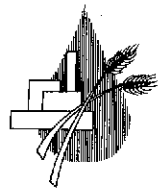


No Color  
Documents  
In File

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 Nolan A. Blaisdell  
(Name of Claimant)  
Rt #1 Box 149 B. MALAD 83252 Telephone No. 766-2639  
(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) 15 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 R. 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 (Mo., Day)	To (Mo., Day)
<u>5.0 cfs</u>		<u>Irrigation</u>		<u>Apr 1</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) 5.0 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 Swipe 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>15S</u>	<u>36E</u>	<u>6</u>											<u>10</u>	<u>24</u>			<u>23</u>	<u>95</u>	<u>92</u>

No. of acres 92

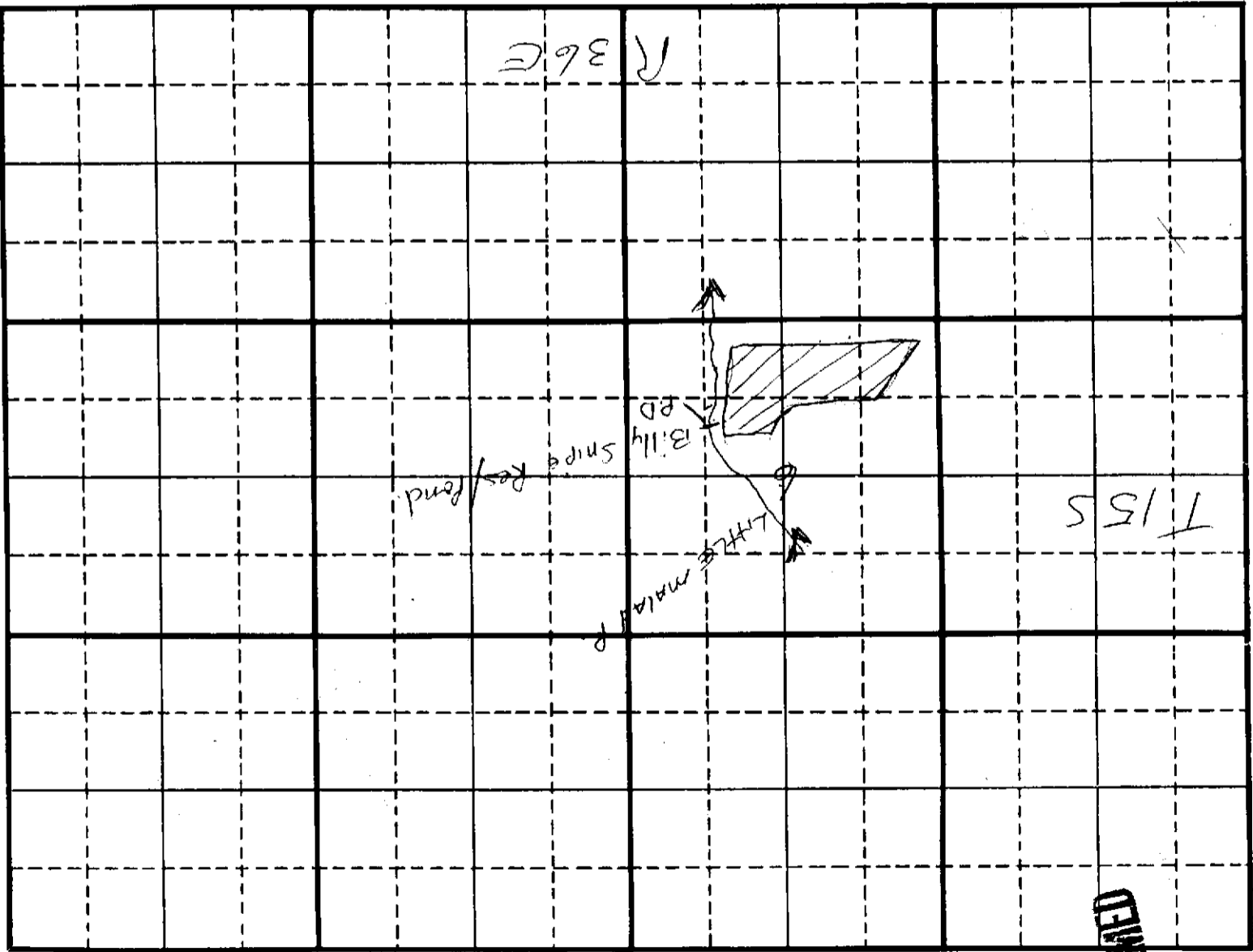
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:  
If you are claiming water as a member of an organization, list name of organization:

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Water from a flowing well also provides water to these lands

MICKUNILLAN



Scale: 2 inches equal 1 mile.

State of Idaho )  
County of ODEIDA )  
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 1<sup>st</sup> day of April, 1981.  
(Claimant)  
John B. Bounded

Notary Public  
Residing at Idaho Falls  
William R. Rhoads

My commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by: BR CU Date: 4/3/81  
 Prelim. check by: JK Date: 4/7/81  
 \$20.00 fee received by: BR CU Date: 4/8/81  
 Published in: Idaho City Press Date: 4/23/81  
 Dates: 4/10 & 4/23/81

Forwarded to: claimant by: Date: #17102

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

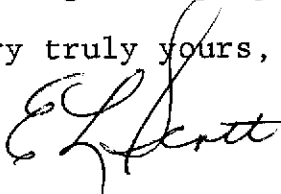
April 23, 1981

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 Nolan A. Blaisdell, No. 15-4074, for 5.00 c.f.s. of water for irrigation purposes.

Very truly yours,



E. L. Scott  
Attorney at Law

ELS/jh  
Enclosure

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RECEIVED

APR 27 1981

Department of Water Resources  
Eastern District Office

IN THE MATTER OF: )  
 )  
Claim to a Water Right )  
No. 15-4074 )  
NOLAN A. BLAISDELL )  
RT. 1, BOX 149B )  
MALAD CITY, IDAHO 83252 )

AFFIDAVIT

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

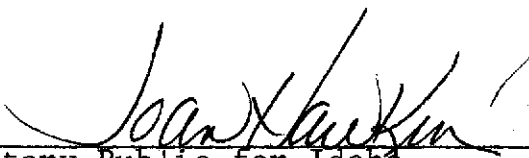
DAVID DESCHAMPS, being first duly sworn, deposes and says:

That the claim of Nolan A. Blaisdell, No. 15-4074, to 5.00 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 23rd day of April, 1981.

  
DAVID DESCHAMPS

SUBSCRIBED AND SWORN to before me this 23rd day of April, 1981.

  
Notary Public for Idaho  
Residing at Malad City, Idaho

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APR 27 1981

Department of Water Resources  
Eastern District Office

# AFFIDAVIT OF PUBLICATION

**RECEIVED**

STATE OF IDAHO, }  
                          } ss.  
County of Oneida }

APR 24 1981

Department of Water Resources  
Eastern District Office

Carole A. 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 April 16, 1981, and ending with the issue of April 23, 1981.

Fee \$ 39.60

Subscribed and sworn to before me this 23 day of April, 1981.

Cindy Williams  
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. 15-4073  
GLEED, WILFORD R. &-or GLORIA R.  
360 N. 100 W., MALAD, ID 83252  
Source: SPRING tributary to NEW CANYON CREEK  
Priority Date: 05-01-1925  
Amount: 0.04 CFS  
Diversion Point: SWNW Sec 25 T 13S R 36E, ONEIDA Co.  
Use: STOCKWATER (0.02 CFS) from 01-01 to 12-31

DOMESTIC (0.04 CFS) from 01-01 to 12-31  
Place of Use: SWNW Sec 25 T 13S R 36E  
Diversion Means: COLLECTION BOX & PIPELINE.  
No. 15-4074

BLAISDELL, NOLAN A.  
RT. 1 BOX 149 B, MALAD, ID 83252  
Source: LITTLE MALAD RIVER tributary to MALAD RIVER  
Priority Date: 04-15-1890  
Amount: 5.00 CFS  
Diversion Point: NWSE Sec 06 T 15S R 36E, ONEIDA Co.  
Use: IRRIGATION (5.00 CFS) from 04-01 to 11-01

Place of Use: SWSW SESW NWSE SWSE Sec 06 T 15S R 36E, ONEIDA Co.  
Use: IRRIGATION (5.00 CFS) from 04-01 to 11-01  
Place of Use: SWSW SESW NWSE SWSE Sec. 06 T 15S R 36E FOR 92 ACRES  
Diversion Means: DITCH.

No. 17-4029  
U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MGMT.,  
230 COLLINS RD., BOISE, ID 83702  
Source: SHEEP CREEK SPRING tributary to DEEP CREEK  
Priority Date: 01-01-1958  
Amount: 0.28 CFS  
Diversion Point: SWSW Sec 31 T 13S R 34E, ONEIDA Co.  
Use: STOCKWATER (0.22 CFS) from 05-15 to 09-14

STOCKWATER (0.04 CFS) from 05-20 to 06-30  
WILDLIFE (0.01 CFS) from 01-01 to 12-31  
RECREATION (0.01 CFS) from 01-01 to 12-31

Place of Use: SWSW Sec 31 T 13S R 34E NENE SWNW Sec 34 T 13S R 34E NENE NENW Sec 25 T 13S R 34E SENE Sec 30 T 13S R 34E SWNE SESW Sec 28 T 13S R 34E SWNW Sec 23 T 13S R 34E SWNW Sec 29 T 13S R 34E NWNW NWSW Sec 20 T 13S R 34E NESE Sec 21 T 13S R 34E

Diversion Means: COLLECTION BOX, PUMP, TANK & PIPELINE.  
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.

C. STEPHEN ALLRED  
Director  
Published 4-16 & 4-23-81.

4-16-23 12  
Lines: 90

MILKHAUS

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 15 4074 Applicant Blaisdell

NOTE: <sup>15-4074</sup> 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. S/A

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date May 16, 1981

STATE OFFICE PROCESSING:

- Claim review complete.

By Hansen Date 5/15/81



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

MAY 6, 1981

NOLAN A. BLAISDELL  
RT. 1 BOX 149 B  
MALAD

ID 83252

RE: Claim No. 15-4074

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

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May 1, 1981

RE: Claim to a Water Right No. 15-4074

Nolan A. Blaisdell  
Rt. #1, Box 149 B  
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.

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

Enclosure

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April 30, 1981

RE: CLAIM TO A WATER RIGHT NO. 15-4074 BLAISDELL

E. L. Scott  
Attorney at Law  
44 Main Street  
Malad City, Idaho 83252

Dear Mr. Scott:

We have received the exception dated April 23, 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.

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If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw:kw

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150 Shoup Ave. -----

-----  
525-7161

April 14, 1981

RE: Claim to a Water Right No. 15-4074

Nolan A. Blaisdell  
Route #1, Box 149 B  
Malad, ID 83252

Dear Mr. Blaisdell:

Attached herewith is Departmental Receipt No. 17162 in the amount of \$30.00 for the above referenced claim.

Sincerely,

RAY WALKER  
Secretary

KW:k  
Attachment

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15-4074

BLAISDELL, NOLAN A.

RT. 1 BOX 149 B. MALAD, ID 83252

Source: LITTLE MALAD RIVER tributary to MALAD RIVER

Priority Date: 04/15/1890

Amount: 5.00 CFS

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

Use: IRRIGATION (5.00 CFS) from 04/01 to 11/01

Place of Use: SWSW SESW NWSE SWSE Sec 06 T 15S R 36E FOR 92 ACRES

Diversion Means: DITCH.

MILWAUKEE



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

150 Shoup Ave. -1515 Lincoln Road -  
Idaho Falls, Idaho 83401  
(208) 523-7186  
525-7161

April 8, 1981

Nolan A. Blaisdell  
Route #1, Box 149B  
Malad, ID 83252

Dear Mr. Blaisdell:

I am returning one of your recently submitted claims. Please note that the filing fee per claim is \$30.00. Please resubmit the enclosed claim with the \$30.00 filing fee and we will begin processing it. We have initiated processing of your other claim.

I researched the possibility of a filing on the Big Malad River for your property in Lot 3 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 18, Twp. 15S, Rge. 36E. The only filing I found near the area is a claim filed by Evan P. Price. Price's claim on water from the Big Malad River does not pertain to your property. I found no listings of filings by Levi Waldron, David R. Edwards, or Thomas Jenkins.

Unfortunately, my office does not have a complete file of water rights. You should probably do some research of your own at your county courthouse to see if any listing of your water use exists there.

If you do not find any record of your water use, you may wish to contact the other three users and together with them file a claim on the water (if the use predates May 20, 1971) or an application for permit (if the use is after May 20, 1971). The priority date of the water use must be documented. I am including a blank claim and instructions in the event you and the other users wish to file.

Please contact me if you have any additional questions.

Sincerely,

  
JOHN KAPPELMAN, JR.  
Water Resource Agent

JK:kw  
Enclosures