

DEPARTMENT OF
WATER RESOURCES

G1/03/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-77R

NAME AND ADDRESS: ARNOLD HARPER
206 N LINCOLN
OAKLEY ID 83346

DARLENE HARPER
206 N LINCOLN
OAKLEY ID 83346

SOURCE: BIRCH CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.010 CFS

PRIORITY DATE: 03/01/1875

POINT OF

DIVERSION: T14S R22E S14 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
~~3/15 11/15~~
2/28 11/15

QUANTITY
0.010 CFS

CB
X
2P

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S33 SESW 1.00

1 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1 ACRE IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-77R, 45-78J, & 45-79K.

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.

The operation and use of this water right is also subject to the terms and
conditions of the Water Rotation Agreement ("Agreement") entered into
by certain users on 10 September, 1992. The Agreement was filed and
recorded in the office of the Cassia County Recorder on 27 May, 1993
as Instrument No.: 224804; the provisions of such Agreement to apply
fully to this water right.

CB
X

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS PART OF LOT 2, BLK 23, OAKLEY
TOWNSITE. PARCEL #RPOK0020230030.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-77J.

CERTIFICATE OF SERVICE

I certify that on Mar 17, 2004, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

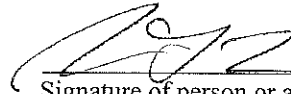
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Tim Payton
President, Birch Creek Waterusers
c/o Travis Thompson
113 Main Avenue West, Suite 303
Twin Falls, ID 83301-6167

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Arnold Harper
Darlene Harper
206 N Lincoln
Oakley, ID 83346

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form