

DEPARTMENT OF
WATER RESOURCES

01/04/2006

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

RIGHT NUMBER: 45-78G

NAME AND ADDRESS: UTAUNA A HALE
395 W POPLAR
OAKLEY ID 83346

SOURCE: BIRCH CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.002 CFS

PRIORITY DATE: 04/01/1881

POINT OF
DIVERSION: T14S R22E S14 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	~~3/15~~ 11/15	0.002 CFS
	2/28 11/15	

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S33 SWSW 1.10

1.1 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1.1 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-77P, 45-78G, & 45-79J.

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

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.

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 - Decreed

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

PROPERTY IS ALSO KNOWN AS PART OF LOT 2, BLK 24, OAKLEY
TOWNSITE. PARCEL NO. RPOK002024004A.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-78E.

CERTIFICATE OF SERVICE

I certify that on Mar 12, 2006, 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

Utauna A. Hale
Jimmy L. Hale
395 W. Popular
Oakley, ID 83346

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



Signature of person or attorney mailing the form