

12-24-24

RECEIVED

JAN 02 2025

IDWR/Preston

Dear IDWR,

Please find enclosed the fee for my form for Notice of Claim to a Water Right, sorry I forgot to send it with my form, thanks for reminding me, and thank you for your service.

Vyron Ostler

Water Right License Water Right NO. 13-07867
Franklin County, ID
Parcel no. 00664.01

Contact Information:

Vyron Ostler

967 E. Moyle Cir

Alpine, UT 84004

Phone: 801-201-2218

Email: vyrono@yahoo.com

Claim Fee: 54.00 By: MB

A spring arises over a collection area, and then flows into a cement holding tank. This tank is connected by a pipe to a homestead located to the west at a lower elevation. The system is gravity flow, there are no pumps.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For Domestic purposes from 1/1 to 12/31 amount 0.040 or 1.20 AF Annually
For _____ purposes from _____ to _____ amount Rate or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.040 (cfs) and/or (b) 1.20 AF Annually (acre-feet)

8. Non-irrigation uses; describe fully (e.g. Domestic) Give number of households served; Stockwater: Type and number of livestock, etc.) One household, no livestock, 1/2 acre yard

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	41E	20					D												

Parcel no(s). 00664.01

Total number of acres irrigated 1/2 acre around house

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

11. Do you own the property listed above as place of use? Yes ☒ No ()
If your 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):

The priority date selected is the date of priority
given on the State of Idaho Department of Water Resources
Water Right License Water Right NO. 13-07867

Name of claimant(s) Vyron Randall Ostler

Claim ID _____

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 13-07867

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: _____

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) Vyron Randall Ostler Date: 12/12/2024

Date: _____

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

Agent's title (Please print) of _____
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 on behalf of 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 _____

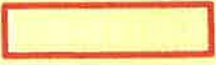
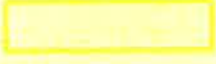
Address _____

Name of claimant(s) Vyron Randall Ostler Claim ID _____

13-7867 (Ostler)



Legend

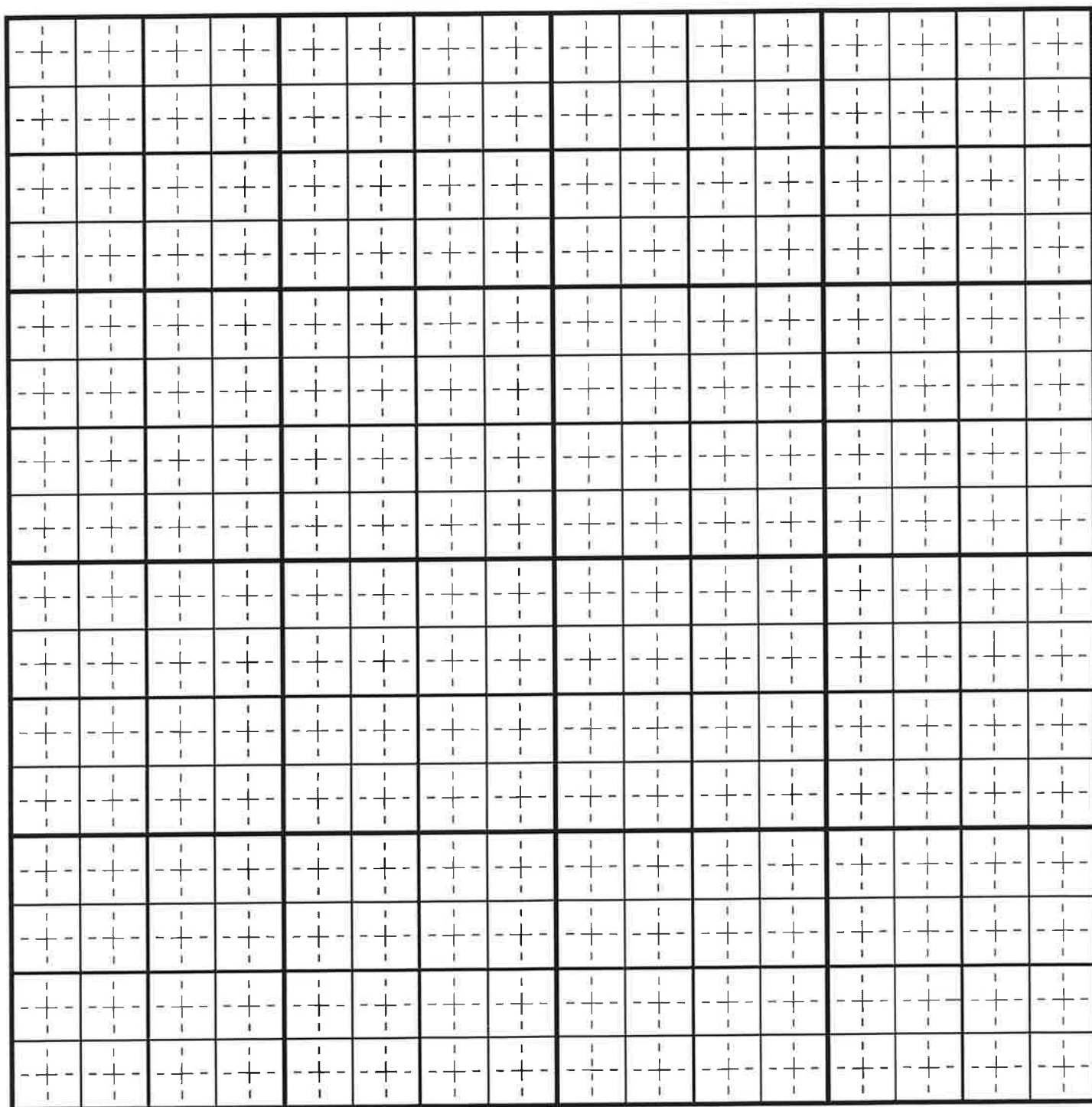
- Water Right POD
-  Water Right POU
-  Township/Range
-  Sections
-  QQ

0 330 660
Feet



Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) Vynon Randall Ostler Claim ID _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 13-07867

Priority: April 04, 1994

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that VYRON RANDALL OSTLER
967 E MOYLE CIR
ALPINE UT 84004 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated April 04, 1994; has submitted Proof of Beneficial
Use on January 07, 1999; and a water right has been established as follows:

SOURCE

SPRING

Tributary: STRAWBERRY CREEK

BENEFICIAL USE
DOMESTIC

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
0.04 CFS

**ANNUAL
DIVERSION VOLUME**
1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING SE¼NE¼NW¼ Sec. 20 Twp 13S Rge 41E, B.M. FRANKLIN County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
13S	41E	20					X												

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13N.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. Domestic use is for 1 home.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day.

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 27th day of September, 2012.


for GARY SPACKMAN
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Interim Director

September 17, 2012

Vyron Randall Ostler
967 East Moyle Circle
Alpine, UT 84004

RE: Water Right Permit No. 11-7411 (renumbered as 13-07867)

Dear Permit Holder:

The Idaho Department of Water Resources is currently reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that was established in compliance with the terms of the permit. During our review, we discovered that the permit is actually located in Basin 13 (Bear River below Soda Springs) and have updated the water right number to be in Basin 13. The new water right number is **13-7867**.

The field examiner who verified your water use reported that certain elements of the permit were developed differently than described on your permit. The place of use listed on the permit was in the SWNW of Section 20, T13S, R41E. The home receiving water from the spring is actually located in the NENW of Section 20. Please refer to the enclosed map. Before a water right license can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. I have also included a copy of the field exam for your reference. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days. If you have any questions, please feel free to contact me at (208) 525-7161.

Sincerely,

James Cefalo
Water Resources Program Manager

Enclosure: Amendment, Map, and Field Exam



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

September 28, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

VYRON RANDALL OSTLER
967 E MOYLE CIR
ALPINE UT 84004

RE: License No. 13-7867
Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-525-7161.

Sincerely,

James Cefalo

Water Resources Program Manager

Enclosure(s)

JC:sc

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 13-07867

Date of Priority: April 04, 1994

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

Comes now VYRON RANDALL OSTLER
967 E MOYLE CIR
ALPINE UT 84004

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 13-07867, and requests that the permit be changed as follows:

Source: SPRING

Tributary: STRAWBERRY CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

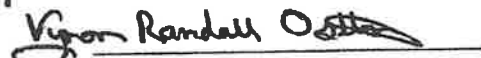
LOCATION OF POINT(S) OF DIVERSION:

SPRING SE1/4NE1/4NW1/4 Sec. 20, Twp 13S, Rge 41E, B.M.
FRANKLIN County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 41E 20					X												

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 21 day of September, 2012.


(Signature)

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 11-07411

Proposed Priority: April 4, 1994

Maximum Diversion Rate:

0.04 CFS

This is to certify, that VYRON RANDALL OSTLER
967 E MAYLE CIR
ALPINE UT 84004

has applied for a permit to appropriate water from:
SPRING tributary of STRAWBERRY CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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DOMESTIC	01/01 to 12/31	0.04 CFS
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LOCATION OF POINT(S) OF DIVERSION: SENENW , Sec. 20, Township 13S, Range 41E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13S 41E 20

SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1999.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 13N.
6. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

26th day of January, 1996


for Karl J. Dreher, Director

186016

WHEN RECORDED, MAIL TO:
Roger D. Henriksen, Esq.
KIMBALL, PARR, WADDOUPS, BROWN & GEE
185 South State Street, Suite 1300
P.O. Box 11019
Salt Lake City, Utah 84147

Recorded at Request of
Kimball, Parr, Waddoups,
Brown & Gee 1:00
a.m. June 19, 1992 p.m.
LARA E. JOHNSON, RECORDER
By M. Shepherd Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

Dale F. Ostler, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT-CLAIMS without warranty to Vyron R. Ostler and Jamie M. Ostler, as joint tenants with full rights of survivorship, Grantees, of 488 West 1000 North, Orem, County of Utah, State of Utah, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following-described tract of land in Franklin County, State of Idaho:

Township 13 South, Range 41 East of the Boise Meridian, Franklin County, Idaho.

Section 20: That portion of the SW1/4NE1/4NW1/4 lying South and East of State Highway #36.

ALSO, a non-exclusive right of ingress and egress to the spring lying immediately East of the foregoing described tract and a non-exclusive easement to convey water from said spring to the above-described tract. Said easement to follow path to existing pipeline.

WITNESS the hand of said Grantor this 16th day of June, 1992.

Dale F. Ostler
DALE F. OSTLER

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On this 16th day of June, 1992, before me, a notary public in and for said State, personally appeared Dale F. Ostler, an individual, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

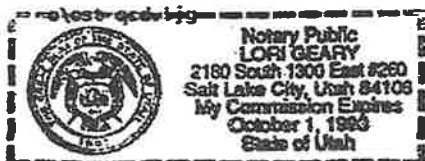
My Commission Expires:

October 1, 1993

Lou Meary
NOTARY PUBLIC

Residing in Salt Lake County,

Utah



WHEN RECORDED, MAIL TO:
 Roger D. Henriksen, Esq.
 KIMBALL, PARR, WADDOUPS, BROWN & GEE
 185 South State Street, Suite 1300
 P.O. Box 11019
 Salt Lake City, Utah 84147

Recorded at the request of
Kimball, Parr, Waddoups,
Brown & Gee
 11:30
 a.m. JUL 8 1992 p.m.

LARAE E. JOHNSON, RECORDER
 By B. Shepherd Deputy
 FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

Dale F. Ostler, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT-CLAIMS without warranty to Vyron R. Ostler and Jamie M. Ostler, as joint tenants with full rights of survivorship, Grantees, of 488 West 1000 North, Orem, County of Utah, State of Utah, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the following-described tract of land in Franklin County, State of Idaho:

Township 13 South, Range 41 East of the Boise Meridian, Franklin County, Idaho.

Section 20: All that portion of the NW 1/4 NW 1/4 lying South and East of State Highway #36.

WITNESS the hand of said Grantor this 26th day of June, 1992.

Dale F. Ostler
 DALE F. OSTLER

STATE OF UTAH)
 : ss.
 COUNTY OF SALT LAKE)

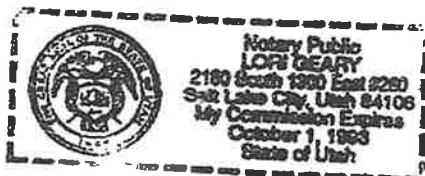
On this 26th day of June, 1992, before me, a notary public in and for said State, personally appeared Dale F. Ostler, an individual, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Lori Meary
 NOTARY PUBLIC

Residing in Salt Lake County,
Utah

My Commission Expires:

October 1, 1993



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 13-7867

Exam Date: 9/14/2012

1. Current Owner: VYRON RANDALL OSTLER
967 E MOYLE CIR
ALPINE UT 84004
(801)756-9774

2. Accompanied by:

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

SPRING

TRIBUTARY

STRAWBERRY CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No other domestic rights overlapping place of use.
2. Other water rights with the same point of diversion: None.

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

SPRING SE1/4NE1/4NW1/4 Sec. 20, Twp 13S, Rge 41E, B.M. FRANKLIN County

Method of Determination: GPS

2. PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	41E	20					X												

Permit lists POU in the SWNW. Home connected to spring is actually located in the NENW.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: n/a

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses: Used standard volume for domestic use. 1.2 acre-feet per year.

G. NARRATIVE/REMARKS/COMMENTS

Older house is present on the property; although it does not appear to be actively used. Developed spring located on hillside above house to the east. Spring was not tributary to Strawberry Creek at the time of the exam (September). However, vegetation and channels in the terrain indicate that the spring is tributary to Strawberry Creek during times of the year or in wetter years.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Totals:</u>	0.040 CFS	1.20 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name James Cefalo Date 9/17/2012

Reviewer _____ Date _____