

c. Describe the lands of place of use to which the right will be transferred:

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	23	4		39									39	39			144

Total number of acres to be irrigated 144

4. Describe any other water rights used for the same purpose as described above. Shares in Marysville Canal
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink:

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey
being first duly sworn, upon 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 Nature of

Proposed change
of water right 21-2136

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 6th

day of Dec, 1984,

and the last publication on the

13th day of Dec

1984.

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 18

day of Dec,

1984.

Linda Sheldon

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

RECEIVED

DEC 19 1984

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
21-2136

Notice is hereby given that George Marotz,
Ashton, Idaho, has applied to the Department
of Water Resources for a change in the
points of diversion of the waters of a spring
tributary to Henry's Fork of the Snake River.
The right sought to be changed is evidenced
by License No. 32424/21-2136 and is
recorded as follows:

AMOUNT: 0.41 cfs
PRIORITY: June 28, 1965

POINT OF DIVERSION: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
22, T. 9N, R. 43E, B.M., Fremont County
The water is used to irrigate 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.

TO BE CHANGED AS FOLLOWS

The water will be diverted within
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T.
9N, R. 43E and used to irrigate 144 acres
within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 22, T. 9N, R. 43E, B.M.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water
Resources, 150 Shoup, Suite 15, Id.
Falls, ID, 83402, on or before December 24,
1984.

A. KENNETH DUNN
Director

Publ. Dec. 6 and 13, 1984AH

MICROFILMED

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 news-
paper published at Ashton,
Idaho, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Water
Permit - George Marotz

And affiant further says that
said notice, advertisement or
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 is-
sues thereof; first publication

having been made on the 26

day of March, 1970

and the last publication on the

2 day of April

1970.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least eight pages of at least five
columns each, printed from
type matter, of at least sixteen
inches deep.

Carol Bessey
Subscribed in my presence and

sworn to before me this 7th

day of April,

1970

Alan W. Hannon

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

NOTICE OF
EXISTING WATER PERMIT

Notice is hereby given that
George Marotz, Route 1, Box
13, Ashton, Idaho, has received
an approved permit No. 32424/-
21-2136 issued by the Idaho State
Reclamation Department author-
izing the diversion of 2.00 cubic
feet per second of water from

an unnamed spring, subject to
prior rights. The priority to be
established under this permit is
June 28, 1965 and the permit was
approved July 2, 1965. Water is to
be diverted by ditch from a point
within the NW1/4NE1/4, Sec. 22,
T. 9 N, R. 43 E, B. M., Fremont
County, to be used for irrigation
in the N1/2NE1/4, SE1/4NE1/4,
NE1/4NW1/4, N1/2SE1/4, Sec. 22,
T. 9 N. R. 43 E. B. M. Proof
of the application of the water to
beneficial use is to be submitted
to the department on or before
July 2, 1976. Any protests against
the issuance of a license for the
above referenced permit should
be filed with the Department of
Reclamation within ten (10) days
of the last date of publication of
this notice or prior to the licens-
ing of the permit. Licensing may
commence prior to the date bene-
ficial use proof is due without
further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(A.H. MARCH 26, APRIL 2, 1970)

dg
OFF
4-23-70
RECEIVED
APR 23 1970
Department of Reclamation

32424
21-2136
8.74



UNCLASSIFIED

Rge. 43E

T
9
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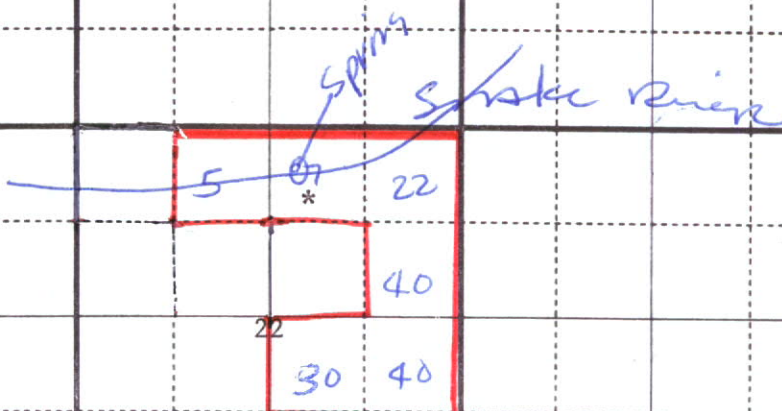
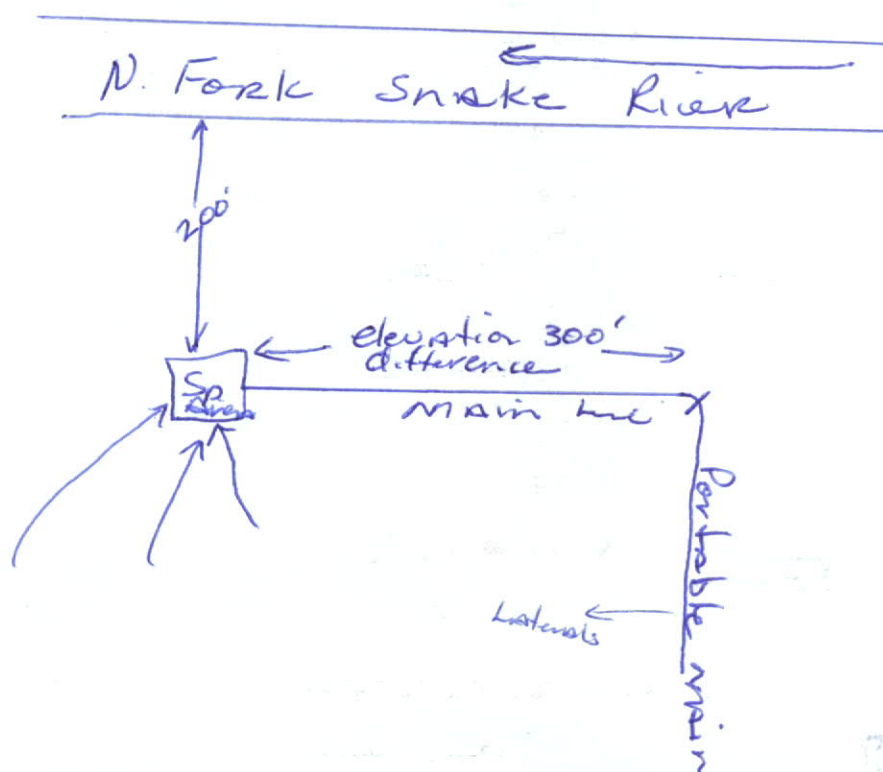
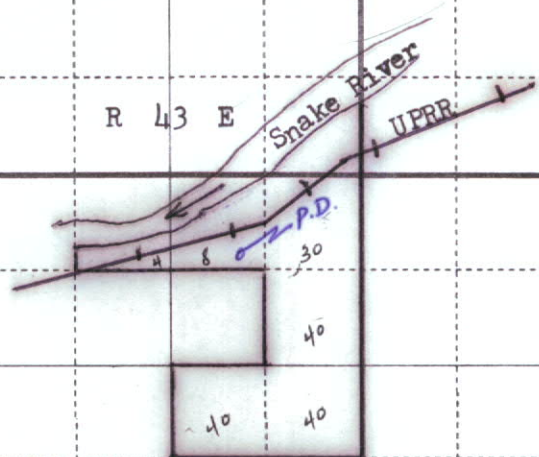


Diagram of System





N
5
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9
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21 22
28 27

22 23
27 26

Permit Map No. 32424
As Approved
CARL E. TAPPAN
State Reclamation Engineer
JUL 2 - 1965

OFFICE COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant George Marotz Phone 652-3592
Post Office address Rt. #1, Box 13, Ashton, ID 83420

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. Decreed to (Name)
in case of vs
dated in in county of (Name of court)
- b. License No. 32424/21-2136 issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired

3. Source of water spring tributary to Snake River, North Fork*
Date of priority June 28, 1965 *see remarks

5. Water is used for the following purposes:
amount 0.41 cfs for Irrigation purposes from 4/1 to 11/1
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 0.41 cubic feet per second
b. 174 &/or acre feet per annum

7. Location of original point of diversion is NW ¼ of NE ¼ of Section 22
Township 9N Range 43E, B.M., in Fremont County
Additional points of diversion, if any

8. Lands irrigated or place of use:

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

9. Describe any other water rights used for the same purpose as described above None

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

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1. Amount of water: a. _____ cubic feet per second

&/or

b. _____ acre feet per annum

2. Point of diversion _____ 1/4, Section _____ Township _____

Range _____, B.M., _____ County _____

Additional points _____

3. Place of use: _____

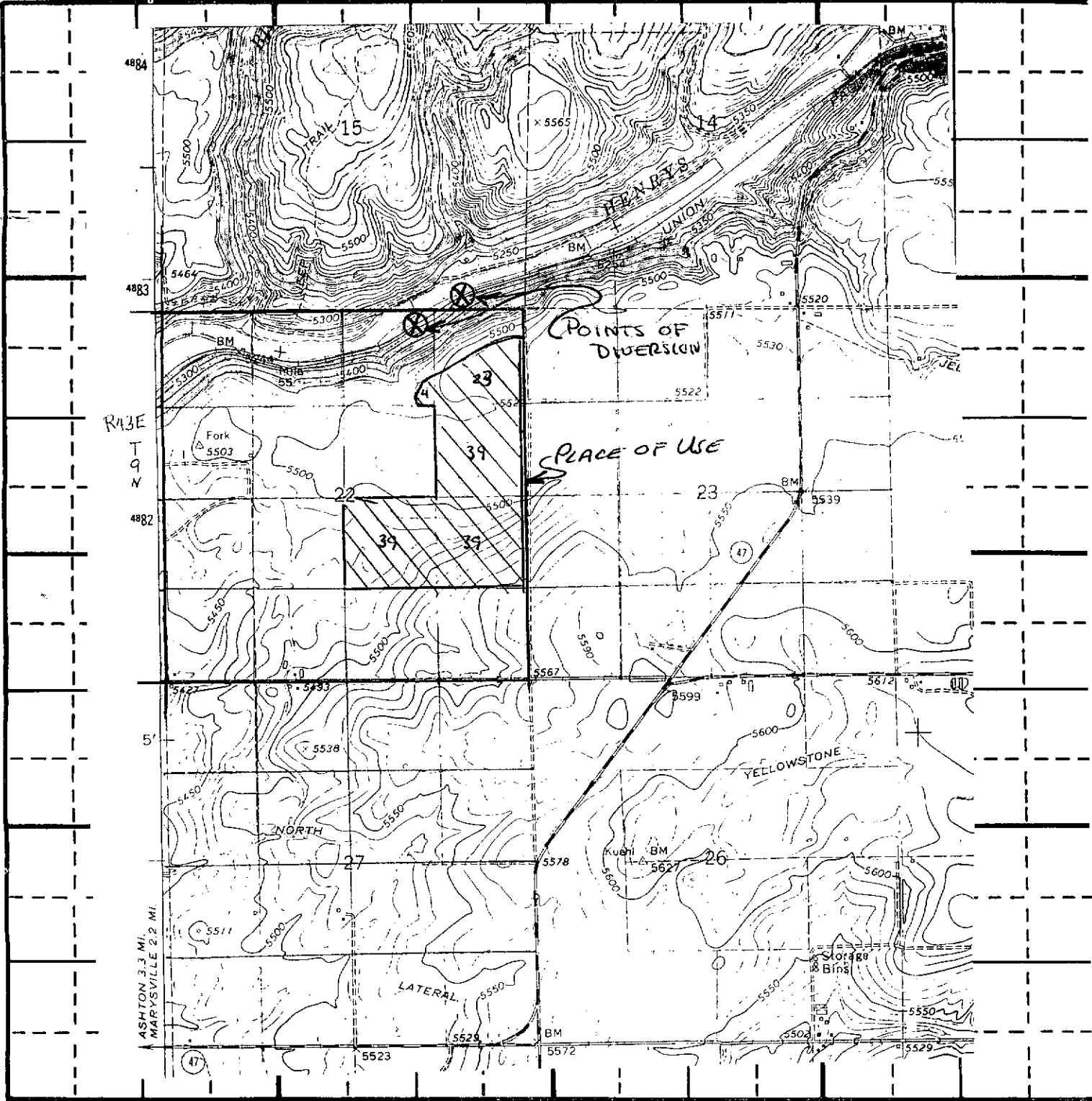
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		

c. Describe the lands and place of use to which the right will be transferred:

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	23	4		39									39	39			144

Total number of acres to be irrigated 144

4. Describe any other water rights used for the same purpose as described above. Shares in Marysville Canal
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink:

MICROFILMED

Item A.3., Source tributary to not given on license

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

George Marsh
(Signature of Applicant)
1984

William McKay
(Notary Public)

My commission expires 6-15-85

Subscribed and sworn to before me this 19th day of November, 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-2136

and said application is hereby APPROVED, subject to the following limitations and conditions:

- 1. Use of water under this right is subject to control by the watermaster of State
- Water District No. 01, Snake River. 2. A totalizing measuring device of a type

approved by this Department shall be maintained as a part of the diverting works.

Witness my hand this 2nd day of July, 1985

G. Newborton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>Kew</u>	Date <u>19 Nov 84</u>	Prelim. check by <u>HUS</u>	Fee <u>\$52.00</u>
Received by <u>all</u>	Date <u>11-19-84 #34342</u>	Published in <u>Delton Herald</u>	Pub. dates <u>12-6 & 12-13-84</u>
Watermaster recommendation requested on <u>WID #1</u>	rec'd. <u>12-17-84</u>	Recommended for <u>BOC DRT</u>	approval <u>denial</u>

State of Idaho
Department of Water Resources

RECEIVED

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. in the County of Fremont

Description and location of place of use:

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

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
August, 19 76.

Director

MICROFILMED

CONSOLIDATED TAX NOTICE AND RECEIPT

FREMONT COUNTY

1984

TAX COLLECTOR

DORIS ANDERSON

REAL PROPERTY

MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER

33,228

19-00 RP4984

A

33,228L

N2SE4; SE4NE4; N2NE4
LESS TX 1 & NE4NW4 S
OF RR; NW4NW4 BETWEEN
RR & RV
SEC 22 TWP 9 RGE 43

AC 234.320 MAROTZ FARMS INC, GEORGE

DELINQUENT CERT

ASHTON, ID 83420

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

STATE WPC

.000006

.20

FULL PAYMENT

COUNTY

.003855

128.10

TAX 326.26

SCHOOL #215

.004501

149.56

PEN.

CEM #1

.000188

6.26

SUB TOT.

N F FIRE

.000427

14.20

INT.

N F HOSPITAL

.000434

14.42

TOT.

LIBRARY

.000125

4.16

1ST INSTALLMENT

TAX 163.13

PEN.

SUB TOT.

INT.

TOT.

2ND INSTALLMENT

TAX 163.13

PEN.

SUB TOT.

INT.

TOT.

FOREST FIRE

9.36

TOTAL

.009536

326.26

YOUR CANCELLED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY

1984

RP4984

A

REAL PROPERTY

1984

RP4984

A

MAROTZ FARMS INC, GEORGE

MAROTZ FARMS INC, GEORGE

SPECIAL CODE	TAX	CODE AREA TAX	2ND INSTALLMENT
4.68		158.45	163.13
			PEN.
			SUB TOT.
			INT.
			TOT.

19-00

2nd

2F

SPECIAL CODE	TAX	CODE AREA TAX	TOTAL TAX
91	9.36	316.90	326.26
			PEN.
			SUB TOT.
			INT.
			TOT.

19-00

FULL

2F

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

FREMONT COUNTY TAX COLLECTOR

DORIS ANDERSON

151 W 1 N ROOM 11

ST ANTHONY, ID 83445-1496

SPECIAL CODE	TAX	CODE AREA TAX	1ST INSTALLMENT
91	4.68	158.45	163.13
			PEN.
			SUB TOT.
			INT.
			TOT.

19-00

1st

2F

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1985

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 1984

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

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

That she is the editor
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and that said newspaper is a
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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

Proposed Change
of Water Right 21-2136

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 6th

day of Dec, 1984,

and the last publication on the

13th day of Dec

1984.

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 18

day of Dec,

1984.

Linda Sheldon

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

RECEIVED

DEC 19 1984

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
21-2136

Notice is hereby given that George Marotz,
Ashton, Idaho, has applied to the Department
of Water Resources for a change in the
points of diversion of the waters of a spring
tributary to Henry's Fork of the Snake River.
The right sought to be changed is evidenced
by License No. 32424/21-2136 and is
recorded as follows:

AMOUNT: 0.41 cfs
PRIORITY: June 28, 1965

POINT OF DIVERSION: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
22, T. 9N, R. 43E, B.M., Fremont County
The water is used to irrigate 144 acres
within the N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T.
9N, R. 43E and used to irrigate 144 acres
within the N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 22, T. 9N, R. 43E, B.M.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water
Resources, 160 Shoup, Suite 15, id.
Falls, ID, 83402, on or before December 24,
1984.

A. KENNETH DUNN
Director

Publ. Dec. 6 and 13, 1984AH

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

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 NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22,

Twp. 9 N, Rge. 43 E, B. M. in the County of Fremont

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 N	43 E	22	22	8		40	4								40	30			144

Total number of acres irrigated 144

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
August, 19 76.

MICROFILMED

Director

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32424/21-2136)

in the name of George Marotz, Route 1,)

Box 13, Ashton, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

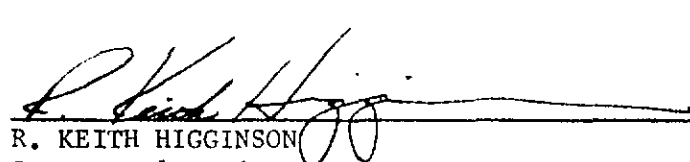
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32424 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of
works as originally specified, but will be required to submit proof
to the Department of Reclamation of the application of the water to
beneficial use on or before July 2, 1976. The permit holder should
be aware that failure to complete one-fifth (1/5) of the works within
one-half (1/2) of the time originally set for completion of works may
be grounds for cancellation at the instance of the department.

Dated this 20th day of FEBRUARY, 19 70.


R. KEITH HIGGINSON
State Reclamation Engineer

32424
21-2136

Application For Permit To Appropriate the Public Waters of the State of Idaho

21-21

APPLICATION No 40577
PERMIT No. 32424
DISTRICT No.

1. Name of Applicant: George Marotz

Postoffice address: Rt. 1, Box 13, Ashton

County: Fremont

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:

- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 100 inches - 2.00

cubic feet per second.

3. Source of water supply: Spring on own property

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of section 22 , T. 9 N , R. 43 E , B. M., County of Fremont

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$

8. Kind of works: Ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

LICENSE ISSUED FOR 0.41 SEC. BY.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

My deed states that all water rights are included. This is supplemental and not for new land

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ George Marotz Applicant.
By Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. June 28, 1965
Returned to applicant for correction: June 28, 1965
Corrected application received: 8:30 A.M. June 30, 1965

Approval of State Reclamation Engineer

The number of this permit is 32424
Recorded in Book 113 Page 32424 Approved July 2, 1965
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before September 2, 1965 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before January 2, 1968
The whole of said work to be completed on or before July 2, 1970
Beneficial use of water appropriated in accordance herewith, to be made on or before July 2, 1976
WITNESS My hand this 2nd day of July, 1965

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2nd day of July, 1965
COUNTERSIGNED: STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS Governor.
By: PAULA L. FLEENOR Secretary of State.
Deputy Secretary of State

REMARKS:

14.

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	
9 N	43 E	22	30	8	40		4								40	40			162

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 news-
paper published at Ashton,
Idaho, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Water
Permit - George Marotz

And affiant further says that
said notice, advertisement or
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 is-
sues thereof; first publication

having been made on the 26

day of March, 1970

and the last publication on the

2 day of April
1970

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least eight pages of at least five
columns each, printed from
type matter, of at least sixteen
inches deep.

Carol Bessey
Subscribed in my presence and

sworn to before me this 7th

day of April,

1970

R. Keith Higginson

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

NOTICE OF
EXISTING WATER PERMIT

Notice is hereby given that
George Marotz, Route 1, Box
13, Ashton, Idaho, has received
an approved permit No. 32424/-
21-2136 issued by the Idaho State
Reclamation Department author-
izing the diversion of 2.00 cubic
~~feet~~ second of water from

an unnamed spring, subject to
prior rights. The priority to be
established under this permit is
June 28, 1965 and the permit was
approved July 2, 1965. Water is to
be diverted by ditch from a point
within the NW1/4NE1/4, Sec. 22,
T. 9 N, R. 43 E, B. M., Fremont
County, to be used for irrigation
in the NE1/4NE1/4, SE1/4NE1/4,
NE1/4NW1/4, NE1/4SE1/4, Sec. 22,
T. 9 N, R. 43 E, B. M. Proof
of the application of the water to
beneficial use is to be submitted
to the department on or before
July 2, 1976. Any protests against
the issuance of a license for the
above referenced permit should
be filed with the Department of
Reclamation within ten (10) days
of the last date of publication of
this notice or prior to the licens-
ing of the permit. Licensing may
commence prior to the date bene-
ficial use proof is due without
further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(A.H. MARCH 26, APRIL 2, 1970)

dg
OFF: 70
4-23-70

32424
21-2136



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

July 3, 1985

RE: Transfer of Water Right No. 21-2136

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

Dear Mr. Marotz:

Enclosed is a copy of the approved Application for Transfer of the above referenced water right (Transfer No. 3079). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

MICROFILMED

MEMO

TO: FILE 21-2136

6-25-85

FROM: Jim J.

RE: TRANSFER No. 3079

AFTER reviewing this application for transfer it appears that conditions of approval recommended by the region are appropriate even though said conditions had not been originally listed on the license.

Reasons for adding the conditions at this time are;

1.) The source (springs) is tributary to the Henry's Fork and supplies water to fill Rights in Water District 01

2.) Water right is regulated by the water master in that the applicant is charged a storage water fee for water diverted when 1965 natural flow rights are cut.

MICROFILMED

OVERLAP REVIEW

9N 43E

SEC 22

MAROTZ Spr.

NENE 21-7101 22

NW NE " " 8

SE NE " " 40

NE SE " " 40

NW SE " " 30

MICROFILMED

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. 21-2136

WATER DISTRICT 1

WATERMASTER Ronald Carlson

DATE: Dec 17, 1984

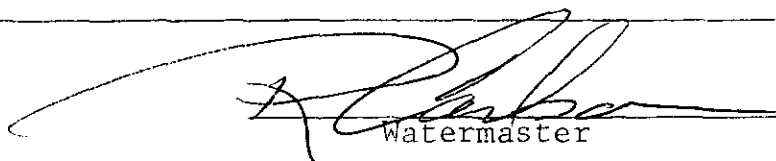
COMMENTS: _____

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

Measuring device


Watermaster

WIPROFT MED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWS

1. Right number 21-2136 Applicant George Marotz
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☒ Other Consolidate acreage to correct P.O.U.
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☐ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NONE - ONLY Permit 21-7101
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD #01

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on 12-17-84
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Measuring device of a type approved by the Dept. shall be installed & maintained under the control of the Watermaster Dist 1
4. By RRC Date 1/9/85 JAN 10 1985

Jan 6-25-85
* All uses within Watermaster Districts require special conditions.

WATER RIGHTS WORK SHEET

IDENTIFICATION NUMBER 21-2136

RECORD 01 LAST NAME(40 char.) FIRST NAME(20 char.) ORIG. OWNER

ACTION CODE

RECORD 02

ADDRESS LINE 1(30 char.)

LINE 2(30 char.)

XAshton, IdahoLRt. 1, Box 13, Ashton, Idaho

RECORD 03

ADDRESS LINE 3(30 char.)

CITY(23)

STATE(2)

ZIP(5)

RECORD 04

SOURCE OF WATER(30 char.)

TRIBUTARY OF(30 char.)

RECORD 05

ACTION CODE

A. STAGE(1 char.)

(A,P,L,D,S,J OR BLANK)

B. STATUS(1 char.)

(D,L,R,C,A,I,F OR BLANK)

C. PRIORITY DATE(8 char.)

D. COUNTY OF P/D(2 char.)

E. TOTAL DIVERSION RATE(10 char.)

F. TOTAL DIVERSION VOLUME(10 char.)

G. TRANSFER/AMENDMENT(1 char.)

(P, T, A OR BLANK)

H. WATER DISTRICT NUMBER(3 char.)

I. DLE/CARFY ACT(1 char.)

(D, C OR BLANK)

J. RIGHT BASIS(1 char.)

(for adjudications only A, B, C, D, E, F OR BLANK)

RECORD 06

ACTION CODE

POINT OF DIVERSION(16 char.)

TRACT

SEC.

TWP.

RGE.

GOV'T. LOT

REDIV.

LSESE229N43E

RECORD 8 Description and location of place of use:

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

RECORD 08	PLACE OF USE								
ACTION CODE	USE CODE	TWP.	RGE.	SEC.	TRACT	LOT	ACRES		
L	A	9N	43E	22	NE 1/4		23		
					NW 1/2		4		
					SE 1/2		39		
					NE SE		39		
					NW SE		39		

RECORD 09 NAME(60 char.) DECREE DATE(8 char.)

RECORD 10 REMARKS(65 char.)

X (This deletes all remarks.)

L A. "Tributary to" in record 4 not listed on license but proximity
 A implies Snake River, North Fork.

C. _____

D. _____

E. _____

RECORD 11, 12 or 14 11 OTHER USES(65 char.)
 12 OTHER RIGHTS(65 char.)
 14 DIVERSION MEANS(65 char.)

RECORD	ACTION CODE	
14	L	Diversion pond, pump to sprinklers

RECORD 13	ACTION CODE
A. PROOF DUE DATE(8 char.)	_____
B. PERMIT/DENIED DATE(8 char.)	_____
C. PROTESTED DATE(8 char.)	_____
C. HEARING DATE(8 char.)	_____
E. OLD NUMBER(5 char.)	_____
F. PROOF MADE(1 char.)	_____
G. FIELD EXAM MADE(1 char.) (P, R, F OR BLANK)	_____
H. CONDITIONS OF APPROVAL(3 char.) (8 CONDITIONS)	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1984

The Ashton Herald
P. O. 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 DECEMBER 24, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

21-2136

Notice is hereby given that George Marotz, Ashton, Idaho, has applied to the Department of Water Resources for a change in the points of diversion of the waters of a spring tributary to Henry's Fork of the Snake River. The right sought to be changed is evidenced by License No. 32424/21-2136 and is recorded as follows:

AMOUNT: 0.41 cfs PRIORITY: June 28, 1965

POINT OF DIVERSION: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E,
B.M., Fremont County

The water is used to irrigate 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.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9N, R. 43E, and used to irrigate 144 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 43E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before December, 24, 1984.

A. KENNETH DUNN

Director

Published in the Ashton Herald on 12/6 & 12/13/1984.

MICROFILMED

WATER RIGHT NUMBER 21-2136

OWNER LAST NAME - MAROTZ

FIRST NAME - GEORGE

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - ASHTON

STATE - ID ZIP CODE - 83420

SOURCE - SPRING

TRIBUTARY OF - SINKS

STAGE - LICENSE

STATUS -

PRIORITY - 06-28-1965 COUNTY - FREMONT

TOTAL DIV. RATE - .4100 -CFS

TOTAL DIV. VOLUME - 174.00 AFA TRFR/AMEND -

WATER DIST. - 01 DLE/CAREY ACT - RIGHT BASIS - C

DIVERSION POINT - NWNE 22 09N 43E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

NWNE 22 09N 43E LOT REDIV -

272.0 489.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 53.4

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - .4100 CFS USE DIV. VOLUME - 174.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 09N RNG 43E SEC 22 TRACT NENE LOT AC 22 TRACT NWNE LOT AC 08

TRACT SENE LOT AC 40 TRACT NENE LOT AC 04

TRACT NESE LOT AC 40 TRACT NWSE LOT AC 30

DATE - TOTAL ACRES 144

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 32424

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED LGS

August 17, 1976

Re: Permit No. 21-2136

George Marotz
Route 1, Box 13
Ashton, ID 83420

Dear Mr. Marotz:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

UNRECORDED

July 29, 1976

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

Dear Mr. Marotz:

A representative of this Department has made an examination of the works covered by your Permit No. 32424/21-2136 and has found the following:

Quantity of water diverted: 0.41 cfs Source: spring

Amount of water that can be recognized as beneficially used under Idaho law: 0.41 cfs

The maximum quantity diverted shall not exceed 174 acre feet, or 3.0 af per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Twp. 9 N, Rge. 43 E, B.M.

Beneficial use: Irrigation of 144 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ (22), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (8), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (4), N $\frac{1}{2}$ SE $\frac{1}{4}$ (70), Sec. 22, Twp. 9 N, Rge. 43 E, B.M.

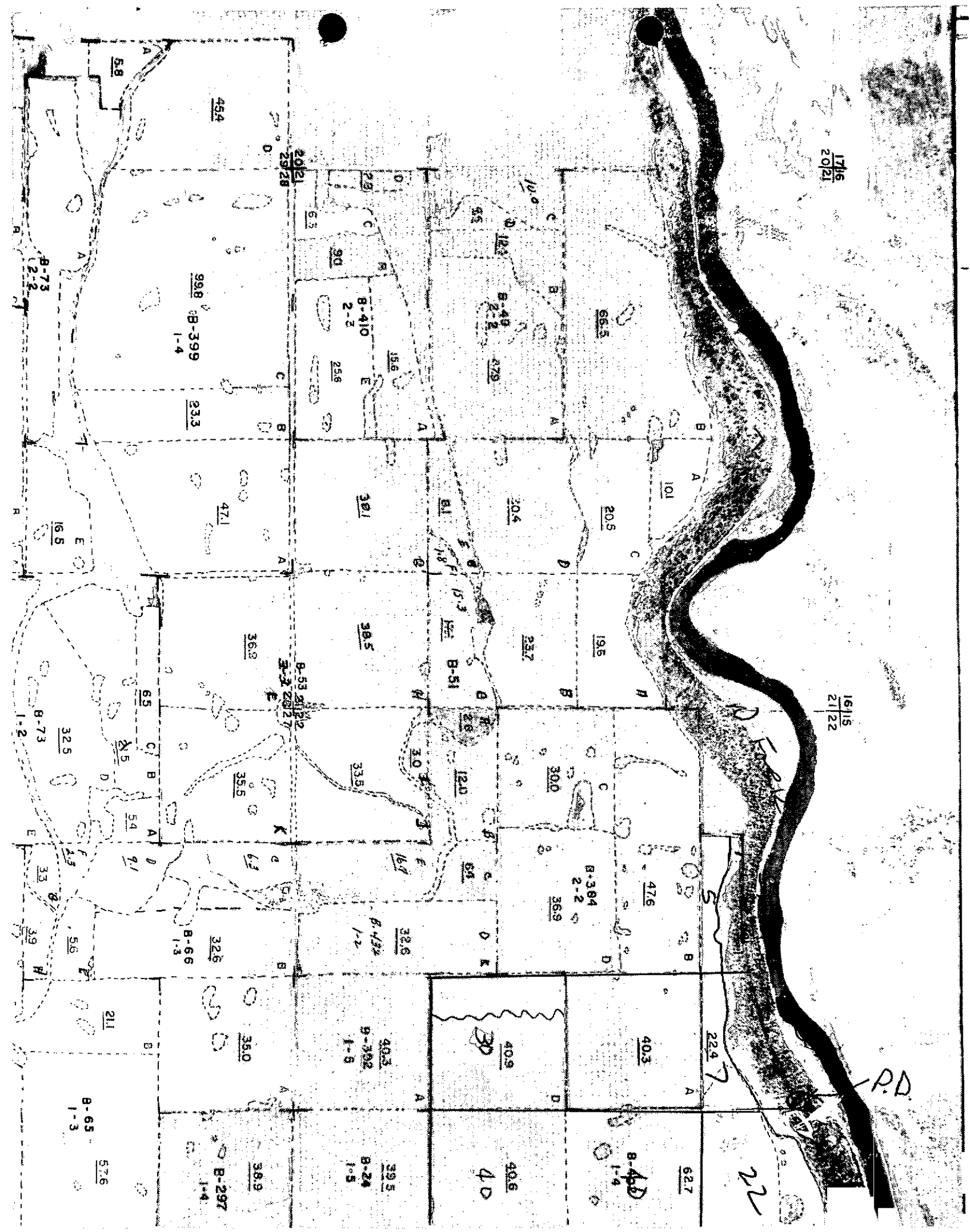
Priority date established: June 28, 1965

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR



RECEIVED
MAY 29 1975

JUL 23 1975

Person to contact

Phone _____
Department of Water Resources
Eastern District Office
Phone _____

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 21-2136

Examination for b/u

Max Rate of Diversion 2.00 cubic feet per second and annual volume _____ AF/Annum.

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: pump, electirc powered 60 hp, pipeline 6 5/8" diameter, and
 sprinkler irrigation.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

MICROFILMED
MICROFILMED

TOTAL ACREAGE

162

T
9
N

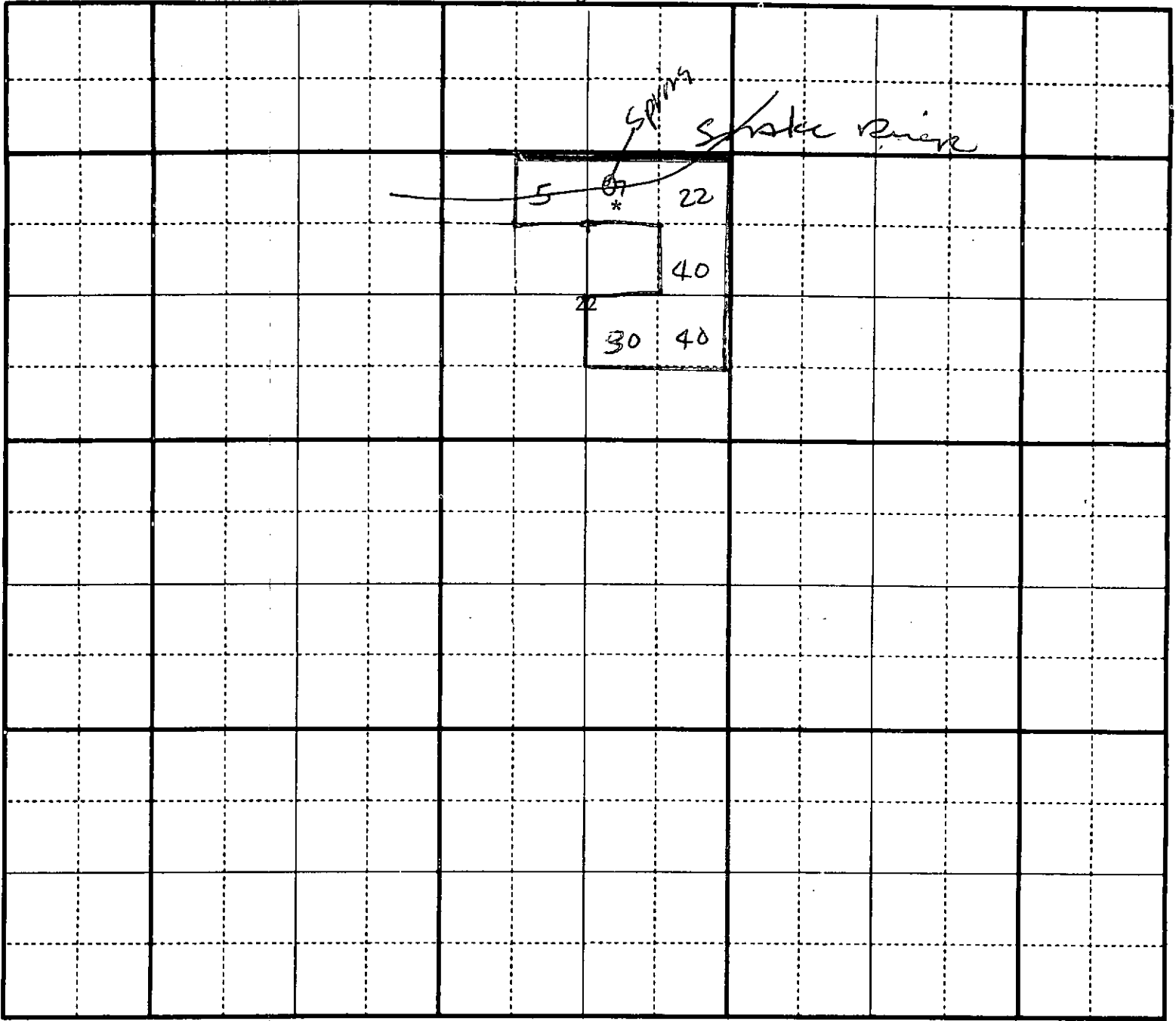
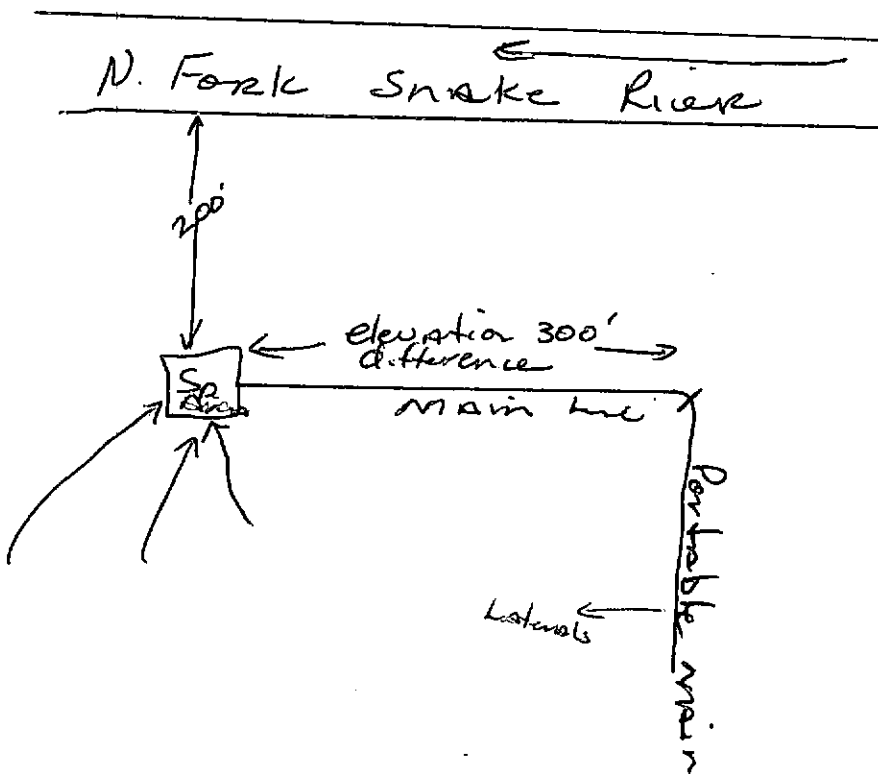


Diagram of System



DATE OF EXAM July 30, 1975

ACREAGE
Found 144
Recommended 144

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 41 c.f.s. V = 176.0 AF/Ann. from Apr to Nov
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 ☒

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

Exchange? yes _____ no ☒

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 41 cts Method of measurement Pitot Tube

Total Q recommended 41 cts Meter No. A-213 Type _____ Condition _____

Total V recommended 176 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

45 psi Avg = 3.87 gal/100/min
184.32 gal / 448.8 = 41 cts
 $\sqrt{144 \times 3.5 = 504}$ $1.9835 \times 217d \times 41 cts = 176 AF/Ann$

SYSTEM DESCRIPTION:

Lincoln 3 ph. 60hp. Ser# 1229238
Aurora Pump Ser# 73-20492-1
48 Aug 9/64" 1102's

Water is pumped from Sp Pond.

REMARKS: System and land shown by George Mante

Examiner's Signature Bill Rhoads Date Sept 30, 1975

Checked by Loren O Halmer Date Dec 16 1975

Approved by _____ Date _____

July 25, 1975

Re: Permit No. 21-2136

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

Dear Mr. Marotz:

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 during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED
JUL 29 1975
IDAHO FALLS

File prior to 7/2/76

Identification No. _____

Permit No. 21-2136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

JUL 21 1975 OK ji

Department of Water Resources
Eastern District Office

1. a) Name of Permit Holder George Marotz 652-3592
b) Post Office Address Ashton, Idaho 83420 Rt. 1, Box 13j
2. Permit Number 21-2136
3. Date of Priority that you are prepared to establish June 28, 1965
4. a) Source from which water was appropriated unnamed spring
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 22
Township 9N, Range 43E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 2.0 for Irrigation purposes from Apr. 1 to Nov. 1 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 2.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: measured by myself using cross-sectional area of culvert and velocity
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
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) electric powered 60 HP pump, diesel powered 85 HP, pipeline 6 5/8" diameter, and sprinkler irrigation.
b) Describe the type and size of measuring device which you have installed at your point of diversion: N.A.
c) Give well drillers name and address and date the well was completed N.A.

Exam typed 7-25-75 by ji

RECEIVED

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

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

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	30	8		40	4								40	40			162

Total number of acres irrigated 162

10. Remarks:

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

7-18-75
(Date)

George Marotz
(Signature)

State of Idaho)
County of Fremont) ss.

On this 18th day of July, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

James E. Holcomb
Notary Public residing at Ashton, Idaho

My commission expires May 8, 1979

phone 652-3592
Ashton, Idaho
October 24, 1973

OCT 25 1973
Department of Water Administration

Department of Reclamation
State of Idaho, Statehouse Annex 2
Boise, Idaho 83707

Re: Permit No. 32424/21-2136

Dear Sirs:

Two years ago at considerable expense to us we put in a road to and dozed out the spring to which this permit applies. Last year we did more work on it and this September we installed a pipeline to this spring and did more dozer work on the spring. We are now set up to use the water from this spring for irrigation next summer.

(water)
The spring water permit is not registered in the Fremont Madison office in St. Anthony although the last legal notice of this appeared in the Ashton Herald from March 26 to April 2, 1970.

Our permit states we do not need to send proof of beneficial use until July 2, 1976 but we are sending it to you now as we want to use this.

Thank you.

Sincerely yours,

George Marotz
George Marotz
Rt 1 Box 13

21 2136

April 23, 1970

Re: Permit No. 32424/21-2136

Mr. George Marotz
Route 1, Box 13
Ashton, Idaho

Dear Mr. Marotz:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until July 2, 1976, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

32424
21-2136

I hope this is right.

Thanks

George Marotz
Ashton Idaho



ASHTON, IDAHO

83420

OFFICE SUPPLIES
PUBLISHING
PRINTINGDATE April 30, 1970

George Marotz
R#1, Ashton
Idaho

STATEMENT OF YOUR ACCOUNT

DATE		CHARGES	CREDITS	AMOUNT DUE
March 26 April 2	Legal (Water Permit) 2 insertions	Paid		8.74

THANKS

21-2136
32424

April 21, 1970

Re: Permit No. 32424/2182136

Mr. L. C. Anderson, Treasurer
Fremont-Madison Irrigation District
St. Anthony, Idaho 83445

Dear Mr. Anderson:

Your inquiries to the advertising concerning the notice of existing permit for George Marotz, Route, 1, Box 13, Ashton, Idaho, have been reviewed, and we find that the notice in question concerns a permit that was issued on July 2, 1965.

If the Fremont-Madison Irrigation District wishes to protest the licensing of this permit, it may do so anytime action is pending on the permit. At present, the applicant has until July 2, 1976, to submit evidence of beneficial use. The earliest possible priority that could be established under this permit would be June 28, 1965.

If you wish to protest, then you should do so in the near future in order to avoid your protest being missed should beneficial use evidence be submitted early.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: none

21-2136
32424

FREMONT-MADISON IRRIGATION DISTRICT

ST. ANTHONY, IDAHO 83445

March 31, 1970

RECEIVED

APR 1 1970

Department of Reclamation

BOARD MEMBERS

LEIGH CHANTRILL

R. WILLIS WALKER

NORMAN HILLAM

LARUE FRANSEN

BOARD MEMBERS

LORIN C. YOUNG

JAMES MAX MORTENSEN

EMERY DAVIS

Mr Keith Higginson
State Reclamation Engineer
Boise, Idaho

21-2136

Dear sir:

I am enclosing Notice from the Ashton Herald in regards to a filing up in the Ashton area, I have been advised that this spring runs directly into Henry's Fork, we are wondering if this should be filed on.

Will you advise this office should there be a question on the legability.

Sincerely yours

Fremont-Madison Irrigation District

L.G. Anderson, Treasurer

32424
21-2136

March 16, 1970

Re: Permit No. 32424/21-2136

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

Dear Mr. Marotz:

The legal notice for the above referenced permit is being published in the Ashton Herald, 512 Main, Ashton, Idaho on March 26, and April 2, 1970.

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

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG
Enclosure

P.S. Please find enclosed a copy of the notice to be published in the Ashton Herald.

32424
21-2136

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 16, 1970

Re: Permit No. 32424/21-2136

Ashton Herald
512 Main
Ashton, Idaho 83420

Gentlemen:

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

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

The expense of the publication is to be paid by George Marotz
Route 1, Box 13, Ashton, Idaho 83420,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG
Enc: Legal Notice

32424
21-2136

NOTICES

any person interested may appear and contest the same and now cause, if any he has, why said Petition should not be granted.

DATED this 25th day of March, 1970.

/S/ Wm. H. Huskinson
Probate Judge

/S/ Lynn Hossner
Attorney for Petitioner
Residing at P. O. Box 704
Ashton, Idaho 83420

(A.H. MARCH 26, APRIL 2, 9,
1970)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that George Marotz, Route 1, Box 13, Ashton, Idaho, has received an approved permit No. 32424/-21-2136 issued by the Idaho State Reclamation Department authorizing the diversion of 2.00 cubic feet per second of water from

an unnamed spring, subject to all prior rights. The priority to be established under this permit is June 28, 1965 and the permit was approved July 2, 1965. Water is to be diverted by ditch from a point within the NW1/4NE1/4, Sec. 22, T. 9 N, R. 43 E, B. M., Fremont County, to be used for irrigation in the NE1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4, NE1/2SE1/4, Sec. 22, T. 9 N. R. 43 E. B. M. Proof of the application of the water to beneficial use is to be submitted to the department on or before July 2, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(A.H. MARCH 26, APRIL 2, 1970)

21-2136

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that George Marotz, Route 1, Box 13, Ashton,
Idaho, has received an approved permit No.
32424/21-2136 issued by the Idaho State Reclamation Department authorizing the
diversion ~~ACFE/FEET/FEET/ANNUAL~~ of 2.00 cubic feet per second ~~ACFE/FEET/FEET/ANNUAL~~
of water from an unnamed spring
subject to all prior rights. The priority to be established under this permit is
June 28, 1965 and the permit was approved July 2, 1965.
Water is to be diverted by ditch
from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9 N, R. 43 E, B. M.,
Fremont County,
to be used for irrigation
in 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. 9 N, R. 43 E, B. M.,

Proof of the application of the water to beneficial use is to be submitted to the
department on or before July 2, 1976. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Ashton Herald, Ashton, Idaho, on
March 26, and April 2, 1970.

State Reclamation Engineer:

Permit No. 32424/21-2136

You are hereby authorized to have the attached notice published at my expense in
the Ashton Herald of Ashton, Idaho;
published in the county in which the works are situated.

George Marotz
(Signature)

Ashton Idaho
(Address)
March 11-1970
(Date)

32424
212136

Dear Sir.

The way I understand
this you will see that
the notice gets published.

Maybe you could
send me copies that you
do not need -

Yours Truly

George Maroz
Ashton Blks 83420

32424
21-2134

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 20, 1970

Re: Permit No. 32424 (New No. 21-2136)

George Marotz
Route 1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

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

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

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

Very truly yours,

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

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

32424
21-2136

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32424/21-2136)

in the name of George Marotz, Route 1,)

Box 13, Ashton, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

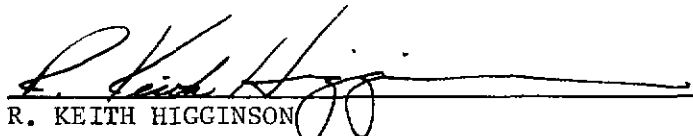
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32424 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of
works as originally specified, but will be required to submit proof
to the Department of Reclamation of the application of the water to
beneficial use on or before July 2, 1976. The permit holder should
be aware that failure to complete one-fifth (1/5) of the works within
one-half (1/2) of the time originally set for completion of works may
be grounds for cancellation at the instance of the department.

Dated this 20th day of FEBRUARY, 19 70.


R. KEITH HIGGINSON
State Reclamation Engineer

32424
21-2136

February 20, 1970

Re: Permit No. 32424 (New No. 21-2136)

George Marotz
Route 1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

32424
21-2136

July 9, 1965

Re: Permit No. 32424

Mr. George Marotz,
Rt. 1, Box 3,
Ashton, Idaho.

Dear Mr. Marotz:

We enclose Permit No. 32424 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32825 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

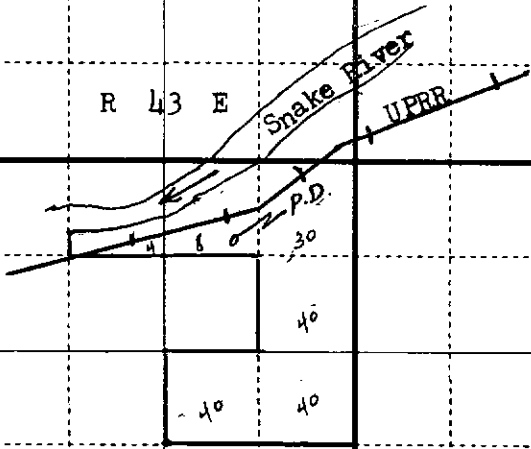
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32424



21 22
28 27

22 23
27 26

Permit Map No. 32424
As Approved
CARL E. TAPPAN JUL 2 - 1969
State Reclamation Engineer

OFFICE COPY

June 28, 1965

RE: Application

George Marotz
Route 1, Box 13
Ashton, Idaho 83420

Dear Mr. Marotz:

Returned herewith is your application to appropriate water from a spring on your property and your check in the amount of \$5.25.

You will note that page 2 of the application is blank; we need to know the number of acres in each 40 acre subdivision that will be irrigated under this permit. Also we need to know if there are other water rights for the property and if this is supplemental or for new lands.

Please complete the second page of the application and return it with your check.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH
State Water Rights & Records Clerk

MRB: ct
application ; check No. 508, \$5.25

32424