

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that JOHN W PRICE
(Name of Claimant)
Rt #1 BOX 231 MALAD ID 83252 Telephone No. 766-2750
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1907

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground Water tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.04 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>JAN 1</u>	To <u>Dec 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SW 1/4 NW 1/4, Sec. 35 Twp. 14S Rge. 35E B.M., County of Oneida
Additional points of diversion: SE 1/4 NW 1/4 Sec 35 T14S R35E B.M.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 2 3" wells domestic delivery system Artesian pressure

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	35E	35							X	X									

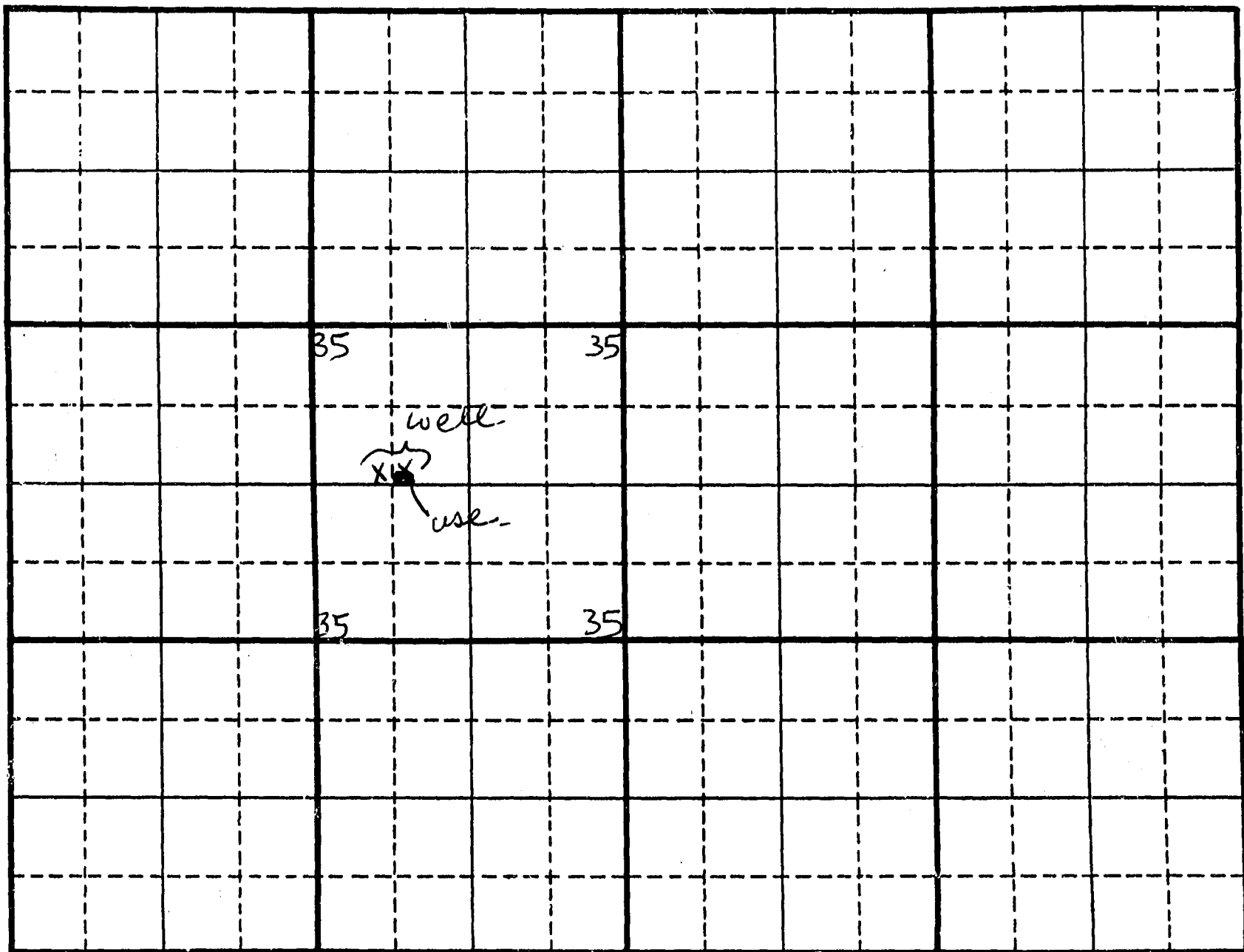
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Single Family use Stock & 1/4 acre garden

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

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

(8) Remarks Artesian wells.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Blaine) ss.

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

Sworn to before me this 29th day of March, 19 79.

John W. Fair
(Claimant)
Joyce H. Funderberger
Notary Public
Residing at Malad, Idaho

My commission expires September

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>4-2-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>BR</u>	Date <u>3-25-79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>4-2-79</u>	#12993		
Published in <u>Idaho Enterprise</u>				
Dates <u>April 12 & 19, 1979</u>				

NOTICE OF CLAIMS
TO WATER RIGHTS
NOTICE IS HEREBY GIVEN
that the following claim(s) to
water right(s) have been
established by diversion and
application to beneficial use:

No. 15-4025
JONES, OREN J.
ROUTE 1, BOX 243, MALAD,
ID. 83252.
Source: SPRING CREEK
tributary to MALAD RIVER
Priority Date: 04-01-1890
Amount: 2.00 CFS
Diversion Point: NWSW Sec.
28 T 14S R. 36E, Oneida Co.
Use: IRRIGATION (2.00 CFS)
from 04-01 to 05-15
Place of Use: NWNW SWNW
Sec. 33 T. 14S R. 36E SENE Sec.
32 T. 14S R. 36E for 43 ACRES
Diversion Means: DITCH

No. 15-4026
SMITH FARM
333 SOUTH 100 WEST,
MALAD, ID. 83252
Source: DRY CREEK
tributary to DEEP CREEK
Priority Date: 04-01-1923
Amount: 1.00 CFS
Diversion Point: NESW Sec.
32 T. 14S R. 37E, Oneida Co.
Use: IRRIGATION (1.00 CFS)
from 04-01 to 10-01
Place of Use: NESW NWSW
SWSW Sec. 32 T. 14S R. 37E SESE
Sec. 31 T. 14S R. 37E for 30
acres
Diversion Means: DITCHES

No. 15-4027
SCHWARTZ, DALE
214 WEST 300 NORTH,
MALAD, ID. 83252
Source: LITTLE MALAD
RIVER tributary to BEAR
RIVER
Priority Date: 03-20-1918
Amount: 0.04 CFS
Diversion Point: NENW Sec.
12 T. 13S R. 34E SWSW SESW
Sec. 01 T 13S R 34E, Oneida Co.
Use: STOCKWATER (0.02
CFS) from 09-01 to 12-01
DOMESTIC (0.02 CFS) from
04-01 to 11-01
Place of Use: SWSW SESW
Sec. 01 T 13S R 34E NENW Sec.
12 T 13S R 34E
Diversion Means: PUMP &
PIPELINES

No. 15-4028
BRIGGS, HOWARD W.
ROUTE 1, MALAD, ID. 83252
Source: UNNAMED
SPRINGS tributary to SINKS
Priority Date: 04-21-1950
Amount: 1.00 CFS
Diversion Point: SWSW Sec.
05 T. 13S R 35E NENE Sec. 07 T
13S R 35E NWNW Sec. 08 T 13S R
35E, Oneida Co.
Use: IRRIGATION (0.80 CFS)
from 04-01 to 11-01
STOCKWATER (0.20 CFS)

No. 15-4029
PRICE, JOHN W.
ROUTE 1, BOX 231, MALAD,
ID. 83252
Source: GROUNDWATER
Priority Date: 06-01-1907
Amount: 0.04 CFS
Diversion Point: SWNW
SENW Sec. 35 T 14S R 35E,
Oneida Co.
Use: DOMESTIC (0.04 CFS)
from 01-01 to 12-31
Place of Use: SWNW SENW
Sec. 35 T 14S R 35E
Diversion Means: TWO
ARTESIAN WELLS &
DELIVERY SYSTEM

No. 15-4030
GROVER, NORMAN
404 EAST 2nd SOUTH,
BRIGHAM CITY, UT. 84302
Source: GROVER SPRING
(BOND SPRING) tributary to
GROVER HOLLOW
Priority Date: 03-01-1909
Amount: 0.06 CFS
Diversion Point: SWSW Sec.
08 T. 16S R 35E, Oneida Co.
Use: DOMESTIC (0.02 CFS)
from 01-01 to 12-31
STOCKWATER (0.02 CFS)
from 01-01 to 12-31
IRRIGATION (0.02 CFS) from
04-01 to 11-01
Place of Use: SWNW Sec. 30 T
16S R 35E for 2 acres
Diversion Means: HEADBOX
& PIPELINES

No. 17-4027
HUBBARD, CLARK L.
HOLBROOK ROUTE,
MALAD ID. 83252
Source: GROUNDWATER
Priority Date: 03-01-1963
Amount: 0.15 CFS
Diversion Point: SWSW Sec.
29 T 14S R 33E, Oneida Co.
Use: STOCKWATER (0.06
CFS) from 01-01 to 12-31
IRRIGATION (0.09 CFS) from
04-01 to 11-01
Place of Use: SWSW Sec. 29 T
14S R 33E for 80 acres
Diversion Means: WELL,
PUMP & SPRINKLER
SYSTEM
Any exception to any claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 1515

Lincoln Road, Idaho Falls, Idaho
83401
C. STEPHEN ALLRED
Director
Published in The Idaho Enter-
prise 4-12 & 4-19 79.
4-12-19 79

AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 10 1979

of Idaho
of Oneida, ss.

Department of Water Resources
Eastern District Office

Donna J. Ellis being first duly sworn on
oath, states That *She* is *Donna J. Ellis*
Idaho Enterprise, a newspaper of general circulation
da County, Idaho published weekly at Malad, in said
that said newspaper has been published in said
uninterruptedly and continuously for over seventy-
nsecutive weeks, prior to the first publication of the
d notice or advertisement:

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

ve annexed notice was published per clipping attach-
e regular and entire edition of said newspaper and

ny supplement thereof for 2 successive weekly
eraof of the date of the first publication being the

y of May, 1979, the day of the last

on being the 10 day of May

d and sworn to before me this 9th of May

James H. Friesenberger
Notary Public, residing at Malad, Idaho

ssion expires the 9th day of May, 1980

es at 23c per line first insertion \$ 32.89

es tabulated as 34 1/2c per line \$

e each subsequent insertion \$ 21.45

TOTAL \$ 54.34

tes for legal notices are fixed by Idaho law)

ED

JA

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J.C.

Right Number _____ Applicant John W. Davis

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 6/1/79

April 3, 1979

John W. Price
Route #1, Box 231
Malad, Idaho 83252

Dear Mr. Price:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 12993 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

NOTICE OF CLAIMS TO WATER RIGHTS

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

15-4029.

PRICE, JOHN W.

ROUTE 1, BOX 231, MALAD, ID 83252

Source: GROUNDWATER

Priority Date: 06/01/1907

Amount: 0.04 CFS

Diversion Point: SWNW SENW Sec 35 T 14S R 35E, ONEIDA Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNW SENW Sec 35 T 14S R 35E

Diversion Means: TWO ARTESIAN WELLS & DELIVERY SYSTEM

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

C. STEPHEN ALLRED

Director

Published 4/12 & 4/13/79.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 6, 1979

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 30, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 30, 1979

JOHN W. PRICE
ROUTE 1, BOX 231
MALAD

ID 83252

RE: Claim No. 15-4029

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

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

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure