

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: 11-7359

Date Received: 5/1/23

Receipt No: P000206

Claim Fee: 224.00 By: MB

RECEIVED

MAY 01 2023

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) East Shore Water Co. Phone (435) 881-2331
Mailing address 1415 East 2250 North No. Logan, Utah Zip 84341
Street or Box City State
Email address (optional) bobballing11@gmail.com
2. Date of priority: (Only one per claim) October/29/1986 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (☒) or Other () (a) Deep pumping well-201'
which is tributary to (b) Bear Lake (east side water) St. Charles Idaho
4. a. Location of point of diversion is: Township 16S, Range 44E, B.M. Section 12,
NW 1/4 of NE 1/4, Govt. Lot 11-12, BM, County of Bear Lake County
Parcel no. water Right No. 11-07359
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.
Ground Water - Deep Well = 201' - pump Cap. = 400 gpm - Casing size = 16"
Grout depth = 119' - Static water depth = 50' - perforation depth = 120'-199'
Assessment date = 5/2/2001 - Survey date = 6/21/2007

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/15 to 10/31 amount 0.05 or 6.0 AF

For Domestic purposes from 01/01 to 12/31 amount 0.46 or 94.8 AF

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .51 (cfs) and/or (b) 100.8 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 58-homes-at present 79-homes-Future

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	
16S	44E	1															.9		.9
"	"	"															1.2		
16S	44E	12		.5															.5
"	"	"		1.1															

Parcel no(s). _____ Total number of acres irrigated 14

10. In which county(ies) are lands listed above as place of use located? Bear Lake 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.
_____ or None (✓)

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

Total gals. of water used in 2022 = 7,459,040

Total cfs of water used in 2022-For Irrigation = .0052067

Total cfs of water used in 2022-For Domestic = .0264142

Name of claimant(s) East Shore - Bear Lake Claim ID 11-07359

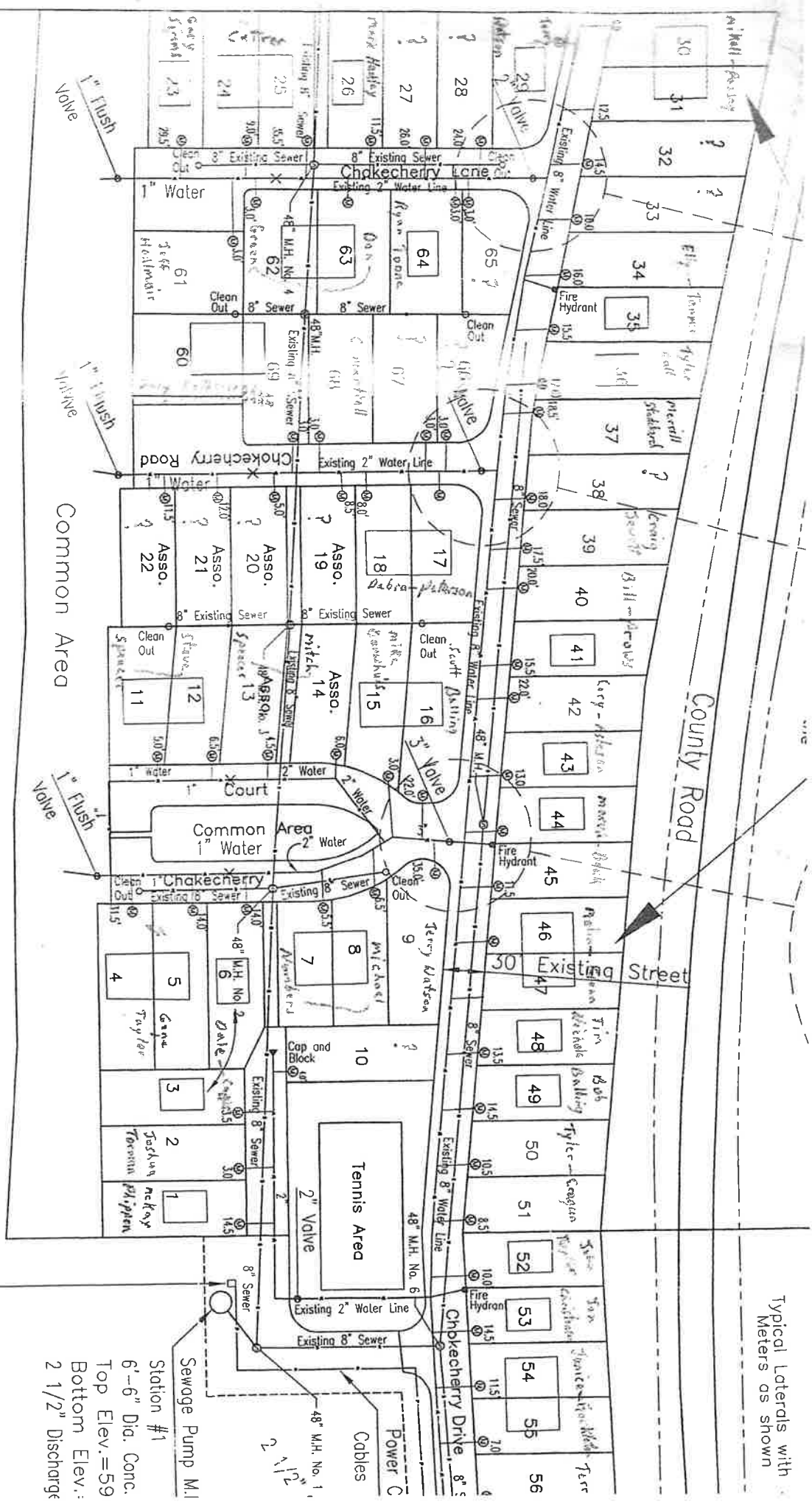
Scale: 1"=100'

0 100 200 300 400

Bear Lake Sands 2 Sub.

Bear Lake Sands 2 Sub.

Typical laterals with
Meters as shown

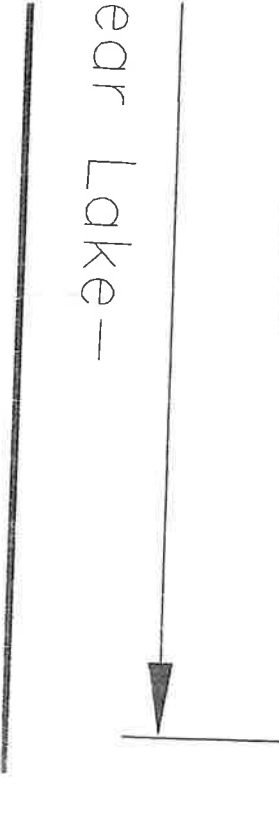


East Shore Subdivision

Bear Lake

Station #1
6'-6" Dia. Conc.
Top Elev.=59
Bottom Elev.:
2 1/2" Discharge

Sewer Pump Power Cont

[illegible]

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-07359

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: 6

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

President of East Shore Water Co.
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 Robert Balling Date 4-26-2023

Printed Name of Authorized Agent Robert Balling

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) _____ Claim ID _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 11-07359

Priority: October 29, 1986

Maximum Diversion Rate: 0.51 CFS
Maximum Diversion Volume: 100.8 AF

It is hereby certified that BEAR LAKE SANDS II
1955 SPRING CREEK DR
BOUNTIFUL UT 84010

Or

EASTSIDE SHORE BEAR LAKE HOME OWNERS
1955 SPRING CK DR
BOUNTIFUL UT 84010

has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 29, 1986; and has
submitted Proof of Beneficial Use on February 26, 1988. An examination indicates that the works have
a diversion capacity of 0.65 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	0.05 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.46 CFS	94.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NW¼NE¼) Sec. 12, Twp 16S, Rge 44E, B.M. BEAR LAKE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
16S 44E 1				.9 L 2	.9
16S 44E 12	.5 L 1				.5

Total Acres: 1.4

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
16S 44E 1				X L 2	
16S 44E 12	X L 1		X L 2		

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than
13,000 gallons per day in total \$25.00

100 acres irrigation, domestic and stockwater as above . . . \$150.00

Fish propagation, 4.2 cfs \$92.00

Multiple family domestic, 1.6 cfs, - our usage = .03162 cfs
irrigation of yards and gardens, 14 acres - .14 acres . . \$224.00

TABLE 3, VARIABLE FEE SCHEDULE

Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.