

DEPARTMENT OF
WATER RESOURCES

01/04/2006

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

RIGHT NUMBER: 45-78T

NAME AND ADDRESS: MERIEL B PETERSON
PO BOX 181
OAKLEY ID 83346

SOURCE: BIRCH CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.021 CFS

PRIORITY DATE: 04/01/1881

POINT OF
DIVERSION: T14S R22E S14 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	~~3/15~~ 11/15	0.021 CFS
	2/28 11/15	

PLACE OF USE: IRRIGATION Within CASSIA County

T14S R22E S04 Lot 1 NENE 2.70

2.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2.7 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-77Z, 45-78T, & 45-79T.

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

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

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

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

PROPERTY IS ALSO KNOWN AS PART OF LOT 2, BLK 1, OAKLEY
TOWNSITE. PARCEL #RPOK002001001A.

CERTIFICATE OF SERVICE

I certify that on April 17, 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

Meriel B. Peterson
PO Box 181
Oakley, ID 83346

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



Signature of person or attorney mailing the form