

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: A45-07092
Date Received: 6/06/1989
Receipt No: S007579
Received By: SCC

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF BURLEY
Address: P.O. BOX 1090
BURLEY, ID

208-678-2224

83318

2. Date of Priority: MAR 10, 1972

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	27	NW	NW			CASSIA

5. Description of diverting works:
WELL AND 40 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		88.00

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

88.00 A.F.A.

8. Total consumptive use is

66.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	27	NE	NW		IRR	11.0
			NW	NW		IRR	11.0

Section Acres 22.0

A45-07092

Page 1

Date: 06/06/89

MICROFILMED

MAR 08 1993

10. Place of Use: Continued

Total Acres 22.0

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:
A45-04085

14. Remarks:

15. Basis of Claim: LICENSE

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. Kilb
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

Seal

Steve Call
Notary Public

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

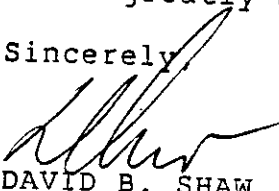
Gentlemen:

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

04091

04098

11/33

A45-04085

04092

04099

04086

04093

~~04092~~

04087

04094

07114

04088

04095

07269

04089

04096

07436

MICROFILMED

MAR 08 1993

06/22/2004

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

RIGHT NUMBER: 45-7092
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

VERIFIED BY KKC

SOURCE: GROUND WATER
QUANTITY: 0.440 CFS
88.000 AFY
PRIORITY DATE: 03/10/1972
POINT OF DIVERSION:

TRIBUTARY:

T10S R23E S27 NWNWNW Lot 4 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.440 CFS 88.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R23E S27	NENW	4.0	T10S R23E S27	NWNW	18.0
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22 ACRES TOTAL

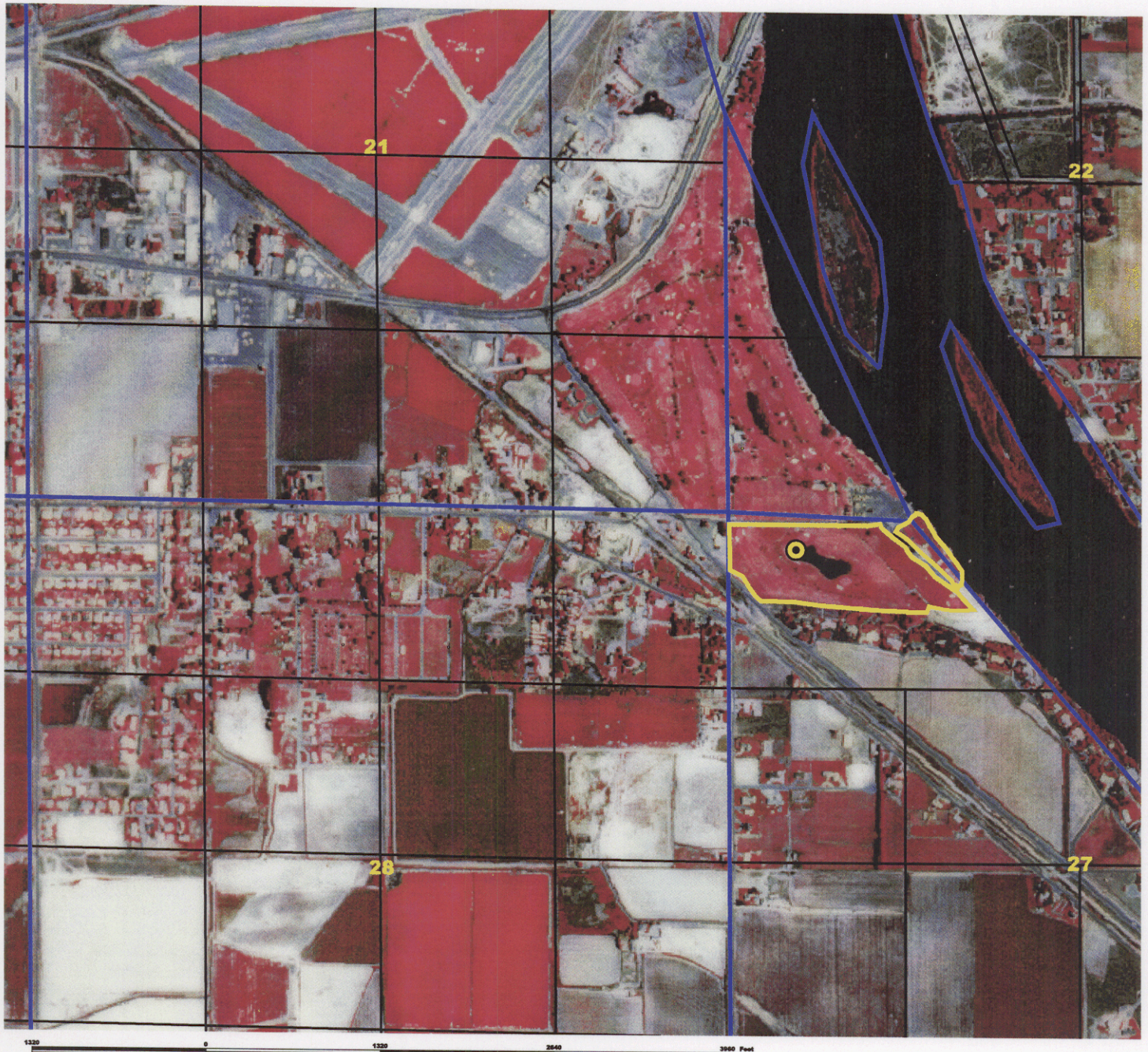
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
45-7092**



PLACE OF USE

TWP 10S, RNG 23E, Sec 27

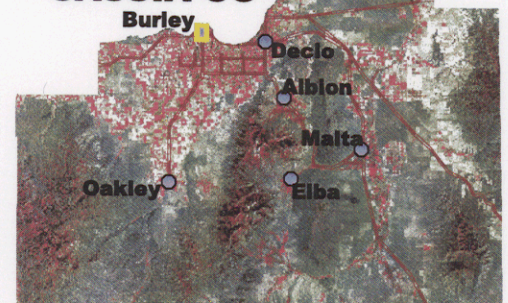
Data entry on June 22, 2004

-  **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



Log for claim A45-07092

Spatial Dynamics MWY

5/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s23e	27	NWNW	11	58	INDISCERNIBLE. THERE IS NO NENW IN THE G
Totals:			11	58	

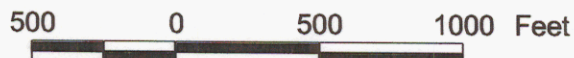
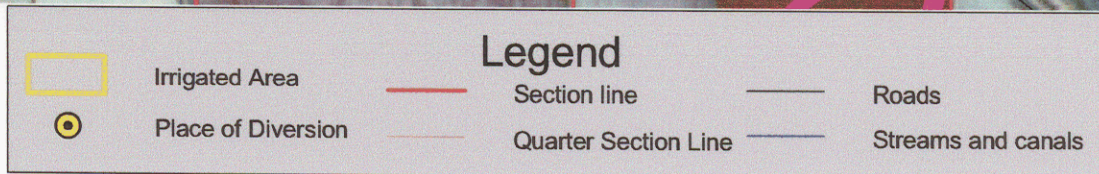
wrong
Claimed 22ac

Found $\approx$ 22 ac

NWNW 18ac } Lot # 4
NE NW 4.6ac

$$.44 \text{ cfs} \times 1.98 = 0.22 \text{ AF.}$$

Townships , 9S27E, 10S23E



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority March 10, 1972 Amount 0.44 cfs

THIS IS TO CERTIFY, that the CITY OF BURLEY
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7092 issued pursuant to Application for Permit dated March 10, 1972,
and has submitted proof to the Department of Water Resources on May 17, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.85 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>0.44</u> cfs and	<u>88 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.44 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
88 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27,
Twp. 10 S, Rge. 23 E, B. M. in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	23 E	27					11	11											22

Total number of acres irrigated 22

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
February, 19 76.

Director

RECEIVED

MAR 30 1963

- Permit No.
- 45-7092
-
- Examination for
- b/u

[illegible]

22

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2

7

Diagram of System

DATE OF EXAM 5-19-75

ACREAGE

Found 22
Recommended 22

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = .44 c.f.s. V = 88.0 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

214

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.85 c.f.s. Method of measurement Rate-Flow

Total Q recommended .44 c.f.s. Meter No. 11005 Type 6" Condition New

Total V recommended .44 c.f.s.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = .44 \text{ c.f.s.}$ Amount Applied for
 $V = 88 \text{ Ac Ft/Ann. (Irr Req. 4.0) (22 Acres)}$

SYSTEM DESCRIPTION:

Holloshaft motor 75 Hp. R80-4478L
Worthington pump 830 gpm
Sprinkler System.

REMARKS:

Examiner's Signature Jay Funderburg Date 5-19-75

Checked by Bob Ayres Date 7-11-75

Approved by _____ Date _____