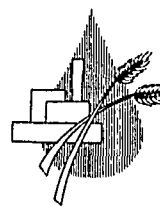


JUN 16 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern District Office

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 City of Malad

(Name of Claimant)

59 Bannock St. Malad, ID83252

(Mailing Address)

Telephone No. 766-4160

(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) September, 1910

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)

Spring tributary to Deep 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>8cfs</u>	Use <u>Municipal</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
Quantity		Use	Period of Use From	To

- (4) 8cfs TOTAL QUANTITY USED.

(cfs, af)

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

NW ¼ NE ¼, Sec. 10 Twp. 14S 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. Collection box at springs. 12 inch pipe to reservoir supplying Malad City, Idaho.

- (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.

CITY OF MALAD

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

No. of acres

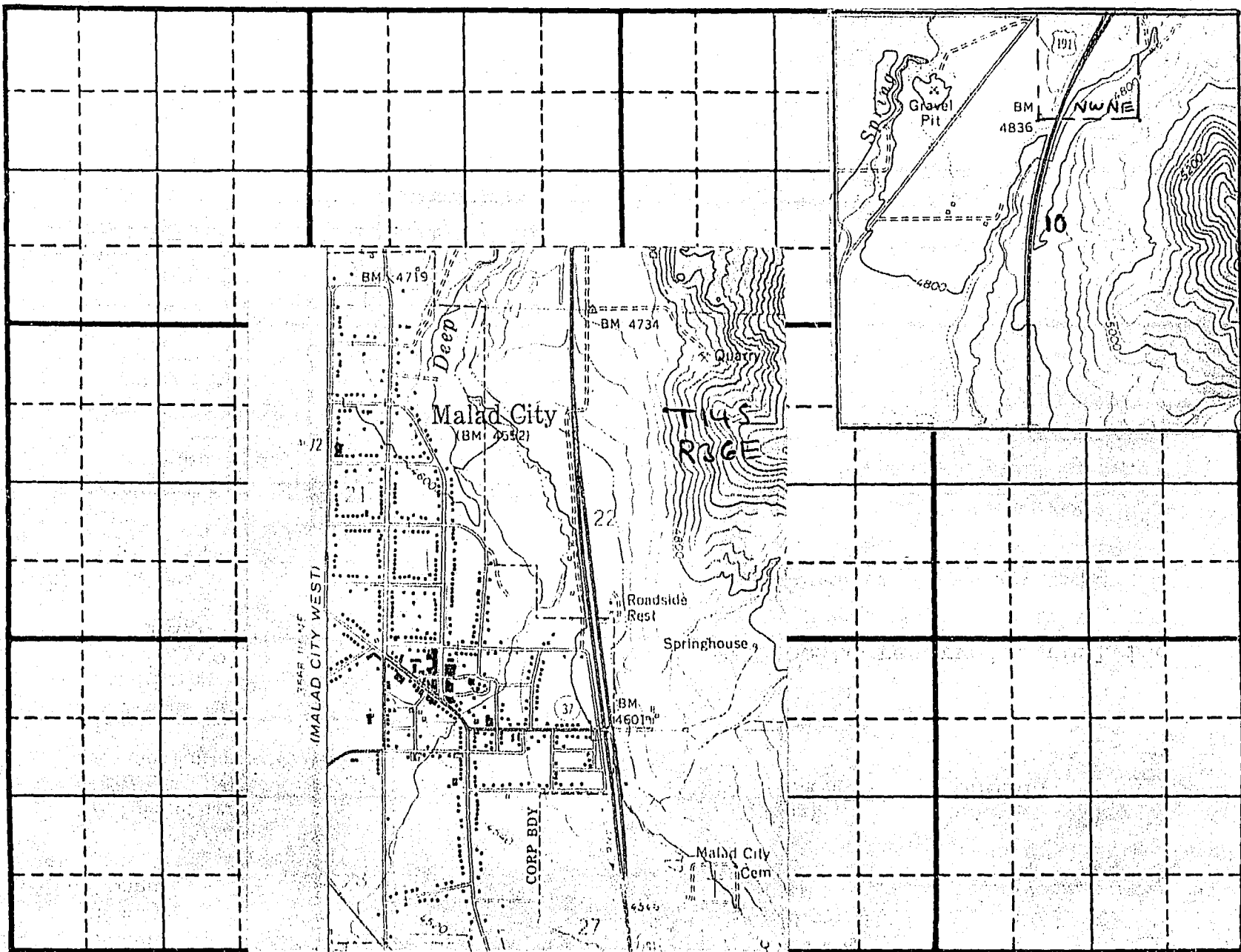
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Municipal

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:

Malad City, ID

(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 Owyhee) 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 13th day of June, 19 83.

Arthur Thomas
(Claimant)

Laura E. Crowder
Notary Public
Residing at Malad, Idaho

My commission expires 6-15-83

FOR DEPARTMENT USE ONLY

Received by CW Date 6-16-83 Exception filed by: _____ Date _____
Prelim. check by HWS Date 6-20-83 Forwarded to claimant by: _____
\$30.00 fee received by CW Date 6-20-83 #30955
Published in Idaho Enterprise
Dates 7/28 - 8/4/83

12 6100

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Teri L. 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 August 31, 1983, and ending with the issue of Sept. 7, 1983

Teri L. Daniels

Fee \$ 10.40

Subscribed and sworn to before me this 27th day of September, 1983.

Elizabeth Moya
Notary Public, Residing at Malad, Idaho

My Commission Expires 5-14-86, 1983

RECEIVED

SEP 28 1983

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 15-4166 in the name of City of Malad was advertised incorrectly on 7-27 & 8-3-83. The place of use was omitted.

WHEREAS, the actual place of use is within the city limits of Malad.

Any exception to any claim to a water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

Published in the Idaho Enterprise on 8-31 & 9-7-83.

Nº 445

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Jeri R. 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 July 27, 1983, and ending with the issue of August 3, 1983.

Jeri R. Daniels

Fee \$ 18.20

Subscribed and sworn to before me this 5th day of August, 1983.

Ken Dunn
Notary Public, Residing at Malad, Idaho

My Commission Expires Lifetime, 19

RECEIVED

AUG 9 1983

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS Following claim(s) have been created by water right(s) created by on and beneficial use: 15-4165 OF MALAD, MALAD, ID 83252 NOCK ST., MALAD, ID 83252 SPRING trib. to DEEP EK Date: 12-01-1908 Pt. NENE Sec 23 T 14S R 36E RIGATION (0.11 CFS) OCKWATER (0.11 CFS) ENE NESE Sec 27 T 14S R 36E	FOR AGENTS CITY OF MALAD 59 BANNOCK ST. MALAD, ID 83252 Source: SPRING trib. to DEEP CREEK Priority Date: 09-01-1910 Division Pt. NWNE Sec 10 T 14S R 36E Use: MUNICIPAL (8.00 CFS) 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 7-27 & 8-3-83.
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15-4166-

CITY OF MALAD

59 BANNOCK ST., MALAD, ID 83252

Source: SPRING trib. to DEEP CREEK

Priority Date: 09/01/1910

Diversion Pt: NINE Sec 10 T 14S R 36E

Use: MUNICIPAL (8.00 CFS)

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 15-4166 in the name of City of Malad was advertised incorrectly on 7/27 & 8/3/83. The place of use was omitted.

WHEREAS, the actual place of use is within the city limits of Malad.

Any exception to any claim to a water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Idaho Enterprise on 9/1 & 9/8/83.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 15 4166 Applicant City of Malad

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 Oct 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DPR Date 11/1/83

RECEIVED

OCT 17 1983

Department of Water Resources

CW



John V. Evans
Governor

A. Kenneth Dunn
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

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

September 20, 1983

RE: Notice of Correction No. 15-4166 CITY OF MALAD

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on September 1 and 8, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 15, 1983

CITY OF MALAD
59 BANNOCK ST.
MALAD

ID 83252

RE: Claim No. 15-4166

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