

**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**

RECEIVED

MAR 03 2025

CIVIL CASE NUMBER: 79576

Claim ID: 134062

Date Received: 3.3.25

Receipt No: P001912

Claim Fee: \$150.00 By: BW

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

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) 5/1/1915 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Springs (Flat Canyon Springs)
which is tributary to (b) Spring Creek
4. a. Location of point of diversion is: Township 16S., Range 40E., Section Sec. 24,
SE 1/4 of NE 1/4, Govt. Lot _____, BM, County of Franklin
Parcel no. _____
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.
Spring discharges collected into collection pipes and eventually into delivery pipeline to
City's water treatment facility.

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 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (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 13-4062

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. Packer _____ Date 3 MAR 2025

Printed Name of Authorized Agent John D. Packer _____

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 _____

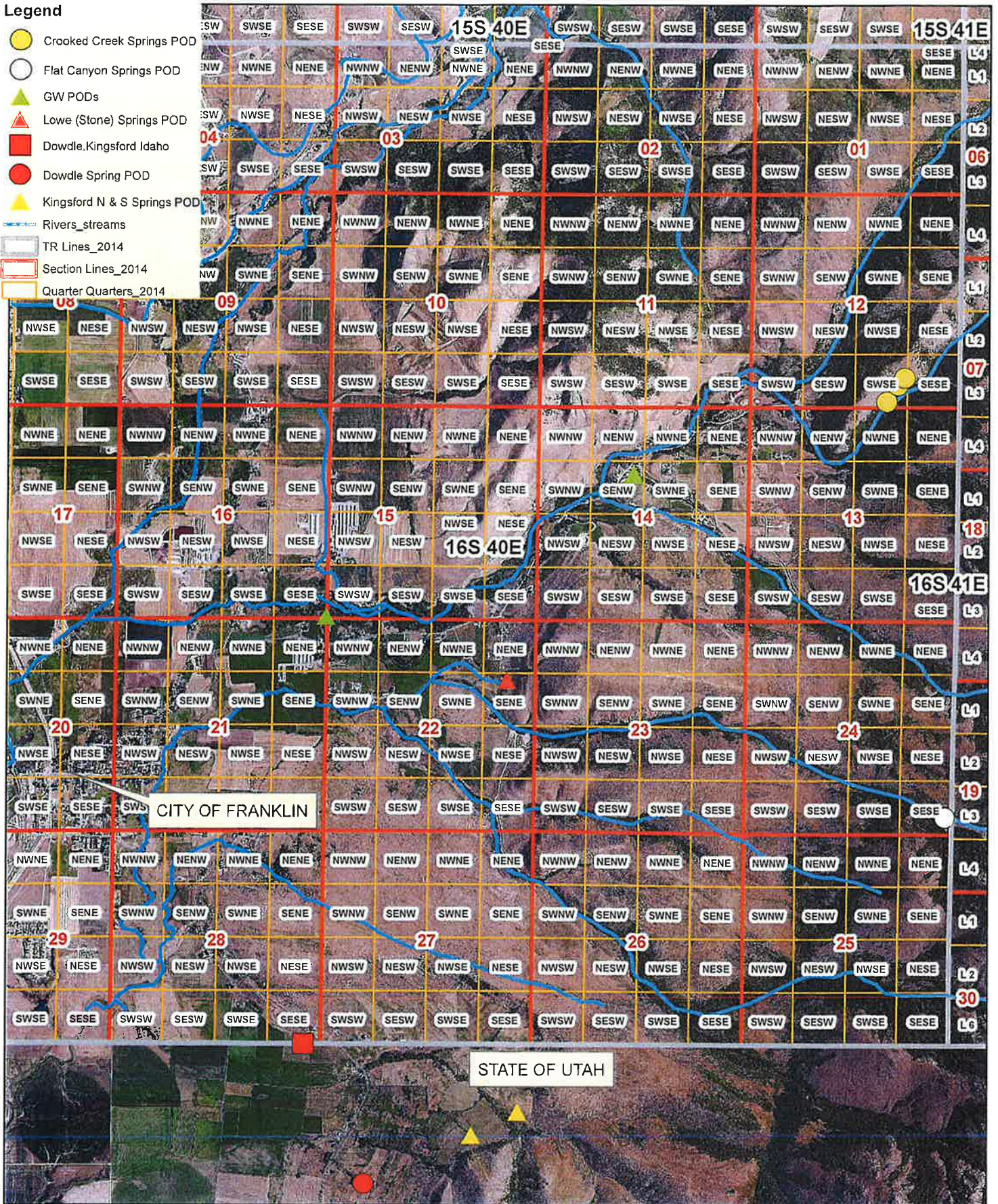
City of Franklin BRBA Claims											
Water Right No.	Priority Date	Source	Tributary To	Beneficial Use	Season of Use	Indiv. Div. Rate (cfs)	Comb. Div. Rate (cfs)	Point of Diversion	Applicable Court Decree or License	Conditions	Notes
13-151	12/31/1859	SPRINGS	Crooked Canyon Creek	Municipal	1/1 to 12/31	0.6	N/A	16S 40E Sec. 12 SWSE 16S 40E Sec. 12 SWSE 16S 40E Sec. 12 SWSE	Fairview v. Franklin Maple Creek Pioneer Irrigation Company et al. August 31, 1937	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			
13-2071	2/19/1916	SPRINGS	Crooked Canyon Creek			0.34		License			
13-4062	5/1/1915	FLAT CANYON SPRING	Spring Creek			1					
13-4063	3/31/1915	LOWE SPRING	Spring Creek			2					
13-7265	10/30/1979	GROUND WATER				0.09		16S 40E Sec. 24 SESE 16S 40E Sec. 22 SESE	Statutory Claim Statutory Claim		
13-7529	10/3/1994	GROUND WATER				0.33		16S 40E Sec. 14 SENW 16S 40E Sec. 14 SENW 16S 40E Sec. 16 SESE	License		
13-5387 UT 25-5393	1/1/1870	SPRINGS	Sinks			0.33		16S 40E Sec. 28 SESE	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 NWNW, 15N 2E Sec. 31 SESE, and 15N 2E Sec. 31 SWSE (LSBN).	Springs are known locally as Dowdle Springs, Kingsford North, and Kingsford South Springs.

CITY OF FRANKLIN BRBA CLAIMS



Legend

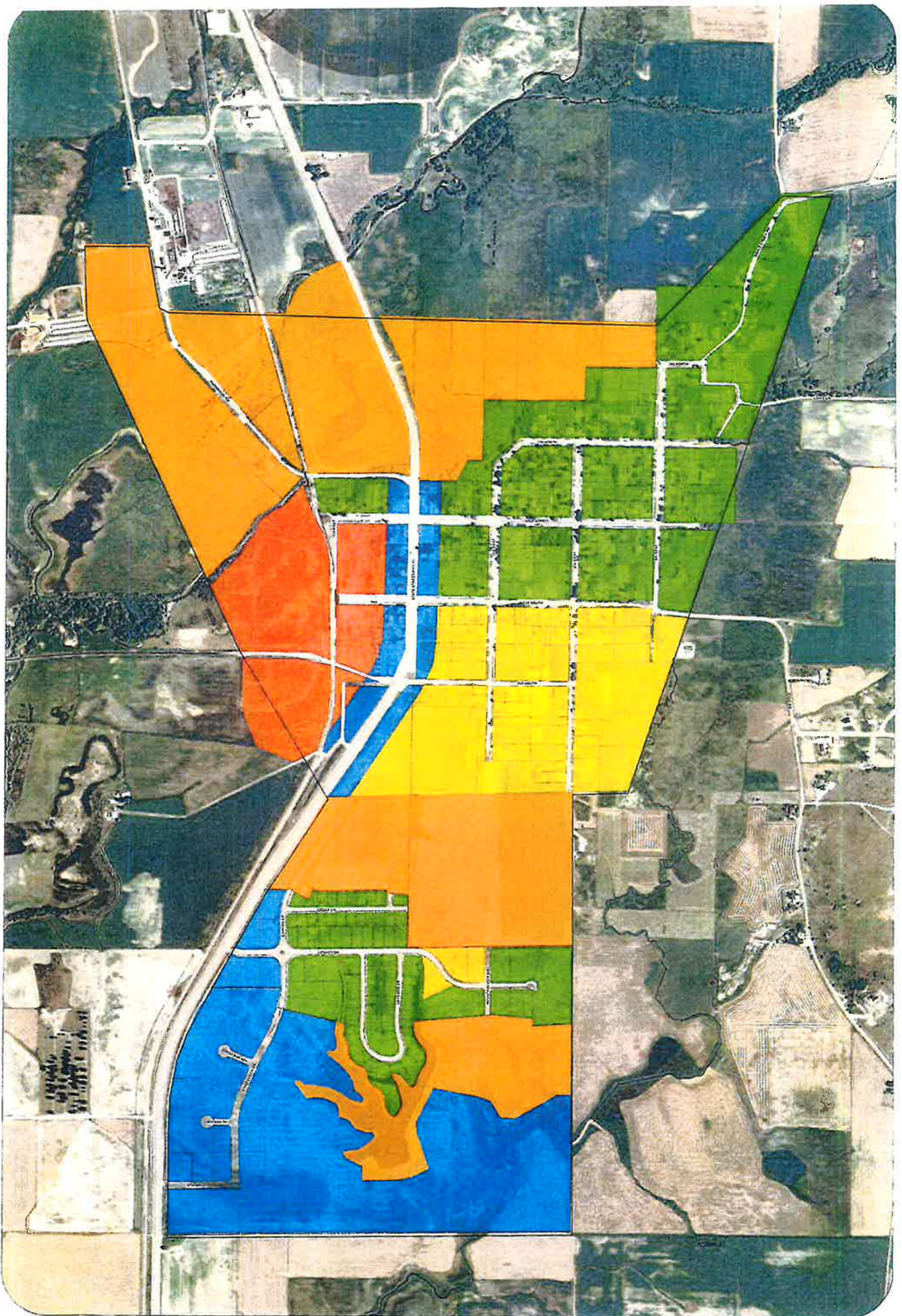
- Crooked Creek Springs POD
- Flat Canyon Springs POD
- GW PODs
- Lowe (Stone) Springs POD
- Dowlle, Kingsford Idaho
- Dowlle Spring POD
- Kingsford N & S Springs POD
- Rivers_streams
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



2021 AERIAL PHOTO

0 0.5 1 2 Miles

Submitted by *Clara A. Farris* on 3/3/25



Legend

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

FRANKLIN CITY ZONING MAP

UPDATED: 11/2021



JUB
JUB ENGINEERS, INC.