

**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

RECEIVED

AUG 26 2024

Ident. Number: 13-7283
Date Received: 7/8/2024
Receipt No: P001222
Claim Fee: \$1,485
Received By: MB

IDWR/Preston

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

1. Name of Claimant(s)

CITY OF PRESTON
70 W ONEIDA
PRESTON ID 83263

Phone:

2. Date of Priority: 5/13/1980

3. Source:

BERGQUIST SPRING

Trib. to:

CUB RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
15S	41E	10	NE NE		FRANKLIN	

5. Description of diverting works:

410 kW nameplate capacity. Water is captured through a piping system from the spring. A headgate is used to control the flow that enters the system. Water is delivered through the hydropower facility on its way to the municipalities 3 storage tanks totaling approximately 4 million gallons. From there it is delivered throughout the municipalities system and uses.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
POWER	1/01	12/31	10		7227

7. Total Quantity Appropriated is:

10 C.F.S. and/or 7227 A.F.A.

8. Non-irrigation uses:

Power generation facility providing power to the City of Preston.

9. Place of use:

POWER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
15S	40E	8	SE		SW		

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.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

This is the date that was licensed and the use continues today. Claiming the correct place of use legal description. This is where the power generating facility has always been and the claim is correcting that legal description.

Use of water under this right shall be non-consumptive.

Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

The diversion and use of water under this license is subject to review by the Director on or after December 1, 2017. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

Rights 13-00027, 13-00028, and 13-07283 when combined shall not exceed a total diversion rate of 10.0 cfs.

The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future

rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

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

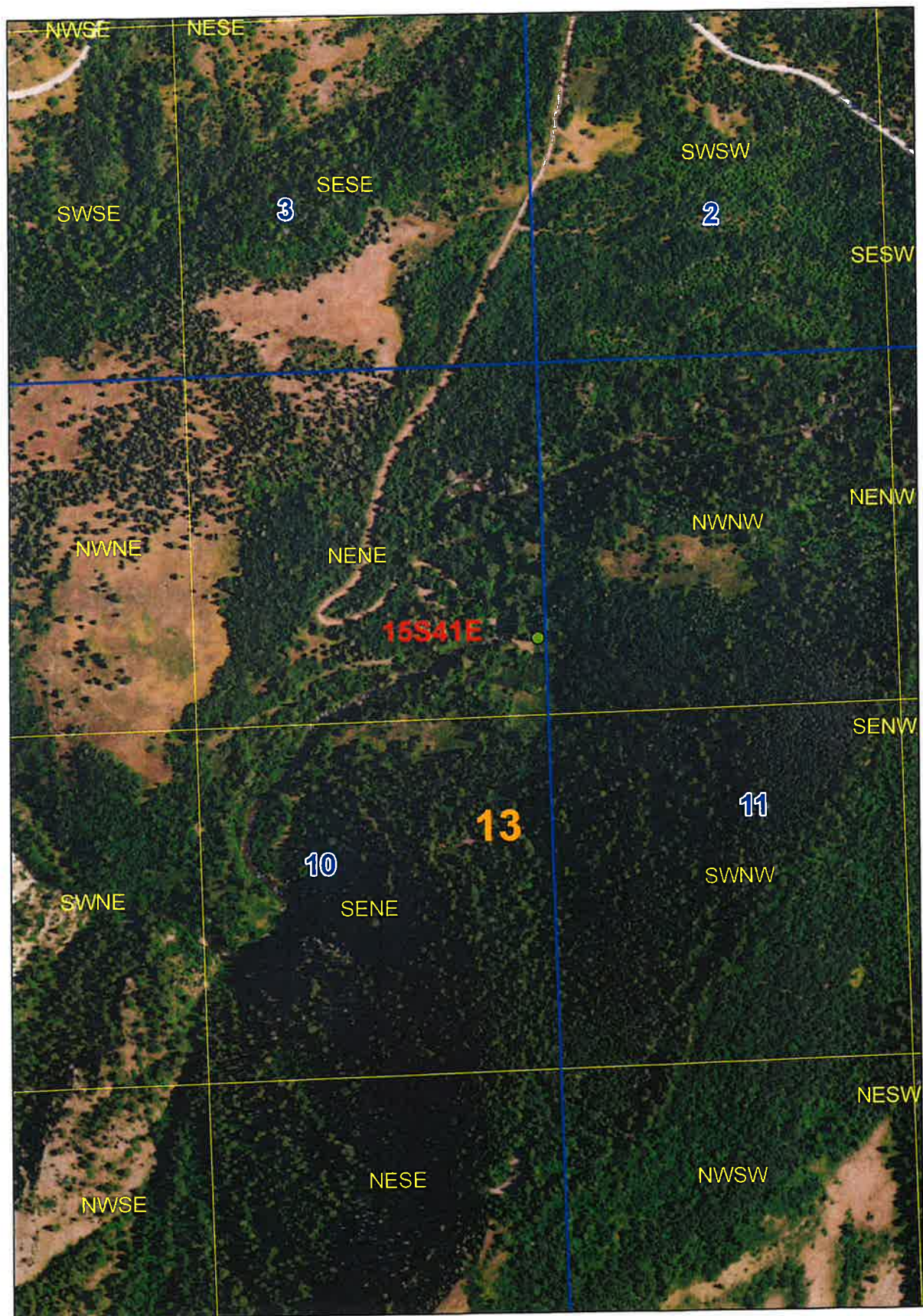
____ Mayor _____ of _____ City of Preston _____
Agents Title (please print) Name of Organization (please print)

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

Signature of Authorized Agent _____ Date _____ 7/08/2024 _____

Printed Name of Authorized Agent _____ Dan Keller _____

BRBA Claim Point of Diversion for City of Preston

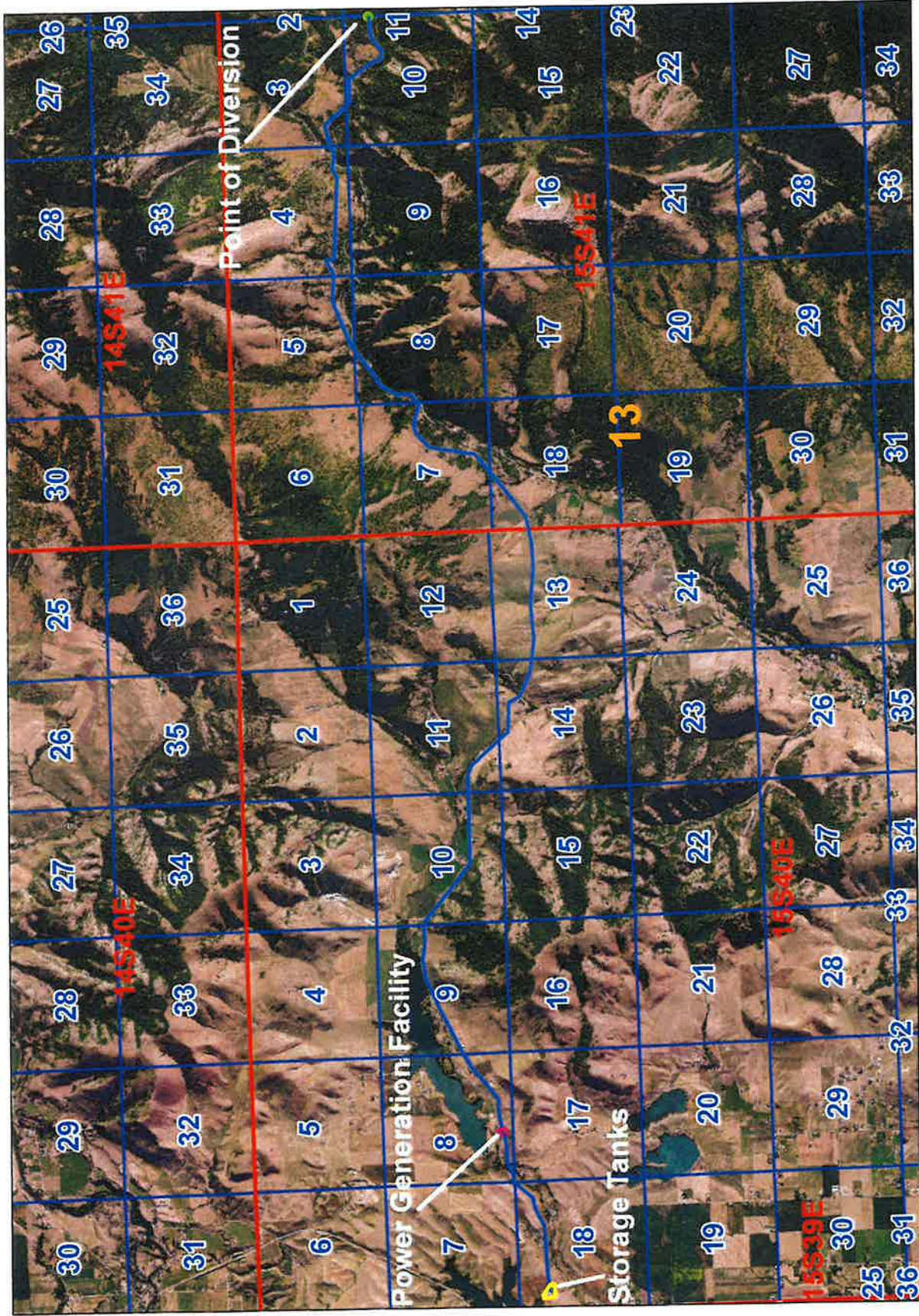


Point of Diversion: ●

0 230 460 920 Feet

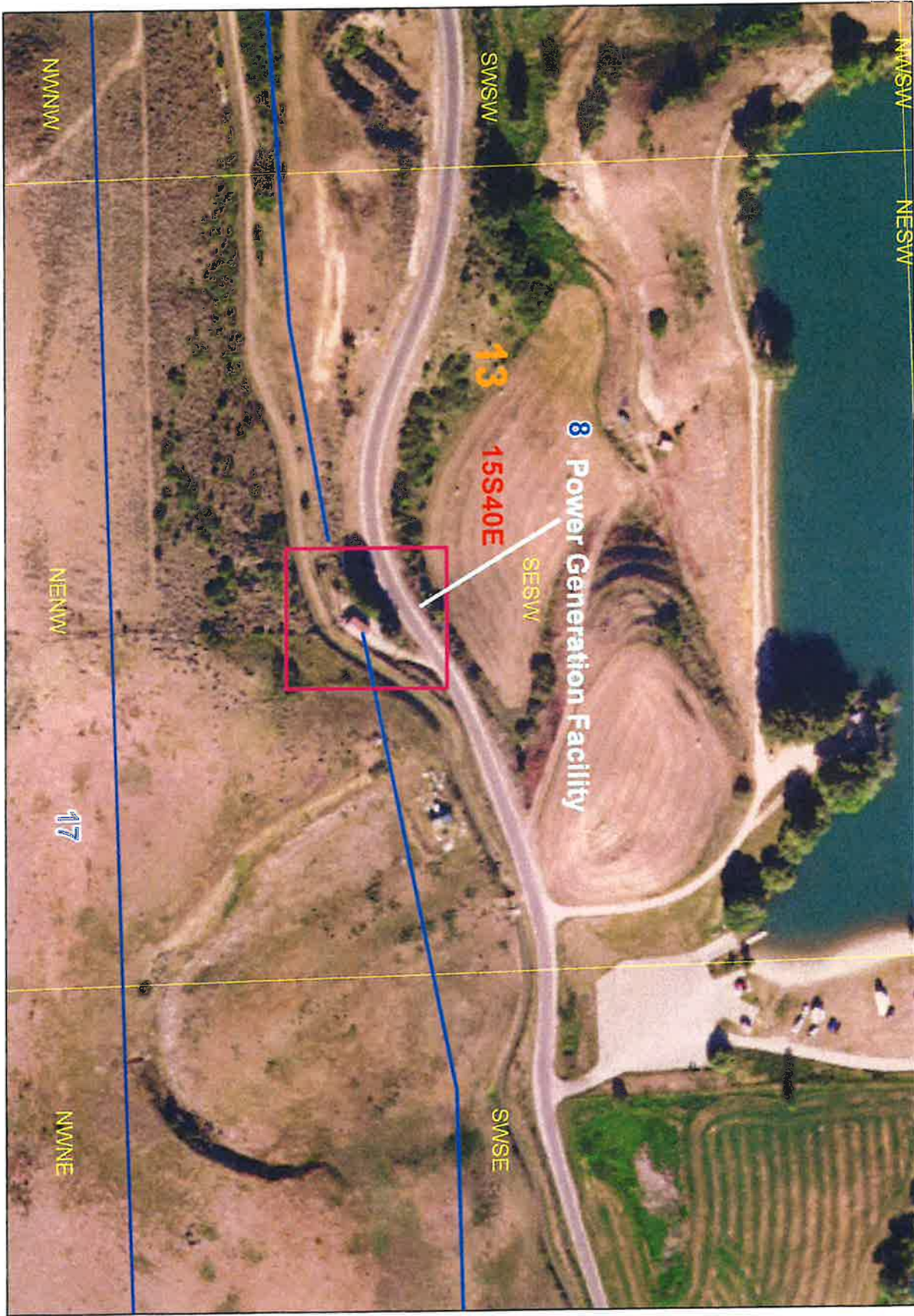


BRBA Claim Diversion Works Map



Enclosed Pipe System: _____

BRBA Claim Power Generation Place of Use



Enclosed Pipe System: 

