

**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: 13-7452
Date Received: 1/14/2025
Receipt No: P001725
Claim Fee: \$225.00
Received By: CA

RECEIVED

JAN 14 2025

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/Preston

1. Name of Claimant(s)

LEE F PORTER
6007 E LOWER SUGAR CREEK RD
PRESTON ID 83263

Phone: (208) 852-2634

AND/OR

JANEAL PORTER
6007 E LOWER SUGAR CREEK RD
PRESTON ID 83263

Phone: (208) 852-2634

2. Date of Priority: 5/3/1988

3. Source:
SUGAR CREEK

Trib. to:
CUB RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
15S	41E	31	NW SE NW		FRANKLIN	

5. Description of diverting works:

Historically there was a concrete headgate, pvc pipe and turbine. Around 2003-2004 the neighbor piped their ditch system that was just below our diversion which affected our water system's ability to get water to our turbine. We then moved our diversion system, including the generation facility, further upstream so that we weren't affected by the neighbor's change in their system. See attached map.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
POWER	01/01	12/31	1.5		1090

7. Total Quantity Appropriated is:

1.5 C.F.S. and/or 1090 A.F.A.

8. Non-irrigation uses:

Hydropower facility that supplies power to our home and other domestic uses.

9. Place of use:

POWER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
15S	40E	36	SE		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:

This is the date licensed and the use continued since.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after August 1, 2010. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

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. 13A.

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

Use of water under this right shall be non-consumptive.

13. Basis of Claim: License

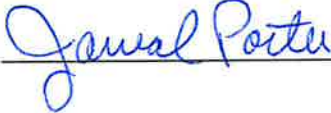
14. Signature(s)

(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.

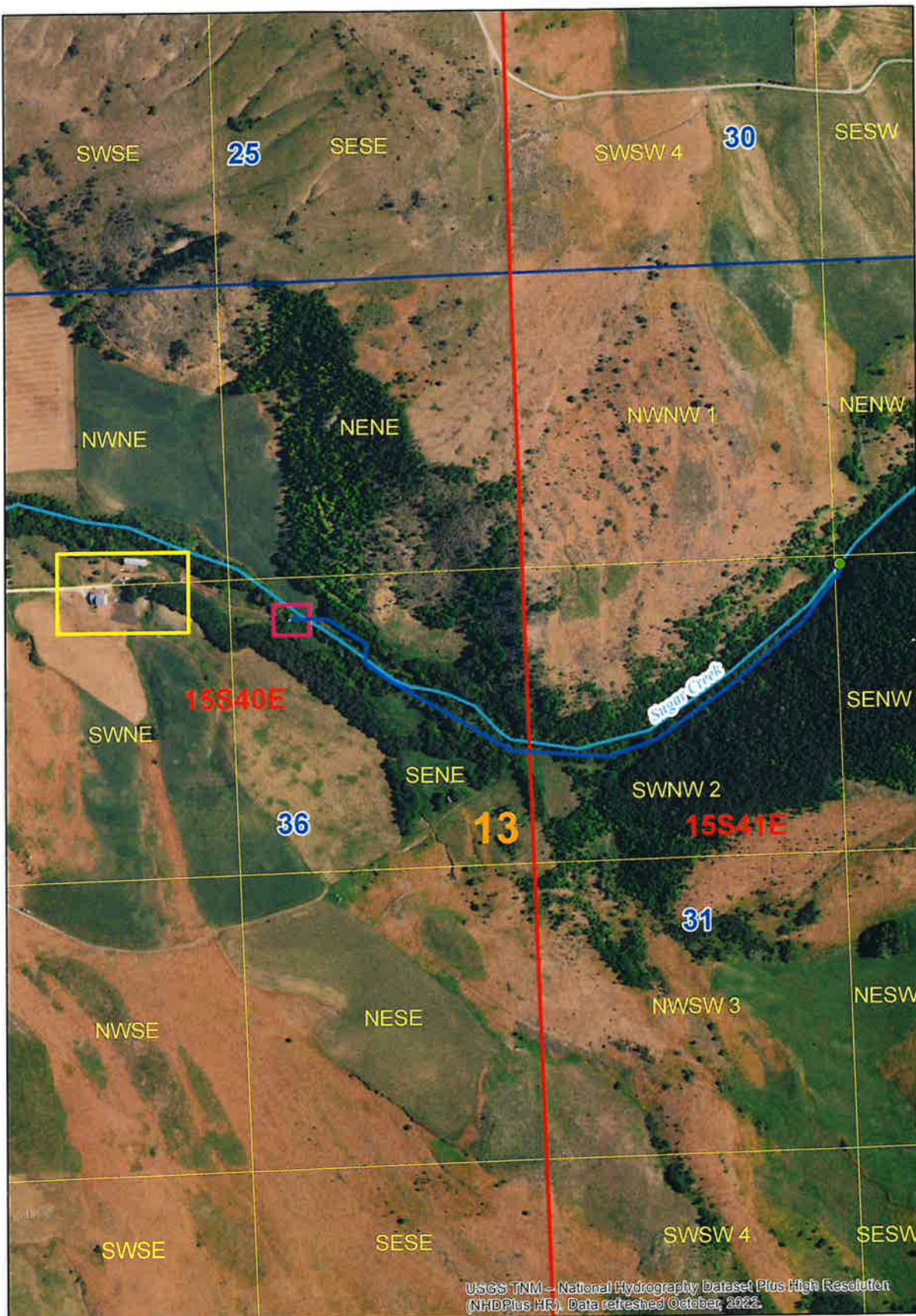
Number of attachments: _____

For 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: 1/14/2025
 Date: 1/14/2025

BRBA Claim 13-7452



Point of Diversion: ● Delivery System: _____

Power Generation POU: _____

Home Location: _____

0 270 540 1,080 Feet



IDAHO DEPT. WATER RESOURCES
STATEHOUSE MAIL

BOISE, ID 83725

GPS SITE 11-10

A0011727

DO NOT REMOVE