

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 13-7800  
Date Received: 3/5/2025  
Receipt No: T120579

1. Name of Claimant(s):

| Name              | Address                  | City    | State | Country | Postal Code |
|-------------------|--------------------------|---------|-------|---------|-------------|
| DIANNE CASPERSON  | 299 W CENTER ST #1       | LOGAN   | UT    | USA     | 84321       |
| QUENTIN CASPERSON | 299 W CENTER ST #1       | LOGAN   | UT    | USA     | 84321       |
| ETHAN RAWLINGS    | 24 N STATE ST PO BOX 191 | PRESTON | ID    | USA     | 83263-0191  |

2. Date of Priority:

| Date     | Explanation                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6/1/1882 | Please see water rights 13-152, 13-945, and 13-947 and Memo by James Cefalo dated August 10, 2012, explaining that there have been a number of changes of ownership in those rights following the 1920 Bear River Decree. The 1920 Bear River Decree gave a priority date of June 1, 1882 to Loren Mendenhall, Willis Mendenhall, and Jacob Peterson who were the original owners of the known water rights in this area. |

3. Source:

| Source     | Tributary  |
|------------|------------|
| DEEP CREEK | Bear River |
| Deep Creek | Bear River |
| Deep Creek | Bear River |

4. Point of Diversion:

| Township | Range | Section | Gov Lot | QQ | Q  | County   | Type      | Description                                                                                                                                                                                                                                                                                                                                  |
|----------|-------|---------|---------|----|----|----------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15S      | 39E   | 7       |         | NW | SE | FRANKLIN |           | This is the original POD by decree.                                                                                                                                                                                                                                                                                                          |
| 14S      | 39E   | 25      |         | SE | SW | FRANKLIN | Injection | Water is exchanged by injecting water from Deep Creek into the Bear River. Point of Diversion is where West Cache Canal takes from the Bear River. Water Right holder will then irrigate from West Cache Canal.                                                                                                                              |
| 15S      | 39E   | 17      |         | SE | NW | FRANKLIN | Injection | Water is exchanged by injecting water from Deep Creek into the Bear River. This Point of Diversion ("POD") is taken from the existing record of this water right. It is believed this POD is where water was originally diverted from Deep Creek to irrigate in this area. This water is now allowed to flow from creek into the Bear River. |

5. Water is used for the following purpose(s):

| Water Use  | Number Of Homes | Stock | Description                                                                                        |
|------------|-----------------|-------|----------------------------------------------------------------------------------------------------|
| IRRIGATION |                 |       | Rights 13-7796, 13-7800 and 13-7804 when combined shall not exceed a total irrigation of 13 acres. |

6. Season(s) of Use:

| Water Use  | From Month/Day | To Month/Day |
|------------|----------------|--------------|
| IRRIGATION | 4/20           | 9/30         |

7. Quantity:

| Water Use  | CFS  | AF | KW |
|------------|------|----|----|
| IRRIGATION | 0.18 |    |    |

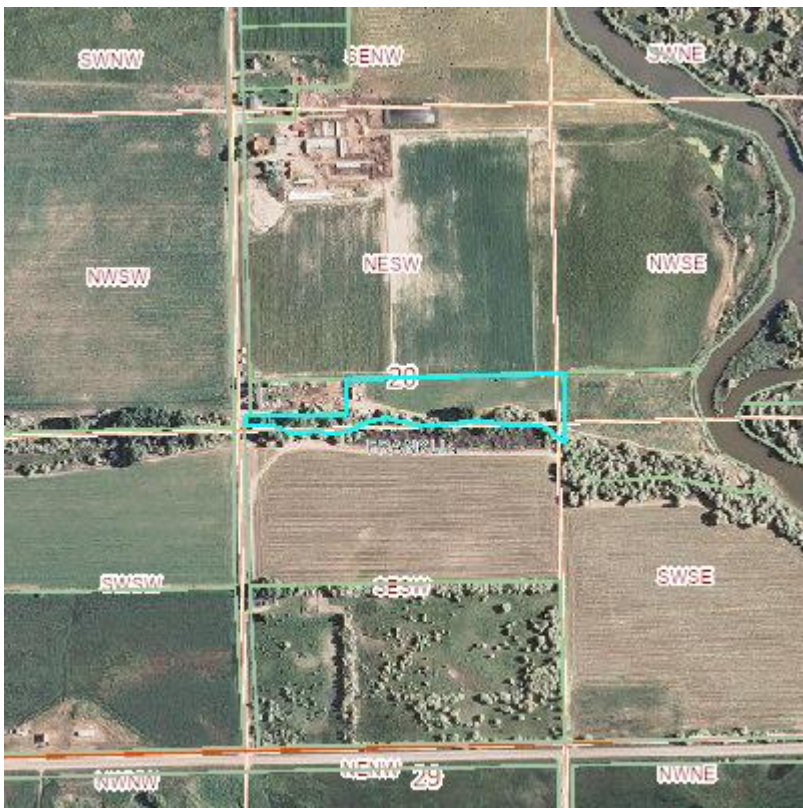
Totals

| CFS  | AF | KW |
|------|----|----|
| 0.18 |    |    |

8. Place of Use:

| Water Use  | Total Claimed Acreage |
|------------|-----------------------|
| IRRIGATION | 7.95                  |

| IRRIGATION |       |         |    |    |          |          |       |  |
|------------|-------|---------|----|----|----------|----------|-------|--|
| Township   | Range | Section | QQ | Q  | County   | Govt Lot | Acres |  |
| 15S        | 39E   | 20      | SW | SE | FRANKLIN |          | 7.00  |  |
| 15S        | 39E   | 20      | NE | SW | FRANKLIN |          | 0.50  |  |
| 15S        | 39E   | 20      | SE | SW | FRANKLIN |          | 0.45  |  |
| 15S        | 39E   | 20      | NW | SE | FRANKLIN |          |       |  |



9. **Remarks:**

IDWR should be very familiar with this area. James Cefalo prepared a written Memo dated August 10, 2012, clarifying the initial rights held by Mendenhall, Mendenhall, and Peterson. Originally, these water rights were diverted from their natural source to irrigate the acres at the place of use. However, the practicality of that was less than ideal. Land owners entered into a written agreement with West Cache Canal Company to irrigate from the canal and allow the water from their rights to run naturally into the canal, and subsequently, into the Bear River.

10. **Other Water Rights:**

Rights 13-7796 and 13-7804

11. **Basis:**

|         |
|---------|
| Basis   |
| Decreed |

12. **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 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: \_\_\_\_\_

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  
\_\_\_\_\_ of \_\_\_\_\_,  
Title \_\_\_\_\_ Organization  
that I have signed the foregoing document in the space below as

\_\_\_\_\_ of \_\_\_\_\_,  
Title \_\_\_\_\_ Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

Please print name