

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: A45-04097
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: JUN 01, 1925

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	SW	SW	SE		CASSIA

5. Description of diverting works:
WELL AND 100 HP PUMP, PIPELINES TO CITY SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.780		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/CITY WATER FOR BURLEY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	17	NE	NE		MUNI	
			NW	NE		MUNI	
			NE	NW		MUNI	

A45-04097

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	17	NE		SW		MUNI	
			SE		SW		MUNI	
			NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		19	NE		SE		MUNI	
			NW		SE		MUNI	
			SW		SE		MUNI	
			SE		SE		MUNI	
		20	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			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	
			SE		SE		MUNI	
		21	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		NE		MUNI	
			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	
			SE		SE		MUNI	
		22	NW		SW		MUNI	
			SW		SW		MUNI	
		27	NE		NW		MUNI	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	23E	27	NW		NW		MUNI	
		28	NW		NW		MUNI	
		29	NE		NE		MUNI	
			NW		NE		MUNI	
			SW		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	
			SE		SE		MUNI	
		30	NE		NE		MUNI	
			SE		NE		MUNI	
		32	NE		NE		MUNI	
			NW		NE		MUNI	
			NE		NW		MUNI	
			NW		NW		MUNI	

11. Place of use in counties: MINIDOKA, CASSIA

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

13. Other Water Rights Used:

A45-04099, A45-04098, A36-04080, A45-07269

14. Remarks:

P/U WITHIN CITY LIMITS OF BURLEY

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 Utilities Director of CITY of Burley that I have signed the foregoing document in the space below as Utilities Director of CITY of Burley and that the statements contained in the foregoing document are true and correct.

Donald R. Hill
Signature of Authorized Agent

Utilities Director
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

Steve Chell
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

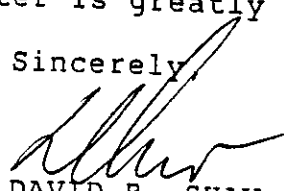
Gentlemen:

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



11/30

A45-04085

04091

04098

11/33

04086

04092

04099

04087

04093

07092

04088

04094

07114

04089

04095

07269

04096

07436

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MAR 1 0 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

A45-04097
CITY OF BURLEY
P.O. BOX 1090
BURLEY

ID 83318

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

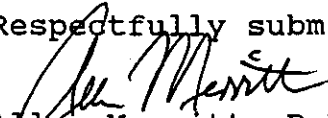
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical 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: 45-4097

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

VERIFIED BY *KKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.780 CFS

PRIORITY DATE: 12/31/1926

POINT OF DIVERSION:

T10S R23E S20 SWSWSE Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.780 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 rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, and 45-11133.

The point of diversion is also known as Irrigation well # 12.

45-4097 aka irrigation #12 E 0007518
Well location is within the same pump house
as 45-4096.

This well ~~well~~ was originally part of the
culinary system but eventually was switched
over to the irrigation system

Site tag # E 0007518 original well lists a 150 HP motor
currently 100 HP
System meter rate = 0.92 cfs
W mis measurement = 0.82 cfs (poor measurement)

~~Recommend 0.92 cfs~~

Evidence of priority supports the ^{drilling date} 1925 date.
The original well was replaced by the current well
in 1986. Well developed in 1926

1926 states rated capacity 1000 GPM $\approx$ 2.23 cfs
#12 Pump House "Record of City Wells"
capacity listed as 400 GPM = 0.89 cfs

Recommend

"I Pump House" Record submitted lists
Capacity @ 800 GPM = ~~1.78 cfs~~
Priority date - 12-31-1926

This one also has the rectification GODE Provisions.
Review plan P/D in Sec 29 however I am recommending
the Sec 20 P/D legal.
K. M. Jensen

for 45-4097

Record of City Wells

Received IN Burley
(#2) - 4-19-04
KKC

Name and No. of Well
Well location

#12 PUMPHOUSE
16th and Albion

Use of well
Drilled by
Date drilled
Depth below ground
Depth to water level
Draw down
Diameter of well
Size of casing
Capacity of well

IRRIGATION
ROSCO MOSS & COMPANY

1925
1115

197' MARCH 1997 April 2001 - 195' 6"
217' 8" MARCH 1997
16"

400 GPM

Motor:

Make of motor

US

Date manufactured
Date installed
Serial No.
Voltage
Amperes
Current phase
R.P.M.

9983A/Y01X308R399R-4

230 - 460
120.5 - 241
3
1775

Frame
Cycles
Style or type
°C Rise

404TP
60
RU
40°

Pump:

Make of pump

VERTI Line

Serial No.
Date manufactured
Date installed

95-73681

Pumping head
Make of bowles
No. of bowles
Size of bowles
Depth of bowl setting
Pump column

339'

7 stage 10 LC Bowl assembly
270' - 40' = 230' for irrigation

Lubrication: WATER LUBE
Type of oil and grade recommended
Type of oil and grade in use

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Department of Water Resources
Southern Region Office

A45-04097 H.P.

PUMP HOUSE #2

Name and No. of well

Location

Use

Drilled by

Date drilled

Depth below ground

Depth to water level

Draw down

Diameter of well

Size of casing

Capacity of well

Miller deep well, No. 6

Burley townsite block 170 lot 1

Domestic

Rosco Moss and Co.

1115 feet

205 feet

12 feet

24 inch to 15 inch

158' of 24" double 8 ga. stove pipe

232' of 18" " 10 " "

79' of 15" " 10 " "

402' of casing total

1000 GPM pump used to capacity

into open ditch when

Motor:

Make

Date manufactured

Date installed

Serial No.

Voltage

Amperes

Current phase

RPM

Frame

Yorn

Cycles

type or type

C rise

General Electric

4402505

440

146

3

1178 at full load

V

80

KT 557-6-125-1200

40

Pump:

Make

Serial number

Date manufactured

Date installed

Rated capacity

sucking head

Make of bowles

Number of bowles

Size of bowles

Depth of bowl setting

Inner column

Action time

Column shaft

Oil column

Shaft coupling

Water column

Layne and Bowler

6160

200 GPM intake

338'

Peerless, #14K, Serial #J3176

15 stage

245' to bottom of bowles

10" OD

20' below bowles

2 3/16", CR steel, 10 th./", left hand

4" OD, 10 threads /inch, right hand

5" by 3 1/2" bronze

10" OD, 10 threads per inch, right

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MAINTENANCE RECORD

PUMP NO. #1 LOCATION #1 PUMP HOUSE DATE INSTALLED
M 1176 FULL LOAD VOLTS 440 GPM 800
DEL NO. CYCLES 60 LIQUID WATER
R. NO. 4402605 ROTATION COUNTER CLOCKWISE FLOWS 15 STAGE
KE G.E. HEAD 398' SHAFT 2 3/16 CR
TEMP. 40° SEAL OIL
PUMP MAKE LAYNE & BOWLER PUMP S/N 6160

Date

Maintenance

A-4504097

4-19-04.
Replaced with a 100HP system
KKS

office visit info. date of change
not known.

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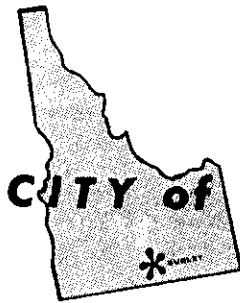
OCT 27 1994

COUNCILMEN

DAVID GIBBONS
CLAY HANDY
LAVERN JACKSON
LEONARD KING
WENDELL McMURRAY
DERLIN TAYLOR

FRANK R. BAUMAN, MAYOR

E.E. "BUD" BRINEGAR, CITY CLERK



OFFICE OF

Jesse D. Mabry

PHONES

CITY CLERK'S OFFICE 678-2224

MAYOR'S OFFICE 678-1445

AREA CODE 208

HUB OF IDAHO'S INDUSTRY
BURLEY, IDAHO 83318

February 1, 1993

Allen Merritt
Idaho Department of Water Resources
Twin Falls, Idaho 83301

Dear Sir,

This is a copy of the paper work the City has kept on some of the wells, especially the ones we have no well logs on. This information has been carried forward through the years and is the only record of when they were drilled.

I hope this will be sufficient evidence to establish our priority date. Danni from Water Resources in Boise seems to think it will be enough. She also said you would let us know which ones are not sufficient to establish our priority date.

Thanking you in advance for your help and co-operation.

Sincerely,

Jesse D. Mabry

Jesse D. Mabry
Water Department Foreman
678-2103 (phone)

JDM:mm

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