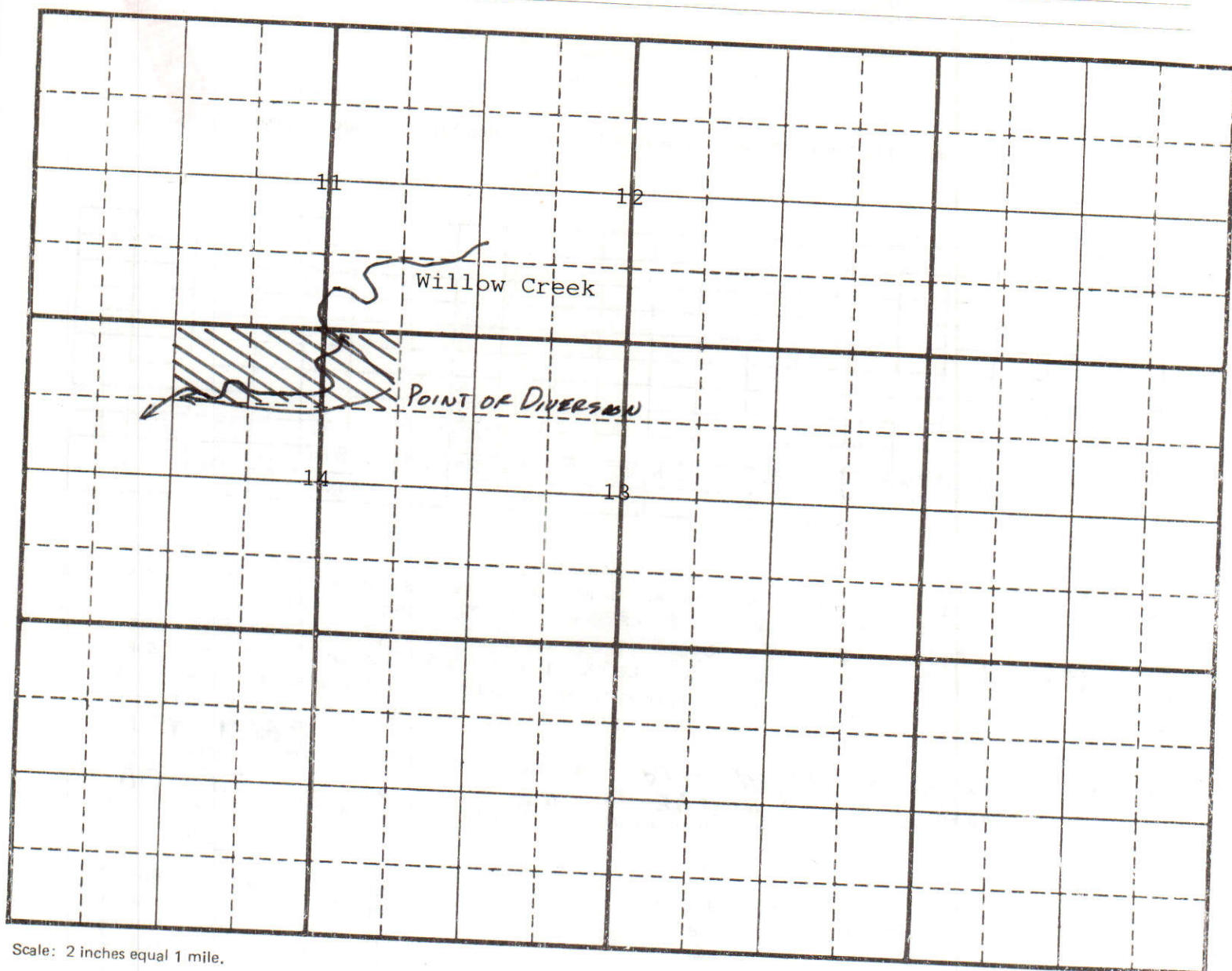


(8) Remarks _____



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

A. H. Durtzchi
(Claimant)
19 82

Larry W. Lighty
Notary Public
Residing at Lewistown, Idaho

My commission expires Life

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

FOR DEPARTMENT USE ONLY

Exception filed by:

Forwarded to
claimant by:

Date

Proof of Publication
The Post-Register

RECEIVED

JUL 30 1982

State of Idaho,
County of Bonneville } ss.

Department of Water Resources
Eastern District Office

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 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-
lished 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

J. Robb Brady
Deon L. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

**NOTICE OF CLAIMS
TO WATER RIGHTS**
Notice is hereby given that the fol-
lowing claim(s) to water right(s) have
been established by diversion and appli-
cation 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 23 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 23 T 03N
R 38E NWNE NENW NWNW 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: 0.05 CFS
Diversion Point: NWNE Sec 14 T 03N R
39E NESE SWSE SESE Sec 11 T 03N R
39E, BONNEVILLE Co.
Use: STOCKWATER (0.05 CFS) from
11/01 to 03/31
Place of Use: SWSE SESE Sec 11 T 03N
R 39E NWNE Sec 14 T 03N R 39E
Diversion Means: SHAPED BANKS 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 SENW
Sec 21 T 03N R 39E SENE NESE
NWSE Sec 20 T 03N R 39E, BONNE-
VILLE 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
Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho Falls,
Idaho 83402.

25-4144
OLSEN, KENNETH
RT. 8, BOX 150, IDAHO FALLS, ID
83401
Source: WILLOW CREEK tributary to
SNAKE RIVER
Priority Date: 07/08/1889
Amount: 0.04 CFS
Diversion Point: NENE Sec 27 T 03N R
38E, BONNEVILLE Co.
Use: STOCKWATER (0.04 CFS) from
11/01 to 03/31
Place of Use: NENE Sec 27 T 03N R
38E
Diversion Means: SHAPED BANKS OF
CREEK

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

25-4146
AVERY, ORVAL
RT. 4, BOX 220, RIGBY, ID 83442

MICROFILMED

A. KENNETH DUNN
Director
Published: July 15, 22, 1982

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 A. H. Durtschi
(Name of Claimant)
375 Barlow, Idaho Falls, ID 83401 Telephone No. 529-8505
(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: JANUARY 1 1874

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

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 Creek 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) <u>.07</u>	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>.0038</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>.07</u>	Use _____	Period of Use From _____	To _____	

(4) .0038 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 14 Twp. 3N Rge. 39E B.M., County of BONNEVILLE
Additional points of diversion: See attachment ALSO NE 1/4 NW 1/4, NW 1/4 NW 1/4 Sec 14 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 Willow Creek 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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	14		XX			XX	XX											

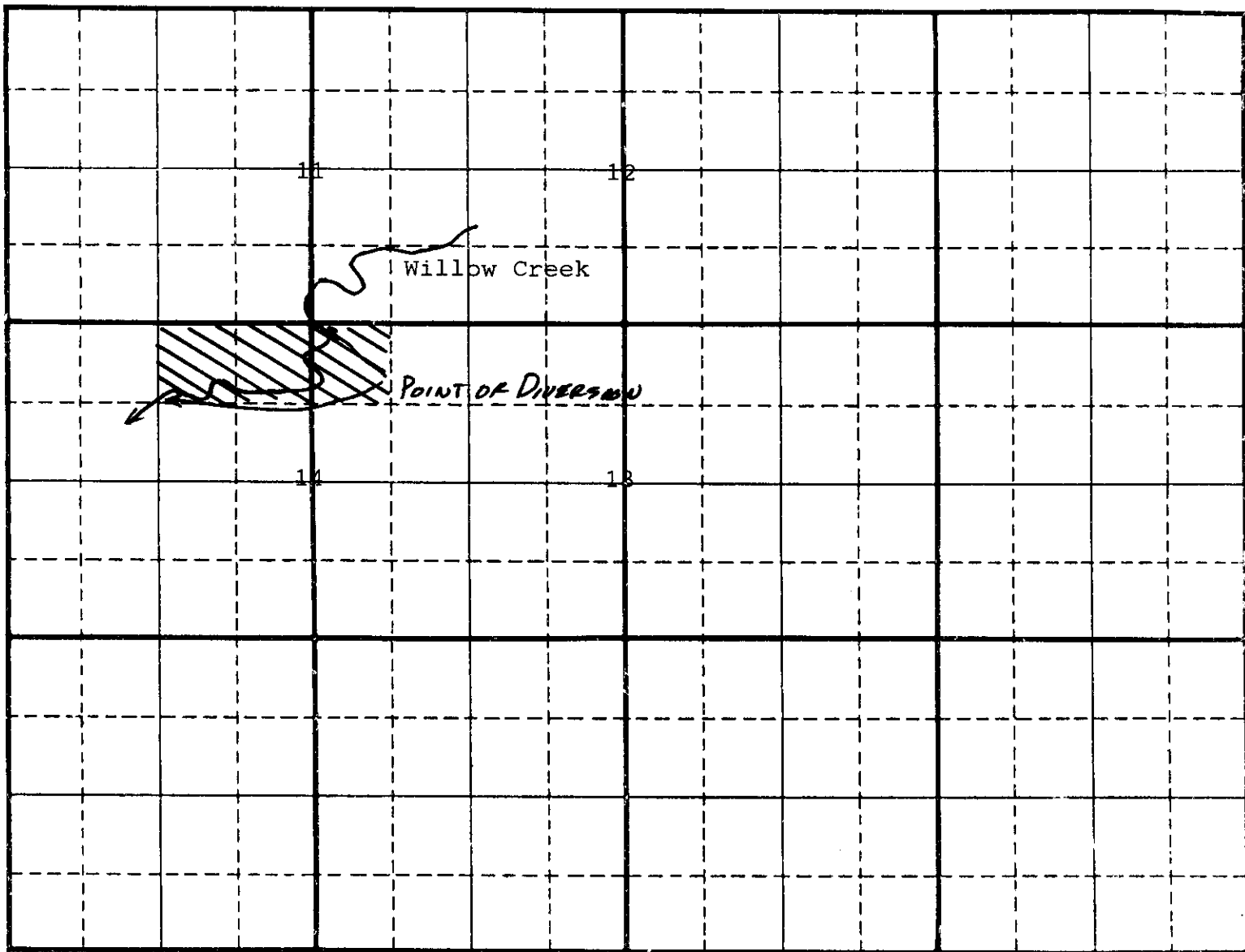
No. of acres _____

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 cattle, 3 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

A. H. Hurtschi
(Claimant)

19 82

Larry W. Lighty
Notary Public
Residing at Lepping, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY			
Received by <u>WJ</u>	Date <u>6-01-82</u>	Exception filed by:	Forwarded to
Preliminary check by <u>ENC</u>	Date <u>7-2-82</u>		claimant by:
\$30.00 fee received by <u>WJ</u>	Date <u>P 7-2-82 #22359</u>		
Filed in <u>Post Register</u>			
<u>7-15-82</u>			

Proof of Publication
The Post-Register

RECEIVED

JUL 30 1982

Department of Motor Vehicles
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 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-
lished 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.

Deon L. Napier
Notary Public

My commission expires September 30, 1984.

B10, 1M,

MICROFILMED

This claim is filed for the purpose of recording the claimant's right to water from the stream 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 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 Willow Creek enters the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 14 to the point where the stream leaves the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 14 T3N R39E BB&M

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 2, 1982

A.H. DURTSCHI
375 BARLOW
IDAHO FALLS ID 83401

RE: Claim No. 25-4140

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:

Ernie

Right Number

25 4140

Applicant

Dartschi

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
- Send to WTR "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

8/10/82

MICROFILMED

IDENT. NO. 25 4140

WATER RIGHT
DATA ENTRY LOG

[illegible]

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 8, 1982

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 AUGUST 2, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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 7/15 & 7/22/82.

MICROFILMED

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: ROCKWATER (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

RECEIVED
MAY 1974

Proofed