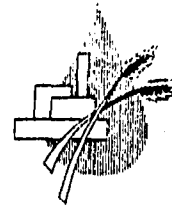


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Samaria Water & Irrigation Company
(Name of Claimant)

% Deverl John, RFD, Malad, Idaho 83252, President (Mailing Address) Telephone No. 766-2554
(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) November, 1925

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)
Thomas Davis Spring tributary to Samaria Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.90 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity	<u>.01 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>May 1</u>	To <u>Sept. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .90 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 SW 1/4, Sec. 27 Twp. 15S Rge. 35 E. B.M., County of Oneida
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion at spring and 3 1/2 miles of open ditch used for irrigation.

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	35E	14												20					20
		23	35	5		20	20	25											105
		24	40	40	40	40	40	40	40	40	40	40	30	40	40	40	40	40	630
		25	40	35		5	10												90

No. of acres 845

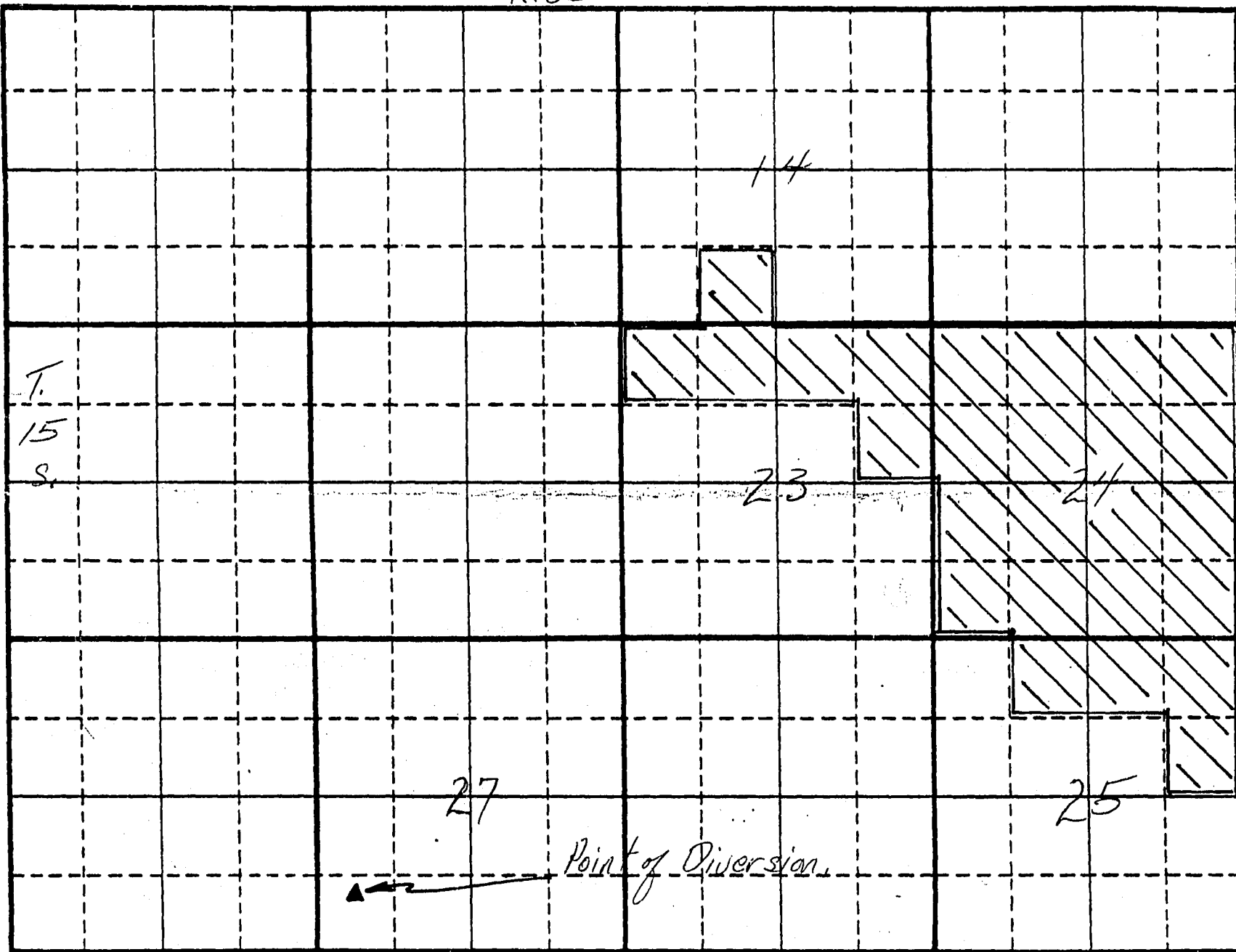
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Used for stockwater during grazing season.

NOTE: Include here the type and number of stock watered: Range cattle, 600 head.

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

(8) Remarks _____

R. 35 E.



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 affiant's knowledge.

SAMARIA WATER & IRRIGATION CO.

Daryl John President
(Claimant)

Sworn to before me this 16th day of December 19 80.

Sam Hawker
Notary Public
Residing at Malad City, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>J.K.</u>	Date <u>12/19/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J.K.</u>	Date <u>12/22/80</u>		claimant by:	
\$30.00 fee received by <u>J.K.</u>	Date <u>12/22/80</u>	# <u>16130</u>		
Published in <u>Idaho Enterprise</u>				
Dates <u>1/8 & 1/15/81</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida }

RECEIVED

JAN 16 1981

Department of Water Resources
Eastern District Office

Cable A. Hummel

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with January 8, 1980, and ending

with the issue of January 15, 1981
Cable A. Hummel

Fee \$63.87

Subscribed and sworn to before me this _____ day

of January, 1981

David Williams
Notary Public, Residing at Malad, Idaho

My Commission Expires July, 1981

NOTICE OF CLAIMS
TO WATER RIGHTS
NOTICE IS HEREBY GIVEN
that the following claims to
water rights have been
established by diversion and
application to beneficial use:

No. 15-4066

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: THOMAS DAVIS
SPRING tributary to SAMARIA CREEK

Priority Date: 11-01-1925
Amount: 0.90 CFS
Diversion Point: SWSW Sec. 27 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS)
from 04-01 to 11-01

STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec
24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E
FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4067

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: ROSE BUD SPRING
tributary to SAMARIA CREEK
Priority Date: 11-01-1925

Amount: 0.20 CFS
Diversion Point: SWSE Sec 28 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.20 CFS)
from 04-01 to 11-01

STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec. 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE SWSE SESE Sec
24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E
FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4068

SAMARIA WATER & IRRIGATION COMPANY
C-O DEVERL JOHN, RFD,
MALAD, ID 83252
Source: DRY PINE SPRING
tributary to SAMARIA CREEK
Priority Date: 11-01-1925

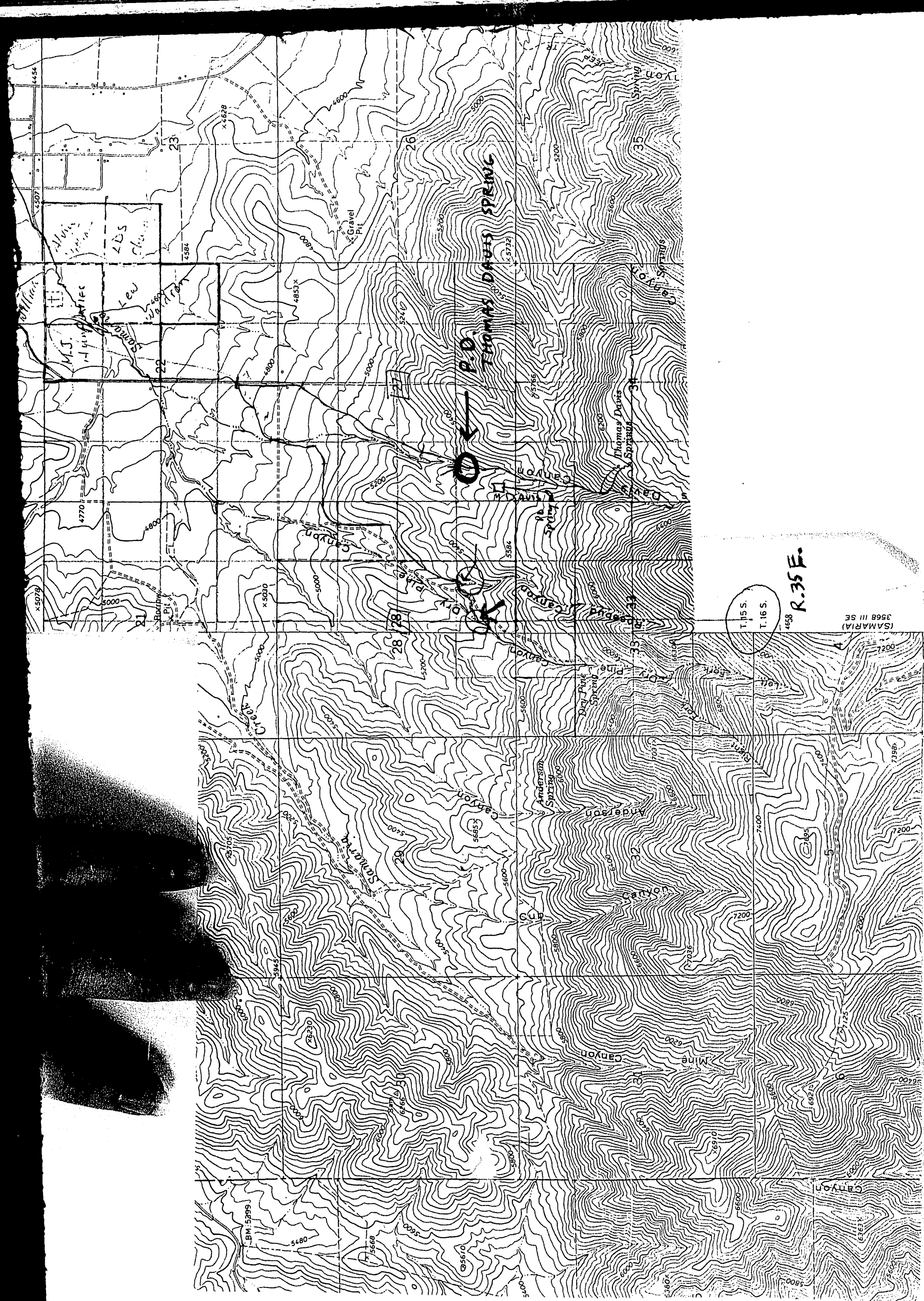
Amount: 0.90 CFS
Diversion Point: SWSE Sec 28 T
15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.90 CFS)
from 04-01 to 11-01

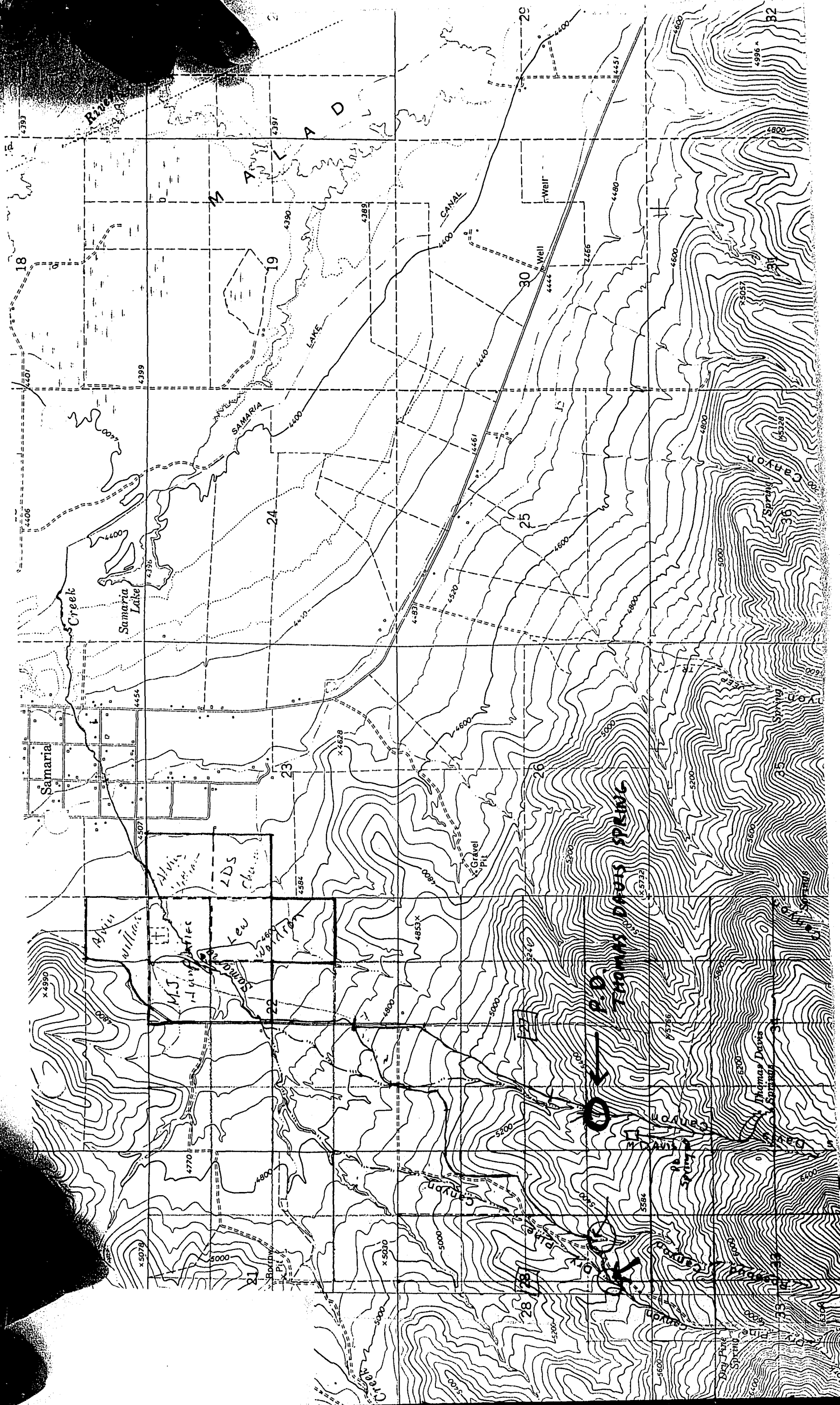
STOCKWATER (0.01 CFS)
from 05-01 to 09-01
Place of Use: SESW Sec 14 T 15S
R 35E NENE NWNE SENE
NENW NWNW Sec. 23 T 15S R
35E NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
SESE Sec 24 T 15S R 35E NENE
NWNE SENE NENW Sec 25 T
15S R 35E FOR 845 ACRES
Diversion Means: DITCH.

No. 15-4069

PETERSON, MARK W.
RT. 1 BOX 152, MALAD, ID
83252
Source: KENTS CANYON
SPRINGS tributary to KENTS
CANYON STREAM

Priority Date: 05-01-1900
Amount: 4.00 CFS
Diversion Point: NENW Sec 24 T
13S R 35E, ONEIDA Co.
Use: IRRIGATION (2.50 CFS)
from 03-15 to 11-15
STOCKWATER (1.50 CFS)





T. 15 S.
T. 16 S.

R. 35 E.
4658

Dec 17, 1980

Dept. of Water Resources
150 Shoup Ave.
Idaho Falls, Id 83401

Mr. John Kappelman Jr.

Dear Sir,

I am returning the three
claims for water use by the
Samaria Water & Irrigation Company
together with check #644 in the
amount of \$90.00 with corrections
made per your letter of Dec 10, 1980.

Sincerely yours,
Ruth Chapp, Sec.
Samaria Water & Irr. Co.

RECEIVED

DEC 19 1980

Department of Water Resources
Eastern District Office

15-4066-

SAMARIA WATER & IRRIGATION COMPANY

C/O DEVERL JOHN, RFD, MALAD, ID 83252

Source: THOMAS DAVIS SPRING tributary to SAMARIA CREEK

Priority Date: 11/01/1925

Amount: 0.90 CFS

Diversion Point: SWSW Sec 27 T 15S R 35E, ONEIDA Co.

Use: IRRIGATION (0.90 CFS) from 04/01 to 11/01
STOCKWATER (0.01 CFS) from 05/01 to 09/01

Place of Use: SESW Sec 14 T 15S R 35E NENE NWNE SENE NENW NWNW
Sec 23 T 15S R 35E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW
NWSW SWSW SESW NESE NWSE SWSE SESE Sec 24 T 15S R 35E NENE NWNE
SENE NENW Sec 25 T 15S R 35E FOR 845 ACRES

Diversion Means: DITCH.

NOTICE OF CLAIMS TO WATER RIGHTS

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

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 01/08 & 01/15/81.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 2, 1981

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales 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 JANUARY 26, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

January 6, 1981

RE: Claims to Water Rights Nos. 15-4066, 15-4067 and 15-4068

Samaria Water & Irrigation Company
c/o Deverl John, President
RFD
Malad, ID 83252

Dear Mr. John:

Attached herewith is Departmental Receipt No. 16130 in the amount of \$90.00 for the above referenced claims.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 28, 1981

SAMARIA WATER & IRRIGATION COMPANY
C/O DEVERL JOHN
RFD
MALAD ID 83252

RE: Claim No. 15-4066

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

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 15 4066 Applicant SAMARIA

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.

1/26

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date 1-20-1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Nourse Date 2/5/81