

**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: 13-150  
Date Received: 10/28/2024  
Receipt No: P001526  
Claim Fee: \$62.00  
Received By: \_\_\_\_\_

**RECEIVED**

APR 29 2025

**AMENDED**

**IDWR/Preston**

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

1. Name of Claimant(s)

**CLIFTON IRRIGATION CO**  
C/O HANK POVEY  
245 S 1ST E  
CLIFTON ID 83228

Phone: (801) 243-3559

2. Date of Priority: 6/1/1960

3. Source:

LOAFER CREEK  
CLIFTON CREEK  
LOAFER CREEK

Trib. to:

DEEP CREEK  
DEEP CREEK  
DEEP CREEK

4. Point of Diversion:

| Township | Range | Section | ¼ of ¼ of ¼ | Lot | County   | Type        |
|----------|-------|---------|-------------|-----|----------|-------------|
| 14S      | 38E   | 28      | NW NW NW    |     | FRANKLIN |             |
| 14S      | 38E   | 28      | SE NW NE    |     | FRANKLIN | Rediversion |
| 14S      | 38E   | 28      | NW NE       |     | FRANKLIN | Injection   |

5. Description of diverting works:

Steel structure buried in the ground that diverts water through placing and removing boards.  
Water is diverted through an open ditch that then is injected into Clifton Creek.  
To the best of our knowledge this is where the diversion point has always been, the legal description is more accurate due to improved mapping. Cement structure diverts water into mainlines that gravity flow throughout the system.  
This is where water is injected into Clifton Creek and rediverted downstream.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A |
|------------|-------|-------|--------|------|-------|
| IRRIGATION | 4/01  | 11/01 | 5.44   |      | 843.2 |
| STOCKWATER | 04/01 | 11/01 | 0.12   |      |       |

7. Total Quantity Appropriated is:

5.44 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within FRANKLIN County

| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
|----------|-------|---------|----|----|----|-----|-------|
| 14S      | 38E   | 10      | SE | SW | 4  |     |       |
| 14S      | 38E   | 10      | SW | SE | 3  |     |       |
| 14S      | 38E   | 10      | SW | SE | 4  |     |       |
| 14S      | 38E   | 10      | SW | SE | 10 |     |       |
| 14S      | 38E   | 10      | SE | SE | 3  |     |       |
| 14S      | 38E   | 11      | NW | SW |    |     |       |
| 14S      | 38E   | 11      | SW | SW |    |     |       |
| 14S      | 38E   | 14      | NW | NW |    |     |       |
| 14S      | 38E   | 14      | SW | NW |    |     |       |
| 14S      | 38E   | 14      | NW | SW |    |     |       |
| 14S      | 38E   | 14      | SW | SW |    |     |       |
| 14S      | 38E   | 14      | SE | SW |    |     |       |
| 14S      | 38E   | 15      | NE | NE |    |     |       |
| 14S      | 38E   | 15      | NW | NE |    |     |       |
| 14S      | 38E   | 15      | SW | NE |    |     |       |
| 14S      | 38E   | 15      | SE | NE |    |     |       |
| 14S      | 38E   | 15      | NE | NW |    |     |       |
| 14S      | 38E   | 15      | SW | NW |    |     |       |
| 14S      | 38E   | 15      | SE | NW |    |     |       |
| 14S      | 38E   | 15      | NE | SW |    |     |       |
| 14S      | 38E   | 15      | NW | SW |    |     |       |
| 14S      | 38E   | 15      | SW | SW |    |     |       |
| 14S      | 38E   | 15      | SE | SW |    |     |       |
| 14S      | 38E   | 15      | NE | SE |    |     |       |
| 14S      | 38E   | 15      | NW | SE |    |     |       |
| 14S      | 38E   | 15      | SW | SE |    |     |       |
| 14S      | 38E   | 15      | SE | SE |    |     |       |
| 14S      | 38E   | 21      | NE | NE |    |     |       |
| 14S      | 38E   | 21      | SE | NE |    |     |       |
| 14S      | 38E   | 21      | NE | SE |    |     |       |
| 14S      | 38E   | 21      | NW | SE |    |     |       |

|     |     |    |    |    |
|-----|-----|----|----|----|
| 14S | 38E | 21 | SW | SE |
| 14S | 38E | 21 | SE | SE |
| 14S | 38E | 22 | NE | NE |
| 14S | 38E | 22 | NW | NE |
| 14S | 38E | 22 | SW | NE |
| 14S | 38E | 22 | SE | NE |
| 14S | 38E | 22 | NE | NW |
| 14S | 38E | 22 | NW | NW |
| 14S | 38E | 22 | SW | NW |
| 14S | 38E | 22 | SE | NW |
| 14S | 38E | 22 | NE | SW |
| 14S | 38E | 22 | NW | SW |
| 14S | 38E | 22 | SW | SW |
| 14S | 38E | 22 | SE | SW |
| 14S | 38E | 22 | NE | SE |
| 14S | 38E | 22 | NW | SE |
| 14S | 38E | 22 | SW | SE |
| 14S | 38E | 22 | SE | SE |
| 14S | 38E | 23 | NE | NW |
| 14S | 38E | 23 | NW | NW |
| 14S | 38E | 23 | SW | NW |
| 14S | 38E | 23 | SE | NW |
| 14S | 38E | 23 | NE | SW |
| 14S | 38E | 23 | NW | SW |
| 14S | 38E | 23 | SW | SW |
| 14S | 38E | 23 | SE | SW |
| 14S | 38E | 23 | NW | SE |
| 14S | 38E | 23 | SW | SE |
| 14S | 38E | 26 | NW | NE |
| 14S | 38E | 26 | SW | NE |
| 14S | 38E | 26 | NE | NW |
| 14S | 38E | 26 | NW | NW |
| 14S | 38E | 26 | SW | NW |
| 14S | 38E | 26 | SE | NW |
| 14S | 38E | 26 | NE | SW |
| 14S | 38E | 26 | NW | SW |
| 14S | 38E | 26 | NW | SE |
| 14S | 38E | 27 | NE | NE |
| 14S | 38E | 27 | NW | NE |
| 14S | 38E | 27 | SE | NE |
| 14S | 38E | 27 | NE | NW |
| 14S | 38E | 27 | NW | NW |
| 14S | 38E | 28 | NE | NE |
| 14S | 38E | 28 | NW | NE |
| 14S | 38E | 28 | SE | NE |

STOCKWATER within FRANKLIN County

| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
|----------|-------|---------|----|----|----|-----|-------|
| 14S      | 38E   | 10      | SE |    | SW | 4   |       |
| 14S      | 38E   | 10      | SW |    | SE | 3   |       |
| 14S      | 38E   | 10      | SW |    | SE | 4   |       |
| 14S      | 38E   | 10      | SW |    | SE | 10  |       |
| 14S      | 38E   | 10      | SE |    | SE | 3   |       |
| 14S      | 38E   | 11      | NW |    | SW |     |       |
| 14S      | 38E   | 11      | SW |    | SW |     |       |
| 14S      | 38E   | 14      | NW |    | NW |     |       |
| 14S      | 38E   | 14      | SW |    | NW |     |       |
| 14S      | 38E   | 14      | NW |    | SW |     |       |
| 14S      | 38E   | 14      | SW |    | SW |     |       |
| 14S      | 38E   | 14      | SE |    | SW |     |       |
| 14S      | 38E   | 15      | NE |    | NE |     |       |
| 14S      | 38E   | 15      | NW |    | NE |     |       |
| 14S      | 38E   | 15      | SW |    | NE |     |       |
| 14S      | 38E   | 15      | SE |    | NE |     |       |
| 14S      | 38E   | 15      | NE |    | NW |     |       |
| 14S      | 38E   | 15      | SW |    | NW |     |       |
| 14S      | 38E   | 15      | SE |    | NW |     |       |
| 14S      | 38E   | 15      | NE |    | SW |     |       |
| 14S      | 38E   | 15      | NW |    | SW |     |       |
| 14S      | 38E   | 15      | SW |    | SW |     |       |
| 14S      | 38E   | 15      | SE |    | SW |     |       |
| 14S      | 38E   | 15      | NE |    | SE |     |       |
| 14S      | 38E   | 15      | NW |    | SE |     |       |
| 14S      | 38E   | 15      | SW |    | SE |     |       |
| 14S      | 38E   | 15      | SE |    | SE |     |       |
| 14S      | 38E   | 21      | NE |    | NE |     |       |
| 14S      | 38E   | 21      | SE |    | NE |     |       |
| 14S      | 38E   | 21      | NE |    | SE |     |       |
| 14S      | 38E   | 21      | NW |    | SE |     |       |
| 14S      | 38E   | 21      | SW |    | SE |     |       |
| 14S      | 38E   | 21      | SE |    | SE |     |       |
| 14S      | 38E   | 22      | NE |    | NE |     |       |
| 14S      | 38E   | 22      | NW |    | NE |     |       |
| 14S      | 38E   | 22      | SW |    | NE |     |       |
| 14S      | 38E   | 22      | SE |    | NE |     |       |
| 14S      | 38E   | 22      | NE |    | NW |     |       |
| 14S      | 38E   | 22      | NW |    | NW |     |       |
| 14S      | 38E   | 22      | SW |    | NW |     |       |
| 14S      | 38E   | 22      | SE |    | NW |     |       |
| 14S      | 38E   | 22      | NE |    | SW |     |       |
| 14S      | 38E   | 22      | NW |    | SW |     |       |

|     |     |    |    |    |
|-----|-----|----|----|----|
| 14S | 38E | 22 | SW | SW |
| 14S | 38E | 22 | SE | SW |
| 14S | 38E | 22 | NE | SE |
| 14S | 38E | 22 | NW | SE |
| 14S | 38E | 22 | SW | SE |
| 14S | 38E | 22 | SE | SE |
| 14S | 38E | 23 | NE | NW |
| 14S | 38E | 23 | NW | NW |
| 14S | 38E | 23 | SW | NW |
| 14S | 38E | 23 | SE | NW |
| 14S | 38E | 23 | NE | SW |
| 14S | 38E | 23 | NW | SW |
| 14S | 38E | 23 | SW | SW |
| 14S | 38E | 23 | SE | SW |
| 14S | 38E | 23 | NW | SE |
| 14S | 38E | 23 | SW | SE |
| 14S | 38E | 26 | NW | NE |
| 14S | 38E | 26 | SW | NE |
| 14S | 38E | 26 | NE | NW |
| 14S | 38E | 26 | NW | NW |
| 14S | 38E | 26 | SW | NW |
| 14S | 38E | 26 | SE | NW |
| 14S | 38E | 26 | NE | SW |
| 14S | 38E | 26 | NW | SW |
| 14S | 38E | 26 | NW | SE |
| 14S | 38E | 27 | NE | NE |
| 14S | 38E | 27 | NW | NE |
| 14S | 38E | 27 | SE | NE |
| 14S | 38E | 27 | NE | NW |
| 14S | 38E | 27 | NW | NW |
| 14S | 38E | 28 | NE | NE |
| 14S | 38E | 28 | NW | NE |
| 14S | 38E | 28 | SE | NE |

10. Do you own the property listed above as place of use? No

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

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11. Other Water Rights Used:

13-148 and 13-149.

12. Remarks:

Priority Date Explanation:

This is the date decreed and the use continues today. The map provided is both the service boundary map as well as the actual irrigated acres map. Irrigating approximately 2,094.9 acres total with our water rights.

PT. OF INJECTION INTO CLIFTON CREEK IN SWNENE, S28, T14S, R13E.

VOLUME=CONSUMPTIVE IRRIGATION REQUIREMENT.

NO WATER SHALL BE DIVERTED FROM LOAFER CREEK UNDER THIS RT.

UNLESS THE AMOUNT DIVERTED UNDER RT. 13-0148 IS LESS THAN 14.0 CFS AND THE COMBINED RATE OF DIVERSION UNDER 13-0148, 13-0149 AND THIS RT. SHALL NOT EXCEED 24.04 CFS.

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 \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

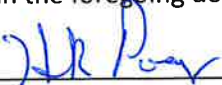
Number of attachments: \_\_\_\_\_

**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

\_\_\_\_ CHAIRMAN \_\_\_\_\_ of \_\_\_\_ CLIFTON IRRIGATION CO \_\_\_\_\_,  
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 HANK POVEY