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RIGHT NUMBER: 29-322 **Version 2**

NAME AND ADDRESS: DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

QUANTITY: 4.780 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.78 CFS. COMBINED RIGHT NOS.: 29-320,
29-321, 29-322.

POINT OF DIVERSION:

T11S	R36E	S36	NENWNW	Rediversion Within BANNOCK County
T12S	R36E	S23	SESENE	Rediversion Within BANNOCK County
T12S	R36E	S27	SWNWSW	Injection Within BANNOCK County
T12S	R36E	S27	SWNWSW	Within BANNOCK County
T12S	R36E	S27	SENWSW	Injection Within BANNOCK County
T12S	R36E	S27	SENWSW	Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.780 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1	T11S R37E S30 Lot 3	NWSW	8.5
T11S R37E S30 Lot 4	SWSW	35.0			

06/10/2004

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

238.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 238.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

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: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

IDAHO DEPARTMENT OF WATER RESOURCES

RIGHT NUMBER: 29-322

NAME AND ADDRESS: DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

The amount of water diverted under this water right may not exceed 4/24 of the stream flow of Birch Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

T11S	R36E	S36	NENWNW	Rediversion Within BANNOCK County
T12S	R36E	S23	SESENE	Rediversion Within BANNOCK County
T12S	R36E	S27	SWNWSW	Injection Within BANNOCK County
T12S	R36E	S27	SWNWSW	Within BANNOCK County
T12S	R36E	S27	SENWSW	Injection Within BANNOCK County
T12S	R36E	S27	SENWSW	Within BANNOCK County

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1			

06/04/2003

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

195.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

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: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

03/07/2003

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

RIGHT NUMBER: 29-322
NAME AND ADDRESS: DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

SOURCE: BIRCH CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 3.910 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.91 CFS. COMBINED RIGHT NOS.: ~~29-317A,~~
29-320, 29-321, 29-322.

PRIORITY DATE: 10/10/1878

POINT OF DIVERSION:

T11S R36E S36 NENWNW Rediversion Within BANNOCK County Source: BIRCH CREEK
T12S R36E S23 SESENE Rediversion Within BANNOCK County Source: BIRCH CREEK
T12S R36E S27 SWNWSW Injection Within BANNOCK County Source: BIRCH CREEK
T12S R36E S27 SWNWSW Within BANNOCK County Source: BIRCH CREEK
T12S R36E S27 SENWSW Within BANNOCK County Source: BIRCH CREEK
T12S R36E S27 SENWSW Injection Within BANNOCK County Source: BIRCH CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.910 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1			

195.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: ~~29-317A,~~ 29-320, 29-321,
29-322.

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

Water Right 29-322

03/07/2003

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

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: Decreed

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

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

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

01/08/2003

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

RIGHT NUMBER: 29-322
NAME AND ADDRESS: DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 00000

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

Zip Code
All Done 3/7/03
mm

SOURCE: BIRCH CREEK TRIBUTARY: MARSH CREEK
QUANTITY: 3.910 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.91 CFS. COMBINED RIGHT NOS.: 29-317A,
29-320, 29-321, 29-322.

PRIORITY DATE: 06/09/1904

1878/10/10

POINT OF DIVERSION:

T11S R36E S36 NENWNW Rediversion Within BANNOCK County
T12S R36E S23 SESENE Rediversion Within BANNOCK County
T12S R36E S27 SWNWSW Injection Within BANNOCK County
T12S R36E S27 SWNWSW Within BANNOCK County
T12S R36E S27 SENWSW Within BANNOCK County
T12S R36E S27 SENWSW Injection Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	3.910 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1			

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IRRIGATION OF A COMBINED TOTAL OF 195.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-317A, 29-320, 29-321,
29-322.

01/08/2003

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

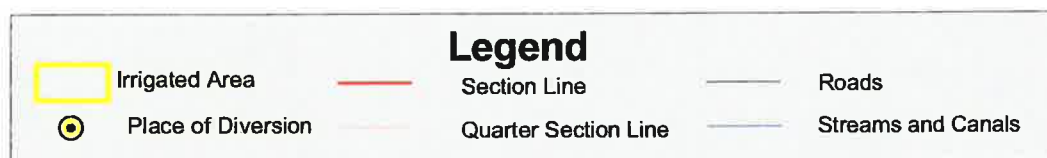
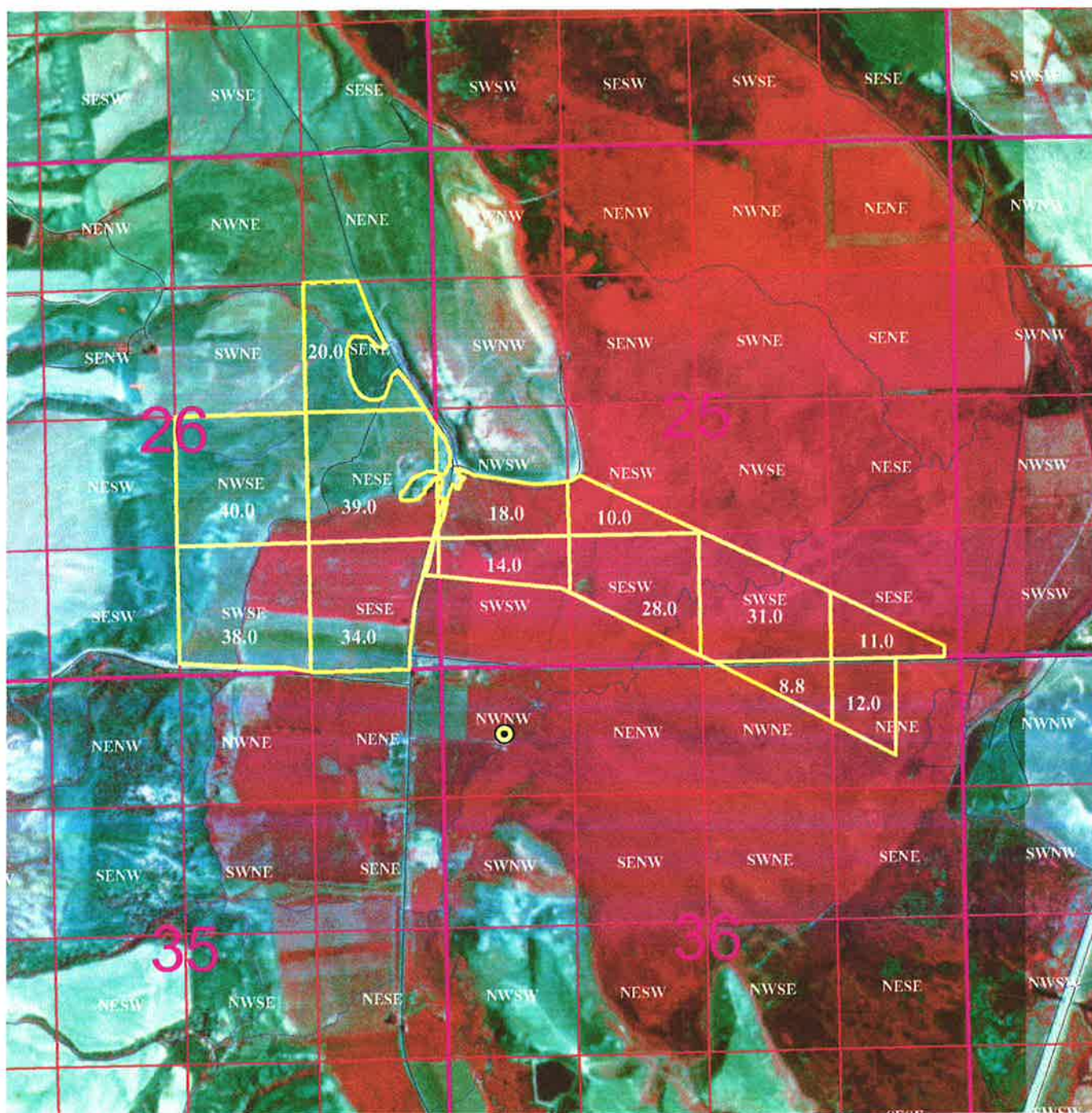
EXPLANATORY MATERIAL: Decreed

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

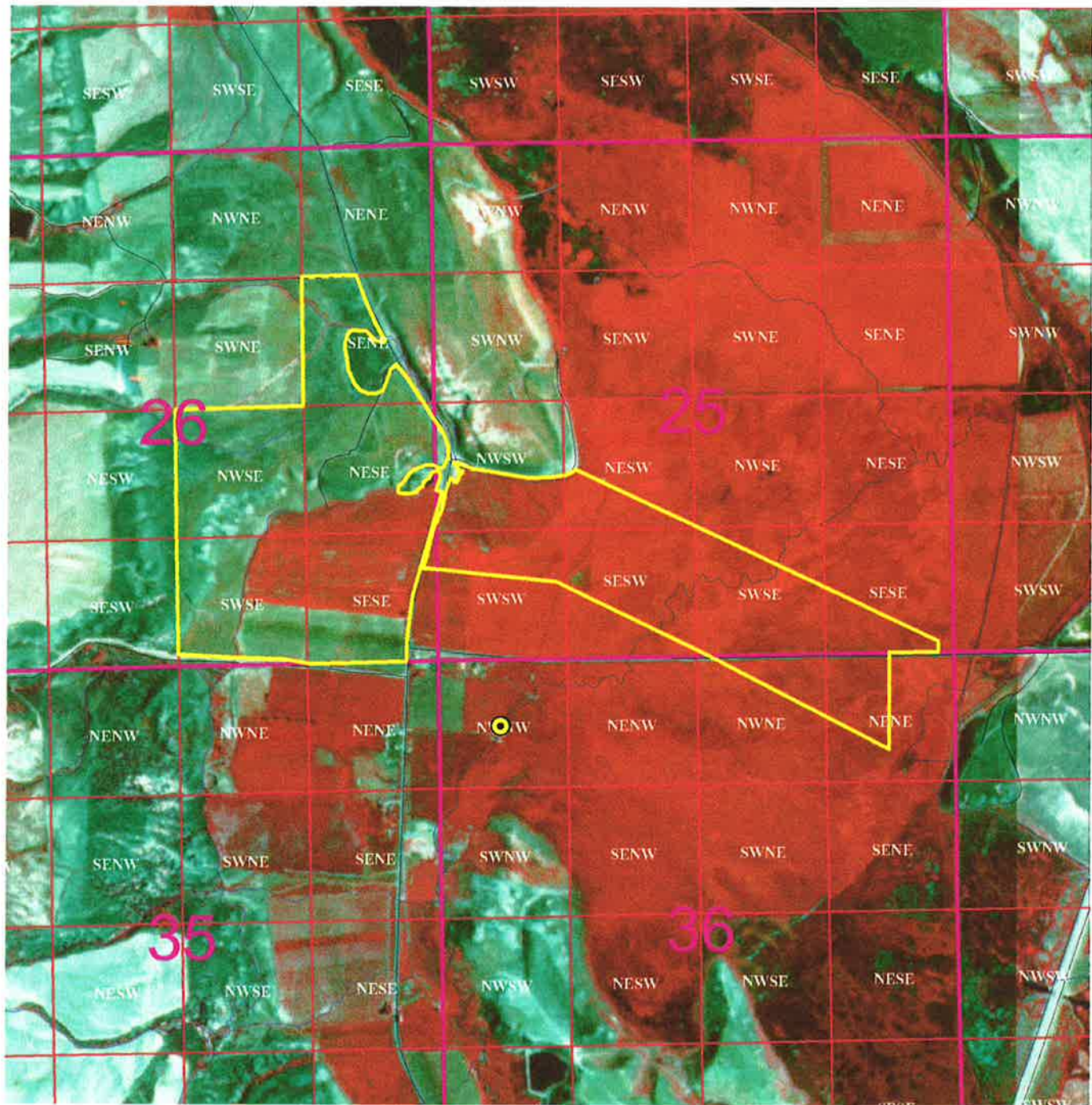
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

Township , 11S36E



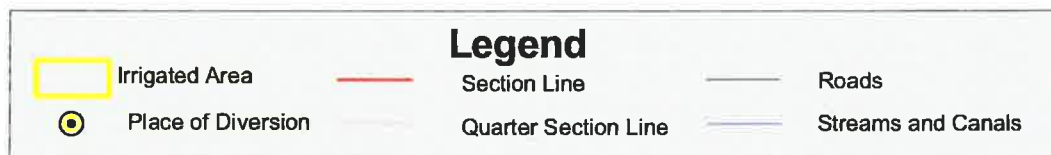
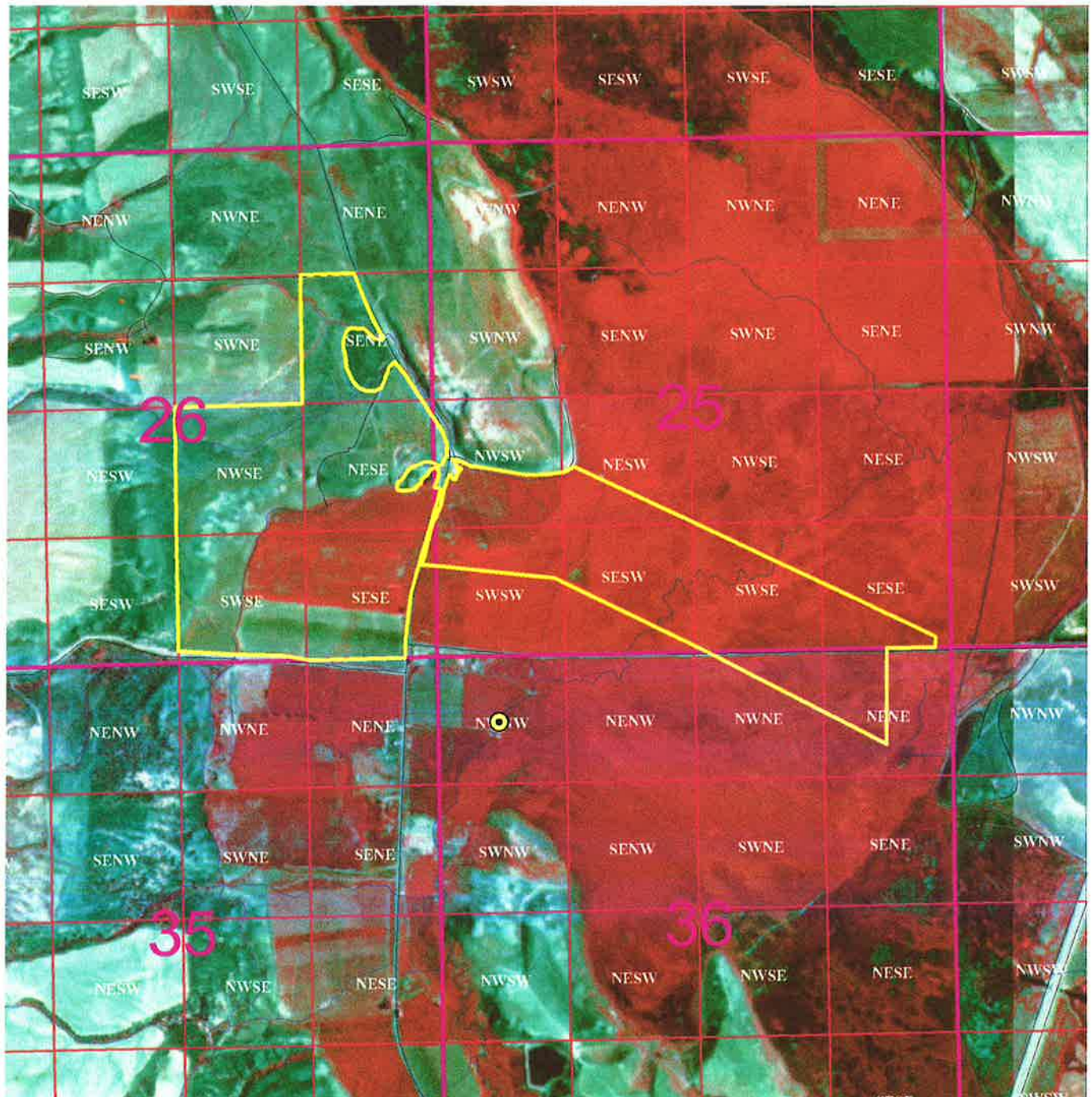
Township , 11S36E



Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



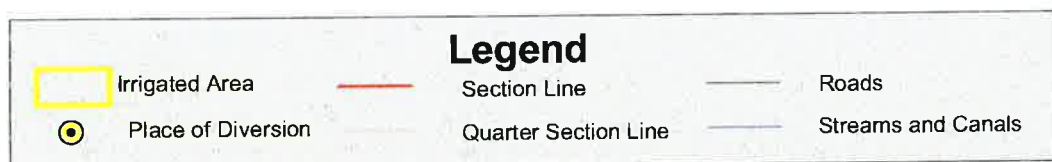
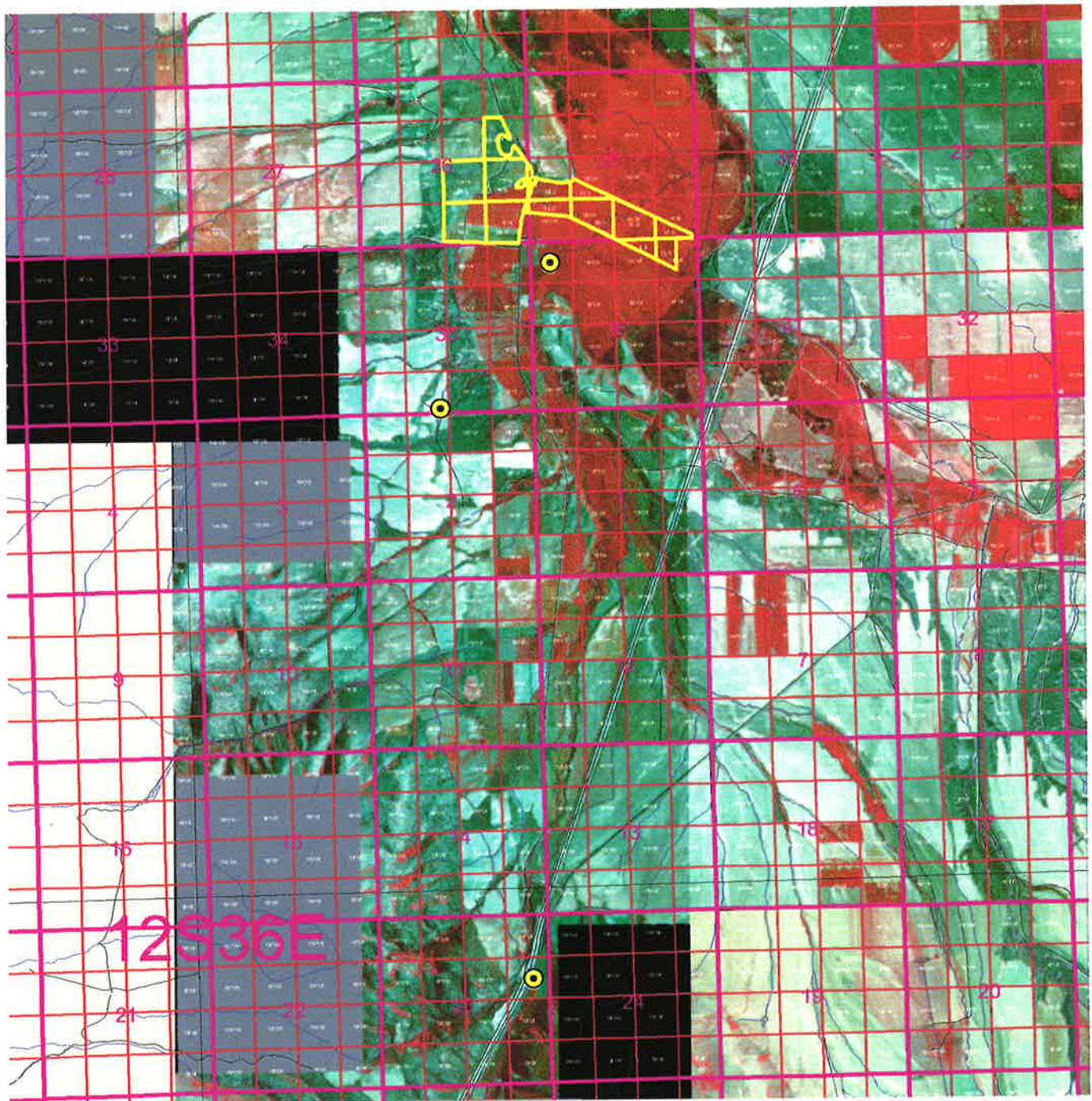
Township , 11S36E



700 0 700 1400 2100 Feet



Township , 11S36E



2000 0 2000 4000 6000 Feet

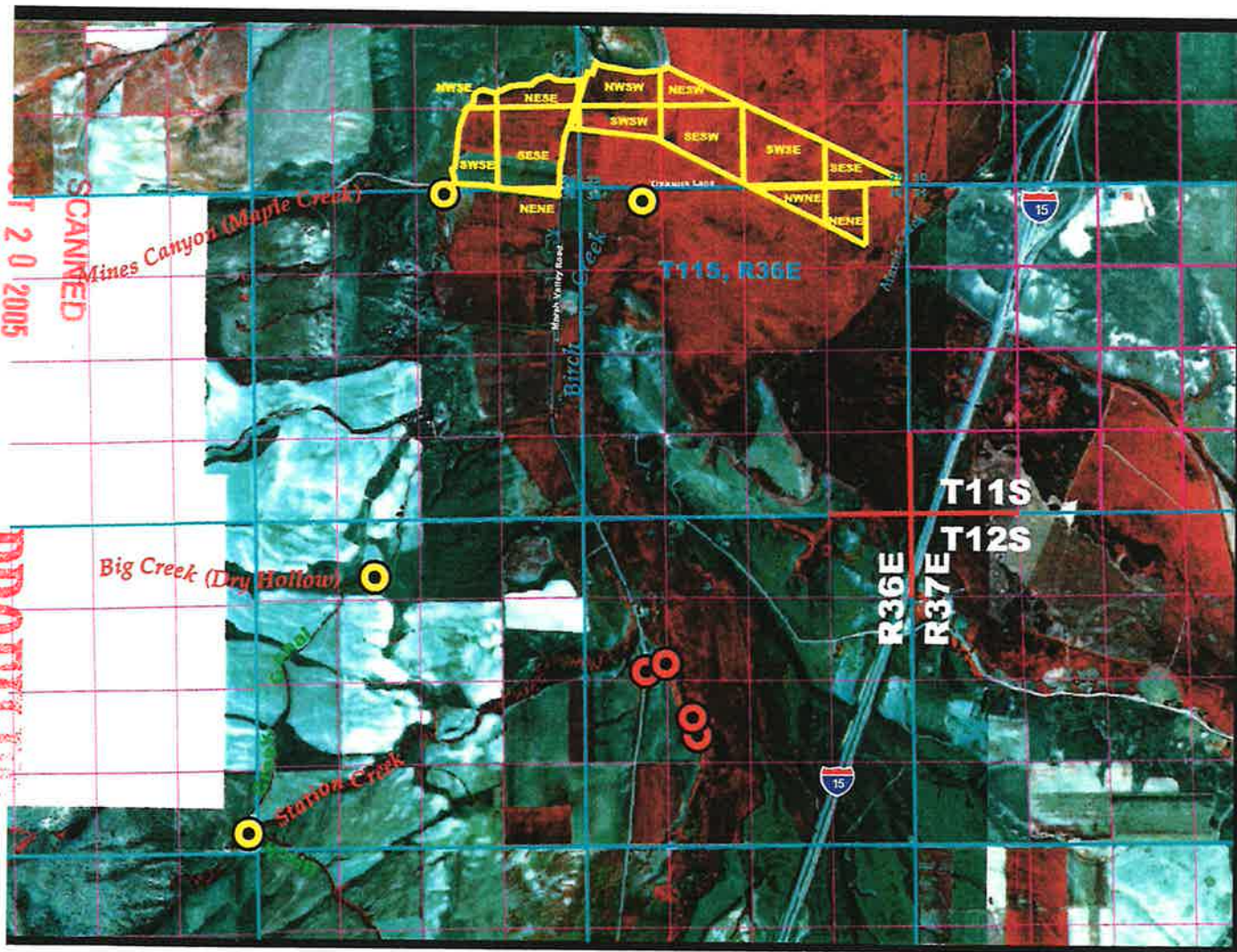




State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-00317A, 29-00320,
29-00321, 29-00322

Place of Use: (parts of) T11S, R36E
Sec. 25 S2S2, N2SW, Sec. 26 SW,
Sec. 35 NENE, Sec. 36 N2NE

Point(s) of Diversion: T11S, R36E
Sec. 35 NWNWNE (Mines Canyon),
Sec. 36 NENWNW (Birch Ck)
T12S, R36E Sec. 2 SWNENW (Big Ck),
Sec. 3 SESESE (Station Ck), Sec. 27
SWNWSW, SENWSW (Birch Ck)



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

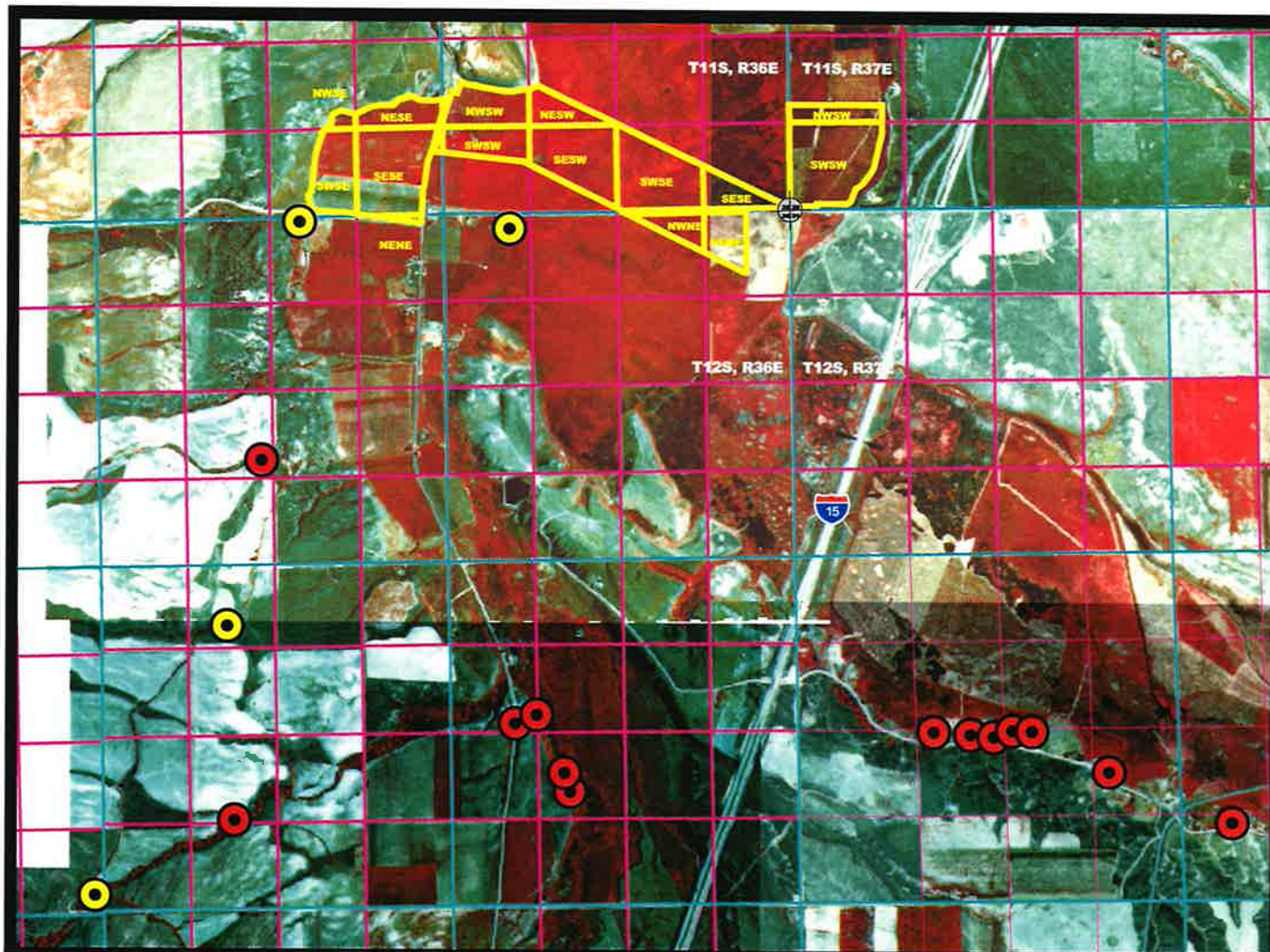
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2002



State of Idaho

Department of Water Resources

Eastern Region



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 12000 13000 Feet

Water Right(s):

29-00320,
29-00321,
29-00322

Place of Use: (parts of) T11S, R36E
Sec. 25 S2S2, N2SW, Sec. 26 SW,
Sec.35 NENE, Sec. 36 N2NE,
T11S, R37E Sec. 30 W2SW

Point(s) of Diversion: T11S, R36E
Sec. 35 NWNWNE (Mines Canyon),
Sec. 36 NENWNW (Birch Ck),
T12S, R36E Sec. 2 SWNENW (Big Ck),
Sec.3 SESESE (Station Ck), Sec. 27
SWNWSW, SENWSW (Birdch Ck)



LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

Amended DR
Version 2

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2004

02/08/2003

Allen

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-322

DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

YEAR ROUND USAGE

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

YEAR ROUND USAGE IRRIGATION IN MEADOWS

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: *4-30-03*

SIGNATURE: *Bonnie Jenkins*

Please print your name: *BONNIE JENKINS*

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*4/30/03
SEE NOTES ON
29-321
PDR*

SCANNED

SEP 26 2005

FILED

Book 8 page 523, records said county, being the farm lands now owned intended hereby and contiguous to and irrigated from said streams, all in Bannock County, Idaho.

That plaintiff William W. Woodland be adjudged and decreed to have the use and

29 0320
benefit of the continuous and uninterrupted flow of one-fourth of all the waters of Dry Hollow and Maple Creeks and the use and benefit of the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing towards Marsh Valley. That said water is used upon and be appurtenant to Lot No. 3 of Section 30, Township 11 South, Range 37 East Boise Meridian, and N 1/2 of S.E.1/4 and N.E.1/4 of S.W.1/4 of Section 25, Township 11 South, Range 36 E. Boise Meridian, Bannock County, Idaho, containing 172.82/100 acres, less 14.75 acres deeded by said plaintiff to Estate of Ellen Woodland; also to 67.36 acres adjoining last tract deeded to plaintiff by estate of Ellen Woodland heretofore; also to 27.18 acres by deed from Henry Wakley, book 13 of deeds page 424, records of said Bannock County, it being intended hereby to cover all farming lands now owned by said plaintiff as irrigated from said streams.

29 0323 That the Estate of Ellen Woodland be adjudged and decreed to have the use and benefit of the continuous and uninterrupted flow of one-fourth of all the waters of Dry Hollow and Maple Creeks and the use and benefit of the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing towards Marsh Valley. That said water is used upon and appurtenant to Lot No. 4 of Section 30, Township 11 South, Range 37 E. Boise Meridian, and S.1/2 of S.E.1/4, and S.E.1/4 of S.W.1/4, Section 25, Township 11 South, Range 36 East B.M., containing 172.83 acres, less 127 acres conveyed to W. W. Woodland, Henry Wakley and J.J.Wakley under decree of the Probate Court, Bannock County, Idaho; also to 46 acres deeded to said estate by W. W. Woodland, John J. Wakley and Henry Wakley; also to the tract of land known as the Ellen Woodland Desert Entry situated on said Birch Creek, containing 160 acres, all of said lands being in said Bannock County, it being intended hereby to cover all lands now owned by said estate as irrigated from said streams.

That defendant George Wakley be adjudged and decreed to have the use and benefit

FILED

SCANNED
SEP 26 2005

Claim No.	Claimant	Fract.	Q by Rec	Acres	Stream	Remarks
<u>Phillips vs Edwards Decree, 1924..... Rowley Creek</u>						
29-11242	Wm Phillips	1/2	1.50	75.0	Rowley Ck	
29-12020	P Fergus	1/4	2.02	100.8	Rowley Ck	
29-13469	K Williams	1/4	2.52	126.0	Rowley Ck	
Claimed in-full						
<u>Wakley vs Wakley, 1904..... Station Creek</u>						
29-00321	Vaughan, et al	1/5	3.91		Station Ck	
29-00326	F Winward	1/5	1.92	96.0	Station Ck	
29-10461	Lazy VZ Trust	2/5	3.08		Station Ck	
29-11699	P Adams	1/5	5.64	282.2	Station Ck	
Decreed right(s) claimed in-full						
29-13476	TJL Properties		0.065		Station Ck	Recommended as BU, Priority 6/10/1904
<u>Wakley vs Wakley, 1904.....Dry Hollow (Big Ck) and Maple Ck (Mines Canyon)</u>						
29-00317A	Vaughan, et al	4/4 0/0	3.91		Big Ck/Maple Ck	DISALLOWED-ownership not proven
29-00320	Vaughan, et al	1/4	3.91		Big Ck/Maple Ck	
29-10462	Lazy VZ Trust	4/4 1/2	1.23		Big Ck/Maple Ck	Recommended as 1/2 flow **
29-11698	P Adams	1/4	5.64	282.2	Big Ck/Maple Ck	
Claimed in-full						
29-11700	P Adams	XX	0.36	282.2	Unnamed Strm	Beneficial Use
29-10407	TJL Properties	XX	0.07		Big Ck/Maple Ck	Recommended as BU, Priority 6/10/1904

Daniels vs Woodland, 1878..... Birch Creek

29-13103 Malad Valley Irr 3/4 6.20 Lg POU Birch Ck
Marsh Creek side (B29) users got 1/4 of the flow of Birch Creek as shown below.

Wakley vs Wakley, 1904..... Birch Creek

29-00322	Vaughan, et al	4/24	3.91	195.3	Birch Ck
29-00327	Marler/Gardner	2/24	2.54	128.0	Birch Ck
29-00328A	K Williams	1/24	2.52	126.0	Birch Ck
29-00328B	P Fergus	5/24	2.02	100.8	Birch Ck
29-00328C	F Winward	2/24	1.92	96.0	Birch Ck
29-00329	F Winward	2/24	0.80	40.0	Birch Ck
29-11241	Wm Phillips	2/24	1.50	75.0	Birch Ck
29-11650	TJL Properties	2/24	1.76	88.0	Birch Ck
29-11697	P Adams	4/24	5.64	282.2	Birch Ck

Claimed in-full

Notes:

** Re; 29-10462 see Transfer #3032 Claim combines 29-317 and 29-330C (which recombines A & B)
The Decree of Davis vs Treasure only involves Birch Creek water.

PROFILED

SCANNED
SEP 26 2005

BASIN 29; BIRCH CREEK WATER RIGHTS

Mapping: USGS Quad, CC-91, recognizes a perennial stream flowing East from Section 28, T12S, R36E, named Mill Creek. Flowing into NWSW of Section 27 this same stream is called Mill Creek. Then, at a small dam located in the center of the NWSW of Section 27 the same stream trace continues on to the East, but, in NWSW of Section 26 (T12S,R36E) the name changes to Birch Creek and continues on, as such, into Basin 29. Points of diversion and points of injection are in Oneida County.

Brief History: On October 10, 1878, a Decree in Equity (Daniels vs Woodland) was issued. Thereby, allocating $\frac{3}{4}$ of "... all the waters of Birch Creek,..." (no quantitative analysis of flow is mentioned) to Daniels, et al. This $\frac{3}{4}$ flow was (is) diverted, at two points, in NWSW Sec. 27 T12S, R36E and ditched to flow into Basin 15 and on into Devil Creek; ultimately being held for storage in Devil Creek Reservoir. This water right is claimed (SRBA) as 29-13103 and claims the 1878 priority date; held by Malad Valley Irrigation (MVI), in Oneida County.

The remaining $\frac{1}{4}$ of flow to, Woodland, et al, (again, no quantitative analysis of flow is recognized) is diverted at the same points of diversion, then injected (same legal description as the diversion, only a few yards downstream) back into the creek channel (Birch Creek) and carried on into Basin 29, Bannock County. Part of the flow of Birch Creek (after the split, as above), on the Basin 29 side, is then rediverted at SESENE Section 23, flows into a pipeline and under Interstate 15, then open flows into Birch Creek Canal system for distribution to several users. The remaining flow continues down the original stream channel to the valley floor and is used by other appropriators.

The Problem: The SRBA claims, from Birch Creek on the Basin 29 side, claim a priority date of June 9, 1904 (priority dates are not recognized by the decree so the decree date is used as the priority date), consistent with Wakley vs Wakley Decree (29-G1). However, Wakley vs Wakley allocates the flow (Basin 29 side) of Birch Creek to the many appropriators and fails to recognize the Daniels vs Woodland Decree setting the priority of Birch Creek waters. Wakley v Wakley also discusses the allocation and distribution of the waters of others streams on the Basin 29 side. And, again, does not recognize priority dates of those streams; therefore the priority date is the decree date of June 9, 1904, and is appropriate.

However, those claimants of Basin 29 having rights to the waters of Birch Creek ("... $\frac{1}{4}$ of the waters of said Birch Creek") and its Basin 29 tributaries, as address by Daniels vs Woodland, fail to claim the 1878 priority date.

In theory, under the Priority Doctrine, as mandated by the Constitution of the state of Idaho, "first in time is first in right" the appropriators (MVI) of the $\frac{3}{4}$ flow of Birch Creek, claiming some 6.2 cfs, could demand their right be filled in those times of short water years leaving Basin 29 appropriators without water due to their 1904 claimed priority date.

PROFILED

SCANNED

SEP 26 2005

29-00317A
29-00320
29-00321
29-00322

ALL HAVING BEEN DECREED
JUNE 9, 1904 (W/O PRIORITY)
AND W/O QUANTITY OF FLOW
(ONLY TO SAY: $\frac{1}{4}$, $\frac{1}{5}$ OR $\frac{1}{6}$ OF
... STREAM FLOW)

I. CLAIMANT CLAIMS SOME $303^{\frac{3}{4}}$ ACRES. BY GPS ONLY
195° ACRES IRRIGATED ARE IDENTIFIED. PURSUANT TO
§ 42-202 AND 42-220 IC MAXIMUM ALLOWABLE Q IS
 $0.02 \text{ cfs/AC. } \therefore 195^{\circ} \times 0.02 \text{ cfs} = 3.90 \text{ cfs.}$

II. ALTHOUGH WAKLEY VS WAKLEY (6/9/1904) DOES DEFINE
CERTAIN ACREAGES, UNDER THE MANY VARIOUS RTS.,
DUE TO DECREE LANGUAGE IT IS (MOSTLY) UNCLEAR
AS TO THE ACTUAL (ACCURACY) ACRES INTENDED.
 Δ IN POU IS APPROPRIATE $\Rightarrow$ CDS

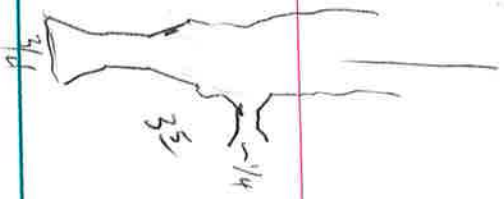
REMARK $\rightarrow$ III. CLAIMANT CLAIMS 6.07 cfs FROM EACH RIGHT
SHOWN ABOVE. HOWEVER, THIS Q IS REDUCED TO
A TOTAL OF 3.9 FOR EACH RIGHT WITH REMARK
LANGUAGE, OF EACH RIGHT, LIMITING TOTAL Q AT
ANY ONE TIME, FROM ALL SOURCES, TO BE 3.90 cfs.
COMBINED USE (OR SINGULAR USE) LIMITS DIVERSION
RATES TO 0.02 cfs PER AC. (§ 42-202, 42-220 IC)

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SEP 26 2005
IV. SOURCES ARE MANY AND DUE TO LACK OF CLARITY OF
WAKLEY VS WAKLEY IT IS NOT CLEAR IF ANY PARTICULAR
RIGHT GOES TO CERTAIN POU. HOWEVER, SINCE 1904
SYSTEMS (STREAMS) HAVE BEEN JOINED TO A COMMON
SYSTEM SHARED APPARENTLY ^{BY} ALL OR MOST USERS.

V. DUE TO ALL RTS ADDRESSED BY WAKLEY VS WAKLEY HAVING
NO SPECIFIC PRIORITY DATE THE DECREE DATE IS USED.
AVAILABLE WATER IS PRO-RATA SHARED W/ USERS.

SCANNED
SEP 26 2005

PROFILED



Contacts Data Entry Form

29-322 DEC.

Owner Type Full Name Address City State Zip Phone

Current Owner DAVE TREASURE

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

CLAIMED BY WALKLEY VS WALKLEY DECEDEE, JUNE 9, 1904. SEE DECEDEE

EXCERPT IN 29-320

ACTUAL BIRTHRIGHT PRIORITY WAS ESTABLISHED AS 1878 BY

DANIELS VS WOODLAND 10/10/1878.

* CLAIM AMENDED TO CORRECT PRIORITY DATE TO 1878.

10/3/02 FB, VISITED POD'S, POW'S.

10/31/02 Mrs. Vaughan called she will send CO w/ CC
OR DEED showing Partnership from Mr. Treasures estate.

RE. 29-317A, 320, 321 & 322.

FIS INDICATED - POD/SOURCES, POW

Reviewer: _____

Date: _____

PROFILED

SCANNED

SEP 26 2005

RECEIVED
11/6/02
10/DEED
558-29-320

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: June 9, 1904 Water Right Basis: D 422235Claimed Priority Date: " Claimed Basis: "Recommended Priority Date: " Recommended Basis: "☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Claims DATE OF DEEDS - OK

Reviewer: _____

Date: _____

PROFILED

SCANNED
SEP 26 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
11S	36E	35		SESW	Bann	BIRCH CK
GPS Coordinates: _____						
		36		NWNW	BANN.	BIRCH CK
GPS Coordinates: _____						
12S	36E	27		SWNW SW	ONEIDA	BIRCH
GPS Coordinates: _____						
		27		SE NWSW	ONEIDA	BIRCH
GPS Coordinates: _____						
		23		SE NWSW	BANN	BIRCH
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

REDIV. ? NO! OFF BIRCH CK CANAL
NATURAL CHANNEL,
* (1) 1/4 / 3/4 SPLITTER
* (2) 1/4 / 3/4 SPLITTER
RE-DIVERTS to CANAL

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

WATERS OF BIRCH CREEK ARE SPLIT IN SEC. 27 AS 1/4 FLOW TO B29, 3/4 FLOW TO BIS SIDE FOR MVI (29-13/03) FOR STORAGE AT DEVIL CK RBS. BIRCH CK (SIDE B29) FLOWS IN NATURAL CHANNEL UNTIL (RE) DIVERTED INTO BIRCH CK CANAL @ T12S, R36E, SEC. 23 SESENE. NATURAL CHANNEL CONTINUES ON FOR SERVICE DIRECTLY FROM SOURCE IN LOWER REACHES.

Transfers Changing POD _____

Reviewer: _____

PROFILED

SCANNED

Date: SEP 26 2005

* BOTH POINTS OF DIVERSION ALSO INJECT THE 1/4 FLOW BACK INTO THE NATURAL STREAM CHANNEL (SAME LEGAL AS POD).

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
11S	36E	25				110 ^e		Trnig
		26				170 ^e		"
		30				0.3		"
		36				23		"
Total Acres							303 ³	

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
Total Acres								

Document how the POU was verified:

DISCREP DON'T DISCUSS 303⁺ AC; RATHER, 172⁸² AC

Q: → ENLARGING CLAIM?

RE INDICATED: POD/SOURCES; POH

Transfers Changing POU _____

Reviewer: _____

Date: _____

PROFILED

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SEP 26 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prong	—	—	1/6 FLOW OF	Birch Cr.

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prong	3/15	11/15	6.07	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prong	4/1	10/31		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Claims 0.02/AC on 303³ AC.

Reviewer: _____

Date: _____

FILED

SCANNED
SEP 26 2005



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
June 4, 2003

TO: Basin 29 Surface Water User

I am writing this letter to you as a courtesy to inform you that after review of the Department of Water Resource's preliminary recommendation for your water right(s), a quantity remark has been added. The quantity remark will reflect how your water right(s) was historically decreed in a prior decree. The prior decree recognized the quantity for your water right(s) as a fractional amount of the stream flow listed from the source on your water right. You can expect the Department's Director's Report, which is to be filed with the SRBA Court sometime in July, to include a quantity remark as follows:

The amount of water diverted under this water right may not exceed (*decreed percent or fraction*) of the stream flow of (*decreed source*) at the point of diversion described above at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

The information in parentheses and italics will reflect whatever fraction and source is correct for your water right(s).

If you disagree with the inclusion of this quantity remark in your water right, you will be able to file an objection with the SRBA Court. A Notice of Filing Director's Report will be mailed to you along with the Director's Report for your water right(s) sometime in July. This Notice will outline the deadlines and process for filing an objection to your water right(s).

If you have any further questions regarding this matter, you can contact me at 208-327-7900.

Very truly yours,

A handwritten signature in black ink, reading "Candice M. McHugh".

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Allen Ruberry
CMM/pm

SCANNED
SEP 26 2005

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400

PROFILED

NOV 06 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Water Resources
Eastern District Office

ABR

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-00320	(SEE FILE FOR DOCS)				
00321					
00322					
00317A					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate ~~FILE FEE~~. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

DAVE TREASUNG

22703 So. MARSH CR RD DOWNSIDE ID

4. New Owner/Claimant(s)

Elizabeth Vaughan

83234

Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

100 E 12th

City, State and ZIP Code

MC Cumber SD 83250

New Telephone Number

208 254-3389

5. Date you acquired the property

2- -1994

FILED

SCANNED

SEP 26 2005

MAY 31 2001

Log for claim A29-00322

Spatial Dynamics TWB

5/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12S36E	0		0	0	Wrong tract in database for POD
11s36e	25	NESW	0	10	nenw in database should be nesw
11s36e	25	NWSW	15	18	
11s36e	25	SWSW	12	14	
11s36e	25	SESW	27	28	
11s36e	25	SWSE	32	31	
11s36e	25	SESE	42	11	
11s36e	26	SENE	20	20	
11s36e	26	NESE	39	39	
11s36e	26	NWSE	39	40	
11s36e	26	SWSE	37	38	
11s36e	26	SESE	35	34	
11s36e	36	NENE	15	12	
11s36e	36	NENE	0.3	0	Wrong tract in database?
11s36e	36	NWNE	8	8.8	
Totals:			291.3	303.8	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

Birch Creek
water meas.
Dist. letter

c/o Bonnie Jenkins

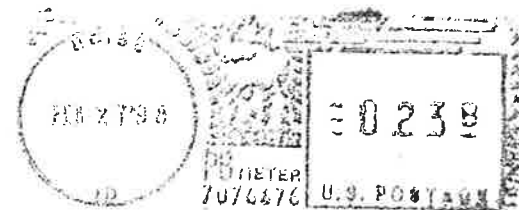
A29-00322

DAVE TREASURE
22703 S MARSH CREEK RD
~~DAVE TREASURE~~

MAL

JENK368 T832523005 1C97
JENKINS RETURN TO SENDER
SR
TEMPORARILY AWAY
RETURN TO SENDER

RECEIVED
POST OFFICE
IDAHO



RECEIVED 368
MAR 09 1998
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-322
Date Received:
Receipt No:
Received By:

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

Ammons DR

RECEIVED

JUN 08 2004

Department of Water Resources
Eastern Region

1. Name of Claimant(s)

DAVID MARK TREASURE Phone:

2615 N 800 E
LOGAN UT USA 84321

BONNIE JENKINS Phone:

368 S MAIN
MALAD ID USA 83252

DEBBIE TREASURE Phone:

218 S 100 W
LOGAN UT USA 84321

ELIZABETH VAUGHAN Phone: (208)254-3389

100 E 12TH ST
MC CAMMON ID USA 83250

2. Date of Priority: 10/10/1878

3. Source: BIRCH CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
11S	36E	36	NE	NW	NW	BANNOCK	R
12S	36E	27	SE	NW	SW	BANNOCK	I
12S	36E	27	SW	NW	SW	BANNOCK	I
12S	36E	27	SW	NW	SW	BANNOCK	
12S	36E	23	SE	SE	NE	BANNOCK	R
12S	36E	27	SE	NW	SW	BANNOCK	

SCANNED

OCT 20 2005

5. Description of diverting works:

DIVERSION DAM TO DITCH TO PIPELINE

PROFILED

SCANNED
OCT 20 2005

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	4.31	

7. Total Quantity Appropriated is:
4.79 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	
11S	36E	25	NE	SW	IRRIGATION	10	
			NW	SW	IRRIGATION	17	
			SW	SW	IRRIGATION	14	
			SE	SW	IRRIGATION	28	
			SW	SE	IRRIGATION	30	
			SE	SE	IRRIGATION	9.9	
Section Acres						108.9	
11S	36E	26	NE	SE	IRRIGATION	11	
			NW	SE	IRRIGATION	2.2	
			SW	SE	IRRIGATION	18	
			SE	SE	IRRIGATION	34	
Section Acres						65.2	
11S	36E	35	NE	NE	IRRIGATION	1.1	
Section Acres						1.1	
11S	36E	36	NE	NE	IRRIGATION	12	
			NW	NE	IRRIGATION	8.1	
Section Acres						20.1	
11S	37E	30	SW	SW	4	IRRIGATION	35
			NW	SW	3	IRRIGATION	9
Section Acres						44	
Total Acres						239.3	

11. Place of use in counties: BANNOCK

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

SCANNED

SEP 26 2005

13. Other Water Rights Used:

14. Remarks:

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

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

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 amount of water diverted under this water right may not exceed 4/24 of the stream flow of Birch Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.31 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).

15. Basis of Claim: Decreed

PROFILED

SCANNED

SEP 26 2005

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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):

Randall C. Budge
Attorney For Claimants

Date: 6/7/04

Date: _____

State of Idaho)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this

of June 2004

7th
Robin Roebuck

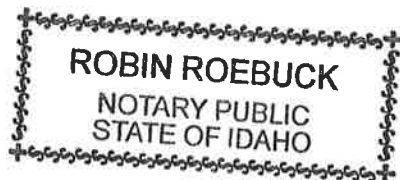
Notary Public

Residing at

Pocatello, Id.

My commission Expires

8/18/2006



PROFILED

SCANNED
SEP 26 2005

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

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 29-322
Date Received: 4/25/1990
Receipt No: E013683
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

DAVE TREASURE
22703 S MARSH CREEK RD
DOWNEY ID USA 83234

Phone: (208)897-5630

2. Date of Priority: ~~08/09/1904~~ 10/10/1878

3. Source: BIRCH CREEK , BIRCH CREEK , BIRCH CREEK Trib. to: MARSH CREEK , MARSH CREEK , MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
11S	36E	36	NW	NW		BANNOCK	
11S	36E	35	SE	SW		BANNOCK	R
12S	36E	23	SE	NW		BANNOCK	

5. Description of diverting works:

DIVERSION DAM TO DITCH TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6.07	

7. Total Quantity Appropriated is:
6.07 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
----------	-------	---------	--------	---------	-----	-------

PROFILED

11S	36E	25	SE	SE	IRRIGATION	12
			NE	NW	IRRIGATION	12
			NW	SW	IRRIGATION	15
			SW	SW	IRRIGATION	12
			SE	SW	IRRIGATION	27
			SW	SE	IRRIGATION	32
					Section Acres	110
11S	36E	26	SE	NE	IRRIGATION	20
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	37
			SE	SE	IRRIGATION	35
			NE	SE	IRRIGATION	39
					Section Acres	170
11S	36E	30	NE	NE	IRRIGATION	0.3
					Section Acres	0.3
11S	36E	36	NE	NE	IRRIGATION	15
			NW	NE	IRRIGATION	8
					Section Acres	23
					Total Acres	303.3

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

SEE DECREE FOR LAND LIST.
DIVERSION RATE 1/6 FLOW OF CREEK.
PRIORITY DATE TAKEN FROM DECREE.

Use of water under this water right will be regulated by the watermaster of
State Water District No. & DISTRICT.

15. Basis of Claim: Decreed

PROFILED

SCANNED
OCT 20 2005

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Elizabeth Thompson Date: 12-19-02

Date:

State of Idaho

County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 19th
of December 2002

Aaron B. Ruberry

Notary Public

Residing at ADAMS FAUS RD

My commission Expires 9/23/03



MAY 31 2001

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

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: A29-00322
Date Received: 4/25/1990
Receipt No: E013683
Received By: Kcw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVE TREASURE 208-897-5630
Address: 22703 SOUTH MARSH CREEK ROAD
DOWNEY, ID 83234

2. Date of Priority: JUN 09, 1904

3. Source: BIRCH CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	36E	35	SE	SW	NO	R	BANNOCK
		36	NW	NW	OK		BANNOCK
12S	36E	23	SE	NW			BANNOCK

5. Description of diverting works:
DIVERSION DAM TO DITCH TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.070		

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

8. Total consumptive use is 758.3 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	25	NE	NW		IRR	12.0
			NW	SW		IRR	15.0

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Date: 04/25/90

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	36E	25	SW		SW		IRR	12.0
			SE		SW		IRR	27.0
			SW		SE		IRR	32.0
			SE		SE		IRR	12.0
							Section Acres	110.0
		26	SE		NE		IRR	20.0
			NE		SE		IRR	39.0
			NW		SE		IRR	39.0
			SW		SE		IRR	37.0
			SE		SE		IRR	35.0
							Section Acres	170.0
		30	NE		NE		IRR	0.3
							Section Acres	0.3
		36	NE		NE		IRR	15.0
			NW		NE		IRR	8.0
							Section Acres	23.0
							Total Acres	303.3

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-00320/00321/00317A

14. Remarks:
SEE DECREE FOR LAND LIST.
DIVERSION RATE 1/6 FLOW OF CREEK.
PRIORITY DATE TAKEN FROM DECREE.

15. Basis of Claim: DECREED

Case Number:

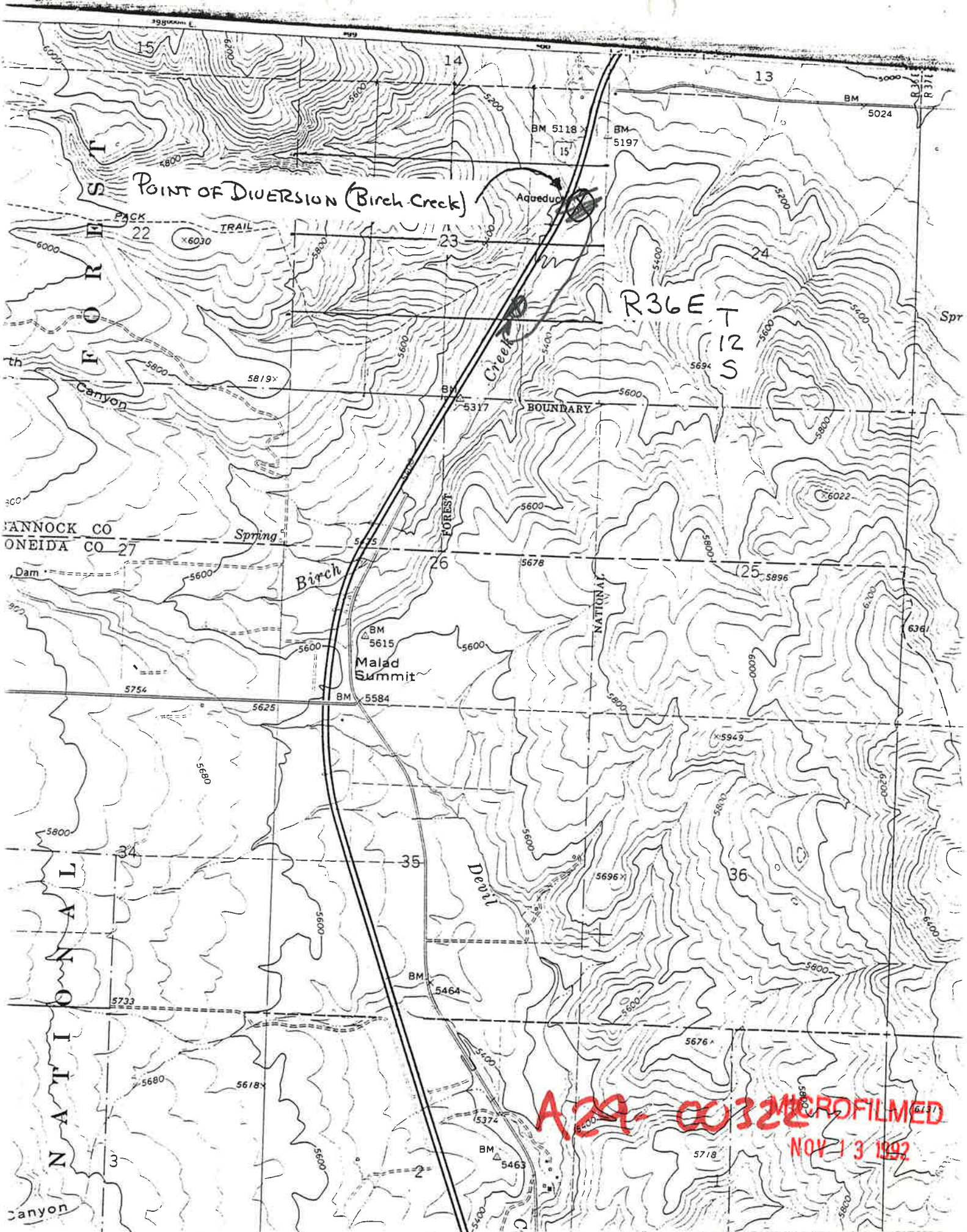
Court :

Decree date:

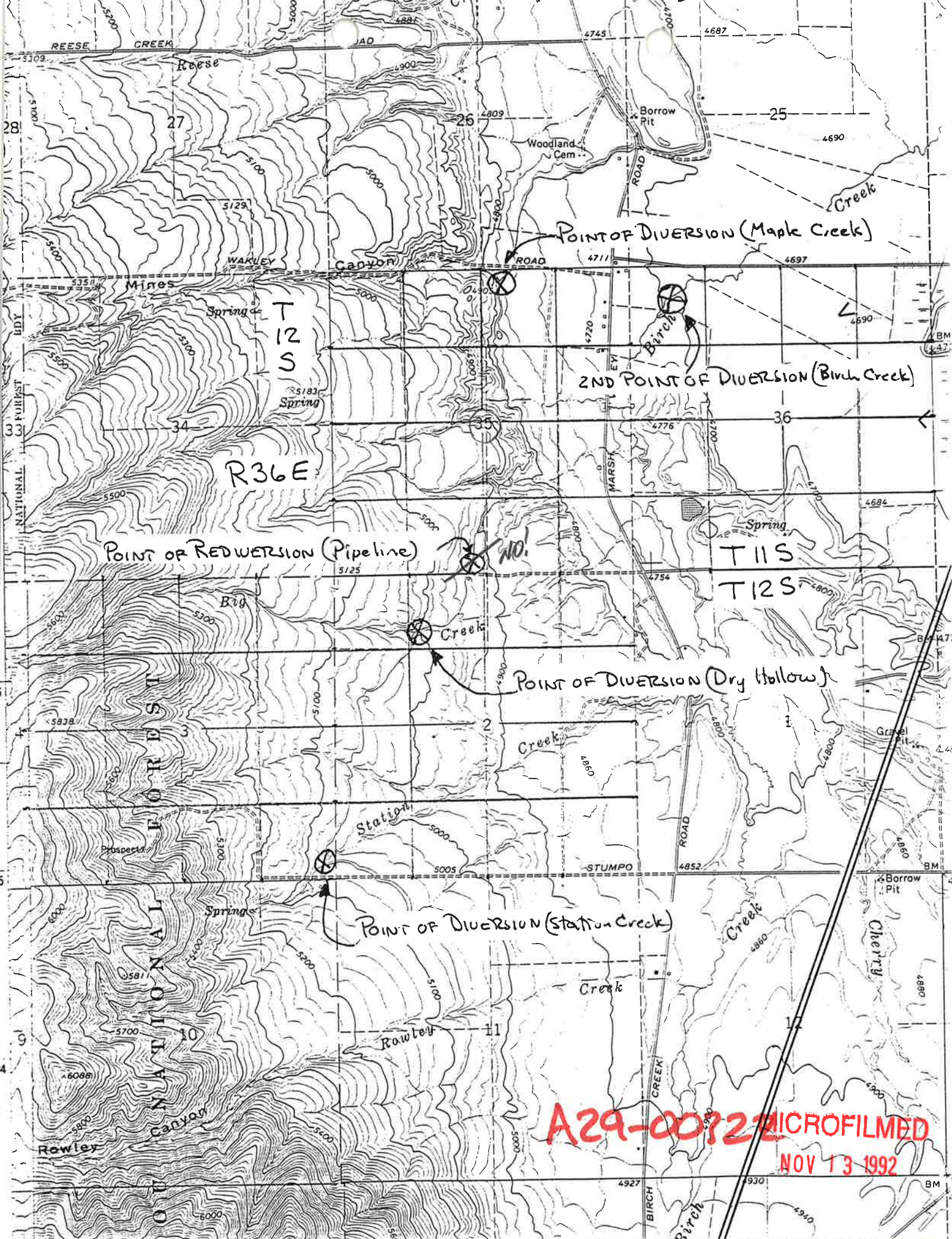
vs GEORGE WAKLEY
Decree Defendant

(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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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POINT OF DIVERSION (Maple Creek)

2ND POINT OF DIVERSION (Birch Creek)

POINT OF REDIVERSION (Pipeline)

POINT OF DIVERSION (Dry Hollow)

POINT OF DIVERSION (Station Creek)

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T 1864 4160
Rose Lee Hill

T 1836 4144
Oale Davis

T 1868 4168
Rose Lee Hill

NOT TO SCALE
T FEB
11 1989
S R36E

120A

T 1851 4141
Gladys Davis

T 1857 4162
Rick Vaughan

T 1853 4147
William Ward

T 1851 4147
William Ward

T 1850 4147
William Ward

T 1844 4147
William Ward

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