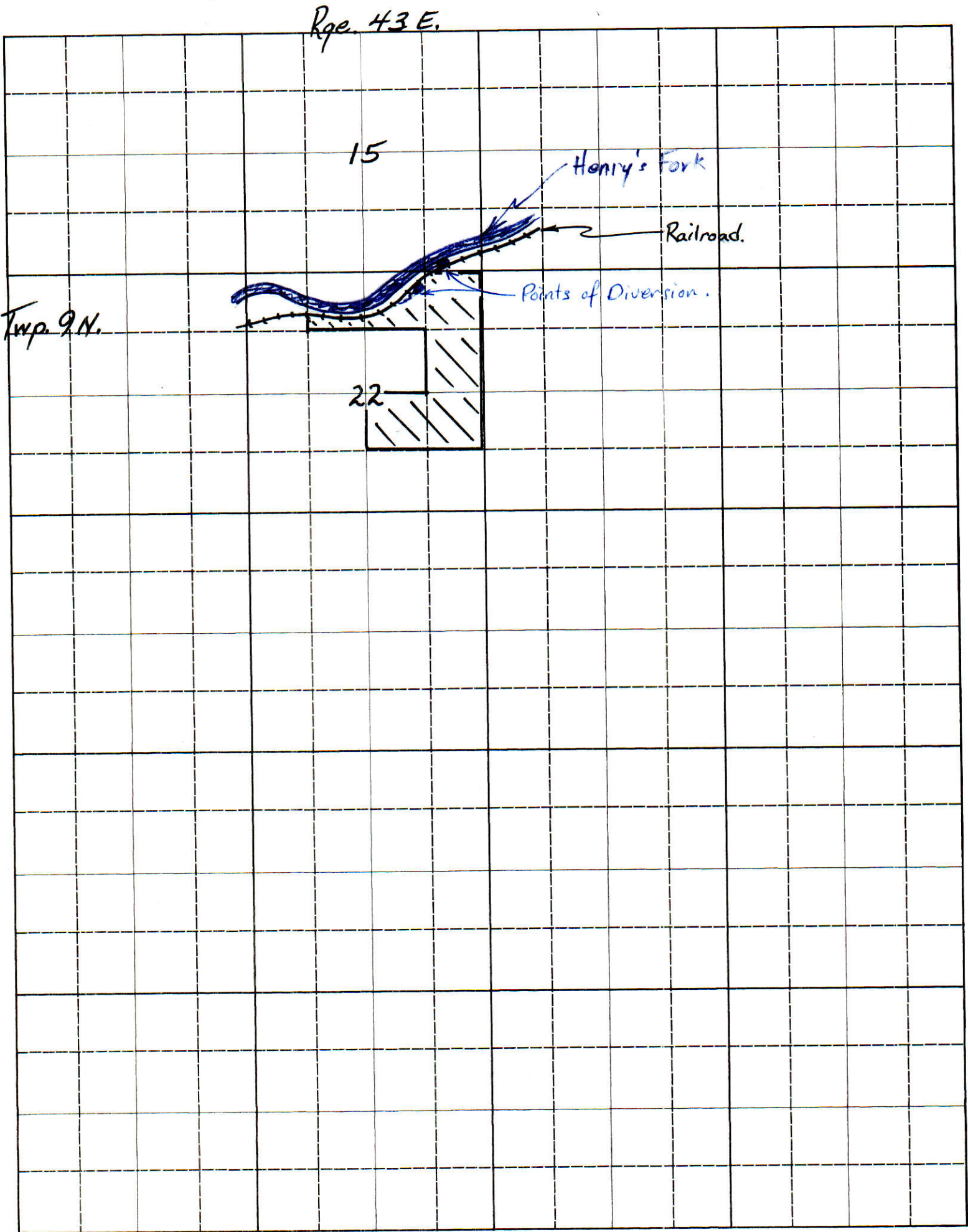


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X George Marotz
(Applicant)

AFFIDAVIT OF
PUBLICATION

State of Idaho

ss.

County of Fremont

Carol Bessey

being first duly sworn, upon ^{her} ~~his~~
oath, deposes and says:

That she is the editor.....
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

Notice of amended
application for.....
permit #21-7101.....

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for 2..... consecutive
issues thereof; first publication

having been made on the 28.....

day of December, 1978,

and the last publication on the

4 day of January
1979.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Carol Bessey.....
Subscribed in my presence and

sworn to before me this 9th.....

day of January.....
1979.

M. Brent Tighe

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

NOTICE OF AMENDED
APPLICATION FOR PERMIT

Notice is hereby given that Application
for Permit No. 21-7101 in the name of
George Marotz was filed for diversion of
2.00 c.f.s. of water from Marotz Spring
tributary to Henry's Fork Snake River, with
point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 22, T. 9N, R. 43E, B.M., Fremont
County; to be used from Apr. 1 to Nov. 1 for
the irrigation of 144 acres within the
N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

The applicant now proposes to amend
Application No. 21-7101 requesting 2.00
c.f.s. of water to be diverted from Marotz
Spring and an unnamed spring tributary to
Henry's Fork Snake River with points of
diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, B.M.

Any protest to the proposed amending
of the application must be filed with the
Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho,
83401, on or before January 15, 1979.

C. STEPHEN ALLRED
Director

Publ. Dec. 28, 1978, Jan. 4, 1979AH

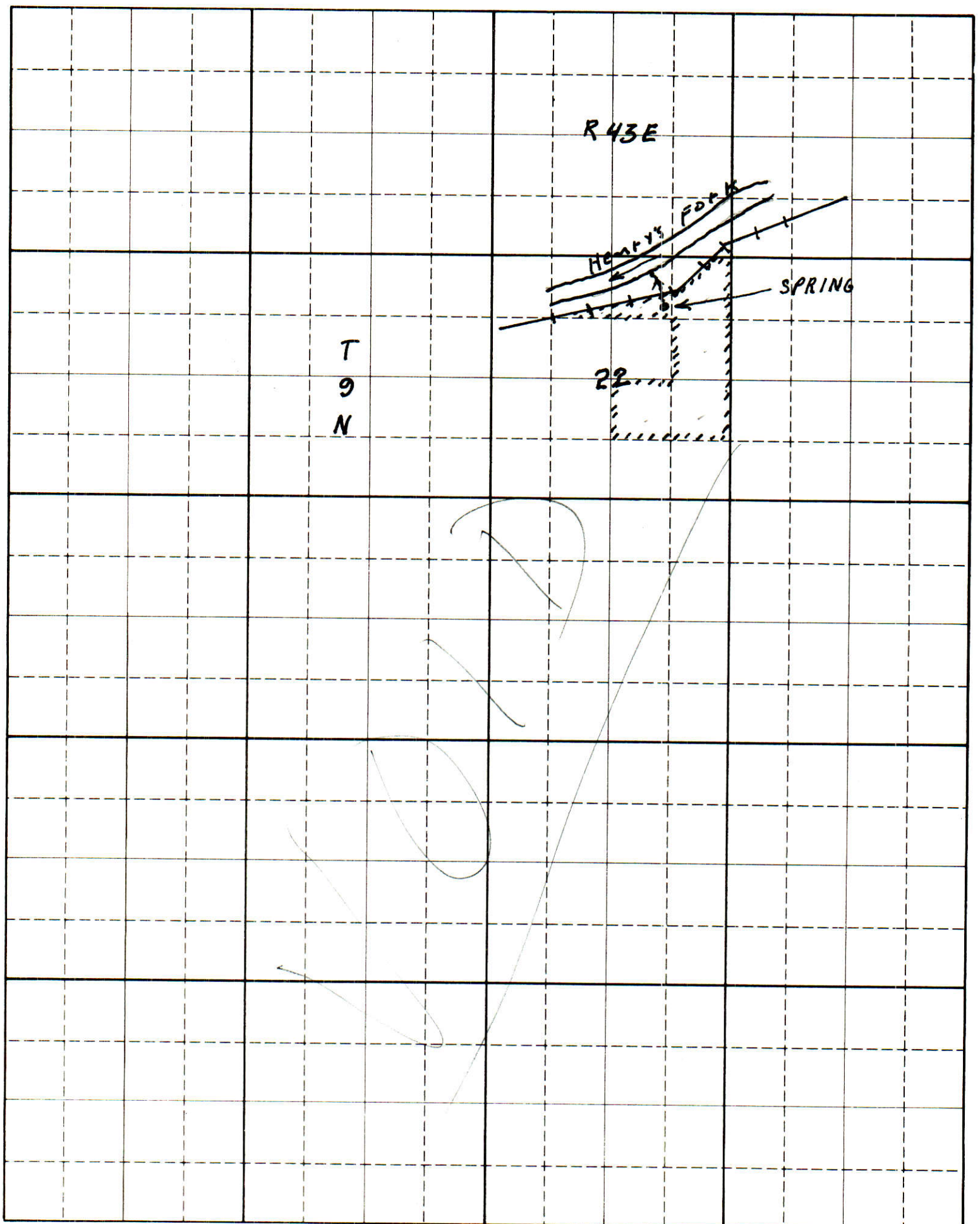
RECEIVED

JAN 10 1979

Department of Water Resources
Eastern District Office

MICROFILMED

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.

George Marotz
(Applicant)

AFFIDAVIT OF
PUBLICATION

State of Idaho }
County of Fremont } ss.

Carol Bessey
being first duly sworn, upon her
oath, deposes and says:

That she is the *editor*...
of The Ashton Herald, a news-
paper as defined by Idaho Codes
Annotated, section 58-106, as
amended, and that said newspaper
is a weekly newspaper published
at Ashton, Idaho, in Fremont
County, Idaho, having a general
circulation in said county, and that
said newspaper has been printed
and published as a weekly news-
paper in said county for more than
78 consecutive weeks prior to the
first publication of the attached
notice, advertisement or publi-
cation of *Notice of*.....

Application for Water
Permit # 21-7101...

And affiant further says that said
notice, advertisement or publi-
cation, as per clipping attached,
was published in said newspaper,
in the regular and entire issue
thereof, and not in any supplement
issue thereof, for ... *2*

consecutive issues thereof; first
publication having been made on

the ... *23* ... day of
December, 1976.,

and the last publication on the
30 ... day of *December*
1976.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least
eight pages of at least four col-
umns each, printed from type
matter, of at least fifteen inches
deep.

Carol Bessey
Subscribed in my presence and
sworn to before me this ... *4* ...

day of *January*,
1977..

James E. Holcomb
Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

RECEIVED

JAN 6 1977

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that George
Marotz, Ashton, Idaho has on 12-15-76
submitted Application No. 21-7101 for a
permit to appropriate 2.00 cubic feet per
second of water from Marotz Spring
tributary to Henrys-Fork Snake River by
means of pump and pipeline within the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E,
B.M., Fremont County; to be used from
Apr. 1 to Nov. 1 for the irrigation of 144
acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N,
R. 43E, B.M.

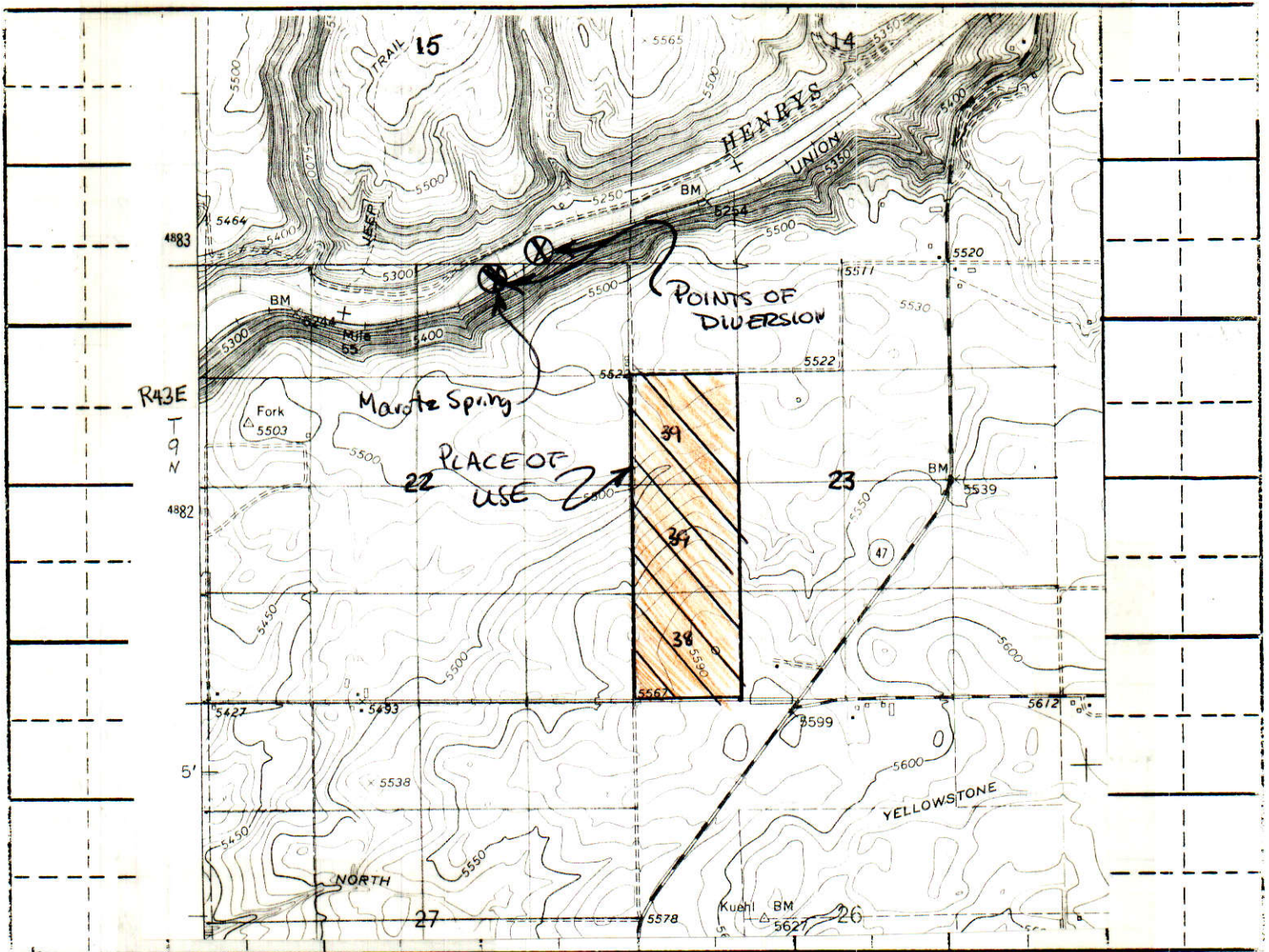
If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before January
10, 1977.

R. KEITH HIGGINSON
Director

Published in the Ashton Herald, Ashton,
Idaho on December 23 and December 30,
1976.

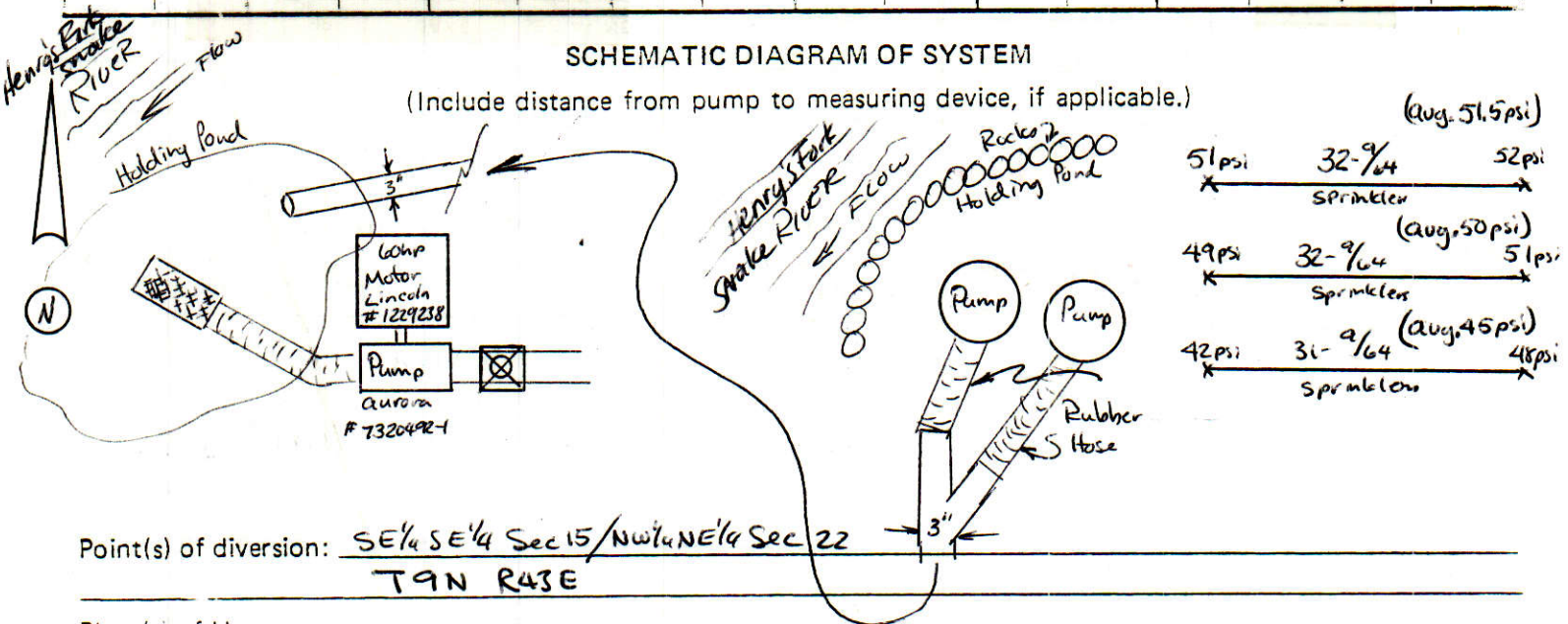
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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 Sec 15 / NW 1/4 NE 1/4 Sec 22
T9N R43E

Place(s) of Use

TWP.	RGE.	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	
9N	43E	23							39			39	38						116

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JUL 01 1987

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Keith C. Johnson

Checked by

[Signature]

Approved by

Ray Walker

Date

19 NOV 1984

Date

11-28-84

Date

2-9-87

RECEIVED

Points of Divergence
SPRINGS

Marotz Spring

R43E

PLACE OF USE

21-7101

5

$$\begin{array}{r} 20 \overline{) 21} \\ \underline{20} \\ 1 \end{array}$$
$$\begin{array}{r} 17 \\ 20 \end{array} \frac{16}{21}$$

George Marotz
(Name)

Accompanied by: George
1382 Morte

Gorman	Seed
--------	------

Meter #	<u> </u>	Annubar#	<u> </u>	Size #	<u> </u>
---------	-------------------	----------	-------------------	--------	-------------------

Remarks: _____

Measurement calculations:

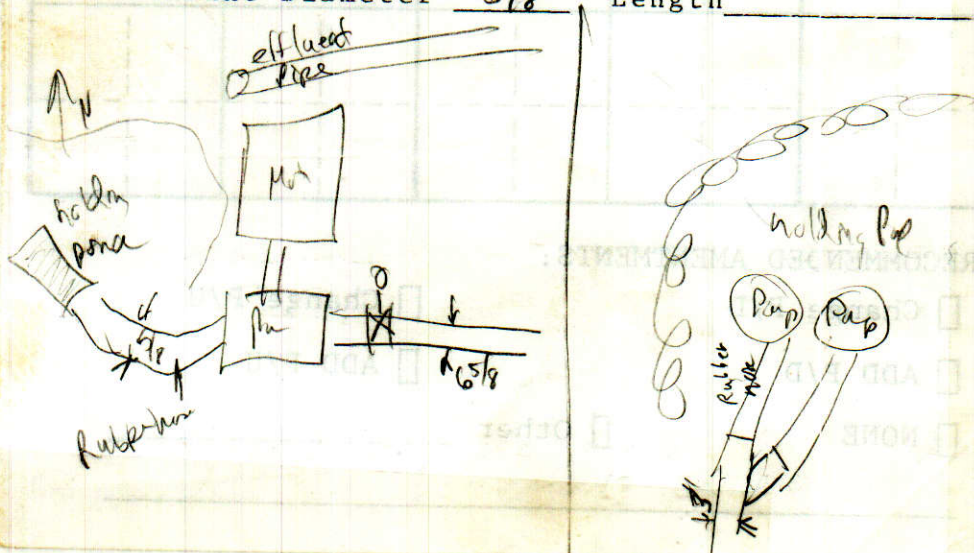
392.48
g/min

0.87
ft

$\frac{42 \text{ psi} \quad 316 \text{ lbs (45 psi)} \quad 48 \text{ psi}}{964} \quad 395$

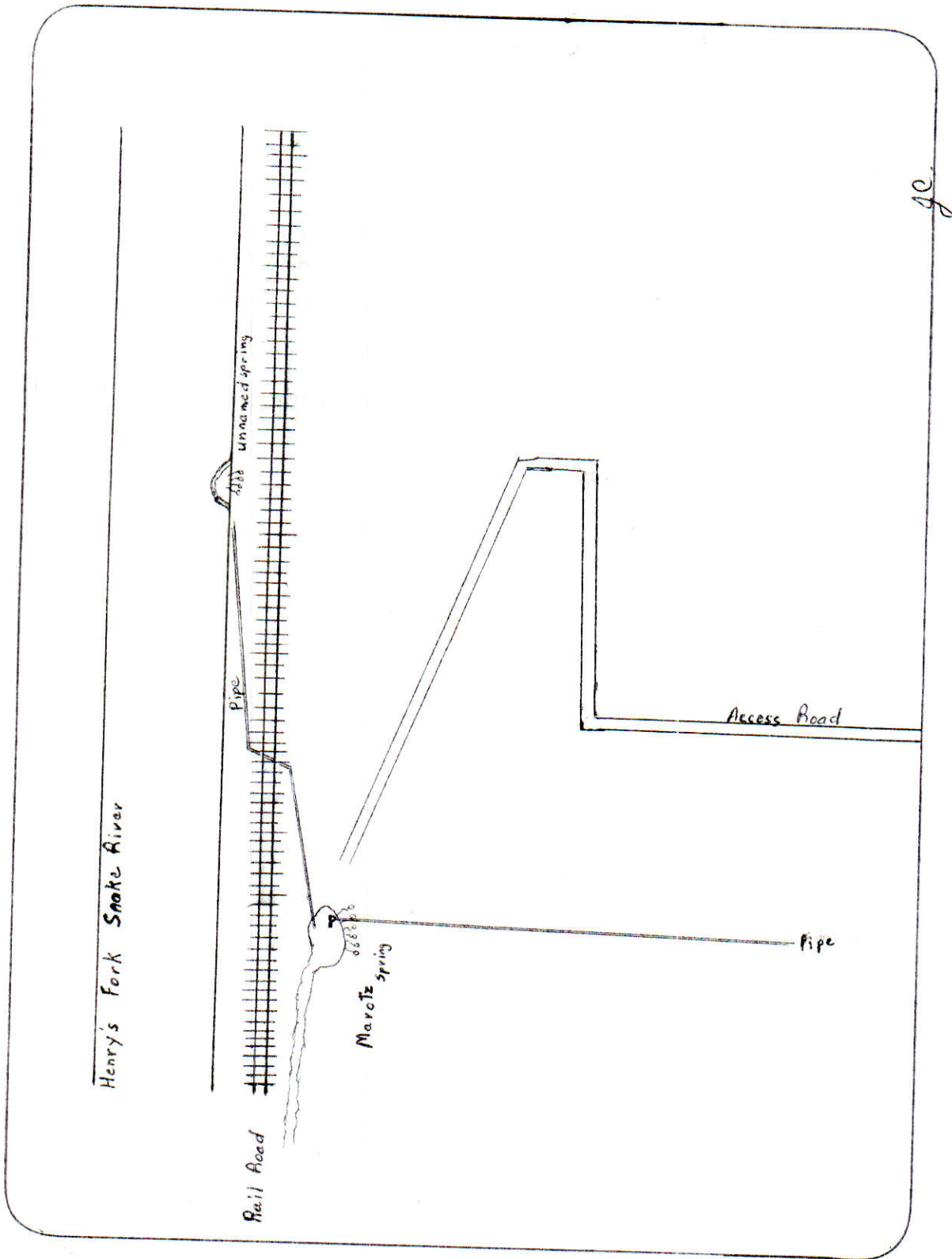
SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter 6 5/8" Length



MICROFILMED

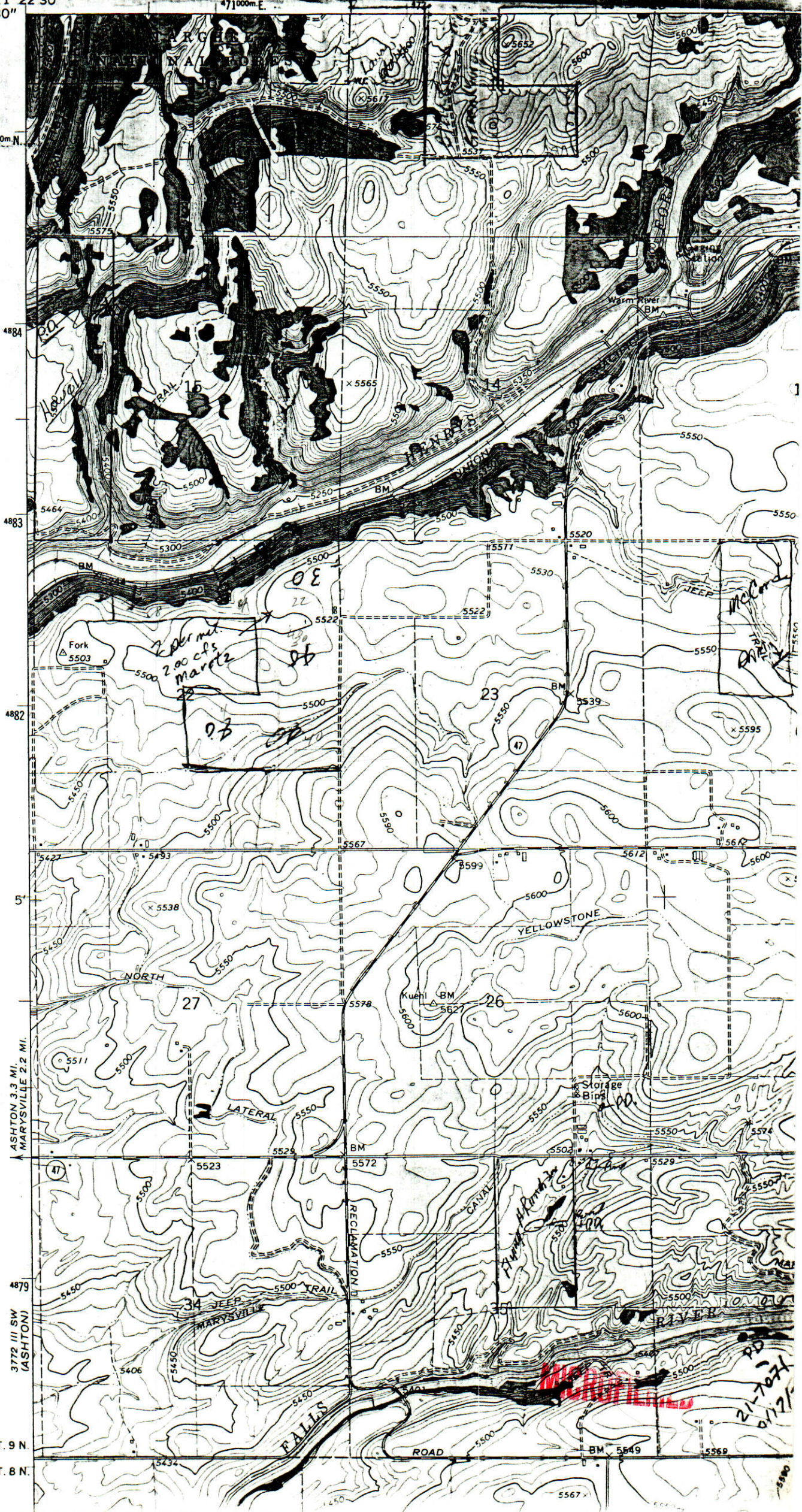
JUL 01 1987



111°22'30"
44°07'30"

4885000m N

471000m E



ASHTON 3.3 MI.
MARYSVILLE 2.2 MI.

3772 III SW
(ASHTON)

T. 9 N.
T. 8 N.

21-7027
01/27

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-7101

Priority: December 19, 1978 Amount: .47 CFS 214.9 AFA

This is to certify, that GEORGE MAROTZ
RT. 1 BOX 13

ASHTON, ID 83420 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated February 19, 1978, and
has submitted proof to the Department of Water Resources on June 17, 1981, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .88 cfs of water from;

MAROTZ SPRING
SPRING

tributary to HENRYS FORK
tributary to HENRYS FORK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.47 cfs	214.9 afa

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 15, Township 9N, Range 43E
NWNE , Sec. 22
Fremont County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
9N	43E	23	SWNW 39	NWSW 39	SWSW 38		116

Total number of acres irrigated: 116

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 01 .
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with Right No. 21-2136 shall divert more than 373.5 acre feet per annum.

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JUL 01 1981

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 21-7101

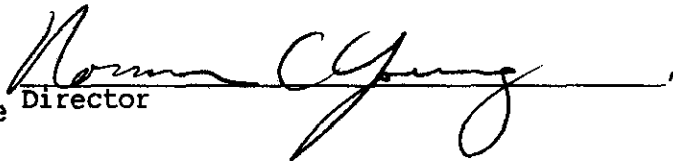
CONDITIONS/REMARKS:

8. this right shall only be valid so long as adequate supplemental water supplies are maintained for the described lands.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of JUNE, 19 87.

Acting for the

Director



MICROFILMED

JUL 01 1987

State of Idaho
Department of Water Resources

RECEIVED
MAY 06 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-7101

Department of Water Resources

Date of Priority: December 19, 1978

Comes now GEORGE MAROTZ
RT. 1 BOX 13
ASHTON, ID 83420

and represents to the Director of the

APPROVED

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 21-7101, and requests that the permit be changed as follows:

Source: MAROTZ SPRING
Source: SPRING

tributary to: HENRYS FORK
tributary to: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.47 cfs	214.9 afa

LOCATION OF POINT OF DIVERSION(S): SESE, Sec. 15, Township 9N, Range 43E
NWNE, Sec. 22

Fremont County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
9N	43E	23	SWNW 39	NWSW 39	SWSW 38		116

Total number of acres irrigated: 116

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Ashton Idaho, this 2 day of April 2, 19 87.

MICROFILMED

JUL 01 1987

George Marotz
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-7101

FOR DEPARTMENT USE ONLY

Preliminary check by fw Fee = \$20.00 ✓ Receipted by ag Date 5-27-87 #42471

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, of the Department of Water Resources hereby approve the above
Application for Amendment for Permit No. 21-7101 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 01 .
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with Right No. 21-2136 shall not divert more than 373.5 acre feet per annum.

Witness my hand this 23rd day of June, 19 87 .

Norman C Young
Acting for the (Director)

MICROFILMED

JUL 01 1987

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF
AMENDED APPLICATION FOR PERMIT NO. 21-7101 IN
THE NAME OF GEORGE MAROTZ

MEMORANDUM DECISION
AND ORDER

On December 15, 1976, George Marotz filed with the Department of Water Resources Application for Permit No. 21-7101 for a permit to appropriate two cubic feet per second of water from Marotz Spring tributary to the Henry's Fork with a point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Twp. 9N, Rge. 43E B.M., Fremont County. Notice of this application was published in the Ashton Herald on December 23 and 30, 1976, and subsequently protested by Utah Power and Light. Utah Power and Light advised the Department on September 9, 1977, it would not appear at a conference and/or hearing in this matter but was agreeable to the Department making a decision on the basis of available information in the Department's files.

On December 19, 1978, the applicant amended his application for permit to indicate Marotz Spring and an unnamed spring as the source of water with no change in the place of use.

On October 29, 1979, the springs were examined by a representative of the Department and determined to flow a total of 0.79 cubic feet per second. This exam also revealed that both springs were tributary to the Henry's Fork, with the unnamed spring located in the bank of the river.

The Department has taken the issues under consideration and based upon the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1) The Department's records indicate the protestant, Utah Power and Light is the holder of the following water rights for power generation:

- A) Decree No. 01-0277 for 1,000 cubic feet per second with a priority of July 16, 1913, to be used at the Ashton Plant.
- B) Decree No. 01-0278 for 500 cubic feet per second with a priority of November 1, 1975 to be used at the Ashton Plant.
- C) Decree No. 01-0279 for 1,000 cubic feet per second with a priority of March 7, 1974 to be used at the Ashton Plant.
- D) Decree No. 01-0280 for 700 cubic feet per second with a priority of December 20, 1913, to be used at the St. Anthony Plant.

RECORDED

2) Records for Fremont-Madison Irrigation District indicate the applicant has 63 acre feet of storage water appurtenant to the proposed place of use.

3) Surface water tributary to the Henry's Fork is within State Water District 01. Records for this water district indicate water was delivered to the latest priority rights on the Henry's Fork above Ashton during the 1978 and 1979 irrigation seasons.

CONCLUSIONS OF LAW

1) Available records indicate the proposed use will not reduce the quantity of water under existing water rights.

2) The proposed water supply when used in conjunction with existing water rights will be sufficient for the purpose intended.

3) The applicant is entitled to an approved permit from the Department of Water Resources.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Amended Application for Permit No. 21-7101 is APPROVED subject to the following conditions:

1) Subject to all prior water rights.

2) Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1985.

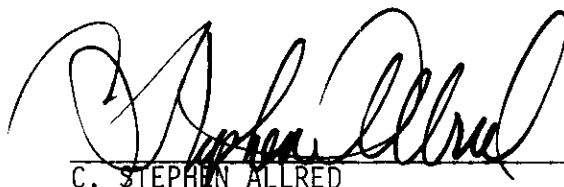
3) The rate of diversion under this permit when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

4) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

5) Use of water under this permit is subject to control of the watermaster of State Water District No. 01.

6) This right shall only be valid so long as adequate supplemental water supplies are maintained for the described lands.

Dated this 27 day of February, 1980.


C. STEPHEN ALLRED
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

AMENDED

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant George Marotz Phone 652-3592

Post office address Route #1, Box 13, Ashton, Idaho 83420

2. Source of water supply Marotz Spring & unnamed spring which is a tributary of Henry's Fork

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 9N

Range 43E B.M. Fremont County, additional points of diversion if any: _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, (approximately 600 feet from Marotz Spring)

4. Water will be used for the following purposes:

Amount 2.00 for Irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pumps and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (minimum 1 year — maximum 5 years).

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: _____ horsepower 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: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	43E	22	22	8		40	4								40	30			144

Total number of acres to be irrigated 144

c. Describe any other water rights used for the same purposes as described above. License No. 21-2136, 0.41 from the same source.

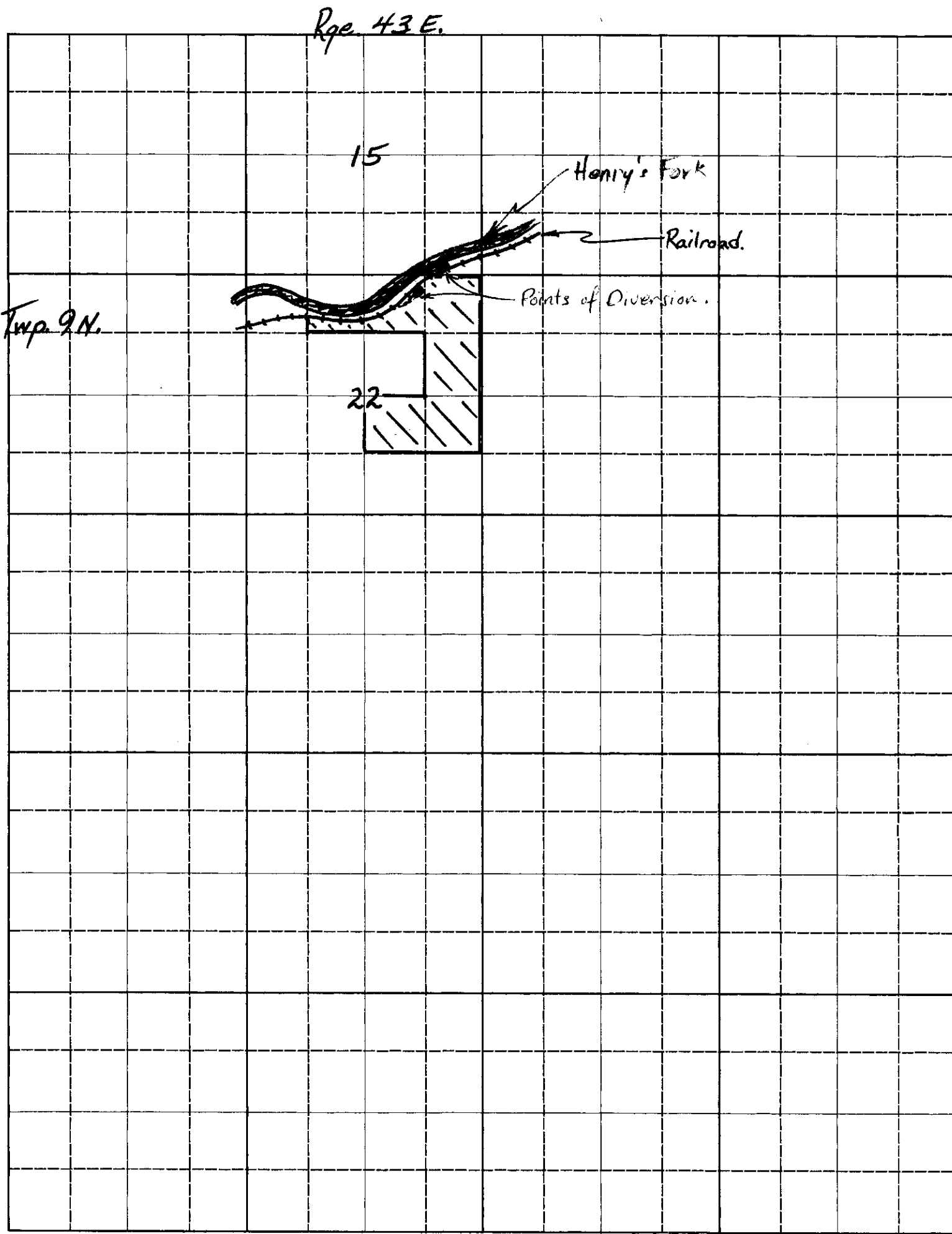
9. a. Who owns the property at the point of diversion Applicant

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 This application is for water to be developed by improvement of the springs and increase in pump capacity.

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.

X George Marotz
(Applicant)

Priority date: December 19, 1978

Received by CW Date 12-19-78 Time 11:25 A.
Preliminary check by MC Fee \$ 20.00
Receipted by CW Date 12-19-78 # 12820
Publication prepared by CW Date 12-20-78
Published in Ashton Herald
Publication dates Dec. 28, 1978 + Jan. 4, 1979
Publication approved Q7 Date 1/10/79
Protests filed by: Utah Power & Light Co. - agreed to let dept
reach decision.
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MC Jim

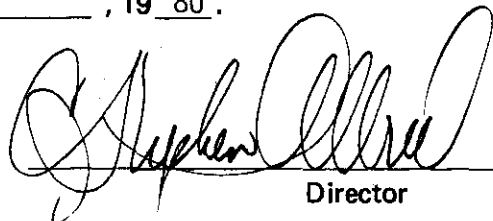
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7101, and said application is hereby APPROVED.

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 February 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 27 day of February, 19 80.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

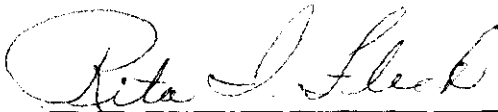
IN THE MATTER OF AMENDED APPLICATION
FOR PERMIT NO. 21-7101 IN THE NAME
OF GEORGE MAROTZ

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on the 4th day of March, 1980, true and correct
copies of the foregoing MEMORANDUM DECISION AND ORDER, were mailed, postage pre-
paid to:

George Marotz
Route 1, Box 13
Ashton, ID 83420

Utah Power and Light Company
1407 West North Temple
Salt Lake City, UT 84116



RITA I. FLECK

MAILED 1980

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey

being first duly sworn, upon ~~his~~^{her} oath, deposes and says:

That she is the ~~editor~~^{editor} of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Notice of amended application for permit #21-7101

And affiant further says that said notice, advertisement of publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication

having been made on the 28

day of December, 1978,

and the last publication on the

4 day of January, 1979.

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Carol Bessey

Subscribed in my presence and

sworn to before me this 9th

day of January,

1979.

M. Brent Tipton

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
~~St. Anthony, Idaho.~~
Ashton

NOTICE OF AMENDED
APPLICATION FOR PERMIT

Notice is hereby given that Application for Permit No. 21-7101 in the name of George Marotz was filed for diversion of 2.00 c.f.s. of water from Marotz Spring tributary to Henry's Fork Snake River, with point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 144 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

The applicant now proposes to amend Application No. 21-7101 requesting 2.00 c.f.s. of water to be diverted from Marotz Spring and an unnamed spring tributary to Henry's Fork Snake River with points of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 15, 1979.

C. STEPHEN ALLRED
Director

Publ. Dec. 28, 1978, Jan. 4, 1979AH

RECEIVED

JAN 10 1979

DEPARTMENT OF WATER RESOURCES
Eastern District Office

Identification No. 21 7101
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant George Marotz Phone: 652-3592
post office address Rt. #1, Box 13, Ashton, Idaho
2. Source of water supply Marotz Spring which is a tributary of Henrys Fork Snake River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 9N
Range 43E B.M. Fremont 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 2.00 for Irrigation purpose from Apr. 1 to Nov. 1 (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. 2.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump and sprinkler system

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 5 years.
b. Estimated construction cost is \$ 2,000.00
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: _____

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	
9N	43E	22	22	8		40	4								40	30			144

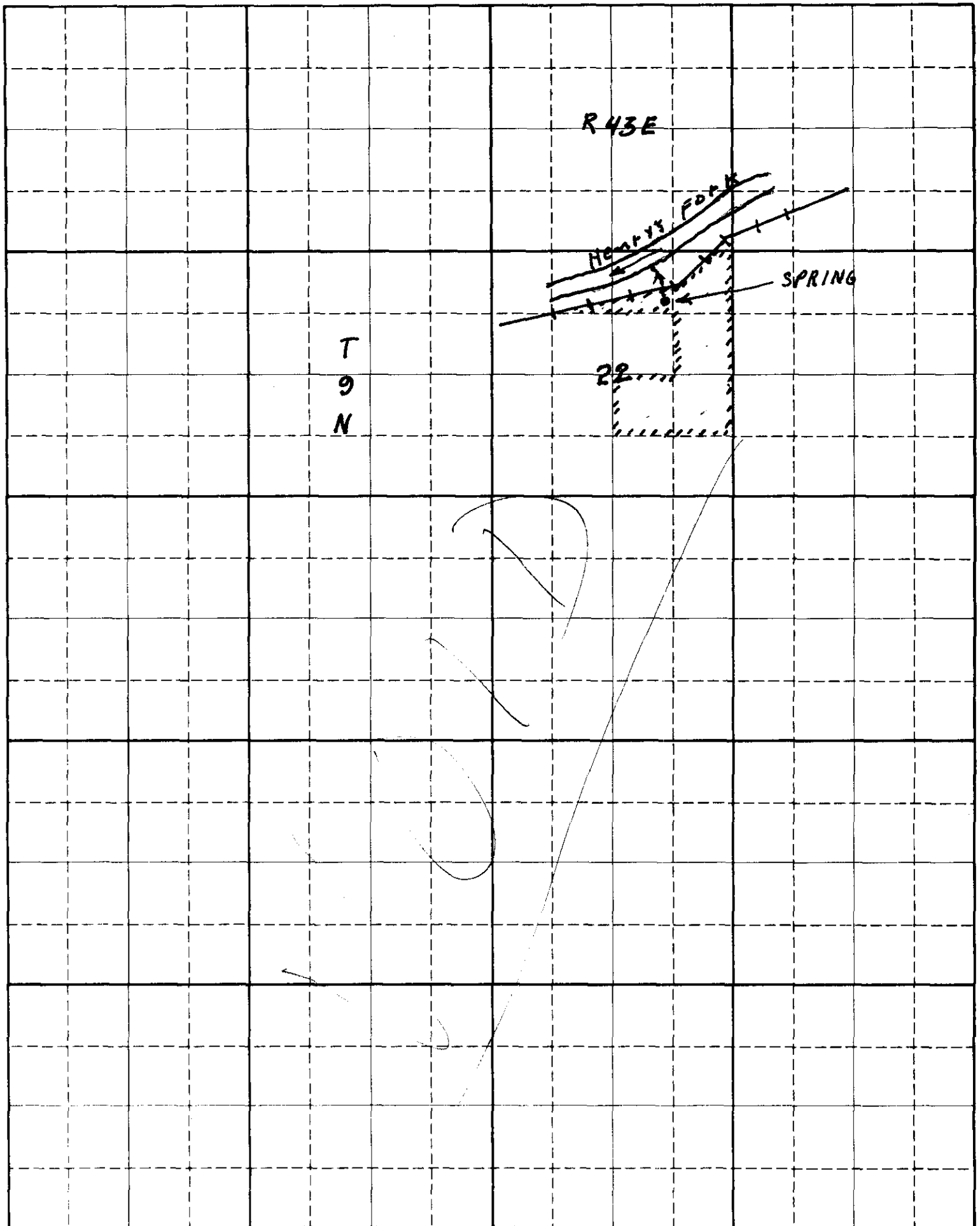
Total number of acres to be irrigated 144

c. Describe any other water rights used for the same purposes as described above.
License No. 21-2136 0.41 cfs from the same source

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 This application is for water to be developed by improvement of the spring and increase in pump capacity.

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.

George Marotz
(Applicant)

Received by CW Date 12-15-76 Time 3:40 P.
Preliminary check by LH Fee \$ 35.00
Receipted by CW Date 12-15-76 # 4465
Publication prepared by CW Date 12-16-76
Published in Ashton Herald
Publication dates Dec. 23 & 30, 1976
Publication approved me Date 1-6-77
Priority reduced to _____ Reason _____

Protests filed by: Stick Pinner & Light

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey
being first duly sworn, upon her
oath, deposes and says:

That she is the *editor*...
of The Ashton Herald, a news-
paper as defined by Idaho Codes
Annotated, section 58-106, as
amended, and that said newspaper
is a weekly newspaper published
at Ashton, Idaho, in Fremont
County, Idaho, having a general
circulation in said county, and that
said newspaper has been printed
and published as a weekly news-
paper in said county for more than
78 consecutive weeks prior to the
first publication of the attached
notice, advertisement or publi-
cation of *Notice of Application*...

*Application for Water
Permit # 21-7101...*

And affiant further says that said
notice, advertisement or publi-
cation, as per clipping attached,
was published in said newspaper,
in the regular and entire issue
thereof, and not in any supplement
issue thereof, for ... *2*

consecutive issues thereof; first
publication having been made on

the ... *23* ... day of
December, 19. *76*.,

and the last publication on the

30 ... day of *December*
19. *76*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least
eight pages of at least four col-
umns each, printed from type
matter, of at least fifteen inches
deep.

Carol Bessey
Subscribed in my presence and

sworn to before me this ... *4* ...

day of *January*

19. *77*.

James E. H. H. H. H.

Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that George
Marotz, Ashton, Idaho has on 12-13-76
submitted Application No. 21-7101 for a
permit to appropriate 1.00 cubic feet per
second of water from *Idaho Spring*
tributary to *Idaho River* by
means of pump and pipeline within the
NW 1/4 NE 1/4, Sec. 22, T. 34 N. R. 43 E.
B.M., Fremont County; to be used from
Apr. 1 to Nov. 1 for *irrigation* of 124
acres within the NW 1/4 NE 1/4, NE 1/4 NW 1/4, N 1/4 SE 1/4, Sec. 22, T. 34 N.
R. 43 E. B.M.

It is further stated that the applicant is subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lewis Road, Idaho
Falls, Idaho, 83401 on or before January
10, 1977.

R. KEITH HIGGINS
Director

Published in the Ashton Herald, Ashton,
Idaho on December 23 and December 30,
1976.

RECEIVED

JAN 6 1977

Department of Water Resources
Eastern District Office

MAILED

June 24, 1987

GEORGE MAROTZ
RT. 1 BOX 13
ASHTON, ID 83420

RE: Permit No. 21-7101

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUL 01 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

RECEIVED

MAY 26 1987

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

Department of Water Resources

May 18, 1987

RE: Permit No. 21-7101

George Marotz
Rt. 1, Box 13
Ashton, ID 83420

Dear Mr. Marotz:

We received your signed licensing amendment for the above referenced permit and your note stating that this same form had been submitted to our Eastern Regional Office. Please be advised that we contacted our Eastern Regional Office and they had no record of receiving the form or the \$20.00 filing fee.

We will not take any further action towards licensing this permit until we receive the \$20.00 filing fee for the amendment form. If you have a receipt and/or cancelled check to show your payment of this fee, please submit it to this office on or before June 18, 1987. If we have not received the fee by that date, we will assume you do not wish to complete the licensing of this permit.

If you have any further questions regarding this matter, please feel free to contact our office.

Sincerely,

Kay Walker
KAY WALKER
Technical Records Specialist

Check # 185 May 19 Paid

KW:sc

cc: Eastern Region

MICROFILMED

JUL 01 1987

*note: Check for permit #21-7101
enclosed.*



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 18, 1987

RE: Permit No. 21-7101

George Marotz
Rt. 1, Box 13
Ashton, ID 83420

Dear Mr. Marotz:

We received your signed licensing amendment for the above referenced permit and your note stating that this same form had been submitted to our Eastern Regional Office. Please be advised that we contacted our Eastern Regional Office and they had no record of receiving the form or the \$20.00 filing fee.

We will not take any further action towards licensing this permit until we receive the \$20.00 filing fee for the amendment form. If you have a receipt and/or cancelled check to show your payment of this fee, please submit it to this office on or before June 18, 1987. If we have not received the fee by that date, we will assume you do not wish to complete the licensing of this permit.

If you have any further questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

cc: Eastern Region

RECEIVED
JUL 01 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

GEORGE MAROTZ
RT. 1 BOX 13
ASHTON, ID 83420

RECEIVED
MAY 06 1987

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 29, 1987

Department of Water Resources

RE: Permit No. 21-7101

Dear Permit Holder(s):

We previously forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

Note: we signed a similar form earlier and mailed it - we think we mailed it to the Dept Water Resources in Idaho Falls

RECEIVED

JUN 01 1987

April 29, 1987

GEORGE MAROTZ
RT. 1 BOX 13
ASHTON, ID 83420

RE: Permit No. 21-7101

Dear Permit Holder(s):

We previously forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
JUL 01 1987

March 16, 1987

GEORGE MAROTZ
RT. 1 BOX 13
ASHTON, ID 83420

RE: Permit No. 21-7101

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILMED

JUL 01 1987

CONTACT WITH PERMIT HOLDER

DATE	INITIALS	REMARKS
------	----------	---------

- ☐ Appointment letter mailed: _____

☐ Telephone call made: _____
(List Telephone No. used) _____

☐ Appointment scheduled for: _____
(Date, time, location) _____

EXAMINATION

Date 12 July 1982 Accompanied by George Marotz Total Q measured 0.88 cfs

If source is surface water, estimate total flow of source _____

Methods of measurement Pilot tube Meets Permit requirements?

Measurement calculations:

1/4" sprinklers @ 45 psi = 3.99 gpm / nozzle
 @ 50 psi = 4.18 gpm / nozzle
 @ 51.5 psi = 4.24 gpm / nozzle
 @ 55 psi = 4.37 gpm / nozzle

$$31 \text{ sorinkla} \times 399 \text{ g parynada} = 123.69 \text{ g p.}$$
$$32 \text{ " } \times 4.18 \text{ gpm/nozzle} = \cancel{133.67} \text{ } 133.76$$

32 " K 4.24 gpm/nozzle = 135.68 ✓

$$Q_{TOTAL} = \frac{393.13}{393.13} = 0.88 \text{ cfs} \checkmark$$
$$V = 11.6 \times 3 = 34.8$$

6 V - 1100000 348042

$$V = .88 \times 14 \times 35 \times 214 = 313.5$$

$y = 373.5$
df

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
Marotz Spring	60	Lincoln	1229238	Aurora	7320492-1	Pitot tube	Good	
Spring	UNK	Gorman	- Submersible Pump and motor -					

System Description Holding pond with pumps to sprinkler system. Spring water is diverted from holding pond of Spring by two submersible pumps to 3" discharge pipe that carries water to holding pond of Marotz Spring then is pumped into mainline to laterals with sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 ✓ AFA/Acre

USE
Irrigation ✓

Q (cfs)
0.88 cfs

V (afa)
348

FROM
4/1 ✓

TO ✓

Total	0.88cf ✓	348 ✓	4/1	11/1
-------	----------	-------	-----	------

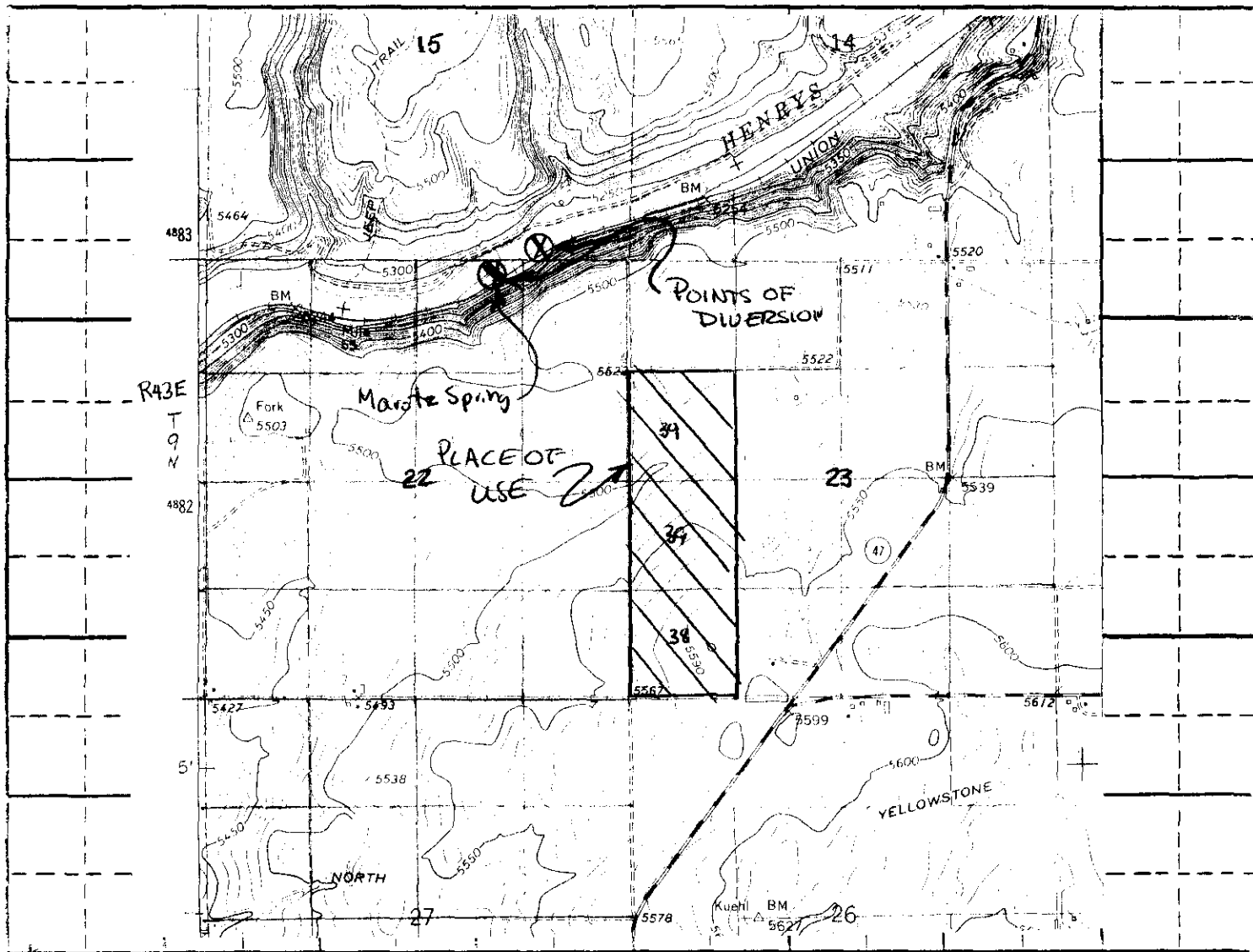
Remarks Same P/O as 21-2136 R 17 (0.88 cfs)

Meter not working properly see Pump Data sheet prepared by Val Richards Deputy watermaster W.D.01

MICROFILMED

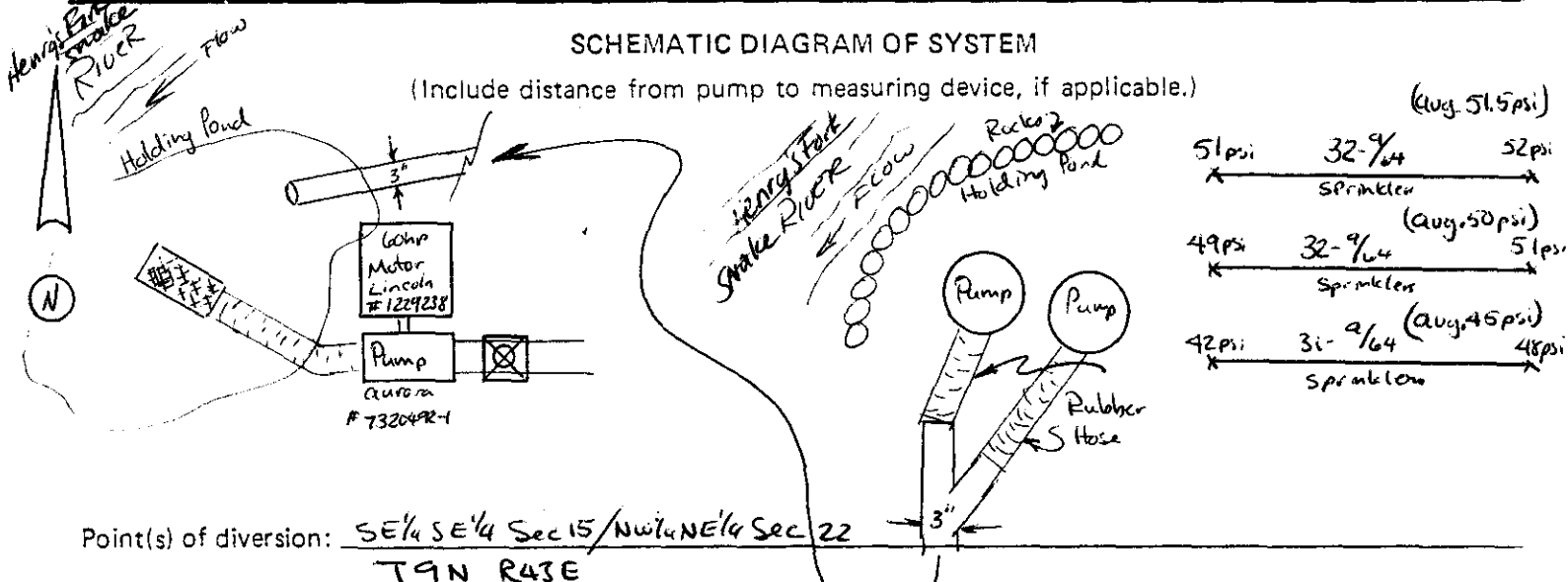
~~JUL 01 1987~~

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 SE 1/4 Sec 15 / NW 1/4 NE 1/4 Sec 22
T9N R43E

Place(s) of Use

TWP.	RGE.	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	
9N	43E	23							39				39	38					116

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Keith Collison
Thomson
Kay Walker

Date

Date

Date

JUL 01 1981

19 NOV 1984

11-28-84

2-9-87

TO: FILE

FROM: JIM

RE: FIELD EXAM REVIEW

OVERLAP

RT. 21-2136 is from same sources and uses same diversion system.

THERE IS NO P/U OVERLAP BETWEEN THE TWO RTS.

SYSTEM DIVERTS: 0.88 cts

RT. 21-2136 is for: 0.41 cts

AMT AVAILABLE FOR RT. 21-7101: 0.47

VOLUME

$$0.47 \times 1.9832 \times 214 = \underline{214.9 \text{ AFA}} *$$

$$116 \text{ AC} \times 3.0 = 348 \text{ AFA}$$

SYSTEM VOLUME

$$116 \text{ AC} + 144 = 260 \text{ AC}$$

$$260 \text{ AC} \times 3.0 \frac{\text{AFA}}{\text{AC}} = 780 \text{ AFA}$$

$$0.88 \times 1.9835 \times 214 = \underline{373.5 \text{ AFA}}$$

ADJUST ANNUAL VOLUME

SINCE EXISTING RT. 21-2136 ALREADY IS LIC. FOR A VOLUME OF 174 AFA. IT IS IMPRACTABLE TO SUBTRACT THAT VOLUME TO ~~THE~~ SYSTEM VOLUME TO DETERMINE VOLUME FOR THIS RIGHT.

∴ USE SPECIAL CONDITION WHICH LIMITS VOLUME OF BOTH RTS TO. 373.5 AF

RECEIVED
JUL 01 1981

State of Idaho
Department of Water Resources

AUG 16 1976

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

License of Water Right No. 32424/21-2136 Priority June 28, 1965 Amount 0.41 cfs

THIS IS TO CERTIFY, that GEORGE MAROTZ
of Ashton, Idaho, has complied with the terms and conditions of Permit
No. 32424/21-2136 issued pursuant to Application for Permit dated June 28, 1965
and has submitted proof to the Department of Water Resources on July 21, 1975
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 0.41 cfs of water from a spring
tributary to _____, 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.41</u> cfs and	<u>174 acre feet or</u> <u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.41 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

174 acre feet per year, said waters to be diverted within the NW¹NE¹ of Sec. 22,

Twp. 9 N, Rge. 43 E, B. M.

County of Fremont

Description and location of place of use:

Same as Marotz Spring description
No P/U overlap

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	
9 N	43 E	22	22	8		40	4								40	30			144

Total number of acres irrigated 144

JUL 24 1985

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 16 day of

19 76.

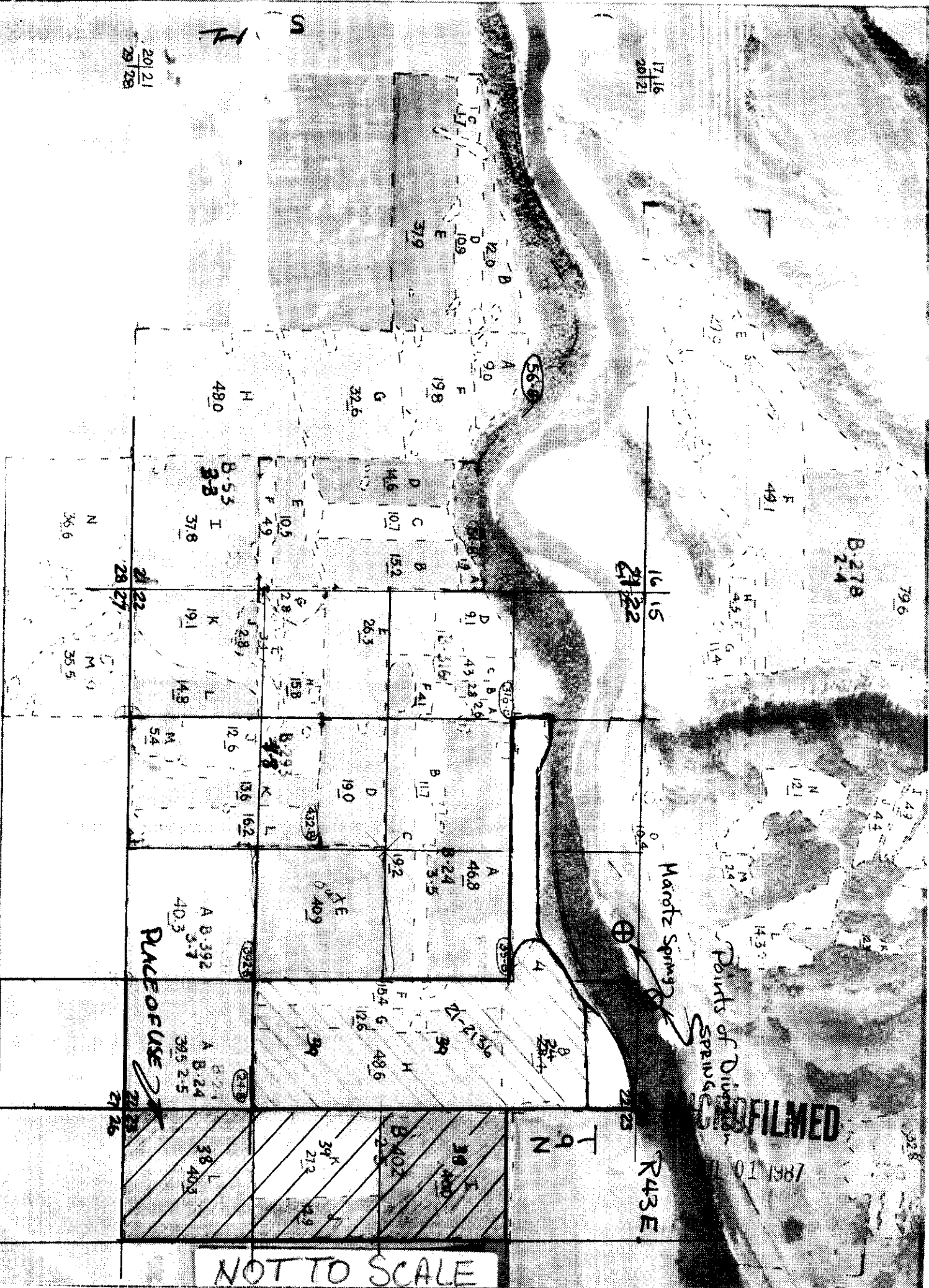
MICROFILMED

JUL 01 1987

Director

20/21
29/28

17/16
20/21



Points of Discharge
SPRINGS

COPIED

10/1/1987

R43E

NOT TO SCALE

21-7101

Pump Data Sheet

George Mottz 13045655

DATE	IN-LINE METER READING		POWER METER READING		VOLUME DIVERTED TO DATE (AF)
	RATE (cfs)	VOLUME (af)	DEMAND	KW (hours)	
1979 6-22-79		18.6			1.2 A/F
7-12-79		25.6			7.0 A/F
7-25-79		32.3			13.7
8-24-79		32.3			13.7 Total use
10-24-79		SAME			
1980 Season					
7-17-80		32.3			0
7-29-80		32.3			0
8-26-80		32.3			None used
9-28-80		NONE			
10-27-80		NONE			USED FOR SEASON
1981 Season					
7-11-81		(32.3)	Same		
1982 Season					
7-7-82		32.306	(CAN)		
7-15-82	High Water	32.318	est use -		6.0 A/F
			meter not working properly		
7-23-82			est use	(High Water)	12 A/F
8-12-82	meter fixed		45.0	used (13 A/F)	25 A/F
8-25-82			48.3	used (16 A/F)	28.3 A/F
9-30-82	Same				28.3 A/F
1983 Season					
6-28-83			Not using yet		
7-9-83			Not using		
8-25-83			No use FOR 1983 SEASON		

COMMENTS:

19.5 A/F

01 1981

Telephone 652-3592

Pump Data Sheet from WD-01 Records
 Compiled By Val Richards

8/2/82
 High
 Water

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

JUL 24 1985

21-7101

Permit No.

Department of Water Resources

KCW

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Assume: Pump Eff = 82% Motor Eff. = 91%

TDH - Total dynamic head = Lift (elevation change + (PSI x 2.308))

$$TDH = (5590 - 5250) + (48.8 \times 2.308) = 452.6'$$

PSI - Average pressure = 48.8 psi

$$Q = \frac{HP (8.814) (Pump\ eff.) (Motor\ eff.)}{TDH} = \frac{60 (8.814) (.82) (.91)}{452.6} = 0.87\ cfs$$

WD-01 PUMP DATA SHEET 8-12-82 (45.0 af) to 8-25-82 (48.3 af) for 3.3 acft.

KCW

INTER-DEPARTMENT MEMO — 1

FROM

DATE

G. F. RAMSEY

TO FILE 21-7101

NOV 28 1984

SUBJECT THEORETICAL CALCULATION

60 HP PUMP MOTOR EFF 91%
PUMP EFF 82%

LIFT 10 FT

PRESSURE AT MOST REMOTE LINE 48 PSI

Δ HEIGHT PUMP TO MOST REMOTE LINE 5250 - 5530 = 280 ft

$$Q = \frac{HP (8.814) (MTR\ EFF) (PUMP\ EFF)}{LIFT + \Delta HEIGHT + (PSI \times 2.308)} = \frac{60 (.91) (.82) (8.814)}{10 + 280 + (48 \times 2.308)}$$

= 0.98 cfs

SIGNATURE

REPROFILMED

JUL 01 1987

PERMIT NO. 21-7101 George Maritz
(Name)

EXAMINATION: DATE: July 12, 82 Accompanied by: George Maritz

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
Lincoln	60	1229238	Aurora	732092-1
Gorman	Small			

Measuring Device Type: _____

Meter # _____ Annubar # _____ Size # _____

Remarks: _____

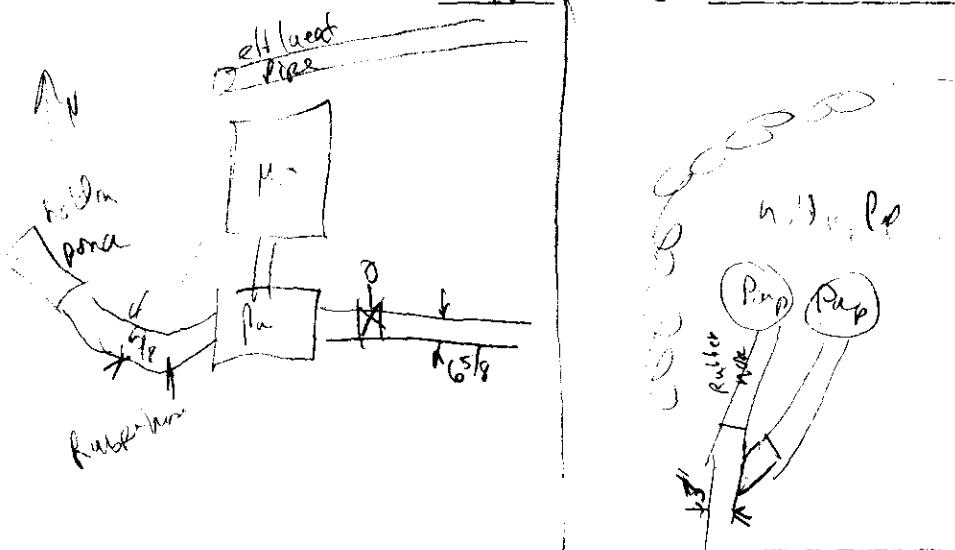
Measurement calculations:

51 psi (51.5) 52 psi 4.22
32 birds
44 psi (50) 51 4.18
32 birds
31 birds (45 psi)
42 psi 48 psi 3.99
9/64

392.48 g/min
0.87 cfs

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter 6 7/8" Length _____



MICROFILMED

JUL 01 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 23, 1981

RE: Permit No. 21-7101

George Marotz
Rt. #1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

We acknowledge receipt of the proof of beneficial use card submitted 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 examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

MICROFILMED

JUL 01 1981

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 21-7101

Name(s) of Permit Holder: George Marotz

Post Office Address: Rte #1, Box 13,

Ashten Id 83420 Tel. No. 652-3592

Source of Water: Marotz Spring + Unnamed Spring

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

5/17/81
 Date

George Marotz
 Signature of Permit Holder

RECEIVED
JUN 19 1981

JUL 01 1981

Department of Water Resources

RECEIVED

JUN 17 1981



Department of Water Resources
Eastern District Office

PLACE
TEN CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

March 4, 1980

Mr. George Marotz
Route 1, Box 13
Ashton, ID 83420

Dear Mr. Marotz:

Re: Amended Application for Permit No. 21-7101

Enclosed is a copy of your approved Amended Application for Permit No. 21-7101 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Order.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting the statement of beneficial use. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty (20) days, or may appeal directly to the district court within sixty (60) days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Utah Power and Light Co.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. George Marotz

☒ Source amended
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee amended app.

(1) ARK Dec 19, 1978

In form to receipt yes

(2) _____

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management
☒ watermaster
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(3) _____

In form for advertising yes

(4) _____

(5) _____

Platted on Map No. Topo 1-98

(6) _____

Located within Water District No. 01

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use 40-21-2136

(10) _____

Comments: Recommend pre-permit exam.

(11) dh 1-15-79

Affidavit of Publication received (date) 1-10-79

(12) dh 1-15-79

Final date for protests January 15-1979

Protests received: yes x no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) EMC 2/8/80

Action recommended:

☒ Approve _____ Deny

12/15/76 Proposed Priority

Reason for Reduction _____

Measuring device required

☒ See attached sheet for other conditions of approval

No special conditions for approval

(15) District Eastern

By Ernest Carlson Date 2/11/80

John 2/15/80
Permit Review
Complete.

Copy sent

WATERMASTER COMMENTS

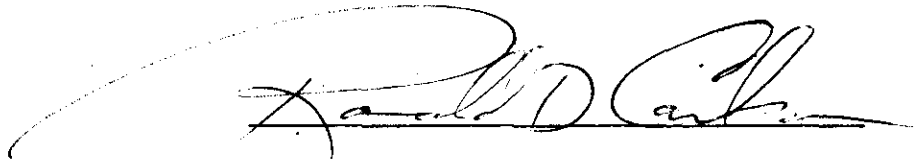
I have reviewed application for permit No. 21-7108 and have

- (1) no objections to the approval of this permit.
✓ (2) the following objections to the approval of this permit:

This application should be considered
the same as a permit application
on Henry's fork & therefore
subject to all Priorities. The
applicant must have a supplemental
supply.

11/12/79

DATE



RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

RECEIVED

NOV 13 1979

Department of Water Resources
Eastern District Office

MICK

TO: The File
FROM: John Carlson
RE: Amended Application No. 21-7101 - George Marotz
DAT: October 29, 1979

A pre-permit exam was completed on May 11, 1979, for the two springs (Marotz Spring and an unnamed spring) which are both tributaries to Henry's Fork of the Snake River. The system was not operating at that time.

The Marotz Spring consists of several small flows collecting in a 20' X 30' pond. A .35 cfs flow was measured leaving the pond tributary to the Snake River.

The other spring is located directly on the bank of the Snake River. A rock bar was pushed into the river to create a pond to hold the spring water before it flows into the river. This flow was measured at .44 cfs

The water is pumped from the second spring to the Marotz Spring pond where it is relifted by the irrigation system.

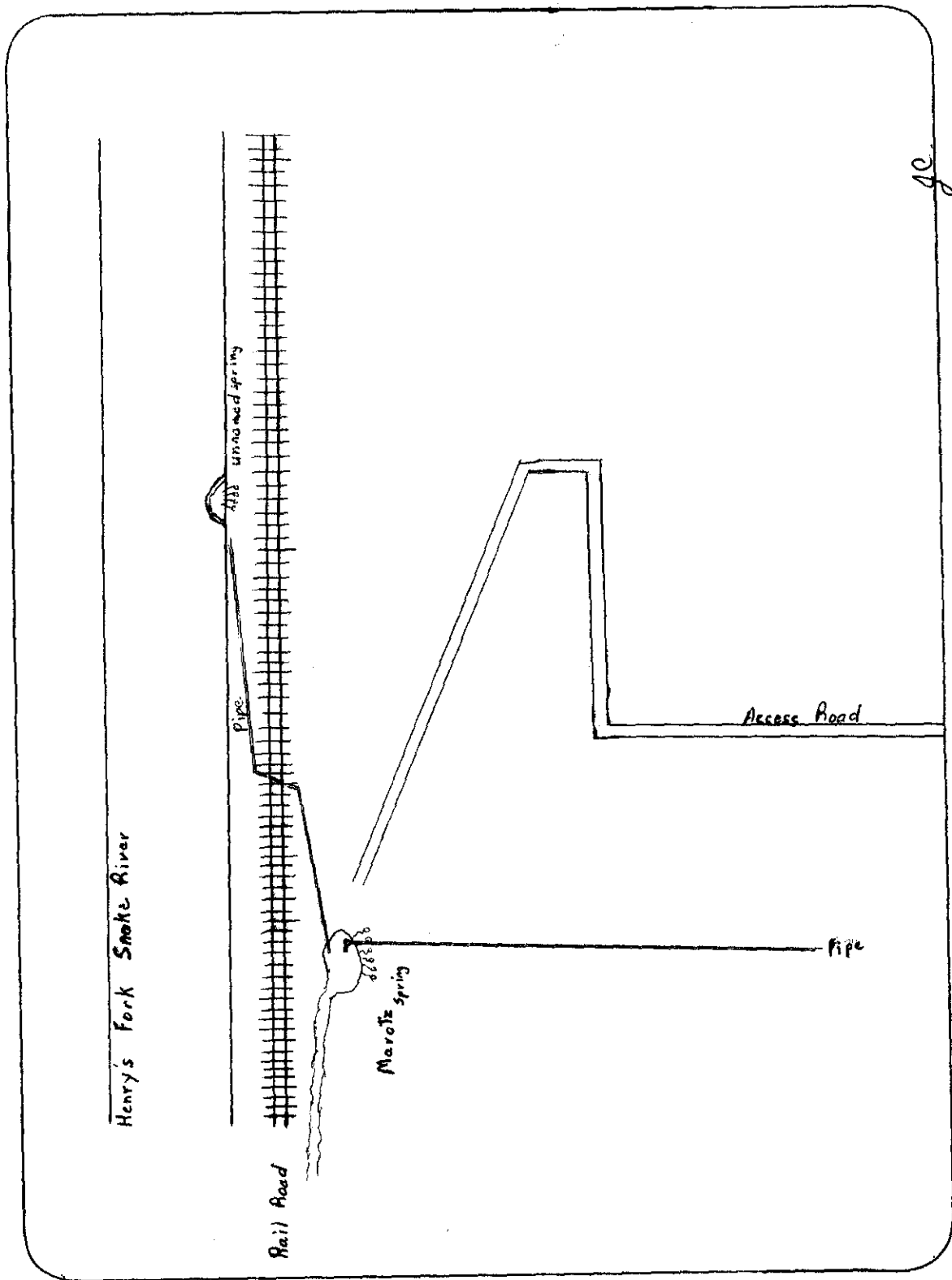
Total flow of both springs at the time of measurement (5/11/79) was .79 cfs.

The second spring is situated such that if the flow was insufficient for his purpose he could throw the intake into the river.

John Carlson

10-29-79

MICROFILMED



INTER-DEPARTMENT MEMO — 1

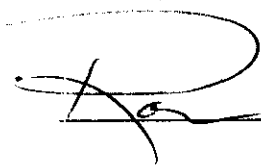
FROM Ren

DATE 1/18/79

TO Ernie

SUBJECT 21-7101 George Marotz

I do not see anything in the file indicating a field exam has been completed. I am always suspicious of applications on springs. If Marotz is intending to pump from the Henrys Fork he should not be showing the springs as his source of supply.



MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

DECEMBER 21, 1978

Ashton Herald
Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 15, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

MICROFILMED

PUBLIC NOTICE

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application for Permit No. 21-7101 in the name of George Marotz was filed for diversion of 2.00 c.f.s. of water from Marotz Spring tributary to Henry's Fork Snake River, with point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 144 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

The applicant now proposes to amend Application No. 21-7101 requesting 2.00 c.f.s. of water to be diverted from Marotz Spring and an unnamed spring tributary to Henry's Fork Snake River with points of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 15, 1979.

C. STEPHEN ALLRED
Director

Publ. Dec. 28, 1978, Jan. 4, 1979AM

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application for Permit No. 21-7101 in the name of George Marotz was filed for the diversion of 2.00 c.f.s. of water from Marotz Spring tributary to Henry's Fork Snake River, with point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 144 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

The applicant now proposes to amend Application No. 21-7101 requesting 2.00 c.f.s. of water to be diverted from Marotz Spring and an unnamed spring tributary to Henry's Fork Snake River with points of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 15, 1979.

C. STEPHEN ALLRED

Director

Published in the Ashton Herald, Ashton, Idaho, on December 28, 1978 and January 4, 1979.

8-7
T

**NOTICE OF AMENDED
APPLICATION FOR PERMIT**

Notice is hereby given that Application for Permit No. 21-7101 in the name of George Marotz was filed for diversion of 2.00 c.f.s. of water from Marotz Spring tributary to Henry's Fork Snake River, with point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M., Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 144 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

The applicant now proposes to amend Application No. 21-7101 requesting 2.00 c.f.s. of water to be diverted from Marotz Spring and an unnamed spring tributary to Henry's Fork Snake River with points of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 15, 1979.

C. STEPHEN ALLRED
Director

Publ. Dec. 28, 1978, Jan. 4, 1979AH



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 12, 1978

RE: Application for Permit No. 21-7101 (Amended)

Mr. George Marotz
Rt. #1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

Pursuant to our discussion of last week, enclosed please find a proposed amendment to your application for permit No. 21-7101. The amendment indicates the addition of the other unnamed spring as a source of water.

There is no change in the place, although should you elect to irrigate the 80 acres in Section 23, a licensing amendment after the licensing exam is completed will be sufficient to include this acreage on the license.

You should review the amended application to insure its accuracy and initial any changes you make. Prior to forwarding it to this office, sign the application at the bottom of the third page and make sure it is accompanied by the \$20.00 statutory amendment fee.

As always, feel free to contact me should there be questions concerning your amended application.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:cw

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Maroty

- ☒ Source SURFACE WATER
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) EMC 12/14/76

In form to receipt YES.

(2) EMC 12/14/76

Send Copies to:

- WA Idaho State Health Department
WA Idaho Fish and Game Department
WA Bureau of Land Management

(3) EMC 12/14/76

* OF WATER MASTER.

WA Request Special Use Permit from U.S.F.S.

WA Request Easement from B.L.M.

WA Request Information from Applicant

(4) EMC 12/14/76

In form for advertising YES.

(5) EMC 12/14/76

Platted on Map No. WARM RIVER 7 1/2" QUAD MAP.

(6) EMC 12/14/76

Located within Water District No. .01

(7) EMC 12/14/76

Critical groundwater area: yes no X

(8) EMC 12/14/76

Groundwater levels: WA

Declining, Stable, Increasing

(comment)

(9) EMC 12/14/76

Other rights on the same place of use L. 21-2136 for 0.41 cfs

(10) EMC 12/14/76

Comments: NO REARGE STILL Q deficient by 0.47 cfs.

(11) Per 1-06-77

Affidavit of Publication received (date) Jan 6, 1977

(12) Per 1-10-77

Final date for protests January 10, 1977

Protests received: yes no

(13) Per 1-10-77

All requested information received from agencies or applicant: yes no

(14) Per 1-10-77

Action recommended:

Approve

Deny

Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District

By

Date

Feb 11 1980

Copy
Margit

111°22'30"
44°07'30"

471000m E

4885000m N



ASHTON 3.3 MI.
MARYSVILLE 2.2 MI.

3772 III SW
(ASHTON)

T. 9 N.
T. 8 N.

21-7071
01/71

FREMONT-MADISON IRRIGATION DISTRICT

ST. ANTHONY, IDAHO 83445

BOARD MEMBERS
LORIN C. YOUNG
JAMES MAX MORTENSEN
EMERY DAVIS

RECEIVED
OCT 19 1978

BOARD MEMBERS
LEIGH CHANTRILL
R. WILLIS WALKER
NORMAN HILLAM
LARUE FRANSEN

Department of Water Resources
Fremont-Madison District Office

October 17, 1978

Mr. Ernest M. Carlson
Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Ernest:

RE: Applications for Permit 22-7286, 21-7101, and
22-7177

Our files show that R. Brent Ricks, permit No. 22-7286, has no Fremont-Madison storage water on the land as described in the application for water permit. Mr. Ricks has talked to me about transferring storage water to the described land but as yet has not made application to do so.

Our file on George Marotz, permit No. 21-7101, shows that he has 63 acre feet of storage water on land described as follows: N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ S of Railroad; Section 22, Township 9, Range 43. This description is similar to the description shown on the application for water permit. The 63 acre feet is divided into 43 $\frac{1}{2}$ acre feet in the Marysville Canal and 19 $\frac{1}{2}$ acre feet in Independent Rights in the Henry's Fork.

As for the application for Stevco Inc., No. 22-7177, that we talked about earlier, there is no storage water attached to the land described in the application.

I hope this information will be of some value to you. If I can be of any further assistance please let me know and I'll be happy to help..

Sincerely yours,

Dale L. Swensen

Dale L. Swensen
Assistant Sec.-Tres.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

October 10, 1978

Mr. Dale Swensor
Fremont-Madison Irrigation District
P. O. Box 5
St. Anthony, Idaho 83445

Dear Dale:

RE: Applications for Permit 22-7286 and 21-7101

We have in our files application for permit No. 21-7101 in the name of George Marotz requesting to appropriate 2.00 c.f.s. from Marotz Spring tributary to Henry's Fork, and application for permit No. 22-7286 in the name of R. Brent Ricks requesting to appropriate 6.00 c.f.s. from the Teton River. The Department is concerned that without supplemental storage water, there will not be adequate water to justify approving these applications.

Could you please supply us with a list of the storage rights these two individuals have for the lands indicated on the two enclosed applications. We appreciate your assistance in this matter.

Respectfully submitted,

Ernest M. Carlsen

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh
Enclosures: 2

10-10-78

M E M O R A N D U M

TO: FILE

FROM: Ron Carlson *RDC*

RE: Application for Permit No. 21-7101 GEORGE MAROTZ

date: June 22, 1978

We need to make a field inspection to determine the location of Marotz^{sk} Springs and get some indication of the flow. I would expect the Spring is tributary to Henrys Fork, that the application is no different than just an application on Henrys Fork, and we probably should not approve this permit unless Mr. Marotz has ample storage water to supplement a 1976 permitted right.

RDC:bp



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

C. Stephen Allred
Director

September 12, 1977

RE: Application for Permit No. 21-7101

Mr. George Marotz
Rt. #1, Box 13
Ashton, ID 83420

Dear Mr. Marotz:

Utah Power and Light Company has advised us that they will not be present at the conference scheduled for September 15, 1977, and have requested that the Department make a decision in this matter based upon information presently available to them. Therefore, we are cancelling the hearing scheduled for September 15, 1977, for 1:00 p.m. in the Fremont County Courthouse.

However, we have other hearings scheduled earlier that day, and if there are some particular facts you wish to bring to the Department's attention, feel free to contact us at the courthouse. If you have any questions concerning this matter, do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:me

cc: Thomas Forsgren
Utah Power & Light

Handwritten signature

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

September 9, 1977

SEP 12 1977

Department of Water Resources
Eastern Region

ROBERT GORDON
350-3214

THOMAS W. FORSGREN
350-3213

535-7261

VERL R. TOPHAM
350-3650

SAM F. CHAMBERLAIN
350-3825

ROSEMARY RICHARDSON
350-3796

MARY STIRK
LEGAL ASSISTANT
350-3217

Mr. Ronald D. Carlson
Supervisor, Eastern Region
State of Idaho Department of
Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

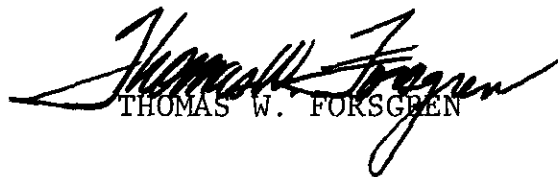
Re: Permits Nos. 21-7101 and 21-7108

Dear Mr. Carlson:

I am taking this opportunity to confirm our telephone conversation of this date in which I indicated Utah Power & Light Company has no objection to the Department making its decision concerning the above permits on the basis of information which they have, so long as the protests filed by Utah Power & Light Company in said actions are considered and that the permits, if issued, will be subject to all prior water rights.

Thank you for your cooperation in this matter.

Very truly yours,


THOMAS W. FORSGREN

TWF:mb

SEP 12 1977



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

September 6, 1977

Fremont County Courthouse
Clerk of the District Court
St. Anthony, ID 83445

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Thursday, September 15, 1977 at 9:30 a.m., 11:00 a.m., and at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

RECEIVED
SEP 11 1977
FREMONT COUNTY CLERK

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401



Indicate type of mail:
☐ REGISTERED
☒ C.O.D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	POST. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS
700	Edmund J. Williams, Esq., P.O. Box 6, Idaho Falls, Id.	13	60					25-7103
701	Larry Bryce, Attorney, 600 W. N. Capitol, Idaho Falls, Id.							"
702	Edmond J. Williams, Esq., 485 "E" St., Idaho Falls, Id.							"
703	Helen Carson Skidmore, Esq., 2034 Virginia, Idaho Falls, Id.							23-7024
704	Jack Vashell, Attorney, 598 N. Capitol, P.O. Box 557, Idaho Falls, Id.							"
705	Norma Clifford, Box 56, Ashton, Id.							21-7112
706	Mayor James Harrell, City of Ashton, Ashton, Id.							"
707	Mayhewville Development Co., John Williams, Ashton, Id.							"
708	Reid W. Richey, Star Route, Ashton, Id.							21-7115
709	Z. G. Egbert, Ashton, Id.							"
710	Don Marshall, Ashton, Id.							"
711	Gladi Lyon, Box 624, Ashton, Id.							(21-7108)
712	Thomas Johnson, Attn. Utah Power & Light, Rural M. Supply, S.C.							"
713	George M. Hertz, Rt. #1, Box 13, Ashton, Id.							(21-7101)
714	Charles D. Carter, Rt. #1, Box 292, American Falls, Id.							29-7408
715	Raymond Scherer, Box 603, American Falls, Id.							"
716	Robert E. Neilson, Neilson & Whitcomb, P.O. Box 4, American Falls, Id.							"
717	John L. Powers, 211 N. Main, Mackay, Id.							34-7088
718	Hon. Hilma Lindberg, Mayor, City of Mackay, Mackay, Id.							"
719	Ed C. Springer, Attorney, P.O. Box 409, Challis, Id.							"

TOTAL NO. OF PIECES SENT BY SENDER 70
TOTAL NO. OF PIECES RECEIVED AT P.O. 70
POSTMASTER'S name (receiving employee)

*Show under "Remarks" class postage paid if other than first or if international
(Declaration of value is required on international registered mail)
★ U. S. GOVERNMENT PRINTING OFFICE: 1974 O-529-728

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval
of Application for Permit No. 21-7108 in
the Name of GLADE LYON and Application for
Permit No. 21-7101 in the Name of GEORGE
MAROTZ

NOTICE OF COMBINED
CONFERENCE AND/OR
HEARING

On December 15, 1976, George Marotz, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On January 7, 1977, the Department received a protest from Utah Power and Light Company.

On March 21, 1977, Glade Lyon, filed with the Department an application to appropriate water. This application was also protested by Utah Power and Light Company on April 18, 1977.

The Department has set the matter of protests for conference and/or hearing for Thursday, September 15, 1977, at 1:00 p.m., in the Courtroom of the Fremont County Courthouse, St. Anthony, Idaho. Because of the similarity of the issues involved these hearings have been combined. 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 Resources. 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 15 day of September, 1977.



RONALD D. CARLSON
Supervisor, Eastern Region

GEORGE MAROTZ FARMS, INC.
GEORGE MAROTZ ELEVATOR

Ashton, Idaho 83420
Rt. 1 Box 13

GEORGE, DON, LANE
GROWER AND PROCESSOR OF AUSTRIAN WINTER PEAS
GROWER OF CERTIFIED SEED POTATOES AND GRAINS

Phone 208-652-3592
652-7285
652-3256

January 24, 1977

Mr. Ronald D. Carlson
Supervisor, Dept. Water Resources ED
1515 Lincoln Rd, Idaho Falls, Idaho 83401

Dear Mr. Carlson;

Regarding water Application 21-7101

Reference your letter dated Jan.
10, 1977

In answer to the four questions: This small Marotz Spring raises on my place. By developing it, I was able to get useable water for irrigation. I applied for, and was granted a permit for 2.00 second feet of water Permit no 32424-212136 July 2, 1965 (electric) I installed a pump and a pipeline there and was granted .41 second feet of water which I am using.

However, I need 1.00 second feet to run two (2) quarter mile sprinkler lines. I am trying to ~~develop~~ develop these springs to get about 1.00 second feet water total by burying soil pipe to some more small areas around the spring that will get more water where it can be used.

I re-applied for 2.00 second feet of water Application 21-7101 Dec. 76 which is more water than is available and more water than I need but I applied for this which seems to be about the minimum application for irrigation water and hope to get about .60 second feet.

By developing this spring to about 1.00 second feet it will probably run more water into Snake River than it ever has before during the about eleven (11) months I don't use any water.

Sincerely,

George Marotz
George Marotz

REC-11

JAN 26 1977

Department of Water Resources
Eastern District Office

GM/cm

MULTIPLIED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

January 10, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

Mr. George Marotz
Rt. #1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 21-7101. You should be aware that the following are the principal 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, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant 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. 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,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

January 10, 1977

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

RE: Application for Permit No. 21-7101
GEORGE MAROTZ

Mr. Thomas W. Forsgren
Attorney at Law
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84410

Dear Mr. Forsgren:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle 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 a right-of-way over private or governmental lands. Any right-of-way or easement 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 conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

[Handwritten signature]

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

January 6, 1976.

RECEIVED

JAN 7 1977

Department of Water Resources
Eastern District Office

ROBERT GORDON
350-3214

THOMAS W. FORSGREN
350-3213

VERL R. TOPHAM
350-3650

SAM F. CHAMBERLAIN
350-3825

ROSEMARY RICHARDSON
350-3798

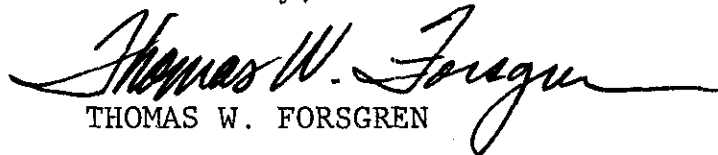
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

Re: Application No. 21-7101 of
George Marotz

Enclosed please find Protest of Utah Power & Light Company
which has been executed in duplicate with respect to the above
matter.

Yours truly,


THOMAS W. FORSGREN

TWF:LK
ENCS.

MICROFILMED

RECEIVED

JAN 7 1977

Department of Water Resources
Eastern District Office

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATION:
OF GEORGE MAROTZ TO DIVERT AND
APPROPRIATE 2.00 CUBIC FEET PER :
SECOND OF WATER FROM MAROTZ
SPRING TRIBUTARY TO HENRYS- :
FORK SNAKE RIVER BY MEANS OF :
PUMP AND PIPELINE. :

PROTEST OF

UTAH POWER & LIGHT COMPANY

APPLICATION NO. 21-7101. :

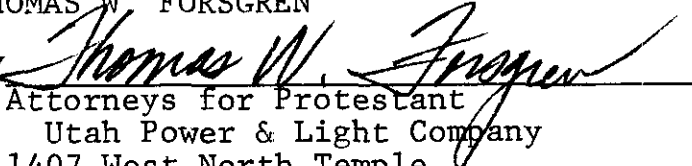
COMES NOW the protestant UTAH POWER & LIGHT COMPANY (Utah Power) and protests George Marotz's Application and alleges as follows:

1. Utah Power holds Water Rights Nos. 13611 and 14746.
2. George Marotz has filed an Application with the Idaho Department of Water Resources numbered 21-7101 seeking to appropriate 2.00 cubic feet per second of water at points of diversion specified in said Application.
3. The granting of the Application of George Marotz for the appropriation of 2.00 cubic feet per second of water would adversely affect the aforementioned water rights of Utah Power & Light Company.

WHEREFORE, protestant prays that the Application of George Marotz be denied or alternatively that said Application be set for hearing in order that the matters contained therein as they affect protestant's hereinabove described water rights may be fully explored.

DATED this 6th day of January, 1977.

SIDNEY G. BAUCOM
THOMAS W. FORSGREN

BY 
Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

01-0277	July 16, 1913	Ashton Plant	1000
01-0278	Nov. 1, 1915	" "	500
01-0279	March 7, 1924	" "	1000
01-0275	Dec 20, 1913	St. Anthony	700
01-0280	Dec 20 1913	St. Anthony	700 c/s.

-
-
-

15 }
37 }

MICROFILMED

December 16, 1976

RE: Application for Permit No. 21-7101 MAROTZ

Mr. Arthur Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Art:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is January 10, 1977, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

December 16, 1976

RE: Application for Permit No. 21-7101 MAROTZ

Ashton Herald
Box 258
Ashton, Idaho 83420

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 time for you to submit us a galley proof for 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. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted _____ by _____

RDC:CW

Enc: Legal Notice (1)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that George Marotz,
Ashton, Idaho

has on 12-15-76 submitted Application No. 21-7101
for a permit to appropriate 2.00 cubic feet per second XXXXXXXXXXXXXXXXXXXXXXX
of water from Marotz Spring tributary to Henrys Fork Snake River
by means of pump and pipeline
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M., Fremont County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 144 acres

within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
January 10, 1977

R. KEITH HIGGINSON

Director

Ashton Herald, Ashton, Idaho

Published in the
December 23

on _____ and December 30, 1976

*me J.
me J.*