

**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: 13-7521

Date Received: 3.3.25

Receipt No: P001912

Claim Fee: \$83.00 By: BW

**RECEIVED**

**MAR 03 2025**

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

**IDWR/Preston**

Please type or print clearly

1. Name of claimant(s) City of Franklin Phone ( 208 ) 646-2300  
Mailing address P.O. Box 69 Franklin Idaho Zip 83237  
Street or Box City State  
Email address (optional) cityclerk@franklin.idaho.org
2. Date of priority: (Only one per claim) 10/3/1994 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_
4. a. Location of point of diversion is: Township 16S., Range 40E., Section Sec. 14,  
SE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM, County of Franklin  
Parcel no. \_\_\_\_\_  
Additional points of diversion, if any: 16S. 40E. Sec. 14 SENW; 16 S. 40E. Sec. 16 SESE  
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.  
Well and pump into pipeline for delivery to municipal system.

6. Water is claimed for the following purposes:

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

For Municipial purposes from 1/1 to 12/31 amount 0.33 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.33 (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.) Municipal use within the City of Franklin municipal boundary and service area.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 |        |
|     |     |     | POU | WIT | HIN |    | FRA | KLI | N  |    | MUN | ICP | AL | BO | UN | DA | RY |    |        |
|     |     |     |     |     |     |    |     |     |    |    |     |     |    |    |    |    |    |    |        |
|     |     |     |     |     |     |    |     |     |    |    |     |     |    |    |    |    |    |    |        |
|     |     |     |     |     |     |    |     |     |    |    |     |     |    |    |    |    |    |    |        |
|     |     |     |     |     |     |    |     |     |    |    |     |     |    |    |    |    |    |    |        |
|     |     |     |     |     |     |    |     |     |    |    |     |     |    |    |    |    |    |    |        |

Parcel no(s). \_\_\_\_\_ Total number of acres irrigated \_\_\_\_\_

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

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.

13-151, 13-2070, 13-2071, 13-4062, 13-4063, 13-7265, 13-7529, and 13-\_\_\_\_\_ (ID claim for UT WRs) or None ( )

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

~~Claimant is a municipal provider of water to City residents on properties owned by residents, businesses, and some City-owned property.~~

Name of claimant(s) \_\_\_\_\_ Claim ID \_\_\_\_\_

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 13-7529

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: 2

**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

Mayor of City of Franklin  
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 John D. Becker Date 3 MAR 20 25

Printed Name of Authorized Agent John D. Becker

16. Notice of Appearance:

Notice is hereby given that I, (please print) Robert L. Harris, 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 Robert L. Harris Date 2/28/2025

Address HKHC, PO Box 50130, Idaho Falls, ID 83402

Name of claimant(s) \_\_\_\_\_ Claim ID \_\_\_\_\_

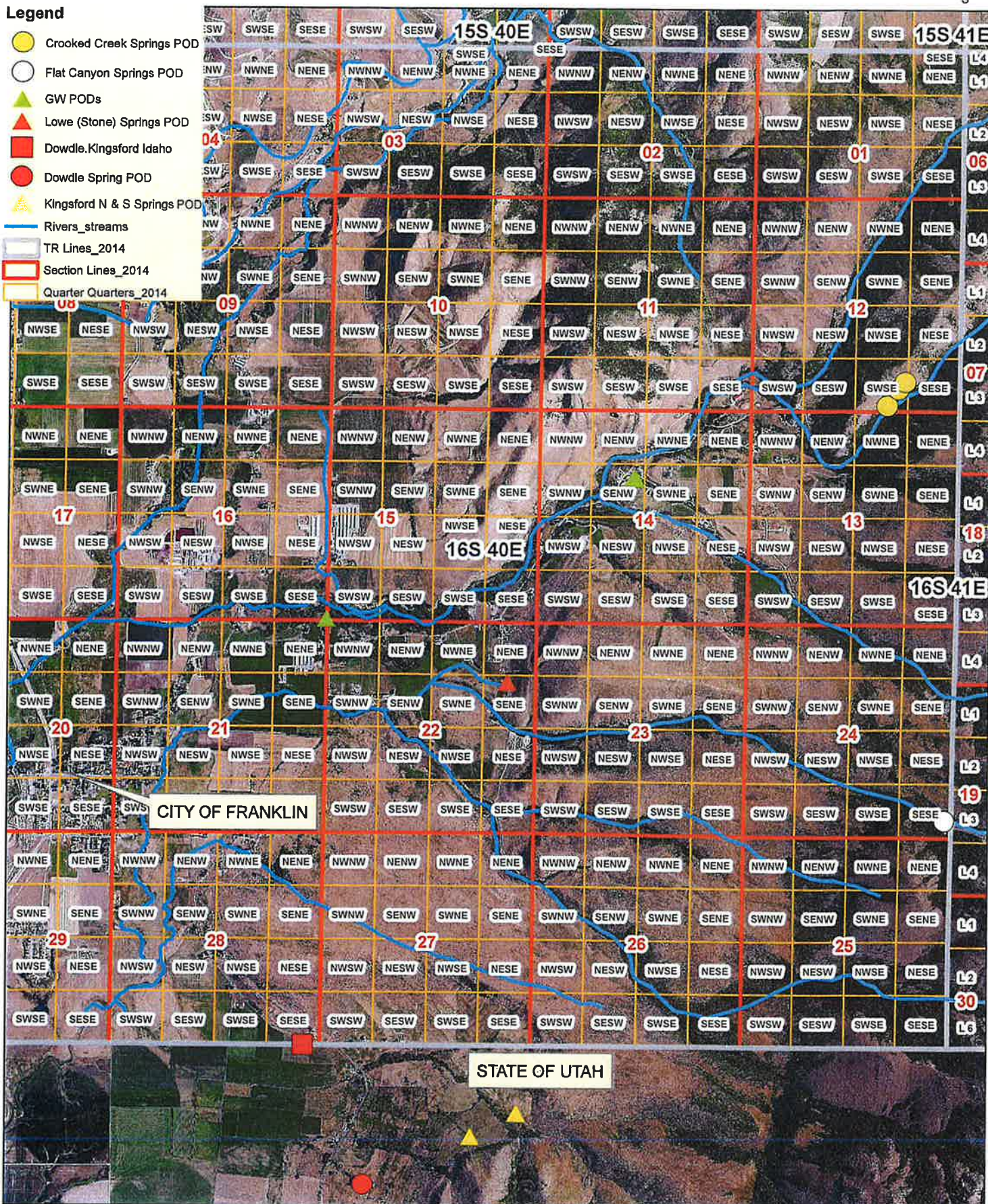
| City of Franklin BRBA Claims         |               |                    |                      |                |               |                        |                       |                                                                         |                                                                                           |                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                    |
|--------------------------------------|---------------|--------------------|----------------------|----------------|---------------|------------------------|-----------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Water Right No.                      | Priority Date | Source             | Tributary To         | Beneficial Use | Season of Use | Indiv. Div. Rate (cfs) | Comd. Div. Rate (cfs) | Point of Diversion                                                      | Applicable Court Decree or License                                                        | Conditions                                                                                                                                                                                                                                                                                                                                                  | Notes                                                                                                                                                              |
| 13-151                               | 12/31/1859    | SPRINGS            | Crooked Canyon Creek |                |               | 0.6                    |                       | 16S 40E Sec. 12 SWSE<br>16S 40E Sec. 12 SWSE<br>16S 40E Sec. 12 SWSE    | <i>Fairplay v. Franklin Maple Creek Pioneer Irrigation Company et al. August 31, 1937</i> | Priority is defined in the decree as "a prior right to the use of said waters, because of the fact that the same consists of waters that would otherwise be lost through seepage and evaporation, and the further fact that said defendant by the use of same does not diminish the flow of waters from said Crooked Canyon creek into said Maple Creek."   |                                                                                                                                                                    |
| 13-2070                              | 3/1/1916      | SPRINGS            | Crooked Canyon Creek |                |               | 0.44                   |                       |                                                                         | License                                                                                   |                                                                                                                                                                                                                                                                                                                                                             | Crooked Creek flows into Maple Creek. Claim includes a clarification in source as water under this right has been diverted from Crooked Creek Springs for decades. |
| 13-2071                              | 2/19/1916     | SPRINGS            | Crooked Canyon Creek |                |               | 0.34                   |                       |                                                                         | License                                                                                   |                                                                                                                                                                                                                                                                                                                                                             | Crooked Creek flows into Maple Creek. Claim includes a clarification in source as water under this right has been diverted from Crooked Creek Springs for decades. |
| 13-4062                              | 5/1/1915      | FLAT CANYON SPRING | Spring Creek         | Municipal      | 1/1 to 12/31  | 1                      | N/A                   | 16S 40E Sec. 24 SSESE                                                   | Statutory Claim                                                                           |                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                    |
| 13-4063                              | 3/31/1915     | LOWE SPRING        | Spring Creek         |                |               | 2                      |                       | 16S 40E Sec. 22 SEENE                                                   | Statutory Claim                                                                           |                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                    |
| 13-7265                              | 10/30/1979    | GROUND WATER       |                      |                |               | 0.09                   |                       | 16S 40E Sec. 14 SEENW<br>16S 40E Sec. 14 SEENW<br>16S 40E Sec. 16 SSESE | License                                                                                   |                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                    |
| 13-7529                              | 10/3/1994     | GROUND WATER       |                      |                |               | 0.33                   |                       |                                                                         | License                                                                                   |                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                    |
| 13-_____<br>UT-25-5387<br>UT-25-5393 | 1/1/1870      | SPRINGS            | Sinks                |                |               | 0.33                   |                       | 16S 40E Sec. 28 SSESE                                                   | None for Idaho; Utah Statutory Claim                                                      | Springs are located in Utah and are known locally as Dowdle Springs and Kingsford Springs. Water is diverted pursuant to Utah Water Right Nos. 25-5387 and 25-5393. Point of diversion listed is where the delivery system enters Idaho. Actual points of diversion in Utah are 14N 2E Sec. 6 NW1/4, 15N 2E Sec. 31 SSESE, and 15N 2E Sec. 31 SWSE (SLBMO). | Springs are known locally as Dowdle Springs, Kingsford North, and Kingsford South Springs.                                                                         |

# CITY OF FRANKLIN BRBA CLAIMS



## Legend

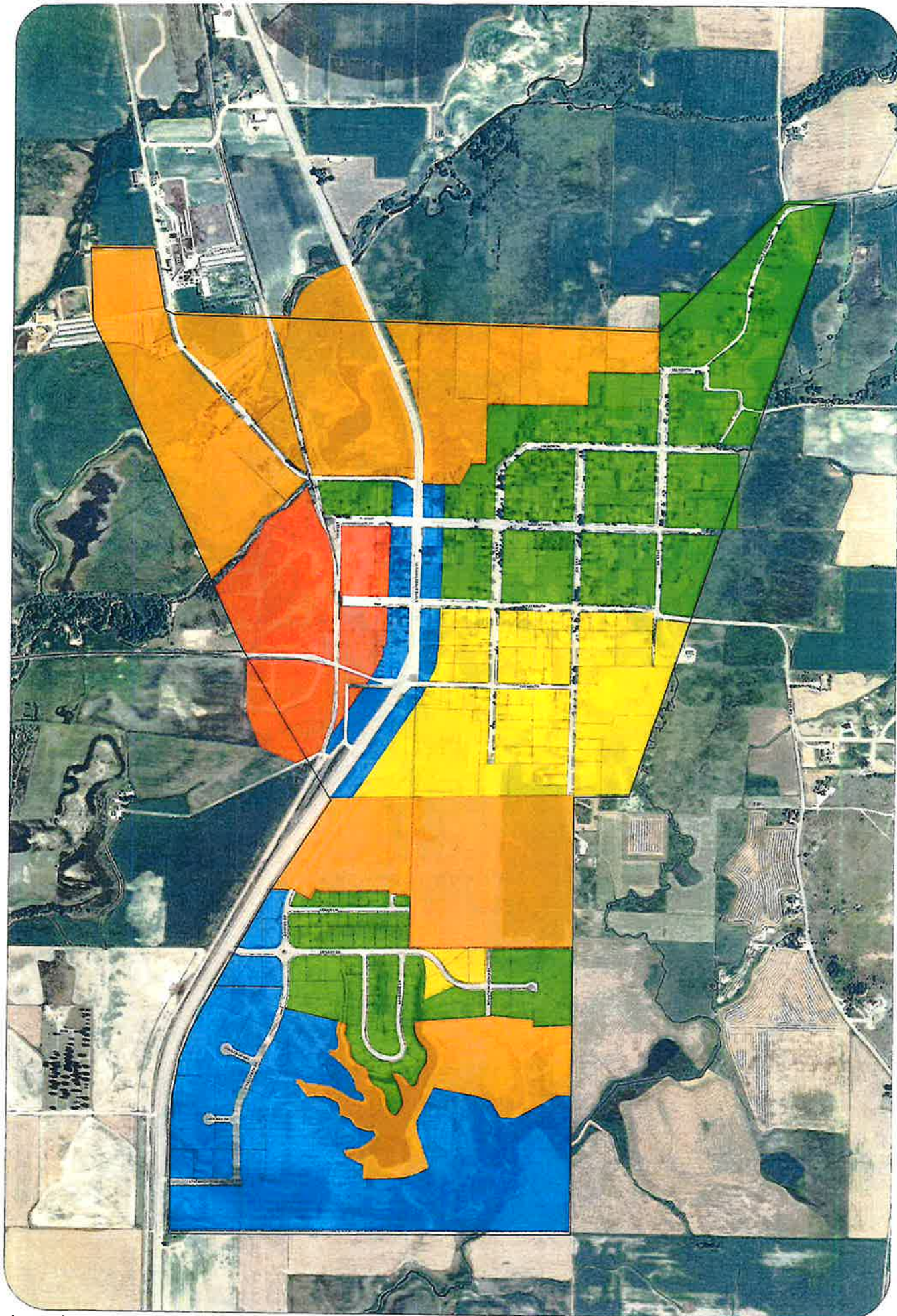
- Crooked Creek Springs POD
- Flat Canyon Springs POD
- GW PODs
- Lowe (Stone) Springs POD
- Dowdle.Kingsford Idaho
- Dowdle Spring POD
- Kingsford N & S Springs POD
- Rivers\_streams
- TR Lines\_2014
- Section Lines\_2014
- Quarter Quarters\_2014



2021 AERIAL PHOTO

0 0.5 1 2 Miles

Submitted by *Devin D. Fawcett* on 3/3/25



**Legend**

- |                        |                 |                 |                       |
|------------------------|-----------------|-----------------|-----------------------|
| Franklin City Boundary | Business        | Residential A-1 | Transitional A-1, A-2 |
| Industrial             | Residential A-2 |                 |                       |

UPDATED: 7/16/21



**(JUB)**  
JUB ENGINEERS, INC.