

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: A45-04089
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: MAY 01, 1947
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S | 23E | 20 | SE | SW | NE | | 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 | 2.230 | | |
7. Total Quantity Appropriated is:
2.230 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 of	Lot	Use	Acres
10S	23E	20	NE	NE		MUNI	
			NW	NE		MUNI	
			SW	NE		MUNI	

A45-04089

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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 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.

[Signature]
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

[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

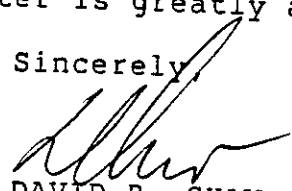
Gentlemen:

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

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04091

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04094

07114

04088

04095

07269

04096

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

A45-04089
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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MAR 10 1993

06/21/2004

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

RIGHT NUMBER: 45-4089
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

SOURCE: GROUND WATER
QUANTITY: 1.230 CFS
PRIORITY DATE: 05/31/1947

TRIBUTARY:

VERIFIED BY KKC

POINT OF DIVERSION:

T10S R23E S20 SWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
03/15 11/15

QUANTITY
1.230 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 Snow Well # 9.

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.
45-4089 Show Well #9 Irrigation A0007807

Evidence of Priority Well log.
stating well finished in May 1947.

tested @ 1000 GPM (well test) = 2.23 CFS.
no installed system info.
Wm is - 20 HP.

Wm is measurement - 523.3 GPM $\approx$ 1.16 CFS
City meter 550 GPM 1.23 CFS

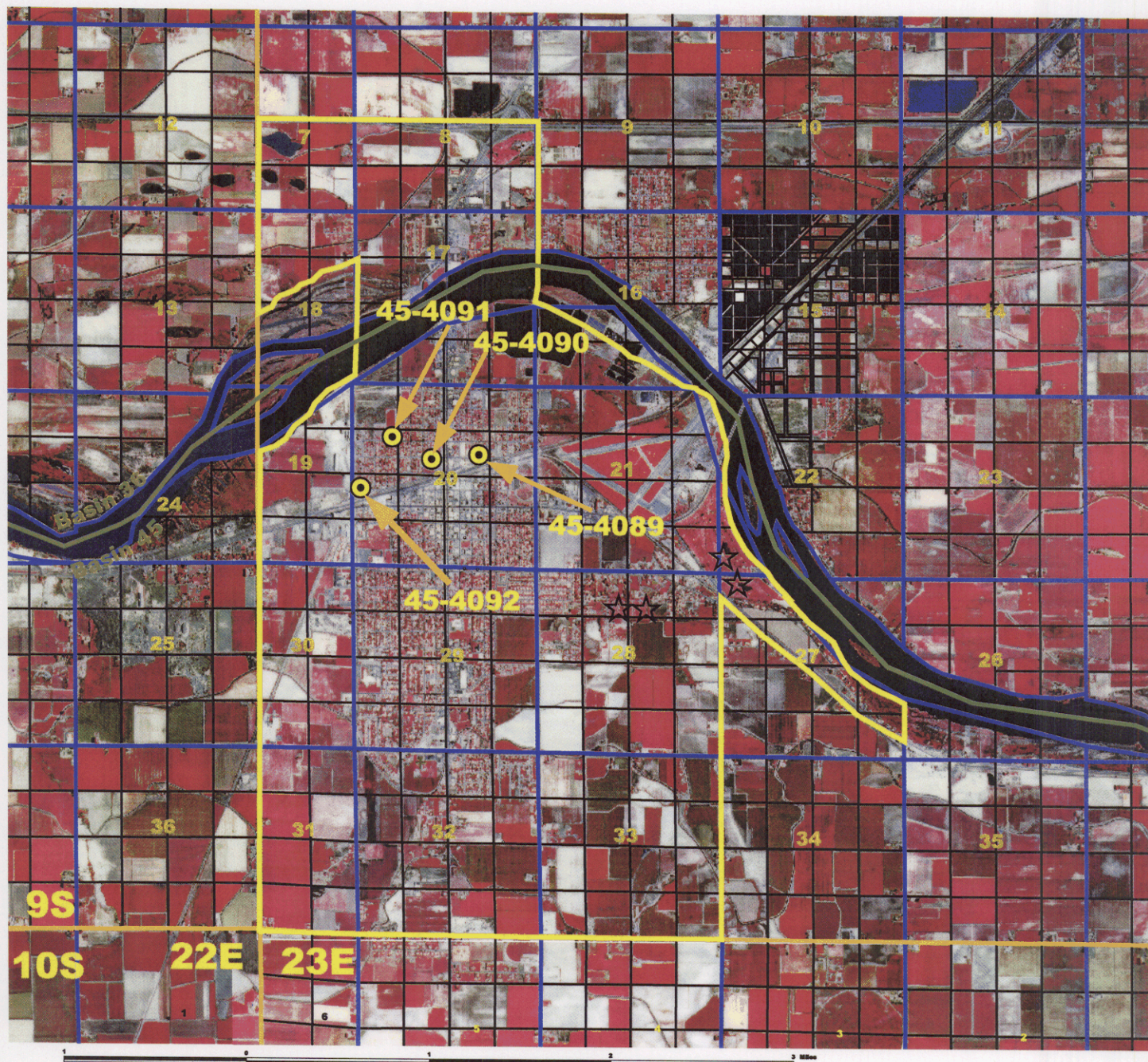
Recommend

5-31-1947 priority date.
1.23 CFS diversion rate.

Preliminary
Recommendation

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
45-4089, 45-4090, 45-4091, & 45-4092**



PLACE OF USE
TWP 10S, RNG 23E,
Data entry on June 18, 2004

- RECOMMENDED POINT OF DIVERSION**
- RECOMMENDED PLACE OF USE**
- TOWNSHIP LINES**
- SECTION LINES**
- QUARTER/QUARTER LINES**

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



CASSIA CO



DIVERSION
VOLUME

2.23 CFS

Stage: STATUTORY CLAIM

CASSIA County

MS

[illegible]

Non-Irrigation Uses: M/IRRIGATION WITHIN CITY LIMITS

Other Rights: SEE REMARKS.

Remarks: THESE CLAIMS CONSIST OF WRS ON LOW PRESSURE WELLS USED IN ONE
IRRIGATION SYSTEM WITHIN PORTIONS OF THE CITY OF BURLEY.
OTHER WRS USED*****
A45-11133 A45-07436 A45-06089 TO A45-06096

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag
		Presumption Flag:

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Department of Water Resources
Southern Region Office

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OCT 27 1984

We Drill Wells Any Size .. Any Place .. or Any Time

BURLEY, IDAHO

Address Block 59, Lots 17 & 18 Location _____

Well Started May, 1947 Finished June 1947

TD	FORMATION
9	Top soil
17	Sand and some Water
27	Gravel and Water
34	Sand
47	Blue Clay
62	Sand
74	Gravel and alot of Water
87	Gravel, Water, and Clay
95	Sand and Water
100	Clay and no water
Perforated between 17 and 27 feet and between 62 and 74 feet.	
125- 1/4 by 3" holes in casing - Pumped 11 hours @ 1000 G. P. M. May 10, 1947	
- Pumped 9 hours @ 1000 G.P. M. May 12, 1947	
Pumped sand first eight hours, then it started to clear up. The last day which was pumped, they couldn't rile it up to speak of.	

A45-04089

AY-0408
snow