

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 13th day of December, 1984, last publication having been made on the 20th 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 26th day of December, 1984.

Deon R. Napier
Notary Public

My commission expires September 30, 1988

B10, 1M,

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

Notice is hereby given that Allen Avery, Idaho Falls, Idaho has filed an application for extension of time to avoid forfeiture of Claim No. 25-4145.

The claim was filed for 0.05 cfs of water from Willow Creek and Sand Creek tributary to Snake River with the point of diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 3N, R. 39E, B.M., Bonneville County for stockwatering purposes from Nov. 1 to Mar. 31 with a priority of January 1, 1880 to be used within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, 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 31, 1984.

A. KENNETH DUNN, Director
Published: December 13, 20, 1984

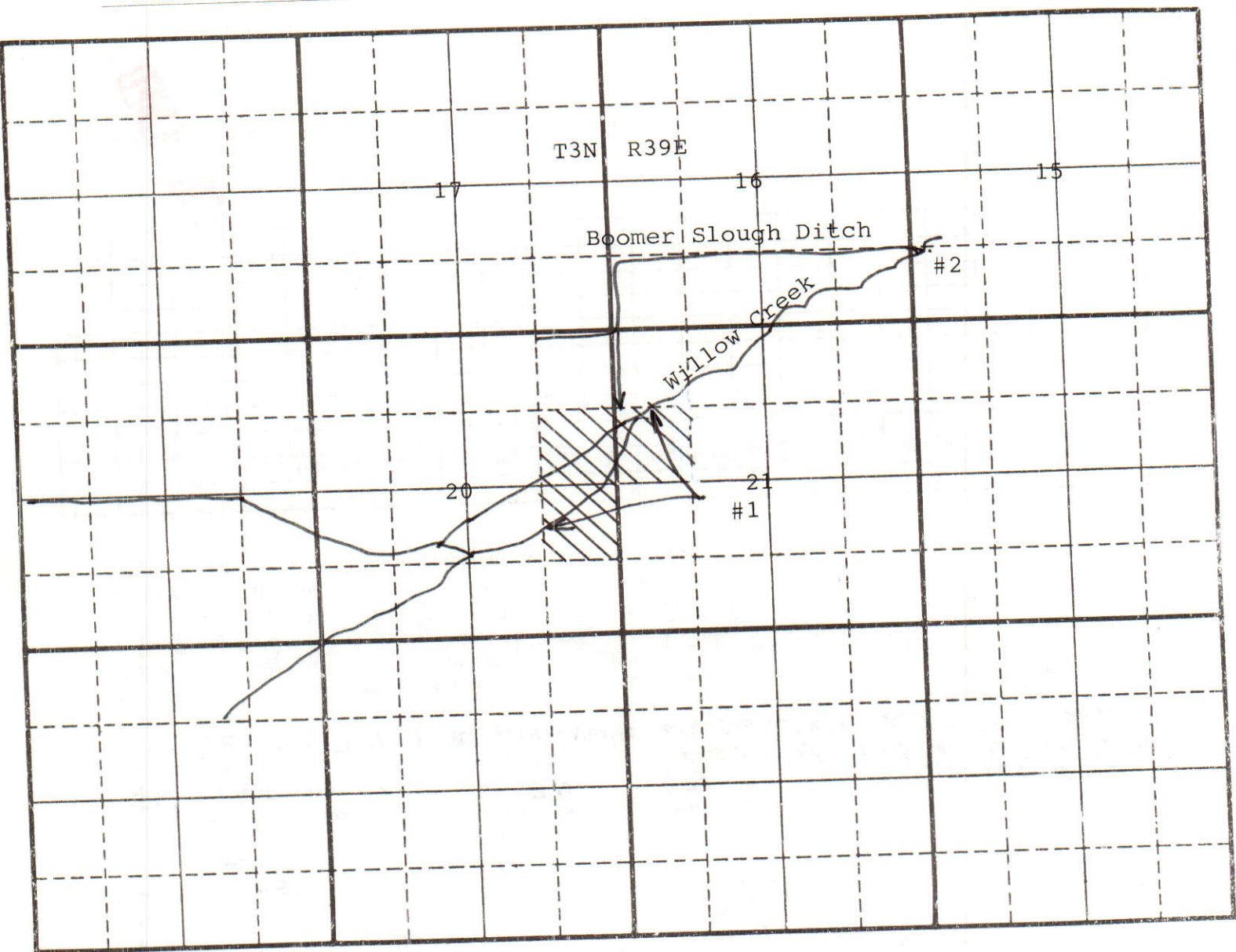
RECEIVED

DEC 28 1984

Department of Water Resources
Eastern District Office

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.

Allen Avery
(Claimant)

Sworn to before me this 20th day of May

Lay W. Light
Notary Public
Residing at Lexburg, Idaho

My commission expires Life

RECORDED

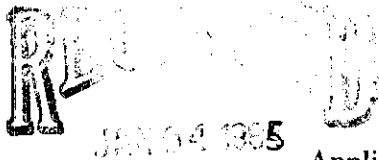
Received by CW Date 6-01-82
Prelim. check by EMC Date 7-02-82
\$30.00 fee received by CW Date 7-2-82 # 22369
Published in Post Register
Dates 7-15 & 7-22-82

FORWARDED TO
claimant by: _____

52 4112

Identification No. 25-4145

Extension No. _____

STATE OF IDAHO
Department of Water ResourcesApplication for Extension of Time to Avoid Forfeiture
of a Water Right

Department of Water Resources

Section 42-222 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 Director of the Dept. 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 Water Resources, Statehouse, Boise, ID 83720 with the statutory fee of \$20.00

1. Name of water right holder Allen Avery
Post office address Rt. #8, Box 254, Idaho Falls, ID 83401

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 Water Resources

c. Claim No. 25-4145 on file with the Department of Water Resources

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

4. Date of priority of right January 1, 1880

5. Amount of water a. 0.05 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Stockwater 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 SW 1/4 NW 1/4 of Section 21,
Township 3N, Range 39E, B.M., in Bonneville County;

Additional points of diversion, if any SENE, NESE Sec. 20, NWSW, SWSW, Sec 15,
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				
		21						X											

Total number of acres to be irrigated _____

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9. Give last date when water was applied to beneficial use December, 1979

Length of extension of time requested 5 years, or until December 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 wter 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 28th day of

November, 19 84.
(Signature of Applicant)
Allen Gray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR OF THE DEPARTMENT

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.

J. Glen Saxton
Chief, Operations Bureau

For Department Use Only

Received by CW Date 11-28-84 Time 12:25P Preliminary check by _____
Fee \$ 20.00 Receipted by CW # 34247 Date 11-28-84 Publication prepared by CW
Date 12-5-84 Published in Post Register Dates 12-13 & 12-20-84
Publication approved CW Date 12-28-84 Protests filed by: _____

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

Recommended for ☒ approval ☐ denial by EMC. Jm

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

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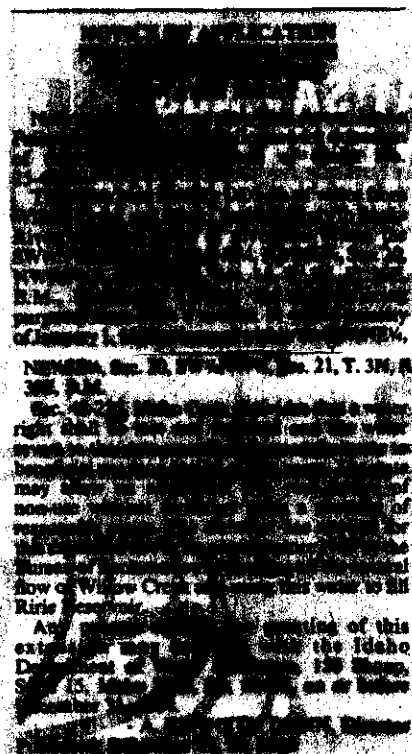
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 13th day of December, 1984, last publication having been made on the 20th day of December, 1984, and that the 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 26th day of December, 1984.

Deon K. Napier
Notary Public

My commission expires September 30, 1988.

B10, 1M,



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DEC 20 1984

Department of Water Resources
Eastern District Office

MICROFILMED

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 Allen Avery

(Name of Claimant)

Route 8, Box 254, Idaho Falls, ID 83401

Telephone No. **523-4603**

(Mailing Address)

(Zip Code)

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) 1880

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)

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:

(cfs, af) .05

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity ~~.0027~~ cfs Use Stockwatering Period of Use From Nov 1 To Mar 31

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity 05 Use _____ Period of Use From _____ To _____

(4) 0027 cfs TOTAL QUANTITY USED.
(cfs. af)

(cfs, af)

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

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

Additional points of diversion: See attachment ALSO - SE 1/4 NE 1/4, NE 1/4 SE 1/4
SEC 20 T3N R3E ALSO NW 1/4 SW 1/4, SW 1/4 SW 1/4 SEC 15 T3N R39 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. Claimant has constructed and shaped the bed and banks of Willow and Sand Creeks 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]

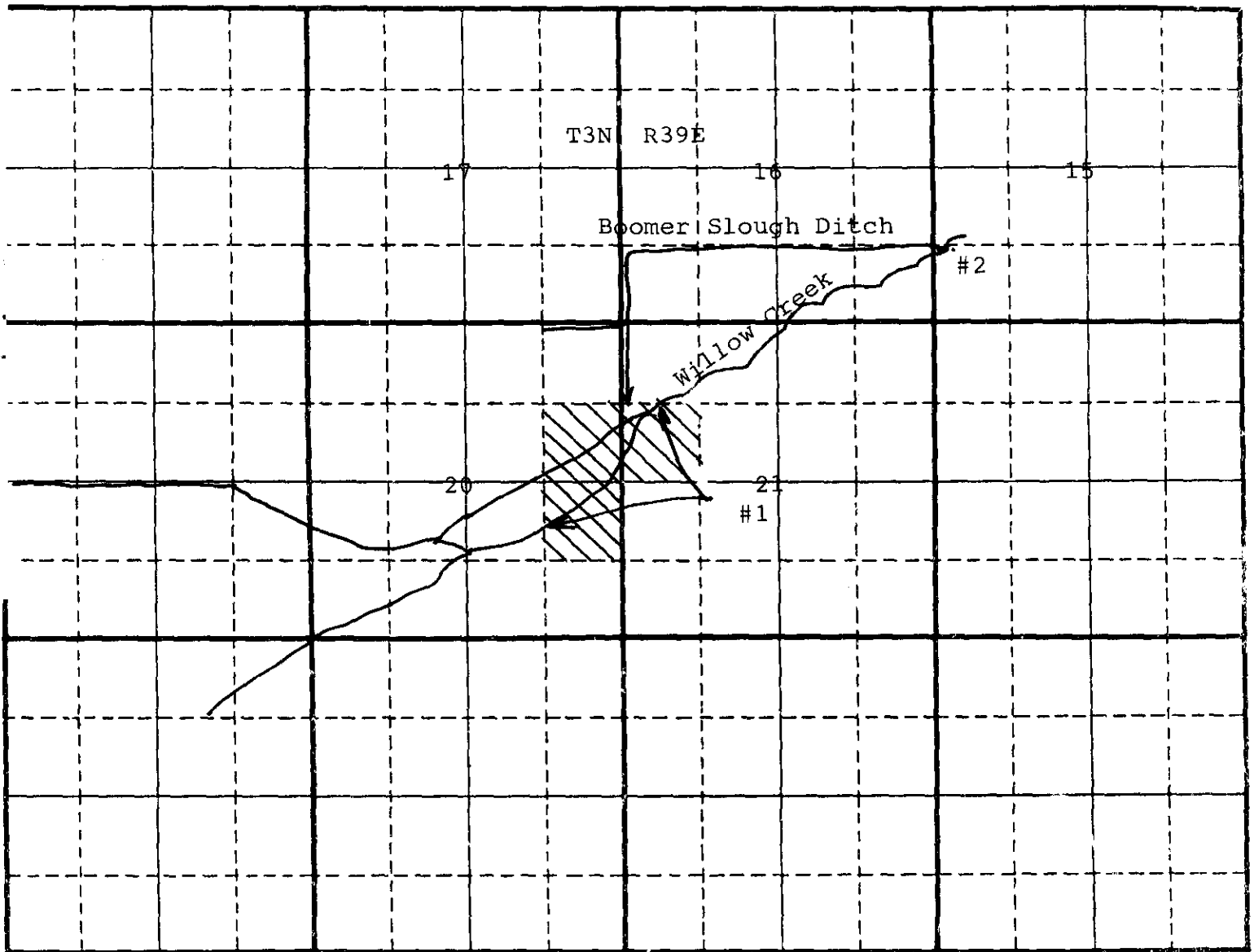
No. of acres _____

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: 140 cattle and 4 horses

(7) 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

A. C. ...
(Claimant)
Ray W. ...
Notary Public
Residing at Lewiston, Idaho

My commission expires Life

MICROFILMED

Received by <u>AW</u>	Date <u>7-02-82</u>	FOR DEPARTMENT USE ONLY	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>7-02-82</u>			claimant by:	
\$30.00 fee received by <u>AW</u>	Date <u>7-2-82</u>	# <u>22369</u>			
Published in <u>Post Register</u>					
Dates <u>7-15 - 7-22-82</u>					

This claim is filed for the purpose of recording the claimant's right to water from the streams 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 diverted from the streams at the following points:

- #1. From the points where the streams enter the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 21 to the points where the streams leave the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T3N R39E BB&M
- #2. Water is also diverted through the Boomer Slough Ditch which is diverted at a point N. 1320 ft., and E. 100 ft. from the SW Cor Sec 15 T3N R39E.

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Proof of Publication
The Post-Register

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JUL 30

Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 15th day of July, 1982, last publication having been made on the 22nd day of July, 1982, 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 29th day of July, 1982.
Notary Public

My commission expires September 30, 1984.

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 diversion and application to beneficial use:

25-4140

DURTSCHI, A.H.
375 BARLOW, IDAHO FALLS, ID 83401
Source: WILLOW CREEK tributary to SNAKE RIVER
Priority Date: 01/01/1874
Amount: 0.07 CFS
Diversion Point: NWNE NENW NWNW Sec 14 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.07 CFS) from 11/01 to 03/31
Place of Use: NWNE NENW NWNW Sec 14 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: 0.09 CFS
Diversion Point: SWSW NESW Sec 20 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.09 CFS) from 11/01 to 03/31
Place of Use: NESW SWSW Sec 20 T 03N R 39E
Diversion Means: SHAPED BANKS OF CREEK

25-4142

LOTT, RAY H.
RT. 8, BOX 60, IDAHO FALLS, ID 83401
Source: WILLOW CREEK tributary to SNAKE RIVER
Priority Date: 01/01/1880
Amount: 0.17 CFS
Diversion Point: SESE Sec 24 T 03N R 38E NWNE NENW Sec 26 T 03N R 38E, BONNEVILLE Co.
Use: STOCKWATER (0.17 CFS) from 11/01 to 03/31
Place of Use: SWSE SESE Sec 24 T 03N R 38E NWNE NENW Sec 26 T 03N R 38E
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: 01/01/1884
Amount: 0.06 CFS
Diversion Point: NWNE Sec 14 T 03N R 39E NESE SWSE Sec 11 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.06 CFS) from 11/01 to 03/31
Place of Use: SWSW Sec 11 T 03N R 39E NWNE Sec 14 T 03N R 39E
Diversion Means: SHAPED BANK OF CREEK

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 NWNW 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 SWNW NWNW 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 Shoup Ave., Idaho Falls, Idaho 83401.

A. KENNETH DUNN
Director

Witnessed July 15, 22, 1982

25-4144
KENNETH
RT. BOX 150, IDAHO FALLS, ID
Source: WILLOW CREEK tributary to SNAKE RIVER
Priority Date: 07/08/1889
Amount: 0.04 CFS
Diversion Point: NENE Sec 27 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.04 CFS) from 11/01 to 03/31
Place of Use: NENE Sec 27 T 03N R 39E
Diversion Means: SHAPED BANKS OF CREEK
25-4145
RY, ALLEN
RT. BOX 254, IDAHO FALLS, ID
Source: WILLOW CREEK tributary to SNAKE RIVER
Priority Date: 01/01/1880
Amount: 0.05 CFS
Diversion Point: SWNW Sec 21 T 03N R 39E NESE Sec 20 T 03N R 39E SW SWSW Sec 15 T 03N R 39E, BONNEVILLE Co.
Use: STOCKWATER (0.05 CFS) from 11/01 to 03/31
Place of Use: SENE NESE Sec 20 T 03N R 39E SWNW Sec 21 T 03N R 39E
Diversion Means: SHAPED BANK OF CREEKS
25-4146
RY, ORVAL
RT. BOX 220, RIGBY, ID

RECEIVED

November 2, 1989

Marlene Avery Jones, et. al.
9680 N. 75 E.
Idaho Falls, ID 83401

RE: STATEMENT OF RESUMPTION OF BENEFICIAL USE - 25-4145

Dear Ms. Jones:

The department has reviewed the above referenced statement which you submitted on October 5, 1989.

Although there are some discrepancies between the claim originally filed and the statement of resumption of use, 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

RECORDED

DEC 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF RESUMPTION OF BENEFICIAL USE

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. 25-4145

Name(s) of Water Right Holder: Marlene Avery Jones Kevin Avery & Daniel Avery

Post Office Address: 9680 N 75 E Idaho Falls, ID 83401

Telephone No. 529-3958

Source of Water: Willow Creek (Enterprise-Progressive)

Extent of Use:

Domestic 2 (number of households)

Stockwater 1200 cows (number and type of stock)

Irrigation 5-10 acres 215 (acres)

Other/Remark _____

Total rate and/or volume of use: 0.170 cfs _____ acre-feet

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

has been used since 1880-1884

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

Marlene Avery Jones

529-3958
(Telephone Number)

9680 N 75 E Idaho Falls, ID 83401
(Address)

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

10-3-89 **MICROFILMED** Marlene Avery Jones
Date Signature

DEC 12 1989

September 29, 1989

138737
CERTIFIED MAIL

Allen Avery
Rt. 8 Box 254
Idaho Falls, ID 83401

Gentlemen:

Re: Water Right No. 25-4145

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

MICROFILM

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. 25-4145

Allen Avery
Rt. 8, Box 254
Idaho Falls, ID 83401

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 Allen Avery, Idaho Falls, Idaho has filed an application for extension of time to avoid forfeiture of Claim No. 25-4145.

The claim was filed for 0.05 cfs of water from Willow Creek and Sand Creek tributary to Snake River with the point of diversion within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 3N, R. 39E, B.M., Bonneville County for stockwatering purposes from Nov. 1 to Mar. 31 with a priority of January 1, 1880 to be used within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, 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 31, 1984.

A. KENNETH DUNN

Director

Published in the Post Register, Idaho Falls, ID 12/13 & 12/20/84.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 2, 1982

ALLEN AVERY
RT. 3, BOX 254
IDAHO FALLS ID 83401

RE: Claim No. 25-4145

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 I

INITIAL REVIEW BY:

Ernest.

Right Number

25 4145

Applicant

Avery.

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

IDENT. NO. 25 4145

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

25-4145

AVERY, ALLEN

RT. 8. BOX 254. IDAHO FALLS. ID 83401

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

Priority Date: 01/01/1880

Amount: 0.05 CFS

Diversion Point: SWNW Sec 21 T 03N R 39E SENE NESE Sec 20 T 03N R 39E NWSW
SWSW Sec 15 T 03N R 39E. BONNEVILLE Co.

Use: STOCKWATER (0.05 CFS) from 11/01 to 03/31

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

Diversion Means: SHAPED BANK OF CREEKS

Prose