

Claim No.

STATE OF IDAHO

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Samaria Cemetery District
(name of claimant)
of c/o Rae Williams, Rt. #1, Box 43, Malad, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground Water
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-------------|-----|-------------------|---------------------|---------------|----|---------------|
| Amount | <u>0.18</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
- (cfs, gpm, ~~or other units~~) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 0.18 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) March 1, 1963
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 22 Twp. 15S Rge. 35E B. M. County of Oneida
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well 10", 224' deep, with turbine pump
Well was drilled by Bernard Gardner - pump capacity is 600 gpm

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

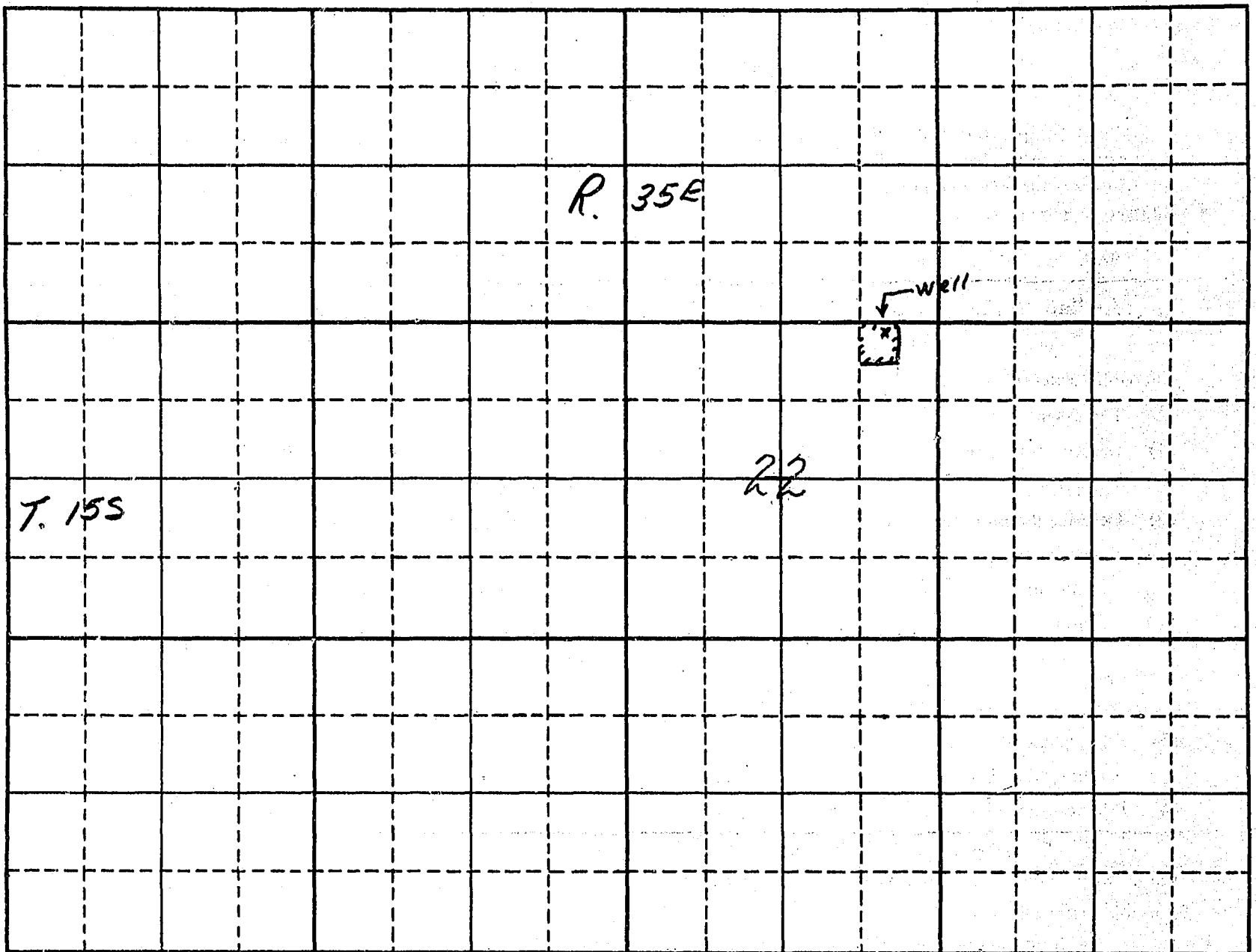
[illegible]

Total No. of acres

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

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Oneida) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 18th day of August, 19 75.

Lewis Hughes
(Claimant)

Evelyn F. Harrison
Notary Public
Residing at Malad City, Idaho

My commission expires 2/3/77

For Department Use Only

Received by <u>MB</u>	Date <u>8-19-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LH</u>	Date <u>8-19-75</u>		claimant by:	
\$10.00 fee received by <u>MB</u>	Date <u>8-19-75</u>			
Approved for publication by <u>Jul</u>	<u>9-15-75 #4388</u>			
Published in <u>Idaho Enterprise</u>				
Dates <u>August 21 + Sept. 4, 1975</u>				

RECEIVED

SEP 15 1975

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 15-4004**

Notice is hereby given that Samaria Cemetery District, Malad, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.18 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 15S, R. 35E, B.M., Oneida County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 9 acres within the Samaria Cemetery with a priority of March 1, 1963 the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 15S, R. 35E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 28 and September 4, 1975.

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

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

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof the date of the first publication being the 28 day of August, 1975 the date of the last publication being the 4 day of September, 1975.

Paula Heindel

Subscribed and sworn to before me this 11th day of

September, 1975.

Devil O. Jones
Notary Public, residing at Malad, Idaho

My Commission expires the 6th day of August, 1976.

Costs:

32 lines at 23c per line first insertion \$ 7.26

..... lines tabulated at 34 $\frac{1}{2}$ c per line \$

15c per line each subsequent insertion \$ 4.80

TOTAL \$ 12.06

(Rates for legal notices are fixed by Idaho law)

August 14, 1975

C

Samaria Cemetery District
c/o Rae Williams
Route #1, Box 43
Malad, ID 83252

Dear Mr. Williams:

O

We are returning your claim to a water right in the name of Samaria Cemetery District and your check No. 92-86 in the amount of \$10.00.

P

The claim form has been revised and we have taken the liberty of retyping your claim on the new form with the following changes:

Y

1. In Item 2, the amount of water has been changed to 0.18 cfs to reflect the maximum one inch or 0.02 cfs per acre which may be diverted for irrigation purposes. The period of use has also been changed to reflect the maximum irrigation season in your area.

2. In Item 4, the priority date is shown as March 1, 1963. A claim on a ground water source must have a priority earlier than March 25, 1963 to be acceptable.

Please review the claim, and if it meets with your approval, have it signed before a notary by an official of the cemetery district and return it to this office for processing.

If we can be of any further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:mb

Enc: Claims
Check No. 92-86

August 19, 1975

C

RE: Claim to a Water Right No. 15-4004

O

Samaria Cemetery District
c/o Rae Williams
Route #1, Box 43
Malad, Idaho 83252

Dear Mr. Williams:

P

Attached herewith is departmental receipt No. 4388 in the amount of \$10.00 for the above referenced claim form.

Very truly yours,

Y

RONALD D. CARLSON
District Engineer

RDC:MB

Attachment

NOTICE OF CLAIM TO A WATER RIGHT

NO. 15-4004

Notice is hereby given that Samaria Cemetery District,

Malad, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.18 cubic feet per second ~~XXXXXXFEETXXXXXXINCHES~~
of water from a ground-water source

with point of diversion in the NE¹/₄NE¹/₄, Sec. 22, T. 15S, R. 35E, B.M.,
Oneida County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation
of 9 acres within the Samaria Cemetery
with a priority of March 1, 1963;
the place of use is within the NE¹/₄NE¹/₄, Sec. 22, T. 15S, R. 35E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho

on August 28 and September 4, 1975.

*Log - L
H.B.P.
CW-H.*

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 15-4004**

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The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 9 acres within the Samaria Cemetery with a priority of March 1, 1963 the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 15S, R. 35E, B.M.

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

R. KEITH HIGGINSON...
Director *ME*

Published in the Idaho Enterprise, Malad City, Idaho on August 28 and September 4, 1975.

August 22, 1975

RE: Claim to a Water Right No. 15-4004 SAMARIA CEMETERY DIST.

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
District Engineer

Bill submitted 9-15-75 by me

RDC:MB

Enc: Legal Notice (1)

September 16, 1985

RE: Claim to a Water Right No. 15-4004

C
O
P
Y

Samaria Cemetery District
c/o Rae Williams
Route #1, Box 43
Malad, ID 83252

Dear Mr. Williams:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

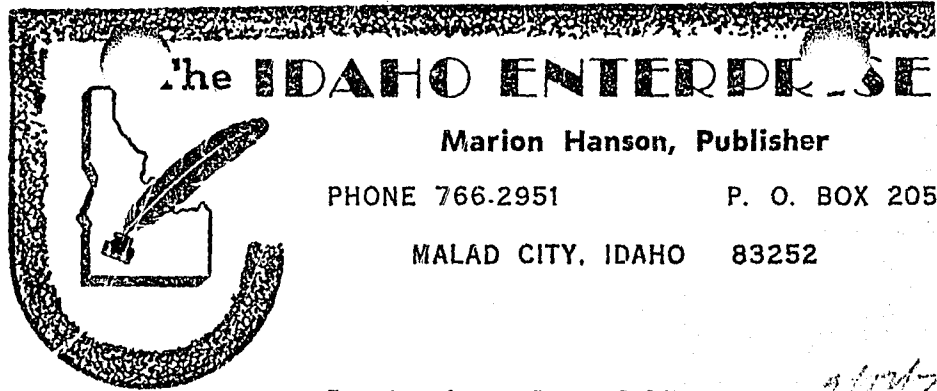
We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Enc: Copy of claim



The IDAHO ENTERPRISE

Marion Hanson, Publisher

PHONE 766.2951

P. O. BOX 205

MALAD CITY, IDAHO 83252

September 12, 1975

Gentlemen:

*Called Hanson paper and told them they
advertised incorrectly. Jap*

It has been brought to our attention by
Mr. Levi Hughes that the NOTICE OF CLAIM TO A
WATER RIGHT No. 15-4004 for Samaria Cemetery District,
that we published for the weeks of August 28 and
September 4, have the wrong number of cubic feet
of water. We have 0.18 as per your notice. Mr.
Hughes said it should read 1.8.

We will begin running the correction in our
next issue.

Sincerely,

M. R. Hanson /ph
M. R. Hanson

MRH/pt

9/12/75

*called and talked to Mrs. Hughes
she took message that the application were
advertised incorrectly, and that 0.18 is the
correct amount of application and correct
amount for 9 acres as shown on application*

Jap

