

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: A45-04091
Date Received: 6/06/1989
Receipt No: S007579
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF BURLEY 208-678-2224
Address: P.O. BOX 1090
BURLEY, ID 83318

2. Date of Priority: APR 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	20	NW	SW	NW		CASSIA

5. Description of diverting works:
WELL, PUMP, & PIPELINE TO CITY IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	04/01	11/01	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/IRRIGATION WITHIN CITY LIMITS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	20	NE	NE		MUNI	
			NW	NE		MUNI	
			SW	NE		MUNI	

A45-04091

Page 1

Date: 06/06/89

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MAR 10 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	23E	20	SE NE		MUNI	
			NE NW		MUNI	
			NW NW		MUNI	
			SW NW		MUNI	
			SE NW		MUNI	
			NE SW		MUNI	
			NW SW		MUNI	
			SW SW		MUNI	
			SE SW		MUNI	
			NE SE		MUNI	
			NW SE		MUNI	
			SW SE		MUNI	
		29	SE SE		MUNI	
			NE NE		MUNI	
			NW NE		MUNI	
			SW NE		MUNI	
			NE NW		MUNI	
			NW NW		MUNI	
			SW NW		MUNI	
			SE NW		MUNI	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:
THESE CLAIMS CONSIST OF WR'S ON LOW PRESSURE WELLS USED IN ONE
IRRIGATION SYSTEM WITHIN PORTIONS OF THE CITY OF BURLEY.
OTHER WR'S USED****
A45-11133 A45-07436 A45-04089 TO A45-04096

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am City Attorney of
City of Burley, that I have signed the foregoing
Organization document in the space below as City Attorney of
City of Burley and that the statements contained in the
Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

City Attorney - Burley
Title and Organization

6/6/89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of June 19 89

[Signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1990

Burley Water Dept.
C/O Jesse Mabry
P. O. Box 1090
Burley, ID 83318

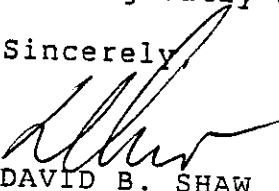
Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,


DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A36-04080

A45-04090

04097

11/30

A45-04085

04092

04098

11/33

04086

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04099

04087

04094

07092

04088

04095

07114

04089

04096

07269

07436

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MAR 10 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-04091
CITY OF BURLEY
P.O. BOX 1090
BURLEY

ID 83318

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

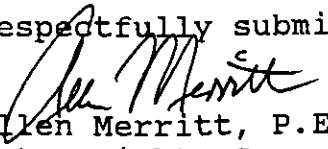
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by April 1, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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06/21/2004

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

RIGHT NUMBER: 45-4091
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

VERIFIED BY *KAC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.720 CFS

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION:

T10S R23E S20 NWSWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
03/15 11/15

QUANTITY
1.720 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho 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: Beneficial Use

The point of diversion is also known as Larson Well.

The rights listed below share a common delivery system north of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4089, 45-4090, 45-4091, and 45-4092.

City of Burley
45-4091 Larson Well #1 (irrigation) A0007809

Evidence of Priority City Record
Typed report with interdict statement
"some time around 1943"

overhauled in 1955 and tested @ 750 to 800 GPM

operating system estimated @ 800 GPM (1.78 cfs)

Historical system 10 HP rated @ 900 GPM = 2.01 cfs.

Wm's measurement 263.4 GPM = 0.59 cfs

City meter 251.8 GPM = 0.48 cfs

Mc Bride Well test in 1955

used city pump but used
a gasoline engine to drive pump

test results were 776 GPM — 1.72 cfs

Recommend

4-1-1955 Priority date (evidence lost)

0.59 cfs dis rate.

1.72 cfs

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
04-01 11-01	2.00 CFS	
TOTAL DIVERSION: 2.00 CFS		

Stage: STATUTORY CLAIM

CASSIA County

NE

[illegible]

Non-Irrigation Uses: M/IRRIGATION WITHIN CITY LIMITS

other Rights: SEE REMARKS.

Remarks: THESE CLAIMS CONSIST OF MR'S ON LOW PRESSURE WELLS USED IN ONE
IRRIGATION SYSTEM WITHIN PORTIONS OF THE CITY OF BURLEY.
OTHER MR'S USED*****
A45-11133 A45-07436 A45-04089 TO A45-04096

Verified Date:

Field Inspection Flag:
Presumption Flag:

SEP 27 1963

RECEIVED

Department of Water Resources
Southern Region Office

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445-04091

McBride Well Test

Mr. Jim Schoonover was hired by the City to renovate the McBride Well located on 8th street between Burton and Schodde. From previous founding there were some indication that deposits had filled the well approximately 5 feet. Mr. Schoonover first attempted to bail this out. In doing so he encountered roots which had through perforation from a large Willow Tree near by. It was his opinion that this root structure was extensive enough to plug a great number of the perforation, there by shutting off appreciable amount of water flow into the casing. It was also his opinion at first that any further work on the well might be of no avail. At a special Council meeting he appeared before the Council and at that time it was decided to further clean the perforation as much as possible and then to test the well. Subsequently Mr. Schoonover cleaned the perforation and set the City's pump into the well for the test. A gear head was placed on the pump in place of the electric motor and a gasoline engine was used for power. The following are the results of the first test on March 22, 1955:

Time	Mes. from top of block 1 ft. above casing.	Discharge
Started at 3:55 p.m.	13'	776 gpm
After 5 min.	25'	"
After 15 min.	27'	"
After 25 min.	27.5	"

Pump was shut off and the well recovered to 14.5 ft. within one minute.

The pump was turned on again and pumped until 5:00 p.m.. The down measurements were taken with the use of a bottle on the metallic tape. It was found that these measurements were not accurate and were disregarded.

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I believe, however, the measurement shows in the table up above are in 1.5 feet of being correct. On March 23, Mr. Schoonover again pumped the well. I was not present at the time these test were taken. However, Mr. Schoonover reported the following information to me. By use of an airline, he measured the draw down to be 10 pounds pressure or 23 feet. This added to 13 feet to the water measured before pumping started, would make a total distant below the pump block as indicated in the table, would make a total draw down of 36 feet. Mr. Schoonover, reported that he pumped the well for a total of four hours and that the discharge was between 750 to 800 gpm. In his opinion the well would produce this amount of water without excessive draw down.

The discharge measurements were made using a five-inch orifice in a six-inch pipe together with a measurement of the pressure in inches of water at a point approximately 2 feet from the orifice.

In talking with Mr. Thompson of the Layne Bowler Corp. of Calif., the pump installed at the McBride Well with a 32.5 foot per stage head would pump between 600 and 650 gpm. Since there is not this much head on this pump his curves revealed that at 25 feet per head it would pump 800 gpm. The first discharge given above is at the pump's maximum efficiency. The pump has four stages. The impellers and wearing rings did show some wear and will have to be replaced at least within two years. The shaft also shows some wear. However, these shafts were reversed in order that there would be a new wearing position in each bearing.

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Record of City Wells

Name and No.

Well location

Use of well

Drilled by

Date drilled

Depth below ground

Depth to water level

Draw down

Diameter of pit

Size of casing

Capacity of well

8th St. & Schodde, Block 36 lot 1

irrigation

H. A. Schoonover

71'

14'

2'

46" sq. inside

12" & 55' in. length

A45-04091

Motor:

Make of motor

Date manufactured

Date installed

Serial No.

Voltage

Amperes

Current phase

R.P.M.

H.P.

Frame

Cycles

Style or type

°C Rise

U. S. Electric Motor

158206

220-440

27-13.5

3

1750 to 1760

10

882

60

SCV

Pump:

Make of pump

Serial No.

Date manufactured

X Date installed

Rated capacity

Pumping head

Make of bowles

No. of bowles

Size of bowles

Depth of bowl setting

Pump column

Sterling Centrifugal Pump size 5 X 12

8884

900 gal. per minute

20'

Sterling

1

5 X 12

16' from top of pit

16' X 7" OD

Lubrication:

Type of oil and grade recommended

Type of oil and grade in use

Log of Well:

Water was first struck at 10', coarse gravel and water was found between 10' and 26', joint clay was found for 26' between 26' and 52'. Water was again struck at 52' and carried the same to 55', struck pea gravel which remained the same from 55' to 69'. Struck water at 69', found joint clay from 69' to 71' where drilling was stopped. Casing is perforated from 67' to 20'. Well is cemented for the first 16' from 16' to 71'.

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TOP-BEARING #7218-BY

ENTER CHAIN WITH STAKEHOUSE WELL