

Nº 2056

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie Blye

being duly sworn,

deposes and says:

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

Such notice was published in the issue beginning with

August 5, 1982 and ending
with the issue of August 12, 1982

Fees, 20.00

Subscribed and sworn to before me this 18 day
of August, 1982

L. A. Jensen
Notary Public, Residing at Montpelier, Idaho

My Commission Expires Nov, 1985

RECEIVED

AUG 23 1982

Department of Water Resources
Eastern District Office

LEGAL NO. 2066

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-422

BARTSCH, REX

P.O. BOX 14, GEORGETOWN, ID 83426

Source: STREAM tributary to BEAR RIVER

Priority Date: 01-30-1980

Amount: 1.00 CFS

Diversion Point: NWNW NE1/4 Sec 11

T 11S R 4E, BEAR LAKE Co.

Use: IRRIGATION (1.00 CFS) from

04-15 to 06-15

STOCKWATER (1.00 CFS) from

01-01 to 12-31

Place of Use: NE1/4 NW1/4 Sec 10 T

11S R 4E SW1/4 NE1/4 Sec 06 T 11S R

4E FOR 100 ACRES

Diversion Means: DIVERSION DAM

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 100 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

8-5, 8-12-82

22 LINES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that REX BARTSCHI
(Name of Claimant)
P. O. Box 16, Georgetown, Idaho 83239 Telephone No. 847-1912
(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) January 30, 1890

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

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

(Stream) Spring creek tributary to Bear River

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

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

- (4) 5 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW ¼ NW ¼, Sec. 11 Twp. 11S Rge. 43 E B.M., County of Bear Lake
Additional points of diversion: stock water NE ¼ NE ¼ Sec. 11, T. 11S R. 43 E

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

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

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

No. of acres 160

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

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

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

Map of water diversion project

R 43 E

A Unnamed Spring

3 2

T 11 S

SW 1/4 SE 1/4

NE 1/4 NE 1/4

B Diversion point, Earthen dam

NE 1/4 NE 1/4 Sec 11, T11S, R43E (From Item #5)

Place of use

10 11

7-21-82 FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>7-13-82</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>HWJ</u>	Date <u>7-27-82</u>		claimant by: _____	
\$20.00 fee received by <u>CW</u>	Date <u>7-27-82 #22411</u>			
Published in <u>News Examiner</u>				
Dates <u>8-5</u> & <u>8-12-82</u>				

Helm and Julian
Attorneys at Law

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

Ardee Helm, Jr.

Brian K. Julian

July 2, 1982

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

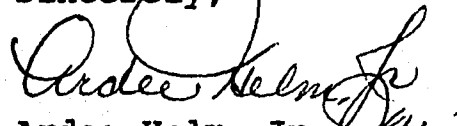
RE: Claim to Water Right
Rex Bartschi

Gentlemen:

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

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

Sincerely,


Ardee Helm, Jr.

AH:khi

Encs.

CC: Rex Bartschi, w/o encs.

July 14, 1982

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

Dear Mr. Helm:

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

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

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

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

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

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

11-4219

BARTSCHI, REX

P.O. BOX 16, GEORGETOWN, ID 83239

Source: STREAM tributary to BEAR RIVER

Priority Date: 01/30/1890

Amount: 5.00 CFS

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

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

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

Diversion Means: DIVERSION DAM

NOTICE OF CLAIMS TO WATER RIGHTS

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

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

A. KENNETH DUNN
Director

Published 8/5 & 8/12/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 29, 1982

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before AUGUST 23, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 11 4219 Applicant Bartschi

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.
WD #11

Aug 23, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Sept. 8, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 9/14/82

August 6, 1982

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

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

Dear Mr. Stoker:

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

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 23, 1982

REX BARTSCHI
P.O. BOX 16
GEORGETOWN

ID 83239

RE: Claim No. 11-4219

Dear Claimant:

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

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

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

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

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
SEP 14 1982

Department of Water Resources