

**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: 13-7853

Date Received: 2/7/25

Receipt No: P000037

Claim Fee: \$1835.00 By: MB

RECEIVED

FEB 07 2025

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

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Consolidated Irrigation Company Phone (208) 223-4045
Mailing address P.O. Box 54 Preston Idaho Zip 83263
Street or Box City State
Email address (optional) consolidatedirrigationco@gmail.com
2. Date of priority: (Only one per claim) June 2, 2012 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Cub River / Mink Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township SEE, Range ATTACHED, Section SUMMARY,
1/4 of 1/4, Govt. Lot , BM, County of Franklin
Parcel no.
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.
Hydropower pipeline intakes into power plant.

6. Water is claimed for the following purposes:

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

For Power purposes from 1/1 to 12/31 amount 48 or 26787.2

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 48 (cfs) and/or (b) 26787.2 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

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	
15s	40E	10							P			P							

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 (☒) 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.
None or None (☐)

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

This is subject to the conditions included on the attached Water Right License for WR 13-7853 (attached).
Nameplate rating is 510 kilowatts.

Name of claimant(s) Consolidated Irrigation Company 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 13-7853

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: 3

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

Brian J. Jensen of Consolidated Irrigation Company
Agent's title (Please print) Name of organization (Please print)

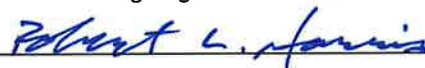
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 2/5/2025

Printed Name of Authorized Agent Brian J. Jensen

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Robert L. Harris, 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  Date 2/5/2025

Address HKHC, P.O. Box 50130, Idaho Falls, ID 83402

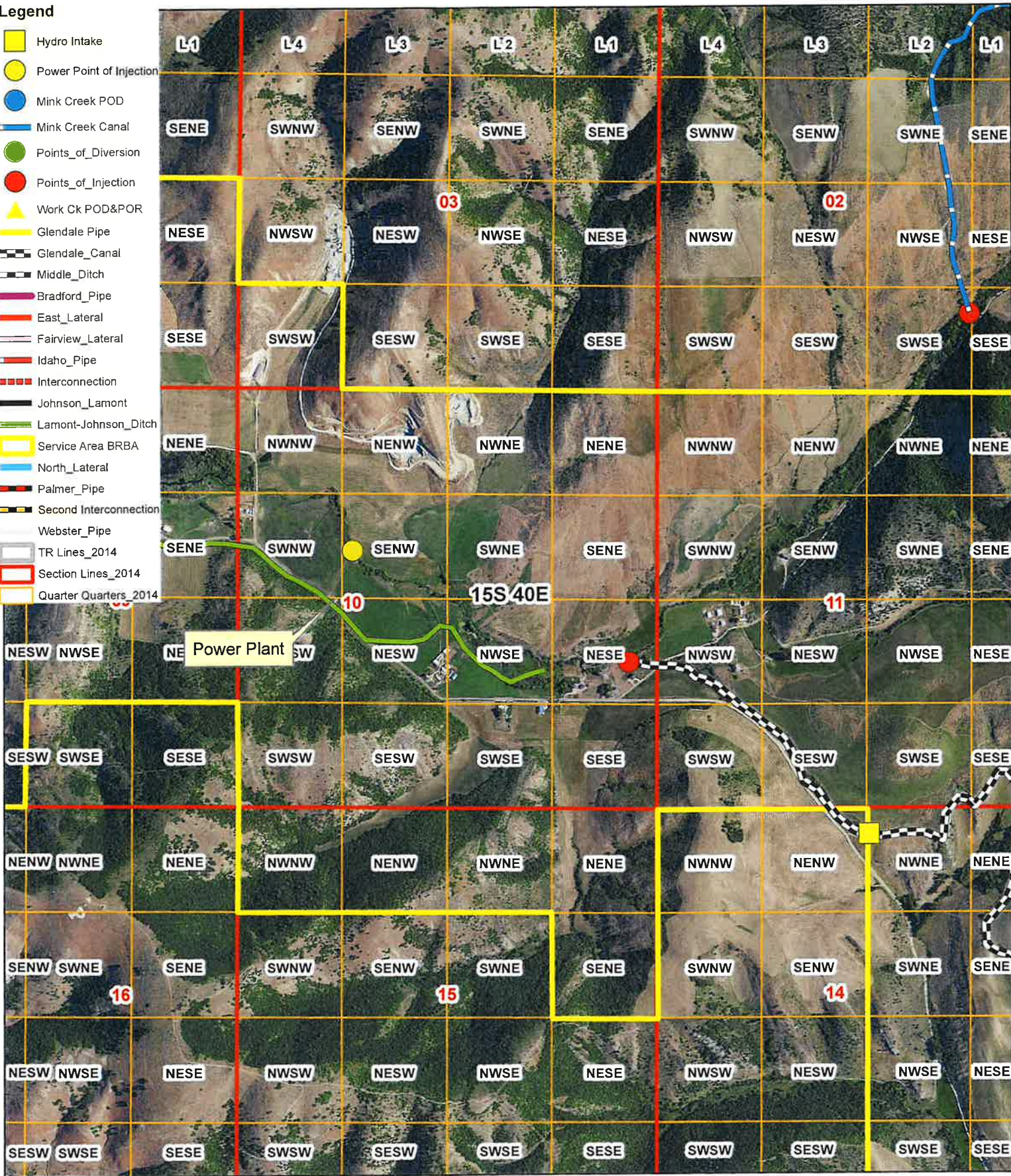
Name of claimant(s) Consolidated Irrigation Company Claim ID _____

CONSOLIDATED IRRIGATION COMPANY MINK CREEK POINT(S) OF DIVERSION/INJECTION FOR HYDROPOWER	
Mink Creek POD	NESE, Sec. 28, 13S, 41E
Cub River POD	NENW, Sec. 8, T15S, R41E (Glendale Canal)
Mink Creek Worm Creek Point of Injection	SENW, Sec. 10, 15S, 40E
Cub River Worm Creek Points of Injection	SENW, Sec. 10, 15S, 40E

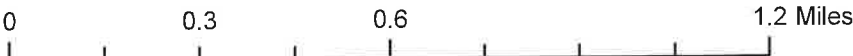
CONSOLIDATED BRBA CLAIMS



- Legend**
- Hydro Intake
 - Power Point of Injection
 - Mink Creek POD
 - Mink Creek Canal
 - Points_of_Diversion
 - Points_of_Injection
 - Work Ck POD&POR
 - Glendale Pipe
 - Glendale_Canal
 - Middle_Ditch
 - Bradford_Pipe
 - East_Lateral
 - Fairview_Lateral
 - Idaho_Pipe
 - Interconnection
 - Johnson_Lamont
 - Lamont-Johnson_Ditch
 - Service Area BRBA
 - North_Lateral
 - Palmer_Pipe
 - Second Interconnection
 - Webster_Pipe
 - TR Lines_2014
 - Section Lines_2014
 - Quarter Quarters_2014



2021 Aerial Photo



State of Idaho
Department of Water Resources

Water Right License

Water Right No. 13-7853

Priority: June 02, 2012

Maximum Diversion Rate: 48.00 CFS
Maximum Diversion Volume: 26,787.2 AF

It is hereby certified that:

CONSOLIDATED IRRIGATION CO
33 S 1ST E
PRESTON ID 83263-1301

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 21, 2012, and has submitted Proof of Beneficial Use on April 13, 2020. An examination confirms water is diverted from:

Source : CUB RIVER
Source : MINK CREEK

Tributary: BEAR RIVER
Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
POWER	01/01 to 12/31	48.00 CFS	26,787.2 AF

Location of Point(s) of Diversion

CUB RIVER NW¼ NE¼ NW¼, Sec. 8, Twp 15S, Rge 41E, B.M. FRANKLIN County
MINK CREEK SW¼ NE¼ SE¼, Sec. 28, Twp 13S, Rge 41E, B.M. FRANKLIN County
CUB RIVER SW¼ SE¼ NW¼, Sec. 10, Twp 15S, Rge 40E, B.M. FRANKLIN County (Injection)
MINK CREEK SW¼ SE¼ NW¼, Sec. 10, Twp 15S, Rge 40E, B.M. FRANKLIN County (Injection)

Place of Use: POWER

Twp	Rng	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
15S	40E	10							X			X						

Conditions of Approval

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. The term of this water right license shall run concurrently with energy sales agreement 33405 approved by the Idaho Public Utilities Commission, which expires on 10/27/2035. Prior to the expiration of the term, the Director may issue an order canceling all or any part of the use authorized herein, may establish a new term, or may revise, delete, or add conditions under which the water right license may be exercised. The order shall take effect on the date the current term expires. If the Director does not issue such an order, the term shall automatically extend to a length equal to the prior term and any prior conditions on the water right license shall remain in effect.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 13-7853

4. This right does not authorize the diversion of water to be used solely for power generation purposes. Water used to generate power under this right must be diverted and beneficially used under separate, existing water rights.
5. The diversion and use of water from Mink Creek described under this right is limited to a season of use from 04/20 to 09/30.
6. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
7. This right does not constitute Idaho Public Utilities Commission approval that may be required.
8. Use of water under this right shall be non-consumptive.
9. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 4th day of October, 2023.



JAMES CEFALO
Eastern Regional Manager

State of Idaho
Department of Water Resources
Water Right
13-7853



0 0.035 0.07 0.14 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

