

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn

on oath, states:

she principal clerk of the printer
That..... is the.....

of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for..... 2
successive weekly issues thereof, the date of the first publica-

tion being the 26th day of March, 1970
the date of last publication being the

2nd day of April, 1970

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

10 day of APRIL, 1970

Robert D. Gentry
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) day of 19.....
Notary Public
My Commission Expires
Aug. 20, 1973

LEGAL NOTICE

Published in The Power County Press, March 26, and April 2, 1970.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Beda Schatz, % Schatz Brothers Route #1, American Falls, Idaho has received an approved permit No. G-32384/35-2778 issued by the Idaho State Reclamation Department authorizing the diversion of 5.6 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is May 26, 1965 and the permit was approved June 4, 1965. Water is to be diverted by well, pump and sprinkler from a point within the SW1/4 NW 1/4, Sec. 33, T. 7S, R. 29 E.B.M., Power County, to be used for irrigation in the SW 1/4 SW1/4, Sec. 28; W1/2NW1/4 Sec. 33; NE1/4, Sec. 32, T. 7 S, R. 29 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before June 4, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

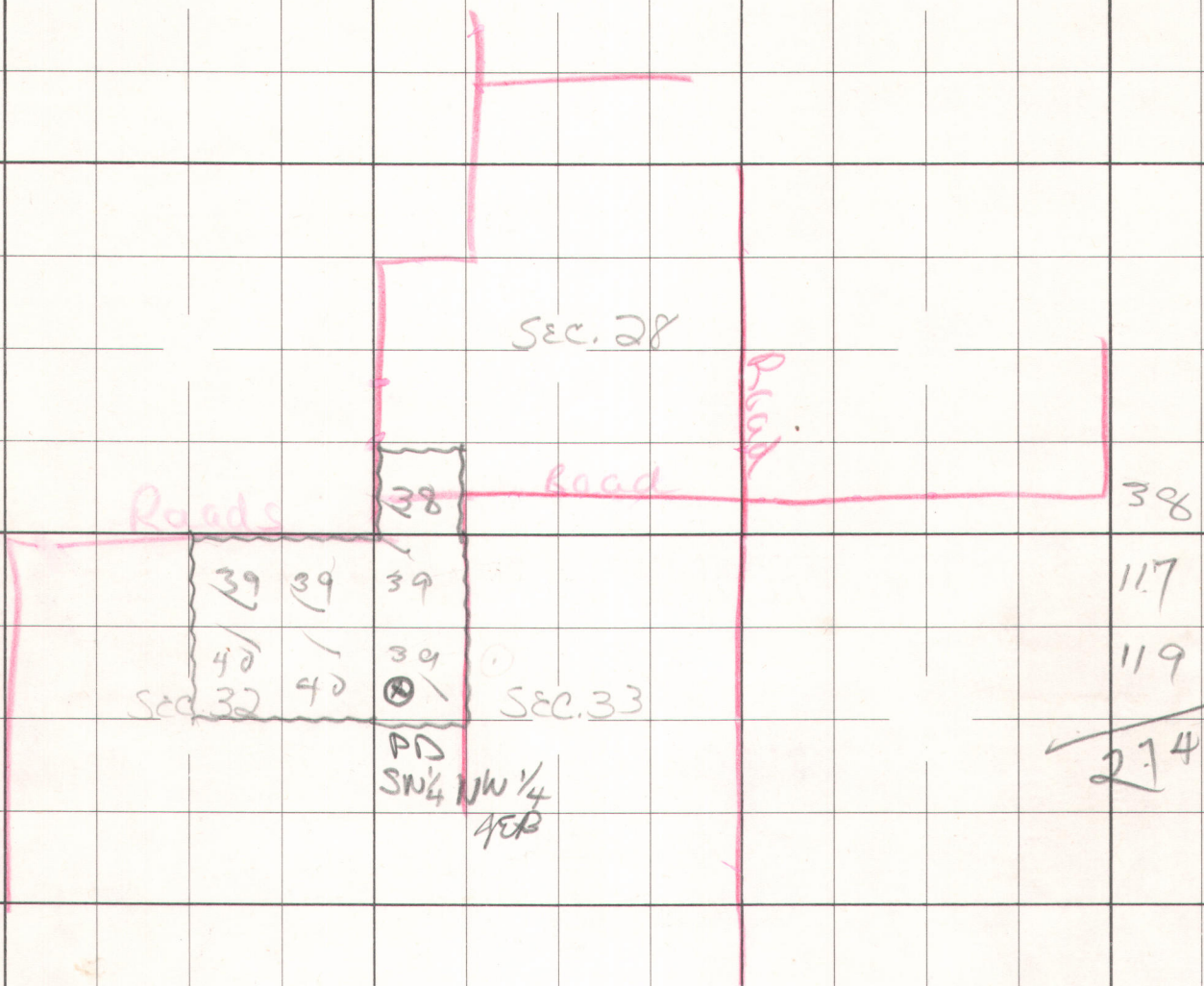
R. KEITH HIGGINSON
State Reclamation Engineer

35 2778

Department of Reclamation

OK
4-11-70

T. 7 S



A = 274 acres

Q = 4.3 CFS

V = 959 ac ft/sec

35 2778

RGE. 29

5-7

19 20
30 29

20 21
29 28

A
217.3

TWP. 7

B
37.4

C
37.3

B
78.0

A
78.3

30 29
31 32

29 28

SW $\frac{1}{4}$ SW $\frac{1}{4}$
52.8

A-282

A
152.5

W $\frac{1}{2}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ E
109.8

A
31.9

B
147.8

A-234

G
106.5

A-243

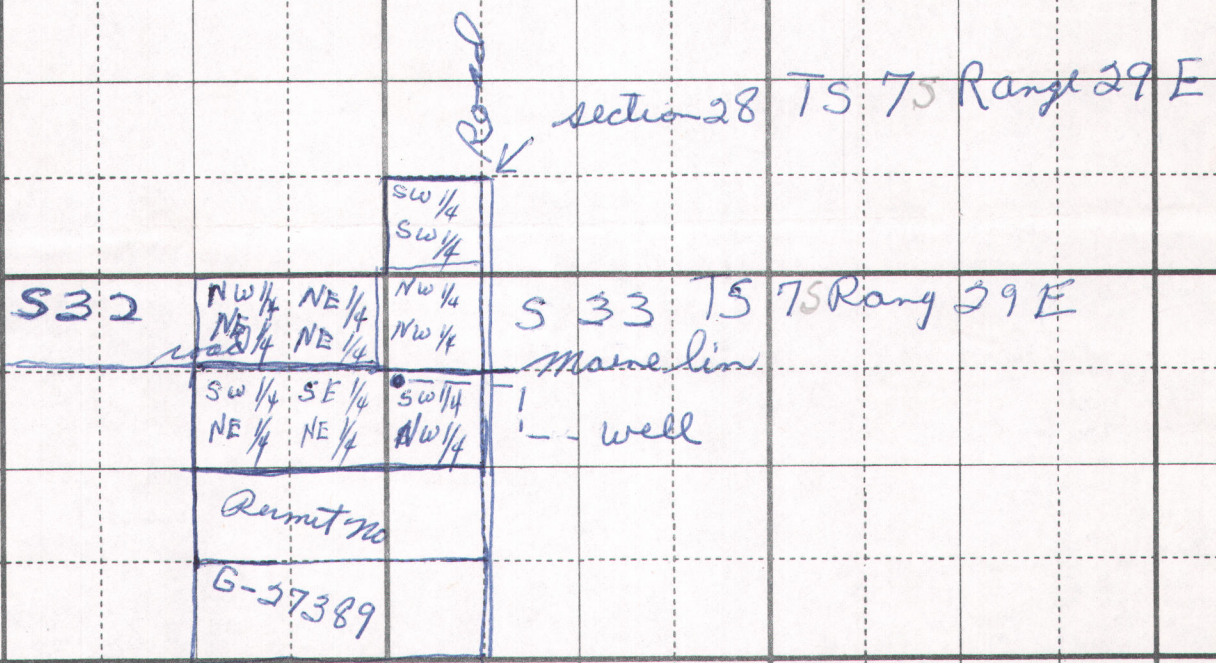
D
46.5

31 32
6.5

32 30 35 2778
5 4

NAME OF APPLICANT Mrs. Bida Schatz

Form No. 0



Permit Map No. 32384
As Approved
CARL E. TAPPAN
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32384/35-2778 Priority May 26, 1965 Amount 4.30 cfs

THIS IS TO CERTIFY, that BEDA SCHATZ
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 32384/35-2778 issued pursuant to Application for Permit dated May 26, 1965,
and has submitted proof to the Department of Water Administration on March 13, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.30 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 4.30 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.30 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp. 7 S, Rge. 29 E, B.M.

in the county of Power; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 959 acre feet per year or _____
3.5 acre feet per acre.

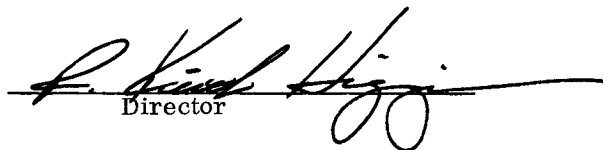
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	29 E	28											38						38
		32	39	39	40	40													158
		33					39	39											78

Total number of acres irrigated 274

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
April, 19 73.


Director

35 2778

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COUNTY OF POWER. } ss.

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on oath, states:

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successive weekly issues thereof, the date of the first publica-

tion being the 26th day of March, 1970
the date of last publication being the

2nd day of April, 1970

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

10 day of April, 1970

Robert D. Garry
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) day of April, 1973
My Commission Expires
April 26, 1973

Published in The Power County Press, March 26, and April 2, 1970.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Beda Schatz, % Schatz Brothers Route #1, American Falls, Idaho has received an approved permit No. G-32384/35-2778 issued by the Idaho State Reclamation Department authorizing the diversion of 5.6 cubic feet per second of water from a ground water source, subject to all prior rights. The priority to be established under this permit is May 26, 1965 and the permit was approved June 4, 1965. Water is to be diverted by well, pump and sprinkler from a point within the SW1/4 NW 1/4, Sec. 33, T. 7S, R. 29 E.B.M., Power County, to be used for irrigation in the SW 1/4 SW1/4, Sec. 28; W1/2NW1/4 Sec. 33; NE1/4, Sec. 32, T. 7 S, R. 29 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before June 4, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Notary Public

35 2778

OK
6-3-70
4-1-71-10

35-

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40536
 Permit No. G- 32384
 District No.

1. Name of Applicant: Beda Schatz
 Postoffice address: c/o Schatz Bros., Rt. #1, American Falls County: Power State: Idaho
2. Quantity of water claimed: 2500 gal. per minute or 5.6 cfs
 - (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33
 Twp. 7 S., Rge. 29 E., B.M., County of Power
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well turbine pump sprinkler system
8. Estimated cost of works: \$ 34,000
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) 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:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 5.6 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Beda Schatz Applicant.

By William & Erwin Schatz Agent.

Date of first receipt at Department of Reclamation: 8:30 A. M. May 26, 1965

Returned to applicant for correction: May 27, 1965

Corrected application received: 8:00 A.M. June 3, 1965

Approval of State Reclamation Engineer

The number of this permit is G— 32384

Recorded in Book 113 Page 32384 Approved June 4, 1965

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 and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 4, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 4, 1970

Witness my hand this 4th day of June, 1965 s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th day of June, 1965.

Countersigned: STATE OF IDAHO

(SEAL) By ARNOLD WILLIAMS By s/ ROBERT E. SMYLLIE
s/ By: Paula L. Fleenor Secretary of State. Governor
Deputy Secretary of State

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S.	29 E.	28																	40
		33																	80
		32	40	40	40	40	40	40											160
																			280

LICENSE ISSUED FOR 130 AC. FT.
LICENSE PAGE NO.

April 4, 1973

Re: Permit No. 32384/35-2778

Beda Schatz
c/o Schatz Bros.
Route # 1
American Falls, Idaho 83211

Gentlemen:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license

35 2778

March 15, 1973

Beda Schatz
c/o Schatz Bros.
Route # 1
American Falls, Idaho 83210

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 32384/35-2778 and has found the following:

Quantity of water diverted: 4.30 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.30 cfs

The maximum quantity diverted shall not exceed 959 acre feet per year.

Beneficial use: Irrigation of 274 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (38),
Sec. 28; NE $\frac{1}{4}$ (158), Sec. 32; W $\frac{1}{4}$ NW $\frac{1}{4}$ (78), Sec. 33; Twp. 7S,
Rge. 29E, B. M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, Twp. 7S, Rge. 29E, B. M.

Priority date established: May 26, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

35 2778

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32384/35-2778

REPORT ON PROOF OF B/U - Beda Schatz

35 2778

T. 7 S.

Sec. 28

38

38

39

39

39

117

110

40

39

119

30

40

39

Sec. 29

PD

SW 1/4

NW 1/4

450

274

A = 274 acres

Q = 4.3 CFS

V = 959 ac ft/sec

35 2778

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32384/35-2778

This proof is for b/u In Water District No.

1. Name of applicant Bada Schatz, c/o Schatz Bros., Rt. #1, American Falls, Idaho

2. Source of water supply: groundwater

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33
T. 7 S R. 29 E County of Power

4. Describe works as they exist, giving dimensions and capacities of same: 250 HP electric motor,
well depth 380', pumping level 212', well diameter 18". 250 HP US Motors

Hollowshaft 440 Volts 1800 RPM Ser # 1318830
Jacuzzi Pump # 14 NCAS 1-425 UQD 350
12" discharge with gate valve to underground
mainline running both North South and East West

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number
of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other
than irrigation):

T. 7 S, R. 29 E	Sec. 28	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 acres
	33	W $\frac{1}{2}$ NW $\frac{1}{4}$	80
	32	NE $\frac{1}{4}$	160

10 lines 1/4 32 heads each 50 psi
grain + potatoes + Beets

$$\frac{(320)(6.01)}{450} = 4.3 \text{ CFS}$$

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: contact Schatz Bros., Route #1, American Falls when making exam

274 acres in grain and beets
there are 10 laterals from the main
line each has 32 heads (rainfed 30)
with 1/4 in. The average pressure
is 50 psi. The entire acreage is planted
and cultivated except for those areas
taken up by roads

This examination was made on the 10 day of Feb, 1970

(Signed)

James F. Bada
Examiner.

ASCS : American Falls
SCS : American Falls

Permit No. G-32384/35-2778 - Beda Schatz

Examination for b/u

County Power

Quantity: (permit) Sec. 33 T.7S R. 29E
5.6 cfs (proof) same

Source: groundwater

P.D.: SW $\frac{1}{4}$ NW $\frac{1}{4}$

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: May 26, 1965 MADE: May 13, 1970

Due: June 4, 1970 PRIORITY: May 26, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

35 2778
35

19 20
30 29

20 21
29 28

217.3

B
374

30 29
31 32

29 28

SW $\frac{1}{2}$ SW $\frac{1}{2}$
52

NE $\frac{1}{4}$ 1098

319

31 32
6.5

22 30 35 2778
5 4

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Beda Schatz, c/o Schatz Bros. Route # 1 Am. Falls, Idaho
b) Post Office Address Route # 1 American Falls, Idaho
2. Permit Number G-32384/35-2778
3. Date of Priority that you are prepared to establish June 4, 1965
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: SW 1/4 NW 1/4, Section 33
Township 7 South, Range 29 East Boise Meridian, Other points of diversion:
N/A
5. a) The amount of water and use to which the water has been applied:
amount 5.6 c.f.s. for irrigation purposes from April 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 5.6. c.f.s. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: William & Erwin Schatz, long time farmers and agents of applicant taking into consideration the number of acres, size of orofices, and number of lines & pressure.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N/A
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give breif description of diversion structure and/or canal or ditch) 250 hp electric motor, well depth 380', pumping level 212', well diameter 18".
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
None, amount of diversion computed by Schatz Bros. by taking into consideration the number of lines, 12, (33 pipe)(4"), 60 p.s.i., 3/16 orifice
c) Give well drillers name and address and date the well was completed George Vollmer American Falls, Idaho June 10, 1965

35 2778 exam typed
7-17-70
dg

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 28, NW $\frac{1}{4}$ & SW $\frac{1}{4}$ of Section 33 and the NE $\frac{1}{4}$ of Section 32 Township 7 South, Range 29 East Boise, Meridian

[illegible]

Total number of acres irrigated	
280	

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

March 12, 1970
(Date)

(Signature)

State of Idaho)
County of Power) ss.

On this 12th day of March, 19 70, personally appeared before me the

Notary Public residing at American Falls, Idaho

November 5, 1973 My commission expires

January 7, 1973

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

We have your letter of November 30, 1972, pertaining to a Water Permit . Attached please find the information that we have regarding this well.

If this information does not clear this matter please advise.

D E C E I V E M

Sincerely,

Bill Schatz



35 2778

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 16, 1970

RECEIVED
JAN 9 1973
Department of Water Administration
Eastern District Office

Re: Permit No.

Mrs. Beda Schatz
% Schatz Brothers
Route 1
American Falls, Idaho

Dear Mrs. Schatz:

We acknowledge receipt of the affidavit of beneficial use submitted in connection with permit no. G-32384/35-2778.

The legal notice for the above referenced permit is being published in the Power County Press, 174 Idaho St., American Falls, on March 26, and April 2, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Examiner

DWM/DG

35 2778

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis "Ince" being first duly sworn
on oath, states:

That she is the principal clerk of the printer

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(Signed)

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Notary Public, residing at American Falls,
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Proof of the application of the water to beneficial use is to be submitted to the department on or before June 4, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

SCHOU and CAVANESS

Attorneys-At-Law
P. O. Box 38
American Falls, Idaho 83211

March 12, 1970

L. R. Schou
Ben Cavaness

Telephone
Area Code 208
226-2562 or 226-2563

RECEIVED

Idaho Department of Reclamation
Statehouse Annex #2
Boise, Idaho

JAN 9 1973

Attention: Mr. McElowney

Department of Water Administration
Eastern District Office

Re: Proof of Beneficial Use, Bada Schatz
G-32384/35-2778

Dear Sir:

Enclosed please find the proof of beneficial use form
and notice amendment document both of which are com-
pleted as directed.

If you find the same to be in order, please file the
proof of beneficial use and cause the notice of exist-
ing water right to be run in the Power County Press.

Very truly yours,

SCHOU & CAVANESS

Ben Cavaness

BC:im
Encls.

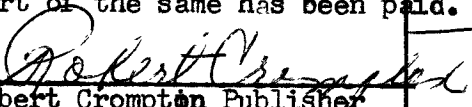
35 2778

STATEMENT

THE POWER COUNTY PRESS

American Falls, Idaho

Sold To State of Idaho
Department of Reclamation
Statehouse---Annex 2
Address Boise, Idaho 83707

DATE	DESCRIPTION	RATE	CREDIT	AMOUNT
4/2/70	Balance Forward			\$
	Notice of Existing Water Permit No. G-32384/35-2778 Beda Schatz, Schatz Brothers	.13-.10		10.35
	I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.			
	 Robert Crompton Publisher	35	2778	

STATEMENT

THE POWER COUNTY PRESS

American Falls, Idaho

Sold To State of Idaho
Department of Reclamation
Address Statehouse—Annex 2
Boise, Idaho 83707

DATE	DESCRIPTION	RATE	CREDIT	AMOUNT
	Balance Forward			\$
1/2/70	Notice of Existing Water Permit No. G-32384/35-2778 Peda Schatz, Schatz Brothers	.13-.10		10.35
	I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.			
	Robert Cronston Publisher			
			35 2778	

STATEMENT

THE POWER COUNTY PRESS

American Falls, Idaho

Sold To **State of Idaho**
Department of Reclamation
Address **Statehouse---Annex 2**
Boise, Idaho 83707

DATE	DESCRIPTION	RATE	CREDIT	AMOUNT
	Balance Forward			\$
4/2/70	Notice of Existing Water Permit No. G-32384/35-2778 Beda Schatz, Schatz Brothers	.13--.10		10.35
	I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.			
	<u>Robert Crompton</u> Robert Crompton Publisher			

35 2778

April 14, 1970

Re: Permit No. G-32384/35-2778

Mrs. Beda Schatz
c/o Schatz Bros.
Rt. #1
American Falls, Idaho

Dear Mrs. Schatz:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

35 2778

March 16, 1970

Re: Permit No. G-32384/35-2778

Power County Press
174 Idaho Street
American Falls, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Beda Schatz, %
Schatz Bros., Rt. 1, American Falls, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

35 2778

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 16, 1970

Re: Permit No.

Mrs. Beda Schatz
% Schatz Brothers
Route 1
American Falls, Idaho

Dear Mrs. Schatz:

We acknowledge receipt of the affidavit of beneficial use submitted in connection with permit no. G-32384/35-2778.

The legal notice for the above referenced permit is being published in the Power County Press, 174 Idaho St., American Falls, on March 26, and April 2, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

35 2778

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Beda Schatz, % Schatz Brothers, Route #1,
American Falls, Idaho, has received an approved permit No.
G-32384/35-2778 issued by the Idaho State Reclamation Department authorizing the
diversion ~~of~~ of 5.6 cubic feet per second ~~from a ground-water source~~
of water from a ground-water source
subject to all prior rights. The priority to be established under this permit is
May 26, 1965 and the permit was approved June 4, 1965.
Water is to be diverted by well, pump and sprinkler
from a point within the SW¹/₄ NW¹/₄, Sec. 33, T. 7 S, R. 29 E, B. M., Power County,
to be used for irrigation
in the SW¹/₄ SW¹/₄, Sec. 28; W¹/₂ NW¹/₄, Sec. 33; NE¹/₄, Sec. 32, T. 7 S, R. 29 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the
department on or before June 4, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Power County Press, American Falls, Idaho, on
March 26, and April 2, 1970.

State Reclamation Engineer:

Permit No. G-32384/35-2778

You are hereby authorized to have the attached notice published at my expense in
the Power County Press of American Falls, Idaho;
published in the county in which the works are situated.

Beda Schatz
(Signature)

American Falls, Idaho,
(Address)
March 6, 1970
(Date) 35 2778

SCHOU and CAVANESS

Attorneys-At-Law
P. O. Box 38
American Falls, Idaho 83211

March 12, 1970

L. R. Schou
Ben Cavaness

Telephone
Area Code 208
226-2562 or 226-2563

Idaho Department of Reclamation
Statehouse Annex #2
Boise, Idaho

Attention: Mr. McEldowney

Re: Proof of Beneficial Use, Beda Schatz
G-32384/35-2778

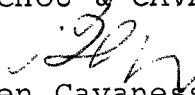
Dear Sir:

Enclosed please find the proof of beneficial use form and notice amendment document both of which are completed as directed.

If you find the same to be in order, please file the proof of beneficial use and cause the notice of existing water right to be run in the Power County, Press.

Very truly yours,

SCHOU & CAVANESS


Ben Cavaness

BC:im
Encls.

35 2778

January 23, 1970

Re: Permit No. G-32384 (New No. 35-2778)

Beda Schatz
% Schatz Brothers
Route 1
American Falls, Idaho 83211

Dear Mrs. Schatz:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

35 2778

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32384/35-2778)

in the name of Beda Schatz, % Schatz Bros.,)

Route 1, American Falls, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

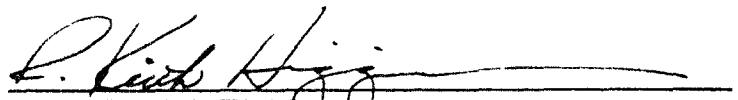
WHEREAS, Permit No. 35-2778 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 23rd day of January, 19 70.

35 2778


R. KEITH HIGGINSON
State Reclamation Engineer

June 10, 1965

Re: Permit No. G-32384

Mrs. Beda Schatz,
c/o Schatz Bros.,
Rt. #1,
American Falls, Idaho.

Dear Mrs. Schatz:

We enclose Permit No. G-32384 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9302 which was issued covering payment in the amount of \$ 6.25 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

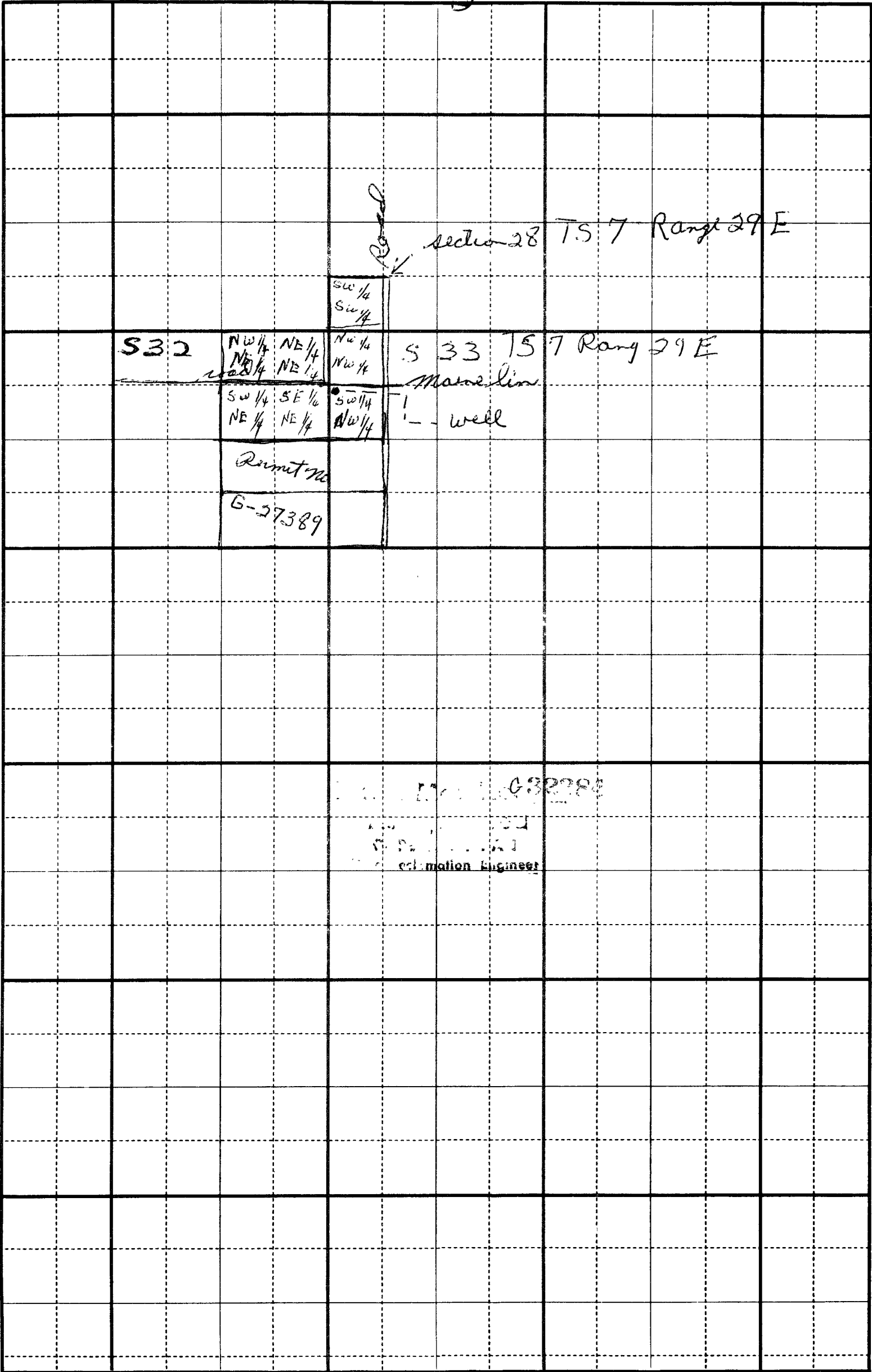
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

532384

NAME OF APPLICANT Mrs Bida Schatz

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

S 32384

American Falls, Idaho

May 31, 1965

RECEIVED
JUN 3 1965

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Department of Reclamation

Attention: Ralph W. Thomas

Dear Mr. Thomas:

This is in reply to your letter of May 27, regarding the
Application for Permit for Beda Schatz.

Enclosed herewith you will please find our check in the
amount of \$6.25 to cover the filing fee.

The correct post office address is: Route No. 1
American Falls, Idaho

Please address all future communications to :
The Schatz Brothers

Hoping that this information will enable you to process
our application for Permit.

Sincerely,

Schatz Bros.

Bill Schatz
Bill Schatz

32384

May 27, 1965

Re: Application for Permit
Beda Schatz

Mr. Bill Schatz
American Falls, Idaho

Dear Mr. Schatz:

Returned herewith is your check for \$7.50.
The filing fee for 5.6 c.f.s. is \$6.25.

The application for permit can be processed
except you did not complete the Post Office address.

Do you wish future communications sent to
Mrs. Beda Schatz or to you?

Kindly advise, return correct filing fee, and
the application will be processed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. check

832384

May 27, 1965

Re: Application for Permit
Beda Schatz

Mr. Bill Schatz
American Falls, Idaho

Dear Mr. Schatz:

Returned herewith is your check for \$7.50.
The filing fee for 5.6 c.f.s. is \$6.25.

The application for permit can be processed
except you did not complete the Post Office address.

Do you wish future communications sent to
Mrs. Beda Schatz or to you?

Kindly advise, return correct filing fee, and
the application will be processed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. check

832384

Prinner

G. 3-2384

May 20, 1965

C
O
P
Y

Mrs. Beda Schatz
American Falls, Idaho

Dear Mrs. Schatz:

We have received a log on a well drilled for you in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 7 S., R. 29 E., B.M. The log indicates that the water is to be used for irrigation purposes. We find no record of a permit for this well.

Idaho Code, 42-229, as amended by the 1963 Session of the Legislature, provides that a permit to divert subterranean water must be obtained from this office in all cases where over 13,000 gallons per day or 9 gallons per minute will be diverted.

Idaho Code, 42-237a, provides that the State Reclamation Engineer may commence action to enjoin the illegal opening or excavation of wells, or withdrawal or use of water therefrom.

Form 3, Application for Permit to Appropriate Subterranean Water, and instructions are enclosed. May we hear from you in the matter?

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 3
Instructions

G 32384