(Form No. 1) Void

Address all communications to .....

P. O. .....

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.....

Permit No.....

District No.....

1. Name of applicant: Samaria Water and Irrigation Company

Post office address Samaria County Oneida State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: March 12th. 1924 Samaria, Idaho, renewal of second 50 year period.

(b) Amount of capital stock: $ 20,000.00 (c) Amount paid in: $ 14400.00

(d) Names and addresses of directors: David Hughes; Lewis Hughes; Daniel M. Price Samaria, Idaho; Elmer Price; John Roderick; Ruel Ipsen John Blaisdell of Malad, Idaho R.D. No. 1

II. The financial resources of the applicant are: (a) Cash on hand: $.....

(b) Treasury stock: none (c) Bonds to be issued: none

(d) Other resources: Assessment privileges

2. Quantity of water claimed: and used 22 cubic feet per second.

3. Source of water supply: Big Malad River from its head in SE¼NE¼:-9-14-35E to site of Dam to be in NE¼NE¼; Sec. 16-14-35E

which is a tributary of .....

4. Location of point of diversion: .....feet distant from the.....corner of Section 16, T 14 S, R 35 E, B. M., and is in the SE¼NE¼ Location of Dam of Section 16, T 14, R 35 E, B. M., County of Oneida

5. Water is to be used for: Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: .....feet distant from.....corner of Section.....

T....., R....., B. M., in the.....of Section....., T....., R....., B. M.

(b) Amount of power generated:.....H. P., under.....feet head.

(c) Water is to be returned to.....at a point.....feet

distant from the.....corner of Section....., T....., R....., B. M., in the

.....of Section....., T....., R....., B. M.

7. Estimated cost of works: $ 40,000.00

8. Kinds of works: Earth Dam

(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 55 feet; length of dam at top 600 feet; length of dam at bottom 125

(If height of dam will exceed 10 feet, send to Department of Reclamation for Regulations)

feet; material used in dam Earth; with concrete reinforced core 125 ft by 20 feet and 2 feet thick through the Dam

10. Size of headgate: Width 30 in Dia; pipe, feet; Height.....feet.

from the Dam

11. Ditch: Width at bottom 4 feet; Width at water line 6 feet; Depth of water 2 feet;

Dimensions of flume.....Diameter of pipe.....inches;

Length of conduit.....miles. Average grade per mile.....feet.

R-791

12. The time required for the completion of such work is 1 to 5 years years.

13. The time required for the complete application of the water to the proposed use is none additional years.

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

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

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			All Class 1 and 2 arable land with supplementry water for lands now partly irrigated. As per map hereto showing irregatible lands; and lands now under our system shown adjacent to the main distributing canals and ditches; in Townships 14 and 15 South, Range 35 East Boise Meridian.																

Total Number of Acres to be Irrigated.....

15. (a) Is reservoir to be used?..... (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit: .....

(c) Date of filing of Application for Storage Permit and Name of Applicant:.....

Remarks: The storage development covered by this application is one of a reservoir which will supply irrigation water to the arable lands and the irrigated lands under this system requiring supplementry water and the lands needing additional water, which we intend to supply under our present used distribution water system now using with the small reservoir we now have and use on the lower or southern part of the Big Malad River channel The reservoir now being proposed for this additional water is located farther up said river channel in SE¼NE¼; 16-14-35 E. in which we propose to store the waters applied for in this permit.

The lands to be irrigated under this application are shown as per map hereto attached.

And that we claim by usage and filing all the waters of Big Malad River and are hereby applying for retention of the same by subsequent filing hereby made on same from and with our former filing of 1940 automatically extended by our being forced into World War II combining all the waters of Big Malad River stored and used with and through these Two (2) Reservoirs to be placed on the Malad River Channel, the lower one of which is already now built and used and the other one is now in progress of being built as shown by the maps hereto and this filing, which work on this said last and upper Reservoir was commenced in the year 1946.

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

Dated March 1st. 1947.----------

SAMARIA WATER AND IRRIGATION COMPANY
Applicant

By William T. Davis Agent.
Secretary

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ..., of....., County of ....., State of....., do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of.....is located, to-wit:.....

and that I do hereby grant unto the said.....permission to file on the said spring as set forth in the foregoing application.

.....

STATE OF IDAHO
County of..... } ss.

On this.....day of....., 193....., before me a Notary Public for the State of Idaho, residing at....., personally appeared.....

known to me to be the person.... whose name.....subscribed to the foregoing certificate, and acknowledged to me that ....he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

.....
Notary Public.

My commission expires.....

L-791

Approval of Commissioner of Reclamation

The number of this permit is.....

Recorded in Book.....Page.....Approved .....

This is to certify that I have examined the within application for a permit to 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....., and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit ho'der has no control.

One-fifth of the work above specified to be completed on or before .....

The whole of said work to be completed on or before.....

Beneficial use of water appropriated in accordance herewith, to be made on or before.....

Witness my hand this.....day of....., 193.....

.....

Commissioner of Reclamation.

No.....

PERMIT

Date of first receipt at office of Commissioner of Reclamation

.....

Returned to applicant for correction

.....

Corrected application received

.....

Fees, $.....

FILING FEES FOR USE PERMIT:

For the first Sec. Ft.....$5.00

For each additional Sec. Ft. or fraction thereof ..... .25

Malad, Idaho; R.D. No. 1
March 1st, 1947

State Reclamation Engineer;
Dopartment of Reclamation
Boise, Idaho;

Dear Engineer & Dept. of Reclamation;

Please find inclosed application for permit to continue our former filing of 1940 on the waters in full of Big Malad River to be impounded in our proposed reservoir to be built and located in Section 16 Tp. 14 South, Range 35 E.B.M. in addition to the waters of said Malad River now being stored and impounded in reservoir in Section 22 Tp. 14 S.R. 35 E.B.M.

Also inclosed is our filing fee of $10.25

Please file the same on its receipt, and any amendments that may be desired can be made thereafter. And please acknowledge receipt of same and oblige.

Yours truly,

SAMARIA WATER AND IRRIGATION COMPANY

By William M. Davis Its Secty.

Registered amd
receipt requested.

RECEIVED
MAR 7
10 1/5 am
Department of Reclamation

R. 191

8 — 40 ½.
7 — 40 & 35 acres
16 — 40
12 — 40
16 — 40.
14 — 40
5 — 40 & 55 acres,

78
40
3120

90 acres
3120
3210

145.
35' E.

3210
6641
9855

16 — 40
16 — 40
16 — 40
16 — 40.
9 — 40 & 25
13 — 40 & 25
16 — 40
16 — 40.
5 — 40 & 30
16 — 40.
13 — 40 & 20.
10 — 40 & 10
1 — 40 & 15

163
4
6520

125
6520
6645

15'S.

35'E.

R-791

Re: Water District No.

Stream:

Watermaster:

Amount:

CLERK, BOARD OF COUNTY COMMISSIONERS

Dear Sir:

Inclosed herewith is claim for services and expenses rendered by the regularly qualified and acting watermaster of the above numbered district.

This claim is approved by the Department of Reclamation in conformity with

Section 41-510 to
Section 41-516

Idaho Code Annotated, with the understanding that final claim and distribution thereof to the water users will be made at the close of the irrigation season, approved copy to be filed with your Honorable Board.

In the meantime, it is desired that the Watermaster receive a warrant covering his services to date.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By_____

R 637 1000 sh -
Big Mallard
8-25-37 -
Cr'made BK - 9-1-48

19072
220 S -
8-27-40 -
Blk + Cr'd due 5-14-41

19645 Mallard Res Co.
16 Sh. Big Mallard
2-19-45 -
(D & Reg. - et al -
Pat'd Nov 10 - 10 235-E 491

Sec. 22. — 15 acres open.
" 23. — Same.
" 26 — 80 acres open
" 34 — 320 " "
" 35 — 80 " "
" 36 — Same.
" 27 — 280 open
all in 14S. 35E.

Sec 1 — Same
" 2 — "
3 — 560 open
10 — 370 "
11 — Same
" 12 — "
" 13 — "
" 14 — 80 open
" ? 23 — 480 " p. 741
24 — Same
25 — 25 open
40 short

Sec 22

W_2, SE_4 26 :
W_2, NW_4 34
SW_4 34
NE_4 35

6735 acres

March 11, 1947

Mr. William M. Jones, Secretary,
Samaria Water & Irrigation Company,
R. F. D. 1, Malad, Idaho

Dear Mr. Jones:

We have received from you, by registered mail, March 7, 1947, at 10:15 A. M., an application for permit to appropriate 22 cubic feet per second of the waters of Big Malad River.

We are confused as to the intent of this application, as it shows the kind of works to be an "earth dam", and in the Remarks states, "The storage development covered by this application", etc.; and "That we claim by usage and filing all the waters of Big Malad River and are hereby applying for retention of the same by subsequent filing hereby made on same form and with our former filing of 1940 automatically extended by our being forced into World War II."

On account of our confusion, we will review some pertinent information on the situation.

You already hold Storage Permit No. R-537, with priority date of August 25, 1937, on which proof of completion of works was made on March 9, 1940, and on which proof of beneficial use is due on or before September 1, 1948. Acceptable proof that you have stored and beneficially used a definite amount of water would entitle you to a license for that amount. (The certificate of completion of works was for 500 acre feet.)

You also hold Permit No. 19072 for 22 cubic feet per second of the water of Big Malad River, with priority date of August 27, 1940, upon which all proofs have been made, but on which the statutory fees of $456.00 have not been paid. Our letter to you of March 24, 1943, states, "Upon receipt of these fees, a Certificate of Completion of Works and License will be issued."

If your present application is to cover this same 22 second feet, it is unnecessary. The old permit (No. 19072) is in full force and effect, although not automatically extended by reason of the war.

Note: There is a pending application, No. 19545, by the Malad Reservoir Company, of February 19, 1948, claiming 16 cubic feet per second of the water of Big Malad River.

If your present application is intended to cover storage rights (the flow permits cover only the natural flow during the irrigation season) it should be made on Form No. 2, two copies of which we are enclosing.

P-791

We are holding your application until we hear from you, as we cannot accept it as a storage application. (A storage application at this time would be subsequent to the application of the U. S. Bureau of Reclamation.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A
Encls.

E-791

RECEIVED
MAR 27 1947
Department of Reclamation

Samaria, Idaho; March 28th. 1947

Mr. Mark R. Kulp, Idaho Reclamation Engineer;
Boise, Idaho; State Capital Bld.

Dear Mr. Kulp;

Our Board of Directors is in session today at 8-00 P.M and the matter of your letter of March 11, 1947 acknowledging receipt of our application for permit to store 22 cubic feet per second of the waters of Big Malad River in an earth dam to be built in Sec. 16-Tp. 14-SR 35 E; received by you March 7th. 1947 at 10-15 A.M. and filed of that time; and wherein you stated it was not clear to you what we wanted and intended to be claimed in this application, and to clear this matter in your mind we herewith write you what is intended in this application for permit and what we want that you can make the necessary addition for your Dept. that we want to make clear to you in this application; to-wit;

Our present reservoir Dam is now located in NW¼-22-14-35E; and the Dam with the waters of Malad River we claim by this application is to be built and located in the SE¼NE¼; and NE¼SE¼; Sec. 16-14-35E; and this Dam is to be approximately 600 feet length at top and 125 feet length at bottom and 55 feet high from bed of river; and about 315 feet through the dam or width of dam at bottom and about 30 feet wide at top; with its spillway on West side of top of Dam; and Diversion of the waters from this proposed Dam to be taken down the main River bottowm channel of this Big Malad River and through the present Reservoir in Sec. 22; and then out of this Reservoir Diversion Canal and on through the same distributing system and canals now used by this Reservoir in Sec. 22; and for irrigating our additional lands now partly irrigated, will enlarge and continue the present distributing Ditches, to handle the additional and extra water we will have for irrigation in this said above first Dam now to be built and claimed for by this application with all the waters of Big Malad River to be stored by these 2 reservoirs on the same man channel, the one now already built; and the other one to be built and claimed for by this said application. The Map with the application, we think shows the proposal very plainly, and the explanation remarks on the map sheet also explains the same. The location we will pick for the new dam in Sec. 16 will hold better than 1800 acre feet of these waters, by possibly reducing the present storage we now have in the reservoir in Sec. 22 a small amount and again save the same in the said Reservoir to be built.

This we believe will explain the same fully for you, and you make make such additions to this applications as your understanding will require to convey the above intent we had in this application or submit the wording in form as you will want to us and make amendment to same for same.

Or we can divert the water from the new Reservoir at its outlet in Dam by new canal to cover higher land to be irrigated when required; this is why this new said Reservoir is important as it can best serve these Malad waters to our lands than can any other source or proposal.

Please receipt this understanding and oblige.

Yours very truly

SAMARIA WATER AND IRRIGATION CO. By _____ Secty.

CC to Board Members;

R-191

RECEIVED
Apr 18, 1947
11:30 am
Department of Reclamation

Samaria, Idaho; April 16th. 1947

Mr. Mark R. Kulp
State Engineer;
Boise, Idaho;

Dear Mr. Kulp;

Please find inclosed our amended application required by you to be made on form 2 which we have done as per your request. Please return the overpayment fee.

Please acknowledge receipt of same and oblige.
Also please send us 2 more sets of Form No. 2 Appl. blanks (4) and (8) Maps blanks by return and oblige.

Yours truly

SAMARIA WATER AND IRRIGATION COMPANY

By William M. Jones Its Secty
Wm. M. Jones;
P.O.Address of Secty; Malad, Idaho R.D. No. 1

R-491

ALFRED C. CORDON
ATTORNEY AND COUNSELLOR AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

May 12, 1947

Mr. Mark Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Will you kindly furnish me a copy of the application of Samaria Water and Irrigation Company for a permit to construct a storage reservior on Big Malad River and appropiate water from that river.

I understand that said application was made about the time of the hearing in Malad, Idaho, of the two applications of the U.S. Department of the Interior, Bureau of Reclamation, April 11, 1947.

Very truly yours,

Alfred C. Cordon

Alfred C. Cordon

ACC/ba

RECEIVED
MAY
Department of Reclamation

R-791

May 13, 1947

Mr. Alfred C. Cordon
Carson Building
Pocatello, Idaho

Dear Mr. Cordon:

In reply to your letter of May 12th, regarding an application of the Samaria Water & Irrigation Companyfor a permit to construct a storage reservoir on Big Malad River:

Their original application was sent back for correction, and the one later submitted has not yet been checked or approved.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A

R-791

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. R-791 Date August 6, 1947

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the State Reclamation Engineer, on the fourth page.

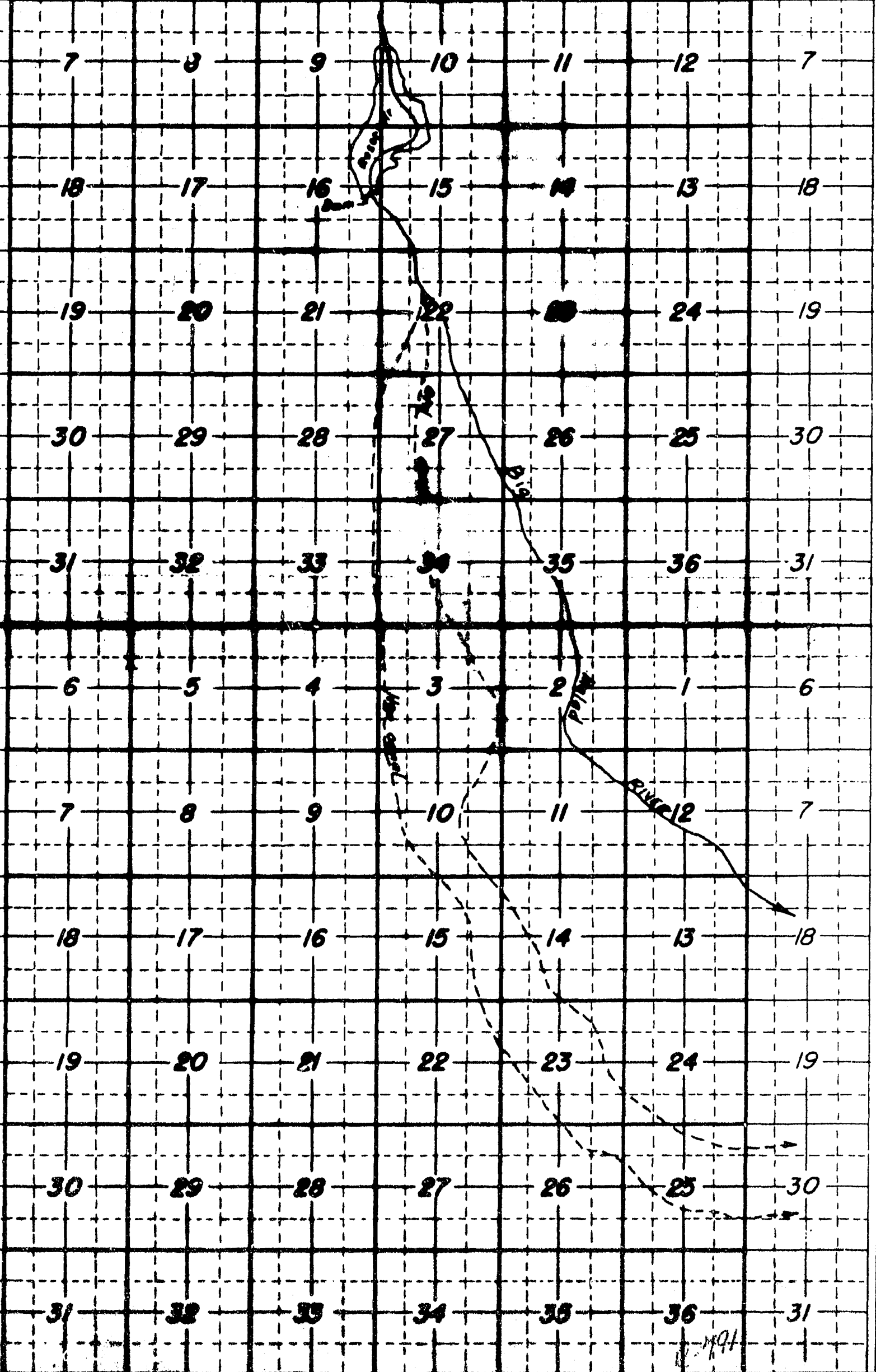
Samaria Water & Irrigation Co.
C/o Wm. M. Jones, Secretary
R. D. No. 1
Malad, Idaho

MARK R. KULP
State Reclamation Engineer

R-791

TWP. 14 & 15 S. RANGE 35 E.B.M. COUNTY ONEIDA SCALE: 1" = 1 MILE

Samaria Water & Irrigation Co.



TWPs. 14 & 15 S. RANGE 35 E.B.M. COUNTY ONEIDA SCALE: 1" = 1 MILE

Samaria Water & Irrigation Co.

Reservoir

Dam

Old canal

Big Po

New canal

Po River

Q-791

May 22, 1947

Re: Application No. 27671

Mr. William M. Jones, Secretary
Samaria Water and Irrigation Company
R. D. #1
Malad, Idaho

Dear Mr. Jones:

We acknowledge receipt of your application for reservoir permit to store 1500 acre feet of water from Big Malad River and Big Malad River streams, which has been numbered application No. R-27671, with priority of 11:30 A. M., April 18, 1947, the time the application was filed in this Department.

The correct filing fee on this application amounts to $6.25 for which we enclose departmental receipt No. 19979. Since it was not necessary to file the application originally sent in for 22 second feet, the filing fee for which amounted to $10.25, there is a refund of $4.00 due you, which we enclose in currency.

The plans submitted for inspection by Engineer Services, show that the lower toe of the dam would be submerged by the waters of the Pleasant View Reservoir at spillway level. This condition is hazardous and unsatisfactory, and approval of the present application will be conditioned on suitable assurance that the spillway of the Pleasant View Reservoir will be lowered and kept open so that there will be no submergence of the proposed dam.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:FA

Encl.

R-791

Copy in letter F.

RECEIVED
JUN 1947
Department of Reclamation

Malad; Idaho; June 11th. 1947

Mr. Mark R. Kulp;
Commissioner of Reclamation Engineer of Idaho;
Boise, Idaho;

Dear Mr. Kulp;

Our Board of Directors of Samaria Water & Irrigation Company is now in session, examining the Plans and Specifications prepared by John L. Hoffman and Wm. Alexander Engineer firm of your City on our proposed Reservoir on the Big Malad River stream and which plans have your approval written upon the same as of June 6th. 1947; with a provision stated in the letter of Mr. Hoffman to us with the Plans; to the effect that our present Reservoir, immediately below this proposed dam on same stream through which we may also take out the water of this new said proposed reservoir; for the Spillway thereof be lowered Five (5) feet; that its waters could not reach up to the toeof the said proposed reservoir.

In the discussion of this matter we arrived at the conclusion that this extra expense could be eliminated and saved; by our Company assuring the law; or this ruling of your Department; that the storage of this Reservoir would not be stored at any time above the line that would cause the back waters to reach the toe of the new proposed Reservoir; or that a concrete wall could be built in front of the back waters to guard against any possible back storage reaching the toe of the new dam; or a V shaped construction; which could be built for far less money and serve the same purpose.

That it was also the decision of the Board to hereby ask yourself and our Engineer Hoffman to come to Malad in next few days; that we would meet with you and talk this matter over and further examine the site at same time and then decide the best course to follow and at same time protect us from any un-necessary expense, and the best plan to follow and do in this matter; and that you advise us by return mail when you can make this meeting with us.

Respectfully submitted.

SAMARIA WATER AND IRRIGATION COMPANY INC.

By David Douglas President AND

By William M. Douglas Secretary

F-191

June 18, 1947

Mr. William M. Jones, Secretary,
Samaria Water and Irrigation Company,
R. F. D. No. 1, Malad, Idaho

Dear Mr. Jones:

I will not have time to meet with your board until after June 30th, in connection with your application for Permit No. 27671.

A statement from your board that you will maintain your lower reservoir at a level low enough not to submerge the toe of the proposed dam, will be sufficient assurance for the purpose of approval of your application for permit.

When the new dam is built, we will require a spillway, or other adequate assurance.

Very truly yours,

MARK R. KULP

KiA

State Reclamation Engineer

R-191

APPLICATION FOR PAYMENT OF FUNDS FOR SURVEYS AND INVESTIGATIONS of smaller Water projects as allowed by 1945 Legislature of Idaho

Malad, Idaho, June 25th, 1947

Mr. Mark R. Kulp
Commissioner of Reclamation Engineer of Idaho
Boise, Idaho

Dear Mr. Kulp:

Re-application for permit by Samaria Water and Irrigation Company; for Storage Waters; and Appl. of Sept. 24th, 1946 for funds of State of Idaho; allowed for surveys and investigations of smaller Reservoirs; and approved Nov. 13-1946 and January 8th, 1947

The Board of Directors of the Samaria Water and Irrigation Company met this day June 25th, 1947, at 8:00 P. M. at the ~~School House~~ at Pleasantview; R. D. No. 1; Idaho, for purpose of continuing with Plans and specifications received in one copy in mail of June 9th, 1947 at Malad, Idaho, from Engineer firm of John L. Hoffman and Wm. Alexander of Boise, Idaho, for the building of our proposed reservoir in the Big Malad River stream in our Malad Valley; and the consideration of the revised service expense of said Survey as set by your office for 4½% of estimate of $75,000.00 for engineering services payanle prior to June 30th, 1947 to the said firm of John L. Hoffman and Wm. Alexander out of the appropriated funds for this purpose; by Reclamation Office and Engineer of State of Idaho; and your letter of June 18th received.

Therefore, in conformity with your ruling on 4½ % of an estimate not over $75,000.00 for construction of this Reservoir Dam with its appurtenances therewith necessary and required for engineering services from 1945 appropriated funds for this purpose not to exceed $3375.00

WE HEREBY ASK the payment of this said sum for engineering services of our proposed Reservoir Dam with its appurtenances, to be built on and in Big Malad River Stream, to the engineering firm of John L. Hoffman and Wm. Alexander, as per their executed Contract for this work in the said sum of $3375.00, said sum of apply as provided by said contract executed to and with our Board of Directors for Samaria Water and Irrigation Company, as per our agreement with said engineering Firm, on the engineering services to be rendered our said Irrigation Company in the construction of this Reservoir and as per our said Contract; said sum to apply on the entire construction cost of this project as per our said contract. And we also hereby apply for Permit to build Reservoir.

Estimate award on cost of $75,000.00

Respectfully submitted

SAMARIA WATER AND IRRIGATION COMPANY; Inc.

By DAVID HUGHES, Its President

By W. M. JONES, Its Secretary

CC to John L. Hoffman and Wm. Alexander; Engineers;

R-791

RECEIVED
JUN 27
Department of Reclamation

Malad, Idaho; R.D. # 1; Idaho
June 25th. 1947

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

Dear Mr. Kulp;

In compliance with our understanding of our now progressing Reservoir project building, in connection with your letter to us of June 18th. inst; we submit you the following to-wit;

Our Board of Directors are now in session at School House at Pleasantview, Idaho, pertaining to getting started on the building of our Reservoir project, with all members of the Board present; and we inclose you herewith;

1. Application to your Dept. for payment to the Engineering firm of John L. Hoffman and Wm. Alexander; engineers for our project Reservoir, for the payment of the sum of $3375.00 out of the Funds allotted by the 1945 Legislature for surveys and investigation of the smaller water and reservoir project, to be paid and distributed through and by your office, which is for the Engineering services rendered and to be rendered our Water Company in the building of our Reservoir on and in the Big Malad River stream in our Malad Valley and belonging to our Water Company.

2. Also application included in the within inclosure for Permit from your office to build our Reservoir Dam on said Big Malad River stream in the Southeast part of the Northeast quarter of Section 16 Tp. 14 S.R. 35 East Boise Meridian; that we can commence at once on the building of this dam.

3. That we be given the authority to authorize the aforesaid Engineering Firm to prepare and submit and ask for bids for the building of this dam to be submitted to our Board of Directors for approval and acceptance or rejection as provided by contracts.

4. That we ask your office to get into immediate contact with said Engineering firm, whose address and principal place of business is also at your City of Boise, Idaho, to commence work at once for completion of delivery of plans and sepcifications for bids to build this Reservoir Dam project; and the acquirinf of the Permit to Build this Reservoir Dam to be delivered to our Water Company just as soon as possible.

Respectfully Submitted;
SAMARIA WATER AND IRRIGATION COMPANY; Inc.
By David Hughes Its President.
David Hughes.

R-491

Samaria, Idaho; July 21st. 1947

Mr. Mark R. Kulp;
Idaho State Engineer
Boise, Idaho;

Dear Mr. Kulp;

The Board of Directors of Samaria Water and Irrigation Company met yesterday afternoon at Church House at Pleasantview, Idaho, at 1-30 P.M. with all members of the Board being present; and at this meeting Engineer John L. Hoffman was also present;

Plans and specifications were discussed in preparation for subbmitting to bidders.

As per your request and decision that waters of Malad River be not backed upon the toe of the new Dam we are contemplating and preparing to build at the site selected, at this meeting it was moved and carried that our Board write you to this effect in guaranteeing the propection you ask for.

And in conformity with the above decision of our Board of Directors in this said matter; we the Board of Directors in meeting assembled hereby assure you and your office; that the waters of big Malad River stored in our present Dam will at all times be guarded against backing the same upon the toe of the present proposed dam to be built on this same said stream.

And our Secretary was authorized to write you this letter that we may now be in position to receive permit to build this proposed reservoir; and please acknowledge receipt of same and oblige.

Yours very respectfully

SAMARIA WATER AND IRRIGATION COMPANY

By William M. Jones Its Secretary,
Secty address Malad, Idaho R. D. No. 1

RECEIVED
JUL 23
Department of Reclamation

P-791

Malad, Idaho; March 27th. 1948

Dept. of Reclamation
Office of State Engineer;
Boise, Idaho;

Dear Mr. Kulp;

Please advise us by return the expiration dates of the to the Storage Applications for storage of waters of Deep Creek by the Deep Creek Irrigation Company, for Dam to be built in Sec. 7 Tp. 14 S.R. 37 E.B.M.
And the expiration date of the Storage application for storage of the waters of Devil Creek by Malad Valley Irrig. Co. for Dam to be built in Sec. 13 Tp. 13 S.R. 36 E.B.M.
And also the date of the application of Crowther Bros Milling Co. for storage of the waters of Spring Creek, a Tributary of Irrigation waters of Malad Valley Irrigation Company.

And if you will also; please inclose us several applications blanks for storage of irrigation waters, and very much obliged.

Yours truly;
J.F.Fredrickson;
Stockholder and member of Reservoir Committees

RECEIVED
MAR
Department of Reclamation

R-791

March 29, 1948

Mr. J. F. Fredrickson
Malad, Idaho

Dear Mr. Fredrickson:

In reply to your letter of March 27, 1948, wish to advise you as follows:

Permit No. R-603, Deep Creek Irrigating Company, was filed October 17, 1935; Certificate of Completion of Works issued September 6, 1945, Beneficial Use Proof which was due November 13, 1946, has not been made but can be made at any later date, but the priority date will be as much later than the original filing date as this proof is past due. The outlet of this reservoir is in Section 21, Township 14 S., Range 37 East B.M.

Permit No. R-682, Malad Valley Irrigation Company was filed June 10, 1940 and Completion of Works Proof is due September 6, 1949.

C. Mather Brothers Milling Company application for permit No. R-807 was filed January 30, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

3 appl sent separately

R-191

RECEIVED
APR
Department of Reclamation

Malad, Idaho; March 31st. 1948

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

Dear Mr. Kulp;

Your letter of 29th. inst received; with Three water storage application blanks, for which we thank you.

Also, if you will Mr. Kulp, we would like you send a copy of the Plans of the Samaria Water and Irrigation Company Reservoir Dam, to Mr. E.K.Thomas, Area Engineer of the U. S. Bureau of Reclamation, of Logan, Utah; Post Office Box 294.

Sometime ago Mr. Thomas asked us for copy of the plans for this Dam; but on investigation and examination of our Company records, we found we did not have a full copy of the same; the bidders got what plans we had and could get hold of and all we got back with the bids were the specifications; and when we got through with the dam the plans we held for this and the Contractors plans, by the time they got through with the dam, there was not enough of them left, that was discernable, to have any plans readible at all, so what they did have, it seems were discarded and could not be found.

So our only chance seems to get another retracing from the original which Mr. Hoffman still has; or that we may be able to have you send the Plans you have in your office to Mr. Thomas, if you will, and then have them returned to you, if you have to retain them.

However we hope it is possible for you to have Mr. Hoffman make another tracing from his original if you will. And if this cannot be done, we would like you to let Mr. Thomas see the plans you have of the said dam, and he will return same as he told me this would be acceptable, if we could not get him an extra copy.

So I will thank you for this courtesy, of you will and greatly oblige.

Yours very truly,

J.F.Fredrickson; Director;

JF-J

R-191

R791

April 2, 1948

Mr. J. F. Fredrickson
Malad, Idaho

Dear Mr. Fredrickson:

In reply to your letter of March 31, 1948, requesting a copy of the plans of the Semaris Water and Irrigation Company Reservoir Dam:

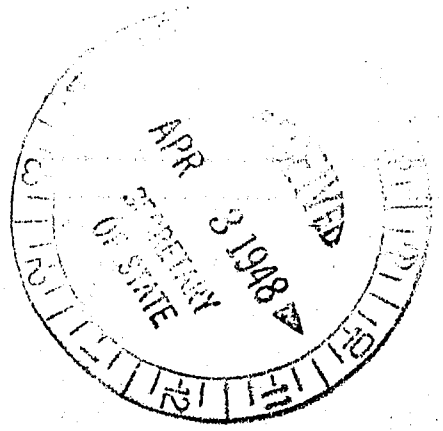
We have no extra copies in this Department, but we have contacted Mr. Hoffman, who has the original tracing, and he will send you a copy of same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K/dm

R-791



Malad, Idaho
April 2, 1948

J.D. Cy Price
Secretary of State
Boise, Idaho

Dear Cy,

In reply to your letter of March 2, 1948, asking for the name of our new Reservoir, The Board met a few days ago and I brought it up and they decided to call it, "Samaria Water and Irrigation Company Upper Reservoir," I hope it isn't to long of a name.

Cordially yours

William M. Jones

R-791

R791

April 7, 1948

Mr. T. R. Newell
District Engineer
U. S. Geological Survey
Boise, Idaho

Attention- Mr. Travis

Dear Mr. Newell:

The Board of the Samaria Water & Irrigation Company has named their new reservoir, "Samaria Water & Irrigation Company Upper Reservoir".

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A

R-791

RECEIVED
APR 12 1950
Department of Reclamation

Malad, Idaho; April 10th. 1950

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

Dear Mr. Kulp;

Our Board of Directors hereby asks that you please send us a blue print copy of our Samaria Reservoir site showing the site and its countour lines and location by return and oblige.

You will no doubt have one of these copies left over since completion of our Dam in January of 1948. And if not you will have the original tracings there and please get us a blue print copy of same if this is required, and we will pay for the blue print copy of same.

And thanking you in advance for this courtesy, we are.

SAMARIA WATER AND IRRIGATION COMPANY,

By Wm. M. Jones Its Secretary
Wm. M. Jones; Malad, Idaho R.D. No. 1

P-191

R-791

April 12, 1950

Samaria Water & Irrigation Company
C/o Mr. Wm. M. Jones, Secretary
R. D. No. 1
Malad, Idaho

Dear Mr. Jones:

Your letter of April 10, 1950, reached the office this morning during Mr. Kulp's absence.

However, the tracing of your reservoir is in the possession of Mr. J. L. Hoffman who made your plans, and we have asked him to send you a blue print.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

R-791

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Samaria Water & Irrigation Co.
C/o Wm. M. Jones, Secretary
Route 1, Malad, Idaho

Boise, Idaho May 1, 1952

Dear Sir:-

Under the terms of your Permit No. R-791 you are required to complete your diversion works on or before July 31, 1952. 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 intened 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,

MARK R. KULP

State Reclamation Engineer

R-791

Form No. 11

RECEIVED
MAY 2 6 1958
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Samaria Water and Irrigation

By Nephi R. Jensen
Its President.

(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.

R. 791

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 31st day of July, 19 58, at Malad, County of Oneida, State of Idaho, before William H. Fallis, Probate Judge, in the Court House, proof will be submitted of the application to beneficial use of 1500 Acre feet of the waters of Big Malad River & Big Malad River Springs in accordance with the terms and conditions of Permit No. R-791 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the ~~person or corporation~~ company holding said permit ~~are~~ is Samaria Water & Irrigation Company,, Samaria, Idaho

The use to which said water has been applied is irrigation & cullinary

The amount applied to beneficial use is 1500 acre feet

The place where said water is used for irrigation, give legal and actual description of the lands irrigated: Sections 22-23-27-26-34 & 35 Twp. 14 S., Rge 35 E; Sections 2-3-1-10-11-12-13-14-15-23-24-25-& 30 Twp. 15 S., Rge. 35 E.

2, 3

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Malad River channel; and the East Side & West Side distributing canals.

The right to take water from such works is based upon Permit No. R-791.

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

The date of priority which said user is prepared to establish is July 31st, 1947

E. N. Humphrey

Deputy State Reclamation Engineer.

R-791

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: June 20, 1958

Re: Permit No. R-791
Samaria Water & Irrigation Company

Idaho Enterprise
Malad City, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 31, 1958 the date set for proof; the expense of the publication is to be paid by the applicant, Samaria Water & Irrigation Company of Samaria, Idaho, % Nephi R. Ipsen President to whom you should furnish proof of publication 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.

Very truly yours,

E. N. Humphrey
Deputy State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls.

R-791

The IDAHO ENTERPRISE

Clyde & Marion Hanson, Publishers

PHONE 40 31 COURT ST.

MALAD CITY, IDAHO

June 24, 1958

Dear Mr. Humphrey:

Enclosed is a corrected proof of the Notice for Publication received from your office.

We are glad to be of service to you.

Yours Truly,

The Idaho Enterprise

June 26 issue to follow

RECEIVED
JUN 25 1958
Department of Reclamation

R-791

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 31st day of July, 1958 at Malad, County of Oneida, State of Idaho, before William F. Fallis. Probate Judge, in the Court House, proof will be submitted of the application to beneficial use of 1500 Acre feet of the waters of Big Malad River and Big Malad River Springs in accordance with the terms and conditions of Permit No. R-791 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the company holding said permit is Samaria Water & Irrigation Company, Samaria, Idaho.

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

The amount applied to beneficial use is 1500 acre feet.

The place where said water is used: Sections 22-23-27-26-34 & 35 Twp. 14 S., Rge. 35 E; Sections 2-3-1-10-11-12-13-14-15-23-24-25 & 30 Twp. 15 S., Rge. 35 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Malad River channel; and the East Side & West Side distributing canals.

The right to take water from such works is based up Permit No. R-791.

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

The date of priority which said user is prepared to establish is July 31st, 1947.

E. N. HUMPHREY
Deputy State Reclamation Engineer.

6-26 7-17 t4

R-791

FORM 10A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. R-791 Date May 1, 1958

Samaria Water & Irrigation Co., a Corp.
Samaria, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. R-791 is due not later than July 31, 1958. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclosed Form 10, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, filled out in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water filed on, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--all by legal land description.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we sand the notice to the newspaper, we will also send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Enc.

R-791

June 20, 1950

Re: Permit R-791
Samar[illegible]er & Irrigation Company
Sama[illegible]

[illegible]ater & Irrigation Company
Sama[illegible], Idaho
Sa[illegible]

[illegible]ention: Mr. Nephi R. Ipsen
President

Dear Mr. Ipsen:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. R-791. This proof is to be made on the 31st day of July, 1950, at 10:00 A. M., before William H. Fallis, Probate Judge.

As of this date we have mailed the Notice to the Idaho Enterprise, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then to mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses, who are familiar with the terms of the Permit and the work done thereunder, at the place, on the date, at the time and before the Notary as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

E. N. HUMPHREY
Deputy State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls.
cc: Mr. William H. Fallis
Courthouse, Malad City, Idaho

R-791

Malad, Idaho; July 17, 58

RECEIVED
JUL 21 1958
Department of Reclamation

Dept; of Reclamation
E.N.Humphery; Deputy Engineer
State Capital
Dear Engineer Humphrey
Boise, Idaho;

Your letter June 20 on instructions for proof on Samaria Water & Irrigation Co. Reservoir Permit R-791 for proof July 31st. at 10 AM before our Probate Judge here Mr. Wm. H. Fallis, which deposition of Holder will have to be made by Water Company President or Vice Pres if they have one.

The Witnesses disinterested persons; (does disinterested mean a non stockholder) familiar with the workings of the Co. and the Permit and the work done; (or may a plain non-officer or director but a stockholder only, knowing the said facts, be the witness.

Our President handed me the proof papers and your letter in this case, for help, as I am one of the stockholders only, and have no office in the Company.

Thank you for return reply on the above requirement of Witness and oblige.

Yours truly,

J.F. Fredrickson

jf-j

J.F.Fredrickson; Malad, Idaho

R-791

July 21, 1958

Re: Permit No. R-791
Samaria Water & Irrigation Company

Mr. J. F. Fredrickson
Malad, Idaho

Dear Mr. Fredrickson:

This is in reply to your letter of July 17, 1958, inquiring about witnesses in connection with making Proof of Application of Water to Beneficial Use, under Permit No. R-791, in the name of Samaria Water & Irrigation Company.

A disinterested person could be a non-stockholder, familiar with the terms of the permit and the work done thereunder, however a plain, non-officer but a stockholder, could not be a witness.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw

R-791

Form 15-R

Permit No. R-791

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. William M. Jones, as Secretary of Samaria Water & Irrigation Co.

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 & Irrigation Co. at Samaria, Oneida County, Idaho my position is their Secretary-Treasurer, acting in behalf of said Irrigation Company, a corporation.

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

Ans. 791; Date of Permit:July 31st. 1947; 1300 acre feet; Big Malad River

Ques. 4. Under terms of permit construction was required to be completed by July 31st. 1952 19.....

Ques. 5. Construction was actually completed on the date of December 31st. 19 47

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

Ques. 7. Of what material was the dam built? Earth with a concrete core in bottom of the Dam, and rock rip-rap.

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

Ans. Turned in immediately after completion, for 2/3 the first year and completely filled the second year.

Ques. 9. The capacity of the reservoir is 1300 acre feet.

Ques. 10. The area of the high water line of the reservoir is 100 acres.

Ques. 11. The height of the dam above bottom of reservoir is 55 feet, above low water is 45 feet.

Ques. 12. The dimensions of the spillway are 12 feet wide and the bottom of the spillway is 6 feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 30 inches in diameter pipe

Ques. 14. Describe the gate and control unit.

Ans. Auger steel headgate in front of dam at bottom of Reservoir channel

Ques. 15. The reservoir outlet is made of concrete re-inforced over steel pipe

Ques. 16. Is the reservoir filled through a feeder canal? no (direct on the headwater spring of the Big Malad River in the main channel of the River.

Ques. 17. If so, where is the point of diversion for same? Big Malad River Spring is located in

Ans. SE ¼ NE ¼ Section, 9 Twp. 14 So. Range 35 E.B.M

R-791

18 Ques. 18. Does the feeder canal comply with the specifications in the permit? Yes; on natural stream /

Ques. 19. If not, explain Reservoir is located directly on the natural stream of the Big Malad River.

Ques. 20. Cost of constructing feeder canal? $ none Cost of reservoir? $ 66,000.00

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 distribution system for the water now used.

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

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. Earth with concrete core 125feet by 20 feet by 2 ft thick reinforced; Earth height 55 ft; length at top 600 ft; length at bottom 125 ft; 3 to 1 on upstream and 2 to 1 on down stream side.

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. Water to be used for irrigation & cullinary use; Irrigation on 5500 acres in Sections 22-23-27-26-34-35 in Tp. 14 S.R. 35 E.B.M and Sections 1-2-3-10-11-12-13-14-15-23-24-25 in Tp. 15 S.R. 35 E.B.M.

(Sign here) William M. Doman
Sec. + Treas.
For Samaria Water + Irrigation Co.

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 8th. day of August A.D. 1952.

J. L. Fredrickson
Notary Public

My commission expires Dec. 30th. 1954

RECEIVED
AUG 11 1952
Department of Reclamation

Malad, Idaho; August 8th. 1952

Mark R. Kulp;
Department of Reclamation
State House
Boise, Idaho;

Dear Commissioner Kulp;

Inclosed please find final proof on Samaraa Water and Irrigation Co. Reservoir completed Dec.31, 1947 on the headwaters of Big Malad River, in Oneida County Idaho; with form 15-R on Permit No. 791 fully completed and answered and herewith inclosed.

Please acknowledge receipt of same.

Yours truly

Samaria Water and Irrigation Co.

By William M. Jones
Its Secretary

R-791

August 12, 1952

Re: Permit No. R-791

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

Dear Mr. Jones:

We acknowledge receipt of your letter of August 8th, enclosing proof of completion of works under the above numbered permit.

However, you failed to enclose the statutory fee of $5.00 required in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R-791

RECEIVED
AUG 25 1952
Department of Reclamation

Malad, Idaho
August 23, 1952

State of Idaho Dept. Of Reclamation
Mark R. Kulp, State Reclamation Engineer
Boise, Idaho

Dear Sir:

Please find enclosed our check for $5.00 the amount of the statutory fee required in connection with the filing of the proof.

Yours truly

Samaria Water and Irrigation Co.

by Wm. M. Lowe
secretary

R-791

September 8, 1952

RE: Permit No. R-791

Mr. William M. Jones, Secretary
Smeris Water and Irrigation Company
Smeris, Idaho

Dear Mr. Jones:

We enclose Certificate of Completion of Works issued under Permit No. R-791 for the storage of 1500 acre feet of water from Big Wood River and Big Wood River Spring; point of outlet being in the SE¼ NE¼ Section 16, Township 14 South, Range 35 East, B.M., for irrigation of the lands described.

We also enclose departmental receipt No. 24809 for the $5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-791

RECEIVED
AUG 4 1958
Department of Reclamation

Affadavit of Publication

State of Idaho
County of Oneida, ss.

Mrs. M. Matthews being first duly sworn on h.r oath, states: That. she is Chief Clerk 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 Entrprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of a least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published 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 26th day of June, 1958 the date of the last publication being the 17th day of July, 1958.

Mrs. M. Matthews

Subscribed and sworn to before me this 31 day of July, 1958

Bria Fallis
Probate Judge
Notary Public, residing at Malad, Idaho

My Commission expires the .... day of .....,195....

Costs: 53 lines at 13c per line first insertion $ 6.89

10c per line each subsequent insertion $ 15.90

TOTAL ..... $ 22.79

(Rates for legal notices are fixed by Idaho law)

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 31st day of July, 1958, at Malad, County of Oneida, State of Idaho, before William H. Fallis, Probate Judge, in the Court House, proof will be submitted of the application to beneficial use of 1500 Acre feet of the waters of Big Malad River and Big Malad River Springs in accordance with the terms and conditions of Permit No. R-791 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the company holding said permit is Samaria Water & Irrigation Company, Samaria, Idaho.

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

The amount applied to beneficial use is 1500 acre feet.

The place where said water is used: Sections 22-23-27-26-34 & 35 Twp. 14 S., Rge. 35 E; Sections 2-3-1-10-11-12-13-14-15-23-24-25 & 30 Twp. 15 S., Rge. 35 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Malad River channel; and the East Side & West Side distributing canals.

The right to take water from such works is based up Permit No. R-791.

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

The date of priority which said user is prepared to establish is July 31st, 1947.

E. N. HUMPHREY
Deputy State Reclamation Engineer.
6-26 7-17 t4

NOTICE TO HEIRS ...

R-791

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 4 1958
Department of Reclamation

Permit No. R-791

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Nephi R. Ipsen, Route 1 Malad City, Idaho, 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.

Ans. Samaria Water and Irrigation Company, Samaria, Idaho

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. 7-31-47 4-18

Ans. The date of priority which said user is prepared to establish is ~~July 31,~~ 1947.

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

Big Malad River and Big Malad River Spring, the place of diversion is about 320 ~~feet~~ feet from the SE. Cor. of NE¼ Corner of Sec. 16, tp. 14, S. R. 35 E. B. M., and in the NE¼ of Section 16, Tp. 14 S. R. 35 E.B.M. County of Oneida of in the NE¼ Corner of Section 16 Tp. 14 S. R. 35 E. B. M.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Earth dam with concerte core 125 feet bt 20 feet by 2 feet thick reinf orced with 315 feet 30 in. diameter galvanized outlet pipe running throught dam with approved headgate steel for same; and outlet gate at bottom of channel

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. Irrigation, Sections that water is used on 22,23,27,26,34, &35 twp. 14 S. R. 35 E.B.M; section 2,3,1,10,11,12,13,14 15, 23,24,25,& 30 Twp. 15 S. R. 35 E.B.M. It is used on cultivated and natural meadow land.

2 Hold. & NH

R-791

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

Ans. Irrigation only

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Not used for power

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. President of Samaria Water and Irrigation Company

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The 1500 acre feet of water has been put to beneficial use. See question 6

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. The Warm Spring which arises on the D. M. Price property

(Sign) Nephi R. Ipsen

I hereby certify that the foregoing testimony was read to the above subscribed 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 31 day of July, A. D. 19 58.

Bill Fallis
Probate Judge

My commission expires .....

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 4 1958
Department of Reclamation

PERMIT NO. R-791

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. Thomas Thorpe, 69, Malad City, Idaho, Farmer

Ques. 2. Are you acquainted with Samaria Water & Irrigation Company, a corporation, the holder of Permit No R-791? How long have you known him and where does he reside?

Ans. 35 years, Names and addresses of Directors, David Hughes, Samaria, Idaho Elmer Price, John J. Roderick, Nephi R. Ipsen, John E. Blaisdell of Malad R. D. No. 1, Idaho and J.F. Fredrickson, of Malad, Idaho

Ques. 3. Have you read or heard read said Permit No. R-791, 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 and Big Malad Spring; the place of diversion is about 320 feet from the SE. Cor. of NE¼ corner of Sec. 16, tp. 14, S. R. 35 E. B. M. and in the SE¼ of the NE¼ of Section 16, Tp 14 S. R. 35 E.B.M. County of Oneida or the NE¼ Corner of Sestion 16 Tp. 14 S. R. 35 E. B. M. Reservoir and ditches are the works for conveying water from the point of diversion

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. 1500 acre feet; 22 cubic feet per second

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. Irrigation, Sections 22,23,27, 34 & 35 twp. 14 S. R. E.B.M.; Sections 2,3,1, 10,11,12,13,14,15,23,24,25,&30 TWp. S. Range 35 E.B.M.; the land is cultivated and meadow land

2

R-791

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam and it will take the 1500 acre feet of water.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. all the water is put to beneficial use.

(Signed) Thomas Thorpe

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 31 day of July, A. D. 19 58.

Bill Fallis, Probate Judge
~~Notary Public~~

My commission expires _____.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 4 1958
Department of Reclamation

PERMIT NO R-791

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. Gloma H. Swindle, 44, Route #1, Malad City, Idaho, Farmer

Ques. 2. Are you acquainted with Samaria Water & Irrigation Company, a corporation, the holder of Permit No. R-791? How long have you known him and where does he reside?

Ans. 20 years, Names and and addresses of directors, David Hughes, Samaria, Idaho Elmer Price, John J. Roderick, Nephi R. Ipsen, John E. Blaisdell of Malad R. D. No.1, Idaho, and J. F. Fredrickson, of Malad, Idaho

Ques. 3. Have you read or heard read said Permit No R-791, 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 and Big Malad Spring; the place of diversion is about 320 feet from the SE. Cor. of NE¼ corner of Sec. 16, tp. 14, S. R. 35 E. B. M. and in the SE¼ of the NE¼ of Section 16, Tp 14 S. R. 35 E.B.M. County of Oneida or in the NE¼ Corner of Section 16 Tp. 14 S. R. 35 E. B. M. Reservoir and ditches is the works for conveying water from point of diversion

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. 1500 acre feet; 22 cubic feet per second

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. Irrigation Sections 22, 23, 27, 26, 34 & 35 twp. 14 S. R. 35 E. B. M.; Sections 2, 3, 1, 10, 11, 12, 13, 14, 15, 23, 24, 25, & 30 Twp. 15 S. Range 34 E. B. M. the land is cultivated and meadow land

R-791

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Irrigation only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam and it will takethe 1500 acre feet of water.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen all the water put to beneficial use

(Signed) Howard H. Swindle

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 31 day of July, A. D. 19 58

Bill Fallis, Probate Judge
~~Notary Public~~

My commission expires _____.

August 5, 1958

Re: Permit No. R-791
Samaria Water & Irrigation Company

Mr. Nephi R. Ipsen
Route # 1
Malad City, Idaho

Dear Mr. Ipsen:

This will acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Idaho Enterprise, all submitted in Proof of Application of Water to Beneficial Use, on Permit No. R-791, in the name of Samaria Water & 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 cannot tell just when this examination will be made, but our field engineer will try and con act you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw

R-791

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. R-791

REPORT ON PROOF OF Beneficial Use

Nephi R. Ipsen - For
Samaria Water & Irrigation Company - Samaria, Idaho
Malad City, Idaho
Rt. # 1

R-791

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-791

This proof is for Beneficial Use In Water District No.

1. Name of applicant Nephi R. Ipsen - For Samaria Water & Irrigation Company

2. Source of water supply: Big Malad River and Big Malad River Spring

3. Location of point of diversion: Is in the SE¼NE¼ of Section 16

T. 14 S., R. 35 E.B.M. County of Oneida
or in the NE corner of SE¼ Sec. 16, Twp. 14 S., Rge. 35 E.B.M.

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

Dam = 130 yds long on crest x 18' w on crest H = 42' above cut to
Spillway = 10'w. x 5'h. around left end. Concrete lined full
length. Good rock rip-rap. 2 foot freeboard.
Spillway is partially boarded up.
Backs water up to the Big Malad Spring.

5. Water is used for: Irrigation and culinary

6. 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):

See photo-copy of land list attached.

Subdivisions = 89
Area = 1840 acres
Q = 700 cu.ft.

C/u was issued on this proof for 1200 ac.ft. Actual capacity is about 700 ac.ft. Reservoir cannot impound more.
There is an agreement that Reservoir not to fill to flood the top of upper dam.

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

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

Remarks: ~~Ed Tew engineer in charge of proof was to see~~ ~~Nephi in the dam that had not been built~~
There must be some mistake or misunderstanding re this Permit. Dam has never been raised. There are two springs this spring and a brackish spring South that comprises the main water supply for the Samaria Irrig. Co. also two factions that cant get together and agree on a bond issue or use of the waters. Consequently, nothing done

This examination was made on the 9 day of September, 1958

(Signed) E. M. Thompson Examiner.

Checked in Mar. 1959

R-791

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.

20020

INSURED NO.

1 SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

Tamarra Water & Irrigation Co

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Nita Edwards

DATE DELIVERED

5/14/68

3 SHOW WHERE DELIVERED (*only if requested*)

R-791

c55—10—71548-10 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING POST OFFICE

MAY 14 1968 USPO

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article *RETURN RECEIPT REQUESTED.*

RETURN TO

NAME OF SENDER

Dept. of Reclamation

STREET AND NO. OR P.O. BOX

614 State St.

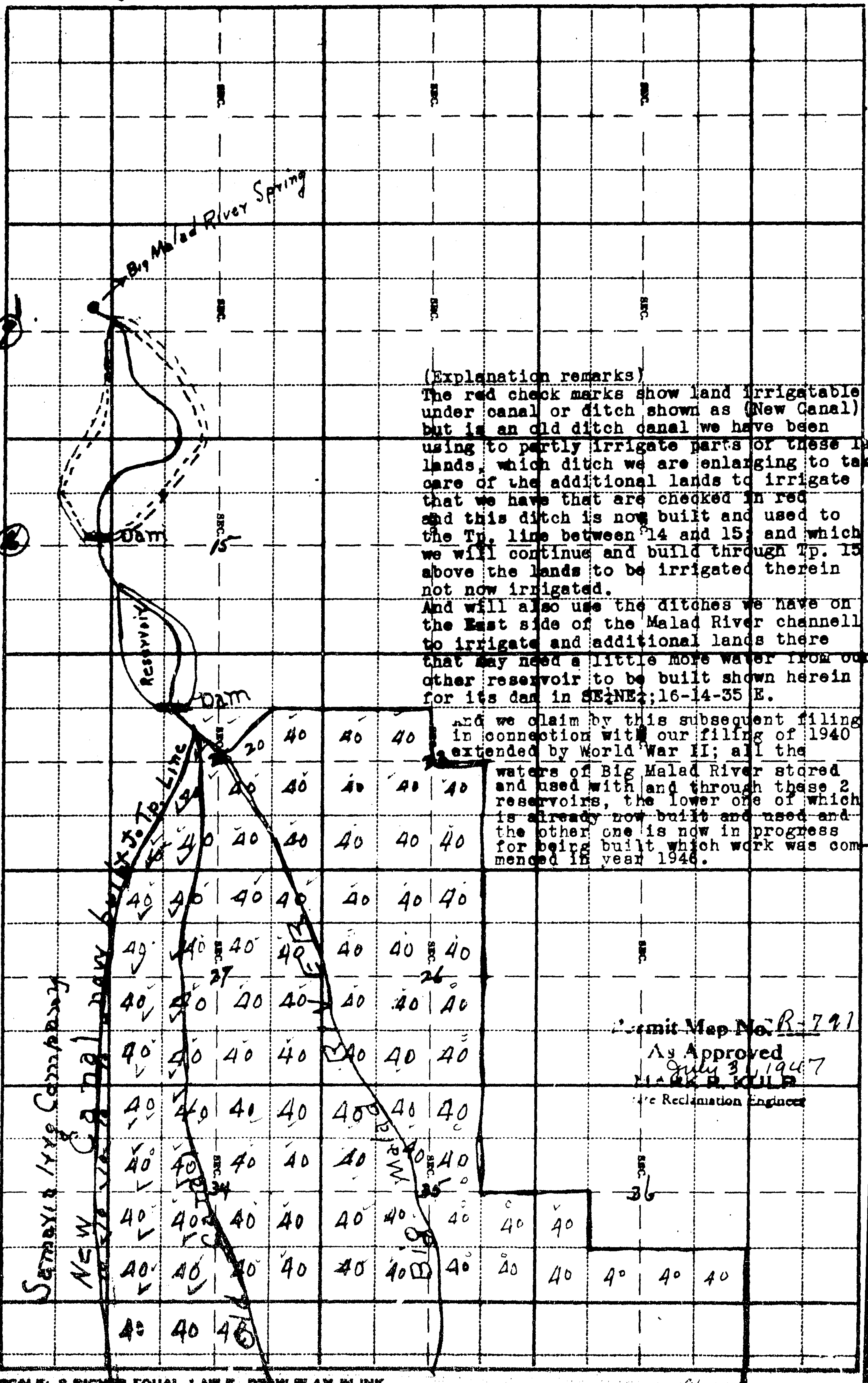
POST OFFICE, STATE, AND ZIP CODE

Boise Idaho 83702

POD Form 3811 Apr. 1967

655—16—71548-10

NAME OF APPLICANT Samaria Water & Irrig. Co. Tp. 14 S.R. 35 E.B.M. FORM NO. O



(Explanation remarks)
The red check marks show land irrigatable under canal or ditch shown as (New Canal) but is an old ditch canal we have been using to partly irrigate parts of these lan lands, which ditch we are enlarging to take care of the additional lands to irrigate that we have that are checked in red and this ditch is now built and used to the Tp. line between 14 and 15; and which we will continue and build through Tp. 15 above the lands to be irrigated therein not now irrigated.
And will also use the ditches we have on the East side of the Malad River channell to irrigate and additional lands there that may need a little more water from our other reservoir to be built shown herein for its dam in SE¼NE¼;16-14-35 E.

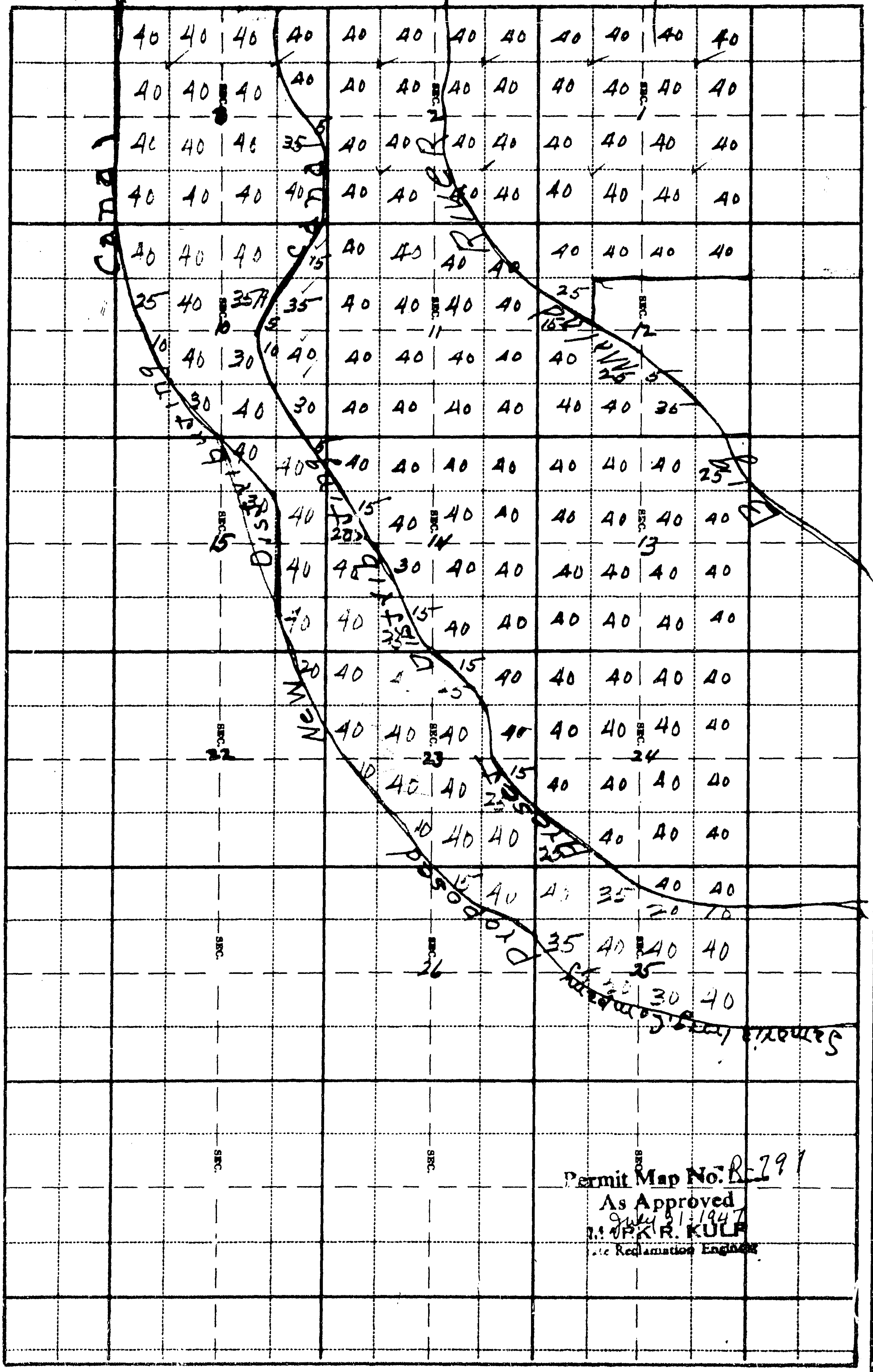
And we claim by this subsequent filing in connection with our filing of 1940 extended by World War II; all the waters of Big Malad River stored and used with and through these 2 reservoirs, the lower one of which is already now built and used and the other one is now in progress for being built which work was commenced in year 1946.

Permit Map No. R-791
As Approved
July 31, 1947
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

R-791

NAME OF APPLICANT Samaria Water & Irrig. Co. Tp. 15 S.R. 35 E.B.M. FORM NO. O



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

R-791

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 31st day of July, 1958, at Malad, County of Oneida, State of Idaho, before William H. Fallis, Probate Judge, in the Court House, proof will be submitted of the application to beneficial use of 1500 Acre feet of the waters of Big Malad River and Big Malad River Springs in accordance with the terms and conditions of Permit No. R-791 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the company holding said permit is Samaria Water & Irrigation Company, Samaria, Idaho.

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

The amount applied to beneficial use is 1500 acre feet.

The place where said water is used: Sections 22-23-27-26-34 & 35 Twp. 14 S., Rge. 35 E; Sections 2-3-1-10-11-12-13-14-15-23-24-25 & 30 Twp. 15 S., Rge. 35 E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is The Malad River channel; and the East Side & West Side distributing canals.

The right to take water from such works is based up Permit No. R-791.

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

The date of priority which said user is prepared to establish is July 31st, 1947.

E. N. HUMPHREY
Deputy State Reclamation Engineer.

6-26 7-17 t4

He will succeed Dean Henderson who will go to Provo for graduate work at Brigham Young University. Mr. Henderson has been principal for the past four years.

Mr. Nielsen has been teaching for the past 20 years. He taught at Pleasantview, taught and acted as coach at Malad high for three years and was football coach at Lava Hot Springs from 1945 to 1950 when he accepted a position with the Marsh Valley schools.

He studied for two years at the Southern Idaho College of Education at Albion, at Utah State University in Logan and received his bachelor's degree from Idaho State College in 1954. He is studying there summers for his master's degree.

Mr. Nielsen is 42 years old, married and the father of three children. His wife, the former Elda Ruger of Bancroft, taught kindergarten and acts as a substitute teacher in the elementary and high schools.

Enters Army

Sheldon Rex Jensen left Wednesday, July 2, for Camp Carson, Colorado to begin a two-year tour of duty with the U. S. Army.

Sheldon was one of the young men who were selected to fill the Idaho quota under the Selective Service System.

The son of Mr. and Mrs. A. Rex Jensen, Sheldon was graduated from Malad high school; has completed a two-year mission for the LDS church in western Canada and has been studying at the Utah State University, Logan.

ELDA LAND TO BE WITHDRAWN FOR CAA USE

AFTER FIVE DAYS RETURN TO

Warren W Edwards

Malad City Idaho

R 1

ZIP CODE

MALAD CITY, ID
MAY 20
PM
1968
83252

6c

RECEIVED

MAY 22 1968

Department of Reclamation

Department of Reclamation

State House

Boise Idaho

83701

BOISE
1968
AM
IDAHO

ALWAYS USE
ZIP CODE

Land list includes Sec. 30, 15S.-35E.,
which we do not have on our records.
Perhaps G.N.H. can clarify this and
also a better description of dam.
C/W proof only claims 1300 A.F.
Norman Cheek

Due 7-31-58

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.

RECEIVED
MAY 1 1959
Department of Reclamation

Samaria Water & Irrigation Company
Samaria, Idaho - Nephi R. Ipsen, - Agent
Malad City, Idaho Rt. #1

Permit No. R-791

0137 J1

Examination for Beneficial Use

County Oneida

16-145-35E

Q = 1500 Ac Ft.
and 22 cfs from Big Malad R. Spring

S = Big Malad Diversion
Big Malad R. Spring

Dam - 16-145-35E

Use - Irr. & culinary
R-265 R-405 R-577 R-637 R-652

Filed - Apr. 18 1947
Extended Aug 8, 1952 (for 130 AF)
Proof due July 31, 1958
Outlet = SE¼NE¼ S16 14S 35E.

R-637 outlet = SW¼NW¼ S22 14S 35E

Spillway - 12' w x 5½'
Spillway for around dam on left side (east) runs all the way to [illegible] dam is 130 ft long & crest fy 18' w.

Heavy pinion with 16" handle on control pedestal on top in center
Concrete block 2'x2'x9'h, control rod mtd on pedestal 2'd

37½ lb. slope on new [illegible]
Fill [illegible]
Two cast iron [illegible]
Heavy wrought iron [illegible]
[illegible] 70' d wood [illegible]
22' on top [illegible]
Conc [illegible]

October 3, 1958

Re: Permit No. R-791

Mr. Nephi R. Ipsen, Agent
Smarin Water & Irrigation Company
Malad City, Idaho

Dear Mr. Ipsen:

Statutes requires a field inspection in connection with the proofs on Permit No. R-791 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Thursday, October 9, 1958.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
Deputy

ENH/lw

R-791

NAME OF APPLICANT Samaria Water & Irrig. Co. Tp. 15 S.R. 35 E.B.M. FORM NO. 0

Canal

Proposed Pipe Line

New Proposed Pipe Line

Samaria Irrig. Company Proposed Pipe Line

SEC. 3 SEC. 2 SEC. 1

SEC. 10 SEC. 11 SEC. 12

SEC. 15 SEC. 14 SEC. 13

SEC. 22 SEC. 23 SEC. 24

SEC. 26 SEC. 25

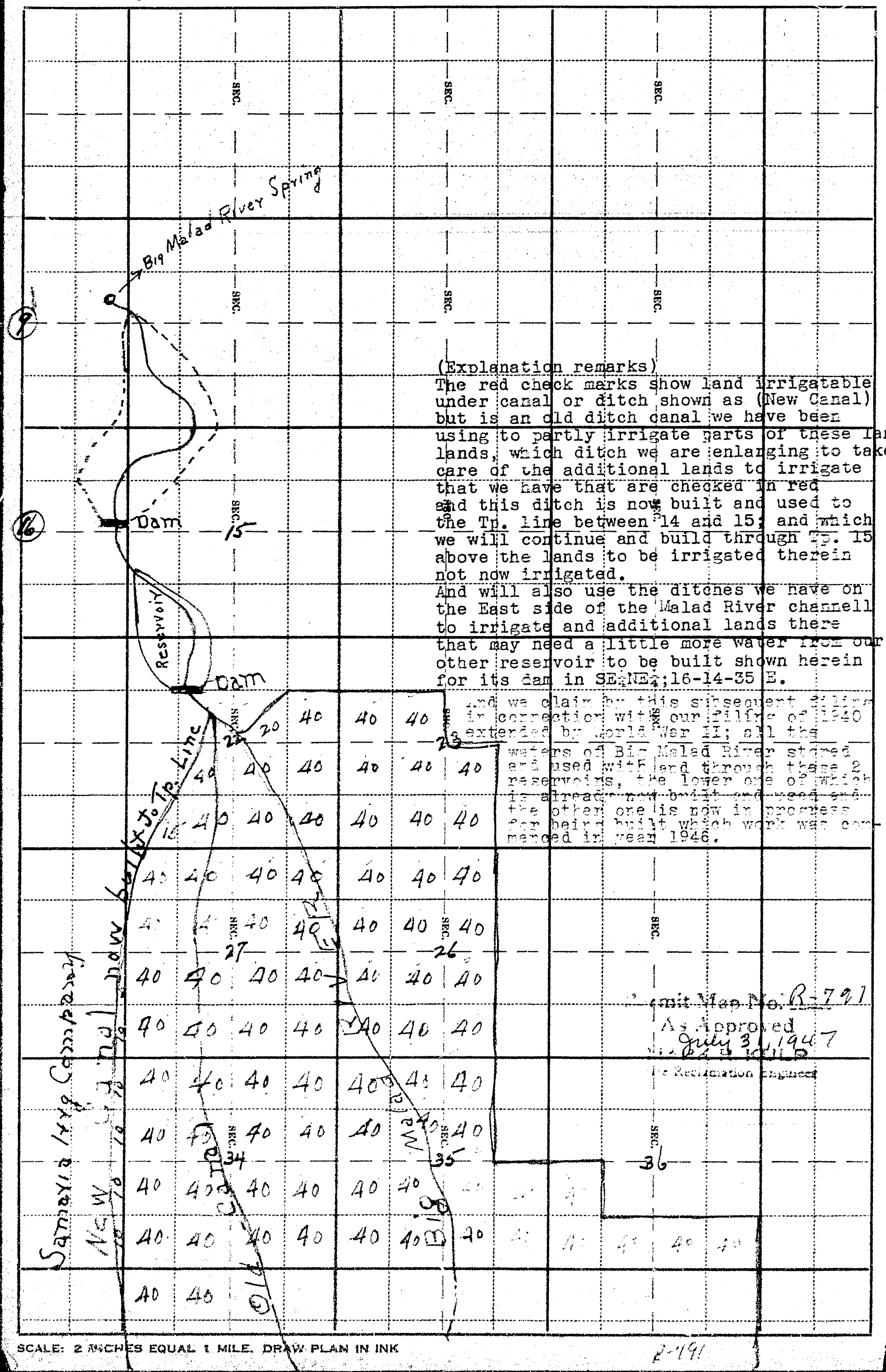
SEC. SEC. SEC.

Permit Map No. R-791
As Approved
July 31, 1947
H. P. KER, KUEP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

R-791

NAME OF APPLICANT Samaria Water & Irrig. Co. Tp. 14 S.R. 35 E.B.M. FORM NO. O



(Explanation remarks)
The red check marks show land irrigatable under canal or ditch shown as (New Canal) but is an old ditch canal we have been using to partly irrigate parts of these lan lands, which ditch we are enlarging to take care of the additional lands to irrigate that we have that are checked in red and this ditch is now built and used to the Tp. line between 14 and 15; and which we will continue and build through Tp. 15 above the lands to be irrigated therein not now irrigated.
And will also use the ditches we have on the East side of the Malad River channell to irrigate and additional lands there that may need a little more water from our other reservoir to be built shown herein for its dam in SE¼NE¼;16-14-35 E.

and we claim by this subsequent filing in connection with our filing of 1940 extended by World War II; all the waters of Big Malad River stored and used with and through these 2 reservoirs, the lower one of which is already now built and used and the other one is now in progress for being built which work was commenced in year 1946.

Permit Map No. R-791
As Approved
July 31, 1947
[illegible]
Reclamation Engineer

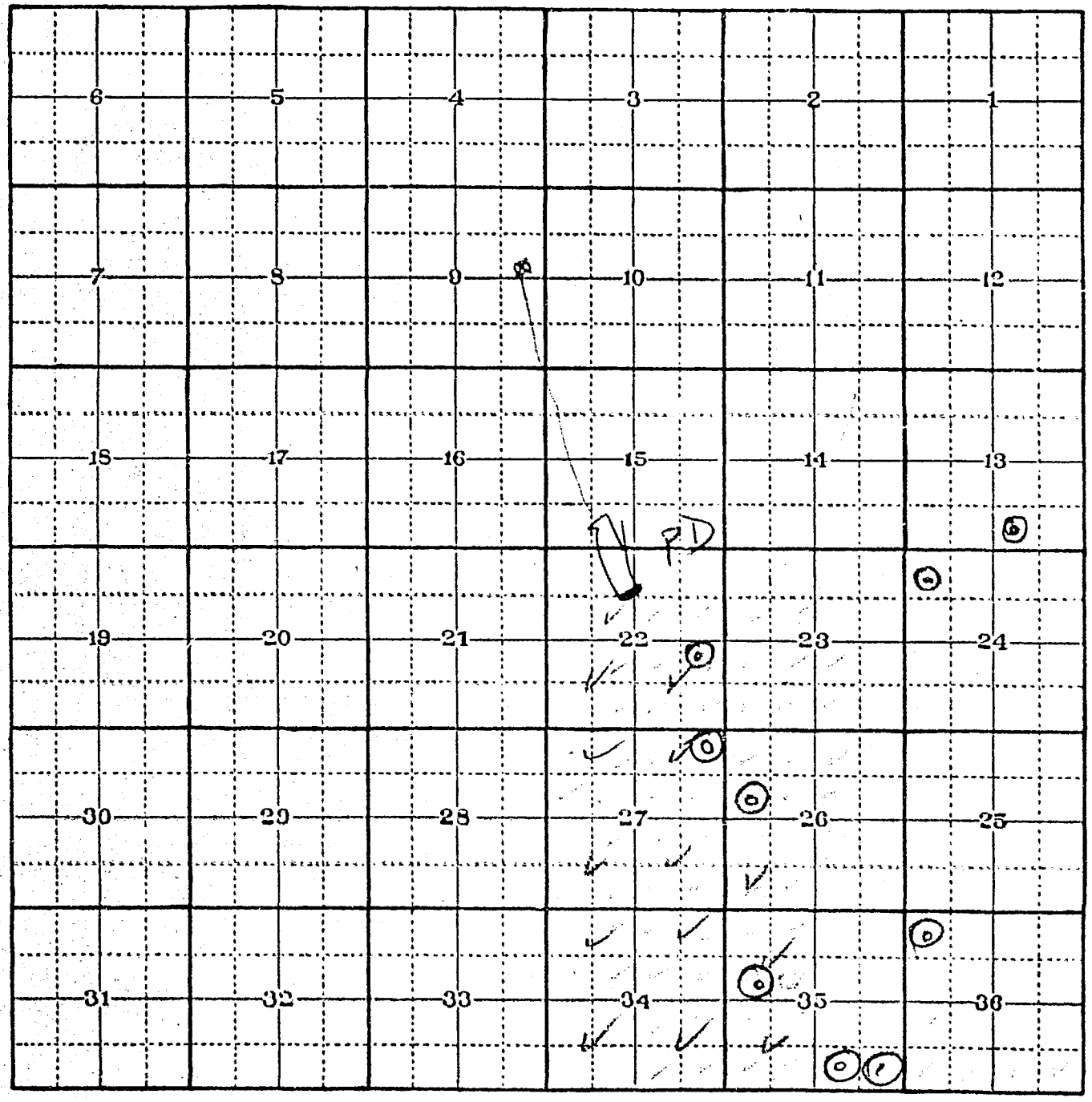
SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

R-791

FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 14 S Range 35 E



R.31E

T.14S

19072

22	290
23	320
26	1100
24	215
25	480
36	160
27	460

2435

R637

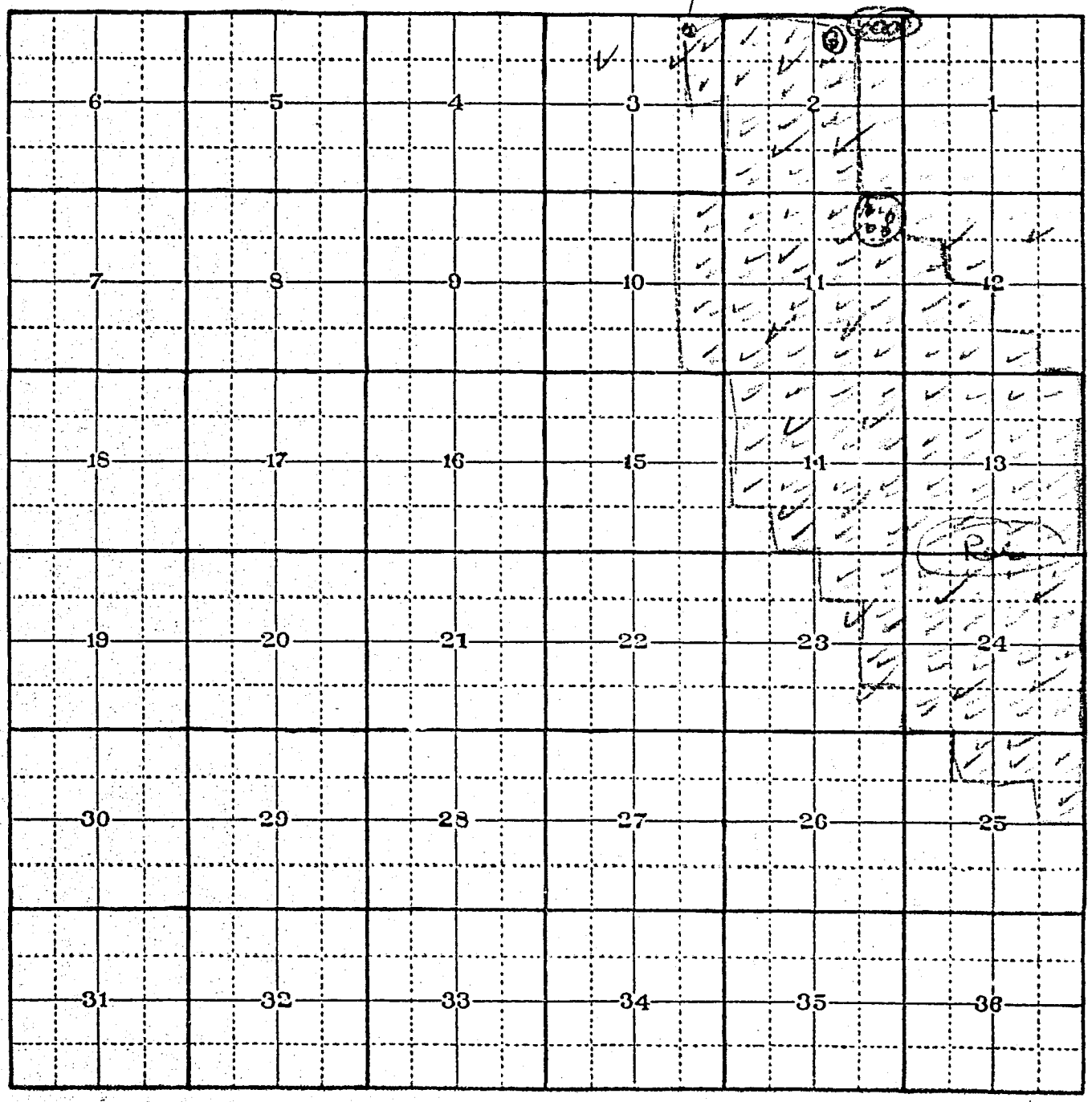
1894 Warm Spr

1907 Bear Island

FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 155 Range 35E



Warm Spr

Sec 3	55 acres
2	352
10	60
11	615
12	208
14	500
13	625
22	70
24	630
25	95
	3210

1907

Additional to Warm

1 -	640
2 -	160
12 -	160
	960

R-1491

From Big Meadow 2435
960
3210
6605 Can be irrigated

From Warm Sp. 3210 Can be irrigated

Water Supply

Big Meadow 2 cfs 150 days = 6600
1500 ac ft Storage 1500
8100

Warm Sp 1 cfs = 150 days = 2100 ac ft

Total Supply = 10200

$\frac{2100}{155}$ = 1340 acres

$= \frac{10200}{6605} = 1.55$ ac/ft/ac

Big Swingline Big Meadow with at Warm Springs

RD for 3210 acres

equal to $\frac{3210}{6605}$ of 8100 ac ft = 3900 acre ac ft

3900 - 2100 = 1800 ac ft water rights

Seeking water shares from below Warm Sp

FILINGS OF SAMARIA WATER & IRRIGATION CO.

R-637 for 1,000 acre feet; from Big Malad River; filed August 25, 1937; proof of Completion of Works made for 500 acre feet.

R-791 for 1,500 acre feet; from Big Malad River and Big Malad River Spring; filed April 18, 1947; proof of Completion of Works made on 1,300 acre feet.

18948 for 3 second feet from Warm Springs; filed March 1, 1940; proof of Completion of Works made on 3 second feet.

19071 for 3.5 second feet from Warm Springs; filed August 27, 1940; proof of Completion of Works made on 3.5 second feet.

19072 for 22 second feet from Big Malad River; filed August 27, 1940.

R-791

Form R6-209
(Rev. 8/7/50)
Report of water analysis (X)
1:5 soil-water extract ( )

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
Soils Laboratory

Work Group Other
Collected by A. J. Thomas Date 7/1/55

District or Survey Samaria, Idaho
Analyzed by James P. Thorne Date 7/6/55

	E.C.* x 10^6	T.D.S. ppm	Calcium ppm	Calcium epm	Magnesium ppm	Magnesium epm	Sodium ppm	Sodium epm	Potassium ppm	Potassium epm	Chloride ppm	Chloride epm	Sulfate ppm	Sulfate epm	Carbonate ppm	Carbonate epm	Bicarbonate ppm	Bicarbonate epm	SAR	Sodium %	Boron ppm
1	2050			5.85		2.71		11.7											5.7		-
2																					
3																					
4																					
5																					
6																					

	Lab. Number	Sample Number	Source and Notes	Irrig. Water Class
1	U551813	1	A. J. Thomas - Pleasant View Warm Springs - Samaria, Idaho	C3-S2
2				
3				
4				
5				
6				

161.7

* Of solution

SL-11

SOIL CONSERVATION SERVICE, REGION 6
AUGUST 1950 M-238

(Over)

NOTES

1. Electrical conductivity is expressed as E.C. x 10^6 (micromhos).

2. T.D.S. -- Total dissolved solids (by evaporation).

3. PPM — Means parts per million parts of solution.
   EPM -- Means equivalents per million equivalents; one equivalent weight of element, ion, or salt in one million weights of solution.

4. Sodium percentage is the ratio of sodium to the total cations on an equivalent basis, multiplied by 100.

5. Classification is based on the chart listed below, which was taken from Circ. No. 784, May 1948, "Explanation and Interpretation of Analyses of Irrigation Waters" by L. V. Wilcox.

6. Should the salts be largely composed of calcium sulfates, it may be permissible to raise the value for either the salt level or the electrical conductivity level by 50% on the chart, thereby giving a higher rating to the water in question. Usually this means one jump such as from "Unsuitable" to "Doubtful to Unsuitable."

7. Permissible limits for boron of several classes of irrigation water

Classes of Water	Crop Groups		
	Sensitive	Semitolerant	Tolerant
	P.p.m.	P.p.m.	P.p.m.
Excellent	< 0.33	< 0.67	< 1.00
Good	0.33 to .67	0.67 to 1.33	1.00 to 2.00
Permissible	.67 to 1.00	1.33 to 2.00	2.00 to 3.00
Doubtful	1.00 to 1.25	2.00 to 2.50	3.00 to 3.75
Unsuitable	> 1.25	> 2.50	> 3.75

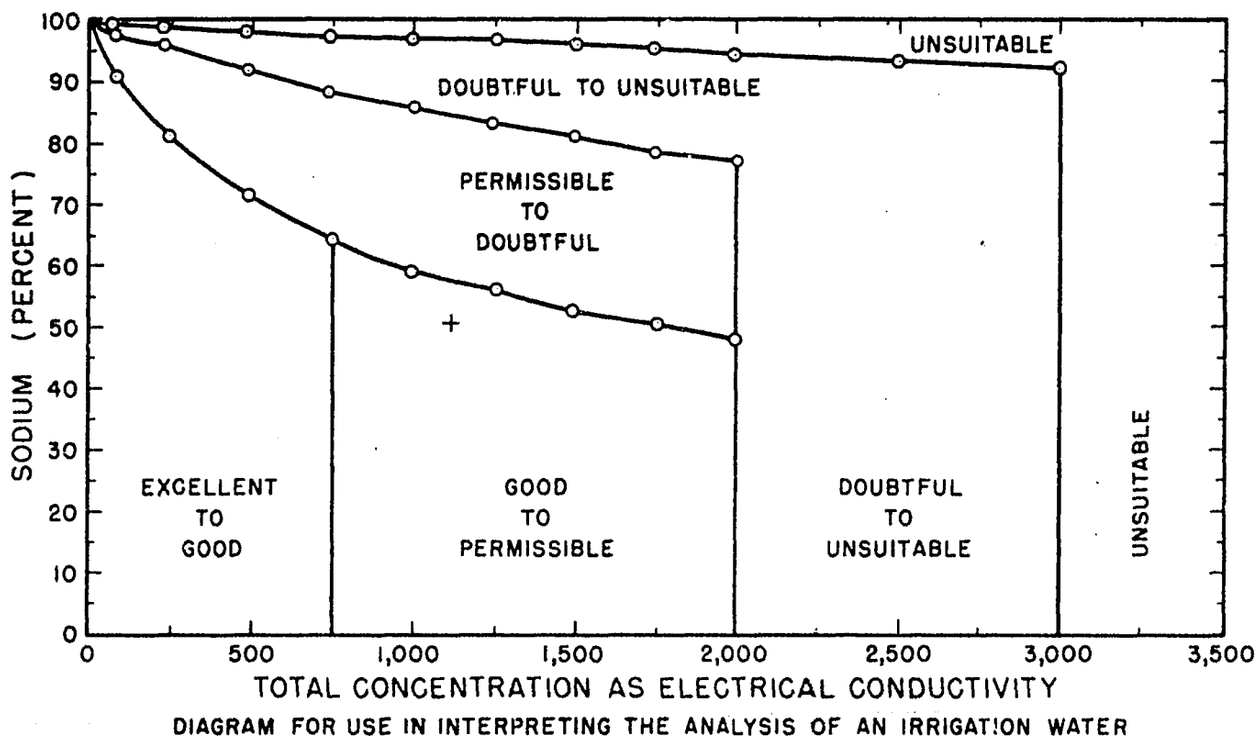


DIAGRAM FOR USE IN INTERPRETING THE ANALYSIS OF AN IRRIGATION WATER

July 6, 1955

Mr. Alvin J. Thomas
Malad, Idaho

Dear Mr. Thomas:

The analytical data obtained on the sample of water representing a mixture from the two warm springs at Pleasant View show the composition is very similar to our original analysis made several years ago. It also agrees with the analysis made at the University of Idaho, indicating that the water is of very poor quality for irrigation. It falls in Class C3-S2 of the new U. S. Salinity Laboratory classification. It is on the poor side of Class 3, in this class, which is a rather broad one, including water which I would say is of fair quality to water which is of very poor quality. To make this water as good as the middle of Class 2, in other words a C2-S1 water, it would require a dilution of three parts of very pure water with one part of this spring water. Obviously, the ratio of this water to any water with which it might be diluted in order to bring it up to better quality would depend upon the quality of the better water with which it would be mixed. Without knowing the composition of the water from the upper reservoir we cannot say exactly what proportions would be required. The three parts of good water mentioned above would refer to absolutely pure water, such as distilled or rain water; none of the natural waters in this area are this pure.

The water represented by your samples involves considerable hazard in the formation of a saline, or white alkali, soil. There is also some hazard involved with regard to the formation of black alkali. Crop plants would have to have reasonably good salt tolerance to do well when irrigated with this water. Sensitive crops, like the tree fruits or berries, beans, peas, and potatoes, would not do well when irrigated with this water. If a hay-grain type of farming were practiced, somewhat more salt in the soil could be tolerated, but even so it would be necessary to run more than a fourth of this water right on through the soil in order to remove the soluble salts which would be added by normal irrigations. Besides the limitations of crops involved with the use of poor quality water there is the disadvantage of having to use more of the poor water in order to keep the salt concentration down. There is a further restriction that the soils must be permeable and well drained, or this leaching cannot be effective and salts will accumulate rapidly.

Data obtained on the sample are in the attached table. Also attached is an itemized statement of charges. Please make check payable to the Soils Laboratory.

Very truly yours,

James P. Thorne
Soil Scientist

E-791

R.F.D.#1, Box 209
Malad, Idaho
July 7, 1955

RECEIVED
JUL 11 1955
Department of Reclamation

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

Dear Commissioner Kulp:

I am enclosing a carbon copy of an analysis of water which was sent to the Soil Scientist, James Thorne, of the Plants Industry Department of the Utah State Agricultural College. A similar analysis was made by the University of Idaho and the Utah State Agricultural College five to seven years ago.

Our water company, the Samaria Water and Irrigation Company, is divided, according to the use of the water of the said company, into two sections known as the Northern section and the Southern section. A warm spring known as The Pleasantview Warm Spring, divides the foregoing two sections.

The samples of water from which the above mentioned analyses were made were taken from the Pleasantview Warm Spring. The original filings on said waters of the Samaria Water and Irrigation Company were made by the Southern section of water users. Shares of stock have been purchased from the Southern users by the Northern users until at present a majority of said company's shares is in the hands of the Northern users.

Originally the filing pioneers had two canals, one canal carrying water from the Pleasantview Warm Spring which did not freeze during the winter, was used entirely for watering their stock in the winter. The other canal carried water from what is known by the company as "The Big Spring", which, by the way, is the head of what is known as "The Big Malad River." The water from the Big Spring is known to be of excellent quality for irrigational purposes.

Two reservoirs have been built by the company to impound the runoff of fresh water from The Big Spring.

To increase the quantity of irrigation water, as shares were purchased from the Southern users the Northern users have insisted over the objections of the Southern users, that a small proportion of fresh water be mixed with the saline waters of the Warm Spring to be used solely for irrigation purposes by the Southern users. As more shares have been purchased by the Northern users more and more of the objectionable water has been forced upon the Southern users, until at the present time the Southern users are insisting that the injustice of the past and present be remedied. Most meetings which are held by said company end in riots.

R-491

In further explanation as to the cause of so much water being transferred from the Southern section to the Northern section, please note: As the old pioneer users have passed away and left their estates to their heirs, many of their heirs have moved away from the Southern section and have inherited shares of stock which have not been pertinent to the land. The Northern users have been very anxious to buy their shares and have been willing to pay much higher prices for these shares due to the fact that when southern shares are transferred to the north they somehow become fresh water as they are used above the Warm Spring, and when Southern users purchase the same shares they remain saline. Much of the land which became dry through transfer of stock has been supplied with irrigation by the digging of wells. All annual assessments and all assessments for the development of more fresh water are shared equally by both the Northern and the Southern users.

A new project is now being proposed for the development of more fresh water which will call, in all probability, for an outlay of $80.00 to $90.00 per share. This new development in no way assures the Southern users that the inequalities of the present will be remedied.

The minimum estimate given to the shareholders calls for the raising of the upper dam, and this estimate does not take into consideration a right of way, new road building, enlarging canal, extension of canal, and a new outlet in the lower reservoir of fresh water. The estimate for raising the reservoir calls for an outlay of $31,000.00.

Mr. Kulp, the Southern users are appealing to you and your department to see if there is a way by which you can help to see that an equitable settlement be made in this controversy.

Trusting that I may hear from you at your convenience and sincerely desiring that you may see fit to make a study of this yourself, or your representative, by coming to our community in the near future, I am

Very sincerely yours,

Elvin J. Thomas

P.S. This is written by request of the Southern users.
P.S. If you find it desirable to contact me my home is in Samaria, eight miles South-west of Malad. My mailing address is as stated above. If you come to our community when I am not at home, please contact either of the following: Walter Williams, Louis Waldron, L. G. Waldron or Bill Hill.

R-791

R791

July 12, 1955

Mr. Alvin J. Thomas
R.F.D. # 1, Box 209
Malad, Idaho

Dear Mr. Thomas:

The difficulties arising from differences in land location and the differences in the quality of water under Samaria Water and Irrigation Company Stock has been brought to my attention on several occasions. I have hesitated to express any opinions because I considered it an internal matter within the Samaria Company.

I do not think there is much question as to the undesirability of continued use of the unmixed Warm Spring water and an investigation of this phase would be more logically made by trained soil chemists or agronomists rather than by the State Department of Reclamation which has no research status or facilities.

The question as to what kind of water a share holder is entitled to is a legal question beyond the authority or competence of the department.

What will happen when all the stock is concentrated on lands that cannot be watered from Warm Spring is speculative and the solution is internally administrative and legal.

If it is possible to develop well water of suitable quality, it might be possible through cooperation to develop groundwater along with increased storage and thus take care of those who are being reduced to the use of the saline waters.

We regret that we cannot offer you any better suggestions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll

R-791

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
Pocatello, Idaho
P.O. Box 1407
March 31, 1954

RECEIVED
APR 1 1954
Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
State Capitol Bldg
Boise, Idaho

Dear Mr. Kulp:

In the spring of 1947, the Samaria Irrigation Company secured approval from your office for the construction of a dam on the Big Malad River in Section 16 T 14S, R35E, the reservoir back of the dam to contain about 710 acre feet of stored waters.

Stream flow on the Big Malad River is constant due to the fact that the river originates in the Big Malad Spring in Section 9T 14S, R35E. The present reservoir backs the water up to, but not over the spring area.

In February of this year, the company requested the Oneida Soil Conservation District for assistance in raising the dam to an additional height of 10 feet, the storage at maximum depth will be about 1265 acre feet. This construction would raise the elevation of the water surface sufficient to create about an eight foot head on the Big Malad Spring Area.

The company has requested me to ask you if you would give permission for such additional construction and water storage. Could you give me an answer without additional geologic data.

Very truly yours,

H. J. Woodward

H. J. Woodward
Area Engineer

cc: M. H. Wilkins, Portland
Floyd Dorius, Malad

3

D-791

April 3, 1954

RE: Permit NO. R-791

Mr. H. J. Woodward
Area Engineer
Soil Conservation Service
P. O. Box 1407
Pocatello, Idaho

Dear Mr. Woodward:

The Samaria Water and Irrigation Company hold Permit No. R-791 of April 8, 1947 with completion of works certificate issued and proof of application to beneficial use due on or before July 31, 1958.

To raise the dam and increase the capacity of the reservoir, it will be necessary to apply for Permit to Appropriate and store the additional amount of water and to submit acceptable plans and specifications for the enlargement of the dam.

The permit could be issued without the plans and specifications but enlargement could not start without approval of plans and specifications based on adequate information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
CC: H. H. Wilkins, Portland
Floyd Dorius, Malad

R-791

April 12, 1955

Mr. Meader H. Wilkins
State Conservation Engineer
P.O. Box 2709
Boise, Idaho

Dear Mr. Wilkins:

Plans submitted in your letter of April 8, 1955, for raising the dam and increasing the capacity of Upper Pleasant View Lam in the Malad Valley have been received.

I am wondering if they are submitted in advance of an application for Permit and that this office will shortly receive such application.

Enclosed is a copy of a letter written on April 3, 1954, that is self explanatory.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:hll
cc - Mr. William M. Jones
Enc.

P-491

April 6, 1959

Re: Permit R-791 - R-637
19072

Samaria 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.

R-791

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 useage 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

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 10ℓ 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. N. CARTER
State Reclamation Engineer

By:

E. N. HUMPHREY, Deputy
State Reclamation Engineer

ENH:cw
Enc. 1

R-791

March 16, 1959

Re: Permit Numbers:

19072; R-637; R-791

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

Attention: Nephi R. 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/lw
Enclosure

R-791

July 26, 1955

RE: Permit No. R-791

Samaria Water and Irrigation Co.
c/o Mr. William M. Jones, Sec.
Route 1
Malad, Idaho

Gentlemen:

Permit No. R-791 was issued on July 31, 1947 for 1500 acre feet and Certificate of Completion of Works was issued pursuant to your affidavit that the works were capable of storing 1300 acre feet of water.

In reviewing plans for enlargement of the reservoir, we find that the actual capacity of the reservoir is only 700 acre feet and can be honored only for this amount under the R-791 priority.

It will, therefore, be necessary to make application for permit to appropriate and store the additional amount necessary to fill the enlarged reservoir above the 700 acre feet capacity of the existing reservoir.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
cc - Mr. Meader H. Wilkins

R-791

Lamaria Water & Irrigation Co.
R-637. Lower Reservoir.

P.O. = SW NW S22 T14S R35E.
Q = 1000 acre feet.
H = 40' : L = 400' : 24" outlet pipe.
Canal Capy = 22 cfs. Area = 4410 acres.

Rebuilt in 1934 Permit # R-517
R-572.
Crest 20' w.
Concrete core wall 67'l x 14'h. x 32" to 18"
8' freeboard. from inspection reports
in 1935 by F. A. Tolman.

This dam had some bad cracks
on the East abutment
Work was done under W. P. A.
in 1934 & 35 it appears.

Maps and Specifications were
loaned to ~~W. P. A.~~ L. C. S. in 1939 and never
returned. Copy given 500 cf. in
C/W proofs. one 240 ac
R-791 for B/U. license

In D+E. file BP #307 states
area = 28.7 acres.
Copy = 359 acre feet

900 acres irrigated in 1942

Taken from notes by F.A. Johnson

R-791 Upper Reservoir.

740 a.f. at elevation (contour) 120 by R.J. Hoffman in June 1950

Q = 1500 a.f. Priority = Apr 18-47

P.D. = SENE S16. 14S. 35E.

Spring is in SE.NE S.9.-14S-35E.

H = 55' L = 600' Outlet = 30"

Concrete core 125' x 20' x 2' T.

C/W for 1300 a.f. for 5500 acres.

Kulp says 700 a.f. all that will be honored.

Considered a 10' raise covering spring 2' but never made it in 1954. H.J. Woodward.

R-791

Kulp's letter in 1947 says.
#3680.00 due. on 19072

On May 22-47 Kulp says no approval to submerge lower toe of dam

---

Paid #3375.00 on Engr Services to Hoffman + Alexander

July 21-47

Memo. for. Wm M. Jones
Will not back water up on toe of dam.

Wm M. Jones. Secy Treas.
Nephi R. Ipsen, Pres.
J. F. Frederickson
Laird Hughes.

R. 491

1907 2

Letter from Spofford in 1943
says 22 cfs.

fees C/W = $8.60
B/U = $368.00

Priority was Aug 27-1940.

B/U was due. May 4-41
C/W " " " " "

Max. flow is 46 cfs. 14

Elmer Price - Secretary

50
110
125
130
140
170
+10 — 165
165
160
160
130
120
105
115
125
135
135
120
115
+100 65
50
35
35
40
30


2730
2840

P-791

```
*
0 4 2 2
3 4 3 3 3 6 6 6 4 2 3 3 3 2 4 6 6 6 7 7 4 3 3 2 4 5 6 6 6
1 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6
                                                        *
```

NAME OF APPLICANT Samaria Water & Irrigation Co. Form No. 0

Permits: 19072, R-637, R-971



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink. ENH-HP 3-'59

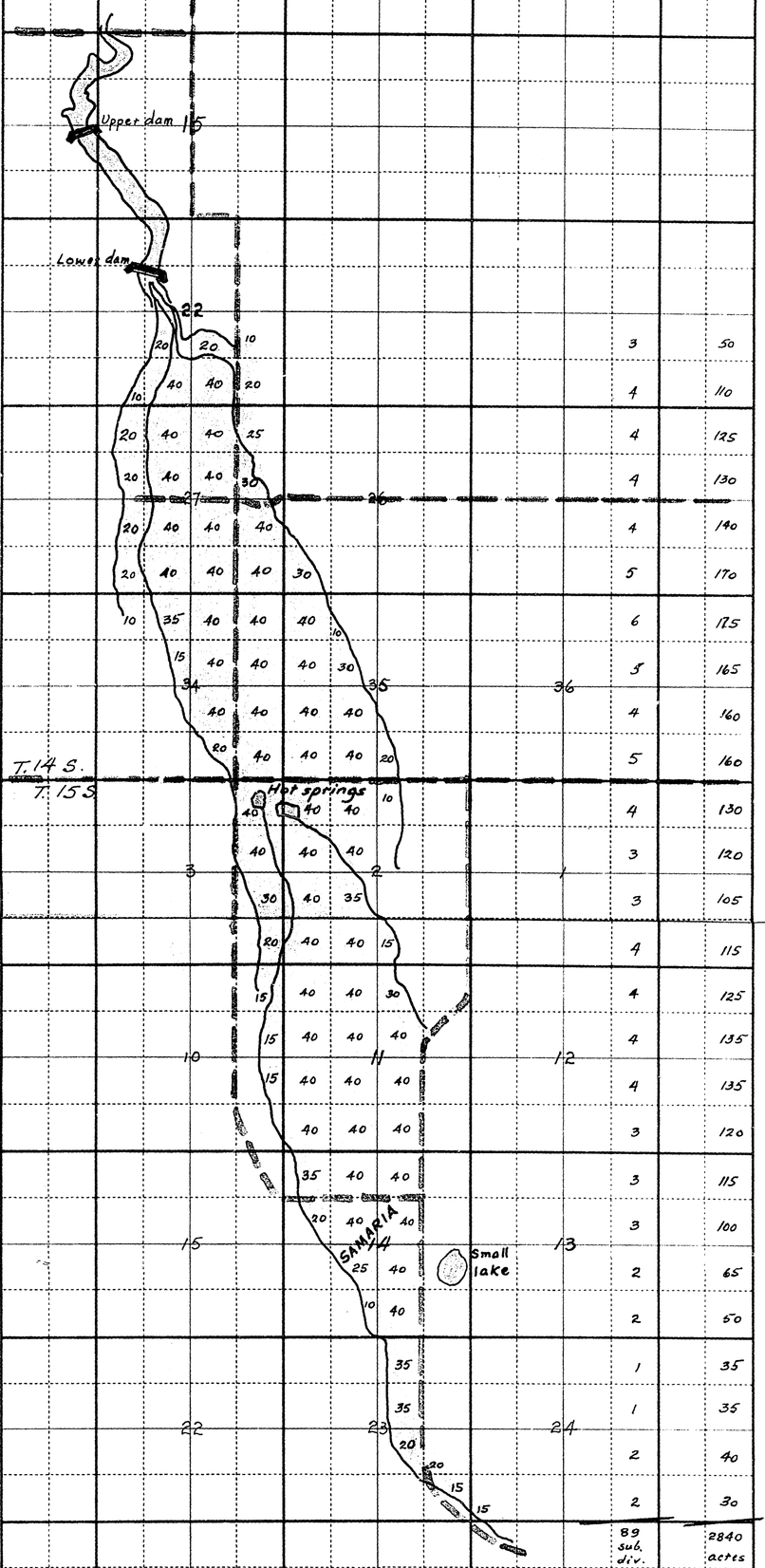
R-791

NAME OF APPLICANT Samaria Water & Irrigation Co.

Form No. 0

Permits: 19072, R-637, R-791

R-35E.B.M.



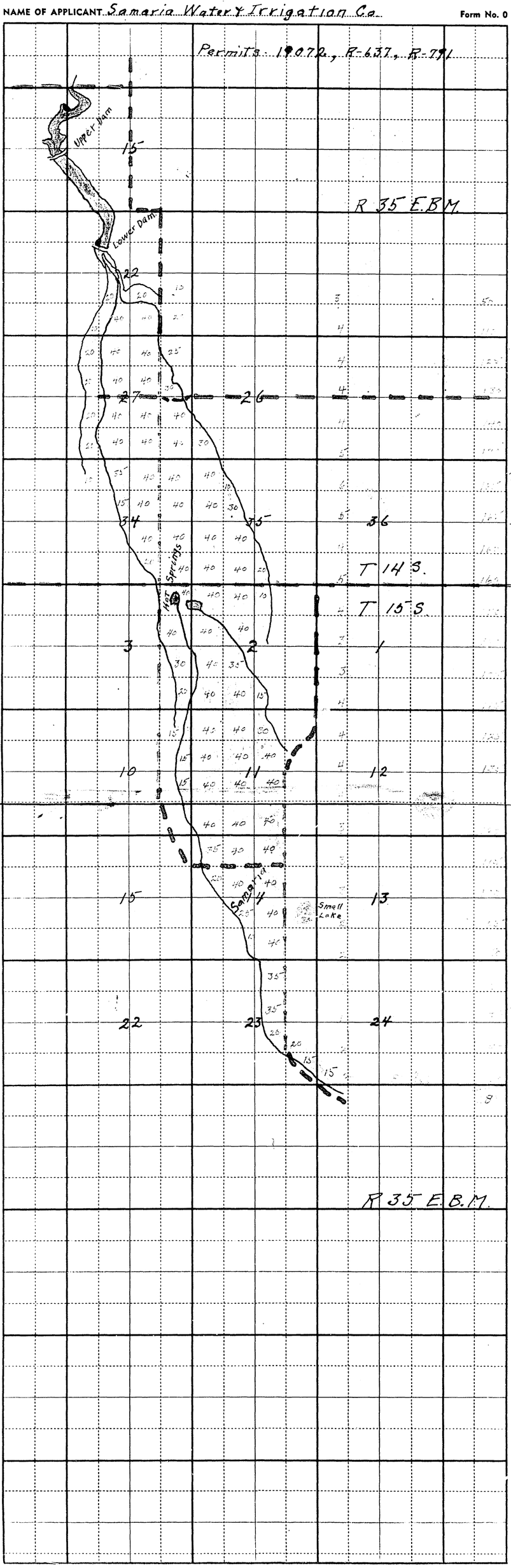
	3	50
	4	110
	4	125
	4	130
	4	140
	5	170
	6	175
	5	165
	4	160
	5	160
	4	130
	3	120
	3	105
	4	115
	4	125
	4	135
	4	135
	3	120
	3	115
	3	100
	2	65
	2	50
	1	35
	1	35
	2	40
	2	30
89 sub. div.		2840 acres

R-35E.B.M.

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink. MNH-HP 3-'59

R-791

NAME OF APPLICANT Samaria Water & Irrigation Co. Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

R-791

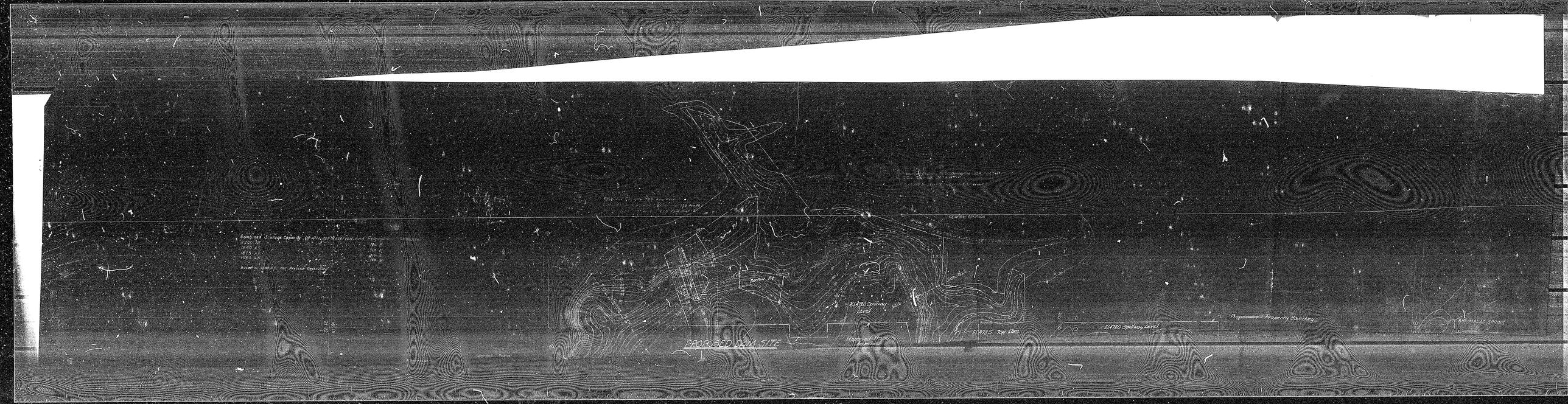

Combined Storage Capacity of Ringer Reservoir and Expansion
PROPOSED DAM SITE
EL 4780 Spillway Level
EL 4772.5 Top Dam
Proposed Property Boundary
EL 4780 Spillway Level
Proposed Property Boundary
TO OLD HALAO SPRING

PLATE I

APPROVED
WARE & KUIPER
STATE RECLAMATION ENGR.

TOPOGRAPHY BIG MANAR
FEET WIDE

ENGINEER SURVEYED
WATER SURVEYED
SURVEY PARTY
DRAWN BY
CHECKED BY

SHEET 3 OF 5

KODAK SAFETY FILM

May 12, 1959

Re: Permit No. R-791

Sunaria Water & Irrigation Co.
Sunaria, Idaho

Attn: Nephi R. Ipsen

Dear Mr. Ipsen:

Our field engineer's report on his inspection of proof of application of water to beneficial use under the terms of Permit No. R-791 which shows the dam capable of a capacity of 700 acre feet of water for the irrigation of 2840 acres.

Upon receipt of the statutory fee of $178.00 (based at the rate of $2.00 for each subdivision of 40 acres) we will issue the License and Certificate of Water Right confirming the right with priority of April 18, 1947 for 700 acre feet with point of diversion in SE¼NE¼, Sec. 16, T. 14 S., R. 35 E. for the irrigation of 2840 acres of land in Sec. 22, 26 and 27, 34 35 in T. 14 S., R. 35 E., Sec. 2, 3, 10, 11, 14, 23, 24 in T. 15 S., R. 35 E. B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew

R-791

April 3, 1968

Re: Permit No. R-791

Samaria Water & Irrigation Co.
Samaria,
Idaho

Attention: Nephi R. Ipsen

Dear Mr. Ipsen :

Attached is a copy of the results of the field examination conducted by our department on the above referenced permit.

You are requested to submit the fees indicated within 30 days of the date of this letter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of fee letter of May 12, 1959

R-791

May 13, 1968

Re: Permit No. R-791

Samaria Water & Irrigation Co.
Samaria, Idaho 83252

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit R-791 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of $178.00 (see enclosed fee letter),

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before June 24, 1968, why said permit should not be cancelled.

Permit R-791 claims the use of 700 acre feet per annum of water. The point of diversion was to be located SE¼NE¼, Sec. 16, T. 14 S., R. 35 E, B.M., Oneida County,

and the permit was approved July 31, 1947.

State Reclamation Engineer

Enc: Copy of fee letter

Copy to: John V. Evans
Malad, Idaho 83252

R-791

June 27, 1968

Re: Permit No. R-791

Samaria Water & Irrigation Company
Samaria,
Idaho 83252

Gentlemen:

Enclosed is your License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 917 in the amount of $178.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Certificates
Receipt

R-791

IM 3-1-59

State of Idaho

License and Certificate of Water Right

Water License No. R-791 Priority April 18, 1947 Amount 700 acre ft. per annum

THIS IS TO CERTIFY that SAMARIA WATER & IRRIGATION COMPANY

of Samaria, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 18, 1947; that Permit No. R-791 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1300 acre ~~second~~ feet, was issued thereunder on August 27, 1952, showing that said works were completed on the 8th day of August, 1952; and that on the 31st day of July, 1958 Samaria Water & Irrigation Company by Nephi R. Ipsen of Samaria, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Big Malad River & Big Malad River Spring a tributary of for the purpose of irrigation, under Use Permit No. R-791 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record ~~in the records of said office~~, on the 27 day of June, 1968.

The right hereby confirmed dates from April 18, 1947.

The Point of Diversion is located in the SE ¼ NE ¼, Sec. 16, Twp. 14 S, R. 35 E, B.M. Oneida County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 700 acre ~~cubic~~ feet per ~~second~~ annum.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

For irrigation of 2840 acres of land in Sec. 22, 26 and 27, 34, 35 in T. 14 S., R. 35 E., B.M. and Sec. 2, 3, 10, 11, 14, 23, 24 in T. 15 S., R. 35 E., B.M.

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 27 day of June, 1968.

R. Keith Higginson
State Reclamation Engineer.

R-791

R. 791

APPLICATION FOR PERMIT

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

Application No. R27671
Permit No. R 791

1. Name of Applicant: SAMARIA WATER & IRRIGATION COMPANY, a corporation

Postoffice address: Samaria County Oneida State Idaho

I. If applicant is a corporation, give:

(a) Date and place of re-incorporation March 12,1924,Samaria,Ida. (b) Amount of Capital Stock: $ 20,000.00

(c) Amount paid in: $ 14,400.00 (d) Names and addresses of directors: David Hughes, Daniel M. Price, Samaria, Idaho; Elmer Price, John J. Roderick, Nephi R. Ipsen,John E. Blaisdell, of Malad, R.D.No. 1, Idaho; and J. F. Fredrickson, of Malad, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ 500.00 (b) Treasury Stock: $ None

(c) Bonds to be issued: $ None (d) Other resources: Assessments privileges

2. Quantity of water to be stored: 1500 acre feet per annum.

3. Source of water supply is Big Malad River and/Big Malad River Spring (Creek) (River) (Spring), a tributary of River.

4. The outlet of the proposed reservoir is located about 320 (bearing) feet, distant from the SE corner of Section 16 of NE¼, Township 14 S., Range 35 E., B. M. and is in the SE ¼ of NE ¼ of Section 16, Township 14 S., Range 35 E., B. M. County of Oneida
or in the NE corner of SE¼ of Sec. 16, Twp. 14 S.,Range 35 E., B.M.

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Big Malad River (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located Reservoir to be filled from Big Malad River Spring at head of river and in the Big Malad River (bearing) feet distant from the channel for Reservoir and Malad River Spring is in corner of Section, Township, Range, B. M., and is in the SE ¼ of NE¼ ¼ of Section 9, Township 14 S., Range 35 E., B. M.; width at bottom Natural channel of river from the spring itself at head of river feet, width at top feet, depth of water feet; average grade per mile 6 feet; Capacity 22 cubic feet per second.

6. (a) The area of the high water line of the reservoir is about 25 acres.

(b) The reservoir capacity is about 1500 acre feet.

7. Height of reservoir dam 55 feet, length at top 600 feet, length at bottom 125 feet, size of outlet 30" diam. pipe/~~feet~~ by feet. The dam is to be constructed of materials as follows: Earth with concrete core 125 ft. by 20 ft. by 2 ft. thick reinforced with 315 foot 30 in diameter Galvanized outlet pipe running through Dam; with approved steel headgate for same; and outlet gate at bottom of channel.

(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 acqueduct, thence to land to be irrigated without commingling with natural flow of Big Malad River (Creek) (River) ? Yes, and when all the stored water is used we continue with natural flow of River water for its uses for irrigation purposes, including irrigation of the meadow lands in winter time for any surplus waters we may have,

(b) Water stored in reservoir will be carried in the channel of Big Malad River (Creek,) (River,) a distance of one miles to point of diversion located in channel about 1000 (bearing) feet, distant from the SW corner of SE¼ NW¼ of Section 22, Township 14 S., Range 35 E., B. M., and in the SE ¼ of NW ¼ of Section 22, Township 14 S., Range 35 E. B. M.

9. Amount of water claimed from Big Malad River Spring (Creek) (River) (Spring) in addition to that stored in reservoir 22 cubic feet per second.

10. Water is to be used for Irrigation and culinary 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 ¼ of ¼ 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 ¼ of ¼ 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.R-637 and 19072, which is hereby referred to and made a part hereof.

13. Kind of diversion works: Earth canal from outlet in said Dam
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 40 feet, length at top 400 feet, length at bottom 200 feet. The dam is to be constructed of materials as follows: Earth and concrete core

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

15. Size of headgate: Width 2½" Dia. feet, Height 55 feet.

16. Diversion Canal: Width at bottom 4 feet, width at water line 6 feet, depth of water 2 feet, Dimensions of Flume Water from outlet of dam goes directly into distributing canal
Diameter of Pipe 30 inches; Length of ~~Conduit~~ Canal 8 miles. Average grade per mile 3 feet.

17. Estimated cost of Works: Storage Works: $ 40,000.00 Diversion Works: $

18. Time required for completion of work Five (5) years.

19. Time required for complete application of water to proposed beneficial use is Five (5) years.

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

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

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
All Class 1 and 2 arable land with supplementary water for lands now partially irrigated; as per map hereto showing irrigable land; and lands now under our system, and adjacent to the main distributing canals and ditches.																			

Total Number of Acres to be Irrigated

Remarks: The intent of this application is to amend our application of March 1st, 1947, filed in the office ofState Engineer of Idaho, at Boise, Idaho, made on Form No. 1, and hereto made on Form No. 2 which includes storage privilegss for our company.

The red checked marks show the land irrigable under canal or ditch shown as (new canal) but isan old ditch canal we have been using to partly irrigate parts of these lands, which ditch we are enlarging to take care of the additional lands to irrigate that we have; that are checked in red; and this ditch is now built and used to Tp.line between Tp.14 and 15, and which we will continue to build through Tp. 15; above the lands to be irrigated therein not now irrigated.

(Continued on next page)

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 COMPANY Applicant.

Dated March 1, 1947

By David Hughes, Pres. Agent.

State Reclamation Engineer

Date of first receipt at office of ~~Commissioner of Reclamation~~ 11:30 A. M. April 18, 1947

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

The number of this permit is R 791

Recorded in book R 3, page 791 Approved July 31, 1947

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 September 30, 1947 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control. Subject to regulation of lower existing reservoir so that downstream toe of dam will not be submerged.

One fifth of the work above specified to be completed on or before January 31, 1950

The whole of said work to be completed on or before July 31, 1952

Beneficial use of water stored in accordance herewith, to be made on or before July 31, 1958

Witness my hand this 31st day of July, 19 47

MARK R. KULP
~~Commissioner of Reclamation.~~
State Reclamation Engineer

R-701

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have 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 31st day of July, 1947.

(S E A L)

Countersigned:
By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

REMARKS (Continued) And we will use the ditches we have now on the East side of the Big Malad River channel to irrigate any additional lands there that may need a little more water that we can give from this proposed reservoir to be built as shown herein for its Dam to be in the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 16, or in $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 16, Twp. 14 S., Range 35 E.,B.M. as the best site turns out to be, which will be at about the division line between the above two subdivisions of land and be on either side of said division line between said two subdivisions.

And we claim all the waters of Big Malad River and those running into its channel and all the waters of Big Malad River Spring at its headwaters.

For the present we propose to take the water out of this proposed reservoir through our now built Reservoir in Section 15 and 22 in Twp. 14 S., R. 35 E., B.M. under Permit R 637 and 19072 and to enter the same distributing canal for distribution as is now used out of our present Dam in Sec. 22 and said canals for distribution also shown on the accompanying map. We also reserve the right to take waters out of this proposed reservoir Dam at its outlet at Dam through a distributing canal to additional and higher lands to be irrigated.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that SAMARIA WATER & IRRIGATION COMPANY, A Corporation, of Samaria, County of Oneida, and State of Idaho, the holder of Permit No. R-701, issued upon Application No. R-27671, bearing date of priority of April 18, 1947, authorizing the construction of a reservoir, with the right to appropriate and store 1500 acre feet per annum of the waters of Big Malad River and Big Malad River Spring, in the County of Oneida, State of Idaho, for Irrigation and culinary purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 1300 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the $SE_{\frac{1}{4}}$ of the $NE_{\frac{1}{4}}$ of Section 16, Township 14 S., Range 35 E., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: 5500 acres in Sections 22, 23, 27, 26, 34, 35, Twp. 14 S., R. 35 E., B.M. and Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, Twp. 15 S., R. 35 E., B.M.

Witness my hand this 27th day of August, 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made August 8, 1952.
Certificate of completion of works issued August 27, 1952.

R-791

APPLICATION FOR PERMIT

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

Application No. R27671
Permit No. R 791

1. Name of Applicant: SAMARIA WATER & IRRIGATION COMPANY, a corporation

Postoffice address: Samaria County Oneida State Idaho

I. If applicant is a corporation, give:

(a) Date and place of re-incorporation March 12,1924,Samaria,Ida. (b) Amount of Capital Stock: $ 20,000.00

(c) Amount paid in: $ 14,400.00 (d) Names and addresses of directors: David Hughes, Daniel M. Price, Samaria, Idaho; Elmer Price, John J. Roderick, Nephi R. Ipsen,John E. Blaisdell, of Malad, R.D.No. 1, Idaho; and J. F. Fredrickson, of Malad, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ 500.00 (b) Treasury Stock: $ None

(c) Bonds to be issued: $ None (d) Other resources: Assessments privileges

2. Quantity of water to be stored: 1500 acre feet per annum.

3. Source of water supply is Big Malad River and/Big Malad River Spring (Creek) (River) (Spring), a tributary of Big Malad River.

4. The outlet of the proposed reservoir is located about 320 (bearing) feet, distant from the SE corner of NE¼ of Section 16, Township 14 S., Range 35 E., B. M. and is in the SE ¼ of NE ¼ of Section 16, Township 14 S., Range 35 E., B. M. County of Oneida or in the NE corner of SE¼ of Sec. 16, Twp. 14 S., Range 35 E., B.M.

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Big Malad River (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 SE ¼ of NE¼ ¼ of Section 9, Township 14 S., Range 35 E., B. M.; width at bottom Reservoir to be filled from Big Malad River Spring at head of river and in the Big Malad River channel for Reservoir and Malad River Spring is in Natural channel of river from the spring itself at head of river feet, width at top feet, depth of water feet; average grade per mile 6 feet; Capacity 22 cubic feet per second.

6. (a) The area of the high water line of the reservoir is about 25 acres.

(b) The reservoir capacity is about 1500 acre feet.

7. Height of reservoir dam 55 feet, length at top 600 feet, length at bottom 125 feet, size of outlet 30" diam./ pipe feet by feet. The dam is to be constructed of materials as follows: Earth with concrete core 125 ft. by 20 ft. by 2 ft. thick reinforced with 315 foot 30 in diameter Galvanized outlet pipe running through Dam; with approved steel headgate for same; and outlet gate at bottom of channel.

(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 acqueduct, thence to land to be irrigated without commingling with natural flow of Big Malad River (Creek) (River) ? Yes, and when all the stored water is used we continue with natural flow of River water for its uses for irrigation purposes, including irrigation of the meadow lands in winter time for any surplus waters we may have,

(b) Water stored in reservoir will be carried in the channel of Big Malad River (Creek,) (River,) a distance of one miles to point of diversion located in channel about 1000 (bearing) feet, distant from the SW corner of SE¼ NW¼ of Section 22 Township 14 S., Range 35 E., B. M., and in the SE ¼ of NW ¼ of Section 22, Township 14 S., Range 35 E. B. M.

9. Amount of water claimed from Big Malad River Spring (Creek) (River) (Spring) in addition to that stored in reservoir 22 cubic feet per second.

10. Water is to be used for Irrigation and culinary 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 ¼ of ¼ 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 ¼ of ¼ 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. R-637 and 19072, which is hereby referred to and made a part hereof.

13. Kind of diversion works: Earth canal from outlet is said Dam
(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 40 feet, length at top 400 feet, length at bottom 200 feet. The dam is to be constructed of materials as follows: Earth and concrete core

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

15. Size of headgate: Width 2½" Dia. feet, Height 55 feet.

16. Diversion Canal: Width at bottom 4 feet, width at water line 6 feet, depth of water 2 feet, Dimensions of Flume Water from outlet of dam goes directly into distributing canal
Diameter of Pipe 30 inches; Length of ~~Conduit~~ Canal 8 miles. Average grade per mile 3 feet.

17. Estimated cost of Works: Storage Works: $ 40,000.00 Diversion Works: $

18. Time required for completion of work Five (5) years.

19. Time required for complete application of water to proposed beneficial use is Five (5) years.

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

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

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
All Class 1 and 2 arable land with supplementary water for lands now partially irrigated; as per map hereto showing irrigable land; and lands now under our system, and adjacent to the main distributing canals and ditches.																			

Total Number of Acres to be Irrigated

Remarks: The intent of this application is to amend our application of March 1st, 1947, filed in the office of State Engineer of Idaho, at Boise, Idaho, made on Form No. 1, and hereto made on Form No. 2 which includes storage privilegss for our company.

The red checked marks show the land irrigable under canal or ditch shown as (new canal) but isan old ditch canal we have been using to partly irrigate parts of these lands, which ditch we are enlarging to take care of the additional lands to irrigate that we have; that are checked in red; and this ditch is now built and used to Tp.line between Tp.14 and 15, and which we will continue to build through Tp. 15; above the lands to be irrigated therein not now irrigated.

(Continued on next page)

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.

COMPANY
SAMARIA WATER AND IRRIGATION Applicant.

Dated March 1, 1947

By David Hughes, Pres. Agent.

State Reclamation Engineer

Date of first receipt at office of ~~Commissioner of Reclamation~~ 11:30 A. M. April 18, 1947

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

The number of this permit is R 791

Recorded in book R 3, page 791 Approved July 31, 1947

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 September 30, 1947 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control. Subject to regulation of lower existing reservoir so that downstream toe of dam will not be submerged.

One fifth of the work above specified to be completed on or before January 31, 1950

The whole of said work to be completed on or before July 31, 1952

Beneficial use of water stored in accordance herewith, to be made on or before July 31, 1958

Witness my hand this 31st day of July, 19 47

MARK R. KULP
~~Commissioner of Reclamation~~.
State Reclamation Engineer

R-791

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have 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 31st day of July, 1947.

(S E A L)

Countersigned:
By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

REMARKS (Continued) And we will use the ditches we have now on the East side of the Big Malad River channel to irrigate any additional lands there that may need a little more water that we can give from this proposed reservoir to be built as shown herein for its Dam to be in the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 16, or in $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 16, Twp. 14 S., Range 35 E., B.M. as the best site turns out to be, which will be at about the division line between the above two subdivisions of land and be on either side of said division line between said two subdivisions.

And we claim all the waters of Big Malad River and those running into its channel and all the waters of Big Malad River Spring at its headwaters.

For the present we propose to take the water out of this proposed reservoir through our now built Reservoir in Section 15 and 22 in Twp. 14 S., R. 35 E., B.M. under Permit R 637 and 19072 and to enter the same distributing canal for distribution as is now used out of our present Dam in Sec. 22 and said canals for distribution also shown on the accompanying map. We also reserve the right to take waters out of this proposed reservoir Dam at its outlet at Dam through a distributing canal to additional and higher lands to be irrigated.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that SAMARIA WATER & IRRIGATION COMPANY, A Corporation, of Samaria, County of Oneida, and State of Idaho, the holder of Permit No. R-791, issued upon Application No. R-27671, bearing date of priority of April 18, 1947, authorizing the construction of a reservoir, with the right to appropriate and store 1500 acre feet per annum of the waters of Big Malad River and Big Malad River Spring, in the County of Oneida, State of Idaho, for Irrigation and culinary purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 1300 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SE_4 of the NE_4 of Section 16, Township 14 S., Range 35 E., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: 5500 acres in Sections 22, 23, 27, 26, 34, 35, Twp. 14 S., R. 35 E., B.M. and Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, Twp. 15 S., R. 35 E., B.M.

Witness my hand this 27th day of August, 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made August 8, 1952.
Certificate of completion of works issued August 27, 1952.

LICENSE ISSUED FOR 700 acre ft
LICENSE PAGE NO. R 791

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.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
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**

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

SOURCE	TRIBUTARY OF
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 :
SENW , Sec. 22, Township 14S, Range 35E
Right No. 15-02074 :
SWNW , 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

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
14S	35E	22	SWNE	20	SENE	40	SENW	20	
			NESW	40	SWSW	10	SESW	40	
			NESE	40	NWSE	40	SWSE	40	
			SESE	35					325
		23	SWNW	40	SENW	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	SENW	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	SENW	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	
			SENW	25	NESE	40	NWSE	40	
			SWSE	20	SESE	40			370
		35	NENW	40	NWNW	40	SWNW	40	
			SENW	40	NESW	40	NWSW	40	
			SWSW	40	SESW	40	NESE	40	

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

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
			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

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

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
		24	NENE	40	NWNE	40	SWNE	40	
			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					630
		25	NENE	40	NWNE	35	SENE	5	
			NENW	10					90
	36E	30	NENW	8	NWNW	11	SWNW	31	
			SENW	10					60
						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

L. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 15-02025

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.

MEMORANDUM

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

FROM: Pam Skaggs/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.

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.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
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	11544.9 AF

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

SOURCE	TRIBUTARY 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 :
SENW , Sec. 22, Township 14S, Range 35E
Right No. 15-02074 :
SWNW , Sec. 22, Township 14S, Range 35E
Right No. 15-02075 :
SENE , Sec. 16, Township 14S, Range 35E
ONEIDA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
14S	35E	22	SWNE	20	SENE	40	SENW	20	
			NESW	40	SWSW	10	SESW	40	
			NESE	40	NWSE	40	SWSE	40	
			SESE	35					325
		23	SWNW	40	SENW	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	SENW	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	SENW	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	SENW	25	
			NESE	40	NWSE	40	SWSE	20	
			SESE	40					330

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

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
		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

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

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
		24	NENE	40	NWNE	40	SWNE	40	
			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					630
		25	NENE	40	NWNE	35	SENE	5	
			NENW	10					90
	36E	30	NENW	8	NWNW	11	SWNW	31	
			SENW	10	NESW	20	SESW	20	
			NWSE	40					140

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

L. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 15-02075

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.