

RECEIVED

FEB 24 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA Case No. 39576 By _____	DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho FEB 23 2006 _____ Clerk _____ Deputy Clerk	Subcase Nos.: 45-13966 & 45-13967 ORDER GRANTING MOTIONS TO FILE LATE NOTICE OF CLAIM AND VACATING HEARING
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On February 22, 2006, this Court issued a *Notice Resetting Hearing on Motions to File Late Notice of Claim* in the above-captioned water right numbers, resetting the hearing for March 21, 2006, because the claimant had failed to file proof of documentation of ownership as requested by the Court. However, it was subsequently brought to the Court's attention that the documentation was hand delivered to the special master's assistant in regards to a different subcase also involving the claimant. The documentation was then forwarded to the Court. The Court has reviewed the documentation and lodged the same in the correct files.

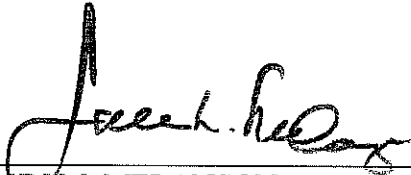
For purposes of the pending *Motions* the claimant has demonstrated that there exists unclaimed water under the prior decree and that a portion of the decreed right was conveyed to the claimant.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for water rights 45-13966 & 45-13967 are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action.

IT IS FURTHER ORDERED that the hearing set for March 21, 2006, is **vacated**.

DATED February 23, 2006.



 JOHN M. MELANSON
 Presiding Judge
 Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTIONS TO FILE LATE NOTICE OF CLAIM AND VACATING CLAIM was mailed on February 23, 2006, with sufficient first-class postage to the following:

KAREN G MYERS
TERRANCE R MYERS
PO BOX 216
OAKLEY, ID 83346
Phone: 208-862-3218

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.

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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

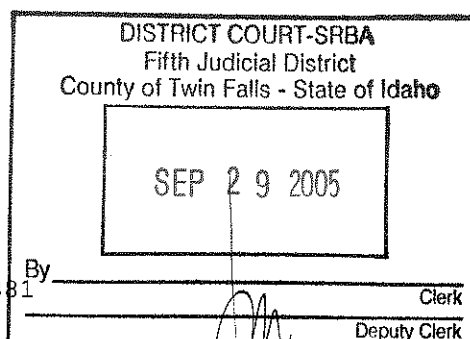
Ident. Number 45-13967
Date Received: 7/5/2005
Receipt No: C080396
Received By: M

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TERRANCE R MYERS
PO BOX 216
OAKLEY ID USA 83346

KAREN G MYERS
PO BOX 216
OAKLEY ID USA 83346



Phone: (208)862-3218

Phone: (208)862-3218

2. Date of Priority: 04/01/1881

3. Source: BIRCH CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	22E	33	SE SE	CASSIA	

5. Description of diverting works:

Headgate, Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	01/01	12/31	0.006	

7. Total Quantity Appropriated is:
0.006 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	22E	33	SE	SW	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim represents 5/16 inch of 1881 decreed water from Jacob Dayley Decree.
(Part of water right 45-78E).

(Late Claim - Pending acceptance by SRBA Court. 7/8/05)

15. Basis of Claim: Decreed

16. 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 Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

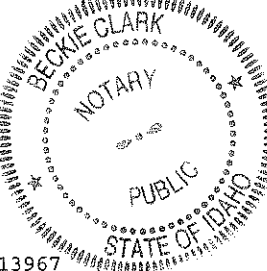
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 9/28/05
Karen L. Vinyers Date: 9/28/05

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 28th
of Sept 2005 [Signature]



Notary Public
Residing at Oakley ID
My commission Expires 7-8-2011

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FEB 24 2006

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

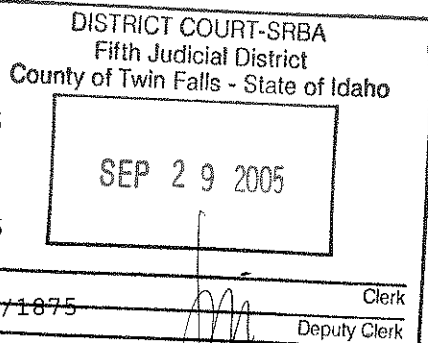
Ident. Number 45-13966
Date Received: 7/5/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

KAREN G MYERS
PO BOX 216
OAKLEY ID USA 83346

TERRANCE R MYERS
PO BOX 216
OAKLEY ID USA 83346



Phone: (208)862-3218

Phone: (208)862-3218

2. Date of Priority: 03/01/1875

3. Source: BIRCH CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	22E	33	SE SE	CASSIA	

5. Description of diverting works:

Headgate, Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	01/01	12/31	0.01	

7. Total Quantity Appropriated is:
0.01 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	22E	33	SE	SW	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim represents 1/2 inch of 1875 decreed water from Jacob Dayley Decree.
(Part of water right 45-77J).

(Late Claim - Pending acceptance by SRBA Court. 7/8/05)

15. Basis of Claim: Decreed

16. 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 Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

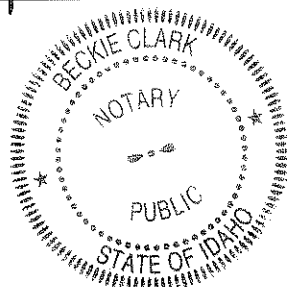
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jerrana Dwyer Date: 9/28/05
Karen D. Myers Date: 9/28/05

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 28th
of Sept. 2005 Beckie Clark



Notary Public
Residing at Oakley ID
My commission Expires 7-8-2011

JEANIE ROBERTSON 736-3033
DEPT WATER RESOURCES (TWIN FALLS)
Gov OFF.
MITTANIE

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-11104 V1

WATER RIGHT NUMBER: 45-11104 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN G MYERS PO BOX 216 OAKLEY, ID 83346 (208)862-3218
Current Owner	TERRANCE R MYERS PO BOX 216 OAKLEY, ID 83346 (208)862-3218

Priority Date: 12/05/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIRCH CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	03/15	to 11/15	0.010 CFS	
	<u>Total Diversion:</u>		0.010 CFS	

Location of Point(s) of Diversion

BIRCH CREEK	SE1/4SE1/4SE1/4	Sec. 14, Twp 14S, Rge 22E, B.M.
CASSIA County		

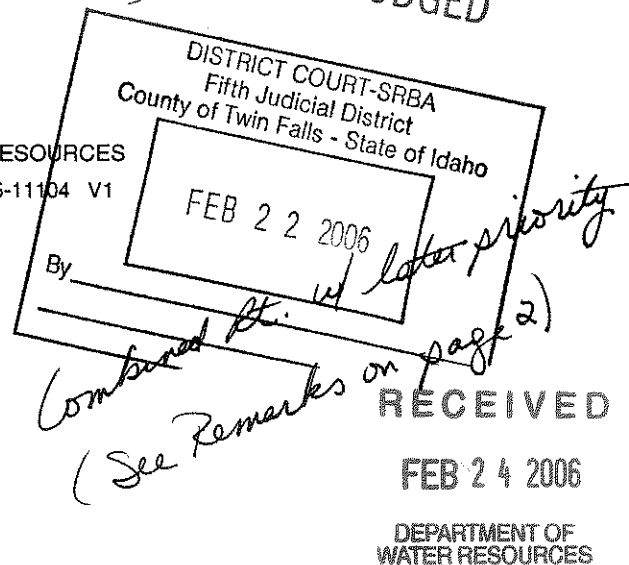
Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	33												X					

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-79G.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.269 CFS AT THE POINT OF MEASUREMENT IN THE SESESE OF SECTION 14, T14S, R22E. COMBINED RIGHT NOS.: 45-79A, 45-79J, 45-79K, 45-79L, 45-79M, 45-79N, 45-79P, 45-79Q, 45-79R, 45-79S, 45-79T, 45-79U, 45-10008, 45-10249, 45-10690, 45-10754, 45-10767, 45-10891, AND 45-11104.
3. J01 PROPERTY IS ALSO KNOWN AS PART OF LOT 2, BLK 13, OAKLEY TOWNSITE. PARCEL NO. RPOK0020130010.
4. S21 USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-11104 V1

5. X01 Domestic use is for 1 lawn.
6. C18 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.
7. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

Comments:

1. WHITE 9/29/1992 COPIED FROM REMARKS

Comment: THIS CLAIM REPRESENTS 3/1/1875, 4/1/1881 & 12/5/1882 DAYLEY DECREED WATER ALL COMBINED AND CLAIMED WITH A 1903 PRIORITY. WATER USED FOR LESS THAN 1/2 ACRE IRRIGATION.

2. jroberts 4/13/2004 Basis of Recommendation

Comment: This claim was for a combination of parts of 45-77, 45-78, and 45-79 rights, all claimed with a 1903 priority date, the date the decree was signed. The actual priority date should be 12/5/1882 for this combined right. Information in water master records show this property has 1/2 inch of 1875 (45-77J), 5/16 inch of 1881 (45-78E), and 25/48 inch of 1882 (45-79G). I will recommend the 25/48 inch under the 1882 date only. (The other portions could be claimed separately.) According to tax lot information, this lot is actually in the SESW of Section 33, so will recommend there. Standard Season of Use. PoD for all city rights out of Birch Creek changed to the SESESE of Section 14, T14S, R22E instead of their individual points of diversion at their property.

SubCase:

SubCase Number: 45-11104

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Jean Robertson

Basis of Claim: Decreed

Date Filed: 12/30/2004 Objection Status: Active

736-3033

Water Supply Bank:

BIRCH CREEK WATERUSERS

2006

	NAME	Vol.	Address
1	ADAMS, ERENST	0	P.O. BOX 172 OAKLEY ID 83346
2	ZEVENBERGEN, DAVE	0.5832	145 N. LINCOLN AVE. OAKLEY, ID 83346
3	BEDKE, MRS. RAY C.	0	P.O. BOX 283, OAKLEY, ID 83346
4	BELL, CLIFF	1.0692	215 N. LINCOLN, OAKLEY, ID 83346
5	BURCH, GOLDEN	0	P.O. BOX 202, OAKLEY, ID 83346
6	COOPER, MAX	1.1664	P.O. BOX 47, OAKLEY, ID 83346
7	QUARTER CIRCLE FIVE	3.498	3805 SANDPIPER, POCATELLO, ID 83201
8	JUDD, DAVID	0	1750 S. HWY 27, OAKLEY, ID 83346
9	FEHLMAN, ROBERT	1.1664	P.O. BOX 251, OAKLEY, ID 83346
10	FONSBECK, MRS. JOHN	1.8	2441 W. 16TH, BURLEY, ID 83318
11	FRANCE, MRS LINDA	0	P.O. BOX 125, OAKLEY, ID 83346
12	GARRARD, EDNA C/O Rod Garrard	0.642	1070 S. DUDLEY ST., LAKEWOOD, CO 80226
13	GEE, LAVERDA	0.996	P.O. BOX 74 OAKLEY, ID 83346
14	GORRINGE, BRENDON	0.9722	426 E. 200 S. BURLEY, ID 83318
15	GARDNER, LUTHER	0	C/O GENE LEWIS 3748 CIVIC CENTER DR N LAS VEGAS, NV 89030
16	HALE UTAUNA	0.4666	395 W POPULAR OAKLEY ID 83346
17	HARPER, MRS. ARNOLD	0.4656	270 N. LINCOLN, OAKLEY, ID 83346
18	JACOBSEN, JOYCE	0	2000 N. 1450 E. PROVO, UT
19	LUKER, DAN	0	330 W. POPLAR OAKLEY, ID 83346
20	MANNING, ROBERT	97.072	2233 BIRCH CREEK RD. OAKLEY 83346
21	MCBRIDE, JIM	0.2328	P.O. BOX 203 OAKLEY, ID 83346
22	MCMURRY, NORMAN	0	270 S. WILSON, OAKLEY, ID 83346
23	MCKNIGHT, TIM	1.1664	195 N. LINCOLN AVE. OAKLEY, ID 83346
24	MULLARD, GARY	0.8748	P.O. BOX 249 OAKLEY, ID 83346
25	MYERS, T.R.	0.5238	P.O. BOX 216 OAKLEY, ID 83346
26	MITTON, DELROY	0.582	P.O. BOX 19 OAKLEY, ID 83346
27	MUHLESTEIN, CLINT	1.3992	P.O. BOX 12 OAKLEY, ID 83346
28	PAYTON, CHUCK	0	495 N. LINCOLN AVE. OAKLEY, ID 83346
29	PAYTON, TIM	59.126	478 W. 1900 S. OAKLEY, ID 83346
30	PETERSON, MERIAL	0.013	P.O. BOX 181, OAKLEY, ID 83346
31	PETERSON, NELS	0.5016	P.O. BOX 57, OAKLEY, ID 83346
32	QUALLS, CINDY	1.0692	P.O. BOX 193 OAKLEY, ID 83346
33	RANDALL, ILLA	1.1664	P.O. BOX 59, OAKLEY, ID 83346
34	ROBINSON, DUTCH	333.584	2288 WILLIAMSBERG, WEST JORDAN, UT 84088
35	JACOBSEN FAMILY TRUST	0	2009 N 1450 E PROVO, UT 84604
36	ROUNDY, JON	0.6984	P.O. BOX 272, OAKLEY, ID 83346
37	LDS CHURCH C/O Terry Bradshaw	0	7770 MAKAYLA DR., NAMPA, ID
38	SHEFFIELD BLANCHE	0.408	C/O CLARK SHEFFIELD 274 N 500 E LINDON, UT 84042
39	WITELEY JOSEPH	0.8748	240 N. CENTER, OAKLEY, ID 83346
40	OAKLEY CANAL CO.	0	P.O. BOX 207 OAKLEY, ID 83346

105042

WARRANTY DEED

For Value Received OLIVE SOUTHWORTH, A WIDOW, by her Attorney-in-Fact,
MARK W. SOUTHWORTH

the grantor, do es hereby grant, bargain, sell and convey unto CLYDE MANDEVILLE AND
LUANNE C. MANDEVILLE, HUSBAND AND WIFE, P. O. Box 2208, Olympic Valley,
the grantee s, the following described premises, to-wit: Calif. 95730

Beginning at the Northeast corner of Block 13 of the OAKLEY ORIGINAL TOWNSITE, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of the County of Cassia, State of Idaho; thence South 140.25 feet; thence West 118.5 feet; thence North 140.25 feet; thence East 118.5 feet to the point of beginning. Being part of Lot 1 in Block 13, OAKLEY ORIGINAL TOWNSITE.

TOGETHER with one share of Oakley Canal Company water;
1/2 of one inch of 1875 Birch Creek Water
5/16th of one inch of 1881 Birch Creek Water and
25/48th of an inch of 1882 Birch Creek Water.

RECORDED AT THE REQUEST OF
Cassia County, Idaho
FEB 17 11 35 AM '78
CASSIA COUNTY, IDAHO
FRANK R. KEANS
RECORDER
FEE 1.00 DEPUTY \$11.00
A.C.C.A.

105042

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee S, that s he is the owner in fee simple of said premises; that said premises are free from all incumbrances except as above described.

and that she will warrant and defend the same from all lawful claims whataoever.

Dated: March 28, 1975.

OLIVE SOUTHWORTH

By: Mark W. Southworth
Mark W. Southworth, Attorney-in-Fact
by Power of Attorney from Olive
Southworth

STATE OF IDAHO, COUNTY OF ~~XXXXXX~~ ADA
On this 8th day of April, 1975.
before me, a notary public in and for said State, personally
appeared

OLIVE SOUTHWORTH, A WIDOW, by her
Attorney-in-Fact, MARK W. SOUTHWORTH

known to me to be the person who se name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Shirley R. Fuller
Notary Public

Residing at Boise, Idaho
Comm. Expires March 17, 1976

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at this minutes past o'clock m.,
day of
in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By: _____ Fees \$ _____ Deputy.
Mail to: _____

INSTRUMENT No.

105042

WARRANTY DEED

For Value Received OLIVE SOUTHWORTH, A WIDOW, by her Attorney-in-Fact,
MARK W. SOUTHWORTH

the grantor , do es hereby grant, bargain, sell and convey unto CLYDE MANDEVILLE AND
LUANNE C. MANDEVILLE, HUSBAND AND WIFE, P. O. Box 2208, Olympic Valley,
the grantees, the following described premises, to-wit: Calif. 95730

Beginning at the Northeast corner of Block 13 of the OAKLEY
ORIGINAL TOWNSITE, as the same is platted in the official
plat thereof, now of record in the office of the County
Recorder of the County of Cassia, State of Idaho; thence
South 140.25 feet; thence West 118.5 feet; thence North
140.25 feet; thence East 118.5 feet to the point of
beginning. Being part of Lot 1 in Block 13, OAKLEY
ORIGINAL TOWNSITE.

TOGETHER with one share of Oakley Canal Company water;
1/2 of one inch of 1875 Birch Creek Water
5/16th of one inch of 1881 Birch Creek Water and
25/48th of an inch of 1882 Birch Creek Water.

RECORDED AT THE REQUEST OF
CASSIA COUNTY, IDAHO
FRANK S. KEARNS
RECORDER
FEB 17 11 35 AM '78
FILM 115
FEE 1.00 DEPUTY 2.00
K100A

105042

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S.
their heirs and assigns forever. And the said Grantor do e hereby covenant to and
with the said Grantee S. that s he is the owner in fee simple of said premises; that said
premises are free from all incumbrances except as above described.

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: March 28, 1975.

OLIVE SOUTHWORTH

By: Mark W. Southworth
Mark W. Southworth, Attorney-in-Fact
by Power of Attorney from Olive
Southworth

STATE OF IDAHO, COUNTY OF XXESSIA ADA
On this 8th day of April, 1975.
before me, a notary public in and for said State, personally
appeared

OLIVE SOUTHWORTH, A WIDOW, by her
Attorney-in-Fact, MARK W. SOUTHWORTH

known to me to be the person who se name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Shirley L. Fuller
Notary Public
Residing at Boise, Idaho
Comm. Expires March 17, 1976

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at this minutes past o'clock m.,
day of
in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By: _____
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

105043

WARRANTY DEED

THIS INDENTURE, made this 14 day of Aug,
1976, between CLYDE E. MANDEVILLE and LUANNE MANDEVILLE, husband
and wife, hereinafter called the "Grantor", and TERRANCE R.
MYERS and KAREN G. MYERS, husband and wife, whose address
is Oakley, Idaho, 83346, hereinafter called the "Grantee".

W I T N E S S E T H:

That the Grantor for and in consideration of the
sum of Ten Dollars (\$10.00), lawful money of the United States
of America, and other good and valuable consideration, to the
Grantor in hand paid by the Grantee, the receipt whereof is
hereby acknowledged, has granted, bargained and sold and by
these presents does grant, bargain and sell, convey and confirm
unto the Grantee, and to the Grantee's heirs and assigns forever,
all of the following described real estate situated in the County
of Cassia, State of Idaho, to-wit:

A part of Lot 1 in Block 13 of the Oakley Townsite,
Cassia County, Idaho, as the same is platted in the
official plat thereof, now of record in the office of
the Recorder of said County, more particularly described
as follows:

Beginning at the Northeast corner of Lot 1 of Block 13
of the said Oakley Townsite; thence West 111 feet; thence
South 140.25 feet; thence East 111 feet; thence North
140.25 feet to the Point of Beginning.

All in Cassia County, Idaho.

SUBJECT TO: Accruing taxes, levies and assessments,
and Agreement dated March 28, 1975, between Olive
Southworth, a widow, by her Attorney In Fact, Mark
W. Southworth, and Clyde Mandeville and Luanne C.
Mandeville.

TOGETHER with all and singular the tenements, heredita-
ments and appurtenances thereunto belonging or in anywise apper-
taining, the reversion and reversions, remainder and remainders,
rents, issues and profits thereof, and all estate, right, title
and interest in and to the said property as well in law as in
equity of the Grantor.

PARSONS, SMITH & PEDERSEN
LAWYERS
BOURLEY, IDAHO

1 TO HAVE AND TO HOLD, all and singular the above-mentioned
2 and described premises, together with appurtenances unto the
3 Grantee and to the Grantee's heirs and assigns forever.

4 The Grantor shall and will warrant and by these presents
5 will forever defend the said premises in the quiet and peaceable
6 possession of the Grantee, and the Grantee's heirs and assigns
7 against all and every person and persons whomsoever lawfully
8 claiming the same, except as aforesaid.

9 IN WITNESS WHEREOF, the Grantor has executed this
10 Deed the day and year first above written.

Clyde E. Mandeville
Luanne Mandeville

13 STATE OF IDAHO)
14 County of Cassia) ss

15 On this 14 day of August, 1976, before me,
16 the undersigned, a Notary Public in and for said State, personally
17 appeared CLYDE E. MANDEVILLE and LUANNE MANDEVILLE, husband and
18 wife, known to me to be the persons whose names are subscribed
19 to the within instrument, and acknowledged to me that they executed
20 the same.

21 IN WITNESS WHEREOF, I have hereunto set my hand and
22 affixed my official seal, the day and year in this certificate
23 first above written.

Charles B. Smith
Notary Public for Idaho
Residing at *Burley, Idaho*

RECORDED AT THE REQUEST OF
Charles B. Smith
FEB 17 11 37 AM '78
CASSIA COUNTY, IDAHO
FRANK B. KENNEDY
RECORDED
FEE \$20.00
13.00

105043

PARSONS, SMITH & PEDERSEN
LAWYERS
BURLEY, IDAHO

TO HAVE AND TO HOLD, all and singular the above-mentioned
and described premises, together with appurtenances unto the
Grantee and to the Grantee's heirs and assigns forever.

The Grantor shall and will warrant and by these presents
will forever defend the said premises in the quiet and peaceable
possession of the Grantee, and the Grantee's heirs and assigns
against all and every person and persons whomsoever lawfully
claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this
Deed the day and year first above written.

Clyde E. Mandeville
Luanne Mandeville

STATE OF IDAHO)
County of Cassia) ss

On this 14 day of August, 1976, before me,
the undersigned, a Notary Public in and for said State, personally
appeared CLYDE E. MANDEVILLE and LUANNE MANDEVILLE, husband and
wife, known to me to be the persons whose names are subscribed
to the within instrument, and acknowledged to me that they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

Charles R. Rieck
Notary Public for Idaho
Residing at *Burley, Idaho*

RECORDED AT THE REQUEST OF
Cassia Co. Auditor
FEB 17 11 37 AM '78
CASSIA COUNTY, IDAHO
FRANK B. NEARNS
RECORDER
FEE \$200 DEPUTY *XL*
K3:00A

105043

PARSONS, SMITH & PEDERSEN
LAWYERS
BURLEY, IDAHO

TO HAVE AND TO HOLD, all and singular the above-mentioned
and described premises, together with appurtenances unto the
Grantee and to the Grantee's heirs and assigns forever.

The Grantor shall and will warrant and by these presents
will forever defend the said premises in the quiet and peaceable
possession of the Grantee, and the Grantee's heirs and assigns
against all and every person and persons whomsoever lawfully
claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this
Deed the day and year first above written.

Clyde E. Mandeville
Luanne Mandeville

STATE OF IDAHO)
County of Cassia) ss

On this 11 day of August, 1976, before me,
the undersigned, a Notary Public in and for said State, personally
appeared CLYDE E. MANDEVILLE and LUANNE MANDEVILLE, husband and
wife, known to me to be the persons whose names are subscribed
to the within instrument, and acknowledged to me that they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

[Signature]
Notary Public for Idaho
Residing at *Burley, Idaho*

RECORDED & INDEXED
FILED
FEB 17 11 37 AM '78
CASSIA COUNTY, IDAHO
FRANK B. NEARNS
RECORDER
FEE \$20.00
X3:00A

105043

BIRCH CREEK WATERUSERS

2006

	NAME	Vol.	Address
1	ADAMS, ERENST	0	P.O. BOX 172 OAKLEY ID 83346
2	ZEVENBERGEN, DAVE	0.5832	145 N. LINCOLN AVE. OAKLEY, ID 83346
3	BEDKE, MRS. RAY C.	0	P.O. BOX 283, OAKLEY, ID 83346
4	BELL, CLIFF	1.0692	215 N. LINCOLN, OAKLEY, ID 83346
5	BURCH, GOLDEN	0	P.O. BOX 202, OAKLEY, ID 83346
6	COOPER, MAX	1.1664	P.O. BOX 47, OAKLEY, ID 83346
7	QUARTER CIRCLE FIVE	3.498	3805 SANDPIPER, POCATELLO, ID 83201
8	JUDD, DAVID	0	1750 S. HWY 27, OAKLEY, ID 83346
9	FEHLMAN, ROBERT	1.1664	P.O. BOX 251, OAKLEY, ID 83346
10	FONSBECK, MRS. JOHN	1.8	2441 W. 16TH, BURLEY, ID 83318
11	FRANCE, MRS LINDA	0	P.O. BOX 125, OAKLEY, ID 83346
12	GARRARD, EDNA C/O Rod Garrard	0.642	1070 S. DUDLEY ST., LAKEWOOD, CO 80226
13	GEE, LAVERDA	0.996	P.O. BOX 74 OAKLEY, ID 83346
14	GORRINGE, BRENDON	0.9722	426 E. 200 S. BURLEY, ID 83318
15	GARDNER, LUTHER	0	C/O GENE LEWIS 3748 CIVIC CENTER DR N LAS VEGAS, NV 89030
16	HALE UTAUNA	0.4666	395 W POPULAR OAKLEY ID 83346
17	HARPER, MRS. ARNOLD	0.4656	270 N. LINCOLN, OAKLEY, ID 83346
18	JACOBSEN, JOYCE	0	2000 N. 1450 E. PROVO, UT
19	LUKER, DAN	0	330 W. POPLAR OAKLEY, ID 83346
20	MANNING, ROBERT	97.072	2233 BIRCH CREEK RD. OAKLEY 83346
21	MCBRIDE, JIM	0.2328	P.O. BOX 203 OAKLEY, ID 83346
22	MCMURRY, NORMAN	0	270 S. WILSON, OAKLEY, ID 83346
23	MCKNIGHT, TIM	1.1664	195 N. LINCOLN AVE. OAKLEY, ID 83346
24	MULLARD, GARY	0.8748	P.O. BOX 249 OAKLEY, ID 83346
25	~~MULLARD, GARY~~	~~0.8748~~	P.O. BOX 216 OAKLEY, ID 83346
26	MITTON, DELROY	0.582	P.O. BOX 19 OAKLEY, ID 83346
27	MUHLESTEIN, CLINT	1.3992	P.O. BOX 12 OAKLEY, ID 83346
28	PAYTON, CHUCK	0	495 N. LINCOLN AVE. OAKLEY, ID 83346
29	PAYTON, TIM	59.126	478 W. 1900 S. OAKLEY, ID 83346
30	PETERSON, MERIAL	0.013	P.O. BOX 181, OAKLEY, ID 83346
31	PETERSON, NELS	0.5016	P.O. BOX 57, OAKLEY, ID 83346
32	QUALLS, CINDY	1.0692	P.O. BOX 193 OAKLEY, ID 83346
33	RANDALL, ILLA	1.1664	P.O. BOX 59, OAKLEY, ID 83346
34	ROBINSON, DUTCH	333.584	2288 WILLIAMSBERG, WEST JORDAN, UT 84088
35	JACOBSEN FAMILY TRUST	0	2009 N 1450 E PROVO, UT 84604
36	ROUNDY, JON	0.6984	P.O. BOX 272, OAKLEY, ID 83346
37	LDS CHURCH C/O Terry Bradshaw	0	7770 MAKAYLA DR., NAMPAL, ID
38	SHEFFIELD BLANCHE	0.408	C/O CLARK SHEFFIELD 274 N 500 E LINDON, UT 84042
39	WITELEY JOSEPH	0.8748	240 N. CENTER, OAKLEY, ID 83346
40	OAKLEY CANAL CO.	0	P.O. BOX 207 OAKLEY, ID 83346

2006

#25

COUNTY TREASURER'S

WATER MASTER TAX RECEIPT

CASSIA COUNTY, IDAHO

BURLEY, IDAHO 83318

Birch Creek 45B

T.R. Myers

POBx 216

Oakley, ID. 83346

2006 Budget \$40.00

ADDITIONAL CHARGE

TOTAL TAX DUE \$40.00

INTEREST FROM

TOTAL AMOUNT DUE

THIS RECEIPT IS ISSUED SUBJECT TO COLLECTION

WHERE PAYMENT IS MADE IN FORM OTHER THAN CASH.

Due April 1, 2006

PAYMENT RECEIVED

by _____

AMOUNT PAID \$ _____ DATE _____

PLEASE RETURN THIS NOTICE WHEN YOU MAKE PAYMENT.

Section 42-613, IDAHO CODE ANNOTATED: "The County Treasurer shall mail a notice to each ditch, canal company irrigation district or other water user of the amount payable by each such water user, for the distribution of water and other expenses of said district for the ensuing year, which amount shall be due and payable as provided by resolutions of the water district for said year, and if not so paid shall bear interest at the rate of eight (8) per cent per annum from said date until paid."

Section 42-617: "No water user shall have the right to demand and receive any water and the Watermaster shall not deliver water to any user until the amount due and payable from the user, as shown by the budget, adopted at said meeting, has been paid."

GAYLE EREKSON, TREASURER OF CASSIA COUNTY, IDAHO