

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

COPY

Ident. Number: A45-07114
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
2020 PARKE AVE.
BURLEY, ID 83318
208-678-2224

2. Date of Priority: DEC 07, 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	28	SW	NW	NE		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		36.00

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 36.00 A.F.A.

8. Total consumptive use is 27.0 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	28	NW	NE		IRR	9.0
Section Acres							9.0

A45-07114

Page 1

Date: 06/06/89

MICROFILMED

MAR 08 1993

10. Place of Use: Continued

Total Acres 9.0

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:
A45-04087

14. Remarks:
BURLEY CEMETERY.

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 City Attorney of City of Burley, that I have signed the foregoing document in the space below as City Attorney of City of Burley and that the statements contained in the foregoing document are true and correct.

Will A. Rasmussen
Signature of Authorized Agent
City Atty - 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

Steve C. [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

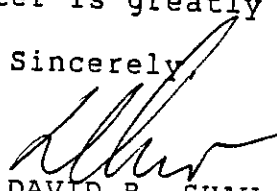
Gentlemen:

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

04091

04098

11/33

A45-04085

04092

04099

04086

04093

07092

04087

04094



04088

04095

07269

04089

04096

07436

MICROFILMED

MAR 08 1993

05/27/2004

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

RIGHT NUMBER: 45-7114
NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
2020 PARKE AVE
BURLEY ID 83318

SOURCE: GROUND WATER
QUANTITY: 0.180 CFS
36.000 AFY

TRIBUTARY:

PRIORITY DATE: 12/07/1972

POINT OF DIVERSION:

T10S R23E S28 SWNWNE Within CASSIA County
T10S R23E S28 SENENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.180 CFS
36.00 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 S28 NWNE 7.6 T10S R23E S28 NENW 7.4

15 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

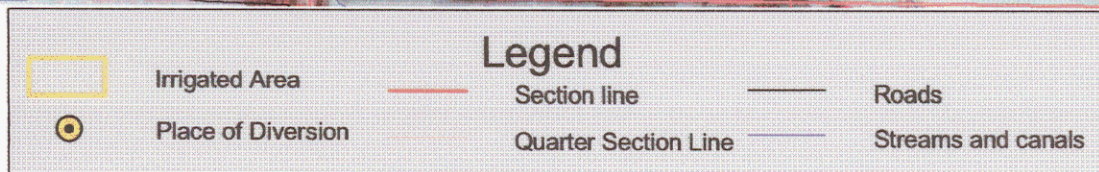
Log for claim A45-07114

Spatial Dynamics MWY

5/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s23e	28	NWNE	9	40	POD placement? / Indiscernible
Totals:			9	40	

Township , 10S23E



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority Dec. 7, 1972 Amount 0.18 cfs

THIS IS TO CERTIFY, that the CITY OF BURLEY
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7114 issued pursuant to Application for Permit dated December 7, 1972,
and has submitted proof to the Department of Water Resources on December 31, 1973,
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 0.18 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>0.18</u> cfs and	<u>36 acre feet or</u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u>4.0 af per acre</u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u> </u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.18 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
36 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28,
Twp. 10 S, Rge. 23 E, B. M. in the County of Cassia

Description and location of place of use: (Burley Cemetery)

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	28		9															Nine

Total number of acres irrigated Nine

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 19 day of

November

19 74

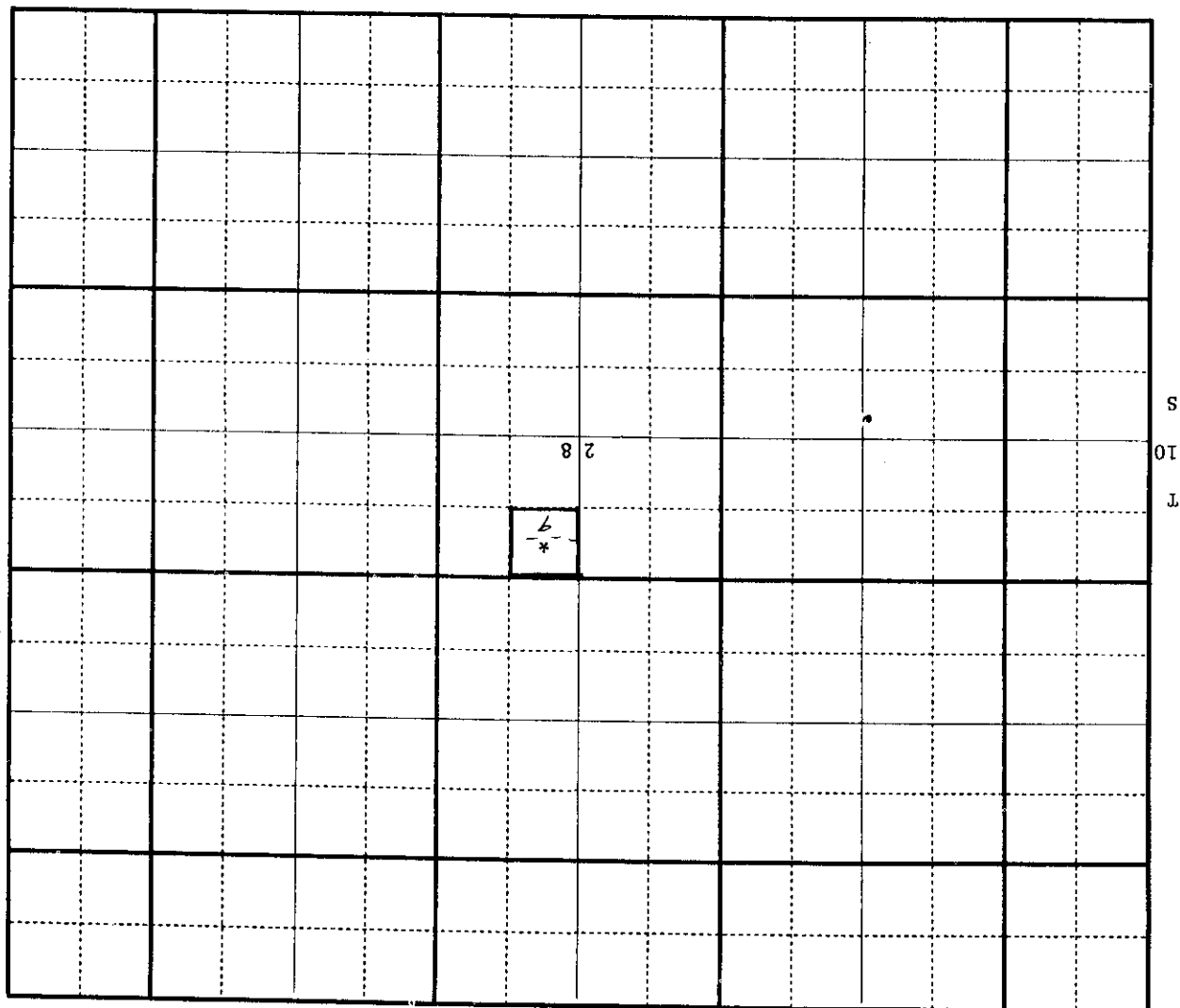
Director

REVIEWED

W. H. Hodgson 70 1374

- TOTAL ACREAGE _____ 9

Diagram of System



DATE OF EXAM 8-5-74

ACREAGE
Found 16
Recommended 9

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = .18 c.f.s. V = 36 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 _____

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 420 gal/min = .94 c.f.s. Method of measurement Rockwell

Total Q recommended .18 c.f.s. Meter No. 11006 Type 12" Condition New

Total V recommended 36 Ac Ft/ANN.

Recommended Amendments:

P.D. ✓
Place of Use ✓
Other ✓
None ✓

MEASUREMENT CALCULATION:

$Q = .94 \text{ c.f.s.} = (420 \text{ gal/min}) \div (448.8 \text{ gal/min} = 1 \text{ c.f.s.})$
 $Q = .18 \text{ c.f.s. Applied For.}$
 $V = 36 \text{ Ac Ft/ANN} = (\text{Irrigation Requirement}) \times (9 \text{ Acres})$

SYSTEM DESCRIPTION:

4.5 Motor 25 Hp # 859222
Hayne & Bowler Pump w/ Sprinkler System.

REMARKS:

Examiner's Signature Gay Sunderburg Date 8-5-74

Checked by Bob Haynes Date 8-14-74

Approved by _____ Date _____