



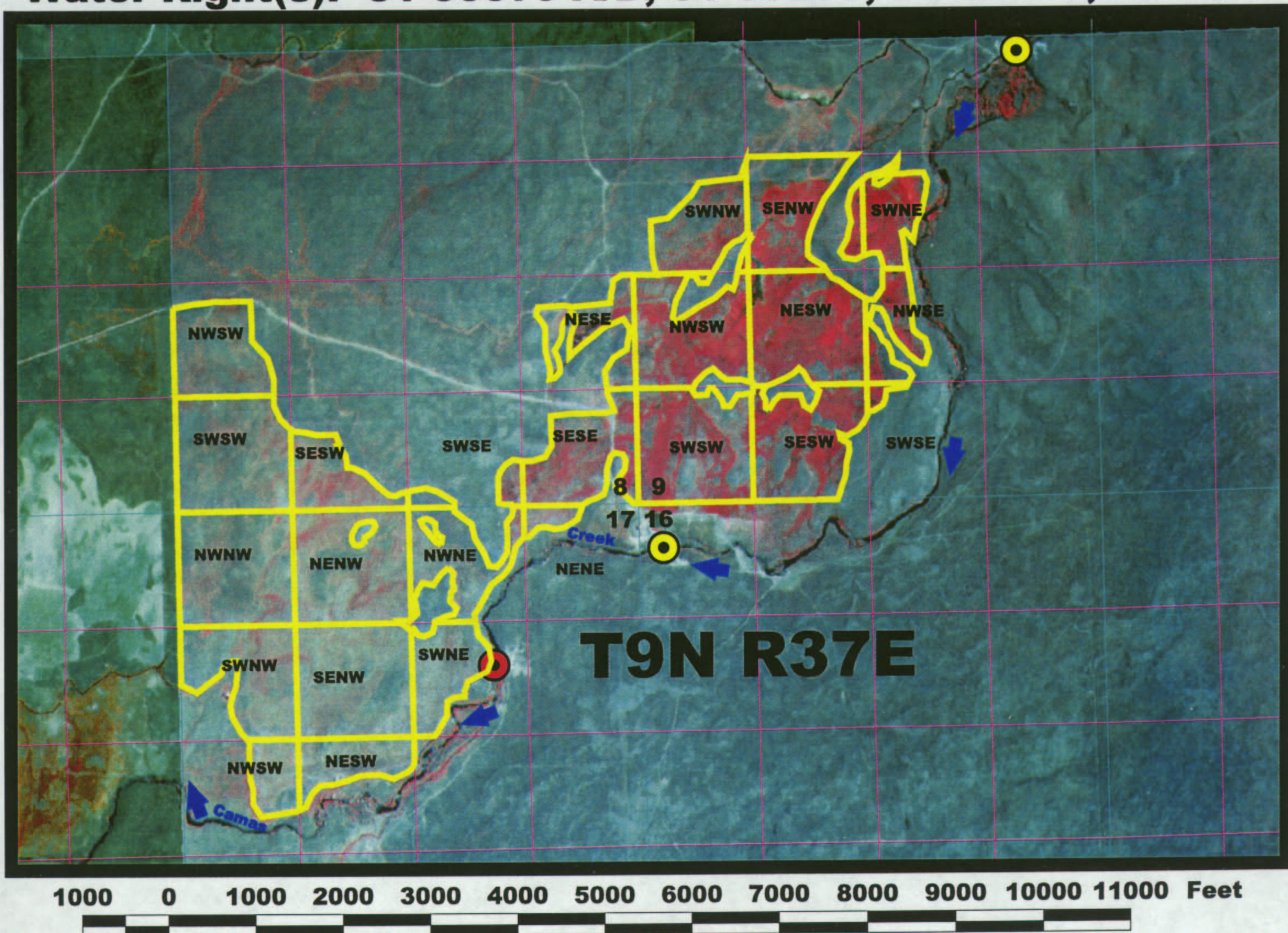
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: D. Burtenshaw

Water Right(s): 31-00079 A/B, 31-00078, 31-00020, 31-11480



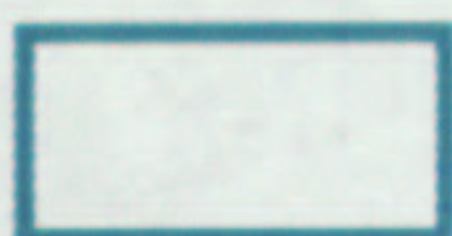
LEGEND



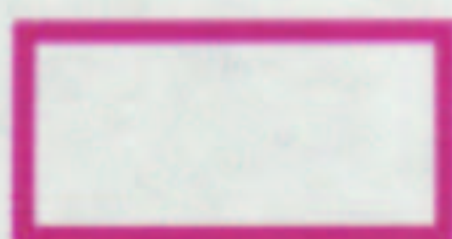
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

Legal Description: T9N, R37E
(parts of) Sec. 8, 9, and 17

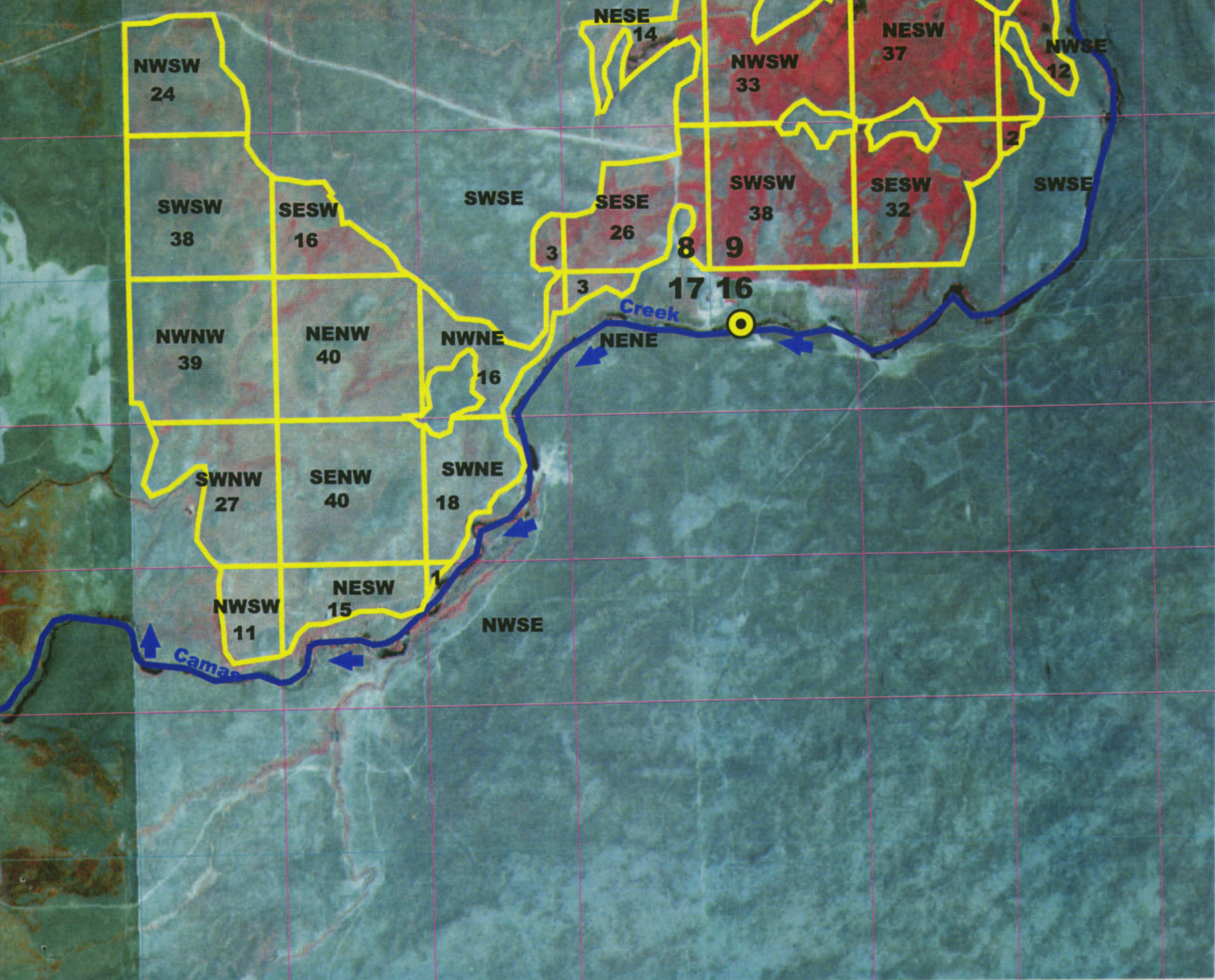
Point(s) of Diversion: T9N, R37E
Sec. 9 NWNENE, Sec. 16 NWNWNW

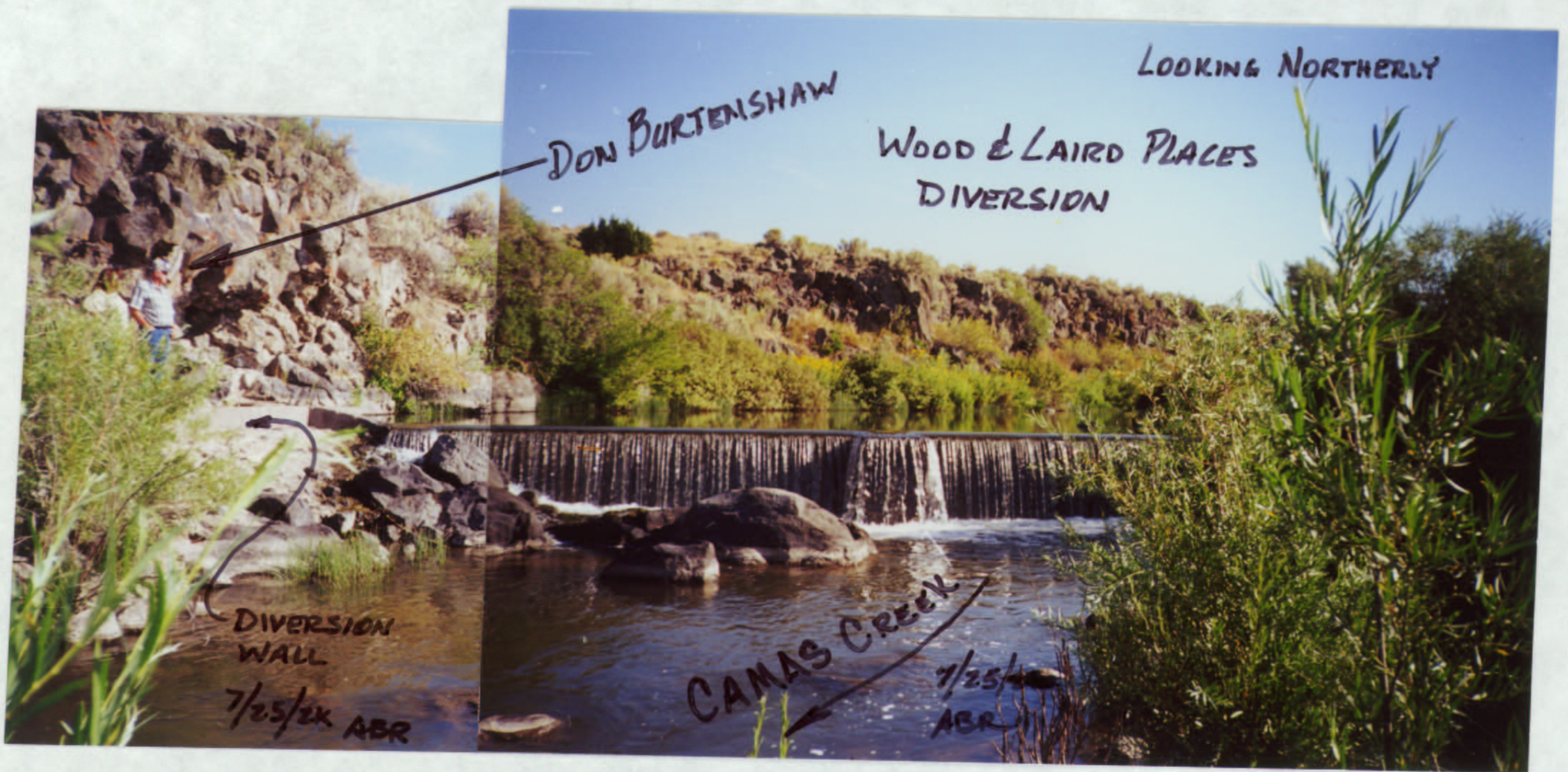


GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Dec. 2000

**Don M. Burtenshaw
31-00020, 31-00078, and
31-00079A/B POU amended
w/ Enlargement 31-11480**

T9N R37E





SEC. 9 N1W1W1W
T9N R37E

SHOWS DIVERSION CHECK
AND HEADGATE TO OPEN
DITCH. NOTE STAFF GAGE
IN BOTTOM PHOTO.



UPPER DIVERSION
31-00079A & B
31-00078
31-00020

AL RUBINSTEIN
7/25/2K

USA

T
9
N

WOODLAND & CATTLE

DITCH
Point of Diversion

ROGER
FERGUSON
B37

CAMAS
CREEK

PLACE
OF
USE

ROGER
FERGUSON
B37

IN-STREAM
USE
A31-10088

IN-STREAM

37E 167 AC.

A31-000791/000020

NOV 17 1992

MICROFILMED

13.6

ON

7/25/21c HBR

6 5
7 8

T9N R37E

D. BURTENSRAW
31-00079A, 00020

SW

8 9

17 16

POD



12/27/2000

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

RIGHT NUMBER: 31-79A

NAME AND ADDRESS: BEVERLY BURTENSHAW
DON M BURTENSHAW
HC 63 BOX 2610
TERRETON, ID 83450

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 2.6 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY. *added 01/10/01*
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.69 CFS. COMBINED RIGHT
NOS.: 31-79A, 31-79B, 31-78, 31-20, AND 31-11480.
USE OF THIS RIGHT WITH RIGHT NO. 31-79B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.75 CFS.

PRIORITY DATE: 06/12/1909

POINT OF DIVERSION:	T09N R37E S9	NWNE	Within CLARK County
	T09N R37E S16	NWNWNW	Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	2.60 CFS
STOCKWATER	04-01 10-31	0.12 CFS

PLACE OF USE:

IRRIGATION Within CLARK County					
T09N R37E S17	NENE	4	T09N R37E S17	NWNE	22
T09N R37E S17	SWNE	18	T09N R37E S17	NENW	39
T09N R37E S17	NWNW	40	T09N R37E S17	SWNW	30
T09N R37E S17	SENE	40	T09N R37E S17	NESW	15
T09N R37E S17	NWSW	11	T09N R37E S8	NWSW	25
T09N R37E S8	SWSW	39	T09N R37E S8	SESW	17
T09N R37E S8	NESE	14	T09N R37E S8	SWSE	5
T09N R37E S8	SESE	26	T09N R37E S9	SWNE	14
T09N R37E S9	SWNW	21	T09N R37E S9	SENE	30
T09N R37E S9	NESW	37	T09N R37E S9	NWSW	33
T09N R37E S9	SWSW	38	T09N R37E S9	SESW	32
T09N R37E S9	NWSE	12	T09N R37E S9	SWSE	2

STOCKWATER Use same as IRRIGATION

564 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 564 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-79A, 31-79B, 31-78,
31-20, AND 31-11480.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-79B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 252 ACRES IN A SINGLE IRRIGATION SEASON.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.

STOCKWATER 500 CATTLE SAME POU AS IRRIGATION.

RIGHT NO. 31-11480 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

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 31-79A
Date Received: 6/14/88
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DON M BURTONSHAW Phone: (208)663-4493

HC 63 BOX 2610
TERRETON ID USA 83450

BEVERLY BURTONSHAW Phone: (208)663-4493

HC 63 BOX 2610
TERRETON ID USA 83450

2. Date of Priority: 06/12/1909

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
09N	37E	9	NW NE NE	CLARK
09N	37E	16	NW NW NW	CLARK

5. Description of diverting works:

DIVERSION DAMS IN CREEK W/ CONTROL GATES ON EACH DITCH & MEASURING SEC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.6	
STOCKWATER	04/01	10/31	0.12	

7. Total Quantity Appropriated is:
2.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 500

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
09N	37E	8	NE	SE		IRRIGATION	14
			SE	SW		IRRIGATION	16
			SW	SE		IRRIGATION	3
			SW	SW		IRRIGATION	38
			NW	SW		IRRIGATION	24
			SE	SE		IRRIGATION	26
						Section Acres	121
09N	37E	9	NW	NE		IRRIGATION	2
			NW	SE		IRRIGATION	12
			NW	SW		IRRIGATION	33
			SW	SE		IRRIGATION	2
			NE	SW		IRRIGATION	37
			SE	SW		IRRIGATION	32
			SW	SW		IRRIGATION	38
			NE	NW		IRRIGATION	15
			SW	NE		IRRIGATION	14
			SE	NW		IRRIGATION	30
			SW	NW		IRRIGATION	18
09N	37E	17	NE	NE		IRRIGATION	3
			NW	NE		IRRIGATION	16
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	39
			SW	NE		IRRIGATION	18
			SE	NW		IRRIGATION	40
			SW	NW		IRRIGATION	27
			NW	SE		IRRIGATION	1
			NE	SW		IRRIGATION	15
			NW	SW		IRRIGATION	11
					Section Acres	210	
					Total Acres	564	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINATES FROM TRANSFER 2495 PLACE OF USE LIST IS INCORRECT AND MUST BE AMENDED. HWJ 9-14-95
 CLAIMS AMENDED TO PPU ALL RIGHTS TWO POD, 12/01/00.
 SAME POU AS 31-00079A/B, 78, AND 20 AND ENLARG CLAIM.
 STOCKWATER 500 CATTLE, SAME POU AS IRRIG.
 THIS RIGHT CAN IRRIGATE 114 ACRES W/I POU.

15. Basis of Claim: Decreed

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *J. W. Davidson PCA* Date: 12-5-00
_____ Date: _____

State of Idaho)
County of BONNEVILLE) SS.

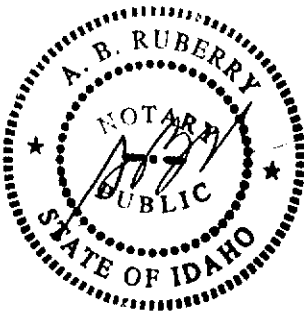
Subscribed and sworn (or affirmed) before me this 5th
of December 2000

Allen B. Ruberry

Notary Public

Residing at IDAHO LAUS IDAHO

My commission Expires 09/23/03



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: A31-00079A
Date Received: 6/14/1988
Receipt No: M000099
Received By: 287

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON M. BURTENSHAW 208-663-4493
Address: HC 63 BOX 2610
TERRETON, ID 83450

AND/OR
Name: BEVERLY BURTENSHAW 208-663-4493
Address: HC 63 BOX 2610
TERRETON, ID 83450

2. Date of Priority: JUN 12, 1909

3. Source: CAMAS CREEK Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	37E	9	NW	NE	NE		CLARK

5. Description of diverting works:
DIVERSION DAM IN CREEK W/ CONTROL GATE ON DITCH & MEASURING SEC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.600		

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

8. Total consumptive use is 417.5 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

A31-00079A

Page 1

Date: 06/14/88

MICROFILMED
NOV 17 1992

A3100079A



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	37E	8	NE	SE		IRR	6.0
			SE	SE		IRR	32.0
			Section Acres				38.0
		9	SW	NE		IRR	8.0
			SW	NW		IRR	4.0
			SE	NW		IRR	18.0
			NE	SW		IRR	15.0
			NW	SW		IRR	9.0
			SW	SW		IRR	40.0
			SE	SW		IRR	30.0
			NW	SE		IRR	5.0
			Section Acres				129.0
			Total Acres				167.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
31-00020, IN-STREAM STOCKWATER CLAIMED IN CAMAS CR.

14. Remarks:
RIGHT ORIGINATES FROM TRANSFER 2495

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

ENEST SAUVE
Decree Plaintiff

W. H. ABBOTT
Decree Defendant

vs

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: June 14, 1988
Date: _____

State of Idaho)
County of Clark) SS.

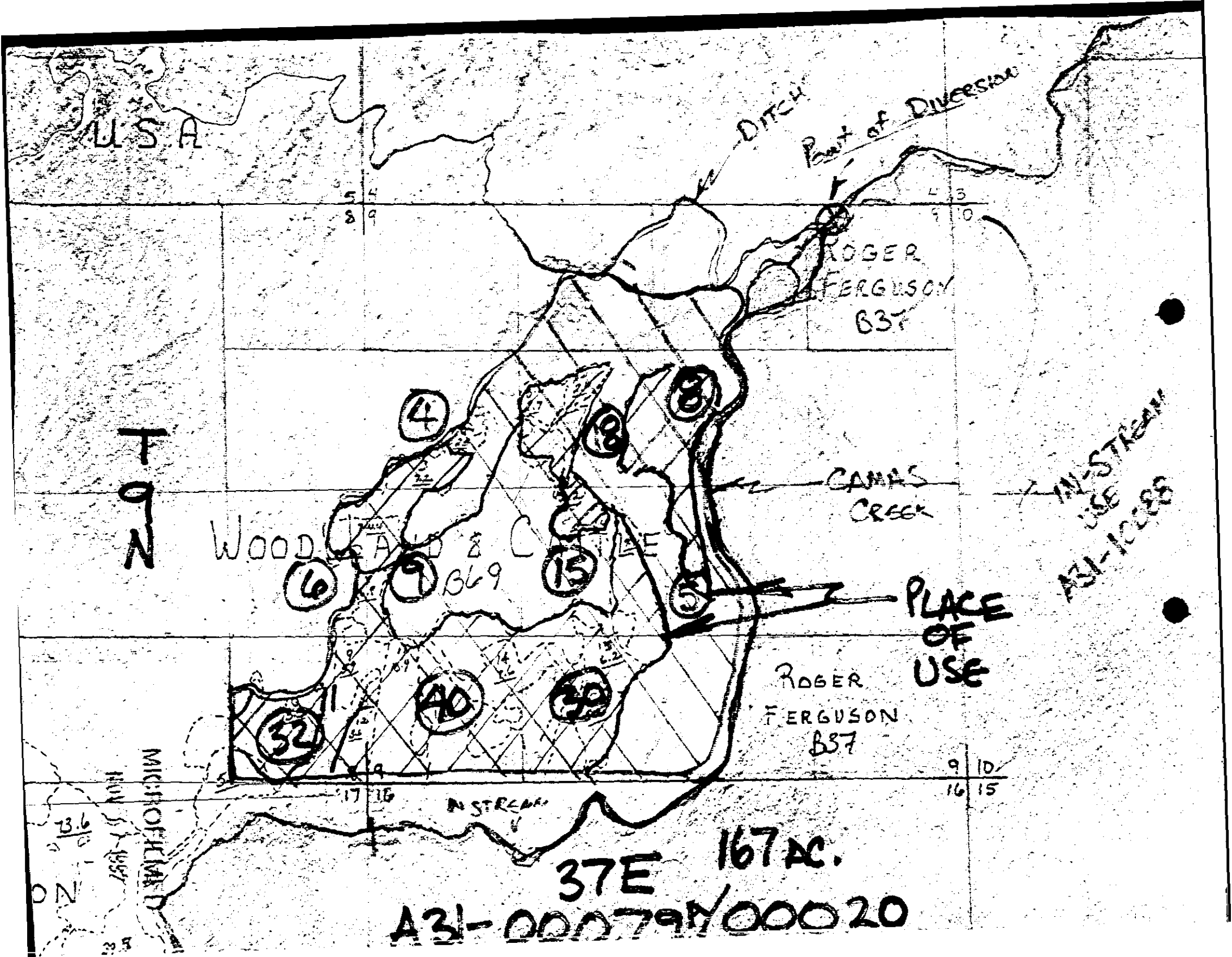
Subscribed and sworn (or affirmed) before me this 14th day

of June 19 88

[Signature]
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94





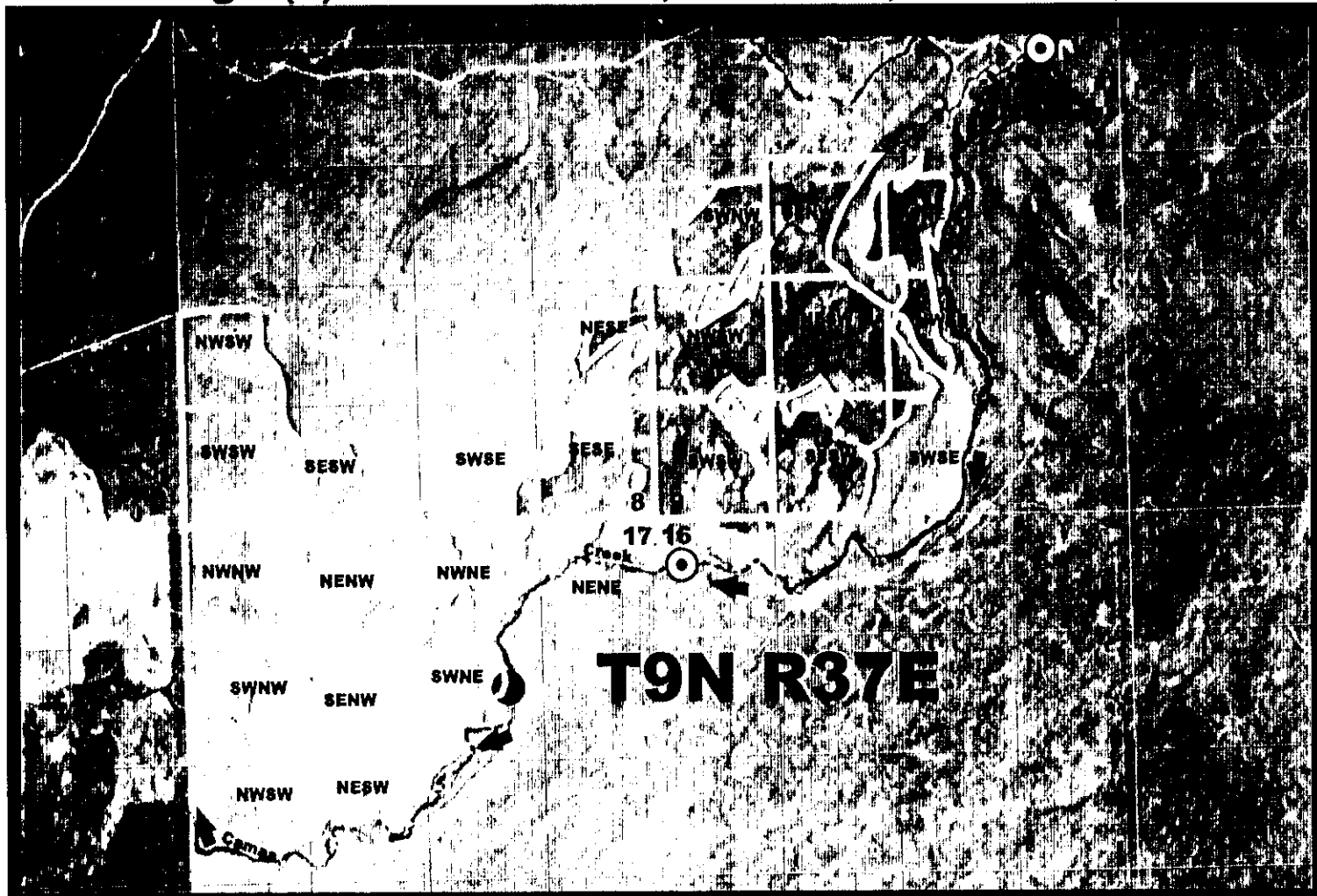
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: D. Burtenshaw

Water Right(s): 31-00079 A/B, 31-00078, 31-00020, 31-11480



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 Feet

LEGEND



Point of Diversion

SESE

Place of Use



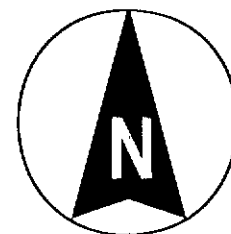
Section Line



Quarter-section line

Legal Description: T9N, R37E
(parts of) Sec. 8, 9, and 17

Point(s) of Diversion: T9N, R37E
Sec. 9 NWNENE, Sec. 16 NWNWNW



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Dec. 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

2245551
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00079A

LAST: BURTENSHAW
ADDRESS: MC 63 BOX 2610
CITY: TERRETON
PHONE NUMBER: 208-663-4493

FIRST: DON M.

STATE: ID ZIP: 83450

OWNER CODE: C

LAST: BURTENSHAW
ADDRESS: MC 63 BOX 2610
CITY: TERRETON
PHONE NUMBER: 208-663-4493

FIRST: BEVERLY

STATE: ID ZIP: 83450

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: RIGHT ORIGINATES FROM TRANSFER 2495

SEE TX

CLAIM AMENDED FOR TOLSON
w/ Don Burtenshaw 12/01/00
JBB

THIS CLAIM AND THAT OF
31-00079A CLAIM Q OF
1930 DEGREE.

POOL HAS MOVED FROM DEGREE
PROBABLY BY TX 2495. (CIRCA 1981)

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

12/5/21 LYN WAS IN TO ANSWER PHONE

A. AJ CLAIM: # A31-00079A PRIORITY DATE: 06-12-1909 STAGE: D

B. WR RECORD: # 31-00079 PRIORITY DATE: 06-12-1909 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

OK by Deere

RECOMMENDED PRIORITY DATE:
06-12-1909

REVIEWED BY

SPR

DATE

12/4/21

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00079A	07N	37E	9	NW	NE	NE		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-00020 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00079	07N	37E	9		NE	NE		CLARK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A31-00020 NONE
A31-10088

SOURCE: CAMAS CREEK

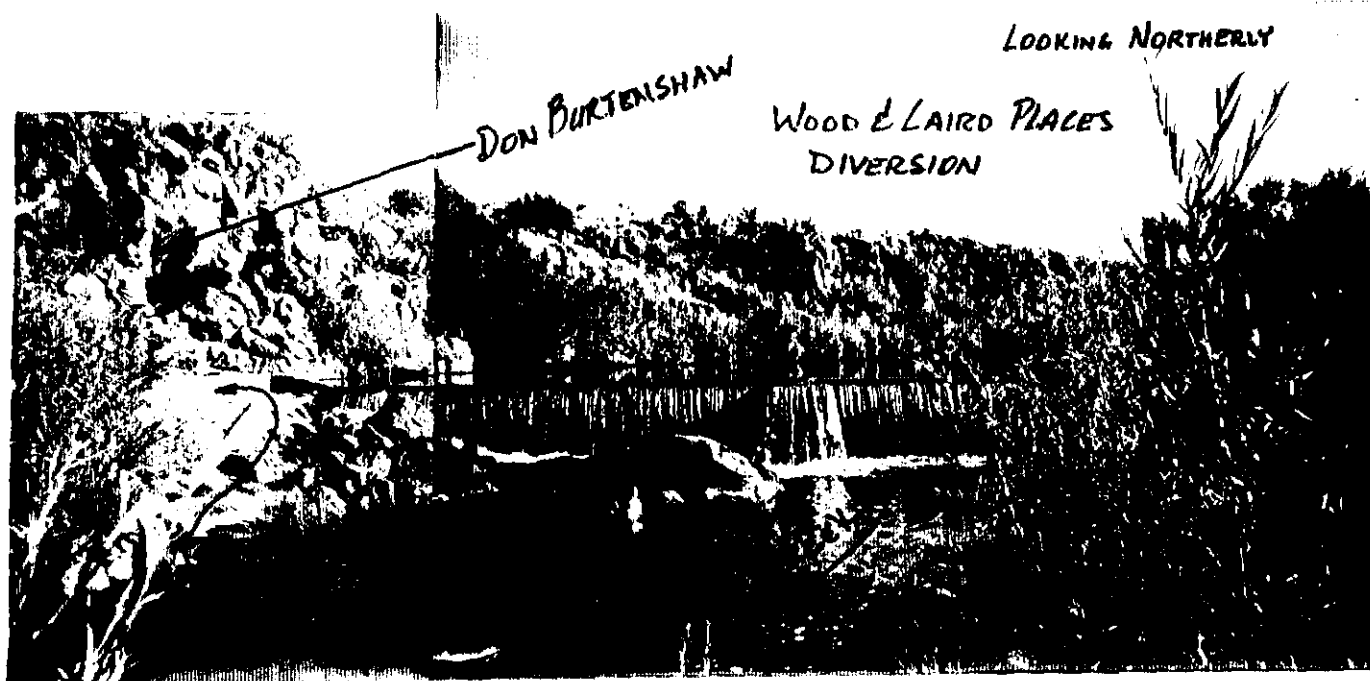
TRIB: MUD LAKE

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	---
			N	---

NOTES:

*Amended to PDU All 12's - Add POD Sec. 16 NW1/4 NW1/4
ADD KILLAR CLAIM 31-11480.*



LOOKING NORTHERLY

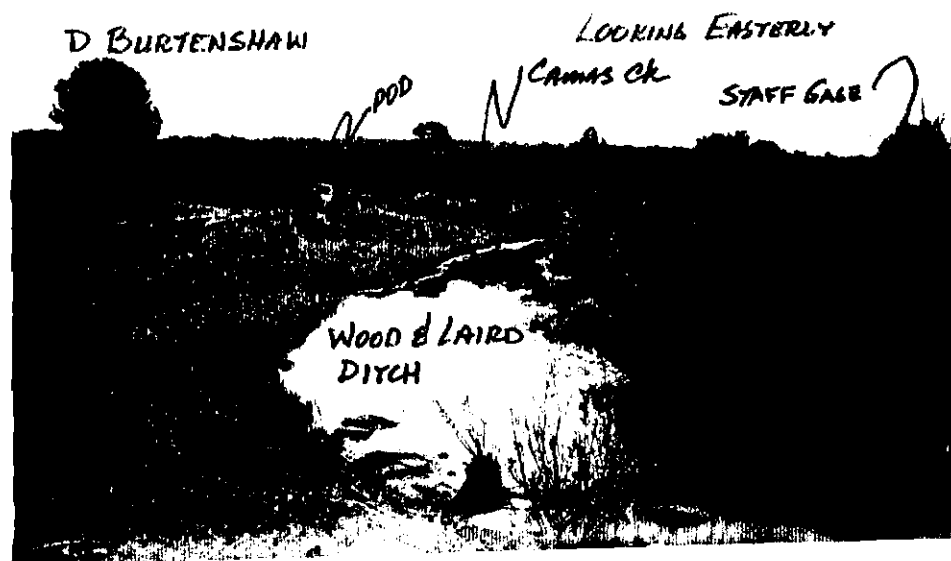
DON BURTENSHAW

WOOD & LAIRD PLACES
DIVERSION



SBC. 9 NWNWNW
79N K 378

SHOWS DIVERSION CHECK.
AND HANDGATE TO OPEN
DITCH. NOTE STAFF GAGE
IN BOTTOM PHOTO.



D BURTENSHAW

LOOKING EASTERLY

WOOD

CAMAS CK

STAFF GAGE

WOOD & LAIRD
DITCH

UPPER DIVERSION

31-00079A AB

31-00078

31-00070

A. R. BURTON
2/25/01

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
<u>2N</u>	<u>37E</u>	<u>9</u>	<u>NW</u>	<u>NE</u>	<u>NE</u>	---	<u>CLARK</u>	---
---	---	<u>16</u>	<u>NW</u>	<u>NW</u>	<u>NW</u>	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

Concrete dam across Camas Creek w/ Gate controls to
open ditch for flood —

A. ROOT WATER RIGHT NUMBERS: A31-00079A
 A31-00079B

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	37E	8	NE	SE		BURTENSHAW, DON M.	A31-00079A / 6.0	- /	37.0		
			NE	SE		BURTENSHAW, DON M.	A31-00020 / 6.0	- /			
			NE	SE		WOOD LAND & LIVESTOCK		31-00079 / 40.0			
09N	37E	8	SE	SE		BURTENSHAW, DON M.	A31-00079A / 32.0	- /	39.0		
			SE	SE		BURTENSHAW, DON M.	A31-00020 / 32.0	- /			
			SE	SE		WOOD LAND & LIVESTOCK		31-00079 / 40.0			
09N	37E	9	S4	NE		BURTENSHAW, DON M.	A31-00079A / 8.0	- /	9.0		
			S4	NE		BURTENSHAW, DON M.	A31-00020 / 8.0	- /			
			S4	NE		BURTENSHAW, DON M.	A31-10088 /	- /			
09N	37E	9	S4	NW		BURTENSHAW, DON M.	A31-00079A / 4.0	- /	35.0		
			S4	NW		BURTENSHAW, DON M.	A31-00020 / 4.0	- /			
			S4	NW		WOOD LAND & LIVESTOCK		31-00079 / 40.0			
09N	37E	9	SE	NW		BURTENSHAW, DON M.	A31-00079A / 18.0	- /	38.0		
			SE	NW		WOOD LAND & LIVESTOCK		31-00079 / 40.0			
09N	37E	9	NE	SW		BURTENSHAW, DON M.	A31-00079A / 15.0	- /	37.0		
			NE	SW		BURTENSHAW, DON M.	A31-00020 / 15.0	31-00020 /			
			NE	SW		SPENCER, JRSON		31-02088 / 30.0			
09N	37E	9	N4	SW		BURTENSHAW, DON M.	A31-00079A / 9.0	- /	35.0		
			N4	SW		BURTENSHAW, DON M.	A31-00020 / 9.0	31-00020 /			
			N4	SW		SPENCER, JRSON		31-02088 / 30.0			
09N	37E	9	S4	SW		BURTENSHAW, DON M.	A31-00079A / 40.0	- /	38.0		
			S4	SW		BURTENSHAW, DON M.	A31-00020 / 40.0	31-00020 /			
			S4	SW		SPENCER, JRSON		31-02088 / 30.0			
09N	37E	9	SE	SW		BURTENSHAW, DON M.	A31-00079A / 30.0	- /	26.0		
			SE	SW		BURTENSHAW, DON M.	A31-00020 / 13.0	31-00020 /			
			SE	SW		SPENCER, JRSON		31-02088 / 30.0			
09N	37E	9	N4	SE		BURTENSHAW, DON M.	A31-00079A / 5.0	- /	7.0		
			N4	SE		BURTENSHAW, DON M.	A31-00020 / 5.0	- /			
			N4	SE		BURTENSHAW, DON M.	A31-10088 /	- /			
TOTAL ACRES							A31-00079A	167.00		299.00	

7/25/21c *HR*

PRIVATE

4.701

8 5
7 8

HARD COPY

TONER374

D. BURTONSHAW
31-00079A, 00020

SW

4.7120

POD

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

Amended to PPU all P/S

*See GPS for
Ac & Dist.*

RECOMMENDATIONS: -

TOTAL ACRES:

1246 - 1142
5642

REVIEWED BY:

DATE:

12/5/02

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00079A IRRIGATION	FROM 05-01 TO 11-01	2.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00079 IRRIGATION	FROM 05-01 TO 09-01	5.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	---
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	---
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	---

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

Recommended Period of Use 4/1 to 10/31.

Stock Arranged in - DR

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.900 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD 1/21/01 Downstream, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 31-30020, IN-STREAM STOCKWATER CLAIMED IN CANAS CR.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-30079A	CANAS CREEK	BURTENSHAW, DON M.	2.500	0.015		
A31-30020	CANAS CREEK	BURTENSHAW, DON M.	2.400	0.014		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10038	STOCKWATER	BURTENSHAW, DON M.	FROM 01-01 TO 12-31	.090 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 417.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

WR RECORD CONDITIONS/REMARKS:

- 001 - A MEASURING DEVICE OF A TYPE APPROVED BY THE DEPARTMENT SHALL
 - BE PERMANENTLY INSTALLED AND MAINTAINED AS PART OF THE DIVERTING
 - WORKS.
 - 005 - USE OF WATER UNDER THIS RIGHT IS SUBJECT TO CONTROL BY THE
 - WATERMASTER OF STATE WATER DISTRICT NO. 31.
- TRANS. NO. 2695.
SUPERSEDES 31-2939.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<i>Stock</i> IRRIGATION	04-01 <i>10/31</i> 11-01	<i>2.69</i> DATABASE EXAMINER 2.690	DATABASE EXAMINER _____	DATABASE EXAMINER 417.5
TOTAL FOR THIS RIGHT		<u>2.690</u>		417.5

REVIEWED BY: *Star*

DATE: *12/5/00*

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00079

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.800

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00079A	2.600	-	-	-	-
-	A31-00079B	3.200	-	-	-	-
-	-	-	-	-	31-00079	5.800
TOTAL CFS		5.800				5.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

Reviewed as claimed - Part 12/5/00
Approved 12/5/00

AUTHENTICATION:

SIGNATURE: *[Signature]* DATE: 12/5/00
NAME OF FIELD EXAMINER: *[Signature]* TITLE: SA AT

=====

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-20079A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
AAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

23:13:35
03/15/93

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A31-00079A

OWNER CJOE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON M. BURTONSHAW	06/12/1909	IRRIGATION	04-01 11-01	2.60 CFS	
C	BEVERLY BURTONSHAW					
	MC 63 BOX 2510					
	TERRETON ID 83650					
	(208) 663-4493					
				TOTAL DIVERSION:	2.60 CFS	
				CONSUMPTIVE USE:		417.5 AFI

WATER SOURCE: CAMAS CREEK

TRIBUTARY TO: MUD LAKE

STAGE: DECREED

POINT(S) OF DIVERSION:

T09N R37E S09

NWNE

CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	:	SUM
09N	37E	9	:																	:	18.0
																				TOTAL ACRES	167.0

POU COUNTY: CLARK

NON-IRRIGATION USES: IN-STREAM STOCK WATERING

OTHER RIGHTS: 31-00020, IN-STREAM STOCKWATER CLAIMED IN CAMAS CR.

REMARKS: RIGHT ORIGINATES FROM TRANSFER 2495

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG: Y
PRESUMPTION FLAG:

31-77A

JULY 23, 2001

DEAR MR. & MRS. BURTENSHAW;

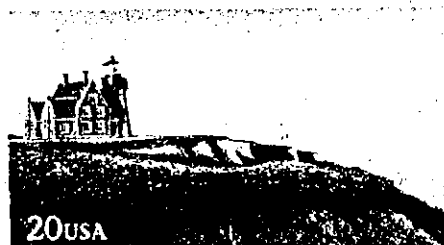
ALL WATER RIGHTS IN YOUR NAMES HAVE BEEN CHANGED TO
REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



DON & BEVERLY BURTENSHAW
1603 N 1000 E
TERRETON ID 83450-5033

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): _____

RECEIVED

JUL 20 2001

Department of Water Resources
Eastern Region

[] Old Mailing Address: Don & Beverly Burtenshaw
1603 N. 1000 E.
Montpelier, Idaho 83435

[] New Mailing Address: Don & Beverly Burtenshaw
1603 N. 1000 E.
Terreton, Idaho 83450-5033

[] Telephone Number: 208-663-4493 or 208-663-4492

[] Signature of Claimant: Wm. M. Burtenshaw

[] Date: July 19, 2001

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Beverly - 153833
Don - 99987

RECEIVED

MAR 15 2001

01/24/2001

NOTICE OF ERROR Department of Water Resources
REPLY Permitting Section

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-79A

DON M BURTENSHAW
1603 N 1000 E
TERRETON ID 83450
Telephone Number: (208)663-4493

BEVERLY BURTENSHAW
1603 N 1000 E
TERRETON ID 83450
Telephone Number: (208)663-4493

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-7-01 SIGNATURE: Don M. Burtenshaw
Please print your name: DON M. BURTENSHAW

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

<u>WATER RIGHT</u>	<u>PRIORITY DATE</u>	<u>cts</u>	<u>DUCROS AC</u>	<u>CLAIM</u>
31-00020	MAY 30, 1912	2.4	160 (BEST CASE)	167
31-00078	July 10, 1911	2.54	160 (BEST CASE)	127
31-00079	July 12, 1909	5.8	320 (BEST CASE)	
<u>ADJUDICATION CLAIMS (1988)</u>				
79B		3.2		160
79A		2.6		167

WR TX History

TX #2495 (1/1981) RECOGNIZES 254 ACRES (IN SECTIONS 8, 9 & 19 w/ 2000's.
TX POL DON'T FIT ACTUAL POL VERY WELL.

TX #4720 (10/1996) SPLITS 79 (WR SIB) INTO A/B. PART B IS
0.05 cts (AND 2 AKA) FOR ESTIMATION. PART A IS
REDUCED TO 5.75 cts, 884 AKA ON 252 ACRES.

11/30/2K ADJUDICATION CLAIM A31-11469 IS FILED/MINOR FOR SIGN/
NOTARY TO GLEN DALLING. (THIS REPRESENTS WR SIB 79B)

ADJUDICATION HISTORY & PLAN

6/1988 A31-00079A AND B ARE FILED IN SRBA (PREDATING TX 4720).
EACH CLAIMING SEPARATE PODS AND POLS.

ADJUG A31-00079A IS PPL w/ 31-00020 ON MOST EASTERNLY PART
CLAIMED AS 2.6 cts ON 167th AC.

A31-00079B IS PPL w/ 31-00078 ON MOST WESTERNLY PART
CLAIMED AS 3.2 cts ON 160 AC.

TOTAL 62'S ACREAGE = 564th AC 564th

TX 4720 RECOGNIZES PPL OF ALL cts ON A TOTAL OF 469th AC.

AC DIFF (REQUIRED ENLARGED CLAIM) 94th AC.

12/1/2K TALKED w/ DON BURTONENAW. PUT ALL WR'S ON ALL LANDS

FILE AN ENLARGED CLAIM FOR 94th AC.

@ 1st/AC $\Rightarrow$ 79A 2.6 cts / 167th AC
79B 3.2 cts / 160th AC $(-0.05) = 3.15$ cts > 5.75 cts / reduced to 252 ac.
78 2.54 cts $\Rightarrow$ 127
20 2.40 cts $\Rightarrow$ 120 AC
497

ADJ An rts 77, 78 & 20 have CFS ADJ

(ADJ) 79 A/B	limited to 252 ac (after 724720)	$\left. \begin{array}{l} \text{OVERLAP w/ PRA} \\ \text{Total AC } 469^2 \\ \text{(ONE/ADJ FIELD EXCL.)} \end{array} \right\}$
78	limited to 177 ac	
20	limited to 110	

PLAN:

CURRENT SRBA CLAIMS DO NOT REFLECT TRANSFERS #2495 AND #4720, AND, CURRENT SRBA CLAIMS DO NOT REFLECT CURRENT (HISTORIC) USE. UNDER THE AGREEMENT (469² ac) MONITORED BY JONES & CHALSON (724720 EXCLUDED) COMPARED TO ACTUAL POH (564² ac) IT APPEARS THAT AN ENHANCEMENT CLAIM FOR 94² ac IS NECESSARY.

ADJUDICATION CLAIMS WILL BE AMENDED TO SHOW A PERMISSIBLE PLACE OF USE (OR w/ DEN 12/10/78) AND AN ENHANCEMENT CLAIM WILL BE FILED FOR 31-00079.

A31-00079 A/B	limited to 5.75 cfs	252 ac	$\left. \begin{array}{l} \text{OVERLAP} \end{array} \right\}$
A31-00090	limited to 2.54 cfs	127 ac	
A31-00020	limited to 2.40 cfs	120 ac	

(724720 EXCLUDED) 469² ac

A31-11480 ENHANCE CLAIM OF 31-00079 ^{1.87 cfs} 94² ac

PERMISSIBLE POH ON 564² TOTAL

$$\text{All DIVERSITY rts} = \frac{10.69 \text{ cfs}}{564 \text{ ac}} = 0.01895 \Rightarrow 0.019 \text{ cfs/ac}$$

The Problem is w/ 79 A/B where 79 was limited to 252 ac (724720 EXCLUDED) IS 5.75/252 = 0.0228

79A 2.6 cfs $\rightarrow$ 114 ac

5.75/252

79B 3.15 (w/ ADJ, 724720) $\rightarrow$ 130 ac

11469 0.05 stockton only

Total 5.80 cfs

A 7.6
B 3.7. etc

Don Burdoushaw

Olive M. Hays
31 0079
1909-June 12

5.8 c.f.s.

Source: Camas Creek, a tributary of Mud Lake.

T. 2495 (1981)

T. 4720 (1996)

SE SW Sec. 9 T. 9 N., R. 37 E.

Point of Diversion: In the Southeast Quarter of the Southwest Quarter of Section 9, Township 9 North, Range 37 East, B. M.

For use on the following described land, to-wit: The Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter of Section 8; the Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter, of Section 17, Township 9 North, Range 37 East, B. M.

⁴⁰SW ⁴⁰SE, ⁴⁰SE ⁴⁰SE Sec. 8
⁴⁰NW ⁴⁰NE, ⁴⁰SW ⁴⁰NE, ⁴⁰NW ⁴⁰NW,
⁴⁰SE ⁴⁰NW, ⁴⁰NW ⁴⁰SW, ⁴⁰NE ⁴⁰SW
Sec. 17
T. 9 N., R. 37 E.

Best Case Ac 320 ac.

Tx 2495 Limit 254 Tx 4720 7405 2 ac.

110
88
320

Tx 4720 Spent on close w/ 29, rec
Ordnance no. (w/ 96)

to whom it may concern

I Authorize F D W R to
give Information about water
right on woods place to
Joe Kennedy

Wm M Bristow

11/1/2000

THANK YOU
552-2300
DEDUCT O.O.S.C.S
AND ZARA FROM D BY
79 (TX 4720 took berry
IT FOR 31-11469 TO
GLEN DALLING.)

to whom it may concern

I Authorize F D W R To
Give Information about water
right on woods place to
Joe Kennedy

Wm M Burtstrom

11/16/2000

Paradise Credit Service

552-2300

RECEIVED BY
M. Ruben
11/16/2000

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 31-00079B
Adjudication Claim Number(s) 631-00075 (Yard)
2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal instrument indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION, AND

N/A. B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.) OR

N/A. C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Don or Beverly Hunschke
Hillside Box 200, Teton, ID 83420
4. New Owner/Claimant(s) * Glenn or Dorothy Darling
Name of owner (then only) (Last) (First) (Middle)
New Mailing Address 426 West 1st South
City, State and ZIP Code Sugar City, Idaho 83448
New Telephone Number 208-346-1744
5. Date you acquired the property: water right 8-14-95 Ref Transfer 4720
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 0 Number and type of stock 360 range cattle

Diversion rate in CFS 0.545 cubic feet per second Number of homes 0 Other uses 0

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Glenn W. Darling Date 10-28-96
Dorothy Darling Date 10-28-96
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

SDB TV 4720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4720
WATER RIGHT NO. 31-00079B

1 4220
A31-11469

This is to certify that: DON BURTENSHAW
BEVERLY BURTENSHAW
HC 63 BOX 2610
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 09/30	0.05 CFS	2.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CAMAS CREEK	MUD LAKE

Priority: 06/12/1909

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 25, Township 11N, Range 38E
CLARK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 39E	5	NENE
11N 38E	36	SESW
39E	31	SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 4720
WATER RIGHT NO. 31-00079B

CONDITIONS OF APPROVAL AND REMARKS

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 28th day of October, 1996.

J. Glen Saylor
Chief, Water Alloc. Bureau

Transfer No. 4720

589-4493

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2495 / 31-00079 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water CAMAS CREEK tributary to MUD LAKE

4. Date or priority 6-12-1909

5. Water is used for the following purpose:

amount 5.80 cfs for Irrigation purposes from 5-01 to 9-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	9	9N	37E	CLARK	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9N	37E	8				40									40			40	120
		9						40	40										80
		17				40			14										54

Total acres 254

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
31-00079A	6-12-1909	5.756 cfs	Irrig	5-01 to 9-01
31-00020	5-30-1912	2.40 cfs	"	" to 4
31-00078	7-10-1911	2.54 cfs	"	" to 4
				to

2. Total amount of water being transferred 10.696 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water CANAS CREEK tributary to MUD LAKE

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE 1/2	NE 1/2	9	9N	37E	CLARK	Irrig
		NW 1/4	NW 1/4	16	"	"	"	"

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
N	3 E	8									8	23	30	27.6	8.5		3	24.8	124.9
		9	7	9	7.4				16	26.5	26.3	32.6	34	18.5		2.8			180.1
		17	6	18	14.2		30	26.9	25	31	4.2	9							164.3

Permissible place of use Total acres 469.3

ATTACHMENT "A"

Western

MEMORANDUM

TO: FILE NO. 31-00079
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4720
DATE: October 22, 1996

RECEIVED

NOV 08 1996

Department of Water Resources
Eastern District Office

Transfer No. 4720 was filed to change the point of diversion, place, nature and season of use under a portion of Right No. 31-00079, splitting the right into parts A and B. The applicant will remove 2 acres from irrigation to provide water to a stockwater system consisting of a pump, storage tank and a series of 3 troughs.

The transfer application originally included Right No. 31-00020 also, but was amended before final processing. Overlap review of the water rights as recorded show no overlap of the original place of use of the 2 acres being dried up. The change from irrigation to stockwater use reduces both the diversion and consumptive use volume.

Change in Nature of Use Evaluation

			Div. Vol.	C/U Vol.
Original Rt:	254 Acres	5.80 cfs	(889 afa)	(635 afa)
Unchanged				
Part A:	252 "	5.75 "	(882 ")	(630 ")
Stockwater				
Part B:	(2 ")	0.05 "	2 "	-----
Total:	254 Acres	5.80 cfs	884 afa	630 afa

The application identifies a modified season of use for 152 days and 360 range cattle. The diversion volume was calculated from this information.

360 cattle x 12 gpd x 152 days = 656,640 gal or 2.0 af

Recommended conditions include measuring device, watermaster control, right-of-way and standard transfer conditions.

M E M O

FROM: H. W. JONES
TO: PAM SKAGGS/JIM JOHNSON
DATE: SEPTEMBER 24, 1996
RE: TR 4720 - BURTENSCHAW

The intent of this action was to assist one Glen Dalling in securing a right to pump stockwater from Camas Creek. Traditionally, he has watered his cattle out of the creek, but the BLM wants to fence that area off to stock. New applications in that area are usually always protested, so we advised Mr. Dalling to buy part of a water right and change the nature of use to stockwater. Mr. Burtenshaw provided that opportunity.

When we reviewed the existing claims and water rights for Mr. Burtenshaw, we felt the claims indicated the truer picture of use (A31-00079A and A31-00020). After the transfers were advertised, I attended the transfer conference in Boise. Our ideas about using adjudication claims as a basis for transfers was not endorsed, so we had to rethink Transfer 4720.

It was then we discovered Mr. Burtenshaw also owned the ground under A31-00079B. He also had the ground under A31-00078. It became apparent all the rights were delivered to a common ditch system to irrigate 469.3 acres. Since we work in concert with the adjudication team on transfers, we informed Mr. Burtenshaw his claims needed to be corrected and amended to reflect the actual 1/4 of 1/4 of use. Also, the total acres were incorrect. It took literally months before Mr. Burtenshaw would come in and help us correct his place of use.

My true intent is to only dry out two specific acres of irrigation and change the cfs involved to stockwater use. The irrigation land list is being provided as the proposed "R" record for the rights after the change. We are proposing a permissible place of use for the three (3) rights, but they are not overlapping, rather used in an adjacent mode.

MEMO

Page - 2 -

Our efforts, whether inspired or not, were to provide the Boise review team a picture of the rights in a true use mode. We have been on-site, reviewed NAPP photos and 1994 and 1995 slide photo overflights of the Burtenshaw property.

Since the transfer was advertised and made well known by the water master of Camas Creek and no protests were filed, I feel no re-advertisement is necessary. Jim and I discussed this. I realize all allocations will probably do is approve deleting two (2) acres from Rt. 31-00079. This should be simple and quick. The rest of the land list information will be for Ernie Carlsen's use in amending the claims.

I have done another transfer in the past which was a "two-fer" and noticed Pam approved the "B" portion but deferred any action on the "A" portion. This was left up to adjudication review and recommendation. That is quite acceptable.

The importance here is SCS has cost-shared the stockwater project and will only release the money to Mr. Dalling if the transfer is approved. Right now there is tension between the parties over this disposal and we could use help getting an approval that SCS can take to the bank.

31-11469

RECEIVED

Transfer No. 2495

Water Right No. 31-0079

FEB 3 1981

STATE OF IDAHO

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Wood Land & Livestock Phone _____Post office address Rt. #1, Box 21, Rigby, ID 83442

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Olive M. Hays (Name)in case of Ernest Sauve vs In Equitydated Nov. 1, 1930 in U.S. District Court county of Bannock
(Name of court)b. License No. 31-0079 Decree #38 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Purchased water and property3. Source of water Camas Creek tributary to Mud Lake4. Date of priority June 12, 1909

5. Water is used for the following purposes:

amount 5.80 for irrigation purposes from May 1 to Sept. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 5.80 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9Township 9N Range 37E, B.M., in Clark County

Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
9N	37E	8															27	31	58
		17		30	38		35			40	28	25							196

Total number of acres to be irrigated 254

9. Describe any other water rights used for the same purposes as described above

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. 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 $\frac{1}{4}$	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 5.80 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9 Township 9N
Range 37E, B.M., Clark County _____
Additional points SESW, Sec. 9, T. 9N, R. 37E (3.2 cfs at NENE, Sec. 9,
-2.6 cfs at SESW, Sec. 9)
 - c. Description of diverting works ditches and headgates
 - d. Describe the reasons for applying for a change in the point(s) of diversion
Wants to transfer water to more productive land

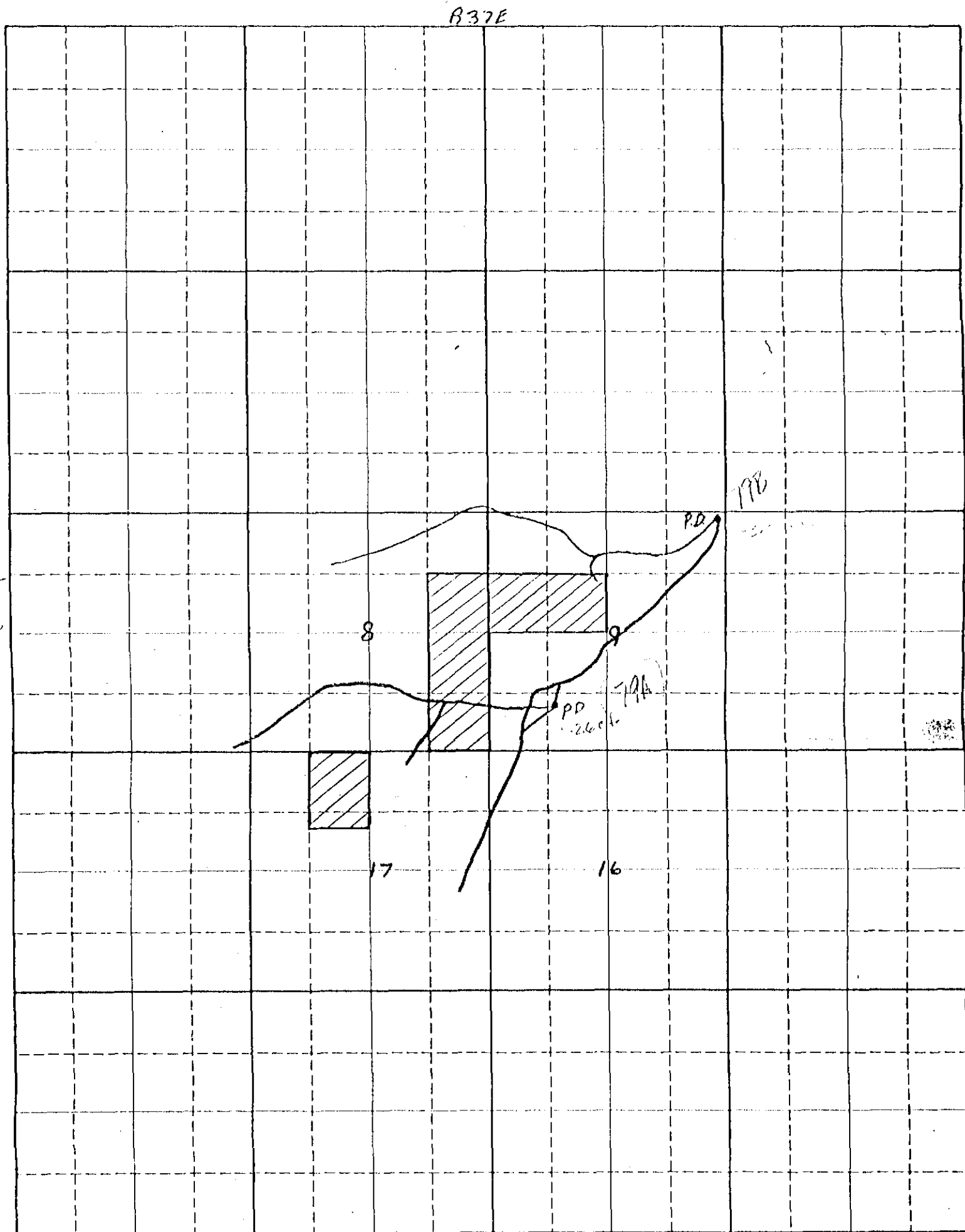
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	
9N	37E	8				40									40			40	120
		9							40	40									80
		17					40			14									54

Total number of acres to be irrigated 254

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

OLD R/A

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 24th day of November, 1980.
Thomas E. McNeal (Signature of applicant)

Ronald W. Carls
(Notary public)

My commission expires 2/14/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0079 and said application is hereby approved, subject to the following limitations and conditions:
A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (2) Use of water under this right is subject to control by the watermaster of State Water District No. 31, Camas Creek.

Witness my hand this 30th day of January, 19 81.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by <u>EMC</u>	Date <u>11/24/80</u>	Protest filed by _____
Prelim. check by _____	Fee <u>50.⁰⁰</u>	_____
Receipted by <u>KW</u>	Date <u>12/14/80 #16042</u>	
Published in <u>Rigby Star</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/10 & 12/17/80</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on _____	Recommended for <u>approval</u>	denial
rec'd. _____	by <u>EMC</u>	<u>June</u> <u>DET</u>

INTER-DEPARTMENT MEMO — 1

FROM Ronald Carlson

DATE 7/13/1981

TO File

SUBJECT Transfer No. 2495

Don Shenton was in the office today to discuss Transfer 2495 which changes points of diversion and place of use of Water Right 31-0079. Part C of the transfer which shows points of diversion being requested indicated 3.2 cfs would be diverted at a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9 and 2.6 cfs would be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, Twp. 9N, Rge. 37E. However, the approved transfer has the quantities assigned to each diversion lined out which created confusion on how the right should be split. Don indicates that Don Bradshaw and Tom Wood own the right and that the split should be as originally indicated on the application. While our review indicates that this would give Don Bradshaw more than 1 miners inch per acre for the lands he owns that are covered by this water right Norm Young agreed that if the owners choose to split the right other than proportionally the Department has no problem with distributing the water according to their wishes.


SIGNATURE

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

DEC 15 1988

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional Department of Water Resources of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

DON BURTENSHAW

Name of Claimant

Post Office Address

TERRETON IDAHO 83450

City, State, Zip Code

Jefferson

County(s) where Place of Use is located

NOV 30 END DATE

Date Claim Originally Due

MVD LAKE WATER RIGHTS WELL WATER RIGHTS.

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Just Purchased Property From the Federal Land Bank
in which WATER RIGHTS WERE NOT CLAIMED. will now

need to MAKE these CLAIMS to WATER on these newly Purchased
LANDS.

Claimant requests an extension to JAN 10, 1989.

Don M. Burtenshaw
Signature

OWNER

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

☒ granted ☐ denied,
and the filing deadline extended to 1/10, 1989.

Signed this 16 day of December, 1988.

MICROFILMED

Director or his designated agent

DAVID B. SHAW

NOV 17 1992