

**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: 13-718D
Date Received: 1/22/2025
Receipt No: 0001750
Claim Fee: \$54.00
Received By: ck

RECEIVED

JAN 22 2025

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

IDWR/Preston

1. Name of Claimant(s)

WHISKEY CREEK WATER USERS ASSN INC
2163 N LAGO RD
GRACE ID 83241

Phone: (208) 221-1958

2. Date of Priority: 5/1/1880

3. Source:
SPRING

Trib. to:
WHISKEY CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
11S	41E	18	NW NE		CARIBOU	

5. Description of diverting works:

Water is captured by a concrete collection box that is metered. An 8" pipe delivers water to splitoffs where it reduces down to 3/4" pipe curb stop system which feeds individual homes. Updating the source as Spring tributary to Whiskey Creek because this is the actual source and is described on the newest water right 13-7015. This diversion system has been in place since the 1970's.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	1/01	12/31	0.02		
STOCKWATER	01/01	12/31	0.02		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

18 homes. All of the Whiskey Creek Association's water rights are used together to supply these homes and stockwater use. Additional enlargement claim will be filed for the additional 7 homes added after water right 13-2015.

Homeowners also supply their stock by troughs, barns, spickets, etc. nearby their homes based on their connection. This use has historically happened since the water rights were first acquired from the decree.

9. Place of use:

DOMESTIC within CARIBOU, FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
11S	40E	24	NE		NE		
11S	40E	24	SW		NE		
11S	40E	24	SE		NE		
11S	40E	24	NE		SE		
11S	40E	24	NW		SE		
11S	40E	24	SW		SE		
11S	40E	24	SE		SE		
11S	40E	25	NE		NE		
11S	40E	25	SE		SE		
11S	40E	36	SE		NE		
11S	41E	17	NW		SW		
11S	41E	17	SW		SW		
11S	41E	18	NE		SE		
11S	41E	18	SE		SE		
11S	41E	19	NE		NE		
11S	41E	19	NW		NW	1	
11S	41E	19	SW		NW	2	
11S	41E	19	NE		SW		
11S	41E	19	NW		SW	3	
11S	41E	19	SW		SW	4	
11S	41E	19	SE		SW		
11S	41E	19	NW		SE		
11S	41E	19	SW		SE		
11S	41E	20	NW		NW		
11S	41E	20	NW		SW		
11S	41E	30	SE		NW		
11S	41E	30	NE		SW		
11S	41E	30	NW		SW	3	
11S	41E	30	SW		SW	4	
11S	41E	31	NW		NW	1	
11S	41E	31	SW		NW	2	

STOCKWATER within CARIBOU, FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
11S	40E	24	NE		NE		
11S	40E	24	SW		NE		
11S	40E	24	SE		NE		
11S	40E	24	NE		SE		
11S	40E	24	NW		SE		
11S	40E	24	SW		SE		
11S	40E	24	SE		SE		
11S	40E	25	NE		NE		
11S	40E	25	SE		SE		
11S	40E	36	SE		NE		
11S	41E	17	NW		SW		
11S	41E	17	SW		SW		
11S	41E	18	NE		SE		
11S	41E	18	SE		SE		
11S	41E	19	NE		NE		
11S	41E	19	NW		NW	1	
11S	41E	19	SW		NW	2	
11S	41E	19	NE		SW		
11S	41E	19	NW		SW	3	
11S	41E	19	SW		SW	4	
11S	41E	19	SE		SW		
11S	41E	19	NW		SE		
11S	41E	19	SW		SE		
11S	41E	20	NW		NW		
11S	41E	20	NW		SW		
11S	41E	30	SE		NW		
11S	41E	30	NE		SW		
11S	41E	30	NW		SW	3	
11S	41E	30	SW		SW	4	
11S	41E	31	NW		NW	1	
11S	41E	31	SW		NW	2	

10. Do you own the property listed above as place of use? No

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

___ We are a water delivery organization supplying our users. _____

11. Other Water Rights Used:

See other claims by the association. Many of these claims are combinations as well.

12. Remarks:

Priority Date Explanation:

This is the date that was decreed and the use continues today. The domestic use, historical stockwater use and lawn/garden irrigation was also part of this domestic system.

AS PER TRANS. 1671.

SEE SUPPLEMENTAL DECREE; TURNER VS TURNER (13-L).

13. Basis of Claim: Decreed

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.

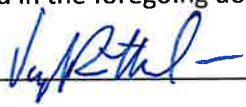
Number of attachments: _____

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

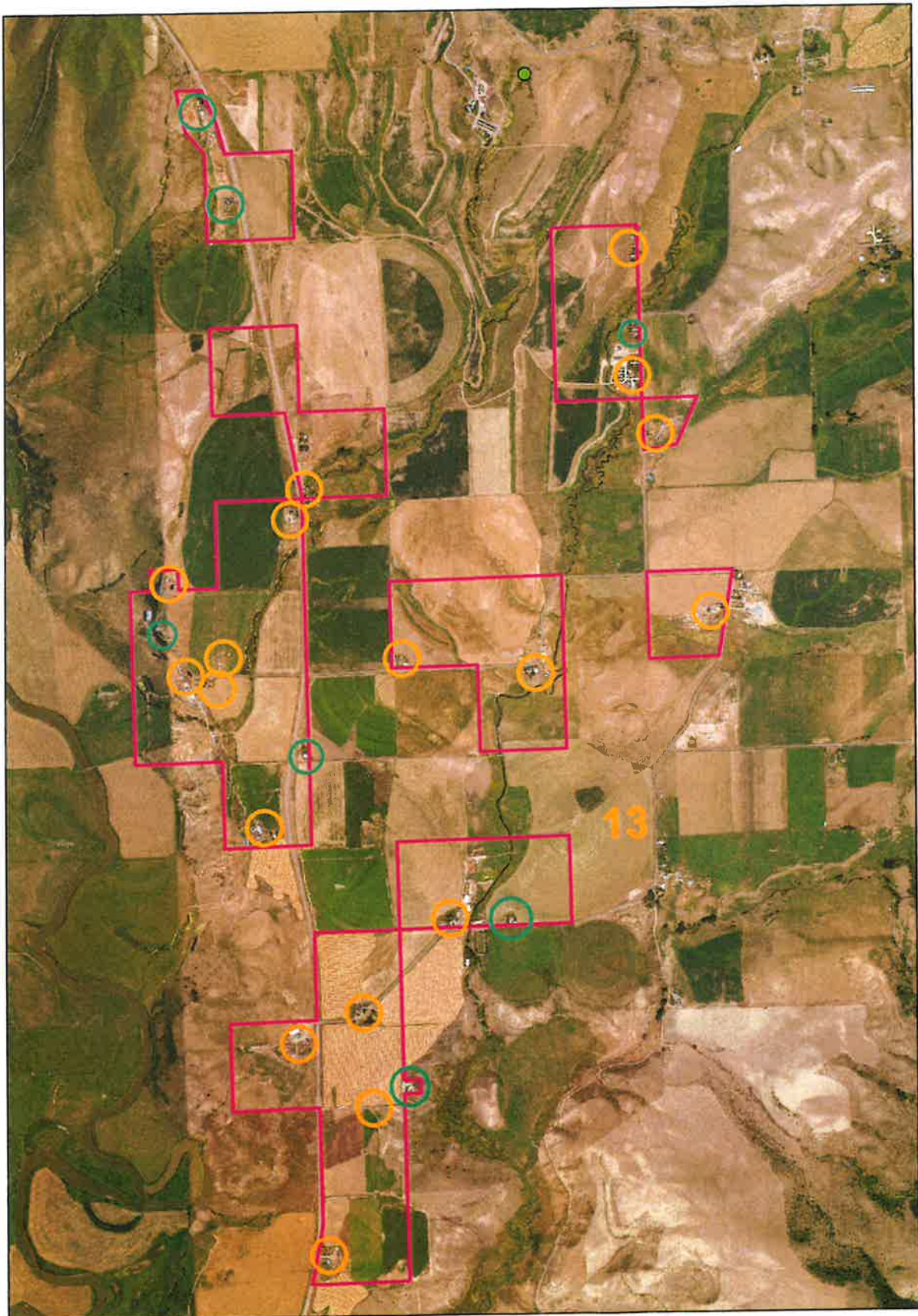
____ President _____ of ____Whiskey Creek Water Users Association Inc.____,
Agents Title (please print) Name of Organization(please print)

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

Signature of Authorized Agent  Date 1/22/2025

Printed Name of Authorized Agent ____Vaughn Mickelson____

Whiskey Creek Water Users Association Map



Point of Diversion: ● Added after 1970 License: ○

Area Boundaries: —

Home Locations: ○

0 900 1,800 3,600 Feet



SCHEDULE OF WATER TRANSFERS

Entry Number in Original Decree and <u>Diversion point</u>	Original Owner of Water	Priority Date of Water to be Transferred	Name of Present Transferor	Amount of Water to be Transferred
- 627 317 NW $\frac{1}{4}$ SE $\frac{1}{4}$, 18, 11-41	Nels L. Sorensen	5/1/77	Clark A. Mickelson	.02 c.f.s.
627 317 "	Nels L. Sorensen	5/1/77	Melvin T. Mickelson	.02 c.f.s.
632 319 "	Michael Mickelsen	5/1/83	Franklin M. Mickelson	.02 c.f.s.
633 321 NW $\frac{1}{4}$ NE $\frac{1}{4}$, 18, 11-41	Carston Bennett	5/1/05	Henry Jay Turner	.02 c.f.s.
634 322 "	Hyrum Swensen	5/1/81	Daniel H. Mickelson	.04 c.f.s.
636 323 "	James Swensen	5/1/77	LaVera S. Henderson	.02 c.f.s.
640 325 "	Lars Rasmussen	5/1/81	Adelia G. Rasmussen	.02 c.f.s.
642 326 "	Harold L. Bassett	5/1/81	Carl Bassett	.02 c.f.s.
644 327 SW $\frac{1}{4}$ SE $\frac{1}{4}$, 24, 11-40	Thomas Bennett	5/1/77	Roe F. Bennett	.02 c.f.s.
646 328 - "	George C. Fowler	5/1/77	Elmer Bennett	.02 c.f.s.
649 329 "	J. W. Gibbs	5/1/78	Edwin D. Nelson	.02 c.f.s.
652 331 "	William H. Mendenhall	5/1/78	Dwayne Mendenhall	.02 c.f.s.
655 332 "	John R. Turner	5/1/80	Henry R. Turner	.02 c.f.s.
657 333 SW $\frac{1}{4}$ SE $\frac{1}{4}$, 24, 11-40	Melissa Collins	5/1/76	Harris A. Mickelson	.04 c.f.s.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 1671

Notice is hereby given that the Whiskey Creek Water Users Association, Inc., an Idaho Corporation, of Grace, Idaho, has applied to the Department of Water Administration for a change of Point of diversion of the waters of Whiskey Creek, tributary to Bear River. The right sought to be changed is evidenced by Decree in the case of Utah Power & Light Company v.s. Last Chance et. al. and is recorded as follows:

NO:	AMOUNT:	PRIORITY:	POINT OF DIVERSION:
11-627	0.02 c.f.s.	5/1/77	NWSE
11-627	0.02	5/1/77	NWSE
11-632	0.02	5/1/83	NWSE
11-633	0.02	5/1/05	NWNE
11-634	0.04	5/1/81	NWNE
11-636	0.02	5/1/77	NWNE
11-640	0.02	5/1/81	NWNE
11-642	0.02	5/1/81	NWNE

All of the above referenced are in Sec. 18, T. 11S, R. 41E, Boise Meridian.

11-644	0.02	5/1/77	SWSE
11-646	0.02	5/1/77	SWSE
11-649	0.02	5/1/78	SWSE
11-652	0.02	5/1/78	SWSE
11-655	0.02	5/1/80	SWSE
11-658	0.04	5/1/76	SWSE

All of the above referenced are in Sec. 24, T. 11S, R. 40E, Boise Meridian.

Nature of use: culinary and household purposes

Place of use: T. 11S, R. 40E, Sec. 24 - NE $\frac{1}{4}$, S $\frac{1}{2}$
 25 - NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 36 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
 T. 11S, R. 41E, Sec. 18 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 19 - S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 30 - W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 31 - W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

TO BE CHANGED AS FOLLOWS:

Amount: 0.32 c.f.s.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 11S, R. 41E, Boise Meridian

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before June 14, 1971.

R. KEITH HIGGINSON
 Director

Published in the Grace Citizen, Grace, Idaho, on May 27, 1971 and June 3, 1971.