

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: A45-04098
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
Address: P.O. BOX 1090
BURLEY, ID 83318
208-678-2224

2. Date of Priority: JUN 01, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	30	NE	SE	NE		CASSIA

5. Description of diverting works:
WELL AND 150 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	2.670		

7. Total Quantity Appropriated is:
2.670 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	

A45-04098

Page 1

Date: 06/06/89

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10. Place of Use: Continued

Township 10S	Range 23E	Section 17	1/4 of 1/4	Lot	Use	Acres
			NE SW		MUNI	
			SE SW		MUNI	
			NE SE		MUNI	
			NW SE		MUNI	
			SW SE		MUNI	
		19	SE SE		MUNI	
			NE SE		MUNI	
			NW SE		MUNI	
			SW SE		MUNI	
		20	SE SE		MUNI	
			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	
		21	SE SE		MUNI	
			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	
		22	NE 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	
		30	SE		SE		MUNI	
			NE		NE		MUNI	
		32	SE		NE		MUNI	
			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, A45-04097, 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 Callahan
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

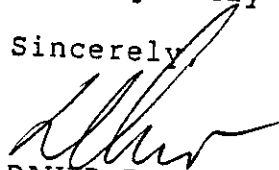
Gentlemen:

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

04091

~~04097~~

11/33

04086

04092

04099

04087

04093

07092

04088

04094

07114

04089

04095

07269

04096

07436

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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

A45-04098
CITY OF BURLEY
P.O. BOX 1090
BURLEY

ID 83318

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

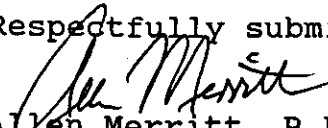
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical 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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06/18/2004

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

RIGHT NUMBER: 45-4098
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

VERIFIED BY *KKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.670 CFS

PRIORITY DATE: 09/30/1960

POINT OF DIVERSION:

T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
2.670 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 Service Department Well # 3.

The rights listed below share a common delivery system, which is also known as the culinary system. Combined rights 45-4098, 45-4099, 45-7269, and 36-4080.

45-4098 Service Dept Well #3
Site tag E0007519

Culinary system

Evidence of priority = Sept 30, 1960

System was developed with a 150 HP pump
log indicates 2.67 CFS
current system wms measurement = 2.51 CFS
City system meter 1108.9 GPM = 2.47 CFS

Recommend

Priority date - Sept 30, 1960

Rate - 2.87 CFS

OWNER
CODE NAME & ADDRESS
C CITY OF BURLEY
P.O. BOX 1090
BURLEY ID 83318
(208) 678-2224
PRIORITY
DATE
WATER USE
MUNICIPAL
USE PERIOD
FROM TO
01-01 12-31
DIVERSION
RATE
2.67 CFS
DIVERSION
VOLUME
TOTAL DIVERSION:
2.67 CFS

Water Source: GROUNDWATER
Tributary to:

Points) of Diversion: T10S R23E S30 NESENE

Stage: STATUTORY CLAIM
CASSIA County

Place of use legal Description for: MUNICIPAL

T	R	S	NE			NW			SW			SE		
			NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME
10S	23E	17	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	19	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	20	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	21	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	22	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	27	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	28	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	29	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	30	M	M	M	M	M	M	M	M	M	M	M	M
10S	23E	32	M	M	M	M	M	M	M	M	M	M	M	M

POU County: MINIDOKA, CASSIA

Non-Irrigation Uses: W/CITY WATER FOR BURLEY

Other Rights: A45-04099, A45-04097, A36-04080, A45-07269

Remarks: P/U WITHIN CITY LIMITS OF BURLEY

Dates: Exam Made Date: 01/28/1986
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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Department of Water Resources
Southern Region Office

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WELL DATA

A45-04098

Owner...City of Burley..... Well Name...No. 3 (2020 Park Avenue)
 Address...Burley, Idaho..... Use...Municipal.....
 State...Idaho..... County...Cassia..... Basin...Snake River...
 Map..... Scale..... Photos.....
 NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section.30... Twp.10.S. Range..23.E. ...Boise...B&M
 Description.....
Boley, Henry,.....
 Driller...Weech..... Date..... Total Depth.509 ft....
 Construction.20-inch O.D. casing (0.312 wall) from 0-158'3"
16-inch O.D. casing (0.250 wall) from 0-442'6"
No casing perforations; open hole 442'6" to 509 ft.....
 Equipment.(1981) 11 stage, 12-inch bowls (1200 gpm at 385 ft); 340 ft. of
8-in. column; 150 HP variable speed motor
 (1960)
 Water Levels: Static...226 ft.. Pumping.274 ft.. Yield..2100 GPM..
 Remarks.....

2,670 ft

WELL LOG

<u>Description</u>	<u>Depths (Feet)</u>
Gravel & clay	0 to 3
Sandy clay	3 to 8
Gravel & tan clay	8 to 25
Brown quicksand	25 to 45
Sand, tan clay & gravel	45 to 65
Sandy clay & gravel	65 to 70
Coarse sand & gravel	70 to 90

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WELL LOG

[illegible]

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ANDERSON & KELLY

LAYNE AND BOWLER PUMP COMPANY
WELL TEST REPORT

#3 AY5-04098
2020 PARK A6
HIGH PRESSURE

NAME City of Burley DATE 10/3/60
LOCATION Burley SEC. _____ RANGE _____ T. _____
WELL DEPTH 509' WELL SIZE _____ Casing 16" O.D.
TEST PUMP DEPTH 400' ORIFICE SIZE 8 1/2
STATIC WATER LEVEL 226' STARTING TIME 3:00

Well No. 3

TIME	PUMPING LEVEL	ORIFICE READING	G.P.M.	MINERS INCHES
3:30	230'	10"	1130	125"
4:30	241'	15"	1380	154"
5:30	242'	15"	1380	154"
6:15	274'	36"	2100	233"
6:40	240'	12"	1220	135"
7:00	252'	19"	1540	171"
7:15	240'	11 1/2"	1200	133"
7:30	236'	8"	1000	110"
7:55	230'	5"	800	90"
10/4/60 9:40AM	276'	45"	2340	260"

REMARKS

Pump some muddy water but cleared up fast
& has a fast recovery.

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Temp 64°