

**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: 13-296  
Date Received: 4/29/2025  
Receipt No: P002000  
Claim Fee:  
Received By: \$50<sup>00</sup> CA

**RECEIVED**

APR 29 2025

**IDWR/Preston**

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

**1. Name of Claimant(s)**

MERRI CANNA FARM LLC  
3144 S 3600 E  
FRANKLIN ID 83237-5020

Phone: (208) 757-1770

**2. Date of Priority:** 7/25/1960

**3. Source:**

WARM CREEK

**Trib. to:**

CUB RIVER

**4. Point of Diversion:**

| Township | Range | Section | ¼ of ¼ of ¼ | Lot | County   | Type |
|----------|-------|---------|-------------|-----|----------|------|
| 16S      | 39E   | 24      | SE SE       |     | FRANKLIN |      |

**5. Description of diverting works:**

Diversion dam in Warm Creek with concrete pumping station. Water was historically diverted from creek through pump for sprinkler irrigation.

**6. Water is used for the following purposes:**

| Purpose            | From | To    | C.F.S. | (or) | A.F.A |
|--------------------|------|-------|--------|------|-------|
| IRRIGATION         | 4/01 | 11/01 | 2.62   |      | 459   |
| IRRIGATION STORAGE | 4/01 | 11/01 |        |      | 40    |

**7. Total Quantity Appropriated is:**

2.62 C.F.S. and/or 459 A.F.A.

**8. Non-irrigation uses:**

**9. Place of use:**

IRRIGATION within FRANKLIN County

| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
|----------|-------|---------|----|----|----|-----|-------|
| 16S      | 39E   | 24      | NE |    | SE |     | 37    |
| 16S      | 39E   | 24      | NW |    | SE |     | 4     |
| 16S      | 39E   | 24      | SW |    | SE |     | 4     |
| 16S      | 39E   | 24      | SE |    | SE |     | 25    |

|     |     |    |    |    |   |    |
|-----|-----|----|----|----|---|----|
| 16S | 40E | 19 | NW | SW | 3 | 16 |
| 16S | 40E | 19 | SW | SW | 4 | 19 |

Total Acres = 105

IRRIGATION STORAGE within FRANKLIN County

|          |       |         |    |    |    |     |       |
|----------|-------|---------|----|----|----|-----|-------|
| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
| 16S      | 39E   | 24      | NE |    | SE |     |       |
| 16S      | 39E   | 24      | SE |    | SE |     |       |

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

13-2284, Cub River Irrigation Co shares

12. Remarks:

Priority Date Explanation:

This is the decreed priority date and use continues today. This claim is for 105 acres within the place of use. The points of diversion are where they have always been. The acreage fee was paid on claim 13-2284.

13. Basis of Claim: Decreed

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: \_\_\_\_\_

**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

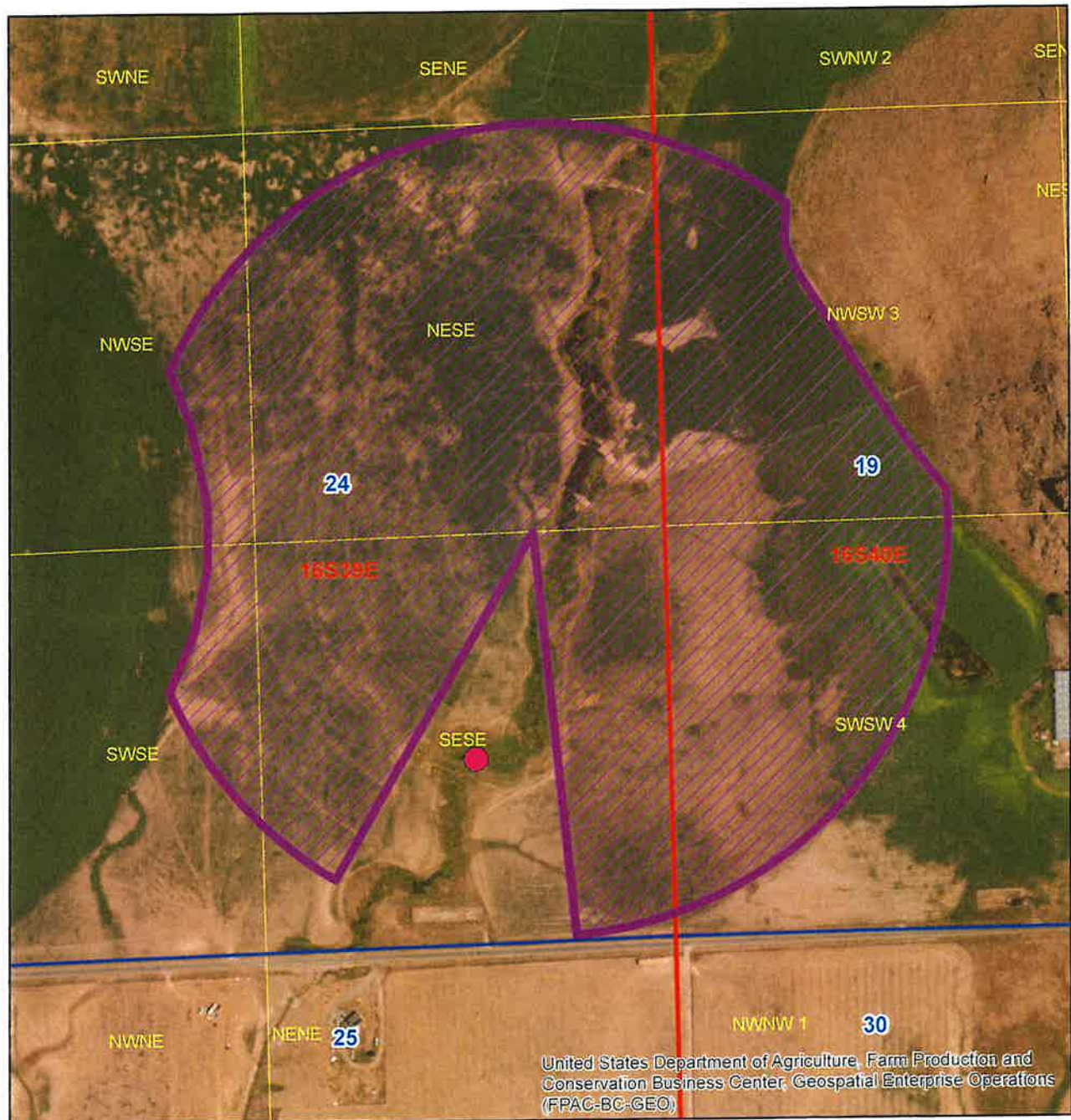
\_\_\_\_ Owner \_\_\_\_\_ of \_\_\_\_\_ MERRI CANNA FARM LLC \_\_\_\_\_,  
 Agents Title (please print) Name of Organization (please print)

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

Signature of Authorized Agent \_\_\_\_\_ Date 4-29-25

Printed Name of Authorized Agent Mike Foster

# BRBA Claim 13-296



## Legend

- Claim POD
- ▨ Claim POU
- ▭ Township/Range
- ▭ Sections
- QQ

0 400 800 1,600 Feet

