

RECEIVED

08/20/2004 OCT 19 2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 85-7094

NAME AND ADDRESS: CITY OF PECK
PO BOX 105
PECK ID 83545

SOURCE: SPRING

TRIBUTARY: BIG CANYON CREEK

QUANTITY: 0.110 CFS

PRIORITY DATE: 11/05/1974

POINT OF DIVERSION:
T36N R01W S14 NWNE Within LEWIS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	0.110 CFS

PLACE OF USE:

Place of use is within the service area of the City of Peck municipal water supply system as provided for under Idaho Law.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE DEPARTMENT OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS WATER RESOURCES

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A85-07094

Date Received: 9/08/1988

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF PECK
Address: P.O. BOX 105
PECK, ID

208-486-7791

83545

2. Date of Priority: NOV 05, 1974

3. Source: SPRING
BIG CANYON CREEK

Trib. to: BIG CANYON CREEK
CLEARWATER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
36N	01W	14	SW	SW	NE		LEWIS
			SW	SE	NE		LEWIS

5. Description of diverting works:
SPRING BOX, PUMP W/PIPE TO TREATMENT PLANT, GRAVITY FLOW TO CITY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.110		

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL USE FOR CITY OF PECK.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
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11. Place of use in counties:

A85-07094

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Date: 09/08/88

RECEIVED

OCT 19 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS

DEPARTMENT OF
WATER RESOURCES

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A85-02010

Date Received: 9/08/1988

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF PECK
Address: P.O. BOX 105
PECK, ID 83545
208-486-7791
2. Date of Priority: MAR 06, 1908
3. Source: UNNAMED STREAM Trib. to: CANYON CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
36N	01W	10	SW	SE			NEZ PERCE
5. Description of diverting works:
PIPELINE IN STREAM GRAVITY FLOWS DOWN TO TREATMENT PLANT.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.500		
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
MUNICIPAL USE IN CITY OF PECK - ALSO USED FOR FIRE PROTECTION.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
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11. Place of use in counties:
12. Do you own the property listed above as place of use? YES

A85-02010

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Date: 09/08/88

Department of Water Resources

25-2010

WATER RIGHT LICENSE

License of Water Right No. 85-7094 Priority November 5, 1974 Amount .11 cfsTHIS IS TO CERTIFY, that City of Peckof Peck, ID, has complied with the terms and conditions of PermitNo. 85-7094 issued pursuant to Application for Permit dated November 5, 1974,and has submitted proof to the Department of Water Resources on December 13, 1979,that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of .11 cfs of water from spring,tributary to Big Canyon Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Municipal	from <u>1/1</u> to <u>12/31</u>	at <u>.11</u> cfs and <u>N/A</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than .11 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

N/A acre feet per year, said waters to be diverted within the SENE Sec. 4T36N R1W in the County of Lewis

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

WITHIN THE CITY LIMITS OF PECK

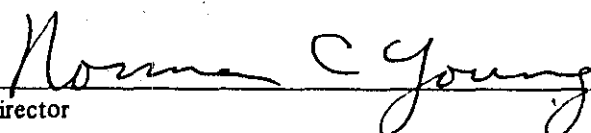
Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of October, 19 81.

Acting for the Director



Dkt