



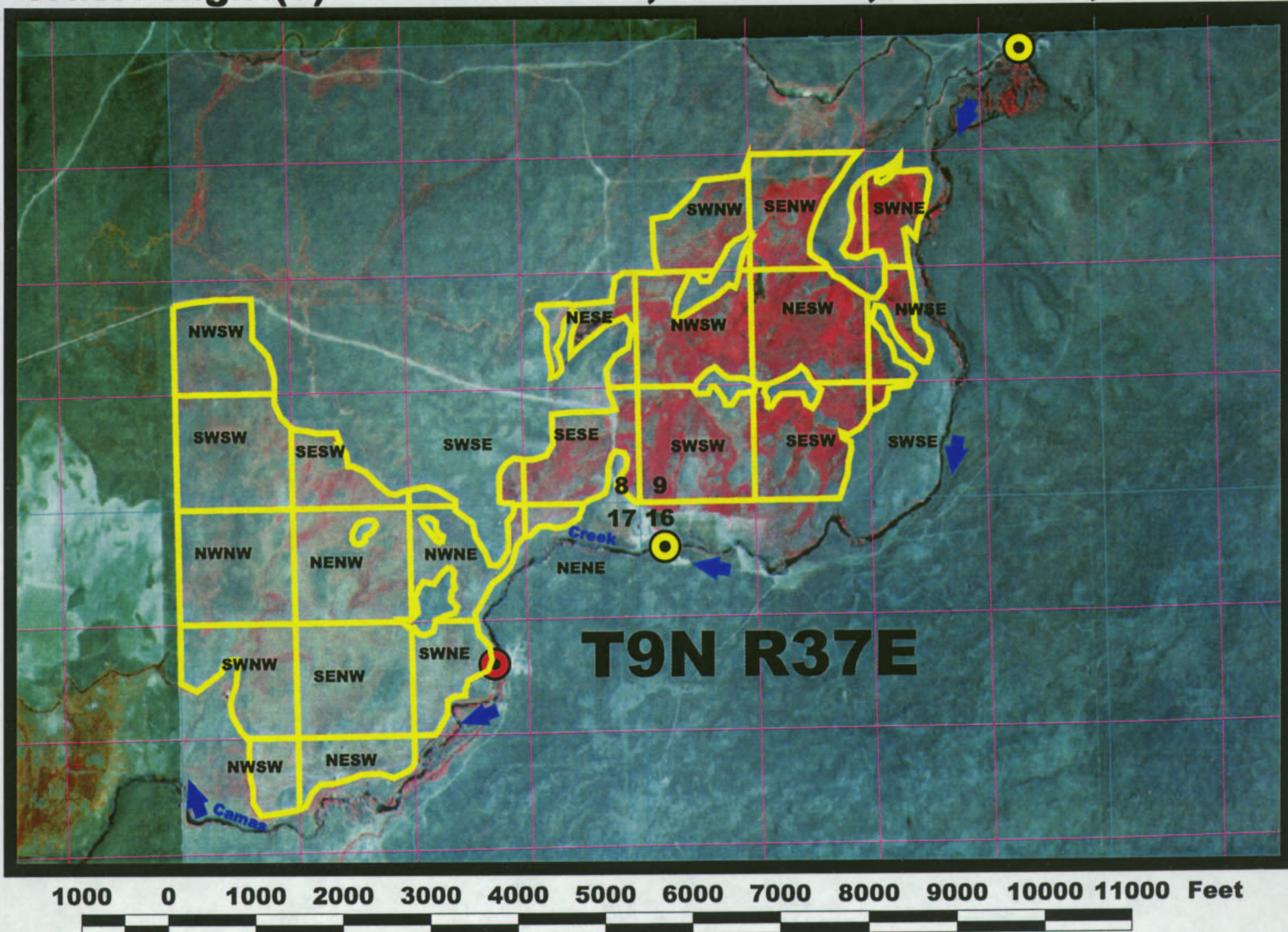
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: D. Burtenshaw

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



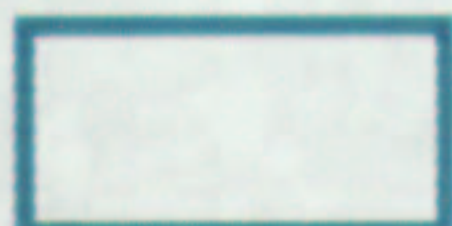
LEGEND



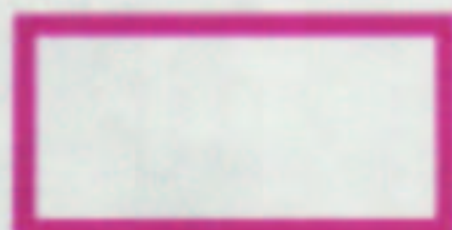
Point of Diversion

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

7 8

D. Burtenshaw
31-00079A, 00020

SW

NO IRR.

B

8 9

17 16

Don Burtenshaw
31-00078

POD

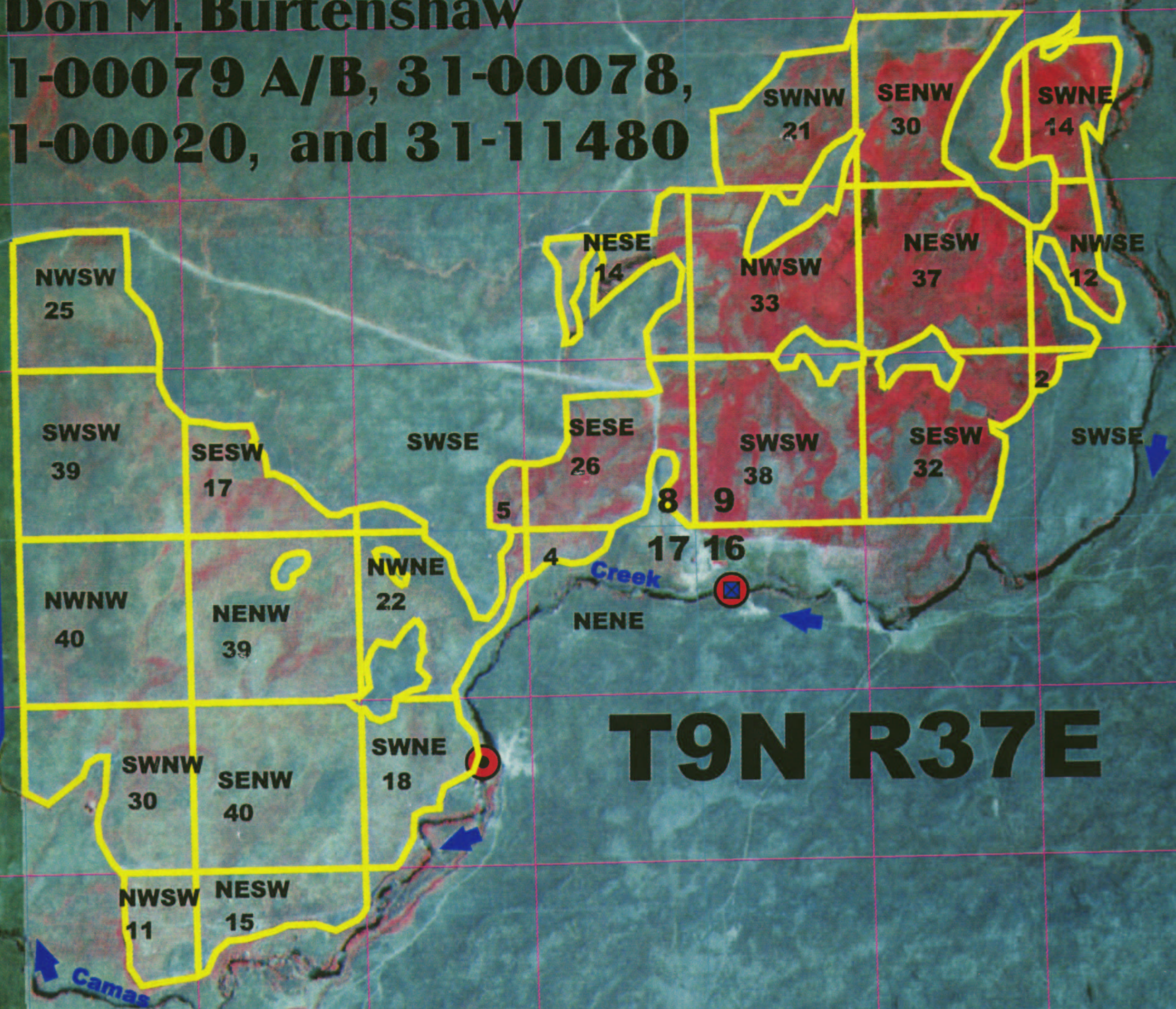
T9N R37E

2 LAIRD POD'S

7/25/2K ADR

8 17

Don M. Burtenshaw
31-00079 A/B, 31-00078,
31-00020, and 31-11480



T9N R37E

6 5
7 8

T9N R37E

D. BURTENSCHAW
31-00079B

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: 31-79B

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

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 3.15 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY. ~~13,000 GALLONS PER DAY~~
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. 31-79A 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	3.15 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 138 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-79A 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 PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION 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 31-79B
Date Received: 6/22/88
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

DON M BURTENSHAW 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 & MEASURE SEC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	3.15	
STOCKWATER	04/01	10/31	0.12	

7. Total Quantity Appropriated is:
3.15 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
					Section Acres	233
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:

THIS RIGHT IS SPLIT BETWEEN A31-00079A THIS RIGHT IS OVER CLAIMED AND IS NOW OWNED BY DON BURTONSHAW AND A CHANGE OF OWNERSHIP IS REQUIRED. HWJ 9-14-95 **CHANGED OWNERSHIP 4/8/96/JT/HWJ**
 CLAIMS AMENDED TO PPU ALL RIGHTS TWO POD, 12/01/00.
 SAME POU AS 79 A/B, 78, 20 AND ENLARGE CLAIM.
 STOCKWATER 500 CATTLE, SAME POU AS IRRIG.
 THIS RIGHT CA IRRIGATE 138 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): *John W. Bartlett* Date: 12-5-00

Date:

State of Idaho)
County of BONNAVILLE) SS.

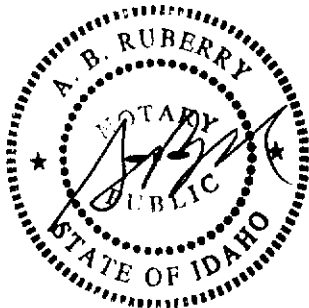
Subscribed and sworn (or affirmed) before me this 5th
of December 2000

Allen B. Ruberry

Notary Public

Residing at EDMONTAUS 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: A31-00079B
Date Received: 6/22/1988
Receipt No: E000481
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DON M BURTONSHAW 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	16	NW	NW			CLARK

5. Description of diverting works:
HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		
STOCKWATER	04/15	10/15	0.090		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 400 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	37E	8	NE	SW		IRR	40.0
			NE	SW		STOCK	
			NW	SW		IRR	

NOV 14 1988

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	37E	8	NW		SW		STOCK	
			SW		SW		STOCK	
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SE		SW		STOCK	

Section Acres 160.0

Total Acres 160.0

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:
NONE.

14. Remarks:

THIS RIGHT IS SPLIT BETWEEN A31-00079A
THIS RIGHT IS OVER CLAIMED AND IS NOW OWNED BY DON BURTENSHAW
AND A CHANGE OF OWNERSHIP IS REQUIRED. HWJ 9-14-95
CHANGED OWNERSHIP 4/8/96/JT/HWJ

15. Basis of Claim: DECREED

Case Number: 635

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED

NOV 14 1996

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: A31-00079B
Date Received: 6/21/1988
Receipt No: E000481
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GOLDEN EAGLE 208-662-5511
Address: P.O. BOX 247
HAMER, ID 83425

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	16	NW	NW			CLARK

5. Description of diverting works:
HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		
STOCKWATER	04/15	10/15	0.090		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 400 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	37E	8	NE	SW		IRR	40.0
			NE	SW		STOCK	

A31-00079B

Page 1

Date: 06/21/88

MICROFILMED
NOV 17 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	37E	8	NW	SW		IRR	40.0
			NW	SW		STOCK	
			SW	SW		IRR	40.0
			SW	SW		STOCK	
			SE	SW		IRR	40.0
			SE	SW		STOCK	
Section Acres							160.0
Total Acres							160.0

Handwritten notes: 40.0, 40.0 - 160.0

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:
NONE.

14. Remarks:
THIS RIGHT IS SPLIT BETWEEN A31-00079A

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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 MANAGER of _____ Title

Golden Eagle Organization, that I have signed the foregoing document in the space below as Manager of _____ Title

Golden Eagle Organization and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Golden Eagle
Title and Organization

6-22-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of June 19 88

[Signature]
Notary Public

Seal

Residing at Rigny
My Commission Expires 4/22/1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: AS1-000798

LAST: GOLDEN EAGLE
ADDRESS: P.O. BOX 267
CITY: HAGER
PHONE NUMBER: 208-662-5511

FIRST:

STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS RIGHT IS SPLIT BETWEEN AS1-00079A

*CHANGE OF OWNERSHIP
2 April 1996 To
DON BLAIR LEVINSKY*

*CLAIM ADJUSTED 12/01/00
PER TELEPH W/ DON.*

FIELD EXAMINATION INFORMATION

CONTACT PERSON: *A. R. R. R.*

PHONE NUMBER: () -

DATE OF FIELD EXAM: *1/1*

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: *DON BLAIR LEVINSKY*

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: *OWNER*

DIRECTIONS TO PROPERTY / NOTES:

UNITED PROPERTIES, W/ DON & SHARON ON 7/25/00

14/5/00 Unit was in a pending claim.

A. AJ CLAIM: # A31-000798 PRIORITY DATE: 06-12-1909

STAGE: *JD 5/20/03 SC*

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: *Matches Discrepancy*

RECOMMENDED PRIORITY DATE:
06-12-1909

REVIEWED BY *[Signature]*

DATE *11/27/03*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-000793	07N	37E	16		NW	NW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-10088 NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-00078
31-02074

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

NONE

A31-00020
A31-00079A
A31-10088
NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

TX 2495 ADDED POD IN S8SW SEC. 9 9N/37E → NO STAMP TAKEN → Actual
POD is as claimed. TX 2495 added 1361. TX 4700 comes along 10/1996 recognizes
WRMMA SEC. 16 9N/37E (PETER CHAN).

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
9N	32E	16	NW	NW	NW	---	CLARK	---
---	---	9	NW	NE	NE	---	"	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

REVIEWED BY:

APR

DATE:

22 NOV 00

SYSTEM DESCRIPTION:

CONCRETE HEADINGS OFF MAIN STREET CAMAS CREEK TO OPEN DITCHES
SEE PHOTO IN 29A

A. ROOT WATER RIGHT NUMBERS: A31-000798
A31-000798

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	SW		GOLDEN EAGLE	A31-000798 /40.0	-	/		
09N	37E	8	NE	SW		GOLDEN EAGLE	A31-000798 /	-	/		
09N	37E	8	N4	SW		GOLDEN EAGLE	A31-000798 /40.0	-	/		6.0
			N4	SW		GOLDEN EAGLE	A31-000798 /12.0	31-000798 /			
			N4	SW		HAYS, JR., JOHN W.		31-02074 /12.0			
09N	37E	8	N4	SW		GOLDEN EAGLE	A31-000798 /	-	/		6.0
			N4	SW		GOLDEN EAGLE	A31-000798 /12.0	31-000798 /			
			N4	SW		HAYS, JR., JOHN W.		31-02074 /12.0			
09N	37E	8	S4	SW		GOLDEN EAGLE	A31-000798 /40.0	-	/		22.0
			S4	SW		GOLDEN EAGLE	A31-000798 /40.0	31-000798 /			
			S4	SW		HAYS, JR., JOHN W.		31-02074 /40.0			
09N	37E	8	S4	SW		GOLDEN EAGLE	A31-000798 /	-	/		22.0
			S4	SW		GOLDEN EAGLE	A31-000798 /40.0	31-000798 /			
			S4	SW		HAYS, JR., JOHN W.		31-02074 /40.0			
09N	37E	8	SE	SW		GOLDEN EAGLE	A31-000798 /40.0	-	/		8.0
09N	37E	8	SE	SW		GOLDEN EAGLE	A31-000798 /	-	/		8.0
TOTAL ACRES							A31-000798	160.00			72.00

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

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POB COUNTY: CLARK

TX 4720 RECOGNIZES A TOTAL OF 254⁰ AC, 5.80 ac

WR SIDE Part A, 5.75 ac on 252⁰ AC

Part B, 0.05 ac stockwater for NO SPEC CLAIM ⇒ TO GOLDEN EAGLE FIDELITY
IS A31-000798 stockwater.

ADJ. SIDE Part A, 2.60 ac on 167⁰ AC w/o stock

Part B, 3.20 ac on 160⁰ AC w/o stock (— 0.05 ac on A31-000798)

5.80 ac

227⁰ AC

OBVIOUSLY OVERCLAIMED.

12/5/02
Amended All
PPH of 1/1/03
to 3/1/11/02

Don M. Burtenshaw
31-00079 A/B, 31-00078,
31-00020, and 31-11480

NWSW
25

SWSW
39

NWNW
40

SWNW
30

NWSW
11

SESW
17

NENW
39

SESW
40

NESW
15

SWSE

NWNE
22

SWNE
18

NESE
14

SESE
26

NENE

NWSW
33

SWSW
38

SWNW
21

SESW
30

NESW
37

SESW
32

SWNE
14

NWSE
12

SWSE

T9N R37E

7 8

D. Burtenshaw

31-00079A, ~~POD~~

B

NO IRR.

Don Burtenshaw

31-00078

POD

2 LAIRD POD'S

7/25/2K ABR

8

6 5
7 8

T9N R37E

D. BURTENSCHAW
31-00079B

SW

POD

PRESUMPTION FLAG:

NOTES:

THIS RIGHT HAS SAME PDD AS 31-00078 AND TOGETHER ARE USED AS PPH.
THIS RIGHT IS CLAIMED ON HANDS OTHER THAN TO THOSE DECREASED. PPH SHOULD
RESET ENTIRE PDD (INCLUDING THAT OF 31-00078) W/AC LIMITS.

RECOMMENDATIONS:

K06 - 1382

TOTAL ACRES:

564

REVIEWED BY:

[Signature]

DATE:

12/9/21

A. AS CLAIMED USES:

PURPOSES
A31-000798 IRRIGATION
A31-000798 STOCKWATER

MONTH/DAY
FROM 04-15 TO 10-15
FROM 04-15 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.200 CFS
-090 CFS
3.200 CFS

⇒ MINUS 0.05 CFS / 2 AFA FOR STOCK
TO GLEN DALLING

B. NR RECORDED USES:

PURPOSES
31-00079 IRRIGATION

MONTH/DAY
FROM 05-01 TO 09-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
5.800 CFS
5.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD
DATABASE EXAMINER
Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO NR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

RECOMMENDING PERIOD OF 1500 APRIL TO OCTOBER 31. DIVERSE IS UNSPECIFIC.

STOCKWATER INCLUDED BY DIVERSE

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.800 CFS

#
7 SECS TX 4720 MINUTE SPLITS 79 to A & B
ON UPR SIDE. NOT SD SRBA
CLAIMED ~~WR~~ SPLIT 11/30/24
TO GLEN DAWLING
AS A31-11469
(31-000798)

*** 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
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD *WM DISCOVERY*, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE.

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-000798	CANAS CREEK	GOLDEN EAGLE	3.200	0.020		
A31-00078	CANAS CREEK	GOLDEN EAGLE	2.340	0.020		

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

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 = 400.0 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. 2495.
SUPERSEDES 31-2039.

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. #F/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>PERIB.</u>	<u>5/1 10/31</u>	<u>3.15</u>	_____	_____
<u>STOCKPILAGE</u>	<u>5/1 10/31</u>	<u>0.09</u>	_____	_____
TOTAL FOR THIS RIGHT		<u>3.15</u>	_____	_____

REVIEWED BY: ABR

DATE: 11/30/24

Beilang claim 31-11480

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
3.15

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-90079A	2.600	-	-	-	-
-	A31-90079B	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:

*Claimed as Parts A and B - in final - But does not reflect TX 4720.
A31-00079B claimed as 3.2 cfs => Reduced by C.D.S.C.F. / ZARA
to comply with TX 4720. Now claim A31-11469 filed by a
GLEN DAWNS FOR C.D.S.C.F. / ZARA STOCKWATER
Recommend as 3.15 cfs*

AUTHENTICATIONS:

SIGNATURE: *SP. [Signature]* DATE: 11/27/2K
NAME OF FIELD EXAMINER: Austin B. [Signature] TITLE: SR. Agt.

=====

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-300798

NR 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	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

VERIFIED BY CODES

TOPO MAP/ORINO-PQ = 1
USCS MAP = 2
MASTER 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

23:17:05
03/13/95

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A31-000798

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GOLDEN EAGLE P.O. BOX 247 HAYER ID 83425 (208) 662-5511	06/12/1909	IRRIGATION STOCKWATER	04-15 10-15 04-15 10-15	3.20 CFS 0.09 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.20 CFS	400.0 AFI

WATER SOURCE: CAMAS CREEK

TRIBUTARY TO: MUD LAKE

STAGE: ~~BENEFICIAL USE~~

Deere 5/24/93 SC

POINT(S) OF DIVERSION:

T09N R37E S16

NNNN

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	3	:																	160.0
09N	37E	3	:																	
TOTAL ACRES																			160.0	

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	
			:																	

POU COUNTY: CLARK

NON-IRRIGATION USES: STOCKWATER - 400 CATTLE.

OTHER RIGHTS: NONE.

REMARKS: THIS RIGHT IS SPLIT BETWEEN A31-00079A

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

31-79B

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.
Montevideo, 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

RECEIVED

NOV 08 1996

B31-11469 Department of Water Resources
Eastern District Office

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

Gene Dunning
SRAA Bureau

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

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
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

RECEIVED

MAR 05 2001

01/24/2001

Department of Water Resources
Bureau of Reclamation

**NOTICE OF ERROR
REPLY**

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: 31-79B

DON M 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: 3-3-01

SIGNATURE:

Don M Burtenshaw

Please print your name:

Don M Burtenshaw

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

3-782	500 SHEETS, FILLER	5 SQUARE
12-381	50 SHEETS, EYE EASE®	5 SQUARE
12-382	100 SHEETS, EYE EASE®	5 SQUARE
12-389	200 SHEETS, EYE EASE®	5 SQUARE
12-392	100 RECYCLED WHITE	5 SQUARE
12-399	200 RECYCLED WHITE	5 SQUARE

20 Limito 70 120 Duesse 02

Total AC 469³

(BMC/HWT FIELD EXAM)

CURRENT SRBA CLAIMS DO NOT REFLECT TRANSFERS
#2495 AND #4720, AND, CURRENT SRBA CLAIMS DO
NOT REFLECT CURRENT (HISTORIC) USE. USING THE
ACRES (469[±] AC) IDENTIFIED BY JONES & CARLSON
(IN 4720 PHOTOGRAPH)
COMPARED TO ACTUAL POUL (564[±] AC) IT APPEARS
THAT AN ENLARGEMENT CLAIM FOR 94[±] AC IS NECESSARY.
ADJUDICATION CLAIMS WILL BE AMENDED TO SHOW A
PERMISSIBLE PLACE OR USE (OR W/DON 12/1/00 TIER 1) AND
AN ENLARGEMENT CLAIM WILL BE FILED FOR 31-00079.

(Tx 4720 FIDELITY) 469² AC

Permissible Poll on 564² total

$$\text{Au Dispersed rate} = \frac{10.69 \text{ g}}{56.42 \text{ g}} = 0.1895 \Rightarrow 0.019\%$$

The Problem is w/ 79 A/B whether 79 was limited to 252K (Tx 472)
Dw. Rate is $5.75/252 = 0.0228$

5.75/252 → 114AC

798 3.15 (Loss 0.05, T_x 4720) $\rightarrow$ 138 Ac

11469 0.05 stockton only

Today 5-80 cfs



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

APRIL 8, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DON M BURTENSHAW
HC 63 BOX 2610
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-00079B

Dear Mr. Burtenshaw:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED
NOV 14 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A3T-00020 A3I-00079B
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): Golden Eagle
Box 519
Rexburg, ID 83440
- ☐ New Owner/Claimant
(Purchaser): Don M. Burtenshaw
- ☐ New Mailing Address: NC 63 Box 2610
Tennet, ID 83450
- ☐ New Telephone Number: (208) 663-4493
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s) Don M. Burtenshaw Date 2 April 96
Date _____

☐ Signature of Former
Owner/Claimant(s): _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: OK 10/3/96

Further Action Needed: 4-3

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
NOV 14 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

QUITCLAIM DEED

THIS INDENTURE, made the 10th of May in the year of our Lord, one thousand nine hundred and eighty-two, between ROGER N. FERGUSON and SYBIL R. FERGUSON, husband and wife of 401 Maple, City of Rexburg, County of Madison and State of Idaho, the parties of the first part, and DON M. BURTENSHAW and BEVERLY F. BURTENSHAW, husband and wife, City of Terreton, County of Jefferson, State of Idaho, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN and NO/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged by the parties of the first part, do by these presents demise, release and forever quit claim unto the said parties of the second part, and to their heirs, successors, and assigns all the certain piece of land situate, lying and being in the County of Clark And State of Idaho, and bounded and described as follows, to-wit:

Township 9 North Range 37 East of the Boise Meridian, Clark County, Idaho. The West 1/2 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, of Section 8; also the NE 1/4 NE 1/4 and the SE 1/4 SE 1/4, and that part of the SW 1/4 SE 1/4 lying east of the Camas Creek of Section 9; also the N 1/2 and the NE 1/4 SE 1/4, and the N 1/2 SW 1/4, of Section 17, Twp 9 N R 37, E.B.M. Also including 125 shares or inches of Camas Creek water also all ditch and ditch rights. Excluding therefrom all mineral, geothermal, gas and oil rights.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said parties of the second part and

MICROFILMED

NOV 14 1995

QUITCLAIM DEED

to their heirs successors and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Roger N. Ferguson
Roger N. Ferguson, Grantor

Sybil R. Ferguson
Sybil R. Ferguson, Grantor

STATE OF IDAHO)
COUNTY OF MADISON) 1982

On this 10th day of May, in the year of 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared ROGER N. FERGUSON and SYBIL R. FERGUSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Alan D. Harrison
Notary Public
Residing In: Teton
My Commission Expires: Life

43799

FILED FOR RECORD AT 46 MINUTES PAST 9 O'CLOCK a.m. THIS 16th
DAY OF May 1982 AND RECORDED AS MICROFILM NO 43799
RECORDS OF CLARK COUNTY, IDAHO
FILE 600 FILED FILED INDEXED INDEXED RECORDER
BY Deane Bradley CLERK
DEPUTY

WITCLAIM DEED

MICROFILMED

NOV 14 1996