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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

Claim ID: 11-2056

Date Received: 9/25/2023

Receipt No: P000444

Claim Fee: \$133.00 By: CH

RECEIVED

SEP 25 2023

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) GENERATION FIVE INC. Phone (208) 221-4546

Mailing address 355 E 2nd S Soda Springs Idaho Zip 83276
Street or Box City State

Email address (optional) dow@dangerboy racing.net

2. Date of priority: (Only one per claim) 02-18-1912 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Spring
which is tributary to (b) Bear River

4. a. Location of point of diversion is: Township 09S, Range 42E, Section 13,
1/4 of 1/4, Govt. Lot , BM, County of Caribou

Parcel no. 09S42E126601, 09S42E130001, 09S42E140001, 09S42E15541, 09S42E155401

Additional points of diversion, if any: Developed and piped sent to cistern downstream.

If available, GPS Coordinates

b. If instream flow, beginning point of claimed instream flow is:

Township , Range , Section , 1/4 of 1/4,

Govt. Lot , BM, County of

Ending point is: Township , Range , Section , 1/4 of 1/4,

Govt. Lot , BM, County of

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

The original ditches have been developed, piped and drained in the Sulfur Canyon area. All developed springs and ditches have been connected to a Cistern in parcel 09S42E14001. A diversion dam was also developed at this same site. These projects were funded by a Government project in the 1950's. A siphon also replaced under Hyw 30 in parcel 09S42E220001 to connect the irrigation system by the State Hyw department in the 1990's.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 04-15 to 10-31 amount 1.640 or 81

For Domestic purposes from 01-01 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.64 (cfs) and/or (b) 81 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 50 Head cattle

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	42E	14										10	36						46
09S	42E	15													5			23	28
09S	42E	22	2.0																2
09S	42E	23						5.0											5

Parcel no(s). Listed above Total number of acres irrigated 81.0

10. In which county(ies) are lands listed above as place of use located? Caribou

11. Do you own the property listed above as place of use? Yes (✓) No ()

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

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks (Include an explanation of the priority date selected):

Original water right filing by Charles F Call. 09-12-1913

Name of daimant(s) Generation Five Inc.

Claim ID _____

Name of claimant(s) Generation Five Inc. Claim ID

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☒) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-2056

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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.

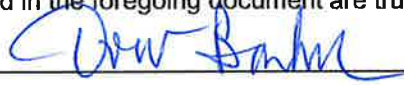
Signature of Claimant (s) _____ Date: _____

_____ Date: _____

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

Owner _____ of Generation Five Inc.
Agent's 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 09-22-2023

Printed Name of Authorized Agent Dow Barker

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) Generation Five Inc. Claim ID _____

Customize

Layer List

Layers

- Administrative Basins
- Irrigation Organizations
- Surface Water PODs
- Ground Water PODs
- ESPA Model Outline
- ESPA Model Grid
- Water Districts
- Surface Water POUs
- Ground Water POUs
- Consumptive Use
- Headgate Requirement
- POD - Applications
- POD - Adjudication Claims
- POD - Adjudication Recommendations
- POD - Permits

Basemap Gallery

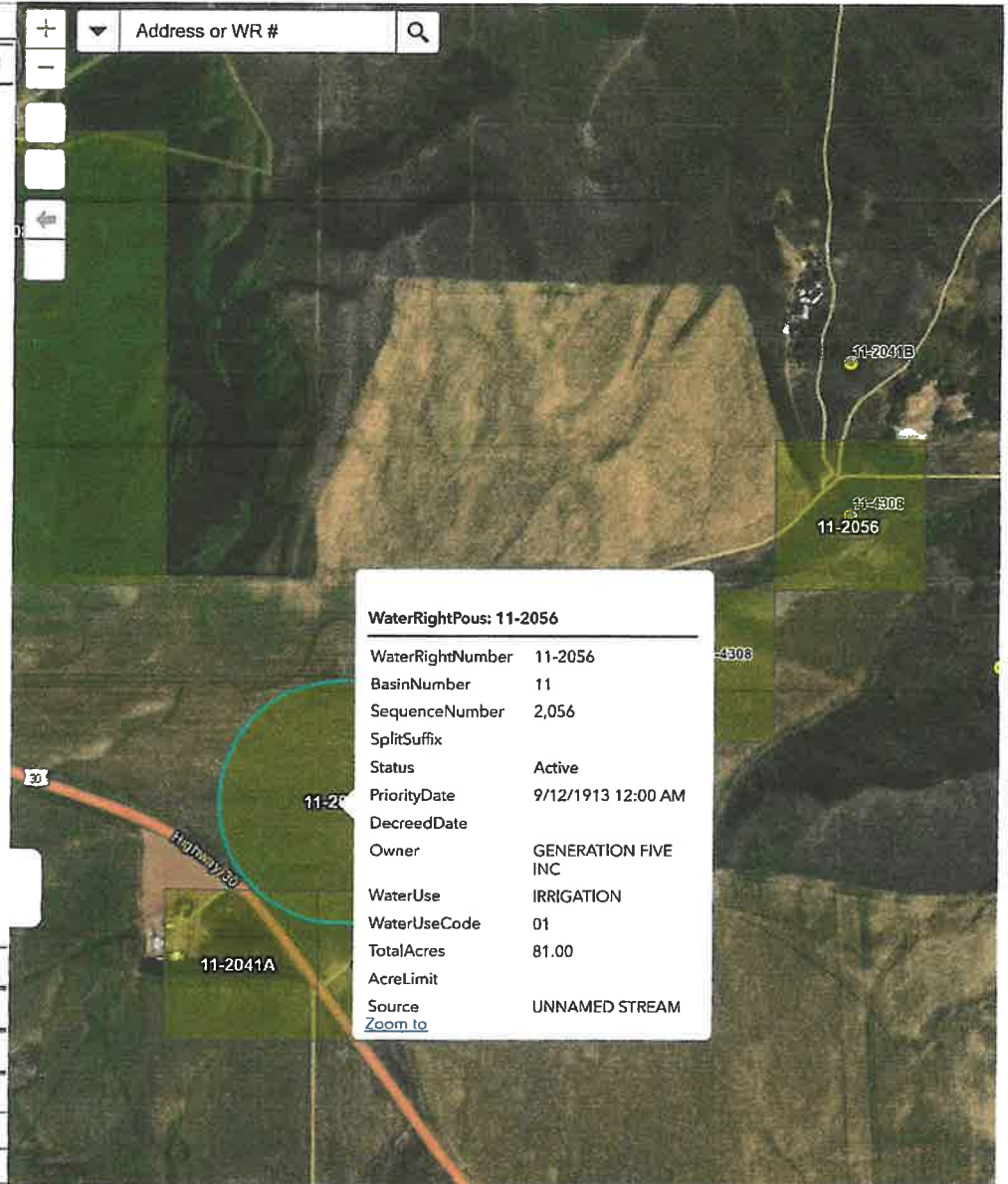
Filter

Add Data

Draw

Print or Download

Help and About



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41° 11' 50.242646" North

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Customize

Layer List

Irrigation Providers and Municipal Service Areas

Ground Water POU's

Consumptive Use

Headgate Requirement

POD - Applications

POD - Adjudication Claims

POD - Adjudication Recommendations

POD - Permits

POD - Water Rights

POU - Applications

POU - Adjudication Claims



POU - Adjudication Recommendations

POU - Permits

POU - Water Rights

Idaho

Basemap Gallery

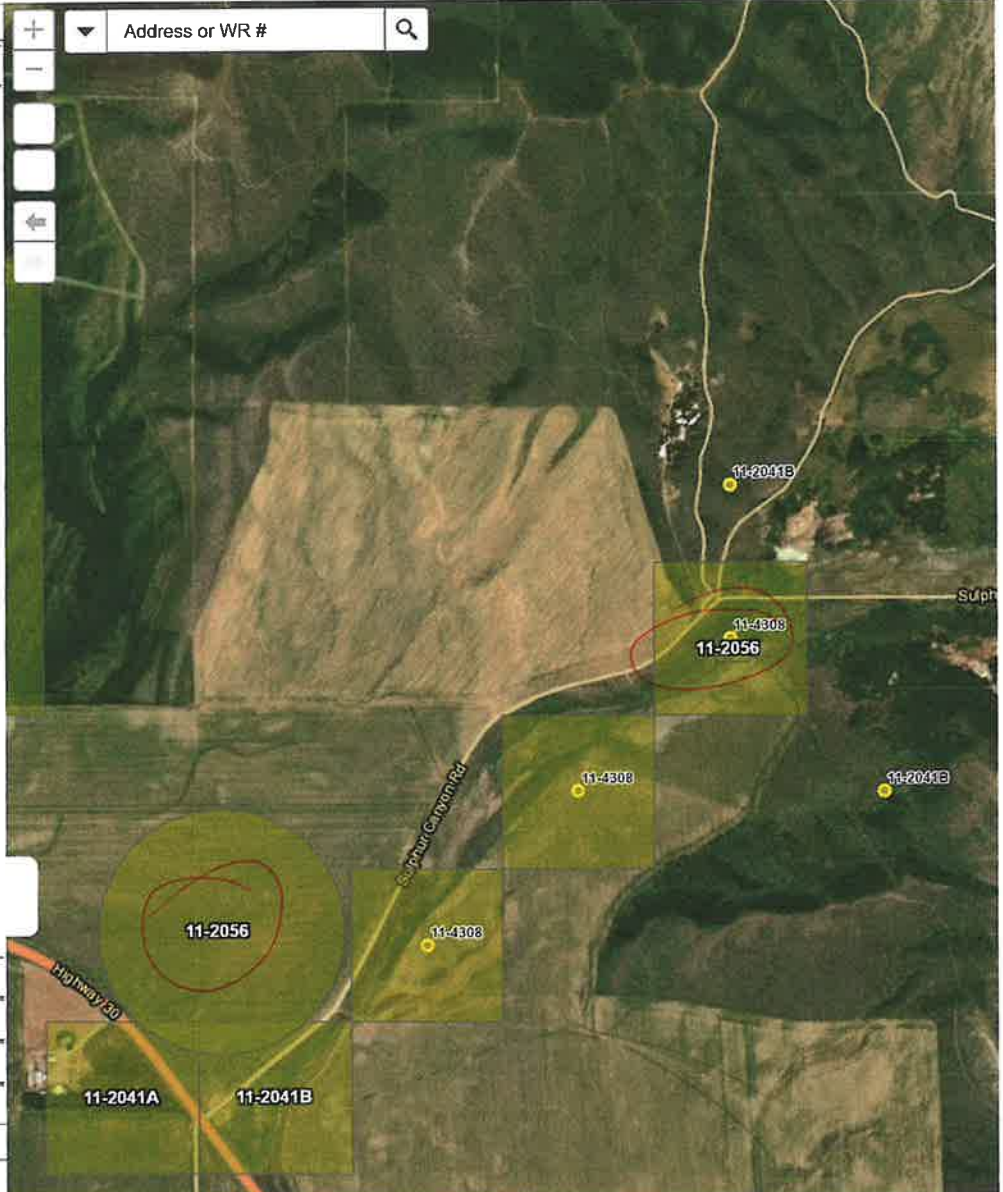
Filter

Add Data

Draw

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[Help and About](#)



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Customize

Layer List

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Basemap Gallery

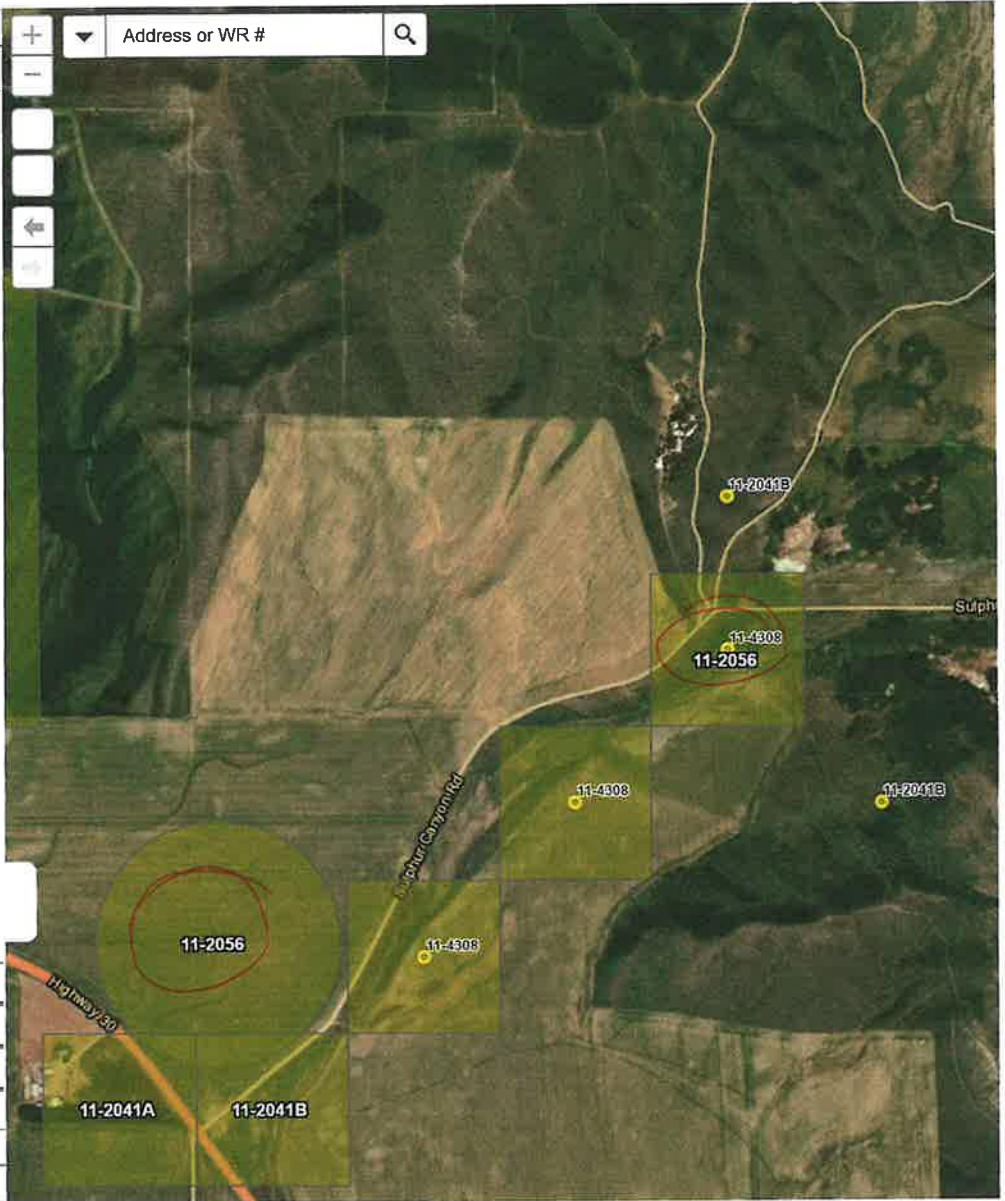
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[Help and About](#)



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Customize

Layer List

Layers

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- Irrigation Organizations
- Surface Water PODs
- Ground Water PODs
- ESPA Model Outline
- ESPA Model Grid
- Water Districts
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- POD - Applications
- POD - Adjudication Claims
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Basemap Gallery

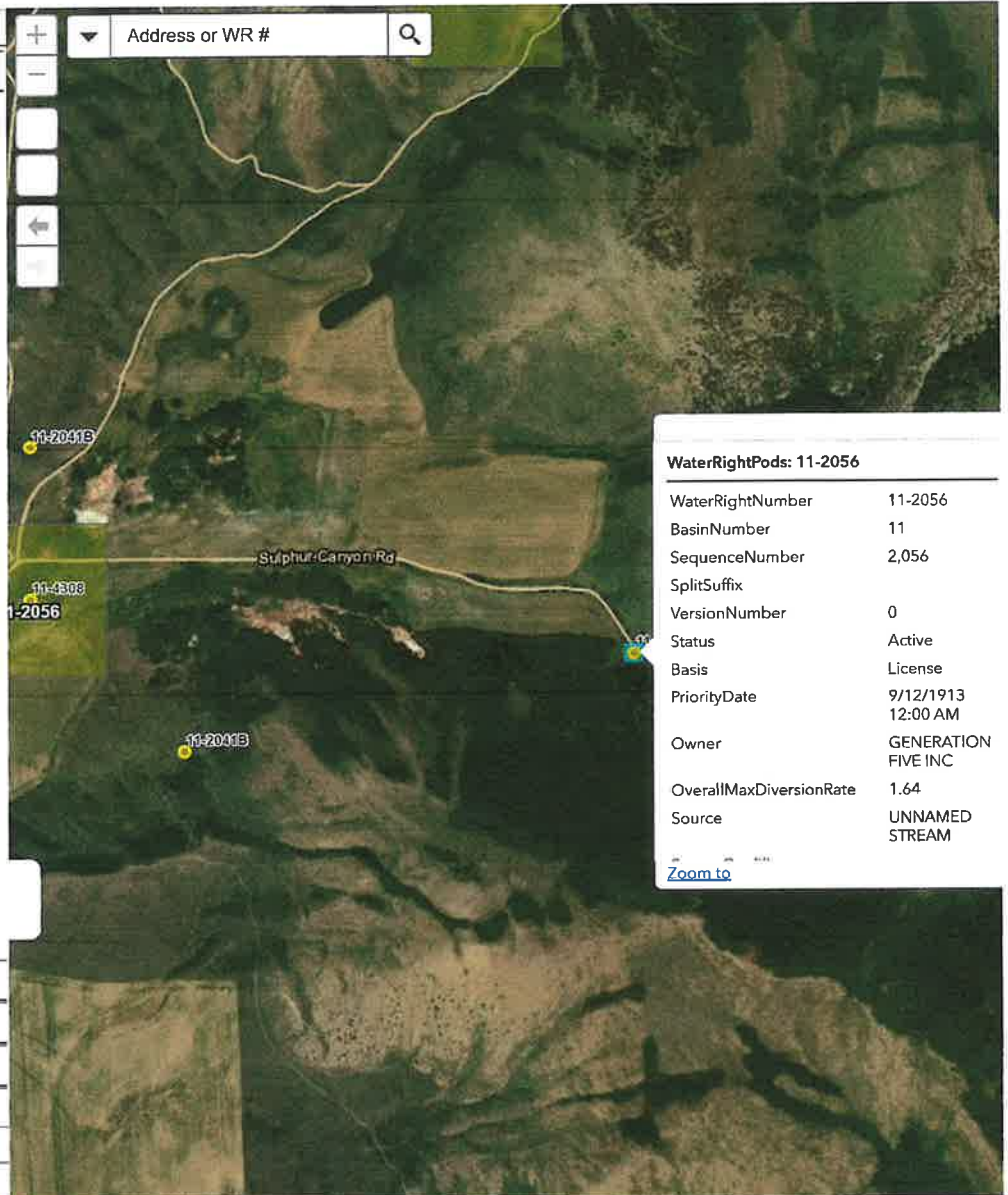
Filter

Add Data

Draw

Print or Download

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WaterRightPods: 11-2056

WaterRightNumber	11-2056
BasinNumber	11
SequenceNumber	2,056
SplitSuffix	
VersionNumber	0
Status	Active
Basis	License
PriorityDate	9/12/1913 12:00 AM
Owner	GENERATION FIVE INC
OverallMaxDiversionRate	1.64
Source	UNNAMED STREAM

[Zoom to](#)

0 0.1 0.2mi

-111.490 42.642 Degrees

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87597**

This is to certify that: **GENERATION FIVE INC**
355 E 2ND S
SODA SPRINGS, ID 83276-1438

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
11-2056	WR/LICENSE	9/12/1913	1.800 cfs	N/A	N/A	90.0	UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
11-2056	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
11-2056	11-2056	1.640 cfs	N/A	N/A	81.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.640 cfs	N/A	N/A	81.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 24th day of April, 2023.



Regional Manager

Transfer No. 87597

WATER RIGHT NO. 11-2056
As Modified by Transfer No. 87597

In accordance with the approval of Transfer No. 87597, Water Right No. 11-2056 is now described as follows:

Right Holder: GENERATION FIVE INC
 355 E 2ND S
 SODA SPRINGS, ID 83276-1438

Priority Date: 9/12/1913

Source: UNNAMED STREAM

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	01/01	to 12/31	0.020 cfs
IRRIGATION	04/15	to 10/31	1.620 cfs
			1.640 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM SENE Sec 13 Twp 09S Rge 42E CARIBOU County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	42E	14				X													

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	42E	14										10	36						46
09S	42E	15													5.0				28.0
09S	42E	22	2.0																2.0
09S	42E	23						5.0											5.0

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 87597

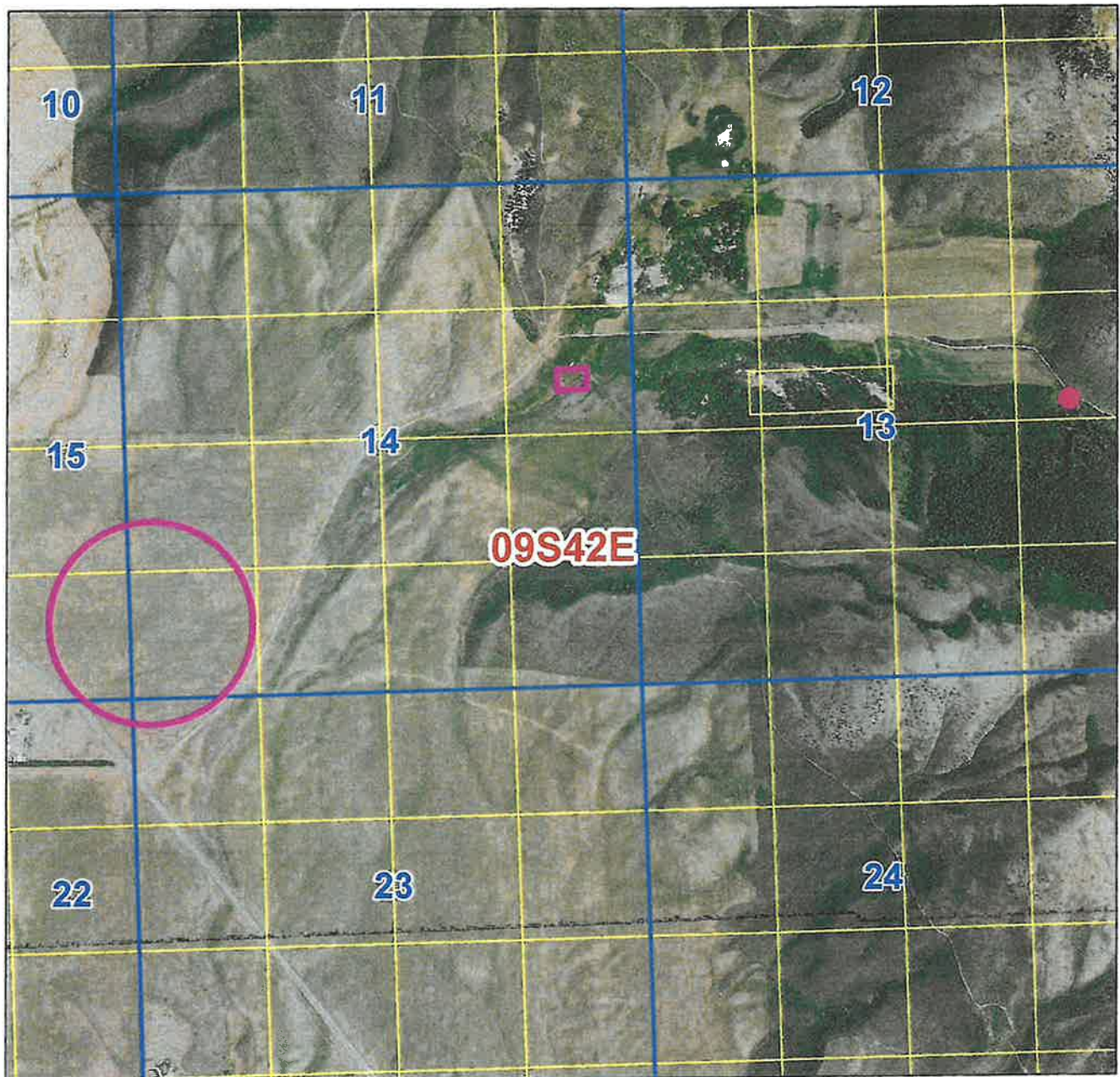
WATER RIGHT NO. 11-2056
As Modified by Transfer No. 87597

CONDITIONS OF APPROVAL

3. Use of water under this right may 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.
4. 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(s).
5. Domestic use is for herbicide application up to 8,000 gallons per day.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 87597

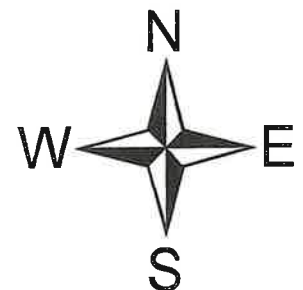
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 750 1,500 3,000 Feet



Date: 4/24/2023

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87597

Water Right No(s): 11-2056

GENERATION FIVE INC

355 E 2ND S

SODA SPRINGS ID 83276-1438



Christina Henman
Administrative Assistant

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

9/23/2023

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 11-2056

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GENERATION FIVE INC 355 E 2ND S SODA SPRINGS, ID 83276-1438 2082214546
Original Owner	CHARLES F CALL SODA SPRINGS, ID 83276

Priority Date: 09/12/1913

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4 / 15	10/31	1.62 CFS	
DOMESTIC	1 / 1	12/31	0.02 CFS	
Total Diversion			1.64 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM|SENE|Sec. 13|Township 09S|Range 42E|CARIBOU County

Place(s) of use:

Place of Use Legal Description: DOMESTIC CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	42E	14		SENE										

Place of Use Legal Description: IRRIGATION CARIBOU County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	42E	14		NWSW	10		SWSW	36						

State or Federal:

Owner Name Connector:

Water District Number: 11

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False