

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 11-7776

Date Received: 11/3/23

Receipt No: P000566

Claim Fee: \$5.00 By: MB

RECEIVED

NOV 03 2023

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Owen D Bartschi and Alice L Bartschi Phone (208) 251-2952
 Mailing address 892 N 1362 E Jackson ID 83350
Street or Box City State
 Email address (optional) owen.bartschi@gmail.com
2. Date of priority: (Only one per claim) 05/01/1910 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
 which is tributary to (b) n/a (water sinks)
4. Location of point of diversion is: Township 11 S, Range 43 E, Section 6,
SE 1/4 of NE 1/4, or Govt. Lot _____ BM, County of Bear Lake;
 Parcel no. n/a
 Additional points of diversion, if any: none
 If available, GPS coordinates: 42.49278 - 111.46756
5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Developed spring covered with natural materials
6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

	Month/Day	Month/Day	cfs (✓) or AFY ()
For <u>Domestic</u> purposes from <u>01/01</u> to <u>12/31</u> amount <u>.04</u>			
For <u>Stock</u> purposes from <u>05/15</u> to <u>9/01</u> amount _____			
7. Total quantity claimed .04 cfs (✓) or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Water used on one domestic household and occasional stock, with total quantity for both .04 cfs

9. Location of place of use is: Township 11 S, Range 43 E, Section 5,
SW 1/4 of NW 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4

for (check one) **Domestic** () **Stock** () **Domestic and Stock** (✓)

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes (✓) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (✓)

13. Remarks (include an explanation of the priority date selected):

Priority date selected is based upon Idaho Department of Water Resources proof report dated 9/17/2013 (copy enclosed).

14. Basis of claim (check one) **Beneficial Use** () **Posted Notice** () **License** (✓) **Permit** () **Decree** ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-7776

15. **Signature(s)**

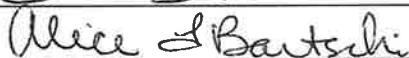
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)  Date: 10/31/2023

 Date: 10/31/2023

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/17/2013

Water Right 11-7776

Owner Type
 Current Owner

Name and Address
 OWEN BARTSCHI
 9078 MOUNTAIN IRIS WAY
 WEST JORDAN, UT 84081
 (208)251-2952

Priority Date: 5/1/1910

Basis: Statutory Claim

Status: Active

Source
 SPRING

Tributary

Beneficial Use

DOMESTIC

From

01/01

To

12/31

Diversion Rate

0.040 CFS

Volume

0.040 CFS

Total Diversion

Source and Point(s) of Diversion

SPRING

SENESE

Sec. 6, Twp 11S, Rge 43E, BEAR LAKE County

Place Of Use

DOMESTIC within BEAR LAKE County

T11S R43E S5

SWNW

Conditions of Approval:

Comments:

1. scox
 Updated Shape

9/8/2008

POU

3. scox
 Updated PLS

9/8/2008

POU

4. kmathews
 Updated Shape

7/17/2013

POD

5. j barg
 Water Right 11-7615 was split into 11-7615 and 11-7776

9/17/2013

Change of Ownership

6. j barg
 Updated Shape

9/17/2013

POD

7. j barg
 Updated Shape

9/17/2013

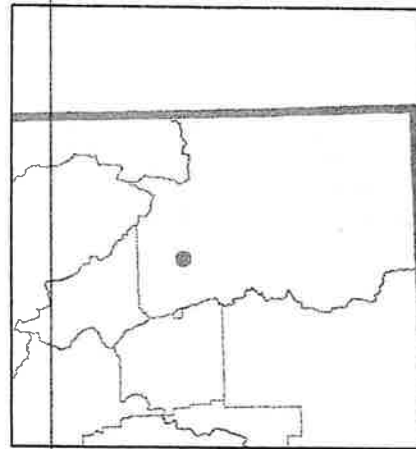
POU



Idaho Department of Water Resources

Water Right
11-7776
(DOMESTIC)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

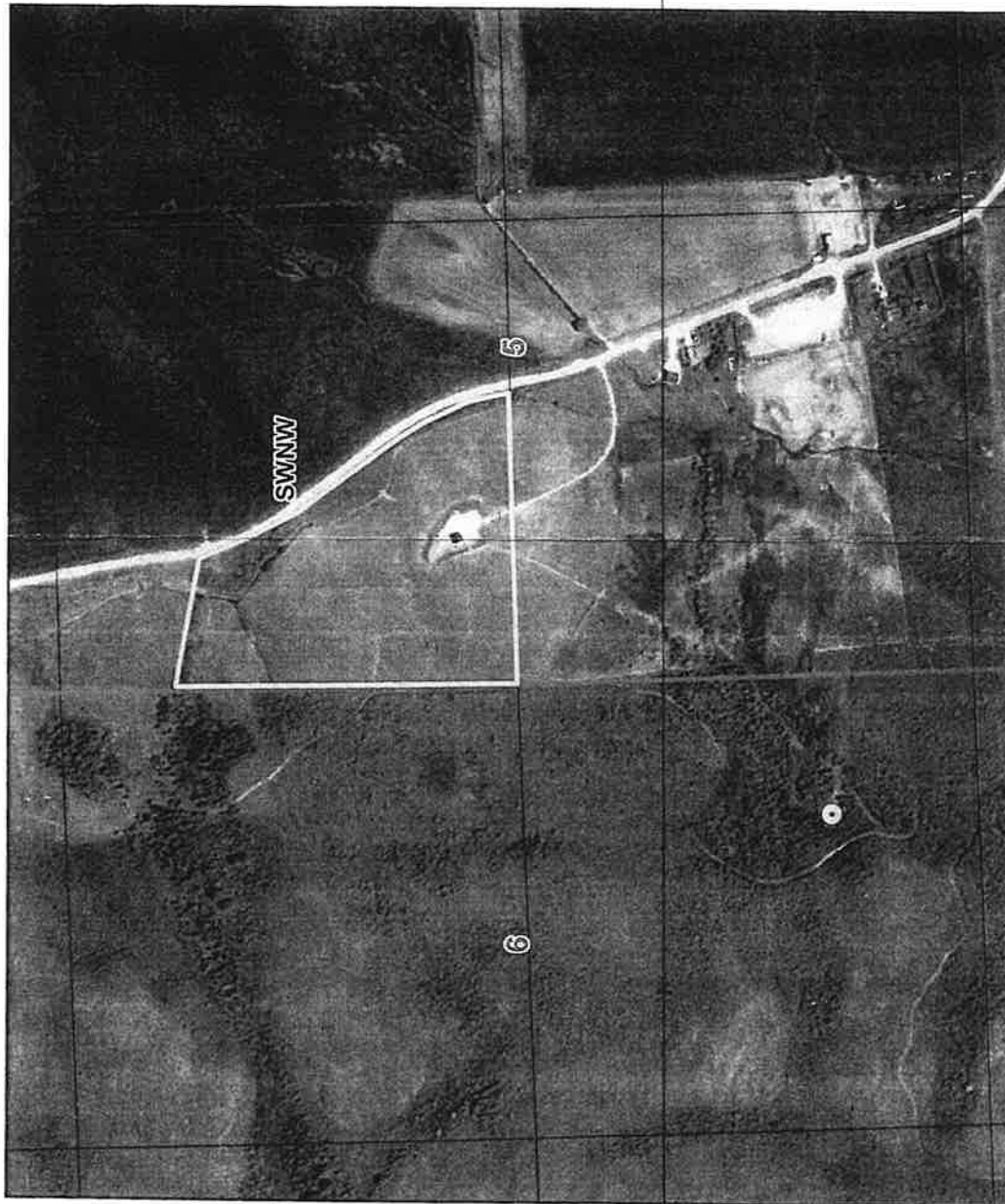


Bear Lake County
IDWR Basin 11

Prepared by Barg, Jonie

2009 Aerial Photography

43E



11S

5

6

SWNW

0 0.1 0.2 0.4 Miles



Water Right License

Attachment #2

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 11-07675

Priority: August 05, 2010

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that OWEN BARTSCH
9078 MOUNTAIN IRIS WAY
WEST JORDAN UT 84081 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated August 05, 2010; and has submitted Proof of
Beneficial Use on May 31, 2011; and a water right has been established as follows:

SOURCE
SPRINGS

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	04/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 Twp 11S Rge 43E, B.M. BEAR LAKE County

PLACE OF USE: DOMESTIC

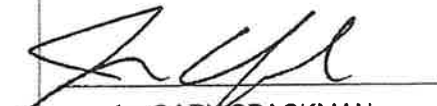
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	43E	5							X						

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 24th day of July, 2013.


for GARY SPACKMAN
Director

Type	Basin	Sequence	Suffix	Application Basis	Status	Priority	Div	Rate	(Source	Water Use	Owner
WR	11	7675		License	Active	8/5/2010		0.02	SPRINGS	DOMESTIC	BARTSCHI, OWEN
WR	11	7776		Statutory	C Active	5/1/1910		0.04	SPRING	DOMESTIC	BARTSCHI, OWEN

file for new
Old *new* *new*
1/3