

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: 11-7589
Date Received: 4/4/2023
Receipt No: P000080
Claim Fee: \$73.00
Received By: _____

RECEIVED

APR 09 2024

IDWR/Preston

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GARY J PAYNE TRUSTEE OF THE GARY J PAYNE REVOCABLE TRUST Phone: (208) 921-0000
4354 SHERWOOD DR
ST GEORGE UT 84790

2. Date of Priority: 5/1/1883

3. Source:

WORM CREEK

Trib. to:

BEAR RIVER

4. Point of Diversion:

Township	Range	Section	$\frac{1}{4}$ of $\frac{1}{4}$ of $\frac{1}{4}$	Lot	County	Type
14S	43E	34	~~NE~~ SW		BEAR LAKE	
			NW SW			

5. Description of diverting works:

SEE STATUTORY CLAIM. DITCH DIVERTS FROM WORK CREEK AND THEN AT OUR PROPERTY IS USED FOR FLOOD IRRIGATION HISTORICALLY. NOW IT WILL MOST LIKELY BE APPLIED WITH S SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/31	2.57		
STOCKWATER	04/15	10/31			

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	43E	34	NE		NE		12.3
14S	43E	34	NW		NE		8.7

Total Acres = 21

STOCKWATER within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	43E	34	NE		NE		
14S	43E	34	NW		NE		

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:

12. Remarks:

Priority Date Explanation:

SEE STATUTORY CLAIM. THE BACKFILE FOR THE CLAIM HAS DOCUMENTATION TO BE USED AS REVIEW. ATTACHED IS A COPY OF THE HOMESTEAD ENTRY BY JAMES NELSON DATED APRIL 2, 1897. FILING THE CLAIM BASED ON ORIGINAL WATER RIGHT(S) FROM THE HADDOCK V THORNOCK DECREE. SEE STATUTORY CLAIM BACKFILE. THE EXACT WATER RIGHT RELEVANT TO THIS PROPERTY IS NOT EXACTLY KNOWN, BUT WITH THE AVAILABLE INFORMATION THIS IS THE BEST GUESS. EITHER WATER RIGHT NUMBER 11-1067 OR 11-1080 ARE THE ORIGINAL WATER RIGHT FROM THE DECREE. FILED CLAIM BASED ON HOW USE IS OCCURRING TODAY, DIVERSION QUANTITY IS BEST ESTIMATE BASED ON STATUTORY CLAIM. IT IS KNOWN FOR SURE THAT WHEN MY FATHER BOUGHT THE PROPERTY IN 1933 THE IRRIGATION USE AND DITCH WAS ALREADY IN EXISTENCE.

13. Basis of Claim: Statutory Claim

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

_____ Trustee _____ of _____ Gary J. Payne Revocable Trust _____
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 Gary J Payne Date 04/09/2024

Printed Name of Authorized Agent _____ Gary J. Payne _____

BRBA Claim 11-7589

Amended POD

