

Proof of Publication The Post-Register

RECEIVED

DEC 21 1984

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 6th day of December, 1984, last publication having been made on the 13th day of December, 1984, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

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

Ted Delezene
Deon R. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,

The claim was filed for 0.11 cfs of water from Willow Creek and Sand Creek tributary to Snake River with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M., Bonneville County; for stockwatering purposes from Nov. 1 to March 31 with a priority of January 1, 1880 to be used within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 3N, R. 39E, B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The state may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The claimant has applied for this extension due to the practice since 1979 by the Bureau of Reclamation of shutting off the natural flow of Willow Creek and using this water to fill Ririe Reservoir.

Any protest against the granting of this extension may 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

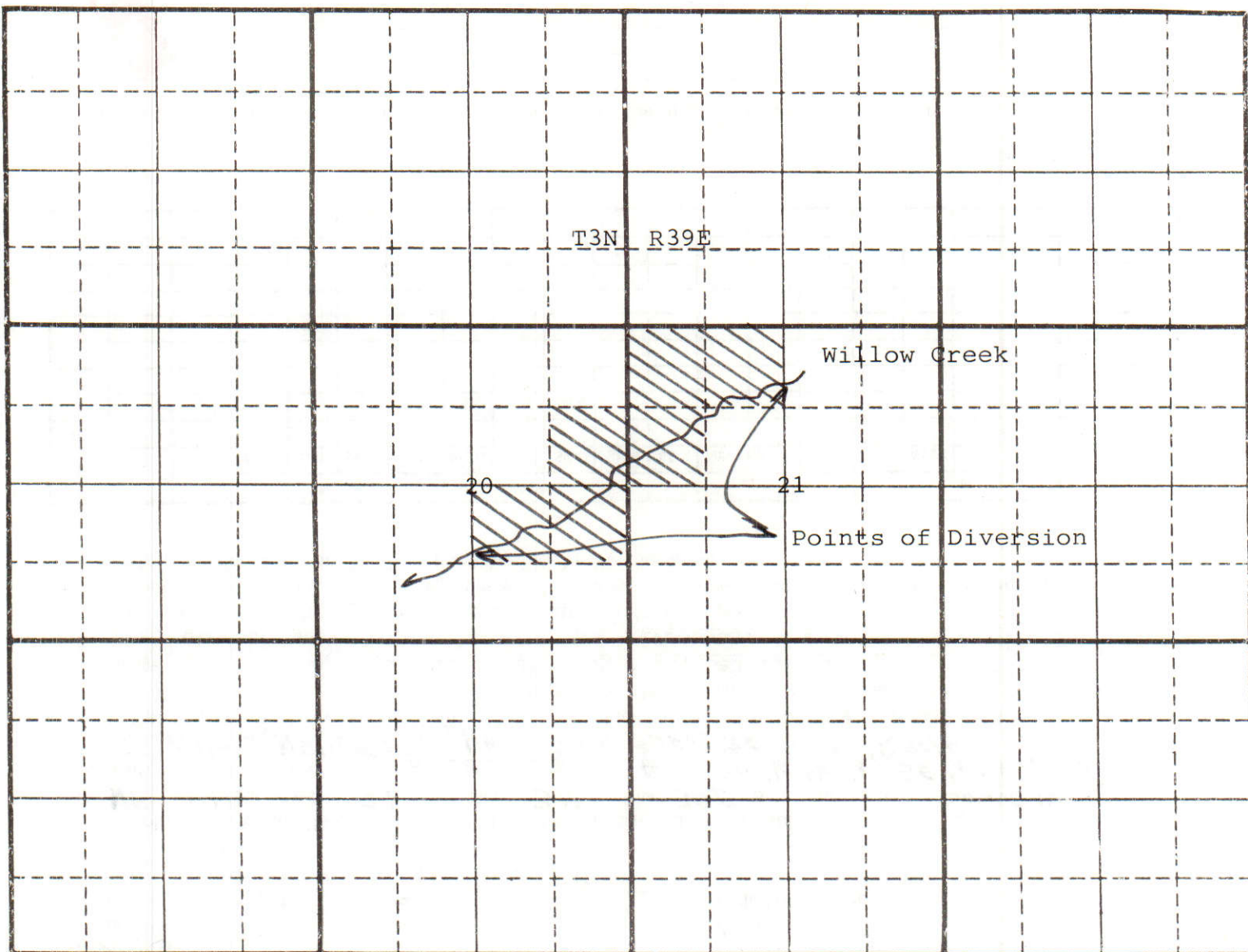
Published: December 6, 13, 1984

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Notice is hereby given that Orval Avery, Rigby, Idaho, has filed an application for extension of time to avoid forfeiture of Claim No. 25-4146.

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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 Madison) 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 20th day of May

Orval Avery
(Claimant)

19 82

Lay W. Lighty
Notary Public
Residing at Lephus, Idaho

My commission expires Life

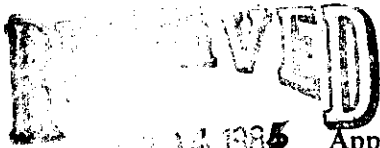
Received by CW Date 6-01-82 Exception filed by: _____
Prelim. check by EMC Date 7-02-82
\$30.00 fee received by CW Date 7-2-82 # 22368
Published in Post Register
Dates 7-13-82 7-22-82

Forwarded to claimant by: _____ Date _____

82 11 10

Identification No. _____

Extension No. _____



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Department of Water Resources
Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The State Reclamation Engineer may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Reclamation, Statehouse Annex 2, Boise, Idaho 83707, with the statutory fee of \$20.00

1. Name of water right holder ORVAL AVERY

Post office address Route 4, Box 4263, Rigby, ID 83442

2. The right was obtained or is evidenced by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ Fully describe decree _____

b. License No. _____ issued by the Department of Reclamation

c. Claim No. 25-4146 on file with the Department of Reclamation

3. Source of water Willow Creek & Sand Creek tributary to Snake River
(Name of stream or source)

4. Date of priority of right 1-1-1880

5. Amount of water a. 0.11 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Stockwatering from 11-1 to 3-31
(Purpose) (Month-Day) (Month-Day)

_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is NE 1/4 NW 1/4 of Section 21,

Township 3N, Range 39E, B.M., in Bonneville County;

Additional points of diversion, if any SW 1/4 NW 1/4, SE 1/4 NW 1/4, Sec 21; SE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, Sec 20, T. 3N, R. 39E.

8. Lands irrigated or 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	
3N	39E	20				X									X	X			
		21					X	X	X										

MICROFILMED

9. Give last date when water was applied to agricultural use Dec. 1979
 Length of extension of time requested 5 years, or until Dec. 9, 1989
 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Starting in 1979 the U.S. Bureau of Reclamation started the practice of shutting off the natural flow of Willow Creek and using this water to fill Ririe Reservoir. Since then we have participated with other parties also effected in pursuing congressional action to obtain compensation for the loss of our winter stockwatering rights. We do not know when congressional action will be finalized or the use will resume.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 26th day of November 19 84
Orval Perry
 (Signature of Applicant)
Allen Way
 (Notary Public)

My commission expires 6-15-85

ACTION OF THE STATE RECLAMATION ENGINEER

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

1. Approval of this request for extension of time to avoid forfeiture of a water right does not confirm the validity of the right claimed.
2. The use of water under this claim shall resume on or before December 9, 1989.

Witness my hand this 7th day of May, 19 85

A. Glen Saxton
 Chief, Operations Bureau

For Department Use Only

Received by EMC Date 11-26-84 Time 3:00 Preliminary check by _____
 Fee \$ 20.00 Receipted by CR Date 11-26-84 Publication prepared by CR
 Date 11-28-84 Published in Post Register Dates 12-6 & 13-84
 Publication approved CR Date 12-24-84 Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial by EMC Jui

Proof of Publication The Post-Register

RECEIVED

DEC 7 1984

State of Idaho, }
County of Bonneville } ss.

Department of Water Resources
Eastern District Office

I, Ted Delezene, first being duly sworn, depose and say: That I am the
Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
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on the 6th day of December, 1984, last publication
having been made on the 13th day of December, 1984, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

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

Ted Delezene
Deon R. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,

The claim was filed for 0.11 cfs of water from
Willow Creek and the water right was filed in
River with the post office at Idaho Falls, Idaho.
NEWSPAPER, PUBLISHED DAILY, EXCEPT SATURDAY,
SEANER, IDAHO FALLS, IDAHO, PUBLISHED DAILY,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
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said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

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

Ted Delezene
Deon R. Napier
Notary Public

My commission expires September 30, 1988.

MICROFILMED

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

(Name of Claimant)

Telephone No. **522-6882**

(Mailing Address)

(Zip Code)

JANUARY 1

- (1) Date of priority: (When was the water first applied to a beneficial use) 1880

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Willow and Sand Creeks tributary to Snake 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:

				(Both dates inclusive)	
(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)
Quantity ~~0045~~ <u>.11</u> cfs	Use	<u>Stockwatering</u>	Period of Use From	<u>Nov 1</u>	To <u>Mar 31</u>
Quantity _____	Use _____	_____	Period of Use From _____	To _____	
Quantity _____	Use _____	_____	Period of Use From _____	To _____	
Quantity _____	Use _____	_____	Period of Use From _____	To _____	
Quantity <u>.11</u>	Use _____	_____	Period of Use From _____	To _____	

- (4) 0045 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

— NE ¼ NW ¼, Sec. 21 Twp. 3N Rge. 39E B.M., County of BONNEVILLE

Additional points of diversion: See attachment Also SW 1/4 NW 1/4, SE 1/4 NW 1/4 Sec 21,
SE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4 Sec 20 T3N R39E

- 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. Claimant has constructed and shaped the bed and banks of the streams to divert the water and make it available to the livestock. The water is physically diverted by the work done by the claimant and also by the livestock.

- (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.

[illegible]

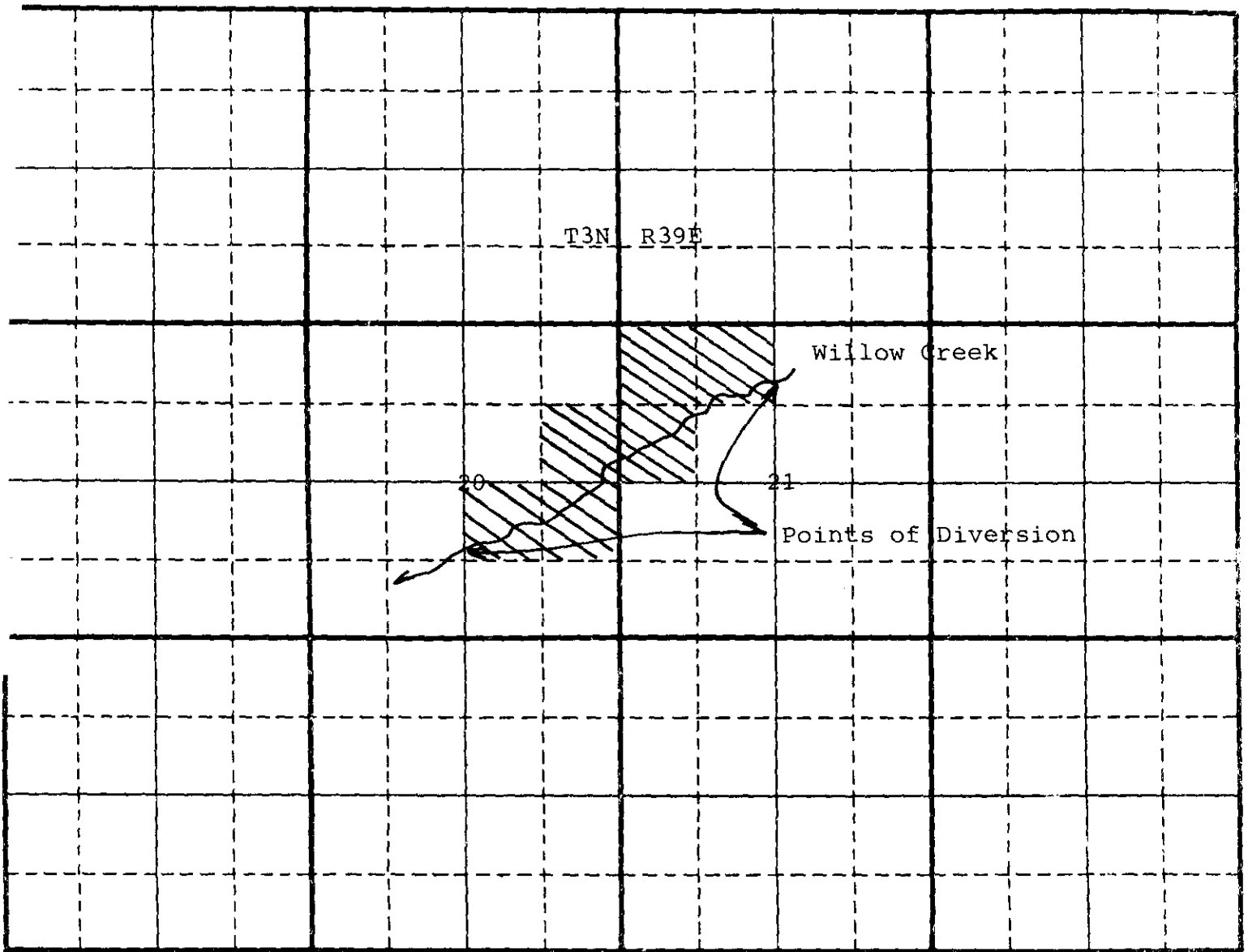
No. of acres _____

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

NOTE: Include here the type and number of stock watered: 200 beef cattle, 40 dairy cattle and 2 horses

► If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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 Madison) 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 20th day of May, 1982.

Orval Avery
(Claimant)
Lay W. Rugh
Notary Public
Residing at Lewiston, Idaho

My commission expires Life

RECORDED
Received by ENC Date 6-01-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ENC Date 6-02-82
\$30.00 fee received by ENC Date 7-2-82 # 22368
Published in Register
Dates 7-15-82 7-22-82

Proof of Publication

The Post-Register

State of Idaho, /
County of Bonneville /

Notary Public
Bonneville County, Idaho

I, John H. Dunn, first being duly sworn, depose and say: That I am the Principal Clerk of The Post-Register, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1830 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 1st day of July, 1932, last publication having been made on the 1st day of July, 1932, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 1st day of July, 1932.

Notary Public

My commission expires September 30, 1934.

B10, 1M,

NOTICE OF CLAIMS TO WATER RIGHTS

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

25-4139

DEITCH, A. H.
315 FALCON, IDAHO FALLS, ID 83401
Source: WILLOW CREEK tributary to SNAKE RIVER

Priority Date: 01-01-1880

Amount: 0.05 CFS

Diversion Point: NWNE NENE NWNW

Sec 24 T 03N R 39E, BONNEVILLE Co.

Use: STOCKWATER (0.05 CFS) from

11/01 to 03/31

Place of Use: NWNE NENE NWNW

Sec 24 T 03N R 39E

Diversion Means: SHAPED BANK OF

CREEK

25-4141

COOPER, ROY L.

RT. 8, BOX 132, IDAHO FALLS, ID

83401

Source: SAND CREEK tributary to

SNAKE RIVER

Priority Date: 01-01-1880

Amount: 0.05 CFS

Diversion Point: SWSW NENE Sec 20 T

03N R 39E, BONNEVILLE Co.

Use: STOCKWATER (0.05 CFS) from

11/01 to 03/31

Place of Use: NENE SWSW Sec 20 T

03N R 39E

Diversion Means: SHAPED BANKS OF

CREEK

25-4142

LOTT, RAY A.

RT. 8, BOX 132, IDAHO FALLS, ID

83401

Source: WILLOW CREEK tributary to

SNAKE RIVER

Priority Date: 01-01-1880

Amount: 0.11 CFS

Diversion Point: SESE Sec 23 T 03N R

39E NWNE NENE Sec 26 T 03N R 39E,

BONNEVILLE Co.

Use: STOCKWATER (0.11 CFS) from

11/01 to 03/31

Place of Use: SWSE SESE Sec 23 T 03N

R 39E NWNE NENE Sec 26 T 03N R

39E

Diversion Means: Shaped bank of Creek

25-4143

FERGUSON, DEAROLD

STAR RT. BOX 20, IDAHO FALLS, ID

83401

Source: WILLOW CREEK tributary to

SNAKE RIVER

Priority Date: 01-01-1880

Amount: 0.05 CFS

Diversion Point: NWNE Sec 24 T 03N R

39E NENE SWSW Sec 21 T 03N R

39E, BONNEVILLE Co.

Use: STOCKWATER (0.05 CFS) from

11/01 to 03/31

Place of Use: Sec 24 T 03N R

39E NWNE SWSW

Sec 21 T 03N R

39E

Diversion Means: Shaped bank of

Creek

25-4146
Source: WILLOW CREEK tributary to SNAKE RIVER
SAND CREEK tributary to SNAKE RIVER
Priority Date: 01-01-1880
Amount: 0.11 CFS
Diversion Point: NENE SWSW NENE Sec 21 T 03N R 39E SENE NENE NWSE Sec 20 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.11 CFS) from 11/01 to 03/31
Place of Use: SENE NENE NWSE Sec 20 T 03N R 39E NENE SWSW NENE Sec 21 T 03N R 39E
Diversion Means: SHAPED BANK OF CREEKS

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

A. KENNETH DUNN

Director

This claim is filed for the purpose of recording the claimant's right to water from Willow and Sand Creek for stockwatering purposes during the winter period. Such use of water is consistent with the Decree in the case of The Eagle Rock and Willow Creek Water Company, et. al., v. Henry W. Keifer, et. al., dated July 20, 1901, which states, ". . . they have used the same for beneficial purposes, to-wit: agricultural, domestic and stock raising purposes . . ."

While a specific quantity of water is given in paragraph 3, based upon an assumed rate of use per animal, this claim is for sufficient flow in the stream at all times during the winter period to provide water for the livestock.

The water is physically diverted from the stream from the point where the stream enters the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 21 to the point where the stream leaves the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 both in T3N R39E.

RECORDED
INDEXED

November 2, 1989

Orval Avery
7837 E. Foothill Rd.
Idaho Falls, ID 83401

Dear Mr. Avery:

Re: Permit No. 25-4146

The department has reviewed the above referenced statement which you submitted on October 19, 1989.

Although the statement of resumption of use which you submitted is not complete, the department will treat the statement as your sworn statement that you have resumed the use originally claimed.

The validity and the extent of the water right which has been claimed will be ultimately determined in the ongoing Snake River Basin adjudication. This determination, of course, assumes that you have filed an adjudication claim for the use with the department.

Please feel free to contact the department if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: IDWR - E. Region

MICROFILMED

DEC 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 19 1989

STATEMENT OF RESUMPTION OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned for the department to consider the water right valid after the period of non-use.

Water Right No. 25-4146

Name(s) of Water Right Holder: Orval Avery

Post Office Address: 7837 East Foothill Rd. Idaho Falls
Id. 83401 Telephone No. 522-6882

Source of Water: Small Creek Willow Creek

Extent of Use:

Domestic _____ (number of households)

Stockwater 150 (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

Total rate and/or volume of use: 0.11 cfs _____ acre-feet

Show the date water use will be/was resumed under this water right: OVER →

Person to contact to accompany the Department representative if a field examination is conducted:

(Name) _____ (Telephone Number) _____

(Address) _____

The above information is my true statement of the extent to which use of the above numbered water right has been resumed.

10/16/89 Orval Avery
Date Signature

DEC 12 1989

Congressional action for compensation due to the loss
of our winter stockwatering rights was enacted in 1987.
Because Willow Creek is no longer available as a source
for winter stockwater, we have ~~been~~ upgraded
our culinary well to provide stockwater.

MICROFILMED

DEC 14 1989

September 29, 1989

138738
CERTIFIED MAIL

Orval Avery
Rt. 4 Box 4263
Rigby, ID 83442

Gentlemen:

Re: Water Right No. 25-4146

NOTICE TO RESUME WATER USE

One of the conditions of approval of the Application for Extension of Time to Avoid Forfeiture of a Water Right is that diversion and use of water be resumed on or before December 9, 1989. Enclosed is a form when submitted, will notify the department that you have again established beneficial use to the extent indicated on the form.

Failure to resume the use of water and to notify the department will be cause for the water to revert back to the state and be again available for appropriation.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

DEC 12 1989



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

May 9, 1985

RE: Water Right No. 25-4146

Orval Avery
Rt. 4, Box 4263
Rigby, ID 83442

Dear Mr. Avery:

Enclosed is a copy of your approved Application for Extension of Time to Avoid Forfeiture of a Water Right.

Please note that use of water must resume on or before December 9, 1989.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

NOTICE OF APPLICATION FOR EXTENSION OF TIME
TO AVOID FORFEITURE OF WATER RIGHT

Notice is hereby given that Orval Avery, Rigby, Idaho, has filed an application for extension of time to avoid forfeiture of Claim No. 25-4146.

The claim was filed for 0.11 cfs of water from Willow Creek and Sand Creek tributary to Snake River with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M., Bonneville County; for stockwatering purposes from Nov. 1 to March 31 with a priority of January 1, 1880 to be used within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, N $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 3N, R. 39E, B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The state may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The claimant has applied for this extension due to the practice since 1979 by the Bureau of Reclamation of shutting off the natural flow of Willow Creek and using this water to fill Ririe Reservoir.

Any protest against the granting of this extension may 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 Post Register, Idaho Falls, ID, 12/6 & 12/13/84.

MICROFILMED

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 Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 2, 1982

ORVAL AVERY
RT. 4, BOX 220
RIGBY

ID 83442

RE: Claim No. 25-4146

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

RECEIVED
AUG 12 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Ernest

Right Number

Signature

Acery

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.

01

Aug 2, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By *Ernest Carlson*

Date *Aug 6, 1982*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

8/16/82

MICROFILMED

3/79

IDENT. NO. 25 4146

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]

25-4146

AVERY, ORVAL

RT. 4, BOX 220, RIGBY, ID 83442

Source: WILLOW CREEK tributary to SNAKE RIVER
SAND CREEK tributary to SNAKE RIVER

Priority Date: 01/01/1880

Amount: 0.11 CFS

Diversion Point: NENW SWNW SENW Sec 21 T 03N R 39E SENE NESE NWSE
Sec 20 T 03N R 39E, BONNEVILLE Co.

Use: STOCKWATER (0.11 CFS) from 11/01 to 03/31

Place of Use: SENE NESE NWSE Sec 20 T 03N R 39E NENW NWNW SWNW
Sec 21 T 03N R 39E

Diversion Means: SHAPED BANK OF CREEKS

Proofed