

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: 13-940

Date Received: 10/11/2024

Receipt No: P001415

Claim Fee: \$132.00 By: CG

RECEIVED

OCT 11 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Northwestern Band of the Shoshone Nation Phone (435) 734-2286

Mailing address 2575 Commerce way Ogden UT Zip 84401
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) 03/03/1913 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Battle Creek

which is tributary to (b) Bear River

4. a. Location of point of diversion is: Township 15S, Range 39E, Section 4,

SW 1/4 of SW 1/4, Govt. Lot _____, BM, County of Franklin

Parcel no. RP01647.00

Additional points of diversion, if any: _____

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.

See attachment

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/20 to 09/30 amount 0.9 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.9 (cfs) and/or (b) _____ (acre-feet)

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

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	
15S	39E	8				X			37.5	8						11			56.5
15S	39E	9										25.5							25.5

Parcel no(s). RP01679, RP01683, RP01684 and RP01682.03 Total number of acres irrigated 82

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

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.

Water Right 13-939 is supplemental to 13-940. or None (☐)

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

The priority date is listed according to the Decree.

The NWBSN owns land within the historical place of use for irrigation on Water Rights 13-939 and 13-940. A transfer can be filed as needed to show irrigated place of use.

Parcel RP01682.03 is leased and irrigated by NWBSN.

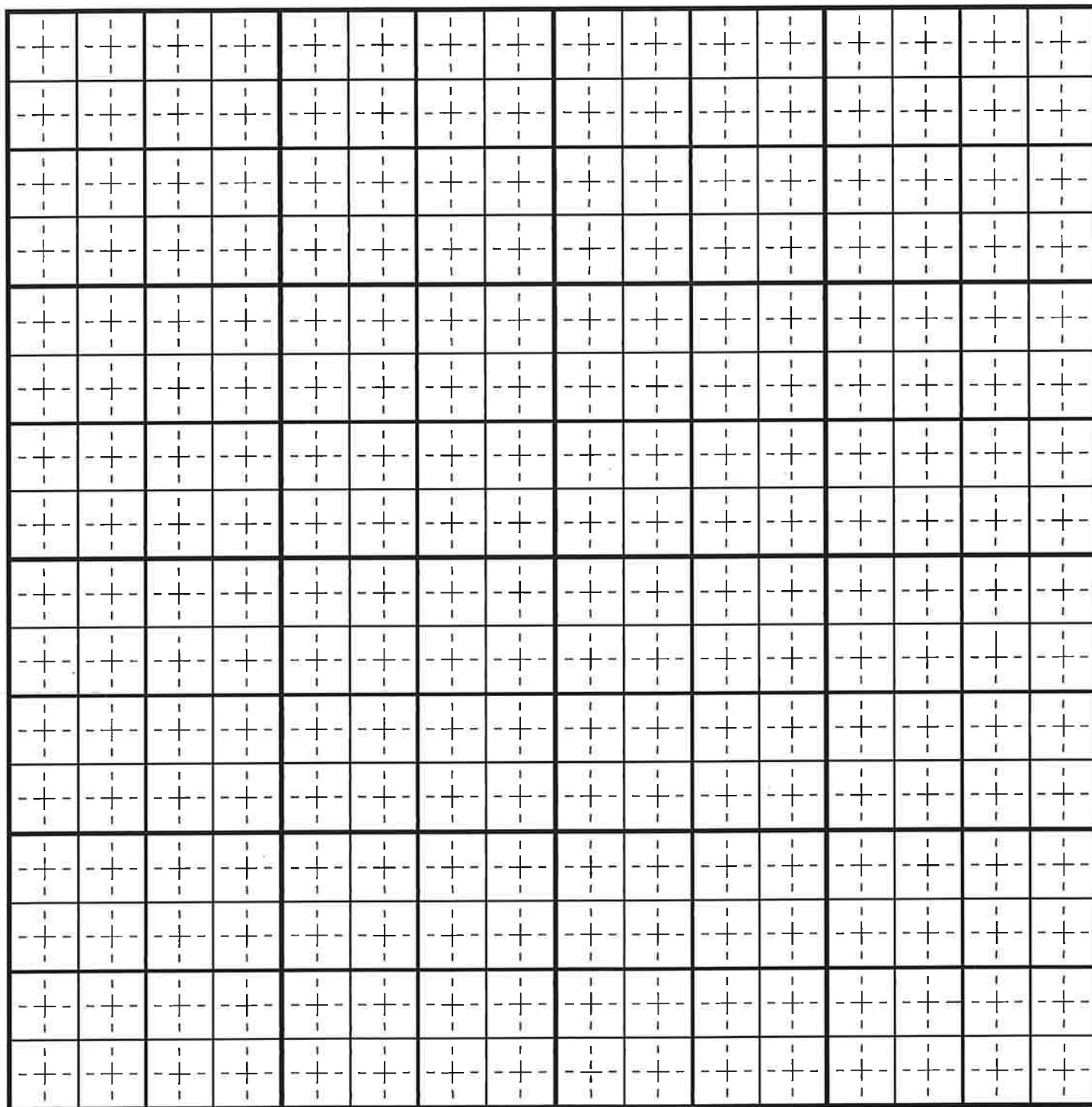
The other parcels listed as the place of use are owned by NWBSN.

Name of claimant(s) Northwestern Band of the Shoshone Nation Claim ID _____

See attached map, Figure 1

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) Northwestern band of the Shoshone Nation

Claim ID _____

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

Court _____ Decree Date 7/14/1920 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-940

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: 1. Figure 1

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

BRAD PARLEY of Northwestern Band of the Shoshone Nation
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 [Signature] Date 10/10/24

Printed Name of Authorized Agent BRAD PARLEY

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) Northwestern Band of the Shoshone Nation Claim ID _____

Northwestern Band of the Shoshone Nation

POINT OF DIVERSION DESCRIPTION FOR BRBA CLAIM #'s 13-7969, 13-7970, 13-7990, 13-7991, 13-937, 13-939, 13-940.

Description: The POD for these water rights is the same. Some of these rights have additional springs in the claim. The main structure is a concrete check structure with gates that allow diversion to earthen ditches. There are two other earthen structures that we use tarps to divert water into ditches.

