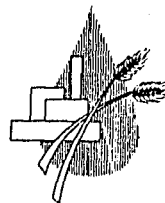


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Ryan D. Ward

(Name of Claimant)

525 N. 600 W., Malad, Idaho83252Telephone No. 766-4403

(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) Feb. 26, 1915

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)

Springtributary to Wright 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.10 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-1</u>	To <u>10-15</u>
Quantity <u>0.04 cfs</u>	Use <u>Stock</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 <u>0.14 cfs</u>	TOTAL QUANTITY USED.	Period of Use From _____	To _____

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

NW ¼ SE ¼, Sec. 8 Twp. 12S 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. Spring to pipeline to place of use.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	35E	8									5								5

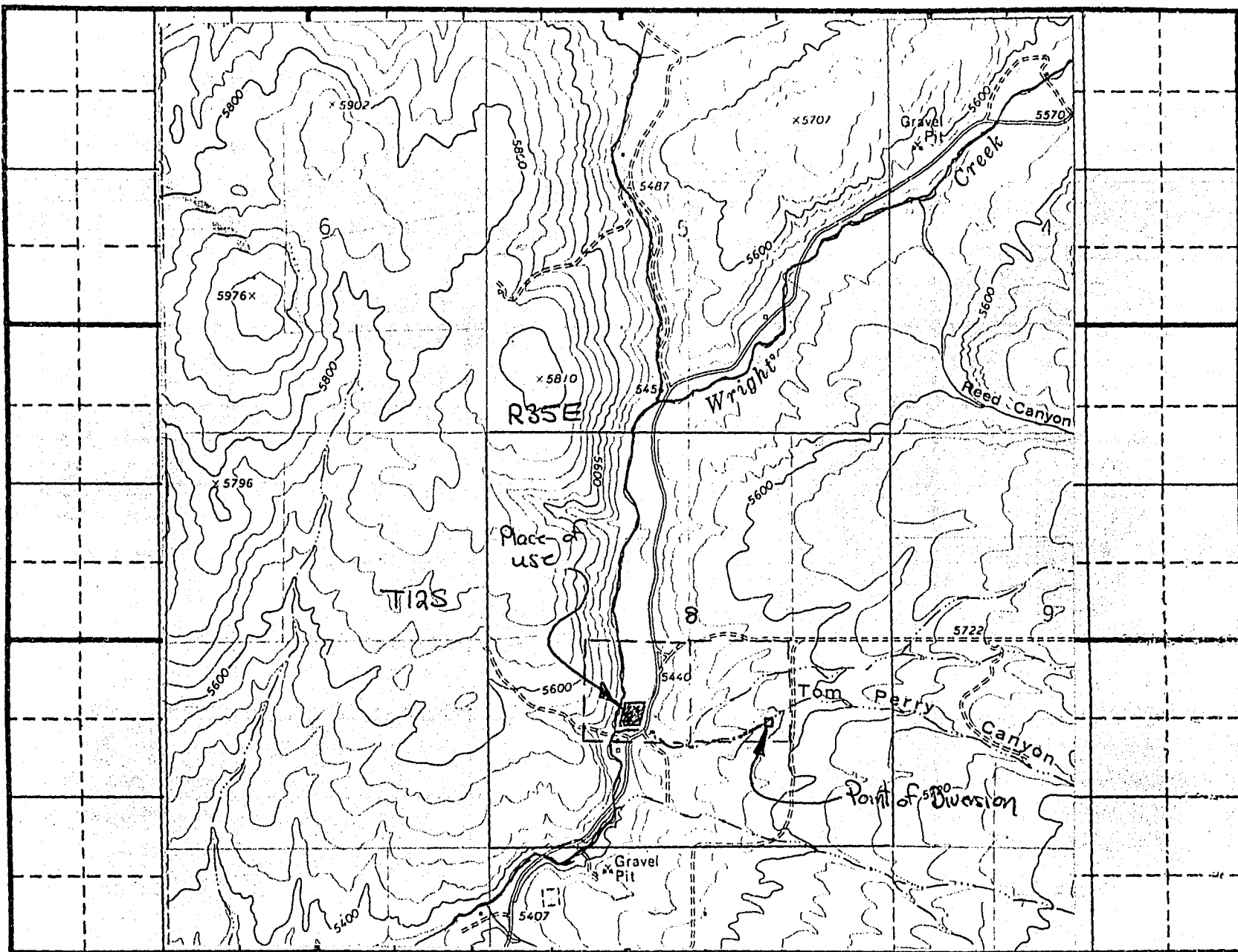
No. of acres 5

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

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

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

(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 15th day of March, 1983.

Kyan D. Ward
(Claimant)

Storia L. Herring
Notary Public
Residing at Malad, Idaho

My commission expires 5-14-86

FOR DEPARTMENT USE ONLY
Received by CW Date 3-16-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 3-18-83 claimant by: _____
\$30.00 fee received by CW Date 3-21-83 #25518
Published in Idaho Enterprise
Dates 3/31 - 4/7/83

12 0100

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Oneida } ss.

Helen Stark
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 March 30, 1983, and ending with the issue of April 6, 1983

Helen Stark
Fee \$20.80

Subscribed and sworn to before me this 6th day of April, 1983.

Barth Huxford
Notary Public, Residing at Malad, Idaho

My Commission Expires May 5, 1985

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

15-4139

THORPE, S. GRANT & or WILLIAM D. SAMARIA, IDAHO 83252
Source: THORPE SPRINGS trib. to MALAD RIVER
Priority Date: 04-01-1900
Diversion Pt: NESE Sec 14 T 15S R 35E
Use: IRRIGATION (2.00 CFS)
In: NESE Sec 14 T 15S R 35E FOR 23 ACRES

154140

WARD, RYAN D.
525 N. 600 W., MALAD, ID 83252
Source: SPRING trib. to WRIGHT CREEK
Priority Date: 02-26-1915
Diversion Pt: NWSE Sec 08 T 12S R 35E
Use: IRRIGATION (0.10 CFS)
STOCKWATER (0.04 CFS)
In: NESW Sec 08 T 12S R 35E FOR 5 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 3-30 & 4-6-83.

15-4140

WARD, RYAN D.

525 N. 600 W., MALAD, ID 83252

Source: SPRING trib. to WRIGHT CREEK

Priority Date: 02/26/1915

Diversion Pt: NWSE Sec 08 T 12S R 35E

Use: IRRIGATION	(0.10 CFS)
STOCKWATER	(0.04 CFS)

In: NESW Sec 08 T 12S R 35E FOR 5 ACRES

March 4, 1983

Ryan D. Ward
525 N. 600 W.
Malad, ID 83252

Dear Mr. Ward:

Enclosed is your claim to a water right and check #92-86 for \$30.00.

Initially, line 5 was not completed. Also, no map was constructed on the back as required. I have included a map and an instruction sheet for your use.

Please note also that Wright Creek is the watercourse running through section 8, rather than Dairy Creek. Please double check and if you need to make changes use the new claim form enclosed.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

March 11, 1983

Ryan D. Ward
525 N. 600 W.
Malad, ID 83252

Dear Mr. Ward:

I believe we are getting close to sorting this claim to a water right out. Enclosed is the claim you submitted and check #92-86 for \$30.00.

I've also enclosed a new claim form with ~~map~~ attached and points of diversion and place of use indicated. I took the locations from the air photo you sent me.

If you feel this new claim is incorrect in any way, call me first. If you feel everything is correct, sign and have it notarized and send it back with your fee of \$30.00.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 15 4140 Applicant Ward

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.
- ☐ Exceptions processed.

By Ernest Carlson Date April 27, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By JMS Date 5-2-83

April 18, 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 18, 1983

RYAN D. WARD
525 N. 600 W.
MALAD

ID 83252

RE: Claim No. 15-4140

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

RECEIVED

APR 29 1983

Department of Water Resources

IN THE MATTER OF:

Claim to a Water Right
No. 15-4140
RYAN D. WARD

AFFIDAVIT

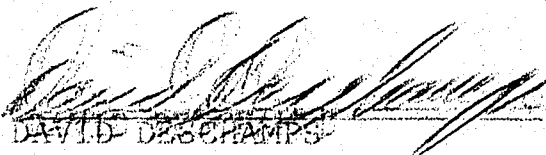
STATE OF IDAHO)
COUNTY OF ONEIDA) ss.

DAVID DESCHAMPS, being first duly sworn, deposes and says:

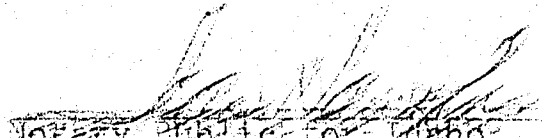
That he is the Secretary of the St. John Irrigating Company of Oneida County, Idaho, and makes this Affidavit for and in behalf of said Company.

That the claim of Ryan D. Ward, 525 North 600 West, Malad City, Idaho, 83252, No. 15-4140 is 0.10 c.f.s. water for irrigation use and 0.04 c.f.s. for stock water of a spring tributary to Wright Creek, is without right and wrongful in that St. John Irrigating Company is the rightful owner of all of the waters of Wrights Creek, a tributary of the Little Malad River, for irrigation purposes, with a priority dating back to 1894.

DATED this 10th day of April, 1983.


DAVID DESCHAMPS

SUBSCRIBED and SWORN to before me this 10th day of April, 1983.


Notary Public for Idaho
Residing at Malad City, Idaho

April 28, 1983

RE: Claim to a Water Right No. 15-4140

Ryan D. Ward
525 N. 600 W.
Malad, ID 83252

Dear Mr. Ward:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

April 28, 1983

RE: Claim to a Water Right No. 15-4140 WARD

David Deschamps, Sec.
St. John Irrigating Company
Malad, ID 83252

Dear Mr. Deschamps:

We have received the exception dated April 19, 1983, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: E.L. Scott, Attorney
IDWR - State Office

EDWARD L. SCOTT
ATTORNEY AT LAW
44 MAIN STREET
MALAD CITY, IDAHO 83252
TELEPHONE 766-4000

April 20, 1983

RECEIVED
APR 26 1983

Department of Water Resources
Eastern District Office

RECEIVED

MAY 2 1983

Department of Water Resources

State of Idaho
Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Please find enclosed Affidavit of the St. John Irrigating Company, David Deschamps, Secretary, filed in protest to the claim to a Water Right No. 15-4140 of Ryan D. Ward.

Please advise if anything further is necessary here.

Very truly yours,

E. L. Scott

E. L. Scott
Attorney at Law

ELS/jh

Enclosure