feet per annum ~~cubic feet per second~~ of the waters of
Big Malad River in accordance with the terms and conditions of Permit No. R-637

5470	acres	in	Section 3
80	acres	in	Section 3
820	acres	in	Section 3
10	acres	in	Section 3
210	acres	in	Section 3
682	acres	in	Section 3
808	acres	in	Section 3
112	acres	in	Section 3
90	acres	in	Section 3
22	acres	in	Section 3
202	acres	in	Section 3
540	acres	in	Section 3
312	acres	in	Section 3
682	acres	in	Section 3
22	acres	in	Section 3
120	acres	in	Section 3

The name of the canal or ditch or other works by which said water is conducted to such place of
use is The Samaria Water and Irrigation Company, main Canal.

The right to take water from such works is based upon Permit No. R-637

The source of supply from which such water is diverted is Big Malad River and its
Tributaries.

The date of priority which said user is prepared to establish is 1870 August 25, 1937

Mark A. Hump
State Reclamation Engineer.

R-637

NOTICE FOR PUBLICATION
Notice of Proof Application of
Water To Beneficial Use

Notice is hereby given that at 10:00 a. m. on the 16th day of Sept., 1948, at Malad City, County of Oneida, State of Idaho, before Probate Judge of Oneida County, Idaho., proof will be submitted of the application to beneficial use of 500 acre feet per annum of the waters of Big Malad River, in accordance with the terms and conditions of Permit No. R-637 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Samaria Water and Irrigation Company, of Samaria, Oneida County Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 500 acre feet per annum.

Place where this irrigation water is used is under the Main Samaria Water and Irrigation Company canal for the following numbered acres in the following numbered Sections, Townships and Ranges to-wit:

150 acres in Section 22
25 acres in Section 26
425 acres in Section 27
315 acres in Section 34
270 acres in Section 35; all in Township 14 South, Range 35 East.
365 acres in Section 2
55 acres in Section 3
60 acres in Section 10
615 acres in Section 11
205 acres in Section 12
625 acres in Section 13
510 acres in Section 14
70 acres in Section 23
630 acres in Section 24
90 acres in Section 25; all in Township 15 South, Range 35 East.
Total 4410 acres

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Samaria Water and Irrigation Company, main Canal.

The right to take water from such works is based upon Permit No. R-637.

The source of supply from which such water is diverted is Big Malad River.

The date of priority which said user is prepared to establish is August 25, 1937.

Mark R. Kulp,
State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: R-637

Date: August 10, 1948

The Idaho Enterprise

Malad, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 14, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **Samaritan Water & Irrigation Company, C/o Wm. M. Jones, Sec'y.** ^{of} to whom you should furnish proof of publication **Route 1, Malad, Idaho** on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

R-637

Permit No. R-637

Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. William M. Jones, Malad, Idaho Route #1, Box 100, Farmer

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Samaria Water and Irrigation Company, Samaria, Idaho Secretary and Treasurer of said company

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. R-637, August 25, 1937, 500 acre feet, the source is the Big Malad River.

Ques. 4. Under terms of permit construction was required to be completed by March 1, 1942

19

Ques. 5. Construction was actually completed on the date of On time 19

Ques. 6. Does the construction fully comply with the specifications? Yes

Ques. 7. Of what material was the dam built? Dirt with concrete core

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. Yes, water was turned in on completion of the Reservoir, full capacity.

Ques. 9. The capacity of the reservoir is 500 acre feet.

Ques. 10. The area of the high water line of the reservoir is 50 acres.

Ques. 11. The height of the dam above bottom of reservoir is 40 feet, above low water is feet. water is drained down to natural stream. There is no water held in reserve.

Ques. 12. The dimensions of the spillway are 12 feet on top and the bottom of the spillway is 9 feet feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 24 inch pipe

Ques. 14. Describe the gate and control unit.

Ans. Steel gate, the control unit is a screw system

Ques. 15. The reservoir outlet is made of 24 inch steel pipe and earthen pipe.

Ques. 16. Is the reservoir filled through a feeder canal? Big Malad River runs through it.

Ques. 17. If so, where is the point of diversion for same?

Ans. 1/4 1/4 Section, 22 Twp. 14 South Range 35 E. B. M.

R-637

Ques. 18. Does the feeder canal comply with the specifications in the permit? ~~No feeder canal.~~

Ques. 19. If not, explain The Big Malad River runs through the reservoir.

Ques. 20. Cost of constructing feeder canal? \$ None Cost of reservoir? \$ 20,000

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Fully Completed.

Ques. 22. Water has (has not) been delivered to place of intended use? Water has been delivered to place of intended use.

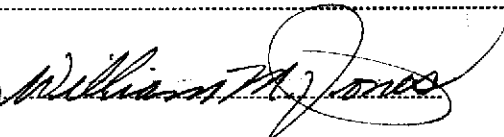
Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans. 400 feet at top, to hundred sixty feet at bottom, and 210 feet through, 3 feet to 1 foot upstream and 2 feet to 1 down stream. Rock rip-rap for protection against wave action.

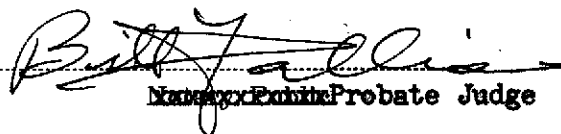
Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. The water is to be used for irrigation, and under the system there are 4010 acres and the reservoir helps to water this area. Twp 14 South Range 35 E. E. W. Sec. 22, 26, 27, 34, 35. Twp. 15 South range 35 E. E. W., Sec. 2, 3, 10, 11, 12, 13, 14, 23, 24, 25.

(Sign here)



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Malad City, County of Oneida, State of Idaho, on this 16th day of September A. D. 19 48.


Notary Public Probate Judge

My commission expires.....

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-637

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques.1. State your name, residence, occupation and postoffice address.

Ans. Elmer V. Price, Route #1, Malad City, Idaho, Farmer

Ques. 2. Are you acquainted with Samaria Water & Irrigation Co.
William M. Jones Sec-Treas., the holder of Permit

No. R-637, authorizing the storage of 500 acre feet of the waters of Big Malad
which is tributary to Bear River, in the County of Oneida, State of Idaho?

How long have you known him, and where does he reside?

Ans. All his life, Pleasant View, Idaho. His postoffice address is Route #1, Malad, Idaho

Ques. 3. Have you read or heard read said Permit? yes Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Earth filled dam with a concrete core.

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes
And to what extent? full capacity

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. $\frac{1}{4}$ $\frac{1}{4}$ I do not know the legal description at this time
Section _____, Township _____ Range _____

Ques. 7. The outlet of the reservoir is located in the $\frac{1}{4}$ $\frac{1}{4}$ Section _____
Twp. _____ Range _____ Ido not know the legal description at this time.

Ques. 8. Describe the spillway.

Ans. Concrete spillway.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 60 ft at opening.

Ques. 10. State the dimensions of the outlet for the reservoir 24" pipe

Ques. 11. Of what material is the outlet made? Clay and Steel pipe.

Ques. 12. How is the outlet gate operated? A sort a screw system. It screw up and down

Ques. 13. Of what material has the dam been constructed? Earth filled

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Dam holds five hundred acre feet of water

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans. Use all the water that is in the dam.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. All good farming land. Do not know legal description of land.

(Sign here) Elmer V Price

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad City, County of Oneida, State of Idaho, on this 16th day of September 1948.

Bill J. Kelly
Notary Public

My commission expires.....

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-637.....

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques.1. State your name, residence, occupation and postoffice address.

Ans. John F. Fredrickson, Malad City, Idaho, Abstractor, Farms, and Livestock.

Samarita Water & Irrigation Company.

Ques. 2. Are you acquainted with William M. Jones Sec-Treas., the holder of Permit No. R-637, authorizing the storage of 500 acre feet of the waters of Big Malad River which is tributary to Bear River, in the County of Oneida, State of Idaho? How long have you known him, and where does he reside?

Ans. All his life., Pleasant View, Oneida County, Idaho.

Ques. 3. Have you read or heard read said Permit? yes Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Earth Material, Built under engineer's overseeing. Earth was properly tamped and packed with concrete core. Face of dam with rock rip-rap, and gravel on top.

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes And to what extent? Now at full capacity.

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. $\frac{1}{4}$ $\frac{1}{4}$ Section 21, Township _____ Range _____

Ques. 7. The outlet of the reservoir is located in the $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp. _____ Range _____

Ques. 8. Describe the spillway.

Ans. The spillway is concrete and rock. It is about 10 feet wide and four feet deep.

Ques. 9. How much below the top of the dam is the bottom of the spillway? 6 Ft.

Ques. 10. State the dimensions of the outlet for the reservoir. 24" round pipe.

Ques. 11. Of what material is the outlet made? Steel and concrete.

Ques. 12. How is the outlet gate operated? Screw rod system that can be locked.

Ques. 13. Of what material has the dam been constructed? Earth

Ques. 14. Are the works from the reservoir to place of use fully completed? yes by canal

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Earth Dam with concrete core, and the face of dam is of rock rip-rap, with concrete and rock spillway, and has a capacity of about 500 acre feet.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation and livestock watering.

R-637

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans You can put all the water stored by this dam for the number of acres that it will properly care for.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

^{Ans} The lands in Twp. 14 and 15 South Range 35 E, B.M. totaling 44010 acres, as far as this stored water will go.

(Sign here)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad City, County of Oneida, State of Idaho, on this 16th day of September 1948.

Beth Falls
Probate Judge

Notary Public

My commission expires.....

Affidavit of Publication

State of Idaho }
County of Oneida } ss.

months of age.

NOTICE FOR PUBLICATION Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 10:00 a. m. on the 16th day of Sept., 1948, at Malad City, County of Oneida, State of Idaho, before Probate Judge of Oneida County, Idaho., proof will be submitted of the application to beneficial use of 500 acre feet per annum of the waters of Big Malad River, in accordance with the terms and conditions of Permit No. R-637 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Samaria Water and Irrigation Company, of Samaria, Oneida County Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 500 acre feet per annum.

Place where this irrigation water is used is under the Main Samaria Water and Irrigation Company canal for the following numbered acres in the following numbered Sections, Townships and Ranges to-wit:

150 acres in Section 22
25 acres in Section 26
425 acres in Section 27
315 acres in Section 34
270 acres in Section 35; all in Township 14 South, Range 35 East.
365 acres in Section 2
55 acres in Section 3
60 acres in Section 10
615 acres in Section 11
205 acres in Section 12
625 acres in Section 13
510 acres in Section 14
70 acres in Section 23
630 acres in Section 24
90 acres in Section 25; all in Township 15 South, Range 35 East.
Total 4410 acres

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Samaria Water and Irrigation Company, main Canal.

The right to take water from such works is based upon Permit No. R-637.

The source of supply from which such water is diverted is Big Malad River.

The date of priority which said user is prepared to establish is August 25, 1937.

Mark R. Kulp,
State Reclamation Engineer.

8-12-19-26 9-2 t4

Sylvia Stratton being first duly sworn on her oath, states: That *she* is *principal*

Clark 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 publication 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, and that said paper was published at regular intervals not less frequently than once a week.

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for *4* successive weekly issues thereof the date of the first publication being the *12* day of *August*, 194*8*. the date of the last publication being the *2* day of *September*, 194*8*.

Sylvia Stratton

Subscribed and sworn to before me this *4* day of *September*, 194*8*.

J. H. Hays
Notary Public, residing at Malad, Idaho

My Commission expires the *20* day of *January*, 19*51*.

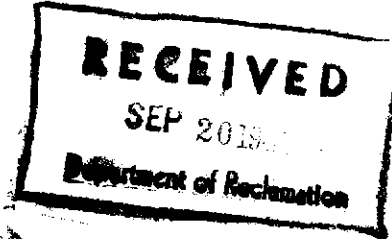
COSTS: *69* lines at 10c per line first insertion \$ *6.90*
5c per line each subsequent insertion \$ *10.35*
TOTAL \$ *17.25*

R-637

OFFICE OF
BILL FALLIS
PROBATE JUDGE
ONEIDA COUNTY
MALAD CITY, IDAHO

September 17, 1948

Mark R. Kulp, State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho



Dear Mr. Kulp:

Re: Permit No. R-637
Samaria Water & Irrigation Co.

I enclose herewith forms of proof of beneficial use of water under Permit No. R-637

Deposition of Permit Holder
Depositions of Two Witnesses

I am submitting the proof of William M. Jones, Secretary-Treasurer of the Samaria Water & Irrigation Co. of completion of works and the proof of the completion of works by the two disinterested witnesses, Elmer V. Price and John F. Fredricksen. The depositions of witnesses were taken separately, as required in each case. The depositions were taken before me September 16, 1948.

Thanking you, I am

Yours very truly,

Bill Fallis, Probate Judge

PS. Also I enclose the affidavit of publication--Notice for Publication Notice of Proof Application of Water to Beneficial Use.

R-637

✓
September 22, 1948

Re: Permit No. R-637

Hon. Bill Fallis
Probate Judge
Malad, Idaho

Dear Judge Fallis:

We acknowledge receipt of your letter of September 17 enclosing depositions of the holder and two witnesses, also affidavit of publication from the Idaho Enterprise, submitted in proof of beneficial use under Permit No. R-637 in the name of the Samaria Water and Irrigation Company.

We deeply regret the fact that the wrong forms of deposition were sent you in our form letter of September 7, being the forms for making proof of completion of works, rather than the forms for beneficial use proof.

We enclose herewith the proper forms and are sending a copy of this letter to Mr. William M. Jones with the request that he and his two witnesses again appear before you to execute same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

CC: William M. Jones

R-637

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-637-----

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. William M. Jones, R. F. D. #1, Malad City, Idaho, (Pleasantview), Secretary & Treasurer, Samaria Water & Irrigation Company and a farmer.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf. Corp. Samaria Water & Irrigation Company, position: Secretary & Treasurer. authority for appearing: Secretary & Treasurer of said company, principal place of business Samaria, Idaho

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. Permit no. R-637, date August 25, 1937 at 9:00 a.m

Ans. -----

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Big Malad River. Point of diversion: approximately 2000 feet, distant from the NW corner of Sec. 22, Twp. 14, South Range 35 EBM. and is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 22 Twp. 14 S. R. 35 EBM. County of Oneida.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. There is a large canal that distributes the water from the outlet of the reservoir. It is located in the South half of the NW $\frac{1}{4}$, Sec. 22, Twp. 14 S. R. 35 EBM. About 22 second feet of water can be safely conveyed from the point of diversion.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~This~~ This water is used for irrigation and cullinary purposes. In tp. 14 S. R. 35 EBM. and also Twp. 15 S. R. 35 EBM. There are 4410 acres of land that comes under the system. All the land is being cultivated under the system. Lateral canals and ditches have been built from the main Reservoir Canal of distribution with concerte headgates for handling and distributing the water from the reservoir which are iprovements for for the irrigation system. Homes are built and better living condition have come as a result of the reservoir.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. This water is used only for irrigation and cullinary purposes.

R-637
mm

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-637

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Elmer V. Price, age 55 residence R. F. D. #1 Malad City, Idaho (Pleasantview)
occupation farmer,

Ques. 2. Are you acquainted with yes, William Jones, Secretary and Treasurer
Samaria Water and Irrigation Company, the
holder of Permit No. R-637? How long have you known him and where does
he reside?

Ans. I have known William M. Jones, Secretary and Treasurer of the Samaria Water and
Irrigation Company all his life. He resides at R. F. D. #1, Malad City, Idaho, (Pleasant-
view)

Ques. 3. Have you read or heard read said Permit No. R-637, and are you
familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Big Malad River. The place of diversion for use of reservoir Dam of the Samaria
Water and Irrigation Co. is the South Half of NW $\frac{1}{4}$, Sec. 22 Tp. 14 S. R. 35 E. B. M.
There is a big distributing Canal from the outlet of the Reservoir Dam

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. There are approximately 22 second feet of water. I have seen from 10 to 20
second feet conveyed to use.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each
subdivision.) State whether cultivated or natural meadow land and the nature of all im-
provements which have been made as a direct result of said use.

Ans. Used for irrigation and cullinary purposes in Tp. 14 S. R. 35 E. B. M. embracing
approximately 2300 acres.. This water is also used in township 15, S. R. 35 E. B. M.
embracing approximately 2390 acres of lands irrigated and partly irrigated, and all
the water is used. The land is all cultivated. There are lateral canals and ditches form
the main reservoir canal of distribution, and with concrete headgates for handling and
distributing the irrigation waters that improves to the irrigation system. By having
this reservoir, it makes it possible for the building of homes and makes for better living
conditions.

R-637

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-637

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. John F. Fredrickson, age 60, Malad City, Idaho, abstractor, farms, and livestock.

Ques. 2. Are you acquainted with I am William M. Jones, Secretary & Treasurer of the Samaria Water & Irrigation Company, the holder of Permit No. R-637? How long have you known him and where does he reside? Yes. Have known him for 25 years; resides at Malad, Idaho R.D. No. 1

Ans. _____

Ques. 3. Have you read or heard read said Permit No. R-637, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Big Malad River. Diversion for use at Reservoir Dam of said Irrigation Company located in South Half of NW $\frac{1}{4}$; Sec. 22 Tp. 14 S.R. 35 E.B.M.
A large Distributing Canal from the outlet of the Reservoir at the Reservoir Dam

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. about 22 second feet of water. Have seen 10 to 20 second feet conveyed to use

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for Irrigation and cullinary purposes. In Tp. 14 S.R. 35 E.B.M. embracing about 2500 acres; And also in Tp/ 15 S.R. 35 E.B.M. embracing about 2500 acres of lands irrigated and partially irrigated, using the full supply of water.
All cultivated lands. Lateral canals and ditches from Main Reservoir Canal of distribution; with cement headgates for handling and distributing irrigation waters which are improvements of this irrigation system.
And thereby creates the building of Homes and yards and better living conditions.

R-637

OFFICE OF
BILL FALLIS
PROBATE JUDGE
ONEIDA COUNTY
MALAD CITY, IDAHO

October 4th, 1948

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise Idaho

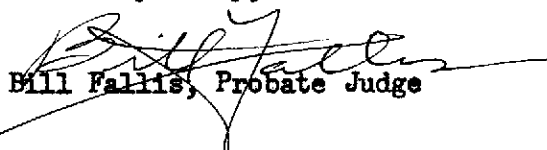
Re: Permit No. R-637
Samaria Water & Irrigation Co.

Dear Mr. Kulp:

I am today sending you the completed depositions of holder and the two witnesses for the proof of application of water to beneficial use. The testimony given in each disposition was taken separately and apart as is required in each case. The dispositions were taken before before this 4th day of October, 1948.

Thanking you for your kind interest in this matter, I am,

Yours very truly,


Bill Fallis, Probate Judge



R-637

✓
Pl. 107 J1 - Malad
(H. W. Jones)

October 19, 1948

Re: Permit No. R-637

Mr. William M. Jones, Sec'y-Treas.
Route #1, Box 100
Malad, Idaho

Dear Mr. Jones:

We have received from Judge Fallis the depositions of yourself and two witnesses in proof of beneficial use under Permit No. R-637 in the name of the Samaria Water and Irrigation Company.

Before final action is taken in the matter the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

CC: Hon. Bill Fallis

R-637

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, September 7, 1948

Re: Permit No. R-637
Samarra Water & Irrigation Co.

Probate Judge Oneida County

Malad, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-637

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On September 16, 1948, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Malad, Idaho before the Probate Judge of Oneida County
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KUIP

~~Commissioner of Reclamation~~
State Reclamation Engineer

R-637

R 637
J

August 9, 1948

Mr. William M. Jones, Sec'y.
Samaris Water & Irrigation Co.
Malad, Idaho R 1

Dear Mr. Jones:

We acknowledge receipt of your letter of August 8 enclosing duplicate notice of proof of beneficial use to be made under your reservoir Permit No. R-637 together with authorization for us to have the notice published at your expense in the Idaho Enterprise.

In checking this notice with the permit record we find it necessary to make several changes:

First, the amount of water should be 500 cusec feet per annum as shown in your proof of completion of works instead of 22 cubic feet per second, from Big Malad River.

Second, the priority that can be established under this permit is the date the application was filed in this Department, namely August 25, 1937.

We shall make these changes and send a copy of the notice to the newspaper with instructions to publish it once a week for four consecutive weeks prior to September 16, 1948, the date set for proof and to send an affidavit of publication to you together with statement of costs.

About ten days prior to that date we shall send Mr. Bill Bellis, Judge of the Probate Court, the necessary forms of deposition consisting on one for the permit holder and one for each of two witnesses so that he may have them in ample time for the proof.

Very truly yours,

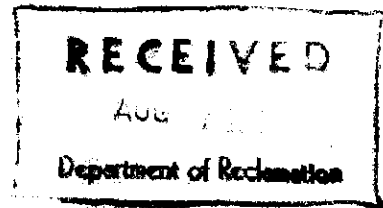
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

R-637

Samaria, Idaho; Aug. 6th. 1948



Dept. of Reclamation of Idaho;
Boise, Idaho;
Mark R. Kulp; Commissioner

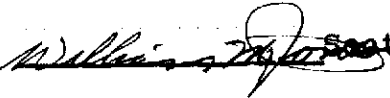
Dear Mr. Kulp;

Inclosed please find following papers
in connection with final proof on waters of our first
reservoir Dam; to-wit;

1. Notice of proof of application of water to
beneficial use, for publication.
2. Letter authorizing publication at our expense
for the above said Notice, herewith inclosed.

Yours truly,

Samaria Water and Irrigation Company

By  Sooty

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

July 1, 1948

Samaria Water & Irrigation Co.
C/o Wm. M. Jones, Secretary
Samaria, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. R-637. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than September 1, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

R-637

October 24, 1942

Mr. Wm. M. Jones, Sec'y.
Samarra Water & Irrigation Co.
Malad City, Idaho

Re: Application No. 25816
Permit No. R.-637

Application No. 25865
Permit No. R.-638

Dear Sirs:-

We wish to acknowledge receipt of your letter of October 19th, requesting information on the above captioned permits.

Information on the above Permits is described as follows:-
Samarra Water & Irrigation Co.

Application 25816 --- Permit R. 637.

Quantity --- 1000 Acre feet

Source --- Big Malad River

Diversion--- SW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 22 T. 14 S. 35 E.B.M.

Filed Aug. 25, 1937

Completion of works due Sept. 1, 1942

Beneficial Use Proof due Sept. 1, 1948

Completion of works made Mar. 19, 1940 for 500 acre feet.

Certification of Completion of Works issued April 6, 1940

Samarra Water & Irrigation Co.

Application No. 25865 --- Permit No. R.-638

Source --- Big Malad River

Quantity - - 600 Acre feet

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15 T. 14 S. R. 35 E.B.M.

Filed Sept. 9, 1937

Completion of works due Oct. 19, 1942

Beneficial Use Proof due Oct. 19, 1948

Notice of Completion of works proof due on Oct. 19, was
mailed you dated Aug. 19, 1942.

Certificate for Completion of works on Permit R-637 was issued for only 500 acre feet instead of for 1000 acre feet, because upon the completion of works proof your deposition gave the capacity of the reservoir as 500 acre feet. I think by filing an affidavit in effect that an error was made in giving the capacity of the Reservoir that it should have been 1000 acre feet instead of 500 acre feet this department can issue you a certificate for 1000 acre feet in lieu of the certificate issued.

R-637

Page - 2

October 24, 1942

Mr. Wm M. Jones

Our records show that completion of works on Permit No. R-638 should have been made on the date due- this permit is subject to cancellation.

Hoping this is the information asked for, I am

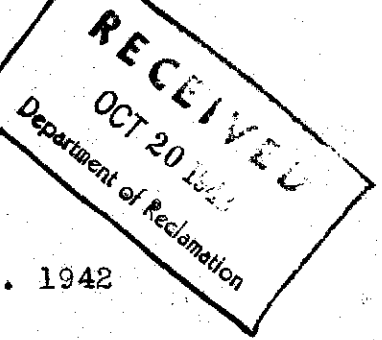
Very truly yours,

E. V. Berg
Commissioner of Reclamation

By
Roy W. Thompson
Deputy Commissioner

RWT:lap

R-637



Samaria, Idaho Oct. 19th. 1942

Dept. of Reclamation
Mr. E. V. Berg; Commissioner;
Boise, Idaho;

Dear Mr. Berg;

Appl. 25816
Permit No. R-637 Aug. 25, 1937

Appl. 25865
Permit No. R-638-Sept. 9, 1937

On Permit No. R-637 Aug. 25th. 1937, we have a Certificate of completion of reservoir and right of Storage water. Amount 500 acre feet, dated April 6th. 1940. Application calls for 1000 acre feet per annum on this above said application.

Then on Permit No. R-638 Sept. 9th. 1937 calls for 600 acre feet per annum and for which we have no Certificate of Completion.

On permit No. R-637 we think is our Reservoir which dam and works are now completed, although the site leaks, and we have Certificate of Completion for same.

On Permit No. R-638 we think is the other filing North of above Dam and little farther up the River, and which we want you to check your files and records and clear us on, as it seems to us the permit numbers above might have been reversed on said applications so we will ask you to please write us by return if you can fully, clearing us on this matter on the exact location of the 2 permits as your records show them.

We thought we have to refile today on R-638 which also asks for 6 years; however Permit R-637 asks for 6 additional years for completion and which Permit has been completed; so we thought there may have been a reverse possibly; and thereby ask for a check of your records.

Thanking you for this information and also advise us if we should refile now on the above permit that proves to be uncompleted on a check of your records. We would like to have this cleared up now right away and thank you for your courtesy,

Yours truly,

Samaria Water and Irrigation Co.

By *William H. Jones*
Secy-Treas.

R-637

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

July 15, 1942

R-637

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Samaris Water & Irrigation Co.
Samaris, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. ~~R-637~~ you are required to complete your diversion works on or before Sept. 1, 1942. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

E. V. BERG
Commissioner of Reclamation.

R-637

April 8, 1940

Re: Permit No. R-637

Mr. William M. Janna, Secretary,
Samaria Water & Irrigation Co.,
Malden, Idaho.

Dear Mr. Janna:-

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit, confirming the right of the Samaria Water & Irrigation Co. to store five hundred (500) acre feet per annum of the water of Big Maled River, with point of outlet in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 14 South, Range 35 East, E. M., with date of priority of August 25, 1937.

The Department's Receipt No. 17336 for the \$5.00 fee paid in connection with this proof, is also enclosed.

In reply to your inquiry as to the inspection by our Field Engineer, wish to advise that this is not required until after the proof of beneficial use has been made. This final proof can be made at any time that you desire, up to September 1, 1942, which is the final date allowed under the terms of the permit.

In regard to the necessity of making a new filing in order to protect your rights on the spring at the head of Big Maled River, we believe that the rights at any position on the water shed depend on priority rather than position. Therefore, if the springs at all times are tributary to the river, you would be entitled to your amount of water in accordance with the priorities on the stream. If you care to make an additional filing on the springs for an additional supply of water, we shall be glad to furnish you the forms and instructions, upon request.

Very truly yours,

JAMES SPURFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encs.

R-637

Malad, Idaho
March 30, 1940

Re: Permit No. R-637

Department of Reclamation
James Spofford, Commissioner
Boise Idaho

Dear Sir:-

In reply to your letter of March 28, Thanks for correcting our affidavit of proof of Completion of works.

Please find enclosed our check for five dollars the statutory fee required for the Certificate of Completion of Works.

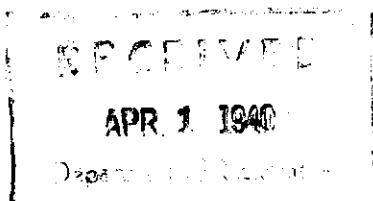
I would like some information, Mr. A.W. McCulloch Area Engineer For the Soil Conservation Service told us that we would have to have Mr. Tollman of the Reclamation Department come down and go over System with us to see that we were using the wabers on the land that we claim. And that we would have to make a new filing to protect our rights on the spring at the hrad of the Big Malad which is the source of our water supply for our Reservoir.

Thanking you for any necessary information

Yours very truly

Samaria Water and Irrigation Co

By *William M. Jones*
Secretary



R-637

March 28, 1940

Re: Permit No. H-637

Mr. William M. Jones, Secretary,
Samaris Water & Irrigation Co.
Malad, Idaho.

Dear Sir:-

We thank you for your letter of March 27th, in reply to
ours of March 21st, in regard to point of diversion in
the above numbered permit.

We note that this should be given in your Affidavit as
the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, Township 14 South, Range 36 East,
and we have corrected the affidavit accordingly.

Therefore, upon receipt of the statutory fee of \$5.00, a
Certificate of Completion of Works will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

R-637

Malad Idaho
March 18, 1940

James Spofford
Commissioner of Reclamation
Boise Idaho

Dear Sir :

Please find enclosed a corrected copy of Proof of Completion of
Works for our Reservoir for Permit number R-637

Yours truly

Samaria Water and Irrigation Co.

By William M. Jones
Secretary

R-637

Permit No. R-637

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

✓ County of Oneida

} SS

Agent or Secretary of Samaria Water and Irrigation Co.

✓ William M. Jones, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. R-637, and that his postoffice address is Malad, Idaho, R.F.D. # 1
State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Big Malad River

Third: That the point of diversion of said water is in SE 1/4, NW 1/4 - 14-35 E.

SW NW Sec 22 - T14 S-R 35 E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 1, 1942

Fifth: That the use for which said water is intended is Irrigation and Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(or were not)~~ fully completed and consisted of the following:

I. Kind of works: Earth Reservoir Dam; With Concrete Core; Earth Embankment

(Reservoir, dam, ditch, flume, pipe or otherwise.)

and Rip-Rap Rock Work; And concrete spillway.

II. Dimensions of work:

(a) Height of dam 40 feet, length of dam at top 400 feet, length of dam at bottom 260 feet. Material used in construction Concrete core and earth embankment and Rip-Rap rock work; with concrete spillway.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 500 acre feet.

(c) Size of headgate: Width 24 in. feet height 210 feet. long

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe.)

feet, depth of water feet; diameter of pipe inches, average grade

per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use
second feet of water.

Eighth: That water appropriated under said permit is available for 2500 acres of land described as follows: In sections 22-26-27-34-35 in Tp. 14 S.R. 35 E.B.M. and in sections 2-3-10-11-12 in Tp. 15 S.R. 35 E.B.M. Oneida County Idaho.

13-14-23-24-25

Ninth: Remarks: That Total acreage under said Permit to be irrigated and that can be irrigated is 4450 acres and all waters under this Permit are applied to said lands or the parts thereof, as far as all said waters will go.

William M. Jones
(Sign here)

Subscribed and sworn to before me this 19th day of March, 1940

Edward M. Wozey
Notary Public.

My commission expires Nov. 10, 1940

R-637

Pending

March 21, 1940

Re: Permit No. R-637

Mr. William H. Jones, Secretary,
Samaria Water & Irrigation Co.
Malad, Idaho.

Dear Mr. Jones:-

We are in receipt of your letter of March 18th,
enclosing Affidavit of Proof of Completion of Work
under the above numbered permit, in the name of the
Samaria Water & Irrigation Company.

We note that the point of diversion is described in
this affidavit as being in the SE 1/4 of Sec. 14-35 E.,
which we infer is intended to be the SE 1/4 of Sec. 22,
Twp. 14 S., Range 35 E.

However, the original application and permit show this
as the SE 1/4 of Section 22.

Please advise if this is a typographical error in the
affidavit, or if you have changed the point of diversion.
If the latter, it will be necessary for you to file in
this department an application for amendment, form for which
we shall be glad to send you, upon request.

Very truly yours,

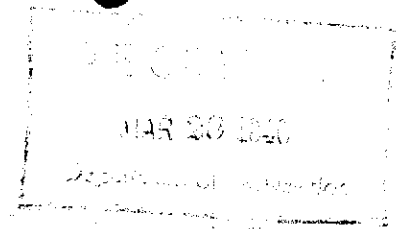
JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Deputy Commissioner

R-637



Malad Idaho
March 27, 1940

Department of Reclamation
James Spofford, Commissioner
Boise, Idaho

Dear Sir:-

In reply to your letter of March 21, concerning Permit number R-637, The description of the point of diversion is a typographical error as our point of diversion has not been changed and it should be as it is shown on the original application and permit, as the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 22.

Yours truly

Samaria Water and Irrigation Co.

By

William M. Jones
Secretary

R-637

March 2, 1948

Mr. Wm. H. Jones, Secretary,
Sagaria Water & Irrigation Co.,
Mandal, Idaho.

Dear Sir:-

Your Affidavit for Proof of Completion of Work is being returned, because Permit No. R-517 was cancelled December 4, 1937, for failure to make proof of completion of work.

You have, however, secured a later permit, No. R-637, on which proof is not due until September 1, 1948, although you may submit the proof at any time.

If you re-submit an Affidavit on Permit No. R-637, cross out either the words "were" or "were not" under Question 6.

Very truly yours,

JAMES SPONFORD
Commissioner of Reclamation
By

Deputy Commissioner

B:A
Enc.

R-637

RECEIVED

FEB 28 1940

Department of Reclamation

Malad, Idaho Feb. 27th. 1940

Dept. of Reclamation
James Spefford; Commissioner;
Boise, Idaho.

Permit R-517
Samaria Water & Irrig Co.
Samaria, Idaho.

Dear Mr. Spefford;

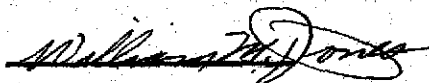
Inclosed please find our final proof affidavit
Testimony of our Reservoir site.

Please acknowledge receipt of same and oblige.

Yours truly

Samaria Water & Irrigation Co.

By



Secty.

6-25-37

R-537

R-637

August 31, 1937

Re: Application for Permit.

Mr. William M. Jones, Secretary
Samarra Water and Irrigation Co.
Samarra, Idaho

Dear Sir:

Your new application covering the waters stored in your reservoir on Big Malad River has been received in this department and a permit issued thereunder, which you will receive within a few days, together with our office receipt for \$5.75.

It will not be necessary for you to offer your proofs under this permit for several years unless you desire to do so. If, however, you wish, you can offer your proofs at any time after sixty days. The necessary forms will be furnished upon request.

We are herewith enclosing another blank application for permit to construct a reservoir, as per your request.

Very truly yours,

Deputy Commissioner of Reclamation

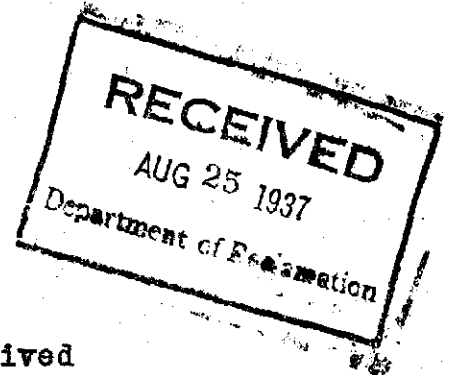
PLH:jl
Encl.

R-637

Samaria, Idaho Aug. 23rd. 1937

Department of Reclamation
Boise, Idaho;

Gentlemen;



Your letter of July 29th. received relative to refiling on the waters of Samaria Water & Irrigation Co., in order to make final proof on the Reservoir site and works now completed, owing to our final proof not being made within the time allowed.

This delay was caused by the death of my father who was the Secretary Treasurer, and who died in the later part of Feb. 1937 and our Company did not get around to make the proof in time.

The proof however was submitted to your office but not accepted for above reason.

Inclosed herewith is new executed application with maps showing land to be irrigated as requested.

Also inclosed our check for \$ 5.75 filing fee required

Please advise us now, how long we have to make the final proof, and if final proof can be made at any time, and the requirements. Our Reservoir is completed.

We are also contemplating building another Reservoir of about this same size on this same stream, only located farther North and use the same stream to fill both Reservoirs and I will ask you to please send me filing blanks for same by return of mail, as we are figuring on commencing work on same now right away, and we want the permit to do so as soon as possible.

Yours truly

Samaria Water and Irrigation Co.
BY *William T. Jones*

R-1-37

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. R-637

Boise, Idaho, **September 8, 1937**

Dear Sir:

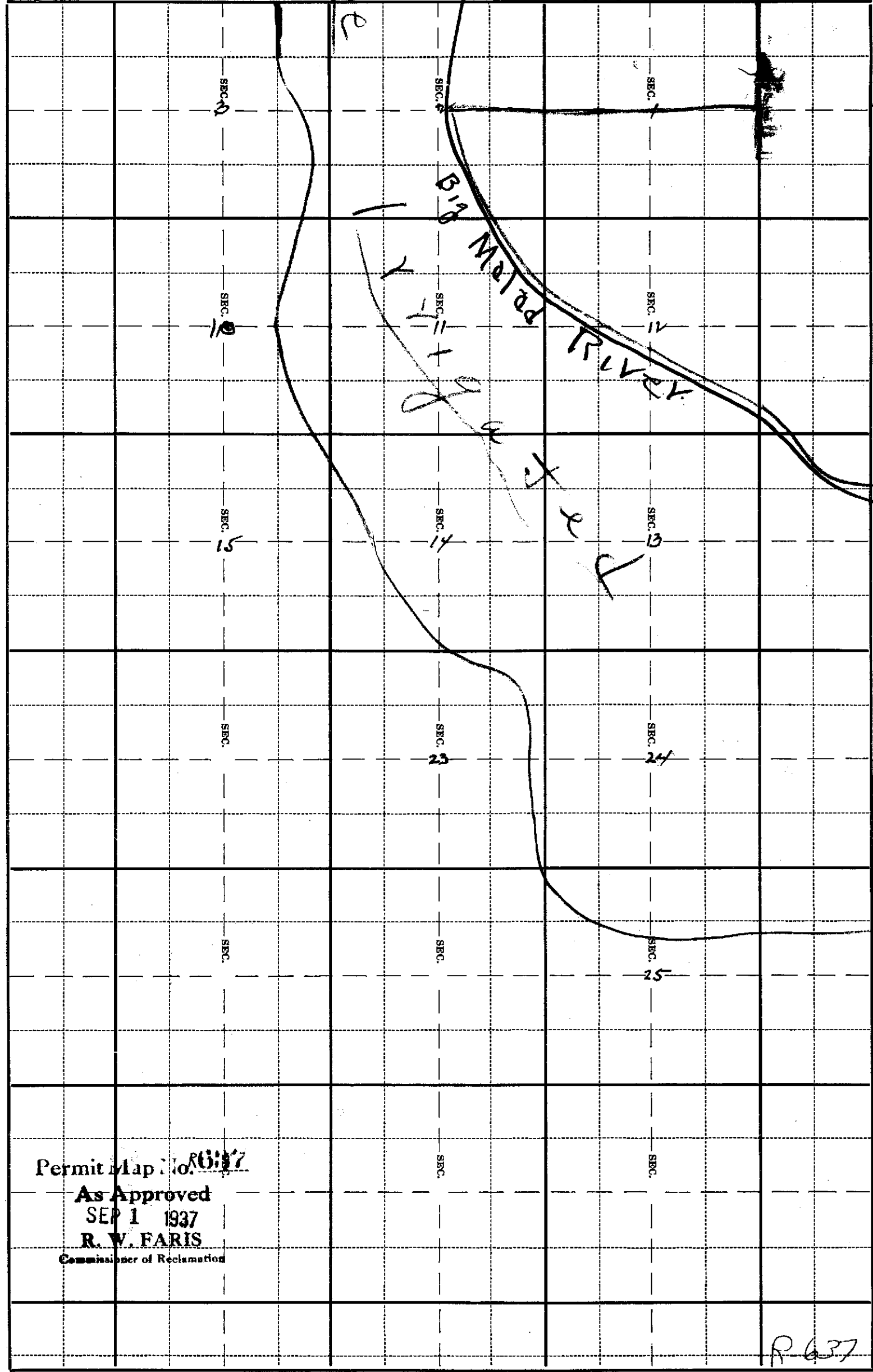
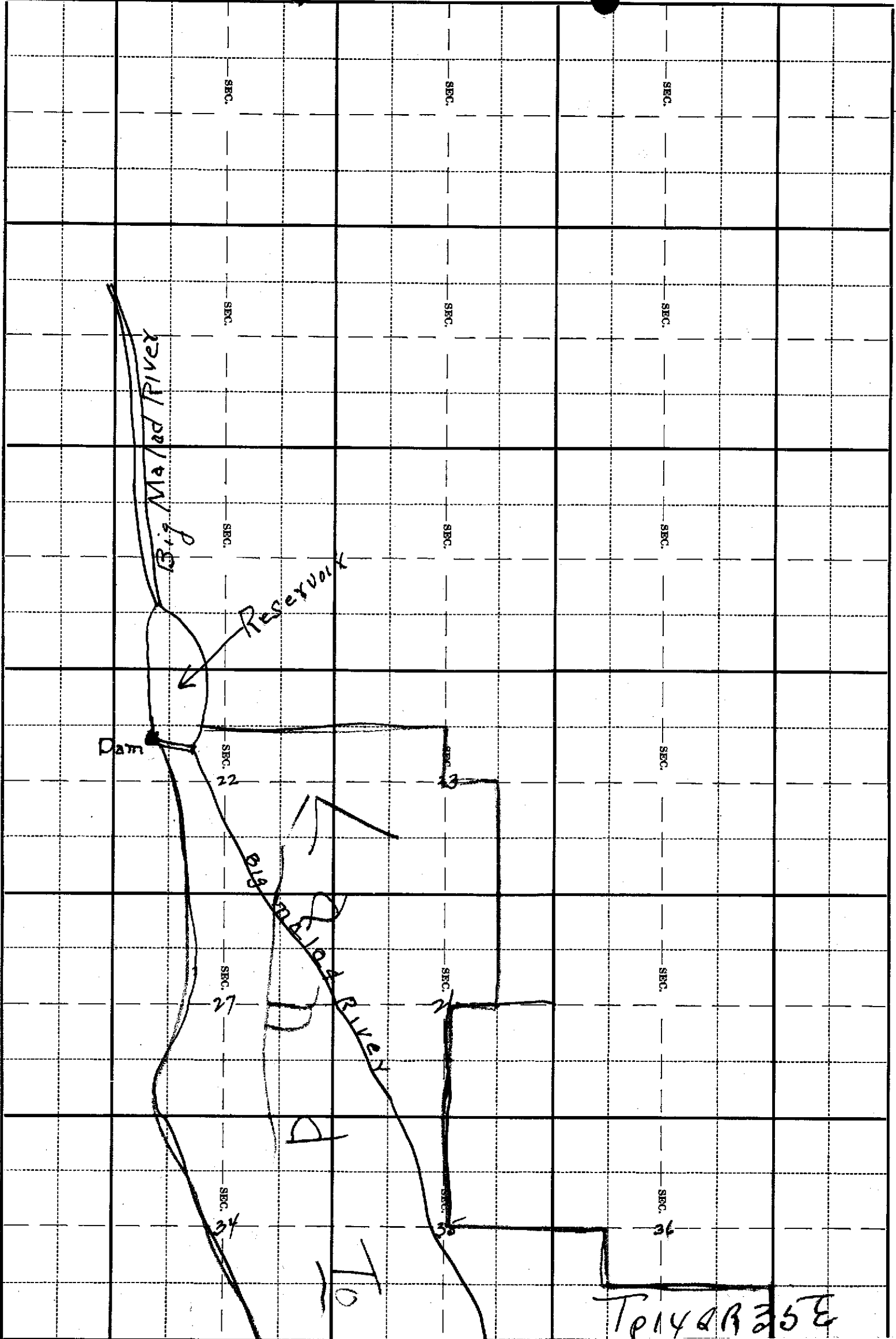
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

William M. Jones, Agent
Samaris Water & Irrigation Co.
Samaris, Idaho

R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for \$5.75

R-637



Permit Map No. R 637
 As Approved
 SEP 1 1937
 R. W. FARIS
 Commissioner of Reclamation

R-637

July 23, 1937

Re: Application for Permit, ✓
Sumaria Water & Irrigation Co.

Mr. William M. Jones, Secy.
Sumaria Water & Irrigation Co.
Route No. 1
Malad, Idaho

Dear Sir:

Pursuant to your letter of July 25th, we have prepared a copy of Permit No. B-517 for a new filing, and such copy is being herewith enclosed for your signature and the information required under paragraph 1.

When the application is returned to this department, it should be accompanied by a fee of \$5.75, and also township plat in duplicate, showing location of the reservoir, the forty-acre tract in which the point of outlet is located, the lands that are benefited by this water, and also the canal carrying the stored water from the creek to the lands to be irrigated.

Very truly yours,

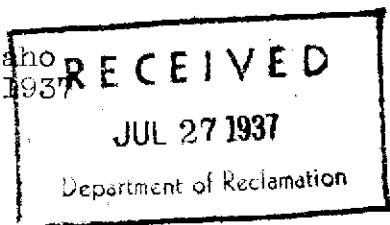
Deputy Commissioner of Reclamation

PLH:jl
Encl.

R-637

R-517

Malad, Idaho
July 25, 1937



R. W. Farris
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

In reply to your letter of July 21 we wish to comply with your suggestion and file a new application covering the project. so please send the necessary form to make the new application.

Yours truly
Samaria Water and Irrigation Co.

By William M. Jones. Secretary
Malad, Idaho
Route #1

R-637