

26 25
35 36

25 30

SEC. 36

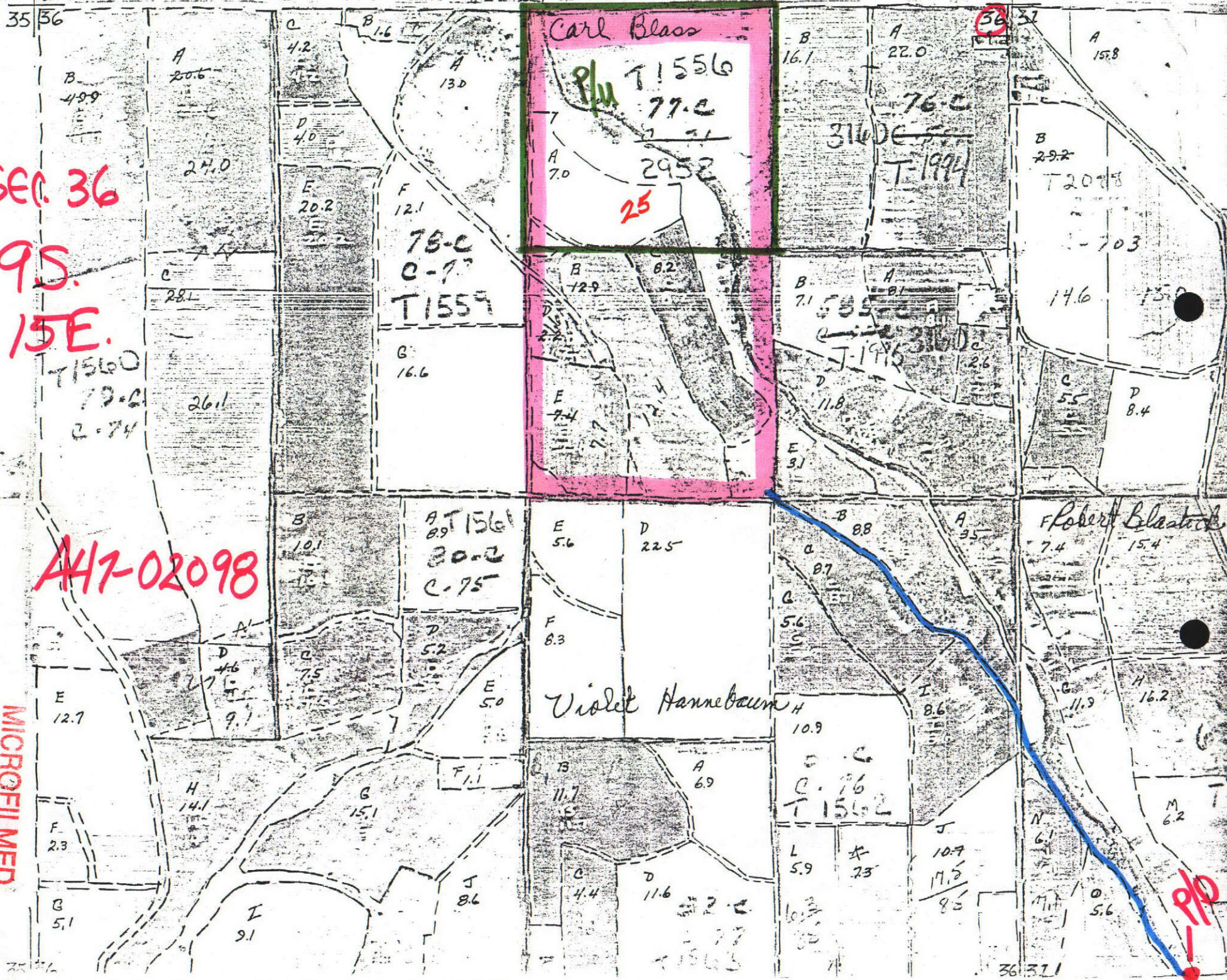
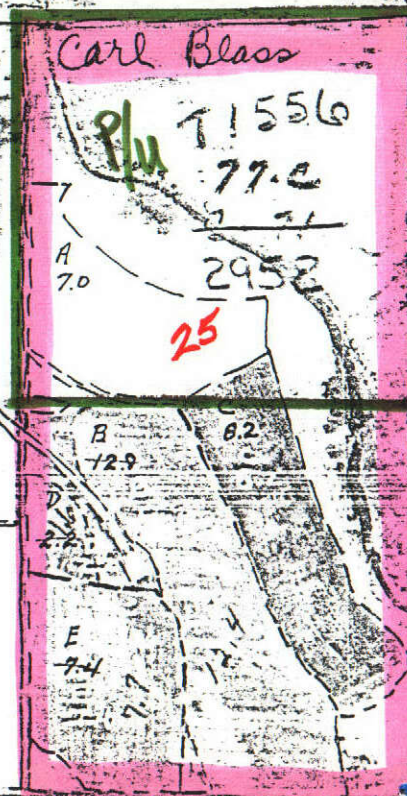
9S.

15E.

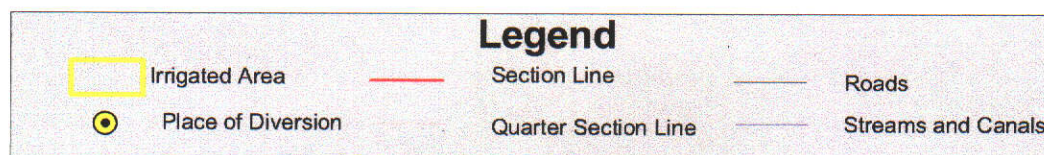
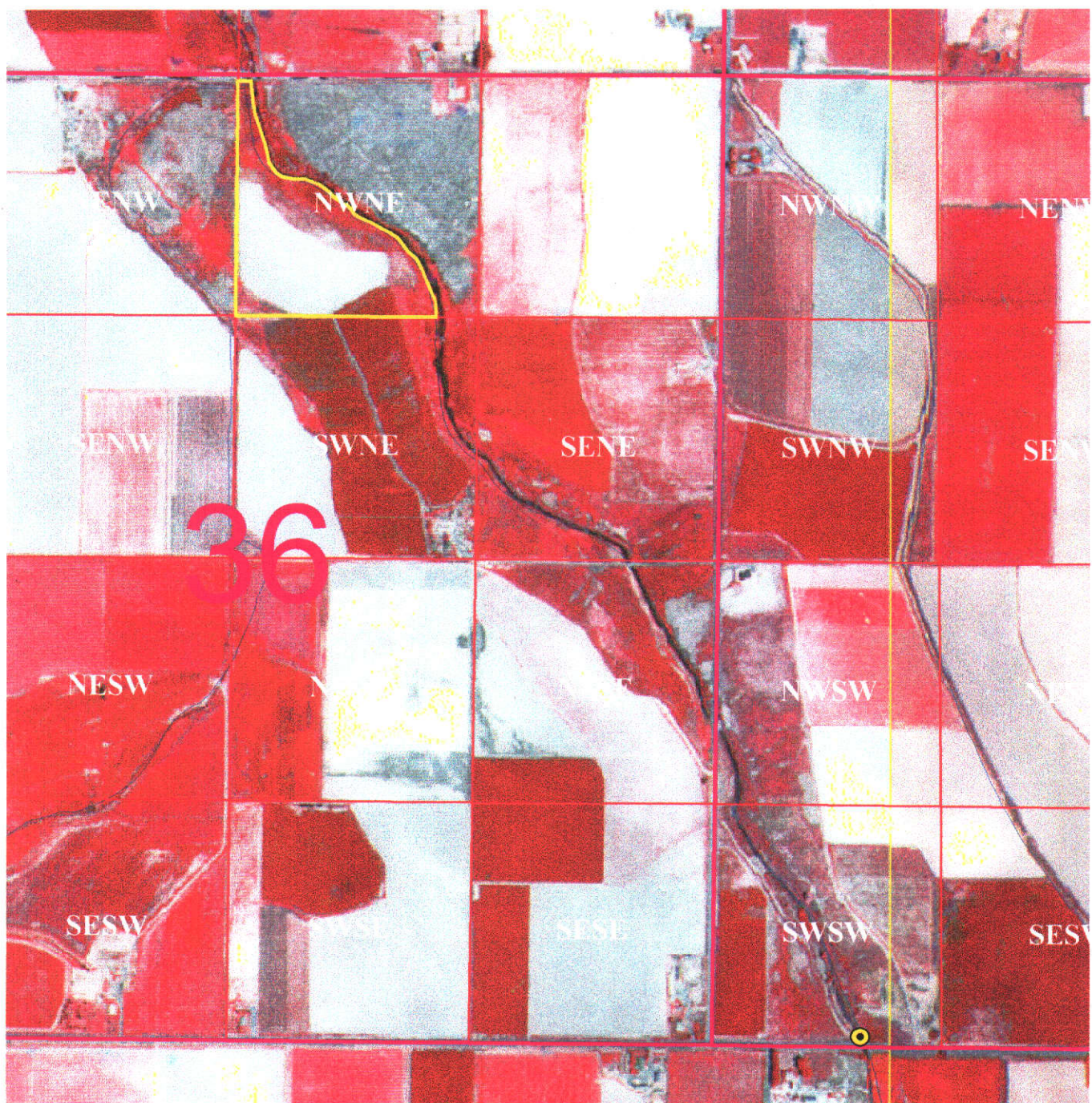
A47-02098

MAR 11 1993

MICROFILMED



01/09/2001



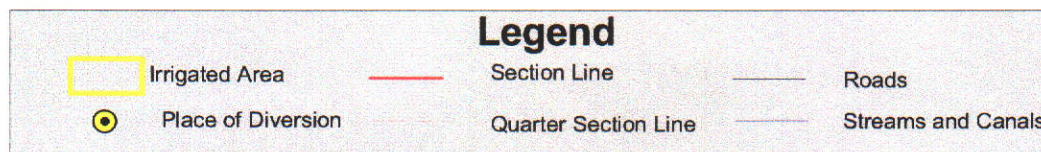
600 0 600 1200 Feet



**SPATIAL
DYNAMICS**

Water Right Claim Number 47-02098
Township , 9S15E

01/09/2001



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-02098
Date Received: 9/19/1988
Receipt No: S002298
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL H. BLASS 208-326-4803
Address: RT. 1
FILER, ID 83328
OR
Name: RUTH BLASS 208-326-4803
Address: RT. 1
FILER, ID 83328
2. Date of Priority: JUN 23, 1915
3. Source: CEDAR CREEK Trib. to: SALMON FALLS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	16E	31	SE	SW	SW		TWIN FALLS
5. Description of diverting works:
HEADGATE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 75.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A47-02098

Page 1

Date: 09/19/88

MICROFILMED
MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	36	NW	NE		IRR	25.0
Section Acres							25.0
Total Acres							25.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-02097

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 11429

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ruth Bloss Date: 9-19-88

Date: _____

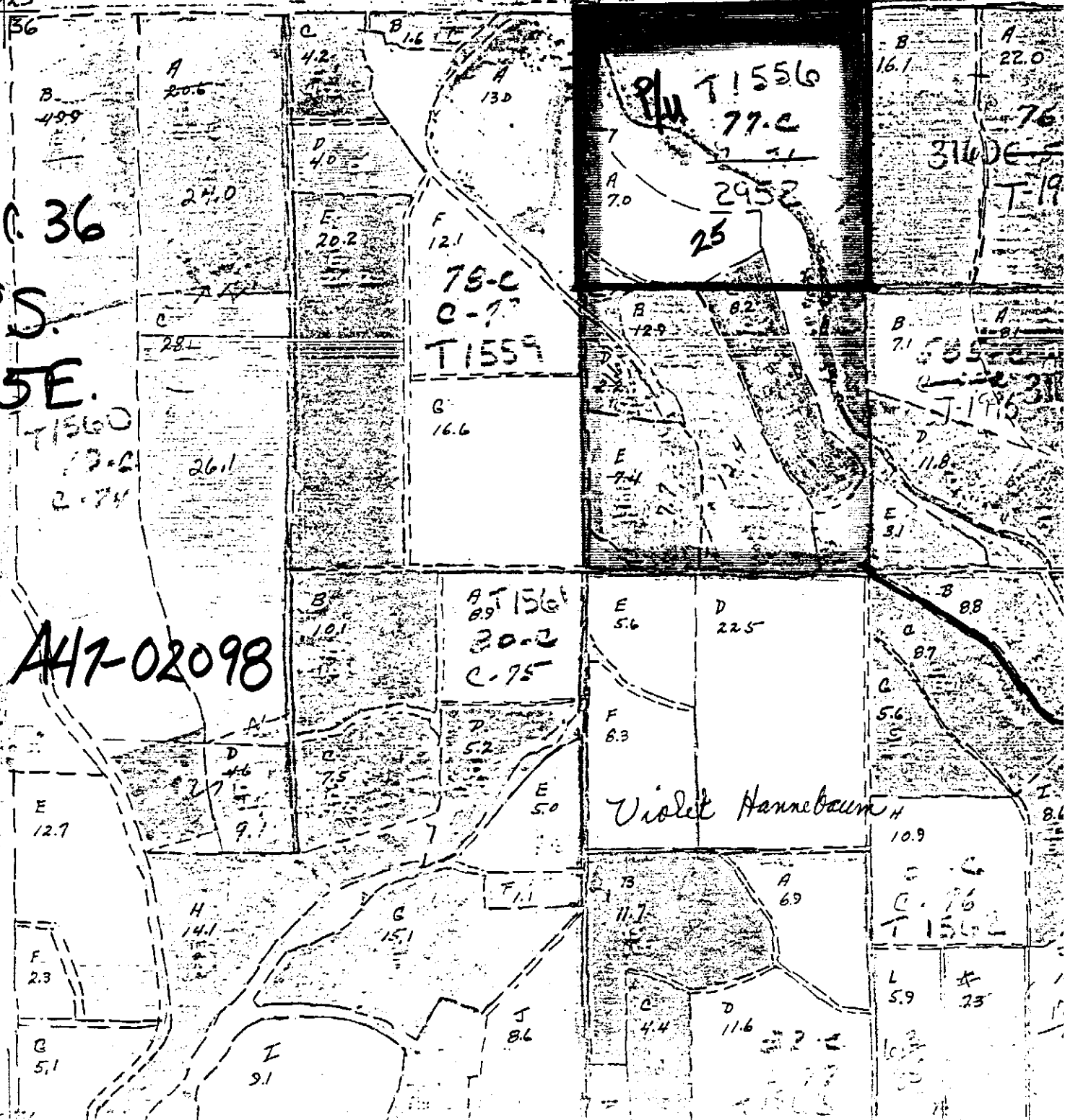
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE June 8, 1995 4:48pm **CUSTOMER** BOB BLASS

SUBJECT: AMENDED CLAIMS A47-02097, A47-02098
phone call (.) walk-in (X)

He came in to amend the source and tributary on these two claims which listed 'Cedar Creek tributary to Salmon Falls Creek' and should have read 'Cedar Draw tributary to Snake River'. I changed the claims and sent him with Amended claim forms to take to his father to sign and have notarized. When he brings them back, I will update our records permanently.

Log for claim 47-02098

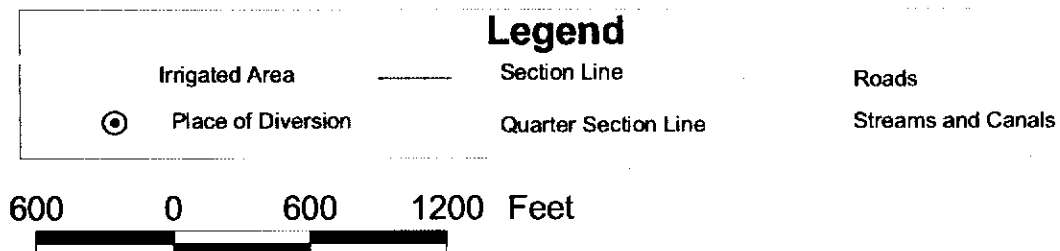
Spatial Dynamics BTD

1/9/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s15e	36	NWNE	25	16	
Totals:			25	16	

Water Right Claim Number 47-02098
Township , 9S15E

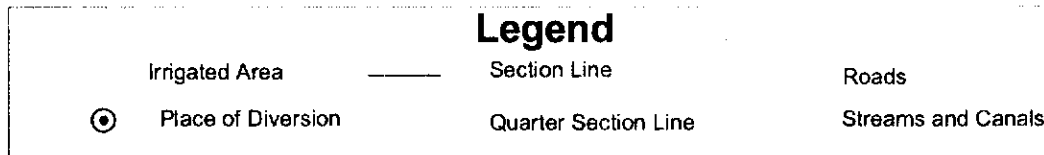
01/09/2001



SPATIAL
DYNAMICS

Water Right Claim Number 47-02098
Township , 9S15E

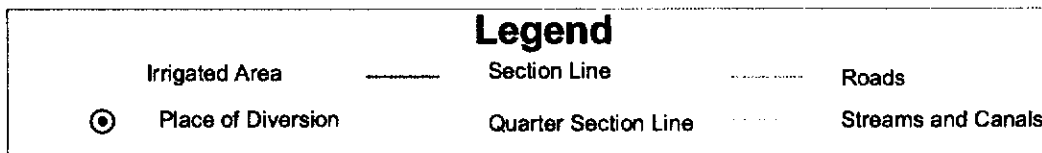
01/09/2001



SPATIAL
DYNAMICS

Water Right Claim Number 47-02098
Township , 9S15E

01/09/2001



**SPATIAL
DYNAMICS**

AJ5809NP
No. A47-02098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE
PAGE

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIV VO
C	CARL H BLASS	06/23/1915	IRRIGATION	03-15 11-15	0.500 CFS	
C	RUTH BLASS					
	RT 1					
	FILER ID 83328			TOTAL DIVERSION:	0.500 CFS	
	(208) 326-4803			CONSUMPTIVE USE:		

Water Source: CEDAR CREEK

Tributary to: SALMON FALLS CREEK

Stage: LICENS

Point(s) of Diversion:

T09S R16E S31

SESWSW

TWIN FALLS Cou

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
		NENE	NWNE	SWNE	SENE	:		NENW	NWNW	SWNW	SENW	:		NESW	NWSW	SWSW	SESW	:		NESE	NWSE	SWSE	SESE			
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac
09S	15E	36	:										:							:						
			:		25								:							:						
																								TOTAL ACRES		

POU County: TWIN FALLS

Other Rights: A47-02097

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-10839 A47-02097 A47-04376 A47-10839

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020920

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 47C Field Inspection Flag:
Presumption Flag:

Audit: 09/19/88 CLELLAND 03/30/95 POST-STD 06/08/95 JROBERTS

County: Twin Falls.
 Stream: Cedar Creek.
 Amount: $\frac{1}{2}$ of 1 sec. ft.
 Use: Irrigation.
 Priority: 6-23-15.
 District No. 46

STATE OF IDAHO

Water License No. 11429
 Water District No. 46.

WHEREAS, On the 23d day of June, A. D. 1915, John Hlavaty,

of Filer, County of Twin Falls, State of Idaho, duly made application (No. 16566) to me for a permit to use one (1) cubic foot per second of the waters of Cedar Creek, in Water District No. 46, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 30th day of July, A. D. 1915 Permit No. 11429 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 30th day of January, A. D. 1916, and for the application to beneficial use of said water on or before the 30th day of January, A. D. 1917, and,

WHEREAS, On the 22d day of May, A. D. 1916, John Hlavaty

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 11429 dated June 2, 1916 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of June 23, 1915, and

WHEREAS, On the 23d day of October, A. D. 1915, John Hlavaty

the holder of said permit, duly made proof of the application to beneficial use of $\frac{1}{2}$ of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

John Hlavaty

of Filer, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 11429, a perpetual right, dating from June 23, 1915 to the use of $\frac{1}{2}$ of 1 cubic foot per second of the waters of Cedar Creek,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 9 S., R. 16 E., B. M.,

and conducted to and upon 25 acres of land in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 9 S., R. 15 E., B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office at Boise, Idaho, this 29th day of December, A. D. nineteen hundred and seventeen.

J. H. SMITH,

State Engineer.

(Seal)

No. 16566.

47-2098

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John Hlavaty.

Postoffice address: Filer

County: Twin Falls State: Idaho

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is one cubic feet per second.

3. Source of water supply: Cedar Creek,

4. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9 S., R. 16 E.B.M.

County of Twin Falls,

5. To be used for: Domestic and Irrigation

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80 acres.

(b) In the following legal subdivisions: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 9 S. R. 15 E.B.M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Ditch, dam and headgate

II. Dimensions of works:

(a) Height of dam 1 feet, length of dam at top 20 feet,

length of dam at bottom 20 feet. Material used in construction: Rock

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 2 feet,

Height 1/2 feet. (d) Conduit ditch width at bottom 2 feet,

width at water line 2 feet, depth of water 3/4 feet; diameter of pipe

inches; average grade per mile is 10 feet. Length of conduit is 1 1/2 miles,
and it crosses the following quarter sections: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9-16 - SE $\frac{1}{4}$ Sec. 36,
SW $\frac{1}{4}$ Sec. 36, and NW $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 36, T. 9 R. 15 E.B.M.

8. The time required for the completion of the construction of such work is 2 months years.

9. Time required for the complete application of the water to the proposed use is 1 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

John Hlavaty.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. June 23, 1915.

Returned to applicant for correction June 30, 1915

Corrected application received July 8, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11429

Recorded in Book 39 Page 11429 Approved July 30, 1915.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before September 28th, 1915 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before October 30, 1915.

The whole of said work to be completed on or before January 30, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 30, 1917.

Witness my hand this 30th day of July, 1915.

J.H. Smith.

State Engineer.

Remarks:

Proof of Completion of Works made May 22nd, 1916.

Certificate of Completion issued June 2nd, 1916.

PERMIT NO. 11429.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that John Hlavaty of Buhl, County of Twin Falls, State of Idaho, the holder of permit No. 11429, issued upon application 16566, bearing date of priority of June 23, 1915, authorizing the diversion of one (1) second foot of the waters of Cedar Creek, County of Twin Falls, State of Idaho for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use one (1) second foot of the waters of Cedar Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31, T. 9 S., R. 16 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Township 9 S., R16, E.B.M., containing 80 acres.

Witness my hand this 2nd day of June A.D. 1916.

J.H. SMITH, State Engineer of the State

License issued for 1/2 of 1 second foot

Page 2218

STATE OF IDAHO

Water License No. 11429.
Water District No. 46.

WHEREAS, on the 23d day of June A. D. 1915,
John Hlavaty,

of Filer, County of Twin Falls, State of Idaho,
duly made application (No. 16566) to me for a permit to use one (1) cubic foot per
second of the waters of Cedar Creek, in Water District No. 46.

County of Twin Falls, State of Idaho, for irrigation and domestic
purposes, and

WHEREAS, On the 30th day of July A. D. 1915,
Permit No. 11429 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 30th day of
January A. D. 1916 and for the application to beneficial use of said water on
or before the 30th day of January A. D. 1917,
and,

WHEREAS, On the 22d day of May A. D. 1916,
John Hlavaty

the holder of said permit duly made proof of the completion of adequate works for the diversion of
one (1) cubic foot per second of said waters, as evidenced by
my Certificate No. 11429 dated June 2, 1916 confirming the completion of
works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic
foot per second of said water.

with date of priority of June 23, 1915 and,

WHEREAS, On the 23d day of October A. D. 1915,
John Hlavaty

the holder of said permit duly made proof of the application to beneficial use of 1
cubic foot per second of said water:

11429

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to John Hlavaty of Filer County of Twin Falls State of Idaho the holder and owner of said Permit No. 11429 a perpetual right, dating from June 23, 1915 to the use of 1/2 of 1 cubic foot per second of the waters of Cedar Creek,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW 1/4, Sec. 31, T. 9 S., R. 16 E., B. M.,

and conducted to and upon 25 acres of land in NW 1/4 NE 1/4, Sec. 36, T. 9 S., R. 1 E., B. M.,

for the purpose of irrigation and domestic use,

subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 29th day of December A. D. Nineteen hundred and seventeen.

J. H. [Signature]
State Engineer.

11429

Water District No. 45.

STATE OF IDAHO

Water License No. 11429.

To John Hlavaty,

Filer, Idaho

Source of Supply Cedar Creek.

Twin Falls County

Am't 1/2 of 1 Sec. Feet

Point of Diversion SW 1/4 SW 1/4, Sec. 31,

T. 9 S., R. 16 E., B. M.

Place of Use NW 1/4 NE 1/4, Sec. 36,

T. 9 S., R. 15 E., B. M.

Purpose Irrigation.

Date of Priority June 23, 1915.

Recorded December 29, 1917.

in Book 5 of W. L. Page 2218

CAPITAL NEWS PUBLISHING CO. - BOISE

REPORT OF ENGINEER

1. State name of applicant and number of permit: John Hlavaty - Permit 11429
 2. State source of water supply: Cedar Creek
 3. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 9S., R16E. B.M.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: -----
 5. Describe works as they exist, giving dimensions and capacities of same: -----
A pile of loose rock for a diversion dam.
Wooden headgate.
Earth ditch 2 ft. by 1.5 ft. with a very heavy grade.
Ditch somewhat out of repair at this date due to overflow water
from Cedar draw exceeding the capacity of ditch. Otherwise a good
ditch with ample capacity for the land irrigated.
 6. State whether or not water has been turned into works of diversion: -----
Yes.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): -----
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 9S., R15E. B.M. 25 acres.
 8. Submit map on enclosed plat, showing location and details of above description.
- Remarks: Cedar draw carried a very large stream (approx. 75 sec. ft.)
on the date of this examination.
No information was obtained as to the usual flow.
The same ditch is used by Abel C. McKinley - Permit 11307.

This examination was made on the 16 day of Oct. 1917.

(Signed) M. R. Lewis Examiner

(This report must be sworn to when not made by an attaché of the State Engineer's office)

STATE OF IDAHO

County of _____

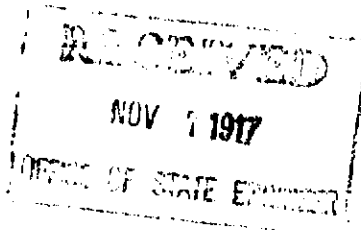
} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191____

My Commission Expires _____

Notary Public.



John Hlavaty, Engr.

Dist. No. 46.

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

