

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 MARK W. PETERSON

(Name of Claimant)

Route #1, Box 152, Malad, ID 83252

(Mailing Address)

Telephone No. 766-2669

(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) 5/01/1900

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)

Kents Canyon Springs tributary to Kents Canyon Stream

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

		(Both dates inclusive)			
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity <u>2.50 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To	<u>11/15</u>	
Quantity <u>1.50 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>1/1</u>	To	<u>12/31</u>	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	

- (4) 4.0 cfs TOTAL QUANTITY USED.

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

NE ¼ NW ¼, Sec. 24 Twp. 13S 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. Describe any changes in the system and give the date of the change. Ditch approximately $\frac{1}{4}$ mile long.

- (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]

No. of acres 40

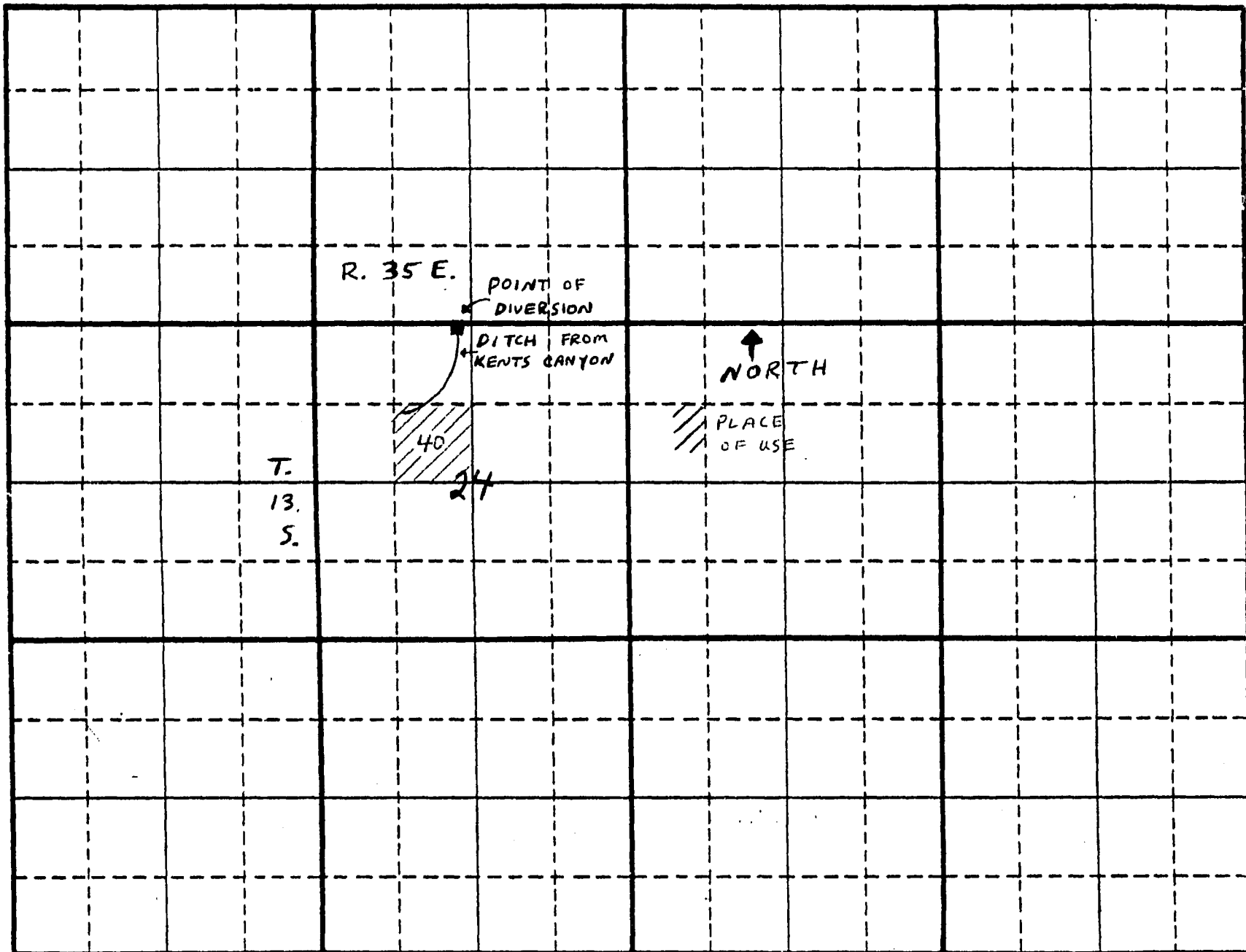
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

watering livestock

NOTE: Include here the type and number of stock watered: 50 cattle

- (7) If you are claiming water as a member of an organization, list name of organization: 1/3 ownership Helen Hill, 1/3 ownership James Madsen, 1/3 ownership Mark W. Peterson

(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 affiant's knowledge.

Sworn to before me this 23 day of December, 1980.

Mark W. Peterson
(Claimant)

James D. Friedman
Notary Public
Residing at 7700 N. 1st St.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by EMC Date 12-24-1980 Exception filed by:

Forwarded to

Prelim. check by

Date

claimant by:

Date

\$10.00 fee received by BPS Date 12/24/80 #10132

Published in Idaho Enterprise

Dates 1/8 & 1/15/81

2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, a published in the newspaper proper and not a supplement at 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

Fee \$63.87

Subscribed and sworn to before me this _____ day

of January 15, 1981

Will H. Williams
Notary Public, Residing at Malad, Idaho

My Commission Expires July 1, 1982, 1982

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

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)
from 01-01 to 12-31

Place of Use: SENW Sec 24 T 13S
R 35E FOR 40 ACRES

Diversion Means: DITCH

No. 15-4070

PETERSON, MARK W.
RT. 1, BOX 152, MALAD, ID
83252

Source: CO-OP HOLLOW
SPRINGS tributary to CO-OP
HOLLOW STREAM

Priority Date: 05-01-1900
Amount: 2.50 CFS

Diversion Point: NENE Sec 24 T
13S R 35E, ONEIDA Co.

Use: IRRIGATION (1.50 CFS)
from 03-15 to 11-15

STOCKWATER (1.00 CFS)
from 01-01 to 12-31

Place of Use: SENW Sec. 24 T
13S R 35E FOR 40 ACRES

Diversion Means: DITCH

Any exception to any claim of
water rights may be filed with
the Director of the Idaho Depart-
ment of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho
83401.

C. STEPHEN ALLRED

Director

Published 01-08 & 01-15-81

1-8-15 t2

Lines: 145



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

525-7161
150 Shoup
Idaho Falls, ID 83401

December 2, 1980

Mark W. Peterson
Route #1, Box 152
Malad, ID 83252

Dear Mr. Peterson:

I am returning your two claims and including two corrected claims. Please check the corrected claims over for any mistakes, complete the map, and have your signature witnessed by a notary public. I am also returning your Check No. 92-86/2679 in the amount of \$40.00. Please note that the fee per claim is \$30.00 as of July 1, 1980.

The map is an important part of the claim. I am including an instruction sheet to aid you in finishing the map. The map should include only the land where the water claimed is used, and not all the land you own. Be sure that the points of diversion from the springs and the ditches and pipelines are clearly marked. Do not include both sources on each map; draw only the source that is claimed.

Please contact me if you have any questions.

Sincerely,

JOHN KAPPELMAN, JR.
Water Resource Agent

MARK W. PETERSON OR WOODROW W. PETERSON ROUTE 1 766-2669 OR 766-2602 MALAD CITY, IDAHO 83252		2679
Pay to the order of <u>Idaho Dept of Water Resources</u>		92-86/1241
<u>reg and fee</u>		Dollars
 OF IDAHO MALAD CITY, IDAHO 83252 1 2 3 4 5 6 7 8 9 10 11 12		
1: 24 100860: 90 60282 411 <u>Woodrow W. Peterson</u>		



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

525-7151
150 Shoup
Idaho Falls, ID 83401

December 19, 1980

Mark W. Peterson
Route #1, Box 152
Malad, ID 83252

Dear Mr. Peterson:

I am once again returning your two claims. You did an excellent job drawing your maps. However, the points of diversion from the maps do not correspond with the written descriptions in part 5.

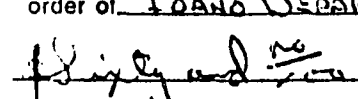
The point of diversion is the site at which water is removed from the natural water course. The point of diversion for Kents Canyon Springs appears to be in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, and the point of diversion for Co-op Hollow Springs appears to be in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24. I have corrected the written portions of the claims so that they correspond with your maps.

A claim is a notarized document and it is important that a corrected copy be filed. Please check the claims over for any mistakes and have your signature witnessed by a notary public. I am also returning your Check No. 92-86/2696 for \$60.00. Please resubmit the \$60.00 filing fee when you return the claims.

Please contact me if you have any questions.

Sincerely,


JOHN KAPPELMAN, JR.

MARK W. PETERSON OR WOODROW W. PETERSON ROUTE 1 766-2669 OR 766-2602 MALAD CITY, IDAHO 83252		2696 Dec 5 1980 92-86/1241
Pay to the order of <u>IDAHO DEPARTMENT WATER RESOURCES</u>		\$ <u>60.00</u>
  MALAD CITY, IDAHO 83252		Dollars
For <u>Mark W. Peterson</u>		
⑆ 124100860⑆ 90 60282 4⑈ Woodrow W. Peterson		

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)	from 01/01 to 12/31

Place of Use: SENW Sec 24 T 13S R 35E FOR 40 ACRES

Diversion Means: DITCH.

January 6, 1981

RE: Claims to Water Rights Nos. 15-4069 & 15-4070

Mark W. Peterson
Route #1, Box 152
Malad, ID 83252

Dear Mr. Peterson:

Attached herewith is Departmental Receipt No. 16132 in the amount of \$60.00
for the above referenced claims.

Sincerely,

KAY WALKER
Secretary

KW:k

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 28, 1981

MARK W. PETERSON
RT. 1 BOX 152
MALAD

ID 83252

RE: Claim No. 15-4069

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

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Skip

Right Number 15 4069 Applicant Peterson

NOTE: 15-4069 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 Maureen Date 2/5/81