

**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: 11-7021
Date Received: 4/19/2023
Receipt No: P000111
Claim Fee: \$92.00
Received By: MB

RECEIVED

APR 19 2023

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

IDWR/Preston

1. Name of Claimant(s)

ASPEN CREEK WATER CO INC
PO BOX 77
GARDEN CITY UT 84028

Phone: (435) 757-2182

2. Date of Priority: 6/21/1971

3. Source:

GROUND WATER
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
16S	43E	15	SW SE		BEAR LAKE	
16S	43E	22	NE NW		BEAR LAKE	

5. Description of diverting works:

MAIN WELL, THE LOCAL NAME IS "LOVELAND WELL" AND CLASSIFIED WITH DEQ AS "LOVELAND WELL". WAS DRILLED IN 1971.

PER DEQ STANDARDS, THIS IS THE MANDATORY BACKUP WELL TO BE USED AS A SECOND SOURCE. IT WAS DRILLED ON 3/11/2007 (D0043948). INFRASTRUCTURE ADDED TO CONNECT THIS WELL TO THE SYSTEM BEGINING IN 2007. LOCAL NAME AND KNOWN WITH DEQ AS "GENTLE BEN WELL". THERE IS ALSO A 115,000 GALLON STORAGE TANK ON THE SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
MUNICIPAL	01/01	12/31	0.42		73.5

7. Total Quantity Appropriated is:

0.42 C.F.S. and/or 73.5 A.F.A.

8. Non-irrigation uses:

MUNICIPAL SERVICE TO 200 HOMES. AS OF CLAIMED DATE OF 4/19/2023, THERE ARE 150 LOTS THAT ARE TAPPED IN WITH SERVICE TO THE LOTS. EACH HOUSE HAS A LIMITED WATERING AREA OF .1 ACRES PER HOME.

9. Place of use:

MUNICIPAL within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
16S	43E	15	SW		NE		
16S	43E	15	SW		NW		
16S	43E	15	SE		NW		
16S	43E	15	NE		SW		
16S	43E	15	NW		SW		
16S	43E	15	SW		SW		
16S	43E	15	SE		SW		
16S	43E	15	NE		SE		
16S	43E	15	NW		SE		
16S	43E	15	SW		SE		
16S	43E	15	SE		SE		
16S	43E	22	NE		NE		
16S	43E	22	NW		NE		
16S	43E	22	SW		NE		
16S	43E	22	NE		NW		
16S	43E	14	SW		SW	4	
16S	43E	23	NW		NW	1	

SEE ATTCHED MAP OF SERVICE BOUNDARY.

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.

ASPEN CREEK WATER CO. OWNS THE LAND WITH THE WELLS AND TANK. PROVIDES WATER TO THE HOMES IN THE SERVICE BOUNDARY.

11. Other Water Rights Used:

11-7436 FOR SAME WELLS AND SAME SYSTEM

12. Remarks:

Priority Date Explanation:

SEE LICENSE. THIS IS THE DATE THE MAIN WELL WAS DRILLED.

LICENSE WAS ORGINALLY FOR IRRIGATION. THE NATURE OF USE HAS BEEN TRANSFERRED TO A MUNICIPAL USE. THE POINT OF DIVERSION AND RATES HAVE NOT INCREASED OR CHANGED. SEASON OF USE HAS ENLARGED BUT RATES AND VOLUMES HAVE NOT INCREASED. WINTER USE IS RARELY CLOSE TO COMBINATION OF RIGHTS.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2-MAPS

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/operator of Aspen Creek Water CO.
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 Bart McKinnon Date 4-19-23

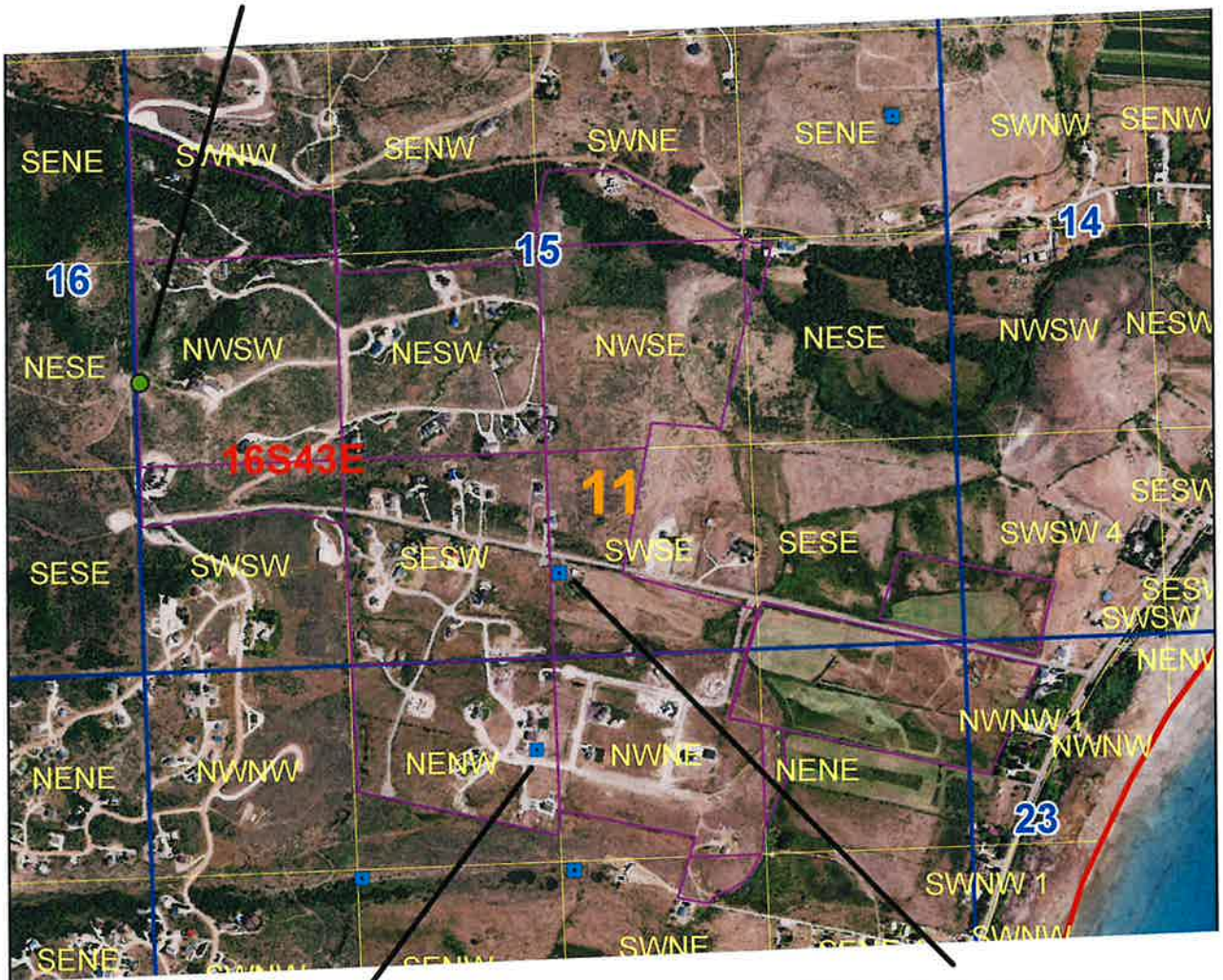
Printed Name of Authorized Agent Bart McKinnon

**NOTICE OF CLAIM TO A WATER RIGHT:
FOR ASPEN CREEK WATER CO.
MAP OF SERVICE BOUNDARY FOR 11-7021 AND 11-7436**



**NOTICE OF CLAIM TO A WATER RIGHT:
FOR ASPEN CREEK WATER CO.
MAP OF DISTRIBUTION SYSTEM FOR 11-7021 AND 11-7436**

LOCATION OF 115,000 GALLON STORAGE TANK



**LOCATION OF BACK-UP WELL
"GENTLE BEN WELL"**

**LOCATION OF MAIN WELL
"LOVELAND WELL"**