

**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: 11-7491
Date Received: 12/5/2023
Receipt No: P000676
Claim Fee: \$172.00
Received By: MB

RECEIVED

DEC 12 2023

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

IDWR/Preston

1. Name of Claimant(s)

SAMS HOLLOW WATER CO
C/O GABRIEL LLERAS
595 S RIVERWOOD PKWY STE 400
LOGAN UT 84321

Phone: (435) 770-8341

2. Date of Priority: 1/11/2002

3. Source:

GROUND WATER
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
16S	43E	11	NW NW		BEAR LAKE	
16S	43E	2	SW SW		BEAR LAKE	

5. Description of diverting works:

Both wells supply the storage tank where water then gravity flows through the system supplying the homes, some irrigation based on our restrictions, and some common areas.

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	01/01	12/31	1.22		124.8

7. Total Quantity Appropriated is:

1.22 C.F.S. and/or 124.8 A.F.A.

8. Non-irrigation uses:

Single Family Homes

9. Place of use:

DOMESTIC within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
16S	43E	2	SW		NE	4	
16S	43E	2	SE		NE	3	
16S	43E	2	SW		NW	6	
16S	43E	2	SE		NW	5	
16S	43E	2	NE		SW		
16S	43E	2	NW		SW		
16S	43E	2	SW		SW		
16S	43E	2	SE		SW		
16S	43E	2	NE		SE	2	
16S	43E	2	NW		SE		
16S	43E	2	SW		SE		
16S	43E	2	SE		SE	1	
16S	43E	3	SE		SW		
16S	43E	3	SW		SE		
16S	43E	3	SE		SE		
16S	43E	9	NE		NE		
16S	43E	9	SE		NE		
16S	43E	9	NE		SE		
16S	43E	10	NE		NE		
16S	43E	10	NW		NE		
16S	43E	10	SW		NE		
16S	43E	10	SE		NE		
16S	43E	10	NE		NW		
16S	43E	10	NW		NW		
16S	43E	10	SW		NW		
16S	43E	10	NW		SW		
16S	43E	11	NW		NE	1	
16S	43E	11	SW		NE	2	
16S	43E	11	NE		NW		
16S	43E	11	NW		NW		
16S	43E	11	SW		NW		
16S	43E	11	SE		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 supplying the residential users.

11. Other Water Rights Used:

11-7718

12. Remarks:

Priority Date Explanation:

This is the licensed priority date. Water has continued to be used 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 diversions.

The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.

Rights 11-7491 and 11-7718 when combined shall not exceed a total diversion rate of 1.72 cfs or domestic use for 145 homes.

To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder has set aside a portion of water right 11-4022 for mitigation purposes.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation right.

The Water Management and Operation Plan for Sams Hollow Water Company shall contain the following components: (a) a description of a method for forecasting flows in Fish Haven Creek using measured Fish Haven Creek data or data from a comparable basin; (b) a fixed date each year, no later than April 1, when the volume of water to be diverted under this right during the upcoming year is declared and the forecasted streamflows will be compared to projected water use within the subdivision; (c) a description of curtailment or other water conservation measures that will be employed in times of mitigation water shortages, and how water users will be notified prior to May 1 about restricted water use in the year of predicted shortage; (d) a description of how the curtailment and conservation measures will be monitored and enforced; (e) a description of the entire flow path of mitigation water, including ditches, pipes, culverts, control structures, and how the system will operate; (f) a specific description and the location of each measuring device and how each measuring device will be installed and maintained; (g) a description of the frequency of measuring, comparing, and reporting; (h) a list of those to whom the reports will be submitted; (i) the identity of the specific officer, by title, in the association or corporate organization, that will be responsible for the oversight of system operation; (j) an alternate plan for mitigation water or curtailment should statutory claim no. 11-4022 ever be curtailed by the watermaster of the Bear River; and (k) an operations manual that describes duties relative to operation, monitoring, and reporting.

Diversion and use of water under this right is governed by a Water Management and Operation Plan ("Plan") (last amended February 10, 2015). The Plan outlines the delivery, measurement, reporting, and mitigation requirements associated with this right. Failure of the right holder to adhere to the provisions of the Plan, including the requirement for mitigation and to have an active officer assigned to implement the Plan, is cause for the director to issue a notice of violation, cancel or revoke the right, or request that the watermaster curtail diversion and use of water. Any amendments to the Plan must be approved in writing by IDWR.

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. 11.

Domestic use is for 104 homes.

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.

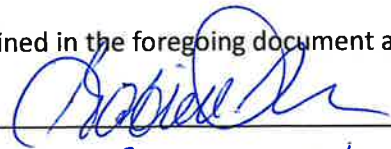
Number of attachments: _____

For 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 _____ SAMS HOLLOW WATER CO _____,
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 12/05/2023

Printed Name of Authorized Agent Gabriel Llerenas

BRBA ClaimS 11-7491 and 11-7718



Point of Diversion: ●
Place of Use: —

0 600 1,200 2,400 3,600 4,800 Feet



