

**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

Ident. Number: 13-7605
Date Received: 10/21/2024
Receipt No: P001465
Claim Fee: \$25.00
Received By: CH

RECEIVED

OCT 21 2024

IDWR/Preston

**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**

1. Name of Claimant(s)

BRANCH CREEK PROPERTIES LLC
9479 N TREASURTON RD
PRESTON ID 83263-5038

Phone: (208) 313-2524

2. Date of Priority: 1/1/1902

3. Source:

BRANCH CREEK
BRANCH CREEK
BRANCH CREEK

Trib. to:

BATTLE CREEK
BATTLE CREEK
BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	39E	25	NW NE		FRANKLIN	Beginning
13S	39E	25	NW NE		FRANKLIN	Ending
13S	39E	25	NW NE		FRANKLIN	

5. Description of diverting works:

Historical instream stockwater.

This creek is historically known as Branch Creek, and is also described in the Dietrich decree and water right number 13-934 that we claimed. Claiming this source for accuracy and consistency with our irrigation water right. Stock drink from 2 stock troughs that follow the 42-113 conditions, see backfile.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
STOCKWATER	01/01	12/31	0.04		

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

42-113 stockwater use for stock troughs.

9. Place of use:

STOCKWATER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	39E	25	NW		NE		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

To the best of my knowledge this is when the stockwater use from the creek began. In approximately 2001, we followed the 42-113 conditions to divert water out of the creek into a stock trough with an automatic return flow system. See water right backfile, the use continues today.

This notice was filed in accordance with Section 42-113(3), Idaho Code. Diversion and use of water in accordance with this notice shall not exceed 13,000 gallons per day for stockwater use. The water delivery system established in accordance with this notice shall be fully enclosed and shall be equipped with an automatic shutoff valve or a mechanism for returning unused water to the source through an enclosed system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system.

13. Basis of Claim: Statutory Claim

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do

_____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

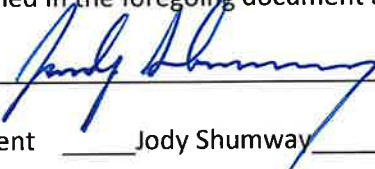
Number of attachments: _____

For Organizations:

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

____ Owner _____ of _____ Branch Creek Properties LLC _____,
Agents 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 10/21/2024

Printed Name of Authorized Agent Jody Shumway