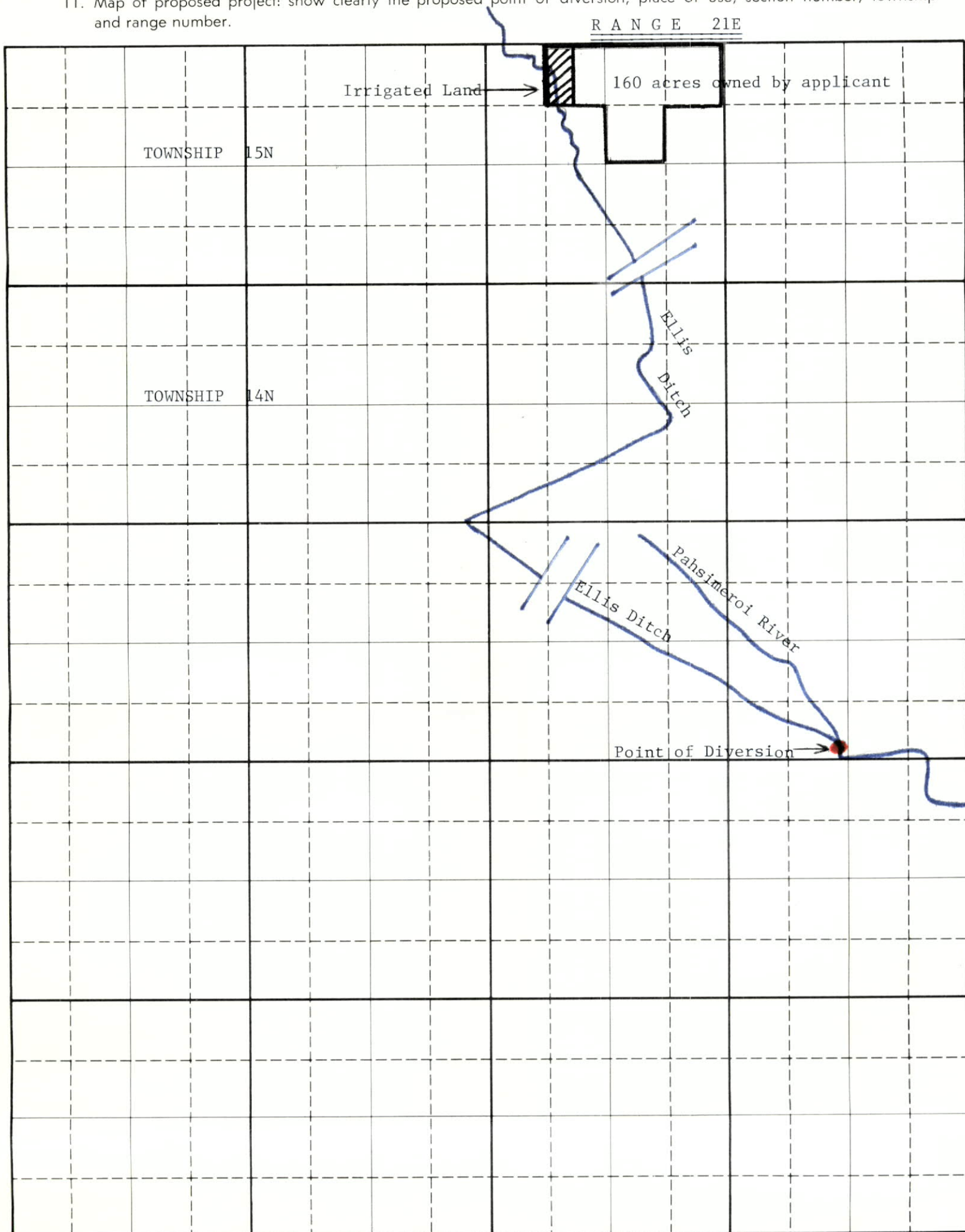


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Donalda Blatz
(Applicant)

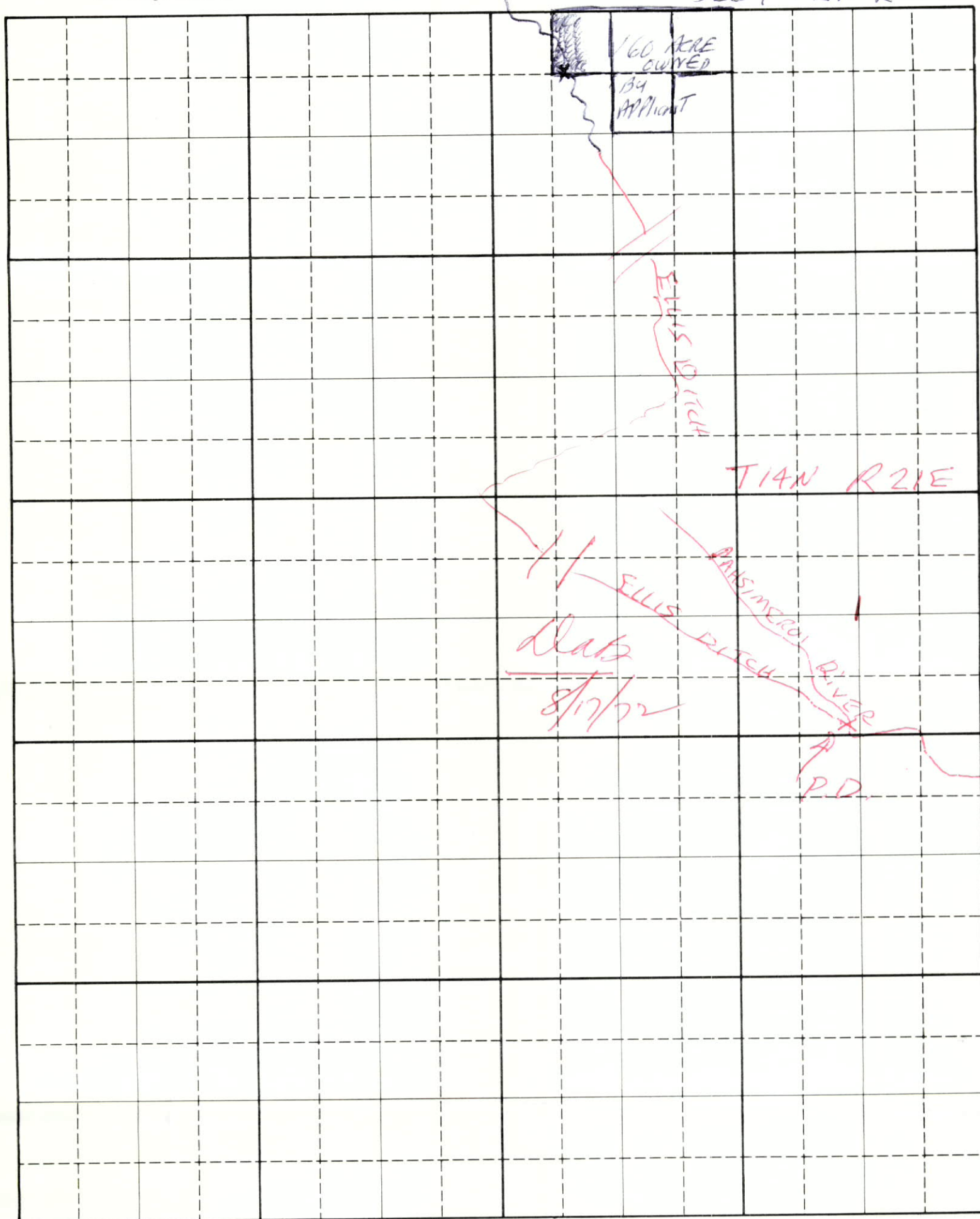
73-7017

X-Prof Diversion

Ditch

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

SEC 7 T15N R21E



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

Ronald A. Blatz
(Applicant)

Donald A. Bates
8/17/72

73-7017

**NOTICE OF AMENDED
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that Application for Permit No. 73-7017 in the name of Donald A. Blatz was filed for the diversion of 0.4 c.f.s. of water from Spring Creek, tributary of the Pahsimeroi River, with point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B.M., Custer County, to be used for irrigation purposes from April 1 to October 31 within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, B. M.

On 8/18/72 applicant proposed to amend Application No. 73-7017, requesting that the source of water be changed to the Pahsimeroi River with point of diversion as the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 1, T. 14N, R. 21E, B.M.

Any protest to the proposed amending of the application may be filed with the Idaho Department of Water Administration, 240 South Holmes Ave., Idaho Falls, Idaho 83401, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, and the Mackay Miner, Mackay on August 31 and September 7, 1972.

RECEIVED

SEP 11 1972

Department of Water Administration
Eastern District Office

73-7017

Affidavit of Publication

STATE OF IDAHO

SS.

County of Custer

I, Toni Reimann

the BOOKKEEPER
of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for —

2 consecutive weeks, commencing with the issue dated

August 31, 1972
and ending with the issue dated

September 7, 1972

Toni Reimann

Subscribed and sworn to before me this 8th day of

September, 1972

Eileen L. Johnson
Notary Public

Notary Public
Residing at Mackay, Idaho

Commission expires 6/2/73

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two
consecutive weeks, com-
mencing with the issue
dated August 31, 19 72,
and ending with the issue
dated Sept. 7, 19 72,

Louis Kristan

Subscribed and sworn to
before me this 11th

day of Sept, 19 72.

James Bennett
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

RECEIVED

SEP 13 1972

Department of Water Administration
PUBLIC NOTICE

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that
Application for Permit No. 73-
7017 in the name of Donald A.
Blatz was filed for the diversion
of 0.4 c.f.s. of water from Spring
Creek, tributary of the Pahsim-
eroi River, with point of diver-
sion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
7, T. 15N, R. 21E, B.M., Custer
County, to be used for irrigation
purposes from April 1 to October
31 within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7,
T. 15N, R. 21E, B.M.

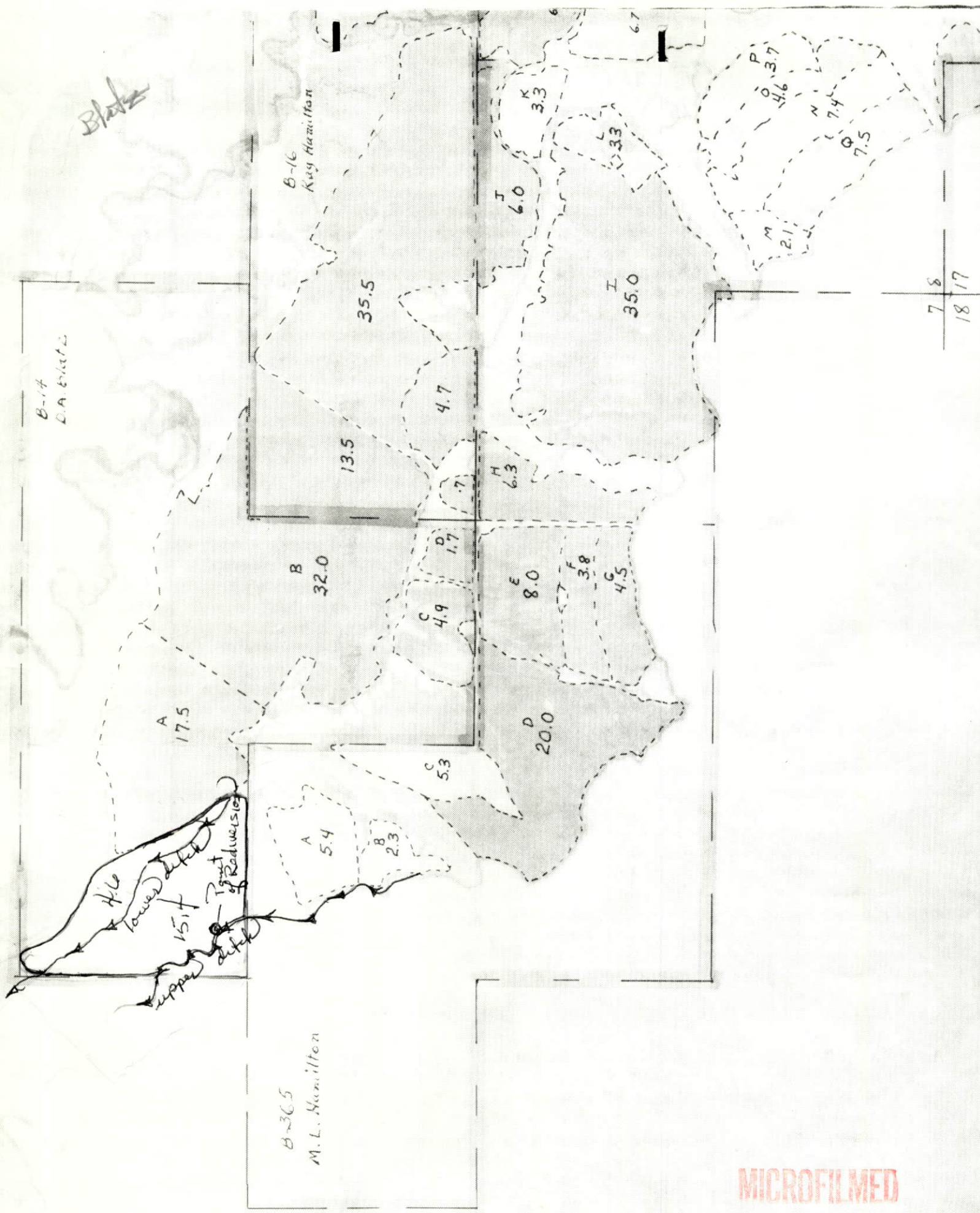
On 8/18/72 applicant proposed
to amend Application No. 73-
7017, requesting that the source
of water be changed to the Pah-
simeroi River with point of di-
version as the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1,
T. 14N, R. 21E, B.M.

Any protest to the proposed
amending of the application may
be filed with the Idaho Depart-
ment of Water Administration,
240 South Holmes Ave., Idaho
Falls, Idaho 83401, within ten
days from the last date of publi-
cation of this notice.

R. KEITH HIGGINSON
Director

Published in the Challis Mes-
senger, Challis, and the Mackay
Miner, Mackay on August 31 and
September 7, 1972.

73-7017



MICROFILMED

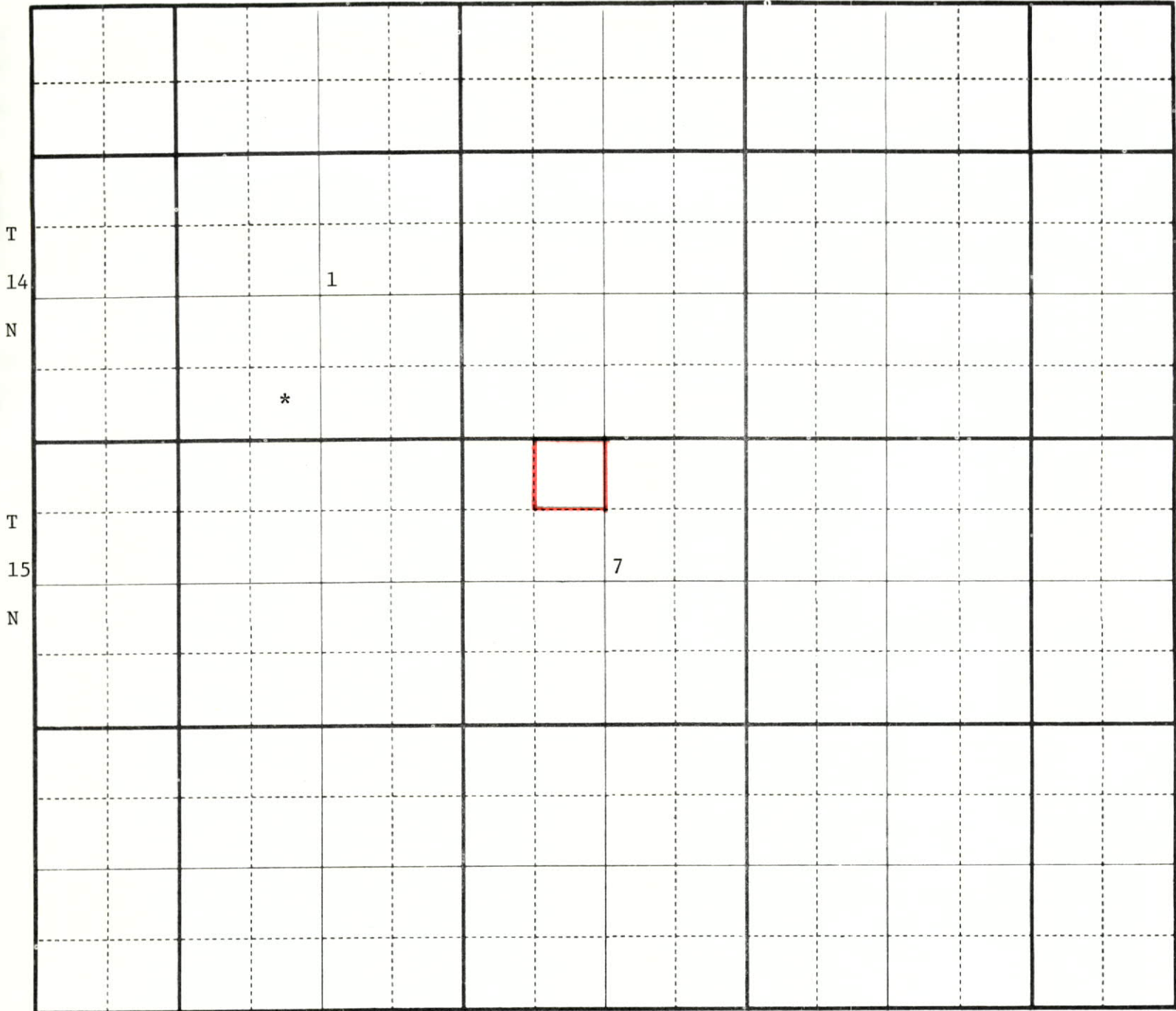
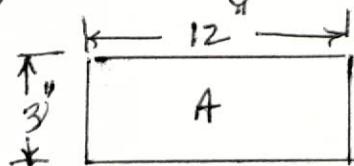


Diagram of System

see aerial photograph

submerged rectangular outcrop



$$A = .25'$$

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 73-7017 Priority August 18, 1972 Amount 0.40 cfs

THIS IS TO CERTIFY, that DONALD A. BLATZ
of Ellis, Idaho, has complied with the terms and conditions of Permit
No. 73-7017 issued pursuant to Application for Permit dated August 18, 1972,
and has submitted proof to the Department of Water Resources on December 10, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.92 cfs of water from Pahsimeroi River,
tributary to Salmon River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to October 31	at 0.40 cfs and	60 acre feet
	from to at cfs and		
	from to at cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
60 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 14N,
Rge. 21E, B.M. in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				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 $\frac{1}{4}$	
15N	21E	7					20								20

Total number of acres irrigated 20

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 21 day of
August, 19 79.


Director

Identification No. _____

Application No. 73-7017

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant DONALD A. BLATZ
post office address P.O. Box 23 Ellis, Idaho 83235
2. Source of water supply Pahsimeroi River which is a tributary of Salmon River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 14N
Range 21E B.M. Custer County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.4 for irrig. purpose from Apr. 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.4 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Existing diversion of Ellis Canal
and Ellis Canal

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

73-7017

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15N	21E	7					20												20

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above. NONE

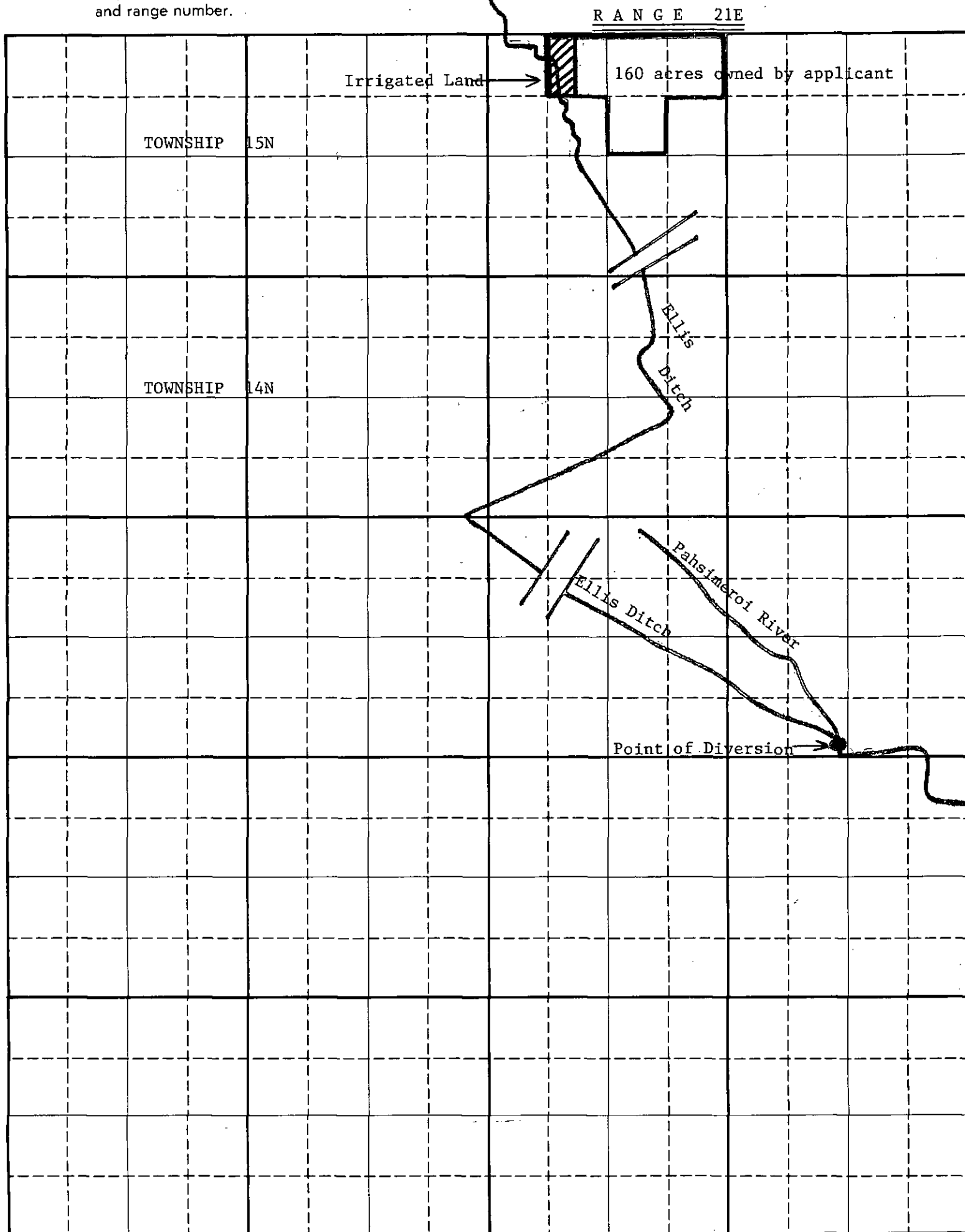
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Donald A. Blatz
(Applicant)

73-7017

Proposed priority: (Date of amended application) 8/18/72

73-7017

Received by ei Date 5-15-72 Time 8:00 AM

Preliminary check by NCY Fee \$ 25.00 \$10.00 amendment Accepted by Ba

Receipted by ba Date 5-17-72 Receipt # 7300

Publication prepared by BA Date 5-18-72

Published in Mackay Miner, Mackay, Idaho--Challis Messenger, Challis

Publication dates 5-25&6-1-72, 8-31&9-7-72

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 73-7017, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions: cu ... 5

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 74.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 4 day of December 19 72.

R. Keith Higin
Director

73 7017

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Phone 876-2192

1. Name of applicant DONALD A BLATZ
 post office address P.O. BOX 23 ELLIS IDAHO 83235
PAHSIMEROT RIVER SALMON
2. Source of water supply SPRING CREEK which is a tributary of PAHSIMEROT RIVER
3. a. Location of point of diversion is SE 1/4 of NE 1/4 of Section 7 Township 15N Range 21E B.M. CUSTER County; additional points of diversion if any: _____
8/17/72
- b. If water is not consumed, it will be discharged into Pump at a point in NE 1/4 of NW 1/4 of Section 7 Township 15N Range 21E B.M. 240 8/17/72
4. Water will be used for the following purposes:
 Amount 0.4 for irrigation purpose from April 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 0.4 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Existing Diversion of
Portable PTO Pump and headgates and ditches
ELLIS CANAL and ELLIS Canal. 8/17/72
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
 b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____ Range _____ B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
 (5) If water is to be used for other purposes describe: _____

73-7017

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
15N	21E	7					20												20

Total number of acres to be irrigated 20 acres

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion applicant

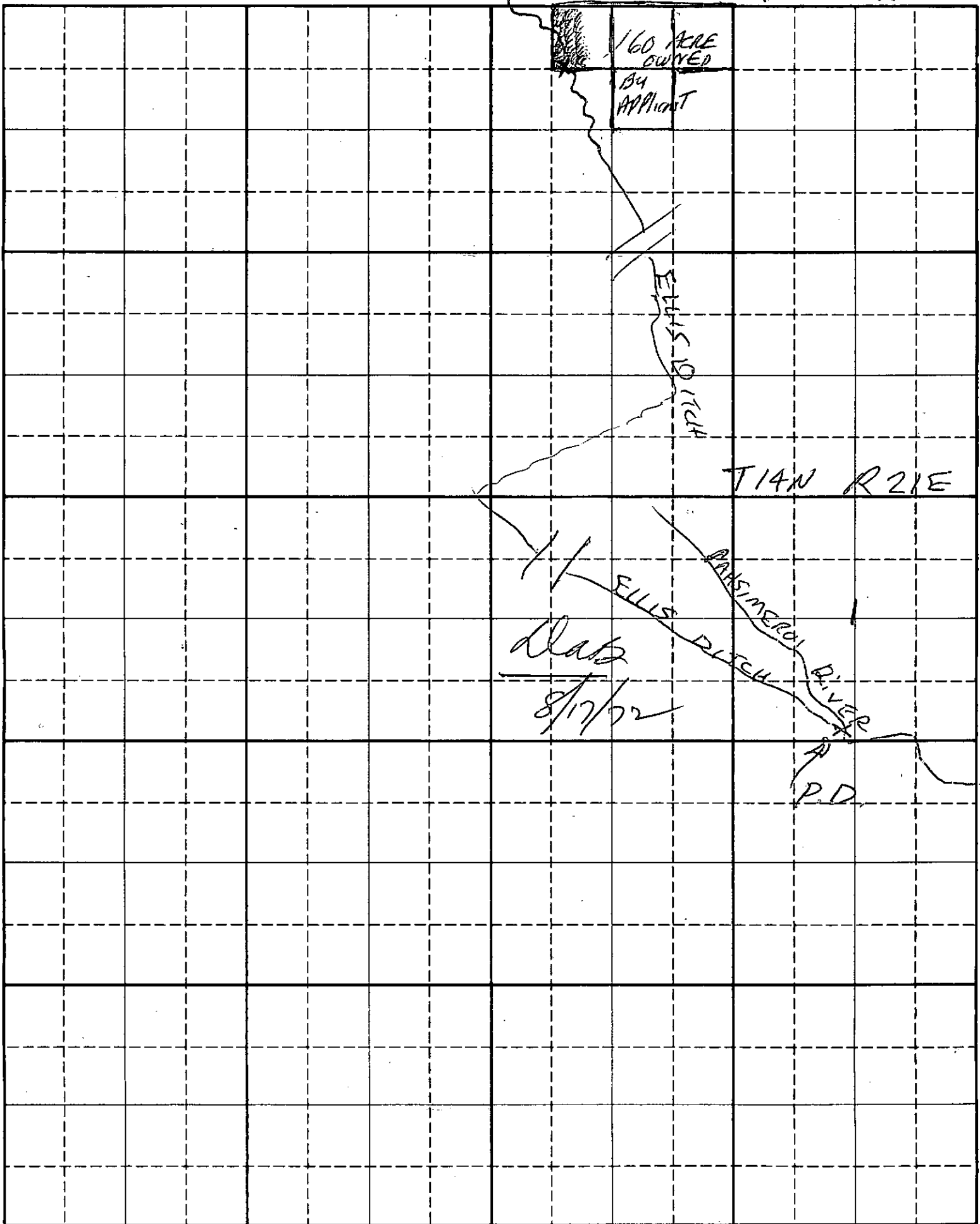
b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks If the permit is not available for irrigation from April 1 to Oct 31, we would like a permit from April 1 to June 1 and Oct 1 to Oct 31. omit W. B. 8/11/22

SHADED AREA TO BE
SPRINKLER IRRIGATED,
X- P.O. OF DIVERSION

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Donalda Blatz
(Applicant)
Donalda Blatz
8/17/72
73-7017

Received by Wij Date 5-15-72 Time 8.00 A
Preliminary check by NCY Fee \$ 25.00 - \$10.00 for amended app. 2nd 5/18/72
Received by Ba Date 5/17/72 # 2300 received 8/18/72
Publication prepared by Ba Date 5-18-72
Published in Mackay Miner, Mackay, Ida.
Publication dates May 25 + June 1, 1972
Publication approved _____ Date _____
Priority reduced to 5-15-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
 - c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 73-7017 Name Donald A. Blatz

Source Spring Creek

Point of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B.M., Custer County

Quantity 0.40 Use irrigation Period Apr. 1 to Oct. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use The irrigation of 20 acres.

Date Forwarded Date Returned Received by

COMMENTS: The water in this area is under the administration of the watermaster
of Water District No. 73. Any diversion for use should be regulated by said
watermaster.

RECOMMENDED:

Applied: Qty. 0.40 cfs Use irrig. Period 4/1-11/1 AF/A 3.0 AF 60

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 0.60 cfs Use irrig. Period 4/1-11/1 AF/A 3.0 AF 60

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial: Approval of application under the
condition it is under control of watermaster for WD 73.

By Title Water Resource Supervisor

LOY H. JOHNSON

Date May 18, 1972

73-7017

CHALLIS, IDAHO NOVEMBER 22, 1972

I HEREBY AGREE TO WITHDRAW MY
PROTEST TO ISSUANCE OF PERMIT ON
APPLICATION NO. 73-7017 (DONALD A. BLATZ)
PROVIDED THAT THE APPLICANT AGREE TO
NOT DIVERT A LIKE AMOUNT OF HIS
DECREED RIGHTS WHENEVER HE IS DIVERTING
THE WATER UNDER RIGHT NO. 73-7017 THROUGH
THE ELLIS DIVERSION AND CANAL.

Signed at Challis, Idaho this 22nd day of November, 1972

x Fidele Amar
Fidele Amar

x Merle Hamilton
Merle Hamilton

73-7017

CHALLIS, IDAHO

NOVEMBER 22, 1972

I HEREBY AGREE NOT TO DIVERT
A LIKE AMOUNT OF MY DECREED RIGHTS
THROUGH THE ELLIS DIVERSION AND CANAL
WHENEVER I AM DIVERTING WATER
UNDER RIGHT NO. 73-7017.

Signed at Challis, Idaho this 22nd day of November, 1972

x Donald A. Blatz
Donald A. Blatz

73-7017

**NOTICE OF AMENDED
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that Application for Permit No. 73-7017 in the name of Donald A. Blatz was filed for the diversion of 0.4 c.f.s. of water from Spring Creek, tributary of the Pahsimeroi River, with point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B.M., Custer County, to be used for irrigation purposes from April 1 to October 31 within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, B. M.

On 8/18/72 applicant proposed to amend Application No. 73-7017, requesting that the source of water be changed to the Pahsimeroi River with point of diversion as the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 1, T. 14N, R. 21E, B.M.

Any protest to the proposed amending of the application may be filed with the Idaho Department of Water Administration, 240 South Holmes Ave., Idaho Falls, Idaho 83401, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, and the Mackay Miner, Mackay on August 31 and September 7, 1972.

R E C E I V E D

SEP 11 1972

Department of Water Administration
Eastern District Office

73-7017

Affidavit of Publication

STATE OF IDAHO

County of Custer

ss.

I, Toni REIMANN

the BOOKKEEPER
of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for —

2 consecutive weeks, commencing with the issue dated

August 31, 1972
and ending with the issue dated

September 7, 1972

Toni Reimann

Subscribed and sworn to before me this 8th day of

September, 1972

Edwin Lemmon

Notary Public

Notary Public

Residing at Mackay, Idaho

Commission expires 6/2/73

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two
consecutive weeks, com-
mencing with the issue
dated August 31, 1972,
and ending with the issue
dated Sept. 7, 1972,

Louis Kristan

Subscribed and sworn to
before me this 11th

day of Sept, 1972.

James B. Smith
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

RECEIVED

SEP 13 1972

Department of Water Administration
PUBLIC NOTICE

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that
Application for Permit No. 73-
7017 in the name of Donald A.
Blatz was filed for the diversion
of 0.4 c.f.s. of water from Spring
Creek, tributary of the Pahsim-
eroi River, with point of diver-
sion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
7, T. 15N, R. 21E, B.M., Custer
County, to be used for irrigation
purposes from April 1 to October
31 within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7,
T. 15N, R. 21E, B.M.

On 8/18/72 applicant proposed
to amend Application No. 73-
7017, requesting that the source
of water be changed to the Pah-
simeroi River with point of di-
version as the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1,
T. 14N, R. 21E, B.M.

Any protest to the proposed
amending of the application may
be filed with the Idaho Depart-
ment of Water Administration,
240 South Holmes Ave.; Idaho
Falls, Idaho 83401, within ten
days from the last date of publi-
cation of this notice.

R. KEITH HIGGINSON
Director

/ Published in the Challis Mes-
senger, Challis, and the Mackay
Miner, Mackay on August 31 and
September 7, 1972.

73-7017



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 27, 1979

Donald Blatz
P.O. Box 23
Ellis, Idaho 83235

Dear Mr. Blatz,

RE: Permit No. 73-7017

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

Blatz

B-14
D.A. Blatz

B-365
M.L. Hamilton

B
32.0

A
17.5

35.5

13.5

4.7

C
4.9

D
1.7

C
5.3

A
5.4

B
2.3

D
20.0

E
8.0

F
3.8

G
4.5

H
6.3

I
6.0

K
3.3

L
3.3

I
35.0

P
3.7

O
4.6

N
7.4

Q
7.5

M
2.1

7.8
18.17

MICROFILMED

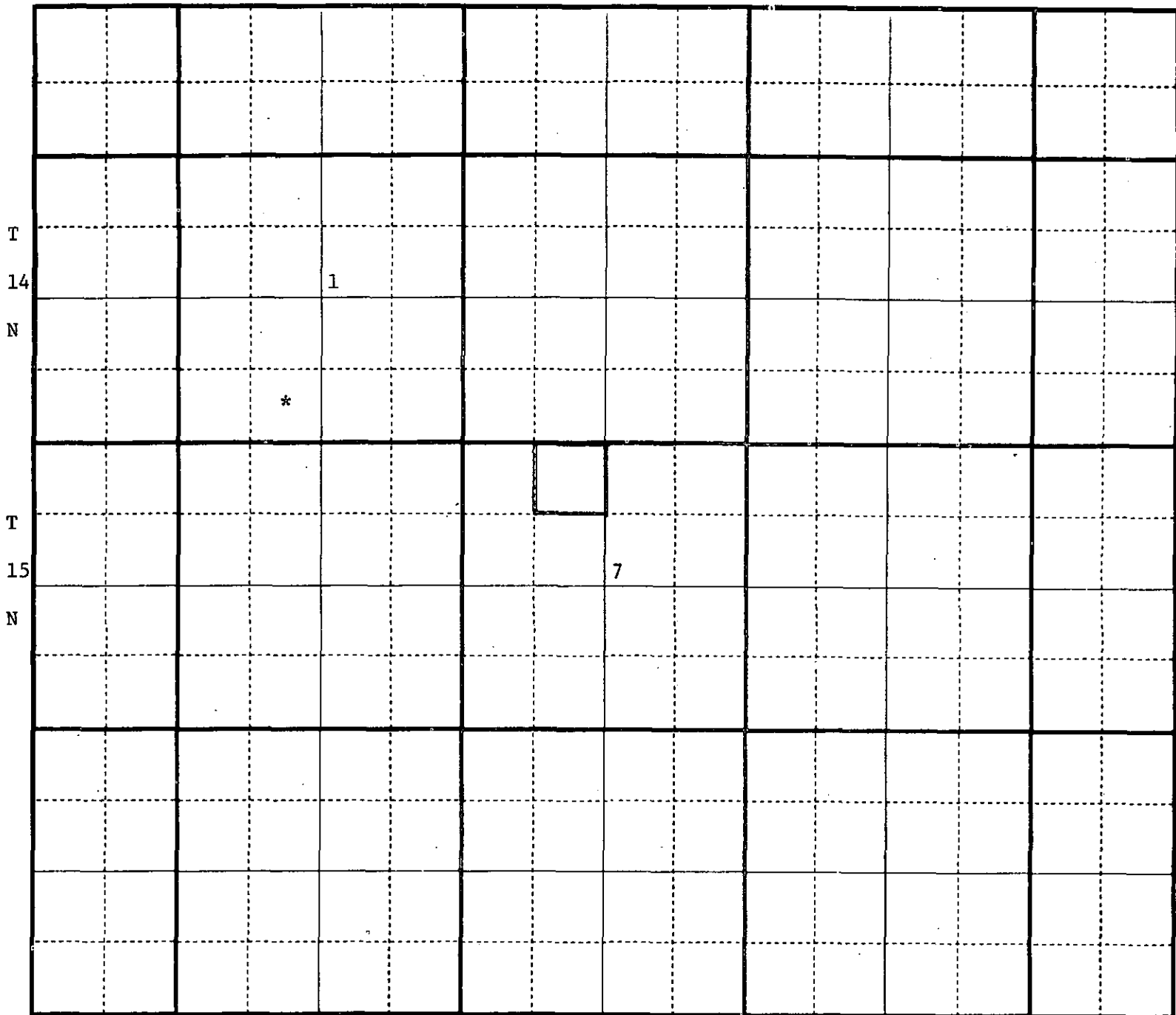
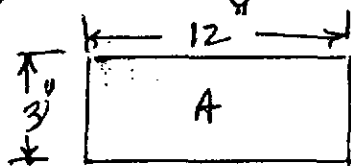


Diagram of System

see aerial photograph

submerged rectangular surface



$$A = .25'$$

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

DEC 20 1973

Department of Water Administration
Eastern District Office

1. Name of permit holder Donald A. Blatz
Post office address Box 23, Ellis, Idaho 83235 Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ Pahsimeroi River
(name spring, stream, etc.)
Tributary to Salmon River

3. Water will be used for the following purposes:

Amount 0.4 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 73-7017
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 14N N/S, Range 21E E/W, B.M., Section 1, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Custer
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Existing diversion & weir at Ellis Ditch & Ellis Canal.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or 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 $\frac{1}{4}$	
15N	21E	7					20												20

MICROFILMED

TOTAL ACREAGE 20

DATE OF EXAM June 2, 1978

ACREAGE
Found 20.00
Recommended 20.00

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = .40 c.f.s. V = 60 AF/Ann. from April 1 to Oct 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .923 cfs (Capacity of headworks) Method of measurement Submerged surface

Total Q recommended .40 cfs Meter No. n/a Type std Condition good
Total V recommended 60 Afl/y Rectangular

Recommended Amendments:

P.D. _____
Place of Use _____
Other None

MEASUREMENT CALCULATION:
upstream head = .72' - downstream head of .15' = difference
in head = .57' from BOR water measurement manual
P. 290 Table 29, discharge = .923 cfs. This represents a max
diversion thru the headgate.
 $V = 20.00 \times 3.0 \text{ Afl/Ac} = 60 \text{ Afl/y}$
 $.4 \times 1.9835 \times 214 = 169.79 \text{ Afl/y}$

SYSTEM DESCRIPTION:
Packman main water is diverted in SE 1/4 sec 1 T14N R21E
into the Ellis Canal. The water is diverted at the field headgate
located in the NE 1/4 sec 7 for the flood irrigation of 20 acres
of alfalfa.

REMARKS:
System shown & described by Donald Blatz
no measuring device exists on lower ditch for the
irrigation of tobacco.
No conflicting rights

Examiner's Signature Anthony P. Kozlowski Date Oct 15, 1978

Checked by Rodney A. Parker Date 1/19/79

Approved by _____ Date _____

December 18, 1973

Re: Permit No. 73-7017

Donald A. Blatz
P. O. Box 23
Ellis, Idaho 83235

Dear Mr. Blatz:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of 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 so that you may show him the system.

If you have any questions regarding the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

73-7017

Identification No. _____
Permit No. 73-7017

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
DEC 10 1973
Department of Water Administration

1. a) Name of Permit Holder DONALD A. BLATZ
b) Post Office Address Box 23 ELLIS IDAHO 83235
2. Permit Number 73-7017
3. Date of Priority that you are prepared to establish Nov 22 1972 ^{APPROX} MAY 1 1973 ^{STARTED IRRIGATING}
4. a) Source from which water was appropriated Pahsimeni River
b) Location of the point of diversion: SE 1/4 SW 1/4 Section 1
Township 14N, Range 21E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0.4 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 0.4 (Cubic Ft Per Sec) 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: _____
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: ELLIS Existing Diversion & Weir & ELLIS Canal
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 brief description of diversion structure and/or canal or ditch) Existing Diversion And Weir at ELLIS Ditch & ELLIS Canal
Measured by WATER MASTER ED GILBERT
b) Describe the type and size of measuring device which you have installed at your point of diversion: Existing (weir) ELLIS Canal Diversion
c) Give well drillers name and address and date the well was completed _____

Exam typed 12/18/73 jed

73-7017

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

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

NOTES

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

TOTALS

Total number of acres irrigated _____

10. Remarks:

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

(Date)

(Signature)

State of Ohio)
County of Covington) ss.

County of Los Angeles)
ss: _____

On this 10th day of November, 1964, personally appeared before me the

Notary Public residing at _____

My commission expires _____

6-25-76

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

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where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

57959

INSURED NO.

DATE DELIVERED

1-5-73

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

73-7017

PS Form 3811 Sep. 1972 55-10-11277-2

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

73.701.EL

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300.



Postmark of Delivering Office

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Print in the space below your name, address, including ZIP Code.



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**RETURN
TO**



DEPARTMENT OF WATER ADMINISTRATION
STATISTICAL SECTION
BOISE, IDAHO 83725

November 1, 1973

CERTIFIED MAIL

#24959

Re: Permit No. 73-7017

Donald A. Blatz
P. O. Box 23
Ellis, Idaho 83235

Dear Mr. Blatz:

One of the conditions of approval of your water Permit No. 73-7017 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

73-7017

December 4, 1972

Re: Permit No. 73-7017

Mr. Donald A. Blatz
P.O. Box 23
Ellis, Idaho 83235

Dear Mr. Blatz:

Enclosed is a copy of your approved Application for Permit No. 73-7017 along with copies of the agreements.

We direct your attention to the conditions of approval as listed on the fourth page of the permit. Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this Department.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of permit
w/agreements
Information letter

cc: Fidele Amar
Merle Hamilton
Enc: Copies of agreements

bc: Eastern District Office

73-7017

CONVERSATION MEMORANDUM

DATE November 29, 1972

FILE 73-7017

NAME OF PARTY Don Blatz

EMPLOYEE Norm Young

OK BDF

RE: Wants us to continue processing application for water from Pahsimeroi.

Would like to file a new application for a like amount from Spring
Creek. I told him we would provide him with the necessary forms.

73-7017

73-7017 - Donald A. Blatz

Basement Room, Custer County Courthouse, Challis, Idaho

November 22, 1972, - 9:00 am

ROSTER OF ATTENDANCE

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Fidelo Amar	Box 11, Salmon, Ida.	Amar Farms
Nolan Hamilton	Box 12	Ellis Idaho
Muri Hamilton	Box 3	Ellis Idaho
Donald A. Blatz	Box 23	Ellis Idaho

73-7017

SENDER: Be sure to follow instructions on other side

13-7019

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where delivered

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RECEIPT

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REGISTERED NO.

81

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

11-4-72

3

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

655-10-81277-1

Nov. 1970

PS Form 3811

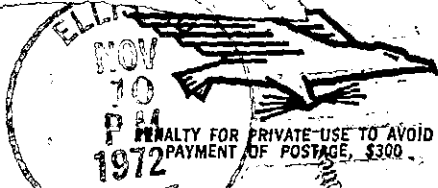
Postmark of Delivering Office 83235

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

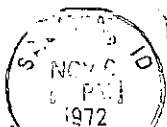
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
2ND S. HOLMES
IDAHO FALLS, IDAHO 83401



Department of Water Administration
Eastern District Office
NOV 10 1970

RETURN TO

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS

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RETURN
TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
200 S. HOLMES
IDAHO FALLS, IDAHO 83401

RECEIVED
1972
Nov 6 1972
District Office

3-7017

~~SENDER~~ Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT

Received the numbered article described below

REGISTERED NO. <i>82</i>	1 2	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) <i>Isidore Amar</i>
CERTIFIED NO. <i>82</i>		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY <i>Barbara Amar</i>
INSURED NO.		
DATE DELIVERED NOV 6 1968		SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

73-7017

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

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where delivered

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to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

83

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Merle H. Gabel

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

11-4-72

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

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SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

IDAHO DEPARTMENT OF WATER ADMINISTRATION
DISTRICT OFFICE
243 S. HOLMES
IDAHO FALLS, IDAHO 83401

Department of Water Administration
District Office

RETURN
TO

RECEIVED

NOV 6 1972

D

PS Form 3811 Nov. 1970 c55-16-81277-1

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF Protest Against Approval)
of Amended Application for Permit No.)
73-7017 in the name of DONALD A. BLATZ)

NOTICE OF HEARING

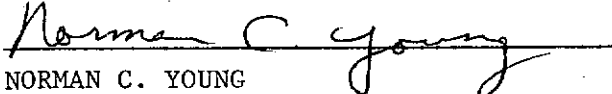
On May 15, 1972, Donald A. Blatz of Ellis, Idaho, filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On June 2, 1972, the Department received a protest against the approval of said application from Merle Hamilton, Ellis, Idaho. On June 5, 1972, the Department received another protest from Fidele Amar, Salmon, Idaho. On August 25, 1972, the applicant amended said application, changing the point of diversion.

The Department has set the matter of protest for hearing on November 22, 1972, at 9:00 a.m. in the basement room of the Custer County Courthouse at Challis, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2ND day of NOVEMBER, 1972.


NORMAN C. YOUNG
District Engineer

73-7017

November 2, 1972

Custer County Courthouse
Clerk of the District Court
Challis, ID 83226

Dear Sir:

This is to confirm the use of the basement room of the Custer County Courthouse for a hearing to be held by this office on Wednesday, November 22, 1972, at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

73-7017

MEMORANDUM

RE: Application No. 73-7017

DATE: August 25, 1972

A conference was held to consider the protest of issuance of permit on Application No. 73-7017 on August 17, 1972, at Challis, Idaho.

The applicant, Donald A. Blatz, was represented by himself. The protestants, Fidele Amar and Merle Hamilton, were represented by themselves.

During the course of the informal conference, it was determined that the application had been incorrectly filed, in that the point of diversion was listed as being on the Ellis Canal, rather than at the canal heading on the Pahsimeroi River. It was further determined that the source of water was not just Spring Creek, but any flow that was coming down the Pahsimeroi River that was available for appropriation at that point.

The main point of concern from the protestants' standpoint is adding an additional stream of water to an already over-taxed canal system. The applicant proposed an agreement whereby he would not carry .4 c.f.s. of his decreed water when he was taking water under this permit, if issued. Protestant Amar Fidele did not agree to this because of other personal problems between himself and the applicant. Therefore, none of the protestants would withdraw their protest.

It was determined that the best course of action was to amend the application to show the true intent and readvertise, this time in both the Mackay Miner and Challis Messenger. Since there is a good chance that there will be additional protestants (other water users upstream on the Pahsimeroi River who have high water use rights), a formal hearing should be delayed until after the protest period on the amended application.

73-7017

MEMORANDUM

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73-7017

August 24, 1972

Re: Amended Application No. 73-7017 - Donald A. Blatz

Mackay Miner
114 South Main Ave.
Mackay, ID 83251

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week 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 us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"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."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

*Bill submitted to
Boise 9/11/72 & 9/13/72
Q.W.*

73-7017

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Application for Permit No. 73-7017 in the name of Donald A. Blatz was filed for the diversion of 0.4 c.f.s. of water from Spring Creek, tributary of the Pahsimeroi River, with point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B.M., Custer County, to be used for irrigation purposes from April 1 to October 31 within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B.M.

On 8/18/72 applicant proposed to amend Application No. 73-7017, requesting that the source of water be changed to the Pahsimeroi River with point of diversion as the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 14N, R. 21E, B.M.

Any protest to the proposed amending of the application may be filed with the Idaho Department of Water Administration, 240 South Holmes Ave., Idaho Falls, Idaho 83401, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger, Challis, and the Mackay Miner, Mackay on August 31 and September 7, 1972.

NOTICE OF AMENDED
APPLICATION FOR WATER PERMIT

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R. KEITH HIGGINSON

Director

Published in the Challis Messenger, Challis, and the Mackay Miner, Mackay on August 31 and September 7, 1972.

73-7017

August 18, 1972

Mr. Donald A. Blatz
P.O. Box 23
Ellis, ID 83235

Dear Mr. Blatz:

Enclosed please find Amended Application No. 73-7017 which we have typed up for your signature.

If you agree with the contents of the application, please sign and return it to this office at your earliest opportunity.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure

73-7017

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 73-7017 in)
the name of DONALD A. BLATZ)

NOTICE OF CONFERENCE
AND/OR HEARING

On May 15, 1972, Donald A. Blatz filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. The Department has received protests against approval of said application from Fidele Amar and Merle Hamilton.

The Department has set the matter of protests for conference and/or hearing for Thursday, August 17, 1972, at 10:00 a.m., in the Courtroom of the Custer County Courthouse at Challis, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 26 day of July, 1972.

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

73-7017

June 19, 1972

Re: Application No. 73-7017

Mr. Donald A. Blatz
P.O. Box 23
Ellis, ID 83235

Dear Mr. Blatz:

We are in receipt of your letter of June 12, 1972, outlining the reasons why your Application No. 73-7017 was filed.

I understand your situation with regard to the publication in the Mackay Miner. We have, however, met the legal requirements in publishing in said paper. We are required by state law, Section 42-203 of the Idaho Code to publish a notice of the application "in a newspaper printed within the county wherein the point of diversion lies, or in the event no newspaper is printed in said county, then in a newspaper of general circulation therein".

Thus, we have met the legal requirements, but would be willing to republish the application in the Challis Messenger at your expense if you will forward to this office an authorization to do so.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

73-7017

RECEIVED

JUN 14 1972

Department of Water Administration
Idaho District Office

Ellis, Idaho
June 12 1972

State of Idaho
Dept of Water Administration
240 So Holmes
Idaho Falls, Idaho

Mr Norman C Young
District Engineer

Dear Sir,

In reference to our application for water permit # 73-7017 we understand our permit application was publicized in the Mackay Miner newspaper on May 25 1972 which we knew nothing about until a few days ago. We do not subscribe to the Mackay Miner as it is not our local newspaper. To make a long story short our neighbors, (we understand) believe we were trying to put one over on them by advertising in a newspaper that is not distributed in our locality and had it not been for some friends or relatives of the protesting parties from Mackay that seen the publication the neighbors of ours would not of been aware of the application and therefor would not have had the opportunity to protest same. As you know we knew nothing about the publication, did not order it etc. and it does not look to good for us as far as the neighbors are concerned. They believe we were the ones that ordered the publication etc, and like I said before they think we tried to pull a fast one as they so bluntly put it. We dont like to be put in this position and would appreciate it if your office could put the record straight with the two parties that protested our application, Mr Fidel Amar and Mr Merle Hamilton with a letter of explanation as to what actually happened. This publication should have been in the Challis Messenger, Challis, Idaho.

In answer to your questions:

#1. Will the proposed use reduce the quantity of water under existing water rights? (NO) Reason: We have a 20" decree in same ditch, same source and our right when shut down at last diversion pt flows another quarter then hits diversion pt of proposed permit on our property again. Water at proposed pt of diversion would only be used when our decree of 20" is not being used elsewhere so water would be available in ditch and furthermore Mr Amar has given us permission to use as much as 40 to 80 inches of water on and off all summer for past 7 years and when our water is not in use he gets the benefit of it. We have been very fortunate to have all the water we could possibly use from April 1 to June 1 every year due to there not irrigating at Amar Farms till June 1 or after, this year they still havent turned on as of this date, so you see there is excess water in the ditch and the only way we could prove it and explain situation would be to have an on the location investigation. When we finish our alfalfa irrigation with our 20" decree we let it go down the ditch to Amar Farms where it is usually dumped into the Salmon river, we can put this 20" of water to beneficial use and bring non productive ground into productive acreage that will greatly improve the landscape plus be beneficial to us for early pasture. All the water in this ditch is dammed off every year for the past 7 years just a few feet from our property line and proposed pt of diversion. Amt of water in ditch as it enters Merle Hamilton property Approx 800 to 1000 inches or more, there right 230 or more Amars right approx 540 our right 20 and another neighbor 10 plus

73-7017

surplus high water, they Merle Hamilton ranch above us take all the water from the time they fill the ditch usually April 1 or 15th till Amar Farms turn on on June 1 or after. Also all the water is again taken on or about October 1 till shut down time due to spud harvest. This is why in our application we stated that if this was a hardship on anyone (I dont see how it could be due to the fact that permit would be subject to all prior water rights), that we would accept a permit from April 1 to June 1 and from Oct 1 to Oct 31 this way we could get an early application of water on ground by sprinklers and help to alleviate our problem of early pasture needs.

#2. Is the proposed water supply insufficient for purposes intended? (No) We can pump 20" of water and run 32 rainbirds and irrigate the acreage adequately.

#3. Is the application made in good faith or for a delay or speculative purposes?

The application is made in good faith for irrigation of pasture only and to show our good faith we would accept a permit for only our sole use and in the event property was ever sold permit would become null and void.

#4. Has the applicant sufficient financial resources with which to complete project? Yes Land has already been cleared, planted crop growing, irrigation equip owned by us and paid for. Crops would have been burnt up this year at proposed site of permit had it not been for sufficient moisture this spring. There would be no rights of ways or easements necessary.

We are not in the position as a small operator 160 acres to hire legal counsel in this matter and do honestly believe we are not creating any hardship on anyone due to existing decreed water rights but when surplus water is in the ditch we can definitely put it to beneficial use rather than see it wasted and dumped to no ones advantage.

In answer to Mr Amars letter of protest regarding capacity of ditch, the ditch will carry much more water than it does now and 20 inches of water would not make that much difference as it is in the ditch already as my decree, as I stated before we do not intend to use permit only when our decree is back in the ditch. He has made the statement to me several times that he just went up and put in another 1000 inches of water etc so I am sure that the capacity of the ditch has nothing to do with his protest.

In answer to Merle Hamilton letter of protest the reason he is protesting is very evident when we dont use our decreed water and it goes by our headgate on his property it is extra water for there use plus the fact that when Amar tells him to take all his water which would be another 540 inches he may have to let 20 inches go by to us if permit granted and by the way there is that much that goes by his dam that is wasted that could fill our permit applied for. As I stated before an on the spot field investigation could help us to prove our point. In the first place why would Merle Hamilton protest our application when he is above our property and has an old decree on ditch and our permit would be subject to all prior water rights.

I appreciate your patience in reading this letter but it is the only way we have to try explain the situation as it really is and any suggestions your office has that will help us to prove the water is available would be greatly appreciated. Also if your office could straighten out the other matter of publication due to an error by your department would maybe help us not to look so bad to our neighbors F Amar and Merle Hamilton

I am not blaming anyone for the error as we all make mistakes and I believe this one can be rectified.
Thank you for your help and suggestions,

Sincerely Yours,

LaBlatz

73-7017

June 8, 1972

Re: Application No. 73-7017

Mr. Fidele Amar
P.O. Box U
Salmon, ID 83467

Dear Mr. Amar:

We are in receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish right-of-ways over private or governmental lands. Right-of-ways or easements must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NERMAN C. YOUNG
District Engineer

NCY:BA

73-7017



FOUNDATION and CERTIFIED
SEED POTATOES
TUBER UNIT PLANTING

AMAR FARMS

P. O. Box U
SALMON, IDAHO - 83467

AREA CODE 208
SALMON — 756-3333
CHALLIS — 879-2315
MAY — 876-2181

#73-7017

RECEIVED

JUN 5 1972

Idaho Dept. of Water Administration
240 S. Holmes
Idaho Falls, Idaho

Department of Water Administration
Eastern District Office

Dear Sirs:

We are opposed to the granting of 20 inches of water from Spring Creek to Dan Blatz. As far as we know there is no excess water from this creek. We would like to know more about this. Where would the point of diversion be. (NEW 7, 15N. R 21E) ^{SW}

We are very diffently opposed to Don Blatz transporting 20 inches more in our ditch, the Ellis Ditch. The ditch would have to be enlarged because it is at its fullest Capacity now.

Sincerely,

Fidel Amar

73-7017

June 8, 1972

Re: Application No. 73-7017

Mr. Merle Hamilton
Ellis, ID 83235

Dear Mr. Hamilton:

We are in receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish right-of-ways over private or governmental lands. Right-of-ways or easements must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

73-7017

RECEIVED

JUN 2 1972

Department of Water Administration
Eastern District Office

Ellis, Idaho

May 31, 1972

Idaho Dept. of water administration
240 South Helms
Idaho Falls, Idaho

Sirs,

I would like to know more about
the application for a water permit that
Donald A. Blatz, Box 23 Ellis, Idaho
has applied for.

Application No 73-7017

I am opposed to the granting of
this permit until it is further
clarified.

1. Where his point of diversion would
be, as there is no surplus water
in Spring creek. (NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7, 15N, R 21E³⁴)
2. And how he plans on getting it to the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec 7 T15N, R21, EBM

Yours Truly
Mack Hamilton
73-7017

June 8, 1972

Re: Application No. 73-7017

Mr. Donald A. Blatz
P.O. Box 23
Ellis, ID 83235

Dear Mr. Blatz:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 73-7017. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, unless the applicant can show that more is required due to soil or climate conditions. (Section 42-202, Idaho Code).

The waters intended to be appropriated must be public water of the State of Idaho. If private waters, as defined under Section 42-212, Idaho Code, the applicant must have authority to divert the water from the owner of the land on which the water lies.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish right-of-ways over private or governmental lands. Right-of-ways or easements must be obtained by the applicant through action outside of the water right proceedings.

73-7017

Page 2

Mr. Donald A. Blatz

Re: 73-7017.

June 8, 1972

You will be notified at a later date as to the time and place set for a hearing and/or conference to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

C NORMAN C. YOUNG
District Engineer

O NCY:BA

Encls: Copies of protests (2)

P
Y

73-7017

RECEIVED

JUN 2 1972

Department of Water Administration
Eastern District Office

Ellis, Idaho

May 31, 1972

Idaho Dept. of water Administration
240 South Helms
Idaho Falls, Idaho.

Sir,

I would like to know more about
the application for a water permit that
Donald A Bely, Box 23 Ellis, Idaho
has applied for.

Application No 73-7017
I am opposed to the granting of
this permit, until it is further
clarified.

1. Where his point of diversion would
be as there is no surplus water
in Spring creek. (NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 7, T15N, R21E³⁴)
2. And how he plans on getting it to the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 7 T15N, R21, EBM

Yours Truly
Mark Hamilton

73-7017



FOUNDATION and CERTIFIED
SEED POTATOES
TUBER UNIT PLANTING

AMAR FARMS

P. O. Box U
SALMON, IDAHO - 83467

AREA CODE 208
SALMON — 756-3333
CHALIS — 879-2315
MAY — 876-2181

RECEIVED

JUN 5 1972

Idaho Dept. of Water Administration
240 S. Holmes
Idaho Falls, Idaho

Department of Water Administration
Eastern District Office

Dear Sirs:

We are opposed to the granting of 20 inches of water from Spring Creek to Dan Blatz. As far as we know there is no excess water from this creek. We would like to know more about this. Where would the point of diversion be. (NE NW 7, 15N, R 21E) ^{SW}

We are very diffently opposed to Don Blatz transporting 20 inches more in our ditch, the Ellis Ditch. The ditch would have to be enlarged because it is at its fullest Capacity now.

Sincerely

Fidel Amar

73-7017

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Donald A. Blatz, P. O. Box 23, Ellis, Idaho has on 5/15/72 submitted Application No. 73-7017 for a permit to appropriate 0.4 cubic feet per second of water from Spring Creek, tributary to Pausimerol River by means of pump within the NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B. M., Custer County, to be used from Apr. 1 to Oct. 31 for the irrigation of 20 acres within the NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 7, T. 15N, R. 21E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before June 5, 1972.

R. KETH HIGGINSON
Director

Published in the Mackay Miner,
Mackay, Idaho on May 25 and June 1, 1972.

Affidavit of Publication

STATE OF IDAHO

County of Custer

SS.

I, TOM REIMANN

the Bookkeeper
of The MACKAY MINER, a
weekly newspaper of General Cir-
culation published weekly and en-
tered in the Post Office Mackay,
Idaho, continuously since Febru-
ary 6, 1906, do solemnly swear
that a copy of the notice, as per
clipping attached, was published
weekly in the regular and entire
issue of said newspaper and not in
any supplement thereof, for —

2 consecutive weeks,
commencing with the issue dated

MAY 25, 1972
and ending with the issue dated

JUNE 1, 1972

Tom Reimann

Subscribed and sworn to before
me this 2nd day of

June, 1972

Eileen Lannon

Notary Public

Notary Public

Residing at Mackay, Idaho

Commission expires 6/7/73

73-7017

① Error on
protest plate in

Public -

6/1/72

Ncy

May 17, 1972

Re: Application for Permit No. 73-7017

C
Mr. Donald A. Blatz
P.O. Box 23
Ellis, ID 83235

O
Dear Mr. Blatz:

Attached herewith is departmental receipt No. 7300 in the amount of \$25 for your application for permit which was received in this office under the above date.

P
Very truly yours,

NORMAN C. YOUNG
District Engineer

Y
NCY:BA

Attachment

73-7017

May 18, 1972

Re: Application No. 73-7017 - Donald A. Blatz

Mackay Miner
114 S Main Ave.
Mackay, ID 83251

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week 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 us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"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."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

*Bill submitted to
Loise
6-6-72*

73-7017

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Donald A. Blatz, P.O. Box 23, Ellis, Idaho

has ¹ on 5/15/72 submitted Application No. 73-7017
for a permit to appropriate 0.4 cubic feet per second ~~XXXXXX~~
of water from Spring Creek, tributary to Pahsimeroi River
by means of pump
within the NE 1/4, Sec. 7, T. 15N, R. 21E, B.M., Custer County;

to be used from Apr. 1 to Oct. 31

for the irrigation of 20 acres

within the NE 1/4, Sec. 7, T. 15N, R. 21E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before

June 5, 1972

June 12

R. KEITH HIGGINSON

Director

Published in the Mackay Miner, Mackay, Idaho
on May 25 and June 1, 1972

73-7017

Apr 11 24, 1972

Mr. Donald A. Blatz
Post Office Box #23
Ellis, Idaho 83235

Dear Mr. Blatz:

We are returning your Application for Permit, with your money order #15-119, for \$10.00, in order that you may clarify a part of your application.

You have indicated that you wish to irrigate 10 acres with 0.4 cubic feet per second of water. This would be an excessive amount. The maximum amount that we can accept the application for would be one miners inch (0.02 cubic feet per second), per acre. That would be a total of 0.2 cubic feet per second.

If you wish to change the amount under item #4, to 0.2 cubic feet per second, then your \$10.00 money order would be the proper fee. An amount in excess of 0.21 cubic feet per second will have a \$25.00 filing fee.

Please make the necessary changes and return the application to this Department as soon as possible.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: Money Order #15-119 (\$10.00)
original application for permit

73-7017

1x
April 19, 1972

Mr. Don A. Blatz
Post Office Box #23
Ellis, Idaho 83235

Dear Mr. Blatz:

We are returning your Application for Permit, as there are several questions that need clarification before we could process it. As you will note, we have taken the liberty of re-typing the application on one of the Department's current application forms.

Please complete item #3a, listing the point of diversion, as to the nearest 40 acre subdivision, section, township and range that it would lie within. Item #8b must also be completed, listing the number of acres in each 40 acre subdivision that will be irrigated. We also wish to call to your attention, the fact that on your original application, you have described the 10 acres that you will irrigate as being located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 15 North, Range 21 East, Boise Meridian. However, on your map, you have indicated the acres to be irrigated as being located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of the same section, Township and Range.

The filing fee for this application is based on the quantity of water that you are proposing to use. This fee may be determined from page three of the enclosed instructions.

If you should have any questions in the completion of this application, please do not hesitate to contact this Department.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cs

Enc: application for permit (original)
application for permit (re-typed)
permit instruction (fee schedule)

73-7017