

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 13-7805  
Date Received: 5/16/2023  
Receipt No: T116500

1. Name of Claimant(s):

| Name                       | Address                       | City    | State | Country | Postal Code |
|----------------------------|-------------------------------|---------|-------|---------|-------------|
| GAYLIN FULLER              | 4852 W 800 N                  | DAYTON  | ID    | USA     | 83232       |
| EDNA FULLER                | 4852 W 800 N                  | DAYTON  | ID    | USA     | 83232       |
| FULLER & FULLER LAW OFFICE | STEVEN R FULLER 24 N STATE ST | PRESTON | ID    | USA     | 83263       |

2. Date of Priority:

| Date     | Explanation                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6/1/1882 | Please see water rights 13-152, 13-945, and 13-947 and Memo by James Cefalo dated August 10, 2012, explaining that there have been a number of changes of ownership in those rights following the 1920 Bear River Decree. The 1920 Bear River Decree gave a priority date of June 1, 1882 to Loren Mendenahll, Willis Mendenhall, and Jacob Peterson who were the original owners of the known water rights in this area. |

3. Source:

| Source  | Tributary      |
|---------|----------------|
| SPRINGS | BEAR RIVER     |
| SPRINGS | FIVEMILE CREEK |

4. Point of Diversion:

| Township | Range | Section | Gov Lot | QQ | Q  | County   | Type      | Description                                                                                                                                                                                                                             |
|----------|-------|---------|---------|----|----|----------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14S      | 39E   | 25      |         | SE | SW | FRANKLIN | Injection | Water is exchanged by injecting water from unnamed springs into the Bear River. The existing Point of Diversion (POD) is where West Cache Canal takes from the Bear River. Water Right holder will then irrigate from West Cache Canal. |
| 15S      | 39E   | 20      |         | NW | SW | FRANKLIN |           | Spring flows into Fivemile Creek which flows into the Bear River.                                                                                                                                                                       |

5. Water is used for the following purpose(s):

| Water Use  | Number Of Homes | Stock | Description                        |
|------------|-----------------|-------|------------------------------------|
| IRRIGATION |                 |       | Irrigation not to exceed 51 acres. |

6. Season(s) of Use:

| Water Use  | From Month/Day | To Month/Day |
|------------|----------------|--------------|
| IRRIGATION | 04/20          | 09/30        |

7. Quantity:

| Water Use  | CFS  | AF | KW |
|------------|------|----|----|
| IRRIGATION | 0.09 |    |    |

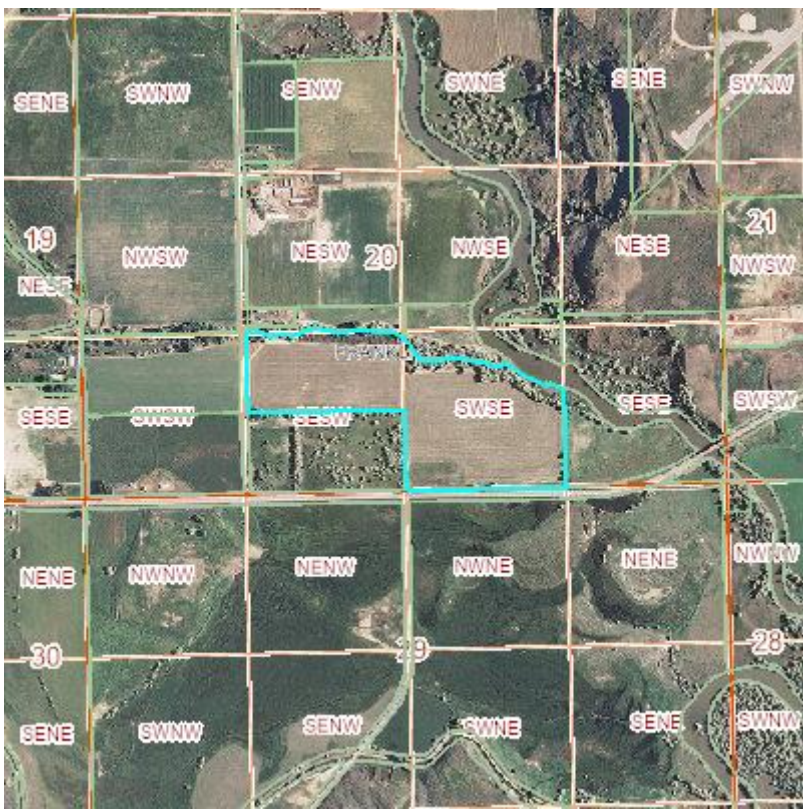
Totals

| CFS  | AF | KW |
|------|----|----|
| 0.09 |    |    |

8. Place of Use:

| Water Use  | Total Claimed Acreage |
|------------|-----------------------|
| IRRIGATION | 50.30                 |

| IRRIGATION |       |         |    |    |          |          |       |  |
|------------|-------|---------|----|----|----------|----------|-------|--|
| Township   | Range | Section | QQ | Q  | County   | Govt Lot | Acres |  |
| 15S        | 39E   | 20      | SW | SE | FRANKLIN |          | 31.00 |  |
| 15S        | 39E   | 20      | NE | SW | FRANKLIN |          | 0.30  |  |
| 15S        | 39E   | 29      | NW | NE | FRANKLIN |          |       |  |
| 15S        | 39E   | 20      | SE | SW | FRANKLIN |          | 19.00 |  |



9. **Remarks:**

IDWR should be very familiar with this area. James Cefalo prepared a written Memo dated August 10, 2012, clarifying the initial rights held by Mendenhall, Mendenhall, and Peterson in this area. Originally, these water rights were diverted from their natural course to irrigate the acres at the place of use. However, the practicality of that was not ideal. Land owners entered into a written agreement with West Cache Canal Company to irrigate from the canal and allow the water from their water rights to run naturally into the Bear River.

10. **Other Water Rights:**

13-7801, 13-7797

11. **Basis:**

|         |
|---------|
| Basis   |
| Decreed |

12. **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 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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

\_\_\_\_\_ of \_\_\_\_\_,  
Title Organization

that I have signed the foregoing document in the space below as

\_\_\_\_\_ of \_\_\_\_\_,  
Title Organization

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

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

Please print name