

FOR DEPARTMENT USE ONLY

Received by: KW Date: 4/23/81 Prelim. check by: KW Date: 4/23/81 Exception filed by: 4/23/81 Forwarded to claimant by: 4/27/81 #17608

Published in: Idaho Enterprise Date: 5/7 & 5/14/81

My commission expires MAY 4, 1984

Notary Public William Phares Residing at Id. Falls

Sworn to before me this 1 day of April, 1981.

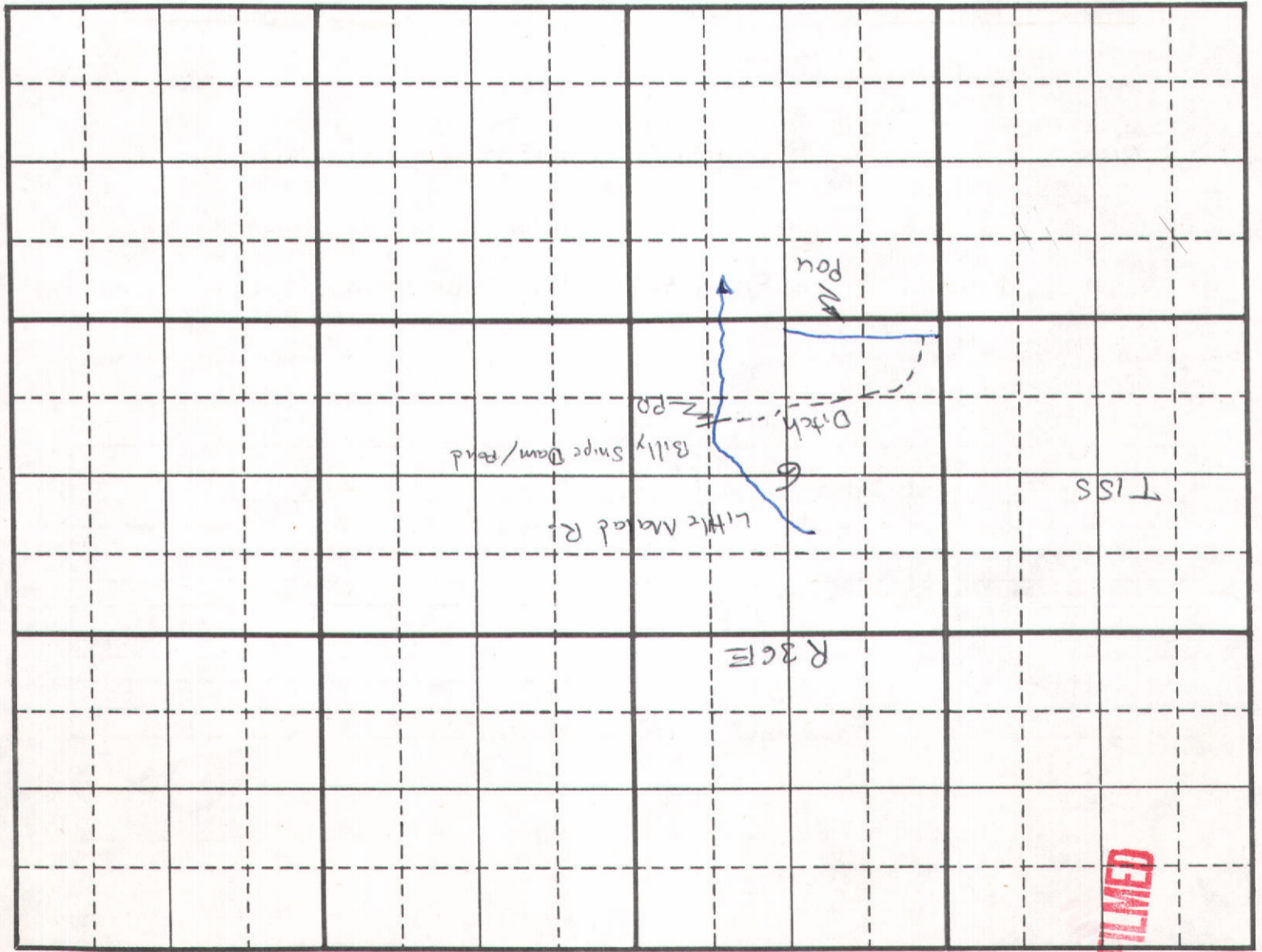
(Claimant) [Signature]

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.

State of Idaho)
 County of ONEIDA)
) ss.)
)

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.

Scale: 2 inches equal 1 mile.



MICROFILMED

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 J. Dale Blaisdell
(Name of Claimant)
Rt. 1 Box 156 Malad, ID. 83252 Telephone No. 766-2698
(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) April 1890

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)
Little Malad River tributary to Malad R.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				Period of Use From	To
<u>0.26 cfs</u>		<u>Irrigation</u>		<u>April</u>	<u>Nov. 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) 0.26 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 6 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.
Private ditch from the Billy Snipe Dam/Pond.

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>15S</u>	<u>36E</u>	<u>6</u>																	<u>13</u>

No. of acres 13

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: _____

RECEIVED

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

May 19, 1981

RECEIVED

MAY 20 1981

Department of Water Resources
Eastern District Office

Mr. C. Stephen Allred, Director
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Mr. Allred:

Please find enclosed the Affidavit of David Deschamps
in protest to the application of J. Dale Blaisdell
No. 15-4077, for 0.26 c.f.s. of water for irrigation
purposes.

Very truly yours,



E. L. Scott
Attorney at Law

ELS/jh

Enclosure

RECEIVED

IN THE MATTER OF:)

Claim to a Water Right)

No. 15-4077)

J. DALE BLAISDELL)

RT. 1 BOX 156)

MALAD CITY, IDAHO 83252)

EXCEPTION TO CLAIM

STATE OF IDAHO)

)

: ss.

COUNTY OF ONEIDA)

)

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

That the claim of J. Dale Blaisdell, No. 15-4077, to 0.26 c.f.s. of water for irrigation from 4-01 to 11-01, of the waters of the Little Malad River, tributary to Malad River, is without right and wrongful. That David Deschamps, Parley Deschamps, Louis Deschamps and others, are the rightful owners of all of the waters of said Little Malad River, tributary to Malad River, with a priority dating back to 1910.

DATED this 19th day of May, 1981.

David Deschamps
DAVID DESCHAMPS

SUBSCRIBED AND SWORN to before me this 19th day of May, 1981.

E. L. Scott
Notary Public for Idaho
Residing at Malad City, Idaho

WIPROTECH

RECEIVED

MAY 20 1981

Department of Water Resources
Eastern District Office

IN THE MATTER OF:)
Claim to a Water Right)
No. 15-4077)
J. DALE BLAISDELL)
RT. 1 BOX 156)
MALAD CITY, IDAHO 83252)

EXCEPTION TO CLAIM

STATE OF IDAHO)
: ss.)
COUNTY OF ONEIDA)

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

That the claim of J. Dale Blaisdell, No. 15-4077, to 0.26 c.f.s. of water for irrigation from 4-01 to 11-01, of the waters of the Little Malad River, tributary to Malad River, is without right and wrongful. That David Deschamps, Parley Deschamps, Louis Deschamps and others, are the rightful owners of all of the waters of said Little Malad River, tributary to Malad River, with a priority dating back to 1910.

DATED this 19th day of May, 1981.

David Deschamps

DAVID DESCHAMPS

SUBSCRIBED AND SWORN to before me this 19th day of May, 1981.

E. L. Scott

Notary Public for Idaho
Residing at Malad City, Idaho

RECEIVED

MAY 20 1981

Department of Water Resources
Eastern District Office

MICROFILMED

RECEIVED

MAY 15 1981

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Oneida }

Carole N. Hummell
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 May 7, 1981, and ending with the issue of May 14, 1981
Carole Hummell

Fee \$ 20.69

Subscribed and sworn to before me this 14th day of May, 1981
Jan Walker

Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

NOTICE OF CLAIMS TO WATER RIGHTS
NOTICE IS HEREBY GIVEN that the following claims to water rights have been established by diversion and application to beneficial use:

No. 15-4076

BLAISDELL, J. DALE
RT. 1 BOX 156, MALAD, ID 83252
Source: GROUNDWATER
Priority date: 06-01-1931
Amount: 1.00 CFS
Diversion Point: NENW SENW Sec. 07 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS) from 04-01 to 11-01
Place of Use: NENW SENW Sec 07 T 15S R 36E FOR 50 ACRES
Diversion Means: ARTESIAN WELLS TO DITCH.

No. 15-4077

BLAISDELL, J. DALE
RT. 1 BOX 156, MALAD, ID 83252
Source: LITTLE MALAD RIVER tributary to MALAD RIVER
Priority Date: 04-01-1890
Amount: 0.26 CFS
Diversion Point: NWSE Sec 06 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (0.26 CFS) from 04-01 to 11-01
Place of Use: SWSW SESW Sec 06 T 15S R 36E FOR 13 ACRES
Diversion Means: DITCH.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

A. KENNETH DUNN
Director

Published 5-07 & 5-14-81.

5-7-14 t2

Lines: 47

OK KW

OK KW

5/15

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number 15 4077 Applicant T. Dale Baisdelle

NOTE: ¹⁵⁻⁴⁰⁷⁷ 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.
- 5/25

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 5, 1981

STATE OFFICE PROCESSING:

- Claim review complete.

By Kanawen Date 6/19/81

WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MAY 27, 1981

J. DALE BLAISEDELL
RT. 1 BOX 156
MALAD

ID 83252

RE: Claim No. 15-4077

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

May 22, 1981

RE: Claim to a Water Right No. 15-4077 BLAISDELL

David Deschamps
Malad,
Idaho 83252

Dear Mr. Deschamps:

We have received the exception dated May 19, 1981, 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:kw

cc: E. L. Scott, Attorney

May 22, 1981

RE: Claim to a Water Right No. 15-4077

J. Dale Blaisdell
Rt. #1, Box 156
Malad, Idaho 83252

Dear Mr. Blaisdell:

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.

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Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

NOTICE OF CLAIMS TO WATER RIGHTS

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Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

A. KENNETH DUNN

Director

Published 5/07 & 5/14/81.

MINOR CLAIMS

15-4077-

BLAISDELL, J. DALE

RT. 1 BOX 156, MALAD, ID 83252

Source: LITTLE MALAD RIVER tributary to MALAD RIVER

Priority Date: 04/01/1890

Amount: 0.26 CFS

Diversion Point: NWSE Sec 06 T 15S R 36E, ONEIDA Co.

Use: IRRIGATION (0.26 CFS) from 04/01 to 11/01

Place of Use: SWSW SESEW Sec 06 T 15S R 36E FOR 13 ACRES

Diversion Means: DITCH.

RECORDED
INDEXED
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