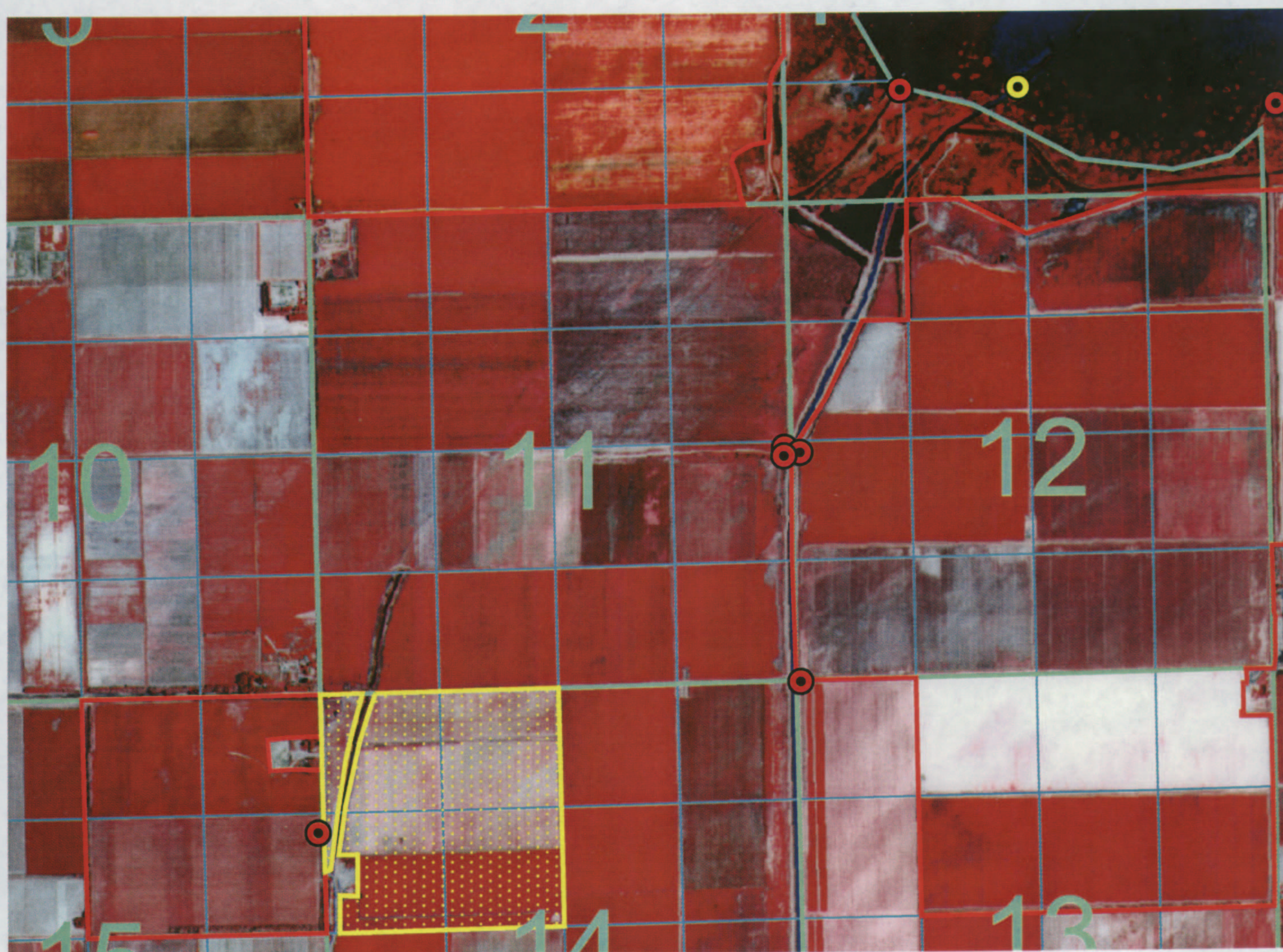


Idaho Department of Water Resources

Water Right 31-210, 31-211, 31-212A, 31-213

Township 6N Range 34E



0 1 Mil

- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

RECEIVED

MAR 16 2000

Department of Water Resources
Eastern Region

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 No(s): _____
Adjudication Claim No(s): A31-00210, A31-00211, A31-00212A, A31-00213
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 document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for **ten or more acres of irrigation**, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Joseph B. Dorine J. Potter
4. New Owner/Claimant(s) Van T. Jean M. Burtenshaw
 Name Connector (Check one): [] and, [] or, [x] and/or
 New Mailing Address 1698N 1300E
 City, State and ZIP Code Terreton ID, 83450
 New Telephone Number 208 663-4607
5. Date you acquired the property Feb. 15, 2000
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) or Claimant(s) Van Burtenshaw
Jean Burtenshaw
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

384

385

386 25'

3

2

POINT OF DIVERSION

4783

10

R34E

1261

4784

PLACE OF USE

15

14

Terreton
(BM 4787)

A31-00210

MICROFILMED

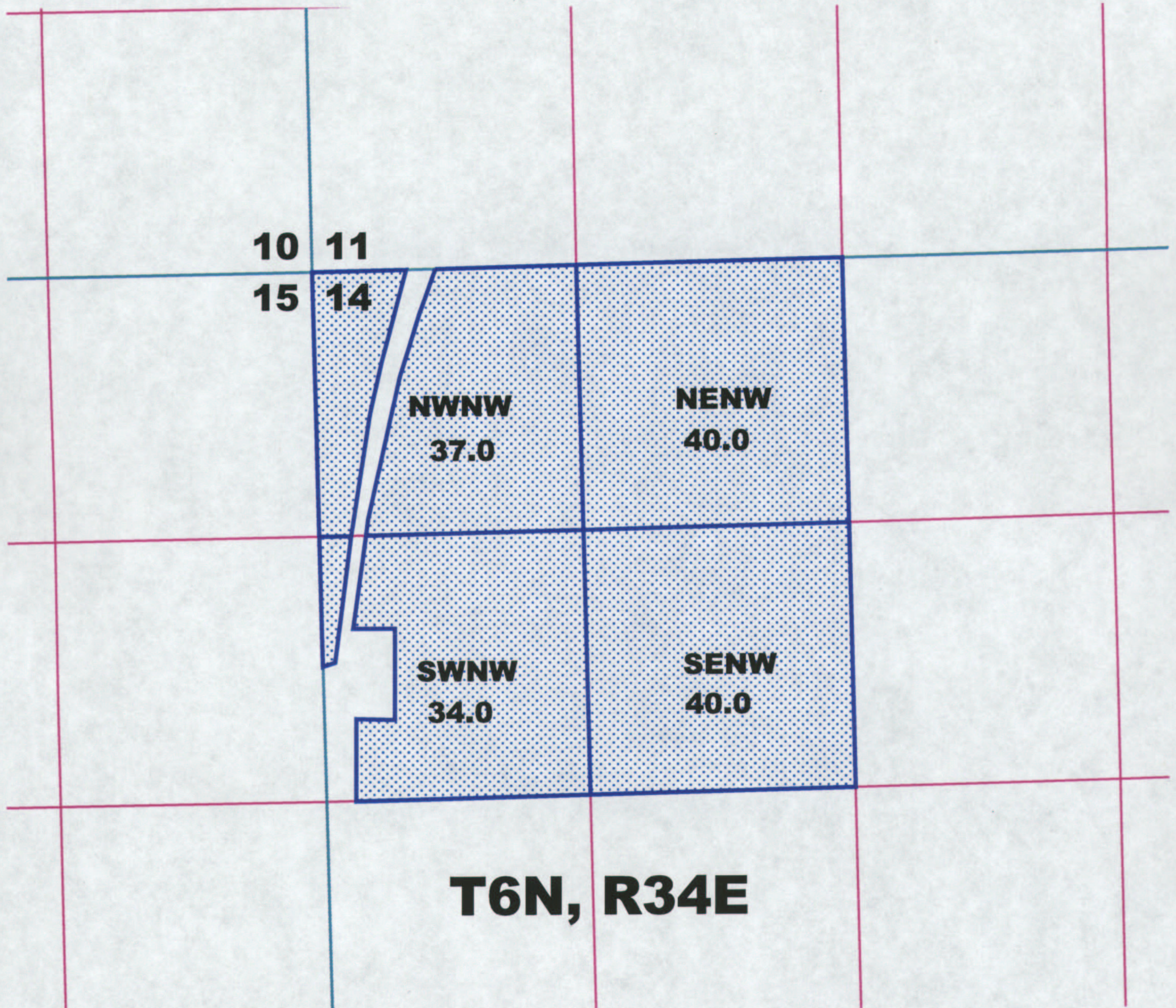
NOV 17 1992

Storage bins

BM 4786
Pumping
Station

**WR #: 31-210, 31-211
31-212A, 31-213**

Van and Joan Burtenshaw



Total Irrigated Acres: 151

Acreage Distribution

Prepared By: Craig Saxton
January 2001

2477
368

NHEL
②
19.2

NHEL
①
30.8

HEL
③
17.7
NHEL
④
94.5

NHEL
⑤
35.6

11 2
14 3

#172
372
① NHEL
27.9

NHEL
⑥
39.3

NHEL
③
63.2

NHEL
④
36.7
⑤
18.2 NHEL

NHEL
⑦
29.4

NHEL
⑧
65.0

#174
373

NHEL
⑩
33.5

NHEL
⑨
32.2

①
6.7 HEL

①
38.0 NHEL

173
174

NHEL
⑪
28.9

NHEL
⑫
28.9

NHEL
⑬

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00210

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
307 17 2002	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: JOAN M BURTENSHAW
VAN T BURTENSHAW
1698 N 1300 E
TERRETON, ID 83450

SOURCE: MUD LAKE

TRIBUTARY: SINKS

QUANTITY: 196.80 AFY

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS
CALCULATED BY MULTIPLYING A DIVERSION RATE OF 0.8 CPS BY A
FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER
1ST).

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T06N R34E S01 NESWSW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater Storage	01-01 TO 12-31	7.38 AFY
	Stockwater from Storage	05-01 TO 10-31	7.38 AFY
	Irrigation Storage	01-01 TO 12-31	196.80 AFY
	Irrigation from Storage	04-01 TO 10-31	196.80 AFY

PLACE OF USE: Irrigation from Storage Within Jefferson County
T06N R34E S14 NENW 40.0 NWNW 37.0
SWNW 34.0 SENW 40.0
151.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 151 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00210, 31-00211,
31-00212A AND 31-00213.

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

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

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE
AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER
DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS
OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT
NUMBER 307626.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RIGHT NUMBER: 31-210

NAME AND ADDRESS: JOAN M BURTENSHAW
 VAN T BURTENSHAW
 1698 N 1300 E
 TERRETON, ID 83450

SOURCE: MUD LAKE

TRIBUTARY: SINKS

QUANTITY: 196.8 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 0.8 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION: T06N R34E S1

NESESW

Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01-01 12-31	196.80 AFY
IRRIGATION FROM STORAGE	04-01 10-31	196.80 AFY
STOCKWATER STORAGE	01-01 12-31	7.38 AFY
STOCKWATER FROM STORAGE	05-01 10-31	7.38 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within
JEFFERSON County

T06N R34E S14	NENW	40	T06N R34E S14	NWNW	37
T06N R34E S14	SWNW	34	T06N R34E S14	SENW	40

STOCKWATER FROM STORAGE Use same as IRRIGATION FROM STORAGE

151 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 151 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00210, 31-00211, 31-00212A AND 31-00213.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-210

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VAN T BURTENSHAW
Current Owner	JOAN M BURTENSHAW
	1698 N 1300 E
	TERRETON, ID 83450
	(208)663-4607
Original Owner	JOSEPH B POTTER SR
Original Owner	DORINE J POTTER JR
Original Owner	JOSEPH B POTTER JR
Priority Date:	04/01/1911
Basis:	Decreed
Status:	Valid

<u>Source</u>	<u>Tributary to</u>
MUD LAKE	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01	12/31		196.8 AFA	
IRRIGATION FROM STORAGE	04/01	10/31		196.8 AFA	
STOCKWATER STORAGE	01/01	12/31		7.38 AFA	
STOCKWATER FROM STORAGE	05/01	10/31		7.38 AFA	
Total Diversion				196.8 AFA	

Location of Point(s) of Diversion:

MUD LAKE NESESW Sec. 01 Township 06N Range 34E JEFFERSON County

IRRIGATION STORAGE Use:
Acre Limit: 151

IRRIGATION FROM STORAGE Use:
Acre Limit: 151

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	34E	14		NENW	40		NWNW	37		SWNW	34		SEnw	40

Place of Use Legal Description: STOCKWATER FROM STORAGE same as IRRIGATION FROM STORAGE

Total Acres: 151

Conditions of Approval:

1. C18 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.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 3. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 151 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00210, 31-00211, 31-00212A AND 31-00213.
2. Quantity FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 0.8 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

Comments:

Author	Date	Subject	Comment
csaxton	1/3/01	POD	POD DECREED AS THE POINT WATER IS DIVERTED FROM THE CANAL SYSTEM. POD RECOMMENDED DESCRIBES THE POINT AT WHICH WATER IS DIVERTED FROM THE NATURAL SOURCE.

Dates:

Licensed Date:
 Claim Received Date: 09/29/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 11/01/1930
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/29/00 3:42:51 PM	csaxton			In Process
POD	12/29/00 3:52:19 PM	csaxton			In Process
POU	12/29/00 3:58:41 PM	csaxton			In Process
Priority Date	12/29/00 3:43:14 PM	csaxton			In Process
Quantity	1/3/01 8:25:33 AM	csaxton			In Process
	12/29/00 4:28:28 PM	csaxton			In Process
Season	12/29/00 4:28:20 PM	csaxton			In Process
Source	12/29/00 3:56:19 PM	csaxton			In Process
Summary	1/3/01 10:52:08 AM		1/3/01 10:52:08 AM	csaxton	Complete
Use	12/29/00 3:57:09 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Water District Number: 31
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number: And/Or
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Contacts	12/29/00 3:42:47 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review Edited point location 1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: Decree listed POD as point water left canal. Am now defining POD as the point water left the natural source, ie. Mud lake. Not really a change in POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	12/29/00 3:55:36 PM	csaxton	
POD	12/29/00 3:51:46 PM	csaxton	
POU	12/29/00 3:58:36 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (NO) The claimed POU can not be verified using the water right file. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: NAPP Photography 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	12/29/00 3:43:13 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/3/01 8:25:31 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Quantity	12/29/00 4:28:20 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The basis of claim is a posted notice.
Season	12/29/00 4:28:16 PM	csaxton	1. (NO) The basis of claim is not beneficial use.
Source	12/29/00 3:56:16 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	1/3/01 10:52:06 AM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	12/29/00 3:57:06 PM	csaxton	1. (NO) The basis of claim is not beneficial use.

- 2. (YES) The parent right has a purpose of use.
- 3. (YES) The claimed purpose of Use can be verified using the water right file.
- 11. (NO) Purpose of Use remark was not required.
- 12. (NO) Purpose of Use condition was not required.

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 31-210
Date Received: 9/29/88
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

Name: VAN T BURTENSHAW Phone: (208)663-4607

Address: 1698 N 1300 E
TERRETON ID USA 83450

Name: JOAN M BURTENSHAW Phone:

Address: 1698 N 1300 E
TERRETON ID USA 83450

2. Date of Priority: 05/01/1911

3. Source: Mud Lake Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06N	34E	11	NE NE NE	0	JEFFERSON

5. Description of diverting works:

PUMP MAINLINE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	0.8	0
STOCKWATER	5/01	11/01	0.03	0

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	34E	14	SE	NW	IRRIGATION	39
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	35
			SW	NW	IRRIGATION	34.7
Section Acres						147.7
Total Acres						147.7

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

PRIORITY BEGINNING OF IRR. SEASON

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): _____ Date: _____

OK

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: A31-00210
Date Received: 9/29/1988
Receipt No: E002733
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH B. POTTER, JR. 208-663-4376
Address: P.O. BOX 114
TERRETON, ID 83450
OR
Name: DORINE J. POTTER, JR. 208-663-4376
Address: P.O. BOX 114
TERRETON, ID 83450

A3100210



2. Date of Priority: MAY 01, 1911

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	34E	11	NE	NE	NE		JEFFERSON

5. Description of diverting works:
PUMP MAINLINE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.800		
STOCKWATER	05/01	11/01	0.030		

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

8. Total consumptive use is 369.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	14	NE		NW		IRR	39.0
			NW		NW		IRR	35.0
			SW		NW		IRR	34.7
			SE		NW		IRR	39.0
							Section Acres	147.7
							Total Acres	147.7

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A31-00211/00212A/00213

14. Remarks:
PRIORITY BEGINNING OF IRR. SEASON.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT

Decree Defendant

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.

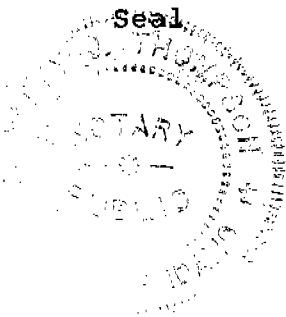
Signature of Claimant(s): Marine J. Potter Date: 9/29/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Sept 19 88

Betty J. Thompson
Notary Public



Residing at Idaho Falls
My Commission Expires 6-94

384

385

386 25'

POINT OF DIVERSION

4783

R34E

T
6
N

4784

PLACE OF USE

SLEY

Terreton
(BM 4787)

MICROFILMED

00210

NOV. 1992

Store

camping

OUR SOIL • OUR STRENGTH



CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Mud Lake Soil Conservation Dist.

OWNER Joseph Potter

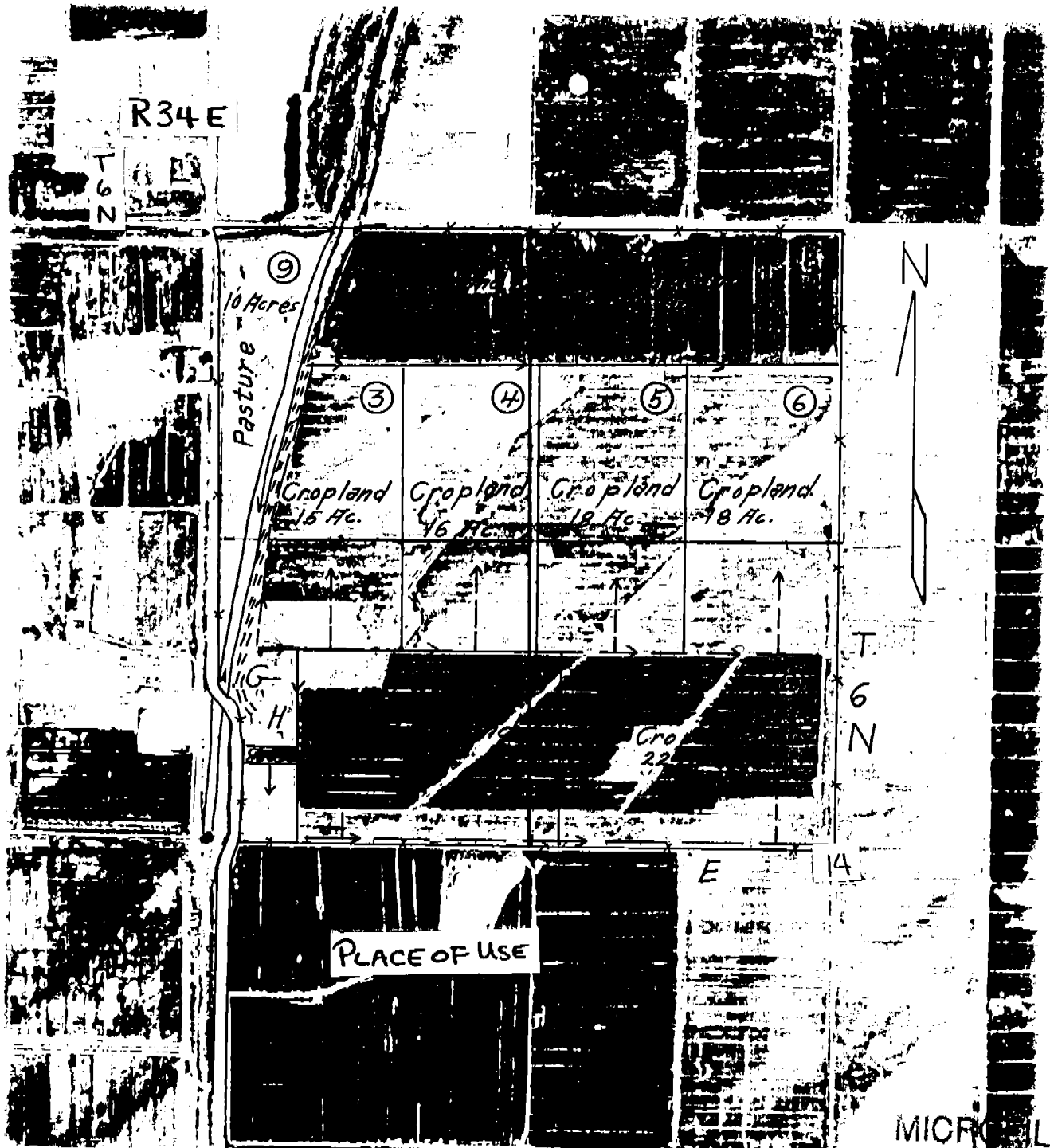
FARM NO. 174 DATE 11-61

OPERATOR Jefferson

Idaho

SCALE 8"mi. ACRES 155 Hc.

PHOTO NO. _____



MICROFILMED

NOV 17 1992

A31-00210

Idaho Department of Water Resources

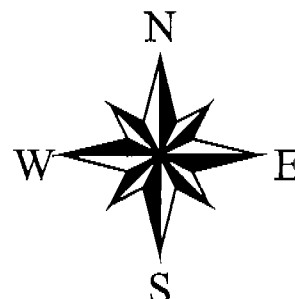
Water Right 31-210, 31-211, 31-212A, 31-213

Township 6N Range 34E



0 1 Mil

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

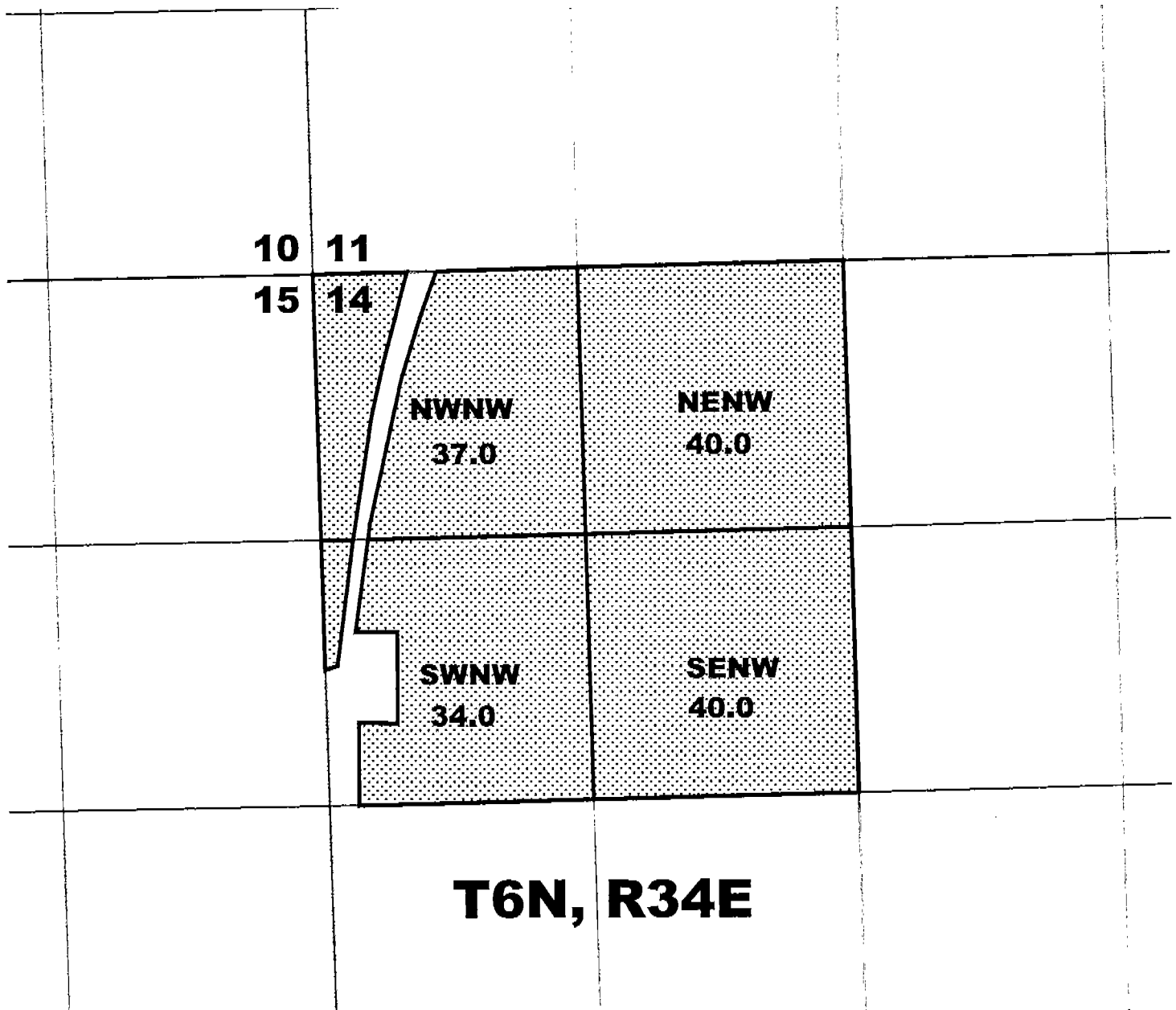


GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

WR #: 31-210, 31-211

31-212A, 31-213

Van and Joan Burtenshaw



Total Irrigated Acres: 151

Acreage Distribution

Prepared By: Craig Saxton
January 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

March 20, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

VAN T & JOAN M BURTENSHAW
1698 N 1200 E
TERRETON ID 83450

RE: NOTICE OF ERROR

Dear Mr. and Mrs. Burtenshaw:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-210, 31-211, 31-212A and 31-213, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

**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: 31-210 *and 213*

VAN T BURTENSHAW
1698 N 1300 E
TERRETON ID 83450
Telephone Number: (208)663-4607

JOAN M BURTENSHAW
1698 N 1300 E
TERRETON ID 83450

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

*The ~~POD~~ Point of Diversion is wrong
Should be in SW of SW Sec 1*

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:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

Feb 12, 01

SIGNATURE:

Van Burtenshaw

Please print your name:

Van Burtenshaw

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

Response: Per phone call to Roxanne, NDE is correct, PD will be adjusted. My field work indicated no canal, but Roxanne says canal is conveyed through underground pipeline near the lake.

See 3/15/01

ECVR Guide

(1)

Claim no. A31-210

Changes to Name none
and address:

Priority Date: 4/1/1911

Decreed as "beginning of irrigation season." In
accordance w/ Al Ruberry's practice, use std. season definition

Source

POD

	T	R	S		Q	Q	Q
	6N	34E	1		NE	SE	SW
Mud Lake							
Decree describes original point of delivery from canal system, not POD from Source							

Details of Source & POD analysis

Decree, copy in file

Rate & Volume:

$0.8 \text{ cfs} \times 123 \text{ days} \times 2 \text{ ac/cfs/day} = 196.8 \text{ af.}$
no rate per 64 discussions

Period of use: 4/1 - 10/31 (std. period) Irr from std.
1/1 - 12/31 irr. storage

POU

6N 34E 14
(as decreed)

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
				X	X	X	X								

Irrigation
4/15/1972
446 615 for
acres per 22

Details of Purpose Analysis:

claim, 615, consistent w/ preamble to Sugar lease.

SW rights will be recommended as "Irr storage"

1/1-12/31, "Irr from storage" 4/1-10/31 per

B31 discussions, See special file "Mud Lake Storage."

Remarks & Conditions

GEN C18 (condition)

EXP C03 Δ POD

POU I E14 Identified acres, 31-210, 212A, 213

Placeholder for Allotment GP?

EXP remain re: volume calculation

Signature Depe A. Corton Date 12/14/2000

Joseph B. Potter

1911 - Beginning of
Irrigation
Season

31 210 ✓
0.8 c.f.s.

Source: Mud Lake

1912 -

"

31 211 ✓
0.2 c.f.s.

Point of Diversion: In the North-
west Quarter of the Northwest Quar-
ter of Section 14, Township 6
North, Range 34 East, B. M.

1927

"

31 212 ✓
0.6 c.f.s.

1928

"

31 213 ✓
0.4 c.f.s.

For use on the following described
land, to-wit: The Northwest Quar-
ter of Section 14, Township 6
North, Range 34 East, B. M.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 13, 2000

VAN T & JOAN M BURTENSHAW
1698 N 1300 E
TERRETON ID 83450

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A31-00210, A31-00211,
A31-00212A, A31-00213

Dear Mr. & Mrs. Burtenshaw:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

RECEIVED

MAR 16 2000

Department of Water Resources
Eastern Region

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 No(s): _____
Adjudication Claim No(s): A31-00210, A31-00211, A31-00212A, A31-00213

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 document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant

Joseph B. Dorine J. Potter

4. New Owner/Claimant(s)

Van T. Joan M. Burtenshaw

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1628 N 1300 E

City, State and ZIP Code

Terreton ID, 83450

New Telephone Number

208-663-4607

5. Date you acquired the property

Feb. 15, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Van Burtenshaw
or Claimant(s) Joan Burtenshaw

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

2477
368

NHEL
②
19.2

NHEL
①
30.8

NHEL
③
17.7
NHEL
④
94.5

NHEL
⑤
35.6

14 2
3

#172
③72
① NHEL
27.9

NHEL
⑥
39.3

NHEL
③
63.2

NHEL
⑦
29.4

NHEL
⑧
65.0

NHEL
④
36.7
8.2 NHEL

#174
③73

NHEL
⑩
33.5

NHEL
⑪
32.2

6.7 HFL

①
38.0

173
174

NHEL
⑫
34.5

WARRANTY DEED

JOSEPH B. POTTER, JR. and DORINE J. POTER, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
VAN T. BURTENSHAW and JOAN M. BURTENSHAW, husband and wife, as Grantee
whose address is 1698 North 1300 East, Terreton Id 83450, and Grantee's successors and assigns, all of the following described real property, to-wit:

TOWNSHIP 6 NORTH, RANGE 34 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO.

SECTION 14: THE NW1/4

EXCEPTING THEREFROM: BEGINNING AT THE NW CORNER OF THE NW1/4 OF SECTION 14, AND RUNNING
THENCE SOUTH 330 FEET; THENCE EAST 350 FEET, MORE OR LESS, TO THE WEST BANK OF AN EXISTING
CANAL; THENCE FOLLOWING SAID WEST BANK OF SAID CANAL IN A NORTHEASTERLY DIRECTION TO
THE NORTH LINE OF THE NW1/4 OF SAID SECTION 14; THENCE WEST 490 FEET, MORE OR LESS, TO THE
POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: BEGINNING AT A POINT THAT IS S00°24'46"E 2063.09 FEET ALONG THE
WEST LINE OF SAID SECTION 14 AND N88°04'10"E 111.19 FEET FROM THE NW CORNER OF SAID SECTION
14 AND RUNNING THENCE S02°56'51"E 235.55 FEET ALONG THE EAST LINE OF A COUNTY ROAD; THENCE
N89°22'11"E 211.12; THENCE N01°33'33"W 240.31 FEET; THENCE S88°04'10"W 216.80 FEET TO THE POINT OF
BEGINNING.

ALSO EXCEPTING THEREFROM: ROAD RIGHT OF WAYS.

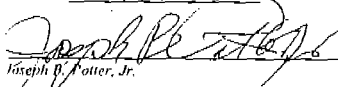
SUBJECT TO the 2000 and subsequent years general taxes and assessments, all existing patent reservations, easements,
right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

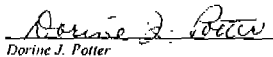
TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or
in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and
assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: February 9, 2000

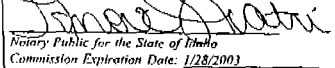

Joseph B. Potter, Jr.


Dorine J. Potter

STATE OF IDAHO)
COUNTY OF Bonneville) ss

On February 9, 2000, before me, the undersigned, personally appeared
Joseph B. Potter, Jr. and Dorine J. Potter

known or identified to me to be the person(s) whose name(s) is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.


Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003

LENORE J. KATRI
NOTARY PUBLIC
STATE OF IDAHO

Bonneville Land & Title Co.

40" N. Capital Ave. * P.O. Box 31690 * Idaho Falls, ID 83403-1690 * (208) 321-6600