

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 January, 1984, last publication having been made on the 20th day of January, 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
Leon K. 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 William O. Kepler, Idaho Falls, Idaho, has filed an application for extension of time to avoid forfeiture of Claim No. 25-4052.

The claim was filed for 0.10 cfs of water from Willow Creek tributary to Snake River with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M., Bonneville County; for stockwatering purposes from Nov. 1 to Mar. 31 with a priority of May 1, 1880 to be used within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, 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

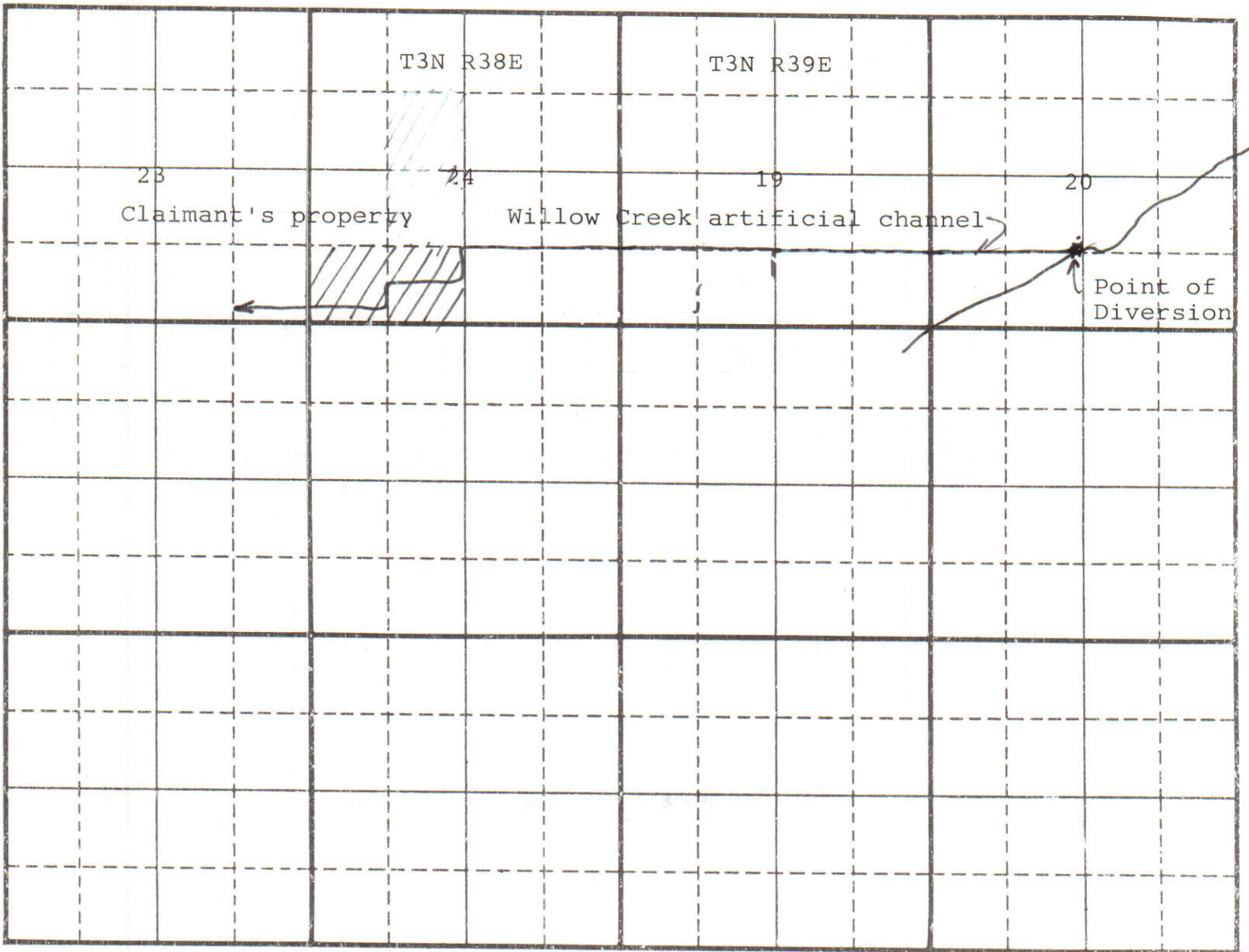
RECEIVED

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.

Sworn to before me this 20th day of May

Wm. O. Kepler
(Claimant)
Notary Public
Residing at Lepburg, Idaho

My commission expires Life

Received by CW Date 7-02-82 FOR DEPARTMENT USE ONLY
Prelim. check by EMC Date 6-01-82 Exception filed by: _____ Date _____
\$30.00 fee received by CW Date 7-2-82 # 22364
Published in Post Register
Dates 7-15 & 7-22-82

Proof of Publication
The Post-Register

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JUL 30 1982

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

Deon E. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Application for Permit No. 25-4052 in the name of William O. Kepler was filed for the diversion of 0.10 cfs of water from Willow Creek tributary to Snake River, with the point of diversion within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, B.M. Bonneville County; to be used from October 1 to April 1 for stockwatering purposes of 350 head beef cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, B.M.

The applicant now proposes to amend Application No. 25-4052, requesting the point of diversion be changed to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M. Bonneville County and that the period of use for stockwatering purposes be from Nov. 1 to Mar. 31.

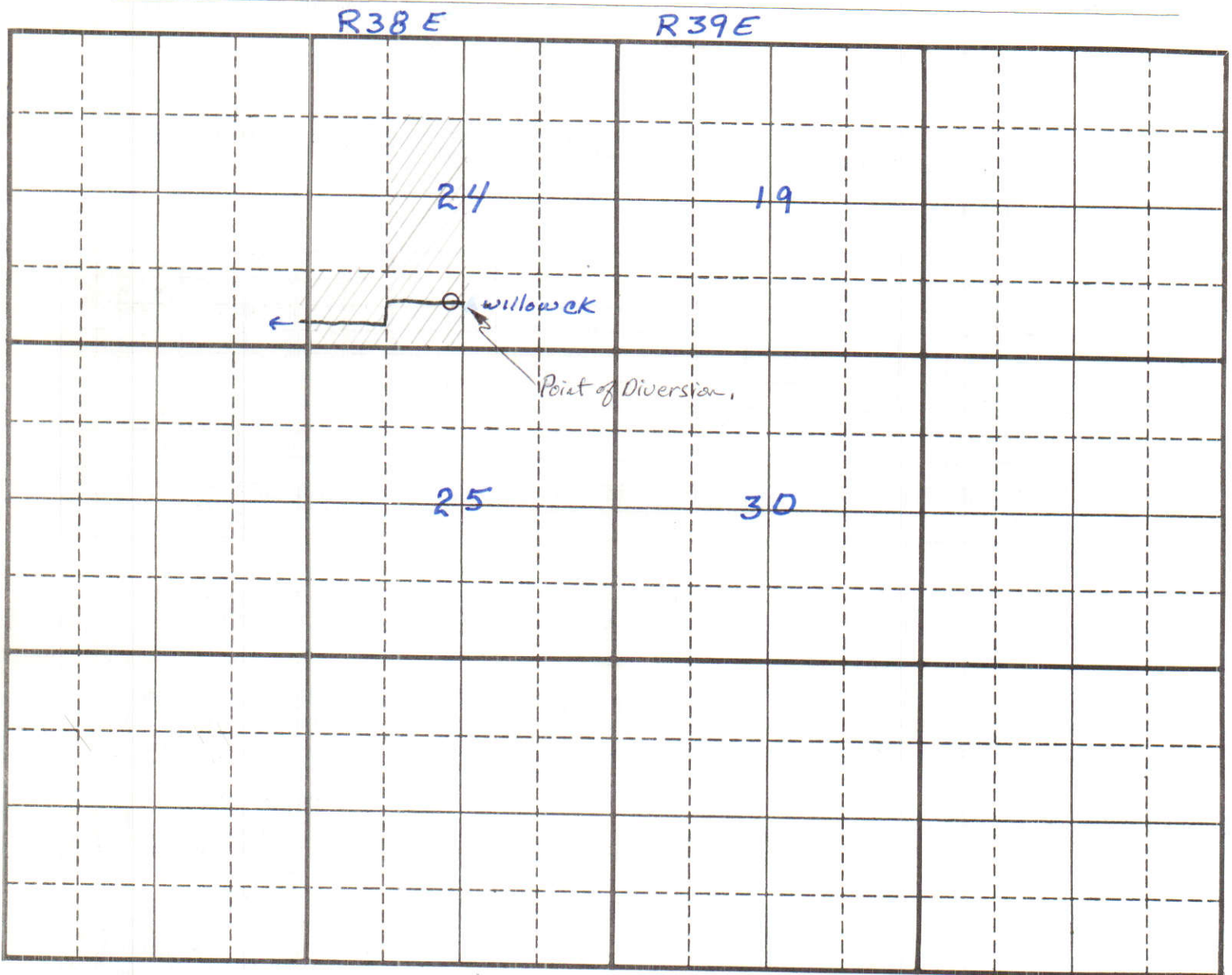
Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before August 2, 1982.

A. KENNETH DUNN
Director

Published: July 15, 22, 1982

MICROFILMED

- (8) Remarks The right was decreed in the general adjudication of Willow Creek. Unfortunately, the quantity decreed for stock after the end of the irrigation season is not defined.



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 Bingham) 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 29th day of January, 1980.

W. O. Kepler
(Claimant)
Ronald D. Coker
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by RDC Date 1/29/80 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by EMC Date 1/30/80 claimant by: _____
\$20.00 fee received by JD Date 1/30/80 #15553
Published in The Post Register
Dates 2/7 & 2/14/80

Department of Water Resources

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

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

MICROFILMED

9. Give last date when water was applied to beneficial use December, 1979 **MICROFILMED**
Length of extension of time requested 5 years, or until Dec 9, 1979
(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 In December, 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 4th day of December, 19 89.

William O'Kepler
(Signature of Applicant)

Ronald J. Carlson
(Notary Public)

My commission expires 2/14/86

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 Saylor
Chief, Operations Bureau

For Department Use Only

Received by ay Date 12-4-84 Time 11:30 a.m. Preliminary check by EMC
Fee \$ 20.00 Receipted by ay Date 12-4-84 Publication prepared by ay
Date 12-5-84 Published in Post Register Dates 12-13 & 12-20-84
Publication approved ay Date 12-28-84 Protests filed by: _____

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

Recommended for ☒ approval ☐ denial by MC Jim

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

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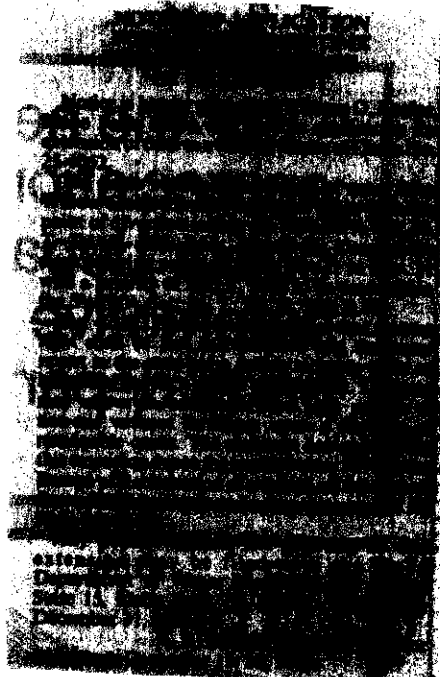
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 13th day of January, 1984, last publication having been made on the 20th day of January, 1984, and that the said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



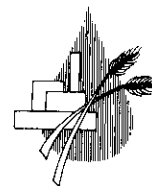
RECEIVED

DEC 28 1984

Department of Water Resources
Eastern District Office

VICROFILMED

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 William O. Kepler
Route 8, Box 58, Idaho Falls, ID 83401 Telephone No. 522-5657
(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) May 1, 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 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
<u>.10</u> <u>0068</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		Use		Period of Use From To	
<u>.10</u> <u>0068</u> cfs				Period of Use From To	

(4) 0068 cfs TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 20 Twp. 3N Rge. 39E B.M., County of BONNEVILLE
Additional points of diversion: See attachment

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. Willow Creek flows in a man-made channel by which it is diverted across claimant's property. Claimant's livestock water directly from this man-made channel which is kept free of ice by actions of the claimant in the winter period to provide access to the water.

(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	
3N	38E	24											XX	XX					

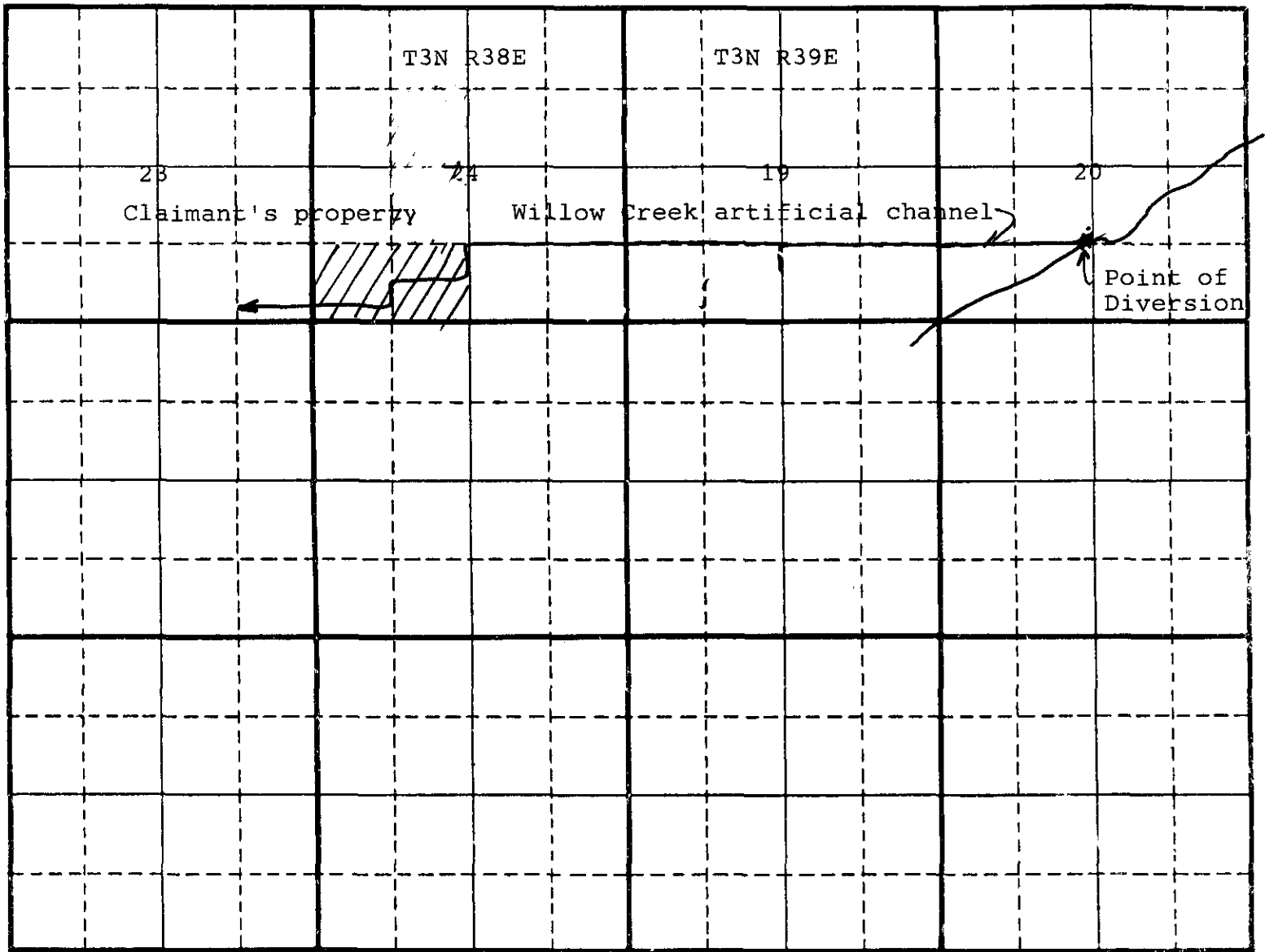
No. of acres

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: 350 cattle and 15 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.

Wm. O. Kepler
(Claimant)
Ray W. Regis
Notary Public
Residing at Republic, Idaho

My commission expires Life

Received by EW Date 6-01-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 7-02-82
\$35.00 fee received by EW Date 7-2-82 # 22364
Published in Post Register
Dates 7-15-82 & 7-22-82

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 Water Company, et. al., v. Henry W. Kiefer, 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 of the stream at all times during the winter period to provide water for the livestock.

The water is physically diverted from it's natural channel by a concrete structure located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20 T3N R39E and is conveyed down a new channel to a point N 1320 feet and W 2640 feet from the SE Cor Sec 24 T3N R38E where the artificial channel enters the claimant's property. The livestock water from the diversion channel of Willow Creek from the point where such channel enters the claimant's property in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24 to the point where said channel leaves the claimant's property in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24 T3N R38E.

FILED
JUL 24 1901

Proof of Publication
The Post-Register

RECEIVED

JUL 30 1982

Department of Water Resources
Eastern District Office

State of Idaho,

County of Bonneville

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.

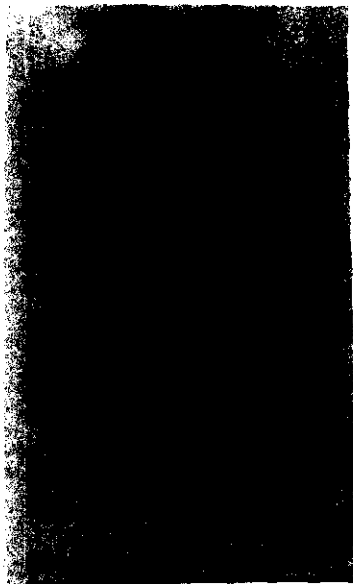
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 15th day of July, 1982, last publication having been made on the 22nd day of July, 1982, and that the said notice 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.

Deon K. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,



RECEIVED

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 William O. Kepler (Name of Claimant)
Rt. #8, Box 58, Idaho Falls, Idaho 83401 Telephone No. 522-5657
(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) May 1, 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 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.10	Use	Stockwater	Period of Use From	Oct. 1 To April 1
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.10 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 24 Twp. 3N Rge. 38E B.M., County of Bonneville
Additional points of diversion:

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.
Open ditch. Also cattle drink directly from Willow Creek

(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	
3N	38E	24								X	X		X	X					

No. of acres

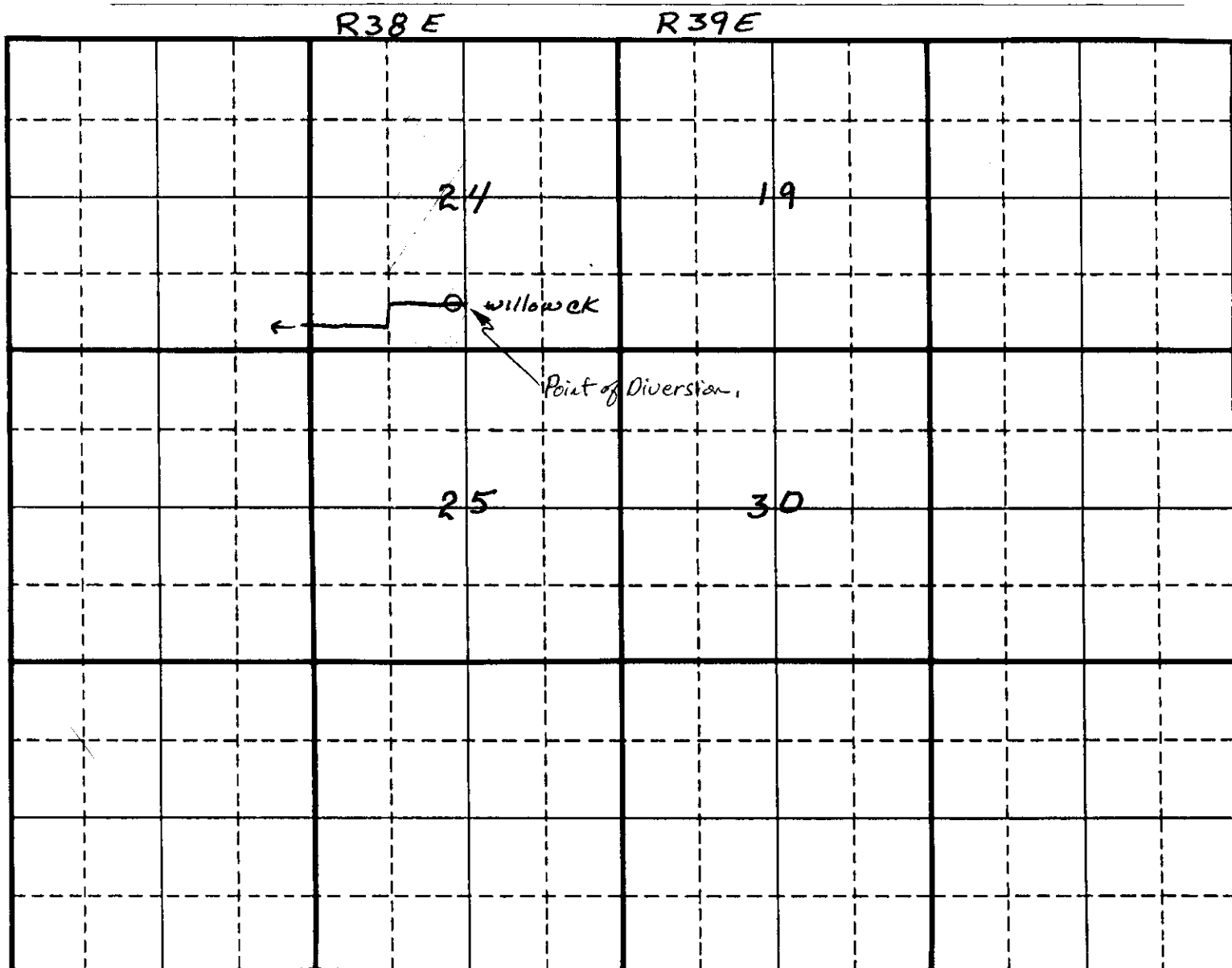
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Up to 350 head of beef cattle

NOTE: Include here the type and number of stock watered: 350 head of beef cattle

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

MICROFILMED

(8) Remarks The right was decreed in the general adjudication of Willow Creek. Unfortunately, the quantity decreed for stock after the end of the irrigation season is not defined.



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 Bingham) 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 29th day of January, 1980.

W. O. Kepler
(Claimant)
Ronald D. Carter
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>RDC</u>	Date <u>1/29/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>1/30/80</u>		claimant by:	
\$20.00 fee received by <u>JD</u>	Date <u>1/30/80</u>	#15553		
Published in <u>The Post Register</u>				
Dates <u>2/7 & 2/14/80</u>				

Proof of Publication

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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 7th day of February, 1980, last publication having been made on the 14th day of February, 1980, 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 15th day of February, 1980.

J. Robb Brady
Karen H. Hale
Notary Public

My commission expires April 5, 1983.

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:

25-4050 *ok*
SESSIONS, CALVIN
RT. 3, BOX 145, IDAHO FALLS, ID 83401
Source: GROUNDWATER
Priority Date: 11/01/1918
Amount: 0.06 CFS
Diversion Point: SWSE Sec 19 T 01N R 38E, BONNEVILLE CO.
Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31
STOCKWATER (0.02 CFS) from 01/01 to 12/31
Place of Use: SWSE SESE Sec 19 T 01N R 38E
Diversion Means: PUMP AND PIPE.

25-4052 *ok*
KEPLER, WILLIAM O.
RT. 8, BOX 58, IDAHO FALLS, ID 83401
Source: WILLOW CK. tributary to SNAKE R.
Priority Date: 05/01/1880
Amount: 0.10 CFS
Diversion Point: SESW Sec 24 T 03N R 38E, BONNEVILLE CO.
Use: STOCKWATER (0.10 CFS) from 10/1 to 04/01
Place of Use: SENW NESW SWSW SESW Sec 24 T 03N R 38E
Diversion Means: OPEN DITCH.

35-4000 *ok*
ERICKSON, LLOYD KENNETH
RT. 4, BOX 178, IDAHO FALLS, ID 83401
Source: GROUNDWATER

Priority date: 06/01/1921
Amount: 0.11 CFS
Diversion Point: SENE Sec 21 T 02N R 37E, BONNEVILLE CO.
Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31
STOCKWATER (0.03 CFS) from 11/15 to 05/15
Place of Use: SENE Sec 21 T 02N R 37E
Diversion Means: WELL, PUMP AND WATER LINE.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.
C. STEPHEN ALLRED
Director
Pub. Feb. 7 & 14, 1980.

RECEIVED

FEB 20 1980

Department of Water Resources
Eastern District Office

RECORDED

November 2, 1989

William O. Kepler
8140 N. 45 E.
Idaho Falls, ID 83401

RE: STATEMENT OF RESUMPTION OF BENEFICIAL USE - 25-4052

Dear Mr. Kepler:

The department has reviewed the above referenced statement which you submitted on October 16, 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

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. 25-4052

Name(s) of Water Right Holder: W.D. Kipler

Post Office Address: 8140 No 45 E 2nd St Falls Id

Telephone No. 522 5659

Source of Water: _____

Extent of Use:

Domestic _____ (number of households)

Stockwater 100 head (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

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

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

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.

Date 10-12-89

Signature W.D. Kipler **FILED**

DEC 12 1989

September 29, 1989

138733
CERTIFIED MAIL

William O. Kepler
Rt. 8 Box 58
Idaho Falls, ID 83401

Gentlemen:

Re: Water Right No. 25-4052

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

RECEIVED

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. 25-4052

William O. Kepler
Rt. 8, Box 58
Idaho Falls, ID 83401

Dear Mr. Kepler:

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 William O. Kepler, Idaho Falls, Idaho, has filed an application for extension of time to avoid forfeiture of Claim No. 25-4052.

The claim was filed for 0.10 cfs of water from Willow Creek tributary to Snake River with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M., Bonneville County; for stockwatering purposes from Nov. 1 to Mar. 31 with a priority of May 1, 1880 to be used within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, 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

August 11, 1982

RE: Amended Claim to a Water Right No. 25-4052

William O. Kepler
Rt. #8, Box 58
Idaho Falls, ID 83401

Dear Mr. Kepler:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your amended claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

RECEIVED
AUG 12 1982

Department of Water Resources

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 25-4052 in the name of William O. Kepler was filed for the diversion of 0.10cfs of water from Willow Creek tributary to Snake River, with the point of diversion within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, B.M. Bonneville County; to be used from October 1 to April 1 for stockwatering purposes of 350 head beef cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 3N, R. 38E, B.M.

The applicant now proposes to amend Application No. 25-4052, requesting the point of diversion be changed to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 3N, R. 39E, B.M. Bonneville County and that the period of use for stockwatering purposes be from Nov. 1 to Mar. 31.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before August 2, 1982.

A. KENNETH DUNN

Director

Published in the Post Register, Idaho Falls, Idaho, on July 15 and 22, 1982

APR 15 1982

State of Idaho
Department of Water Resources

Amended CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Emic
Right Number 25 4052 Applicant Kepler. Jenkins.

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 W.D. #01
- Aug 2, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlan Date Aug 7, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8-19-82

3/79

IDENT. NO. 25 4052

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]

ACTION

N OWNER LAST NAME - KEPLER FIRST NAME - WILLIAM O.
N ADDRESS LINE 1 - RT. 8 ADDRESS LINE 2 - BOX 58
N CITY - IDAHO FALLS STATE - ID ZIP CODE - 83401
N SOURCE - WILLOW CK. TRIBUTARY OF - SNAKE R.
N STAGE - STATRY CLM PRIORITY - 05-01-1880 COUNTY - BONNEVILLE TOTAL DIV. RATE - .1000CFS
N DIVERSION POINT - SESW 24 03N 38E
N FROM - 10-01 TO - 04-01 USE - STOCKWATER USE DIV. RATE - .1000CFS
N USE - STOCKWATER PLACE OF USE - TWN 03N RNG 38E SEC 24 TRACT SENW TRACT NESW
N TRACT SWSW TRACT SESW
N NON IRRIG USE - S/350 HEAD OF BEEF CATTLE.
N DIVERSION MEANS - OPEN DITCH.

1/3 MS

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson.

Right Number 25-4052 25 4052 Applicant Bill Kepner.

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date 2/28/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jm Date 3/5/80

MICROFILMED

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

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

FEBRUARY 28, 1980

WILLIAM O. KEPLER
RT. 8
BOX 58
IDAHO FALLS ID 83401

RE: Claim No. 25-4052

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

MICROFILMED

KEPLER, WILLIAM O.

RT. 8. BOX 58. IDAHO FALLS. ID 83401

Source: WILLOW CK. tributary to SNAKE R.

Priority Date: 05/01/1880

Amount: 0.10 CFS

Diversion Point: SESW Sec 24 T 03N R 38E. BONNEVILLE Co.

Use: STOCKWATER (0.10 CFS) from 10/01 to 04/01

Place of Use: SENW NESW SWSW SESW Sec 24 T 03N R 38E

Diversion Means: OPEN DITCH.

MICROFILMED