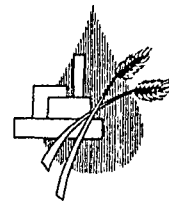


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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 Verlin or Ona T. Moon or Cordell L. or Maisie Williams  
(Name of Claimant)

RFD Box 90, Malad, ID 83252  
(Mailing Address)

Telephone No. 766-4736

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) Sept. 1, 1893

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)

Big Malad River and Little Malad River tributary to Bear River

- (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>28.8 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>3-1</u> | To <u>11-1</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) 28.8 cfs TOTAL QUANTITY USED.  
(cfs, af)

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

NE 1/4 SE 1/4, Sec. 18 Twp. 15S Rge. 36E 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 dam to ditch for flood 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 | 36E | 20   | 10    | 40    | 40    | 33    | 40    | 20    |       |       |       |       |       |       | 40    | 40    |       | 36    | 299   |
|     |     | 21   |       |       |       |       |       |       | 5     |       |       | 25    | 25    |       |       |       |       |       | 55    |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |     |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

No. of acres 354

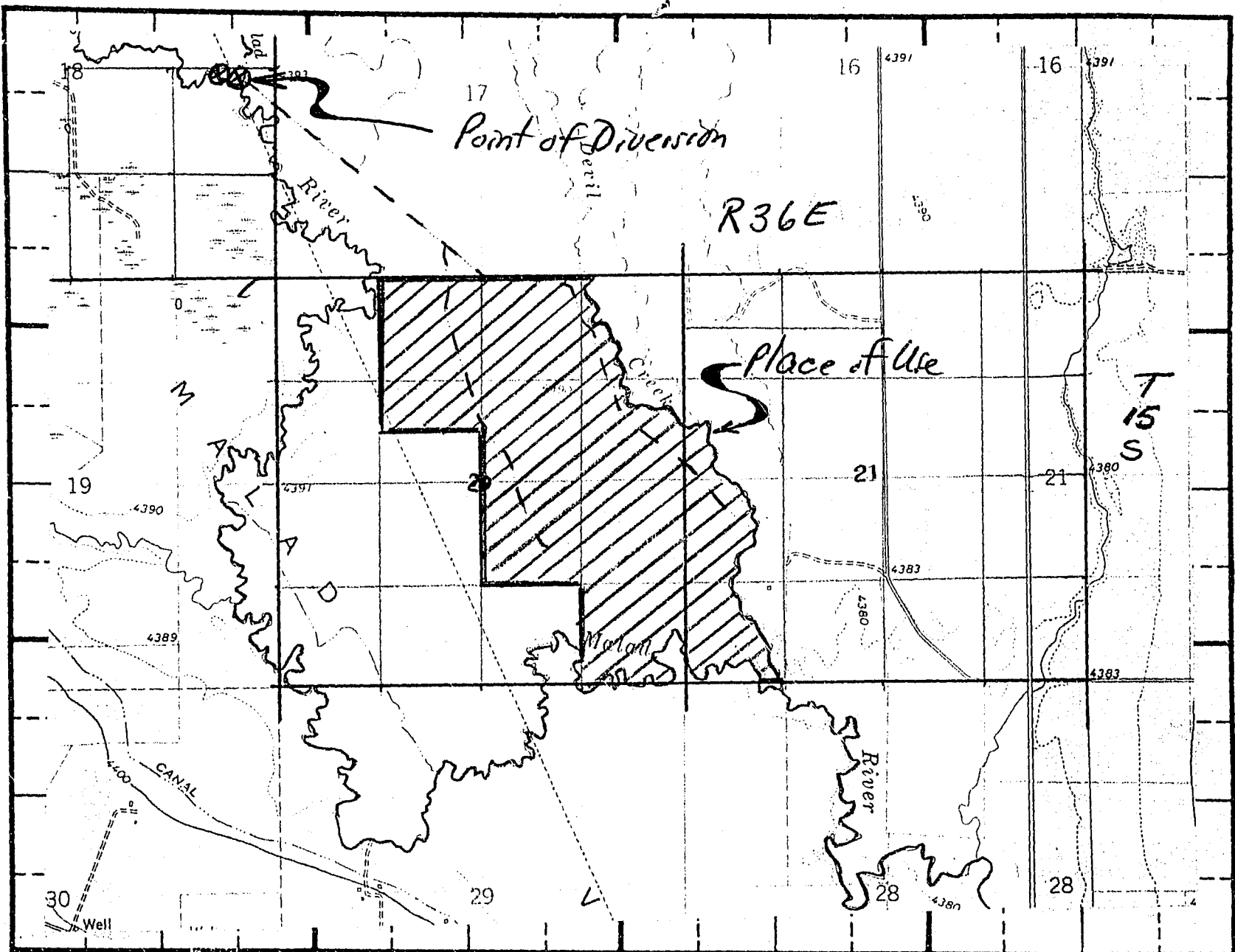
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_



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 Bonneville ) 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<sup>rd</sup> day of May, 1983.

Julian Brown  
(Claimant)

Notary Public  
Residing at Idaho Falls

My commission expires 6-15-85

Assisted By Kaw 5-23-83

FOR DEPARTMENT USE ONLY

Received by HWT

Date 5/24/83

Exception filed by:

Forwarded to

Date

Prelim. check by BP

Date 5-23-83

claimant by:

\$30.00 fee received by BP

Date 5-23-83

Published in Idaho Enterprise

Dates 6/2 & 6/9/83

# AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,

County of Oneida

ss.

JUN 15 1983

Department of Water Resources  
Eastern District Office

Jeri O. Daniels  
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

June 1, 1983, and ending

with the issue of June 8, 1983

Jeri O. Daniels

Fee \$ 39.00

Subscribed and sworn to before me this 15 day

of June, 1983.

Joan K. Hargrave  
Notary Public, Residing at Malad, Idaho

My Commission Expires Lifetime, 19    

## NOTICE OF CLAIMS TO WATER RIGHTS

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

15-4149

DESCHAMP BROTHERS  
RT. 1, BOX 139, MALAD, ID 83252  
Source: LITTLE MALAD RIVER trib. to MALAD RIVER  
Priority Date: 06-01-1894  
Diversion Pt: NWSE Sec 06 T 15S R 36E  
SWNE Sec 07 T 15S R 36E  
Use: IRRIGATION (5.76 CFS)  
IRRIGATION STORAGE (50.0 AF)  
IRRIGATION FROM STORAGE (50.0 AF)  
In: SWSE Sec 06 T 15S R 36E NWN  
SWNE SENE NESW NESE NWSI  
SESE Sec 07 T 15S R 36E FOR 28 ACRES

15-4151

MOON, VERLIN & O. ONA T.  
WILLIAMS, CORDELL L. & O.  
MAISIE  
RFD BOX 90, MALAD, ID 83252  
Source: BIG MALAD RIVER trib. to BEAR RIVER  
LITTLE MALAD RIVER trib. to BEAR RIVER  
Priority Date: 09-01-1893  
Diversion Pt: NESE Sec 18 T 15S R 36E  
Use: IRRIGATION (28.80 CFS)  
In: NENE NWNE SWNE SENE NENW  
NWNW NESE NWSE SESE Sec 20 T 15S R 36E SWNW NWSW SWSW Sec 21 T 15S R 36E FOR 354 ACRES

15-4150

DESCHAMP BROTHERS  
RT. 1, BOX 139, MALAD, ID 83252  
Source: GROUNDWATER  
Priority Date: 06-01-1907  
Diversion Pt: NWNE SENE, NESE SESE NESW Sec 07 T 15S R 36E  
Use: IRRIGATION (5.76 CFS)  
STOCKWATER (0.10 CFS)  
In: NWNE SWNE SENE NESW NESE NWSE SESE Sec 07 T 15S R 36E SWSE Sec 08 T 15S R 36E FOR 288 ACRES  
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.  
KEND DUNN, Dir.  
Published 6-1 & 6-8-83.

Sheet No. 4.

NOTICE OF WATER LOCATION.

Notice of Water Location :  
of : Big Malad River and  
Joseph Morse and John Jenkins : Little Malad River.  
-----

Date of Notice; September 1st 1893

Source of Water Supply; Big Malad and Little Malad Rivers.

Amount claimed; 1440 inches under 4 inch pressure.

Point of Diversion; Dam at the forks of the above rivers;

Ditch; 3 feet bottom; 7 feet top and 2 feet in depth.

Land on which Water is to be used; the homestead entry of  
John Jenkins, 3 miles east  
of Samaria.

Notice posted at point of diversion and witnessed by Hans A.  
Neilson.

Subscribed and sworn to before D. T. Davis, Justice of the  
Peace, Oneida County, Idaho.

-----  
Recorded, September 9th 1893 at 7-30 P.M. in Book "A" of  
Water Location at Page 302 of the Records of Oneida County,  
Idaho.

Sheet No 26

Instrument No 38956

DAVID W. JENKINS, A WIDOWER  
has Granted, bargained and sold  
and will warrant and defend;---

Grantors;

TO

WILLIAM J. WILLIAMS; R.F.D. No.2 ;----- Grantee;

WARRANTY DEED

Dated December 28th. 1920

Recorded February 7th. 1923 at 4-30 P.M. in Book "Sixteen" of  
Deeds at page 530 Records of Oneida County, Idaho.

Consideration; \$4100.00

Acknowledged December 28th. 1923 before J. F. Fredrickson; Notary  
Public for Idaho residing at Malad, Idaho SEAL of Notary Public  
attached.

-----  
Description and remarks;

The Northeast quarter of the Northwest quarter; the North  
Half of the Southeast quarter of the Northwest quarter; the South  
Half of the Northeast quarter and the North Half of the Southeast  
quarter of Section Twenty (20) in Township Fifteen (15) South  
Range Thirty-six (36) East of the Boise Meridian, in Idaho, con-  
taining 220.

Together with a full one-half interest in and to the "Morse  
and Jenkins Ditch" and a full one-half of all the waters that flows  
in said Ditch. And all dams and flumes; and Ditch rights of way;  
appurtenant to and belonging to said Morse and Jenkins Ditch.

\$4.50 in revenue stamps attached to document and duly cancelled.

Sheet No 5

Instrument No 22019 Continuation of 1-20-20

MARY W. JENKINS ( WIDOW) and Ann J. Thomas  
Anna Jenkins; Ruth Jenkins; Mary J. Evans  
Catherine Jenkins; John W. Jenkins; Sarah  
J. Jenkins, sole heirs of the estate of  
John Jenkins, deceased.-----

Grantors;

TO

WILLIAM J. WILLIAMS;---

Grantee;

WARRANTY DEED

Dated June 24th. 1912

Recorded August 12th. 1912 at 9-10 A.M. in Book "Twelve"  
of Deeds at page 3 records of Oneida County, Idaho  
Consideration; \$1000.00 Witnesses; Two

Acknowledged June 24th. 1912 before S. D. Davis; Notary Public  
for Oneida County, Idaho (SEAL) of Notary Public attached.

-----  
Description and remarks;

The South half of the Northeast quarter of Section  
Twenty (20) in Township Fifteen (15) South, Range Thirty-six  
(36) East of the Boise Meridian, containing 80 acres, together  
with all of the water right belonging to the parties of the  
first part in and to the waters of Big Malad River used upon  
the realty described herein and also all interest in canals  
and laterals.-----

THIS INDENTURE made this --28th day of December in the year of our Lord, one thousand nine hundred Twenty-Two, between David W. Jenkins, a widower

of Samaria, County of Oneida, State of Idaho, the part Y of the first part, and William J. Williams of Malad R.F.D. No. 2, County of Oneida, State of Idaho, the part Y of the second part.

Witnesseth: That the said parties of the first part, for and in consideration of the sum of Forty-One Hundred ;----- DOLLARS, lawful money of the United States of America, to him in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part Y of the second part, and to his heirs and assigns forever, all the following described real estate situated in Oneida County, State of Idaho, to wit:

The Northeast quarter of the Northwest quarter; the North Half of the Southeast quarter of the Northwest quarter; the South Half of the Northeast quarter and the North Half of the Southeast quarter of Section Twenty (20) in Township Fifteen (15) South, Range Thirty-Six (36) East of the Boise Meridian, in Idaho, containing 220 acres.

Together with a full one-half interest in and to the "Morse and Jenkins Ditch" and a full one-half of all the waters that flows in said ditch.-----  
And all dams and flumes; and ditch rights of way; appurtenant to and belonging to said Morse and Jenkins Ditch.-----



Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estates, right, title and interest in and to the said property, as well in law as in equity, of the said part Y of the first part.

To have and to hold all and singular the above mentioned and described premises together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever. And the said part Y of the first part, and his heirs, the said premises in a quiet and peaceable

15-4151-

MOON, VERLIN &/or ONA T.  
WILLIAMS, CORDELL L. &/or MAISIE

RFD BOX 90, MALAD, ID 83252

Source: BIG MALAD RIVER trib. to BEAR RIVER  
LITTLE MALAD RIVER trib. to BEAR RIVER

Priority Date: 09/01/1893

Diversion Pt: NESE Sec 18 T 155 R 36E

Use: IRRIGATION (28.80 CFS)

In: NENE NUNE SWNE SENE NENW NWNW NESE NWSE SESE Sec 20 T 155 R 36E SWNW NWSW  
SWSW Sec 21 T 155 R 36E FOR 354 ACRES

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

Right Number 15 4151 Applicant Moon-Williams

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.

June 20, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 24, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 7/12/83

RECEIVED  
JUL 12 1983  
Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JUNE 20, 1983

VERLIN MOON  
ONA T. MOON  
CORDELL L. WILLIAMS  
MAISIE WILLIAMS  
RFD BOX 90  
MALAD

ID 83252

RE: Claim No. 15-4151

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