

**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: 13-889D
Date Received: 7/2/2024
Receipt No: P000988
Claim Fee: \$50.00
Received By: CA

RECEIVED

JUL 02 2024

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

IDWR/Preston

1. Name of Claimant(s)

MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE ID 83281

Phone: (208) 251-8813

2. Date of Priority: 1/1/1904

3. Source:

COTTONWOOD CREEK
COTTONWOOD CREEK
COTTONWOOD CREEK

Trib. to:

BEAR RIVER
BEAR RIVER
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	39E	33	SW NE		BANNOCK	Injection
13S	39E	6	SE NW		BANNOCK	Rediversion
12S	39E	8	SE SE		BANNOCK	

5. Description of diverting works:

Pipe injects water from our Cottonwood Creek diversion system into Stockton Creek where it is then carried down to our headgate.

Headgate captures both our Cottonwood Creek and Stockton Creek water rights into an open ditch. Eventually it feeds into an enclosed pipe system, which uses gravity to supply sprinkler irrigation throughout the system. Water is also diverted from a split in the pipe system into the storage. Fish separator puts fish back in the creek from a screw headgate with boards. Water goes into an open ditch for about 200ft before it is measured with a parshal flume and water goes into an enclosed pipe 36 inch pipe where it becomes comingled with Treasureton's water system. We have our own pipe that splits off and diverts our water into Stockton Creek.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/20	09/30	7		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within BANNOCK County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	38E	11	SE		NE		3
13S	38E	11	NE		SE		5.5
13S	38E	11	SE		SE		9.5
13S	38E	12	NE		NE		7.5
13S	38E	12	NW		NE		1.5
13S	38E	12	SW		NE		14
13S	38E	12	SE		NE		17
13S	38E	12	SW		NW		2.5
13S	38E	12	NE		SW		27
13S	38E	12	NW		SW		22
13S	38E	12	SW		SW		37
13S	38E	12	SE		SW		36
13S	38E	12	NE		SE		3
13S	38E	12	NW		SE		31
13S	38E	12	SW		SE		17
13S	38E	13	NW		NE		14
13S	38E	13	NE		NW		22
13S	38E	13	NW		NW		30
13S	38E	13	SW		NW		33
13S	38E	13	SE		NW		8.5
13S	38E	13	NW		SW		15
13S	38E	14	NE		NE		32
13S	38E	14	NW		NE		24
13S	38E	14	SW		NE		33
13S	38E	14	SE		NE		30
13S	38E	14	NE		NW		2.5
13S	38E	14	NW		NW		4.2
13S	38E	14	NW		NW	3	17
13S	38E	14	SW		NW		2.2
13S	38E	14	SW		NW	2	4

13S	38E	14	SE	NW		5
13S	38E	14	NE	SW		5.5
13S	38E	14	NE	SE		35
13S	38E	14	NW	SE		19
13S	39E	6	SW	SW	7	7
13S	39E	7	NW	NW	1	26
13S	39E	7	SW	NW	2	8

Total Acres = 610.4

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:

13-57, 885B, 886B, 887B.

12. Remarks:

Priority Date Explanation:

This is the date decreed and the use continues today.

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 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. 13M.

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.

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

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).

Rights 13-885B, 13-886B, 13-887B and 13-889D when combined shall not exceed the irrigation of 442 acres.

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

Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.

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

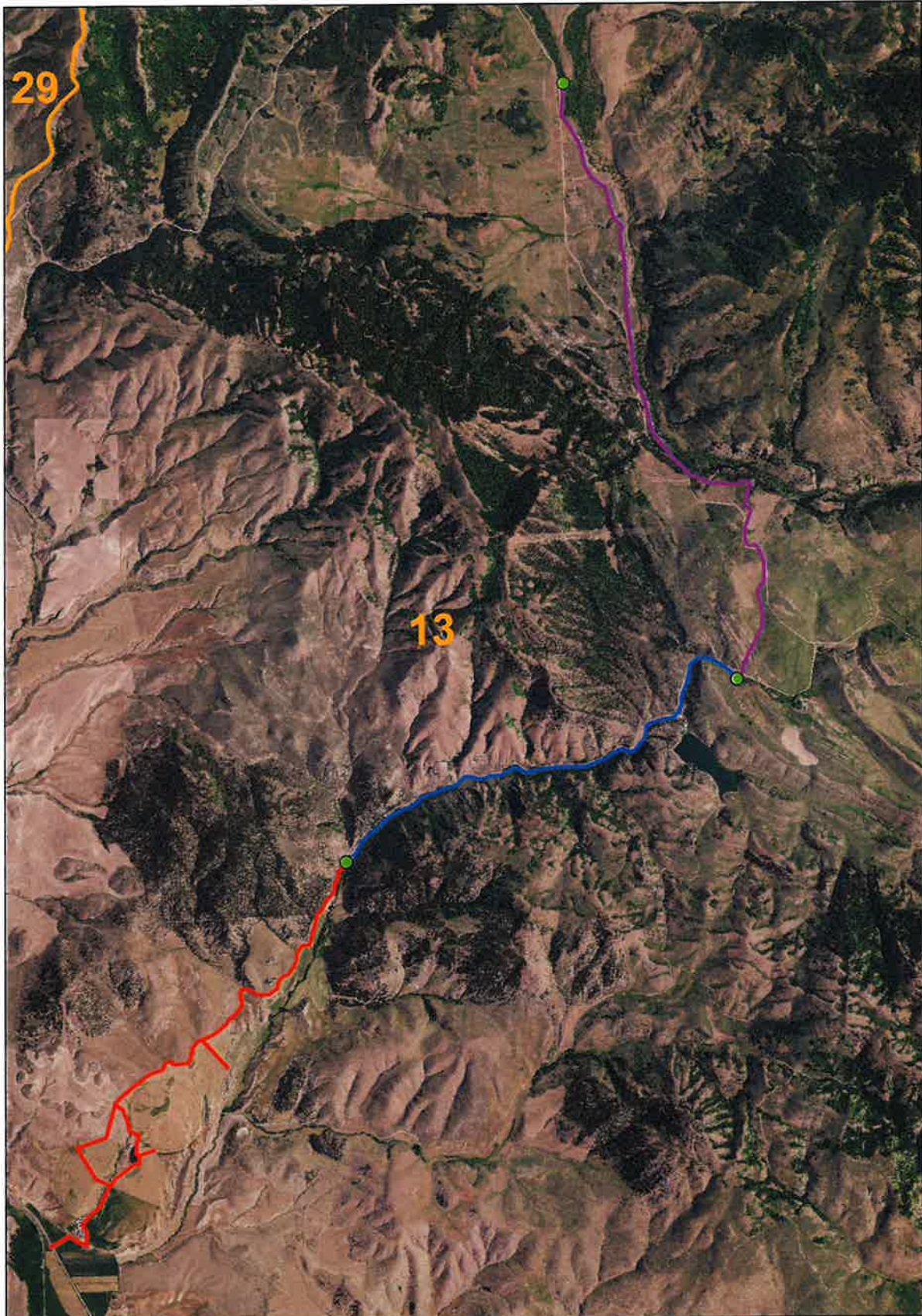
_____ Manager _____ of _____ Merrill Ranch Partnership LLC _____,
Agents Title (please print) Name of Organization (please print)

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

Signature of Authorized Agent Glen Merrill Date 7/02/2024

Printed Name of Authorized Agent Glen Merrill

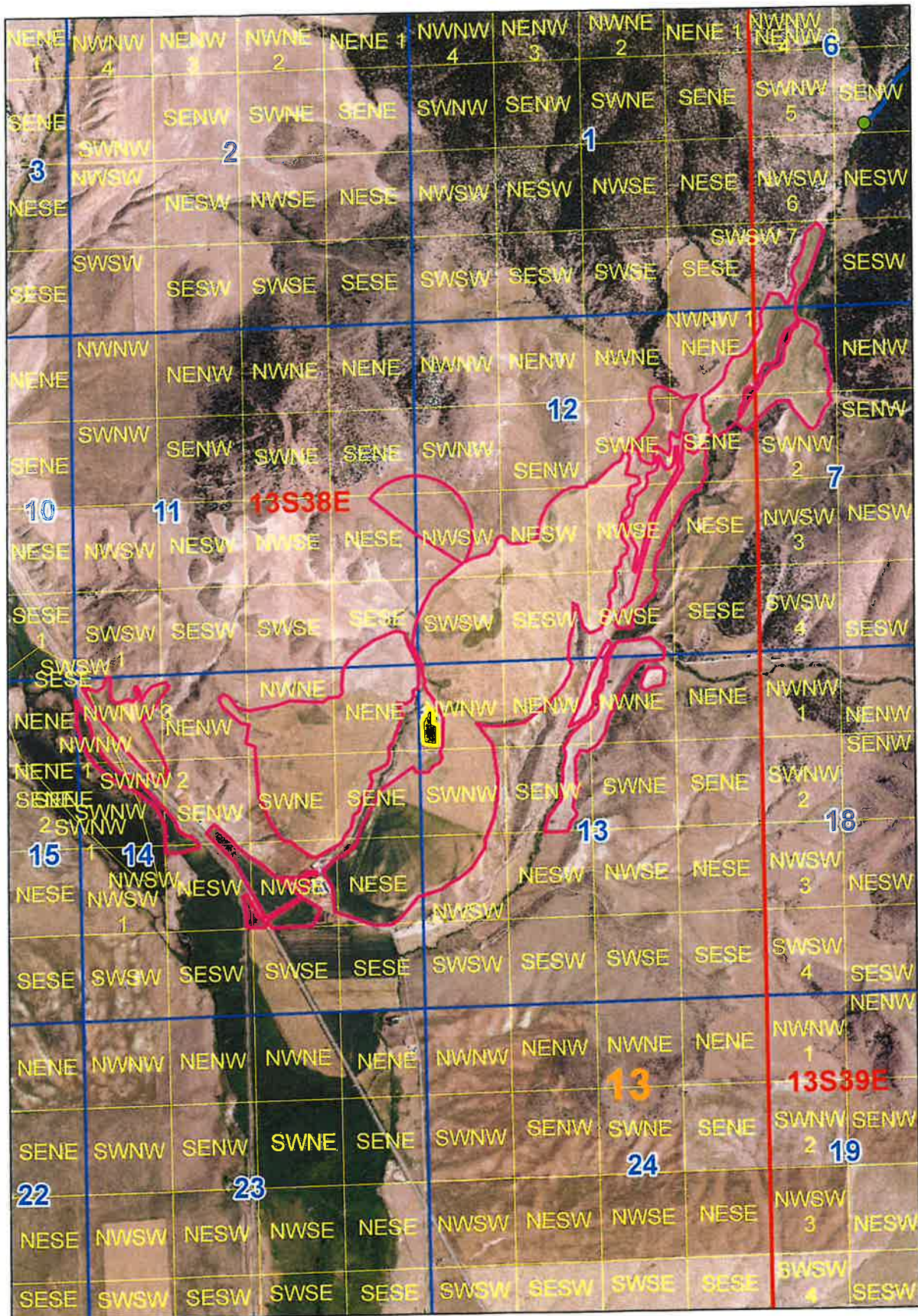
13-57, 885B, 886B, 887B and 889D Diversion System



Cottonwood Creek Diversion System: ——— Point of Diversions: ●
Stockton Creek: ———
Stockton Creek Diversion System: ———

4,600 2,300 0 4,600 Feet

13-57, 885B, 886B, 887B and 889D Place of Use



Irrigated Place of Use: ———
Storage Place of Use: ———

2,200 1,100 0 2,200 Feet