

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-911
Date Received: 1/10/2025
Receipt No: P001717
Claim Fee: \$552 -
Received By: BW

RECEIVED

JAN 10 2025

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

IDWR/Preston

1. Name of Claimant(s)

BIRCH CREEK IRRIGATION CO
7188 E BIRCH CREEK RD
PRESTON ID 83263

Phone: (208) 599-3531

2. Date of Priority: 5/2/1882

3. Source:

BIRCH CREEK
BIRCH CREEK

Trib. to:

MINK CREEK
MINK CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
14S	41E	8	NE NW		FRANKLIN	
14S	41E	7	NE NE		FRANKLIN	

5. Description of diverting works:

Concrete weir with head gate to ditch to fields.
Concrete weir with head gate to ditch to fields.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/20	07/25	9		
IRRIGATION	07/25	09/01	6		
IRRIGATION	09/01	09/30	4.52		
STOCKWATER	01/01	12/31	0.5		

7. Total Quantity Appropriated is:

9 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

500 cattle.

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	12	NE		NE		19
14S	40E	12	SW		NE		29
14S	40E	12	SE		NE		37
14S	40E	12	SE		NW		2.5
14S	40E	12	NE		SW		24
14S	40E	12	NW		SW		0.2
14S	40E	12	SW		SW		3.2
14S	40E	12	SE		SW		40
14S	40E	12	NE		SE		40
14S	40E	12	NW		SE		40
14S	40E	12	SW		SE		27
14S	40E	12	SE		SE		4.7
14S	40E	13	NW		NE		0.7
14S	40E	13	NE		NW		21
14S	41E	7	NE		NE		26
14S	41E	7	NW		NE		26
14S	41E	7	SW		NE		34
14S	41E	7	SE		NE		18
14S	41E	7	NE		NW		25
14S	41E	7	NW		NW	1	25
14S	41E	7	SW		NW	2	39
14S	41E	7	SE		NW		40
14S	41E	7	NE		SW		9.6
14S	41E	7	NW		SW	3	33
14S	41E	7	SW		SW	4	0.1
14S	41E	8	NE		NW		0.2
14S	41E	8	NW		NW		14

Total Acres = 578.2

STOCKWATER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	12	NE		NE		
14S	40E	12	SW		NE		
14S	40E	12	SE		NE		
14S	40E	12	SE		NW		

14S	40E	12	NE	SW	
14S	40E	12	NW	SW	
14S	40E	12	SW	SW	
14S	40E	12	SE	SW	
14S	40E	12	NE	SE	
14S	40E	12	NW	SE	
14S	40E	12	SW	SE	
14S	40E	12	SE	SE	
14S	40E	13	NW	NE	
14S	40E	13	NE	NW	
14S	41E	7	NE	NE	
14S	41E	7	NW	NE	
14S	41E	7	SW	NE	
14S	41E	7	SE	NE	
14S	41E	7	NE	NW	
14S	41E	7	NW	NW	1
14S	41E	7	SW	NW	2
14S	41E	7	SE	NW	
14S	41E	7	NE	SW	
14S	41E	7	NW	SW	3
14S	41E	7	SW	SW	4
14S	41E	8	NE	NW	
14S	41E	8	NW	NW	

10. Do you own the property listed above as place of use? No

If your answer is no, describe in remarks below the authority you have to claim this water right.

This claim is for an irrigation company. The properties within the service boundary are privately owned by water users.

11. Other Water Rights Used:

None.

12. Remarks:

Priority Date Explanation:

This is the date given on the decree. This use continues to this day.

This claim is for irrigation of 451.7 acres within a larger service boundary.

The point of diversion located in 14S 41E S7 NENE was not described on the water right. This point of diversion has been in place and used since at least 1940, if not earlier.

We are claiming a stock water use that has been in practice since the original ditch system was put in place.

Point of Diversion = Section 8, T14S, R41E.
Place of Use = Incomplete.
Irrigated Acres = 451.7 (Transfer 79676).

13. Basis of Claim: Decreed

14. 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 BEAR 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 Organizations:

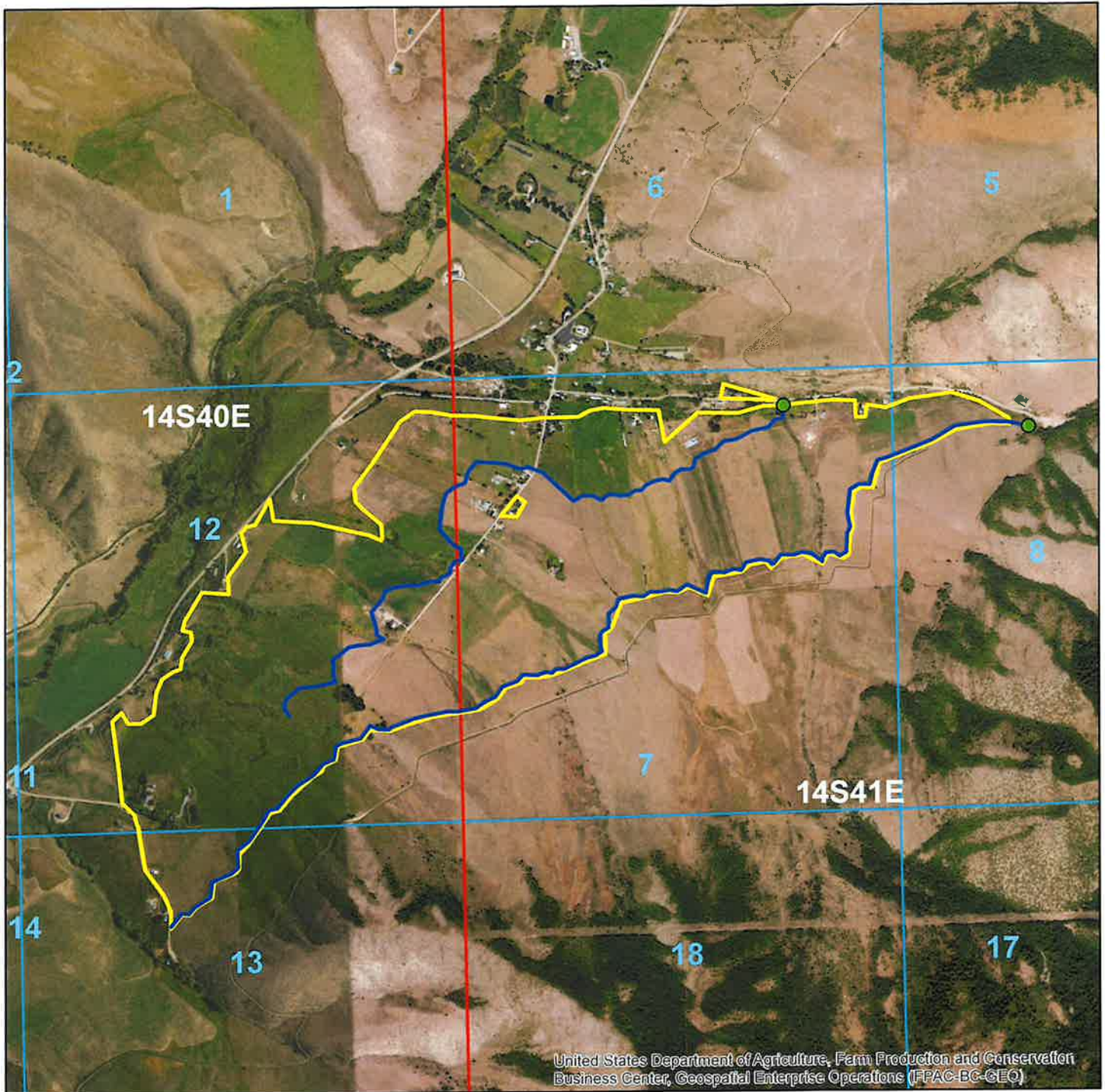
I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

_____ President _____ of _____ BIRCH CREEK IRRIGATION CO _____,
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jay Wilde Date 1-10-25
Printed Name of Authorized Agent Jay Wilde

Claim 13-911



POD ●
SERVICE BOUNDARY &
IRRIGATED ACREAGE —
DITCH —

