

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: 13-4331

Date Received: 10/9/25

Receipt No: P002134

Claim Fee: 25.00 By: MB

RECEIVED

OCT 09 2025

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Val D & Laree Westover Phone (208) 251-9600

Mailing address 500 N. Main, Clifton, Id. Zip 83228
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) June 1, 1904 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Spring

which is tributary to (b) _____

4. a. Location of point of diversion is: Township 145, Range 38 E, Section 20,
SW 1/4 of N.E. 1/4, Govt. Lot _____, BM, County of Franklin

Parcel no. _____

Additional points of diversion, if any: _____

If available, GPS Coordinates lat. 42' 1893745 lon 112.0362730

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.

Pipelines connecting this spring ad close spring and then
carrying water to 3 homes at base of mountain
adjacent to highway

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For Domestic purposes from 1-1 to 12-31 amount .04 or _____
For stock water purposes from 1-1 to 12-31 amount .06 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 (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.) households, 100 horses, 100 goats

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. 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	
14.5	38E	20			S														
		21							D										

Parcel no(s). _____ Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes (X) 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):

water right claim No. 13-04331

Name of claimant(s) _____ Claim ID _____

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 13-04331

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: _____

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) [Signature] Date: 9-10-2025

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

Agent's title (Please print) of _____
Name of organization (Please print)

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

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Blake S. Atkin, 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 [Signature] Date 9-6-25

Address 7579 N. Westside Hwy, Piffon, ID 83228

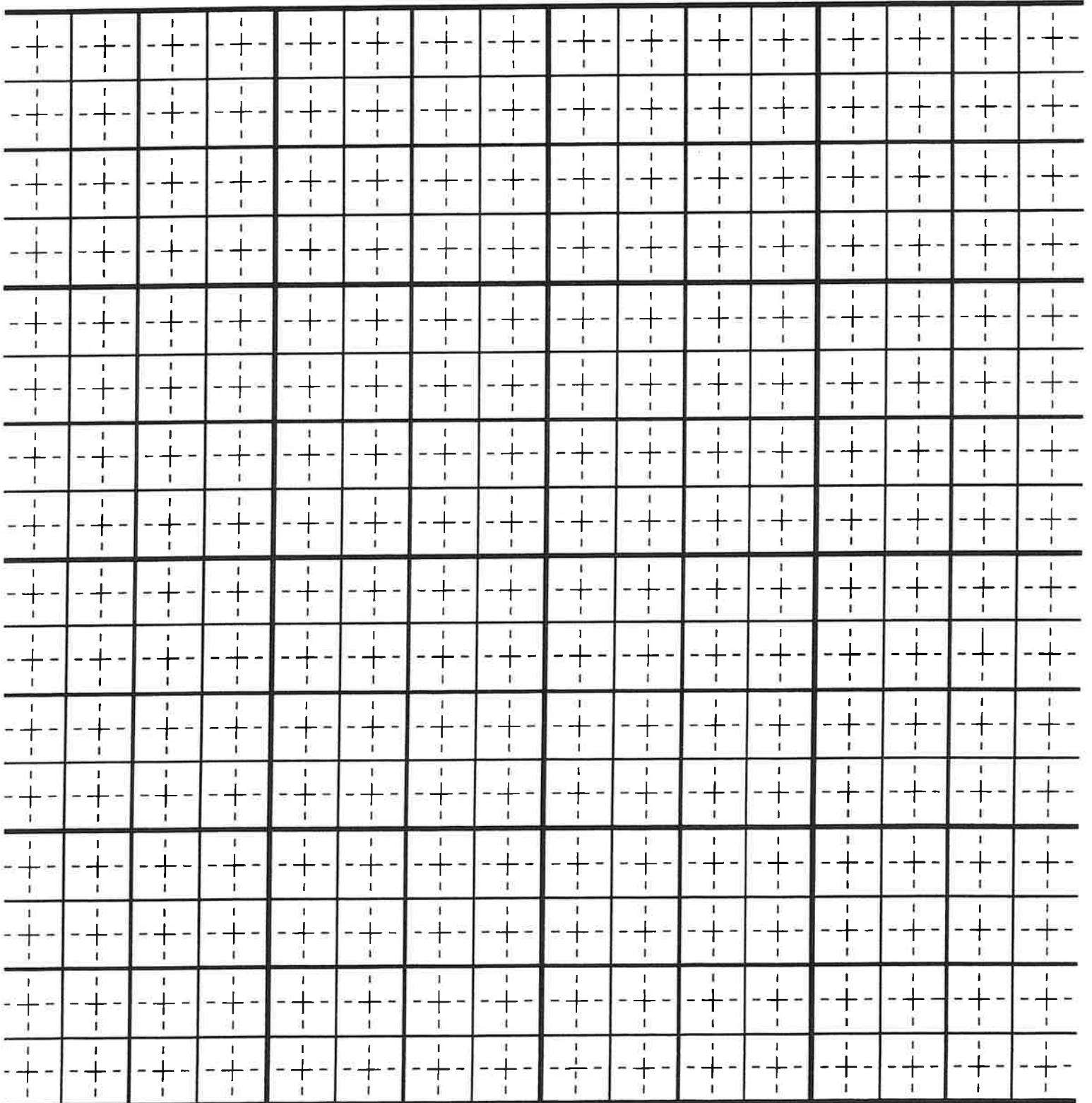
It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Bear River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) _____ Claim ID _____

HOW YOU WILL RECEIVE NOTICES IN THE BEAR RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Bear River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Bear River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Bear River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Bear River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

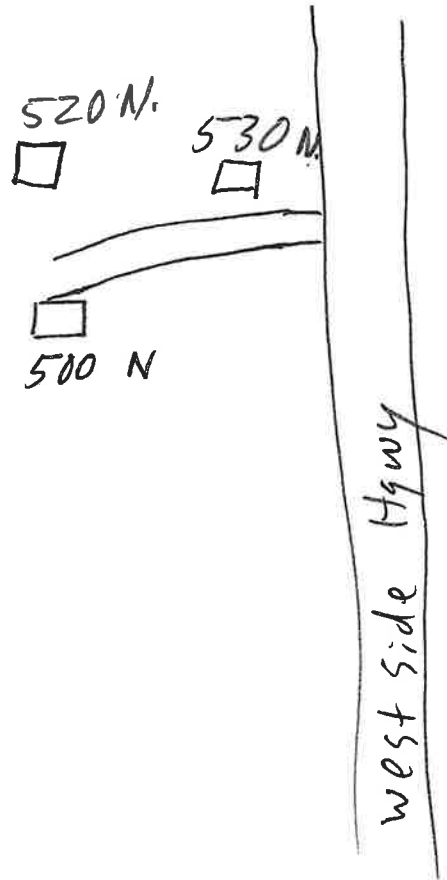
<http://www.srba.idaho.gov/BRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Bear River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

Domestic Use map.





IDAHO DEPARTMENT OF
WATER RESOURCES

Preston Field Office • 325 East 600 South, Suite 300 • Preston, ID 83263-4921
Phone: 208-701-7200 • Email: prestoninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Matthew Weaver

May 27, 2025

VAL D WESTOVER
500 N MAIN HWY
CLIFTON ID 83228

Re: Request for Extension of Time to File Adjudication Claim(s)
13-4331 and Other Beneficial Use Water Rights in Basin 13

Dear Claimant(s),

The Request for Extension of Time to File Adjudication Claim(s) has been approved and is enclosed. The new filing deadline is **September 30, 2025**.

Please enclose a copy of the approved extension request form when filing your claim

Respectfully,

Christopher Holmes
Water Resources Supervisor
325 E 600 S Ste 300
Preston, ID 83263
Christopher.Holmes@idwr.idaho.gov

There are two springs on the property.
Claim is made in this adjudication
for both springs. Each has been
combined into a pipeline for more
efficient delivery to the ^{these} homes
and lands irrigated from these springs.
The pipeline ad work done in an effort
to return the springs to their original
production was ^{mostly completed} ~~completion~~

by Fall 2020. We still trying to
reclaim the original water.

Walter Westcott



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 18, 1998

DON A WESTOVER
PO BOX 68
CLIFTON, ID 83228

Re: Claim No. 13-04331

Dear Claimants(s):

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have the information or evidence added at any time. Please refer to the claim identification number when corresponding with the office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

RONALD CARLSON
Eastern Regional Manager

RDC:sc

Enc

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 25 1998

CLAIM TO A WATER RIGHT

Department of Water Resources
Eastern Region

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Don A. Westover
(Name of Claimant)
P.O. Box 68 Clifton ID 83228 Telephone No: 208-747-3957
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) June 1, 1904
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Sinks

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity <u>0.02 cfs</u>	Use <u>Stock</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. 0.04 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 20 Township 14S Range 38E B.M., Franklin County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

gravity line from spring to water trough and one home

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
14S	38E	20			S														
		21						D											

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
all types of wildlife - In early spring & early summer
around 50 Berkshire cattle - 1 bull! Winter usually only
50 to - few chickens & ducks - we have had
30 horses - but none at present
 NOTE: Include here the type and number of stock watered: _____

7. Remarks: _____

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
) ss.
 County of Franklin)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

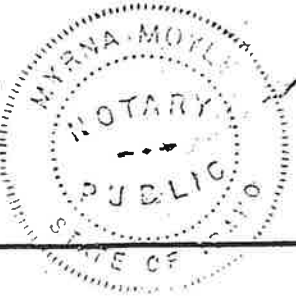
Don A. Delostover
 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 23rd day of September, 1998

Myrna Moyle
 Notary Public

Residing at: Cipson - Franklin County

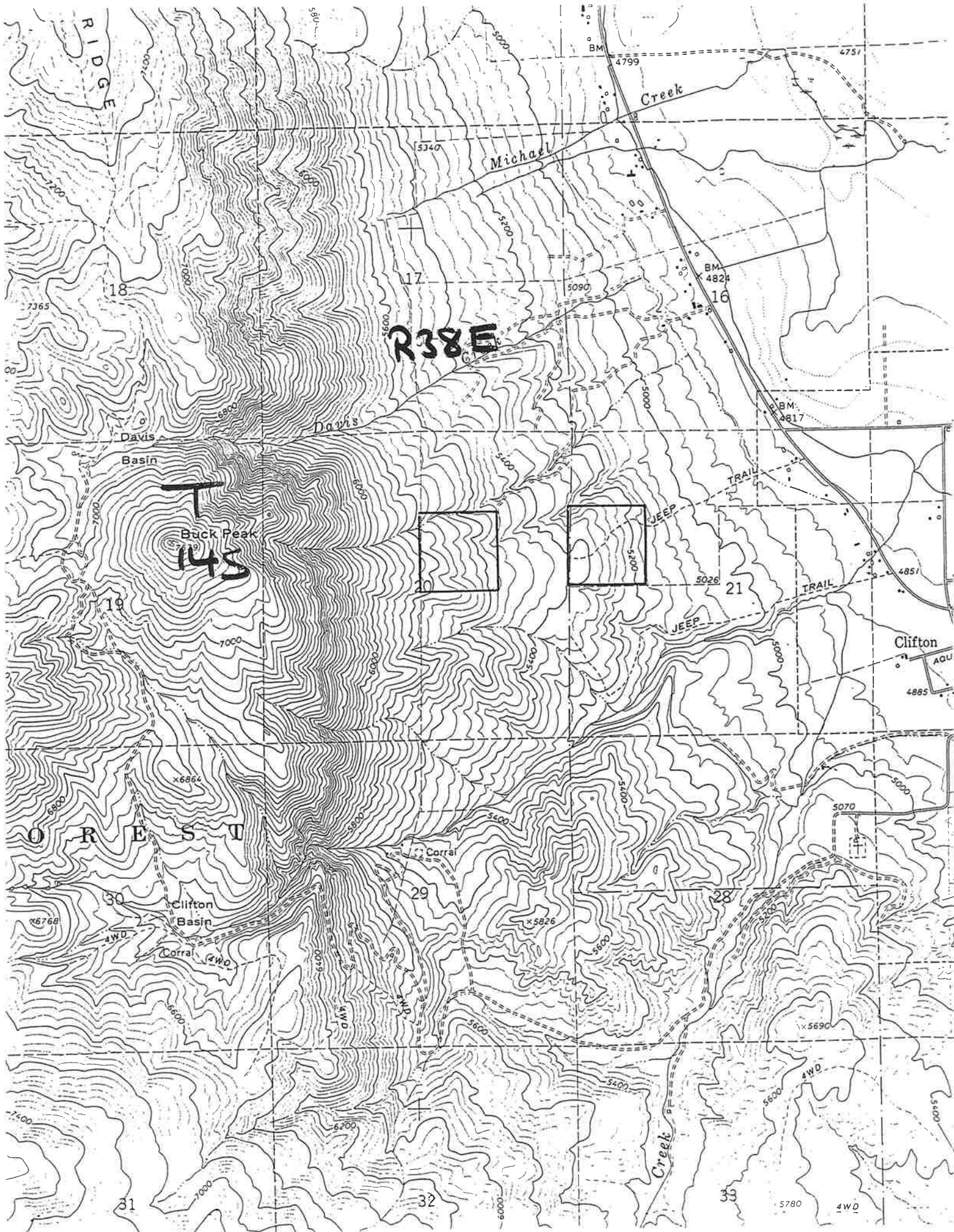
My commission expires: 2-1-99



FOR DEPARTMENT USE ONLY

Received by WM Date 9/25/98
 Prelim. check by _____ Date _____
 Fee \$100.00 Receipt # 1E024486
 Receipt prepared by HLF Date 9-28-98

Published in Preston Citizen
 Publication dates 10-29 & 11-5-98
 Publication checked by SC Date 11/30/98
 Exceptions filed by _____



This spring was a small pond that never dried up even in dry years. It was primarily used for watering up to 150 head of cows and a few horses. About 1968, Don A. Westover, my father, hired a backhoe and developed the spring and piped it into hold tanks for watering animals and the runoff aided the crops in the field below with only meager results. It has been incorporated into the other springs and so is used on ground lower down. There is a pond there on good water years again.

Latitude: 42° 19' 24.298 Longitude: -112.0389614 Elevation: 1720 Meters

This last development and pipeline as done in 2015 by Lucas and Val D Westover.

Val D Westover

LDW

May 23, 2025

UNIFORM REAL ESTATE CONTRACT

THIS AGREEMENT, made in duplicate this _____ day
of _____ 2002,
by and between

DON A. WESTOVER and his wife CONNIE V. WESTOVER

hereinafter designated as the Seller, and

VAL D. WESTOVER and his wife LAREE WESTOVER

hereinafter designated as the Buyer, of

THE FAMILY FARM LOCATED AT 520 North Main, Clifton, Idaho
which includes all houses, buildings, and machinery, but
excepting tools, furniture and 4-wheelers.

WITNESSETH: That the Seller, for the consideration herein
mentioned agrees to sell and convey to the buyer, and the buyer
for the consideration herein mentioned agrees to purchase the
following described real property situated in the county of
Franklin, State of Idaho, to-wit:

E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20, T Township 14 South, Range
38 East, Boise Meridian.

NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 14 South, Range 38 East, Boise
Meridian.

Also, commencing at a point 1320 feet West and 300.2 feet South
of the NE corner of Section 21, Township 14 South, Range 38
East, Boise Meridian; thence running South 34degrees 54 minutes
East 318.5 feet; thence South 67 degrees 58 minutes West 96
feet; thence South 8 degrees 55 minutes West 63.5 feet; thence
South 39 degrees 27 minutes West 48.6 feet; thence South 66
degrees 21 minutes West 57.3 feet; thence North 420.5 feet to
the place of beginning.

Also, the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29, Township 14 South, Range 38 East,
Boise Meridian.

Together with all rights and rights of way for ingress and
egress.

Together with all water, well and irrigation rights and not
limited to 2 3/4 shares RUSHVILLE IRRIGATION COMPANY.

IT IS HEREIN UNDERSTOOD THAT THE Seller herein maintains
a life estate to the above described property,

Excepting therefrom portions deeded for road and highway purposes
ALSO EXCEPTING: Commencing at the NE corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section
21, Township 14 Sourth, Range 38 East, Boise Meridian, running

thence West 1150 feet; thence South 250 feet; thence East 1150 feet; thence North 250 feet to the place of beginning.

SAID BUYER hereby agrees to pay for said described premises the sum of \$,000.00 payable at the home of the seller or his assigns strictly within the following times, to-wit:

\$,000.00 herein to be credited immediately as Buyer's share of his inheritance, the balance namely \$,000.00 shall be paid as follows:

\$500.00 at the time of signing this contract,
\$15,000.00 due and payable by the 15th of October each and every year until paid in full.
Any monies received for CRP payment during this time to be credited from the annual \$15,000.00 due.

The Buyer is herein given the right to make any additional payment on this account without penalty.

The seller herein agrees to pay all property taxes covering the farm and dwelling he lives in until he gives up possession of the dwelling. He also agrees to keep in effect Fire Insurance covering their personal dwelling.

Said payments are to be applied first to the payment of interest and second to the reduction of the principal. Interest shall be charged from the of the signing of this contract on all unpaid portions of the purchase price at the rate of two per cent (2%) per annum.

The buyer agrees that during the period of purchasing said property he will not sell or sub-lease any portion of said properties without the written consent of the Sellers.

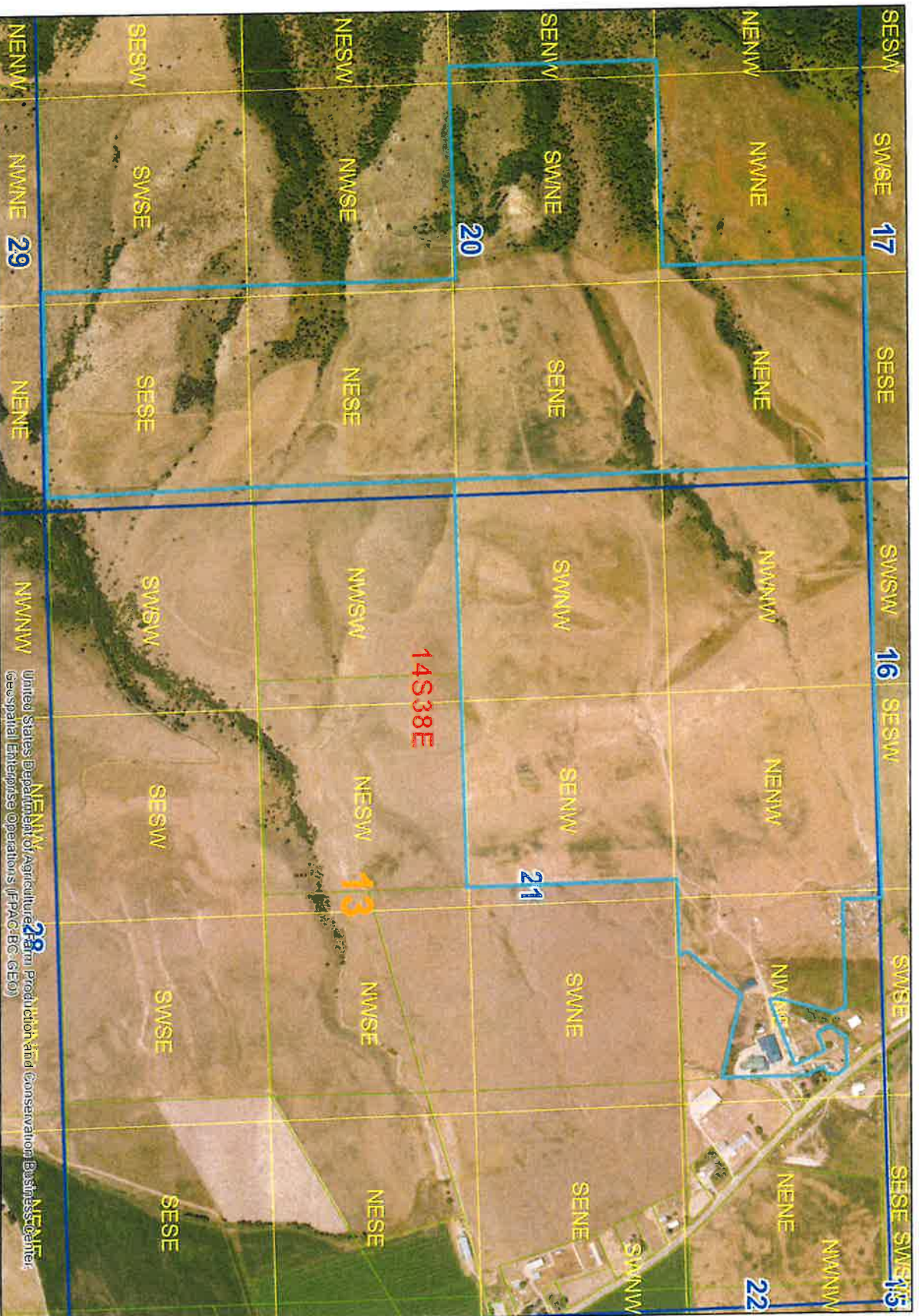
The Buyer agrees not to encumber said properties until sale price has been paid.

The Buyer agrees that he will not commit or suffer to be committed any waste, spoil, or destruction in or upon said premises, and that he will maintain said premises in good condition.

It is agreed that time is the essence of this agreement That it is expressly understood and agreed that upon payment in full of said contract the Seller will provide and execute and deliver to the Buyer a good and sufficient title covering the title to the above described premises.

It is understood that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators, successors

CLAIM 13-4331



13-4331 POD



0 0.05 0.1 0.2 Miles

Legend
Text

● POD