

29-6 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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October 29, 1998

RECEIVED

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Department of Water Resources  
Eastern Region

Randall C. Budge  
RACINE, OLSON et al.  
P.O. Box 1391  
Pocatello, ID 83204-1391

RE: DECREE TITLED THOMAS DANIELS ET AL. VS WILLIAM WOODLAND, ET AL.

Dear Randy:

Enclosed is a copy of the above referenced decree which was entered on October 10, 1878. I am not sure that the Malad Valley Irrigation Company is the successor-in-interest to the plaintiffs in the suit, but the split of the water as one-quarter and three-quarters is consistent with the way Birch Creek appears to have been delivered for many years.

I also will send a copy of this decree to Dennis Phillips so he and the other users of Birch Creek on the Marsh Creek side can evaluate what they wish to do with respect to claiming a priority of use. I suggest some sort of coordination between the owners of the 1/4 and 3/4 portions in order that a needless conflict does not arise.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief  
Water Allocation Bureau

10-28-98  
Scanned 9-17-04

Hezing Tape - Downey  
IDaho

Encl: 1

c: IDWR - E. Region  
IDWR - Tim Luke

in Hard copy