

**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

Claim ID: 11-7484
Date Received: 12/8/23
Receipt No: P000661
Claim Fee: 1500.00 By: MB

RECEIVED

DEC 08 2023

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

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Preston-Montpelier Irrigation Company, Inc. Phone (208) 540-0207
Mailing address c/o Lynn C. Keetch, Secretary, 70 Camp Stewart Road, Montpelier, Idaho Zip 83254
Street or Box City State
Email address (optional) lrkeetch@gmail.com
2. Date of priority: (Only one per claim) April 15, 1877 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Bear River
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 14S, Range 45E, Section 8,
NW 1/4 of NW 1/4, Govt. Lot _____, BM, County of Bear Lake County
Parcel no. RP14S45E081200 (05059.00)
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.
Rock diversion dam with two screw headgates in a concrete structure. Flume downstream
approximately one mile has telemetry for measuring diversion rate. Stockwater is provided
to stockholders along the length of the canal and its laterals.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 01/01 to 12/31 amount 15 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 15 (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.) Stockwater: 3000 head of beef cattle, 60 dairy cows, 100 horses, 3000 sheep

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	

See Attached Supplemental Sheet

Parcel no(s) N/A Total number of acres irrigated N/A

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

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.
_____ or None ()

13. Remarks (Include an explanation of the priority date selected):

Priority date is based off long history of stockwater use.

The cfs diversion rate reflects historic practice. This amount is needed to allow water to flow the length of the system and provide stockwater along the entire length of the canal and its laterals.

Property within the place of use is owned by current or future shareholders of the Company.

List of Attachments:

1. IDWR Water Right Report for 11-7484

2. IDWR Map for 11-7484.

3. Map of current POU & POD.

4. Map of service area.

Name of claimant(s) Preston-Montpelier Irrigation Company, Inc. Claim ID _____

SUPPLEMENTAL SHEET - PLACE OF USE (Stockwater)

Preston-Montpelier Irrigation Company

Township	Range	Section	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
13S	44E	10			S						S				S			S
13S	44E	14											S					
13S	44E	15		S	S	S	S	S	S						S	S	S	S
13S	44E	22	S	S	S	S	S	S						S	S	S	S	S
13S	44E	23						S	S			S	S					
13S	44E	26		S	S		S	S	S	S	S	S				S	S	S
13S	44E	27	S	S	S	S	S	S			S	S			S	S		
13S	44E	34	S	S														
13S	44E	35	S	S	S	S	S	S		S								
13S	44E	36					S	S	S	S	S	S				S	S	S
14S	44E	1	S	S		S									S			
13S	45E	31											S					
14S	45E	6					S	S	S	S	S	S		S			S	
14S	45E	7	S	S		S												
14S	45E	8			S		S	S	S	S								

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 11-7484

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: 4

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

President _____ of Preston-Montpelier Irrigation Company, Inc.
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 Paul Nelson Date 12.7.23

Printed Name of Authorized Agent Paul Nelson

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, 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 Thomas J. Budge Date 12.7.23

Address PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

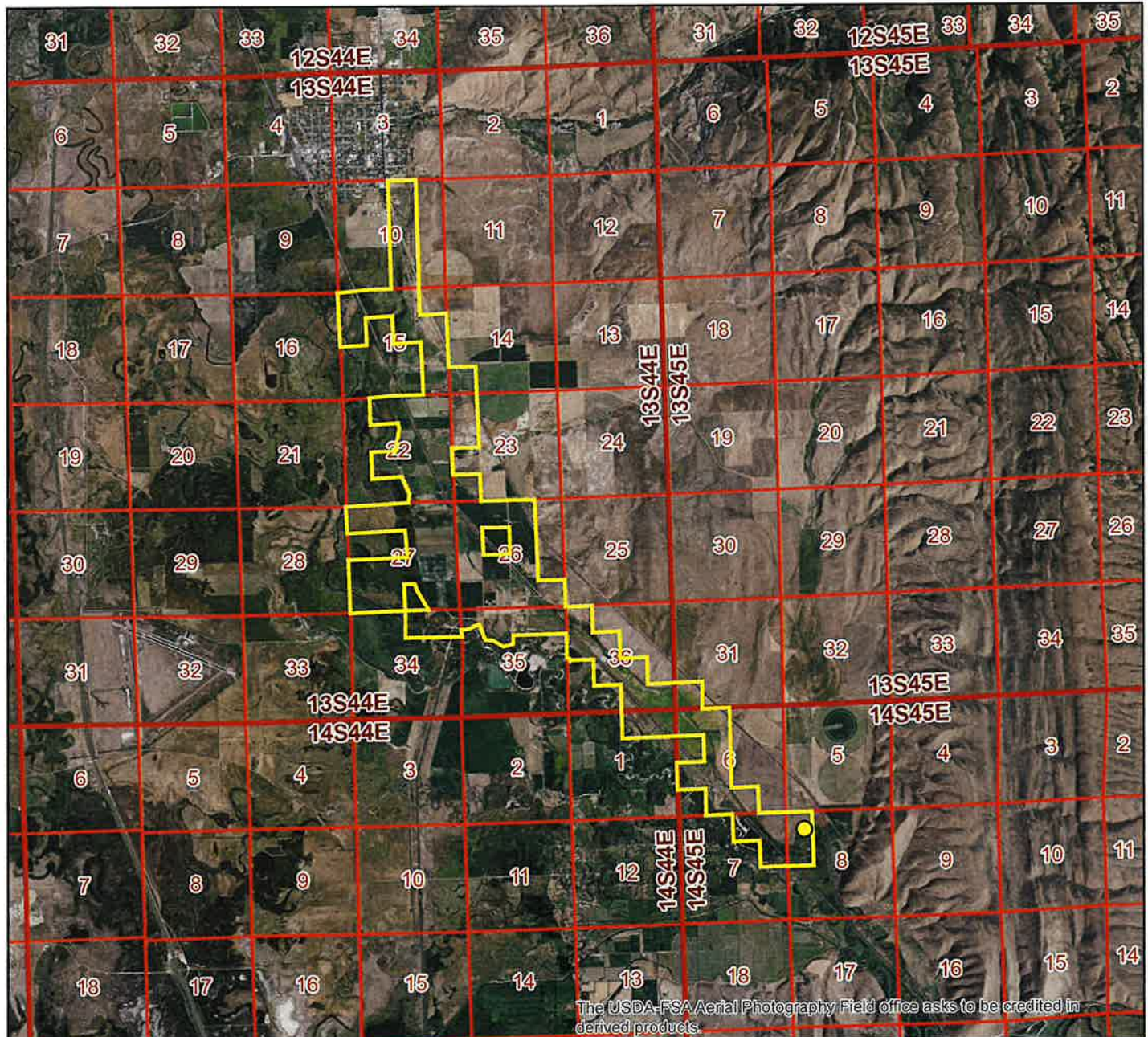
Name of claimant(s) Preston-Montpelier Irrigation Company, Inc. Claim ID _____

State of Idaho
Department of Water Resources
Water Right

11-7484

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 3/30/2023



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections

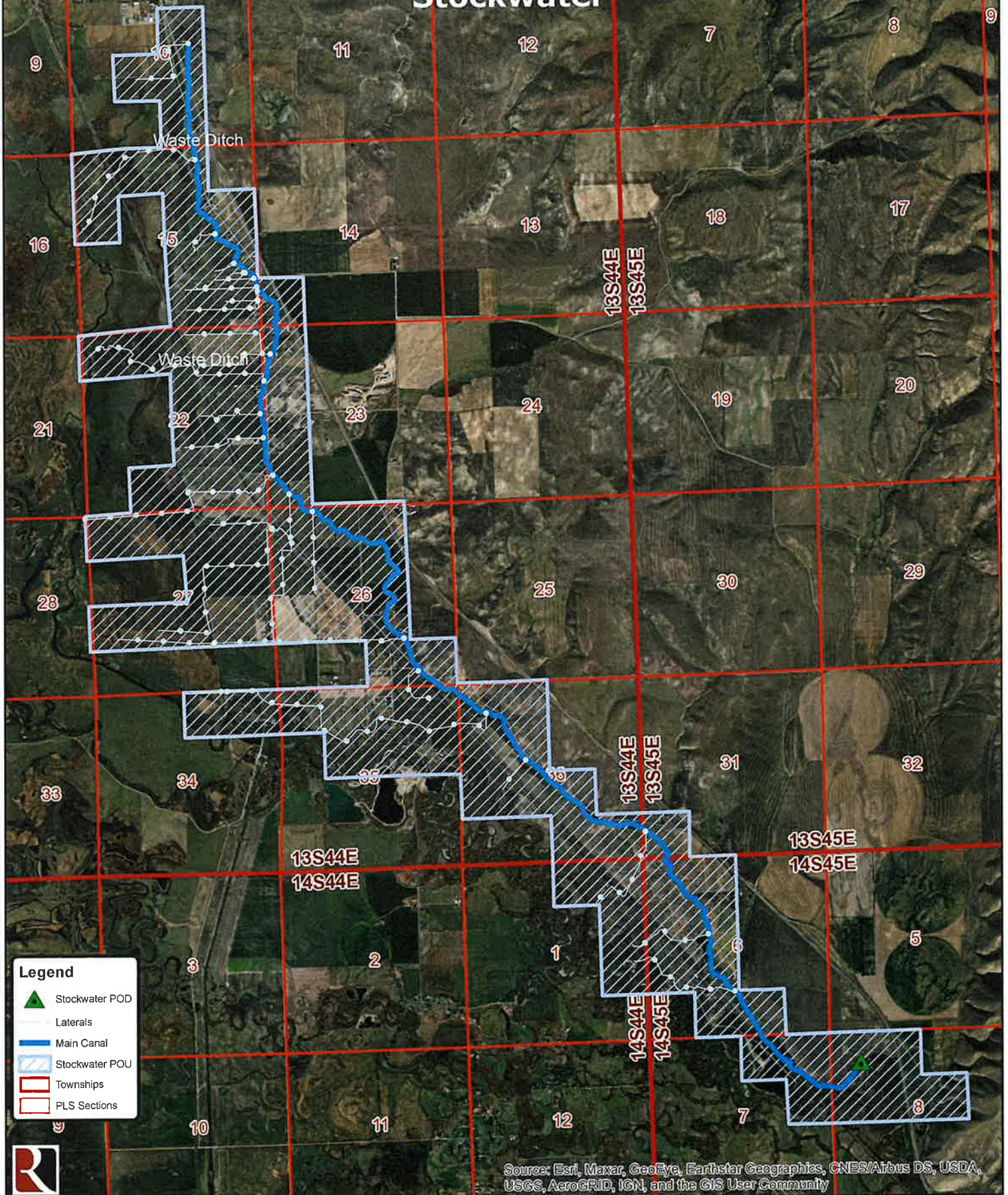


Preston-Montpelier Irrigation Company

Preston-Montpelier Irrigation Company

11-7484 POU & POD

Stockwater



Close

Water Right Report : 11-7484(Statutory Claim/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	PRESTON MONTPELIER IRRIGATION CO	2429 BENCH RD	MONTPELIER	ID	83254

Water Right Status

Priority Date : 4/15/1877
Basis : Statutory Claim
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BEAR RIVER		GREAT SALT LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BEAR RIVER	14S	45E	8	0	SE	NW	NW	BEAR LAKE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	15.00 CFS	
TOTAL			15.00 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : STOCKWATER (BEAR LAKE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
13S	44E	10			NW	NE	
13S	44E	10			SW	NE	
13S	44E	10			NW	SE	
13S	44E	10			SW	SE	
13S	44E	14			SW	SW	
13S	44E	15			NW	NE	
13S	44E	15			SW	NE	
13S	44E	15			SE	NE	
13S	44E	15	1		NE	NW	
13S	44E	15	8		NE	NW	
13S	44E	15			NW	NW	
13S	44E	15			SW	NW	
13S	44E	15			NE	SE	
13S	44E	15			SE	SE	
13S	44E	22			NE	NE	
13S	44E	22	1		NW	NE	
13S	44E	22	2		SW	NE	
13S	44E	22			SE	NE	
13S	44E	22	8		NE	NW	
13S	44E	22	6		NE	SW	
13S	44E	22			NE	SE	
13S	44E	22	3		NW	SE	
13S	44E	22	4		SW	SE	
13S	44E	22			SE	SE	
13S	44E	22			NW	NW	

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Preston-Montpelier Irrigation Company

1 of 3

3/30/2023, 4:07 PM

Township	Range	Section	Lot	QQ	Q	Q	Acres
13S	44E	23			SW	NW	
13S	44E	23			SW	SW	
13S	44E	26			NW	NE	
13S	44E	26			SW	NE	
13S	44E	26			NE	NW	
13S	44E	26			NW	NW	
13S	44E	26			SW	NW	
13S	44E	26			NE	SW	
13S	44E	26			NW	SW	
13S	44E	26			SW	SW	
13S	44E	26			SE	SW	
13S	44E	26			NW	SE	
13S	44E	26			SW	SE	
13S	44E	26			SE	SE	
13S	44E	27			NE	NE	
13S	44E	27	1		NW	NE	
13S	44E	27	2		SW	NE	
13S	44E	27			SE	NE	
13S	44E	27	8		NE	NW	
13S	44E	27			NW	NW	
13S	44E	27	6		NE	SW	
13S	44E	27			NW	SW	
13S	44E	27			SW	SW	
13S	44E	27			SE	SW	
13S	44E	27			NE	SE	
13S	44E	27	3		NW	SE	
13S	44E	27	5		SW	SE	
13S	44E	27	4		SE	SE	
13S	44E	34			NE	NE	
13S	44E	34			NW	NE	
13S	44E	35			NE	NE	
13S	44E	35			NW	NE	
13S	44E	35	2		NE	NW	
13S	44E	35	1		NW	NW	
13S	44E	36			NW	NW	
13S	44E	36	1		SW	NW	
13S	44E	36			SE	NW	
13S	44E	36			NE	SW	
13S	44E	36			NW	SE	
13S	44E	36			SW	SE	
13S	44E	36			SE	SE	
13S	45E	31			SW	SW	
14S	44E	1	7		NE	NE	
14S	44E	1	8		NW	NE	
14S	45E	6	3		NE	NW	
14S	45E	6	4		NW	NW	
14S	45E	6			SE	NW	
14S	45E	6			NE	SW	
14S	45E	6	6		NW	SW	
14S	45E	6			SE	SW	
14S	45E	6			SW	SE	
14S	45E	7			NE	NE	
14S	45E	7			NW	NE	

Preston-Montpelier Irrigation Company

Township	Range	Section	Lot	QQ	QQ	Q	Acres
14S	45E	7		SE		NE	
14S	45E	8		NW		NW	
14S	45E	8		SW		NW	

Dates

Licensed Date :
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date: 3/19/2002
Protest Deadline Date: 5/20/2002
IDAHO DEPARTMENT OF WATER RESOURCES

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

3/30/2023



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DEC 08 2023

IDWR/Preston

December 7, 2023

Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

Sent via Email & U.S. Mail

**Re: Preston-Montpelier Irrigation Company
Notices of Claims to Water Rights
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of six Notices of Claims to Water Rights filed on behalf of Preston-Montpelier Irrigation Company, together with a check in the amount of \$5,848.00 for the filing fees, broken down as follows:

Claim 11-895: \$50 flat fee + \$1.00 per acre x 3,200 acres (irrigation) = \$3,250.00

Claim 11-896: \$50 flat fee (irrigation of same irrigated acres) = \$50.00

Claim 11-897: \$50 flat fee (irrigation of same irrigated acres) = \$50.00

Claim 11-898: \$50 flat fee (irrigation of same irrigated acres) = \$50.00

Claim 11-4287: \$50 flat fee + \$1.00 per acre x 898 acres (irrigation) = \$948.00

Claim 11-7484: \$50 flat fee + \$100 per cfs x 15 cfs (stockwater) = \$1,500.00

Total: \$5,848.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Tessa Sparrow'.

TESSA SPARROW
Paralegal

Enclosure

c: Preston-Montpelier Irrigation Company