

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that REX BARTSCHI
P. O. Box 16, Georgetown, Idaho 83239 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 847-1912

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) January 30, 1890

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring creek tributary to Bear River

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity 1 cfs	Use stock	Period of Use From Jan 1	To Dec 31
Quantity 5 cfs	Use irrigation	Period of Use From April 15	To Sept 15
Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To
Quantity	Use	Period of Use From	To

(4) 5 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 11 Twp. 11S Rge. 43 E B.M., County of Bear Lake
Additional points of diversion: stock water NE¼NE¼ Sec. 11, T. 11S R.43 E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

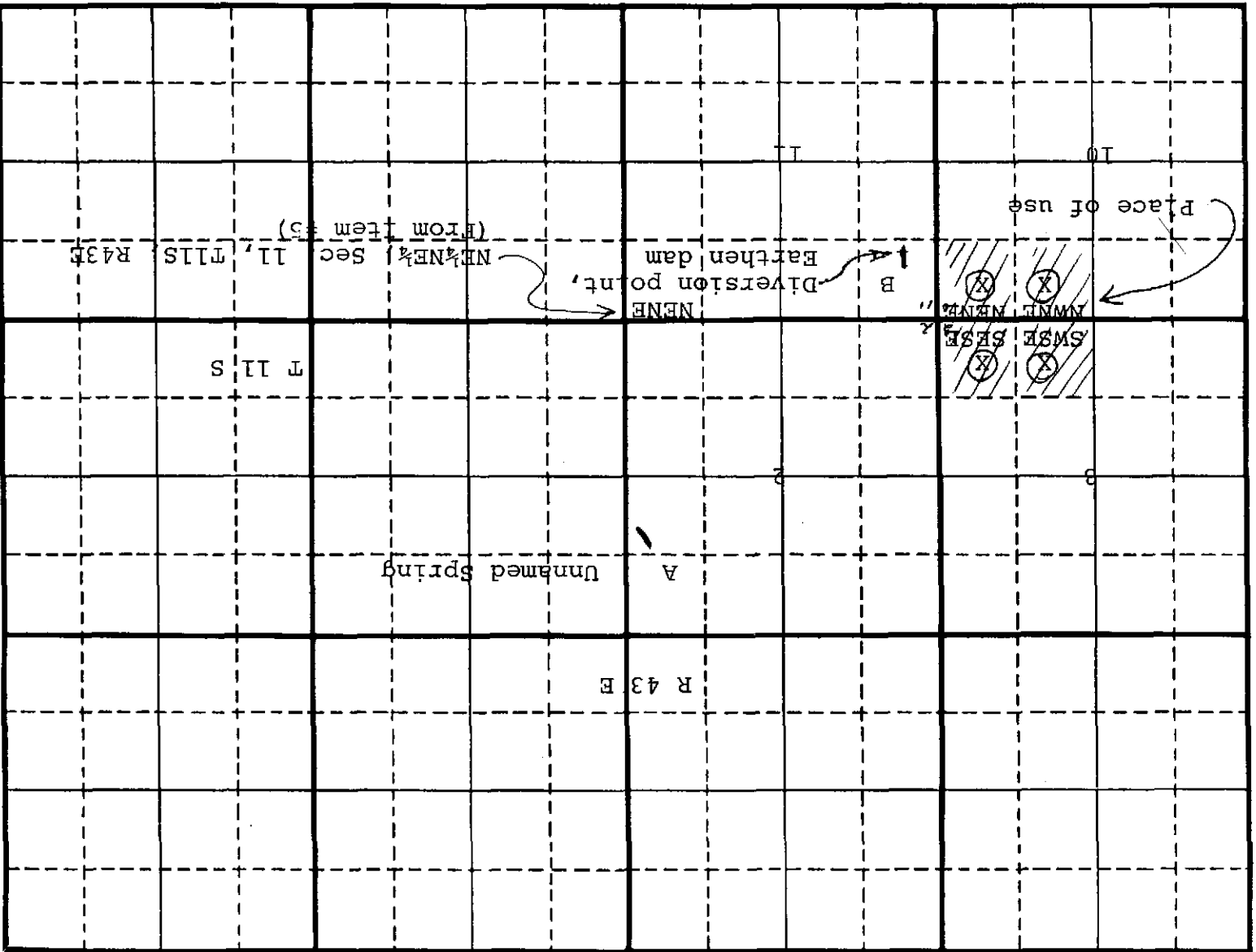
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	43E	10	40	40															80
11S	43E	3														40	40		80

No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Livestock in/and along the creek in those locations described above.

NOTE: Include here the type and number of stock watered: 100 head

(7) If you are claiming water as a member of an organization, list name of organization:



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Bear Lake

) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1st day of July

(Claimant)

[Signature]
Notary Public
Residing at Fish Haven

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Forwarded to
claimant by:
Date

Exception filed by:

Received by
Date
Prelim. check by
Date
\$30.00 fee received by
Date
Published in

7-21-82
7-13-82
7-27-82
7-27-82 #22411
8-5-82
8-12-82
NWS Examiner

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie Blye

being duly sworn,

deposes and says:

That he is the *F. Blye* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

August 5, 19*82* and ending
with the issue of *August 12*, 19*82*

Marie Blye

Fees, *20.00*

Subscribed and sworn to before me this *18* day
of *August*, 19*82*

Karl Jansen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Nov*, 19*85*

RECEIVED
AUG 28 1982

AUG 28 1982

Department of Water Resources
Eastern District Office

LEGAL NO. 2056

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4219

BARTSCHI, REX

P.O. BOX 16, GEORGETOWN, ID 83229

Source: STREAM tributary to BEAR RIVER

Priority Date: 01-30-1890

Amount: 5.00 CFS

Diversion Point: NWNW NENE Sec 11

T 11S R 43E, BEAR LAKE Co.

Use: IRRIGATION (5.00 CFS) from 04-15 to 09-15

STOCKWATER (1.00 CFS) from 01-01 to 12-31

Place of Use: NENE NWNE Sec 10 T

11S R 43E SWSE SESE Sec 03 T 11S R

43E FOR 160 ACRES

Diversion Means: DIVERSION DAM

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

8-5, 8-12-82

32 LINES

- THURSDAY. AUGUST 5, 1982 - A-11

LEGAL NO. 2056

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4219

BARTSCHI, REX

P.O. BOX 16, GEORGETOWN, ID 83239

Source: STREAM tributary to BEAR RIVER

Priority Date: 01-30-1890

Amount: 5.00 CFS

Diversion Point: NWNW NENE Sec 11
T 11S R 43E, BEAR LAKE Co.

Use: IRRIGATION (5.00 CFS) from
04-15 to 09-15

STOCKWATER (1.00 CFS) from
01-01 to 12-31

Place of Use: NENE NWNE Sec 10 T
11S R 43E SWSE SESE Sec 03 T 11S R
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A. KENNETH DUNN
Director

8-5, 8-12-82

32 LINES

01 WATER RIGHT NUMBER - 11-4219 02 OLD (O) NUMBER -

03001 - BARTSCH LAST NAME

04001 - REX FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - P.O. BOX 16

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - GEORGETOWN

10 STATE - ID 11 ZIP - 83239

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - UNNAMED STREAM

15001 - BEAR RIVER

16 DIVERSION MEANS - DIVERSION DAM

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 5.000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD
22001 -	NNNN	22001 - 11	24001 - 11S	25001 - 43E	26001 -	27001 -			
				28001 -	0	0.0	0.0	0.0	0.0
22002 -	NEVE	23002 - 11	24002 - 11S	25002 - 43E	26002 -	27002 -			
				28002 -	0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/100 HEAD CATTLE

USE CODE / USE	TWN	RNG	PLACE OF USE	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 11S	32001 - 43E	33001 - 10	34001 - NENE	35001 - 40	36001 -
30002 - 01 IRRIGATION	31002 - 11S	32002 - 43E	33002 - 10	34002 - NENE	35002 - 40	36002 -
30003 - 01 IRRIGATION	31003 - 11S	32003 - 43E	33003 - 03	34003 - SWSE	35003 - 40	36003 -
30004 - 01 IRRIGATION	31004 - 11S	32004 - 43E	33004 - 03	34004 - SESE	35004 - 40	36004 -
TOTAL ACRES: 160						

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415	38001 - 0915	39001 - 01 IRRIGATION	40001 -	5.000	41001 - 0.00
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER	40002 -	1.000	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - SOURCE LISTED AS SPRING CREEK ON CLAIM

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

WRK100

MAR 26 1986

	PRIORITY	DATES	DATES	FLAGS
47	PRIORITY	30-JAN-1990		
48	PROOF BUS			
49	PROOF MADE			
50	APPROVE/DENIED			
51	PROTESTED			
52	HEARING			
53	VERIFIED			
54	LAST UPDATE	2-AUG-1982		
55	LICENSE			
56	APPL RECEIVED			
57	FIELD EXAM MADE			
58	DECREE			
59	START WORK			
60	ORDER SHOW CAUSE			
61	DATE_1			
62	DATE_2			
63	TRANSFER/AMENDED			
64	DLE/CAREY ACT			
65	FLAG_1			
66	FLAG_2			
67	FLAG_3			

986 MAR 26 1986

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 23, 1982

REX BARTSCHI
P.O. BOX 16
GEORGETOWN

ID 83239

RE: Claim No. 11-4219

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

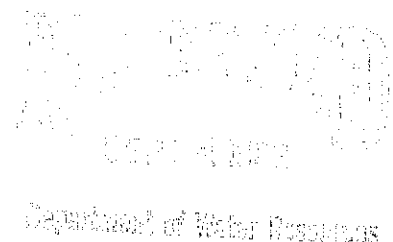
If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure



INDICATES TOTAL

Department of Justice
Eastern District Office

<u>RIGHT</u>	<u>NAME AND ADDRESS</u>	<u>PRIORITY DATE</u>	<u>USE FROM TO</u>	<u>MAX AMOUNT MAX RATE</u>	<u>DIVERSION POINT</u>	<u>PLACE OF USE AND ACREAGE</u>	<u>BASIS FOR RIGHT</u>
NUMBER							

11-4216 JENSON, RUTH ANN 01-01-1955 STOCKWATER 01-01-12-31 .05 CFS T11S S29 T11S R44E STAFFY CEN
STAR ROUTE 2
MONTPELIER ID 83254 TRIBUTARY:
SOURCE: GROUNDWATER
OTHER RIGHTS: S/50 RANGE 50 DAIRY, D/2

DOMESTIC 01-01-12-31

06 CFS

~~SAME AS OTHER USE~~

11-4219 BARTSCH, REX 01-30-1890 IRRIGATION 04-15-09-15
P.O. BOX 16
GEORGETOWN ID 83239
5.00 CFS
NNNN S11 NENE(40) NANE(40) STAIRY CH
T11S R43E S10 T11S R43E
NENE S11 S45E(40) S45E(40)

* --*AF A
* .11*GFS

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NNNN S11 NENE(40) NANE(40)
T11S R43E S10 T11S R43E
NENE S11 S+S(40) S+S(40)
T11S R43E S03 T11S R43E

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SOURCE: STREAM TRIBUTARY: BEAR RIVER
OTHER USES: S/100 HEAD CATTLE
REMARKS: SOURCE LISTED AS SPRING CREEK ON CLAIM

* 160 ACKES *

STOCKWATER 01-01 12-31

~~1.00 CTS~~

SAME AS OTHER USE

* - - - - - * AFA
* 5.00 * CFS

13-4203 KACKLEY, EVAN M. 04-10-1984 IRRIGATION 05-15 10-01 NENW S28 SWNW(07) NWSW(08) STATRY CH
KACKLEY, LOIS 30 CFS T10S R40E S28 T10S R40E
P.O. BOX 61
RUBERT ID 83350
SOURCE: SPRINGS TRIBUTARY: BEAR RIVER
REMARKS: GRAM 16 G/O WILLIAM T. GODDMAN

**** 15 ACRES ***

13--7366	GIBSON, W. DEAN	07-08-1982	POWER	01-01	12-31	SESE S11	NENE	APPLICATIO
	51 CEDAR HILLS DR.					1.00 CFS	1105 R40E	
	POCATELLO	ID 83204	TRIBUTARY:	CUB RIVER				
	SOURCE: MAPLE CREEK							
	OTHER USES: P/8HP							
	UNDER 100 FT. OF HEAD							

22-4071 CAUDY, FRANK 05-29-1946 IRRIGATION 05-15 11-01 NMSE S17 SWNE(01) NMSE(05) STARRY CLW
P.O. BOX 334 ID 83422 ,04 CFS T04N R45E S17-T04N R45E
DRIGGS

~~NWSE S17 SWNE(01) NWSE(~~
~~T04N R45E S17-T04N R45E~~

August 6, 1982

RE: Claim to a Water Right No. 11-4219 BARTSCHI

Mr. Russell Stoker, Watermaster
Water District No. 11
397 East 3rd North
Soda Springs, Idaho 83276

Dear Mr. Stoker:

For your information, we are enclosing a copy of the above referenced claim filed within your district.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 4015

Right Number 11 4219 Applicant Paula J. Smith

NOTE: *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

ADD # 11

Aug 23, 1980

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Sept. 8, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 9/14/82

IDENT. NO. 11 4219

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 29, 1982

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 AUGUST 23, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

Published 8/5 & 8/12/82.

11-4219

BARTSCHI, REX

P.O. BOX 16, GEORGETOWN, ID 83239

Source: STREAM tributary to BEAR RIVER

Priority Date: 01/30/1890

Amount: 5.00 CFS

Diversion Point: NW1/4 NENE Sec 11 T 11S R 43E, BEAR LAKE Co.

Use: IRRIGATION	(5.00 CFS)	from 04/15 to 09/15
STOCKWATER	(1.00 CFS)	from 01/01 to 12/31

Place of Use: NENE NW1/4 Sec 10 T 11S R 43E SW1/4 SE1/4 Sec 03 T 11S R 43E
FOR 160 ACRES

Diversion Means: DIVERSION DAM

July 14, 1982

Helm and Julian
Attorneys at Law
518 Washington St.
Montpelier, Idaho 83254

Dear Mr. Helm:

Enclosed is a claim to a water right that was submitted to this department for Rex Bartschi.

Due to the nature of a claim, if there are any problems with the claim, it must be returned. The date of priority (item #1) needs the month, addyday in addition to the year, and in item #5, the township and range should reflect the direction (ie. South (T11S) and East (R. 43E, B.M.).

Item #6 may reflect the places of use, but it does not show where the 60 acres of irrigated land is located. From the map it would appear that the place of use is within the S $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 3, and N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10, T. 11S, R. 43E, B.M.

The problems mentioned are noted in red on the enclosed copy of the claim.

Upon receipt of a completed, notarized claim form with the appropriate filing fee of \$30.00, processing will begin.

Please feel free to contact this office for any additional assistance that may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

Helm and Julian
Attorneys at Law

518 WASHINGTON STREET
MONTPELIER, IDAHO 83254
TELEPHONE (208) 847-0805

Ardee Helm, Jr.

Brian K. Julian

July 2, 1982

Department of Water Resources
Eastern Region
1515 Lincoln Road
Idaho Falls, ID 83401

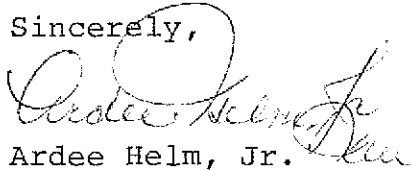
RE: Claim to Water Right
Rex Bartschi

Gentlemen:

Enclosed you will find a Claim to a Water Right on behalf of my client, Rex Bartschi. Please process the same at your earliest opportunity.

If additional information is needed, please contact my office at the address or telephone number shown above.

Sincerely,


Ardee Helm, Jr.

AH:khi

Encs.

CC: Rex Bartschi, w/o encs.