

**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: 13-7926
Date Received: 1/10/2025
Receipt No: P001716
Claim Fee: \$114
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 CULINARY WATER COMPANY
7363 E BIRCH CREEK RD
PRESTON ID 83263-5262

Phone: (208) 631-8470

2. Date of Priority: 5/2/1882

3. Source:

BIRCH CREEK

Trib. to:

MINK CREEK

4. Point of Diversion:

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

5. Description of diverting works:

Concrete vault with metal pipe to mainline.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
MUNICIPAL	01/01	12/31	0.64		70.3

7. Total Quantity Appropriated is:

0.64 C.F.S. and/or 70.3 A.F.A.

8. Non-irrigation uses:

9. Place of use:

MUNICIPAL within FRANKLIN County

Township	Range	Section	$\frac{1}{4}$	of	$\frac{1}{4}$	Lot	Acres
14S	40E	12	SE		NE		
14S	40E	12	NE		SE		
14S	41E	6	NE		NW	3	
14S	41E	6	NW		NW	4	
14S	41E	6	SW		NW	5	
14S	41E	6	SE		NW		
14S	41E	6	NE		SW		
14S	41E	6	SW		SW	7	
14S	41E	6	SE		SW		
14S	41E	6	SW		SE		
14S	41E	6	SE		SE		
14S	41E	7	NE		NE		
14S	41E	7	NW		NE		
14S	41E	7	NE		NW		
14S	41E	7	NW		NW	1	
14S	41E	7	SW		NW	2	
14S	41E	7	NW		SW	3	
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 a municipal water purveyor. The lands within the place of use are privately owned by the 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.

We are claiming year-round municipal use at the diversion rate we have been using since this system was set up in 1916.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13N.

The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Place of use is within the area served by the public water supply system of Birch Creek Culinary Water Company, Inc.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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

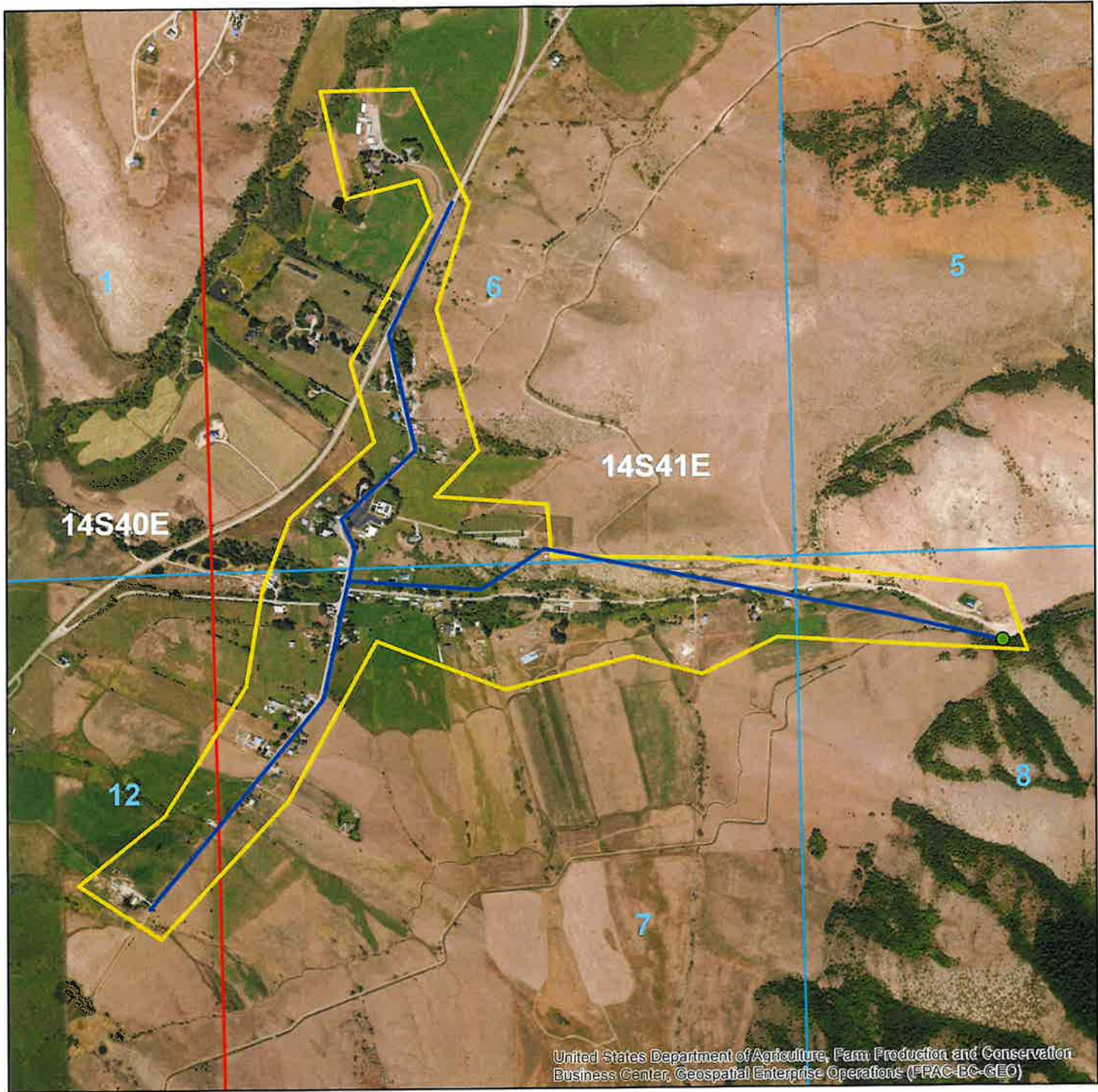
_____ Board Member _____ of _____ BIRCH CREEK CULINARY WATER COMPANY _____
Agents Title (please print) Name of Organization (please print)

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

Signature of Authorized Agent Casey Wilde Date 1-10-25

Printed Name of Authorized Agent Casey Wilde

Claim 13-7926



United States Department of Agriculture, Farm Production and Conservation
Business Center, Geospatial Enterprise Operations (FPAC-BE-GEO)



POD ●
SERVICE BOUNDARY —
MAINLINE —

