

**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: 13-916
Date Received: 2/21/2024
Receipt No: P000751
Claim Fee: \$81.00
Received By: mg

RECEIVED

FEB 21 2024

IDWR/Preston

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

1. Name of Claimant(s)

DAVID TERRY WESTERBERG
5484 E STATION CREEK RD
PRESTON ID 83263

Phone: (208) 852-1663

OR

WENDY WESTERBERG
5484 E STATION CREEK RD
PRESTON ID 83263

Phone: (208) 852-1663

2. Date of Priority: 5/1/1884

3. Source:
SPRINGS
STATION CREEK

Trib. to:
STATION CREEK
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
14S	40E	36	SW NW		FRANKLIN	
14S	40E	36	NE NW		FRANKLIN	

5. Description of diverting works:

Tiled spring that supplies both the home and the irrigation in this water right.
Concrete diversion in the stream that diverts water into a headgate where a 9 inch flume measures the water that is then used for sprinkler irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	9/01	9/30	0.31		
IRRIGATION	7/25	9/01	0.41		

IRRIGATION

4/20

7/25

0.62

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	35	SW		NE		17
14S	40E	35	SE		NE		8
14S	40E	35	NE		SE		2
14S	40E	35	NW		SE		4

Total Acres = 31

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:

Spring also supplies the home. See 13-4279. I also have 63 shares in Consolidated Irrigation that is occasionally used to sprinkle this land as well.

12. Remarks:

Priority Date Explanation:

This is when the water right was decreed and the use has continued since.

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Use of this right is combined with water from Consolidated Irrigation Co.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

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 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: 2/21/2024

Date: _____

BRBA Claim 13-916

