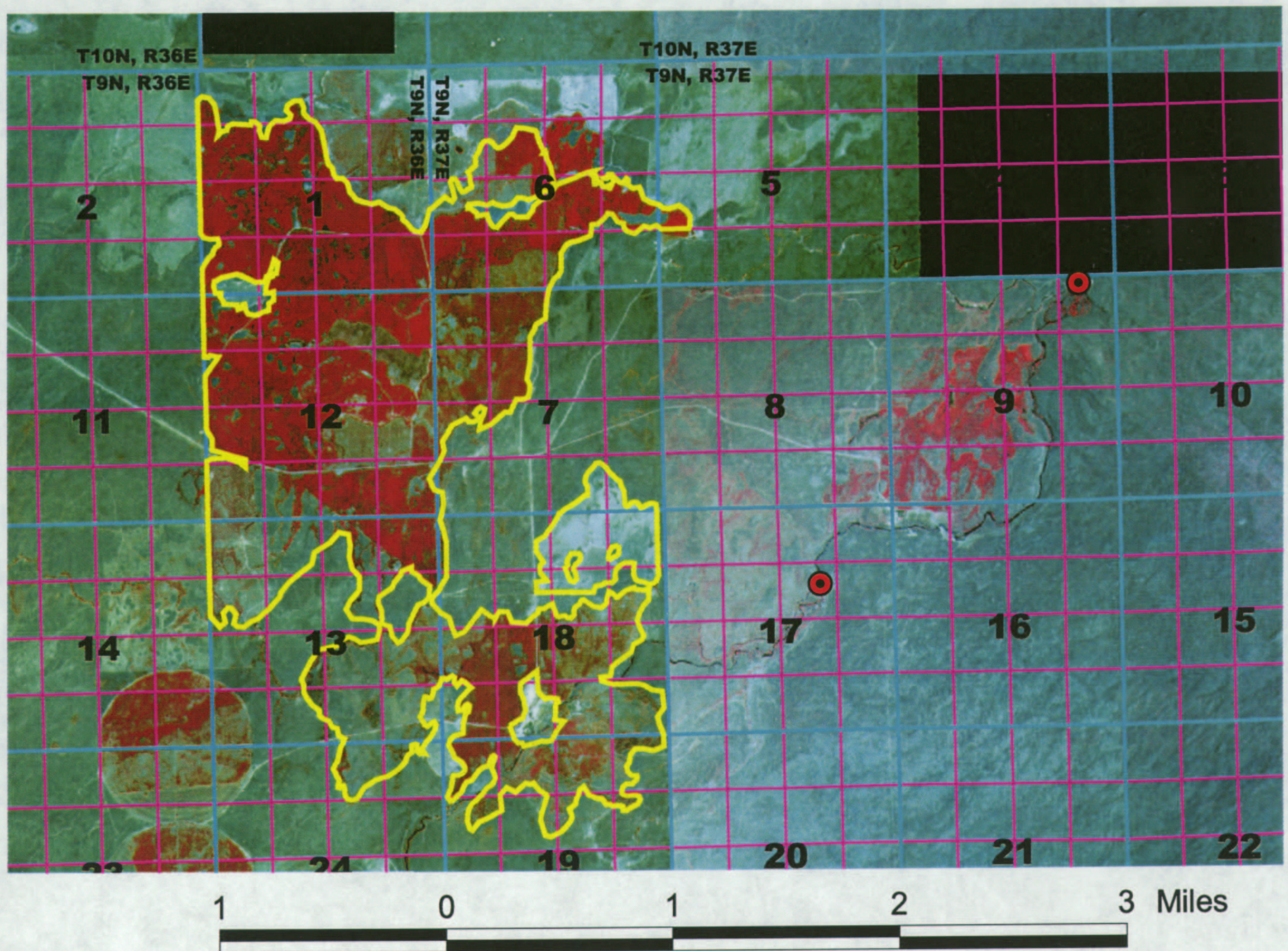




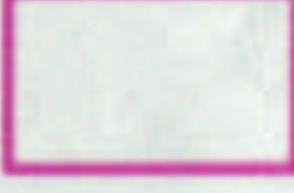
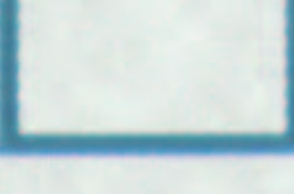
STATE OF IDAHO

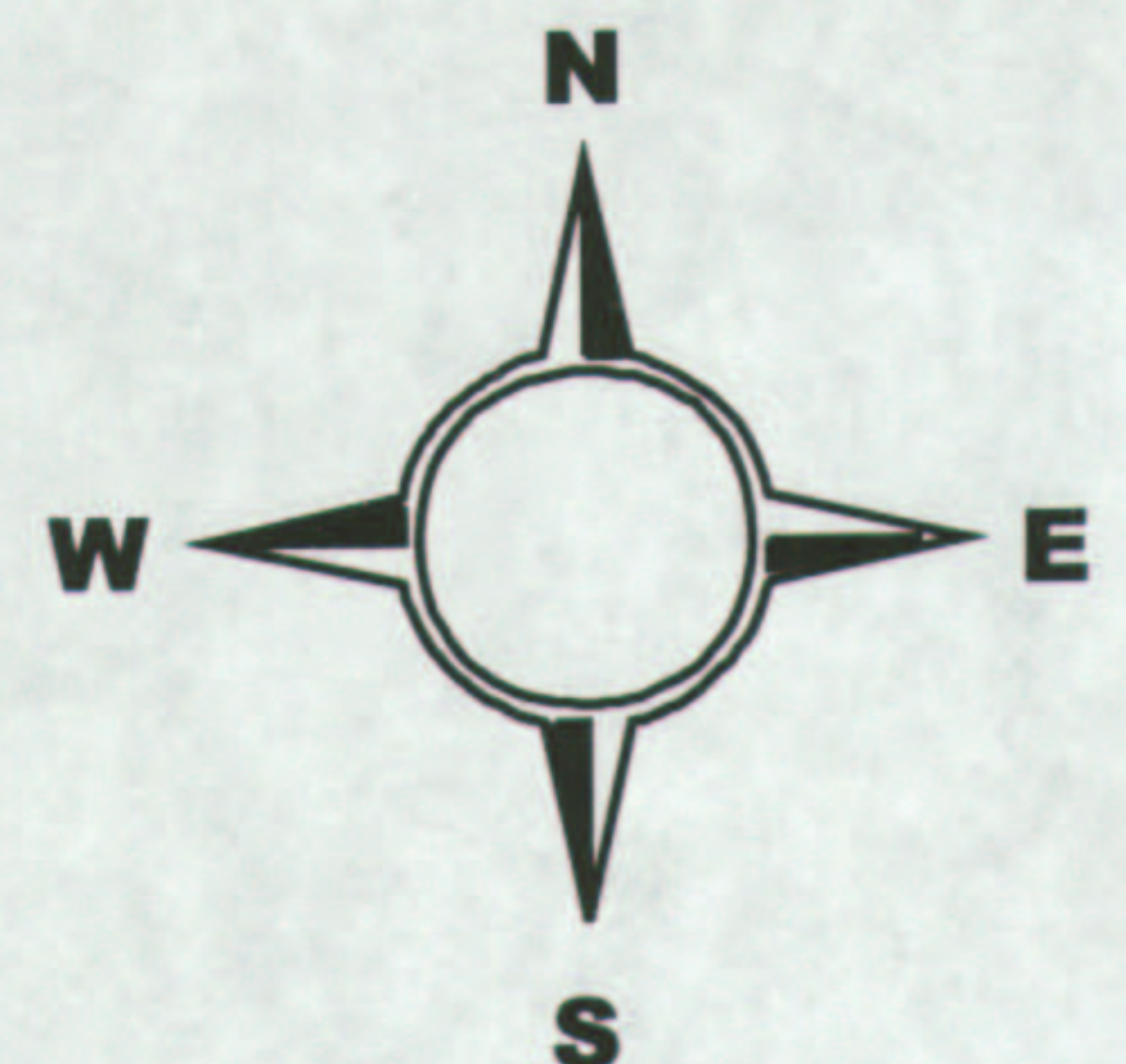
Department of Water Resources
Eastern Region

Water Right(s): 31-00124, 31-00125, 31-00126
31-00127, 31-00128, 31-00167
31-00238, 31-00239, 31-11600.



Total Irrigated Acres: 2382.8

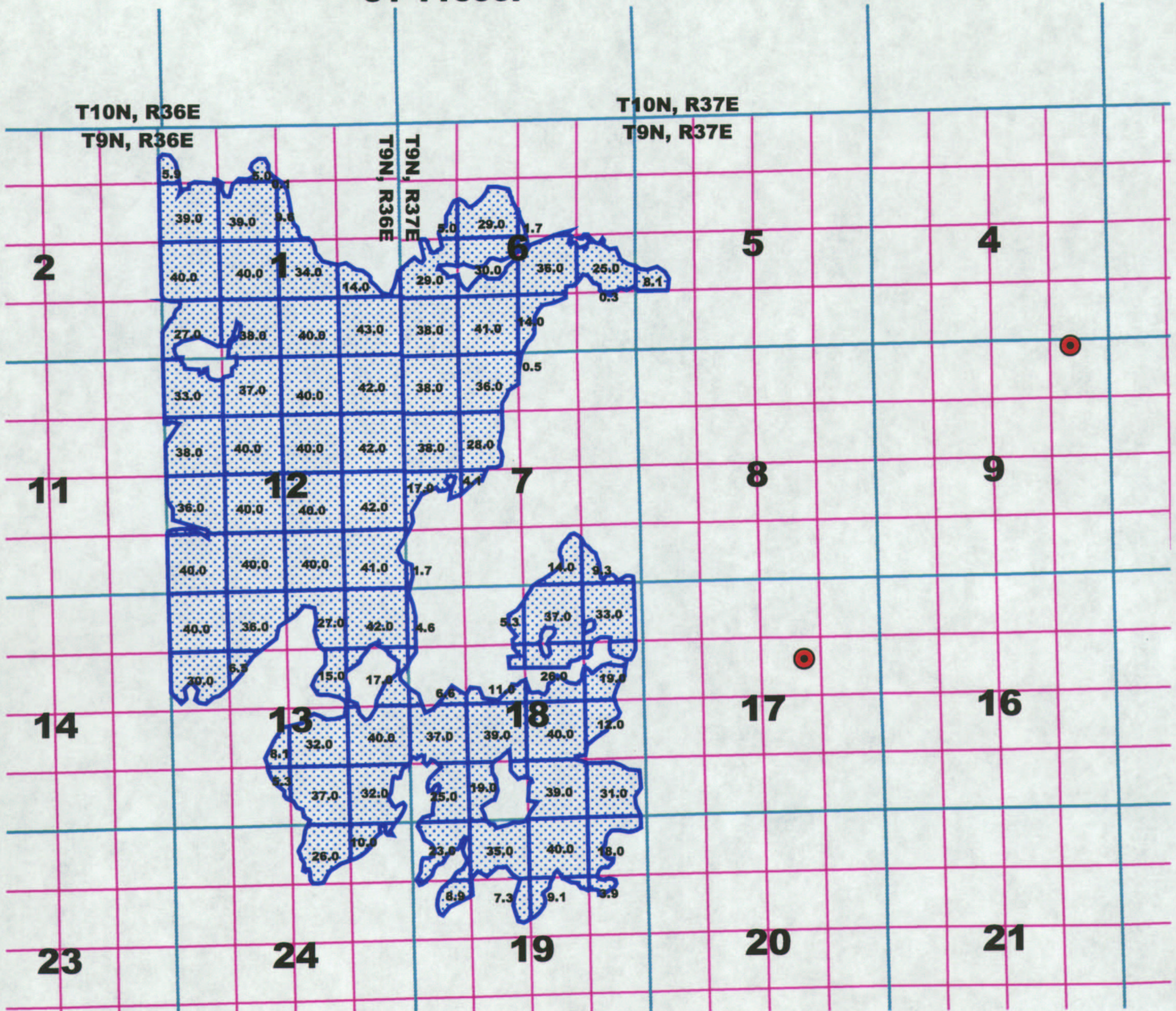
-  Point(s) of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: January 2001

Don and Beverly Burtenshaw

**WR # (s): 31-00124, 31-00125, 31-00126
31-00127, 31-00128, 31-00167
31-00323, 31-00238, 31-00239
31-11600.**



Total Irrigated Acres: 2382.8

Permissible Place of Use

Acreage Distribution

Prepared By: Craig Saxton
January 2001

01/08/2001

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

RIGHT NUMBER: 31-238

NAME AND ADDRESS: BEVERLY BURTENSHAW
DON M BURTENSHAW
1603 N 1000 E
TERRETON, ID 83450

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 2.46 CFS

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

PRIORITY DATE: 05/15/1888

POINT OF DIVERSION: T09N R37E S9 NWNENE Within CLARK County
T09N R37E S17 NESWNE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.46 CFS
STOCKWATER	04-01 10-31	0.58 CFS

PLACE OF USE:

IRRIGATION Within CLARK County			
T09N R36E S1	LOT 2	NWNE	0.1
T09N R36E S1	LOT 3	NENW	5
T09N R36E S1		SWNW	39
T09N R36E S1		NESW	40
T09N R36E S1		SWSW	27
T09N R36E S1	LOT 6	NESE	14
T09N R36E S1		SWSE	40
T09N R36E S12		NWNE	40
T09N R36E S12	LOT 2	SENE	42
T09N R36E S12		NWNW	33
T09N R36E S1	LOT 7	SESE	43
T09N R36E S12		NESW	40
T09N R36E S12		SWSW	40
T09N R36E S12	LOT 3	NESE	42
T09N R36E S12		SWSE	40
T09N R36E S13	LOT 1	NENE	42
T09N R36E S13		SWNE	15
T09N R36E S13		NENW	36
T09N R36E S1		SWNE	9.6
T09N R36E S1	LOT 4	NWNW	5.9
T09N R36E S1		SENE	39
T09N R36E S1		NWSW	40
T09N R36E S1		SESW	38
T09N R36E S1		NWSE	34
T09N R36E S12	LOT 1	NENE	42
T09N R36E S12		SWNE	40
T09N R36E S12		NENW	37
T09N R36E S12		SWNW	38
T09N R36E S12		SENE	40
T09N R36E S12		NWSW	36
T09N R36E S12		SESW	40
T09N R36E S12		NWSE	40
T09N R36E S12	LOT 4	SESE	41
T09N R36E S13		NWNE	27
T09N R36E S13	LOT 2	SENE	17
T09N R36E S13		NWNW	40

T09N R36E S13		SWNW	30	T09N R36E S13		SENW	6.5
T09N R36E S13		NESW	8.1	T09N R36E S13		SESW	5.3
T09N R36E S13	LOT 3	NESE	40	T09N R36E S13		NWSE	32
T09N R36E S13		SWSE	37	T09N R36E S13	LOT 4	SESE	32
T09N R36E S24	LOT 1	NENE	10	T09N R36E S24		NWNE	26
T09N R37E S18		NENE	33	T09N R37E S18		NWNE	37
T09N R37E S18		SWNE	26	T09N R37E S18		SENE	19
T09N R37E S18		NENW	5.3	T09N R37E S18	LOT 1	NWNW	4.6
T09N R37E S18	LOT 2	SWNW	6.6	T09N R37E S18		SENW	11
T09N R37E S18		NESW	39	T09N R37E S18	LOT 3	NWSW	37
T09N R37E S18	LOT 4	SWSW	25	T09N R37E S18		SESW	19
T09N R37E S18		NESE	12	T09N R37E S18		NWSE	40
T09N R37E S18		SWSE	39	T09N R37E S18		SESE	31
T09N R37E S19		NENE	18	T09N R37E S19		NWNE	40
T09N R37E S19		SWNE	9.1	T09N R37E S19		SENE	3.9
T09N R37E S19		NENW	35	T09N R37E S19	LOT 1	NWNW	23
T09N R37E S19	LOT 2	SWNW	8.9	T09N R37E S19		SENW	7.3
T09N R37E S5		NWSW	8.1	T09N R37E S6		SWNE	1.7
T09N R37E S6	LOT 5	SWNW	4.9	T09N R37E S6		SENW	29
T09N R37E S6		NESW	30	T09N R37E S6	LOT 6	NWSW	29
T09N R37E S6	LOT 7	SWSW	38	T09N R37E S6		SESW	41
T09N R37E S6		NESE	25	T09N R37E S6		NWSE	36
T09N R37E S6		SWSE	14	T09N R37E S6		SESE	0.3
T09N R37E S7		NWNE	0.5	T09N R37E S7		NENW	36
T09N R37E S7	LOT 1	NWNW	38	T09N R37E S7	LOT 2	SWNW	38
T09N R37E S7		SENW	28	T09N R37E S7		NESW	4.1
T09N R37E S7	LOT 3	NWSW	17	T09N R37E S7	LOT 4	SWSW	1.7
T09N R37E S7		SWSE	14	T09N R37E S7		SESE	9.3

STOCKWATER Use same as IRRIGATION

2382.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2382.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00124, 31-00125, 31-00126, 31-00127, 31-00128, 31-00167, 31-00238, 31-00239, 31-11600.

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 IS FOR 3500 SHEEP, 2000 HEAD STOCK, 50 HORSES.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-238

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEVERLY BURTENSHAW
Current Owner	DON M BURTENSHAW
	1603 N 1000 E
	TERRETON, ID 83450
	(208) 663-4493
Original Owner	STATE OF IDAHO
	BOISE, ID 83720
Original Owner	LAIRD & JONES INC
	DUBOIS, ID 83423
Original Owner	LAIRD & SONS INC
	PO BOX 145
	DUBOIS, ID 83423
	(208)374-5257

Priority Date: 05/15/1888
Basis: Decreed
Status: Valid

Source
CAMAS CREEK

Tributary to
MUD LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.46 CFS		
STOCKWATER	04/01	10/31	0.58 CFS		
Total Diversion			2.46 CFS		

Location of Point(s) of Diversion:

CAMAS CREEK	NWNENE	Sec. 09	Township 09N	Range 37E	CLARK County
CAMAS CREEK	NESWNE	Sec. 17	Township 09N	Range 37E	CLARK County

IRRIGATION Use:

Acre Limit: 2382.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CLARK 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>
09N	36E	1	2	NWNE	0.1		SWNE	9.6						
			3	NENW	5	4	NWNW	5.9		SWNW	39		SENW	39
				NESW	40		NWSW	40		SWSW	27		SESW	38
			6	NESE	14		NWSE	34		SWSE	40			
		12	1	NENE	42		NWNE	40		SWNE	40	2	SENE	42
				NENW	37		NWNW	33		SWNW	38			
		1	7	SESE	43									
		12		SENE	40									
				NESW	40		NWSW	36		SWSW	40		SESW	40
			3	NESE	42		NWSE	40		SWSE	40	4	SESE	41
		13	1	NENE	42		NWNE	27		SWNE	15	2	SENE	17

			NENW	36		NWNW	40		SWNW	30		SENE	6.5
			NESW	8.1		SESW	5.3						
		3	NESE	40		NWSE	32		SWSE	37	4	SESE	32
	24	1	NENE	10		NWNE	26						
37E	18		NENE	33		NWNE	37		SWNE	26		SENE	19
			NENW	5.3	1	NWNW	4.6	2	SWNW	6.6		SENE	11
			NESW	39	3	NWSW	37	4	SWSW	25		SESW	19
			NESE	12		NWSE	40		SWSE	39		SESE	31
	19		NENE	18		NWNE	40		SWNE	9.1		SENE	3.9
			NENW	35	1	NWNW	23	2	SWNW	8.9		SENE	7.3
	5		NWSW	8.1									
	6		SWNE	1.7									
		5	SWNW	4.9		SENE	29						
			NESW	30	6	NWSW	29	7	SWSW	38		SESW	41
			NESE	25		NWSE	36		SWSE	14		SESE	0.3
	7		NWNE	0.5									
			NENW	36	1	NWNW	38	2	SWNW	38		SENE	28
			NESW	4.1	3	NWSW	17	4	SWSW	1.7			
			SWSE	14		SESE	9.3						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 2382.8

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER IS FOR 3500 SHEEP, 2000 HEAD STOCK, 50 HORSES.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2382.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00124, 31-00125, 31-00126, 31-00127, 31-00128, 31-00167, 31-00238, 31-00239, 31-11600.

Comments:

Author	Date	Subject	Comment
csaxton	1/8/01	POU	PERMISSIBLE PLACE OF USE WITH RIGHTS 31-00124, 125, 126, 127, 128, 167, 238, 239, AND 31-11600.
csaxton	1/8/01	POD	ERROR IN AMENDMENT. CVR SHOWS POD ANALYSIS INDICATING INTENTION OF AMENDMENT WAS TO PLACE POD IN 9N, 37E. DATA ENTRY ERROR PLACES BOTH PODS IN 9N, 36E.
csaxton	1/8/01	Recommendation	SEE PAPER CVR AND FILE 31-00124 FOR RECOMMENDATION EVALUATION.

Dates:

Licensed Date:
 Claim Received Date: 06/10/1988
 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	1/8/01 4:36:28 PM	csaxton			In Process
	1/8/01 4:35:53 PM	csaxton			In Process
Priority Date	1/8/01 4:39:27 PM	csaxton			In Process
Summary	1/8/01 4:50:31 PM		1/8/01 4:50:31 PM	csaxton	Complete

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 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:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	1/8/01 4:36:27 PM	csaxton	1. Appointment has not been scheduled.
			Comment for 1: Allen Ruberry met with claimant on 12/29/2000.
Contacts	1/8/01 4:35:51 PM	csaxton	1. Appointment has not been scheduled.
			Comment for 1: Allen Ruberry met with claimant on 12/29/2000.
POD	1/8/01 4:40:58 PM	csaxton	Edited point location
POD	1/8/01 4:40:34 PM	csaxton	Edited point location
Priority Date	1/8/01 4:37:19 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.
Summary	1/8/01 4:50:29 PM	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.

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 31-238
Date Received: 6/10/88
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEVERLY BURTENSHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 83450

DON M BURTENSHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 93450

2. Date of Priority: 05/15/1888

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	36E	9	NW NE NE	CLARK
09N	36E	17	NE SW NE	CLARK

5. Description of diverting works:

CONCRETE DIVERSIONS WITH METAL SCREW GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.46	
STOCKWATER	04/01	10/31	0.58	

7. Total Quantity Appropriated is:
2.46 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
09N	36E	1	NW	NE	2	IRRIGATION	0.1
			NE	NW	3	IRRIGATION	5
			NW	NW	4	IRRIGATION	5.9
			SW	NE		IRRIGATION	9.6
			SE	SE	7	IRRIGATION	43
			SW	SE		IRRIGATION	40
			SE	SW		IRRIGATION	38
			SW	SW		IRRIGATION	27
			SE	NW		IRRIGATION	39
			SW	NW		IRRIGATION	39
			NE	SE	6	IRRIGATION	14
			NW	SE		IRRIGATION	34
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
Section Acres						374.6	
09N	36E	12	NE	NE	1	IRRIGATION	42
			NW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	37
			NW	NW		IRRIGATION	33
			SE	NE	2	IRRIGATION	42
			SW	NE		IRRIGATION	40
			SE	NW		IRRIGATION	40
			SW	NW		IRRIGATION	38
			NE	SE	3	IRRIGATION	42
			NW	SE		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	36
			SE	SE	4	IRRIGATION	41
			SW	SE		IRRIGATION	40
			SE	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
Section Acres						631	
09N	36E	13	SE	SE	4	IRRIGATION	32
			SW	SE		IRRIGATION	37
			SE	SW		IRRIGATION	5.3
			NE	NE	1	IRRIGATION	42
			NW	NE		IRRIGATION	27
			NE	NW		IRRIGATION	36
			NW	NW		IRRIGATION	40
			SE	NE	2	IRRIGATION	17
			SW	NE		IRRIGATION	15
			SE	NW		IRRIGATION	6.5
			SW	NW		IRRIGATION	30
			NE	SE	3	IRRIGATION	40
			NW	SE		IRRIGATION	32
			NE	SW		IRRIGATION	8.1
Section Acres						367.9	
09N	36E	24	NE	NE	1	IRRIGATION	10
			NW	NE		IRRIGATION	26
Section Acres						36	
09N	37E	5	NW	SW		IRRIGATION	8.1

						Section Acres	8.1
09N	37E	6	SW	NE		IRRIGATION	1.7
			SE	NW		IRRIGATION	29
			SE	SE		IRRIGATION	0.3
			SW	SE		IRRIGATION	14
			SE	SW		IRRIGATION	41
			SW	SW	7	IRRIGATION	38
			SW	NW	5	IRRIGATION	4.9
			NE	SE		IRRIGATION	25
			NW	SE		IRRIGATION	36
			NE	SW		IRRIGATION	30
			NW	SW	6	IRRIGATION	29
						Section Acres	248.9
09N	37E	7	NW	NE		IRRIGATION	0.5
			NE	NW		IRRIGATION	36
			NW	NW	1	IRRIGATION	38
			SE	NW		IRRIGATION	28
			SW	NW	2	IRRIGATION	38
			NE	SW		IRRIGATION	4.1
			NW	SW	3	IRRIGATION	17
			SE	SE		IRRIGATION	9.3
			SW	SE		IRRIGATION	14
			SW	SW	4	IRRIGATION	1.7
						Section Acres	186.6
09N	37E	18	SW	SE		IRRIGATION	39
			SE	SW		IRRIGATION	19
			SW	SW	4	IRRIGATION	25
			NE	NE		IRRIGATION	33
			NW	NE		IRRIGATION	37
			NE	NW		IRRIGATION	5.3
			NW	NW	1	IRRIGATION	4.6
			SE	NE		IRRIGATION	19
			SW	NE		IRRIGATION	26
			SE	NW		IRRIGATION	11
			SW	NW	2	IRRIGATION	6.6
			NE	SE		IRRIGATION	12
			NW	SE		IRRIGATION	40
			NE	SW		IRRIGATION	39
			NW	SW	3	IRRIGATION	37
			SE	SE		IRRIGATION	31
						Section Acres	384.5
09N	37E	19	NE	NE		IRRIGATION	18
			NW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	35
			NW	NW	1	IRRIGATION	23
			SE	NE		IRRIGATION	3.9
			SW	NE		IRRIGATION	9.1
			SE	NW		IRRIGATION	7.3
			SW	NW	2	IRRIGATION	8.9
						Section Acres	145.2
						Total Acres	2382.8

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:

TRANS. 1629. 0.76 CFS NOT TRANSFERRED BECAUSE OF CONVEYANCE LOSSES.
AMENDED TO CORRECT POU TO GIS. STOCKWATER SAME POU AS IRRIGATION.
PERMISSIBLE POU WITH 31-00124, 125, 126, 127, 128, 167, 238, 239 AND 11600. THIS
CLAIM IS LIMITED TO 160 ACRES W/I POU CLAIMED.

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): Walter M. Burtchell Date: 12-29-2000

Date:

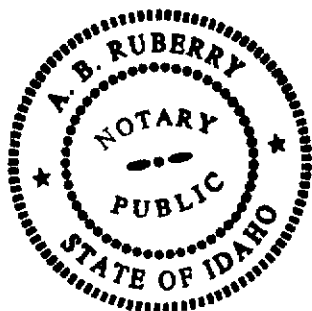
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th
of Dec 2000 Arnon B. Ruberry

Notary Public

Residing at Edmond, Idaho

My commission Expires 9/23/03



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: A31-00238
Date Received: 6/09/1988
Receipt No: 11000093
Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAIRD & SONS INC. 208-374-5257
Address: P.O. BOX 145
DUBOIS, ID 83423

2. Date of Priority: MAY 15, 1888

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	36E	9	NW	NE	NE		CLARK
		17	NE	SW	NE		CLARK

5. Description of diverting works:
CONCRETE DIVERSION DAM WITH CONCRETE FRAME METAL SCREW GATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.460		
STOCKWATER	01/01	12/31	0.580		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
3500 SHEEP, 2000 HD. RANGE CATTLE, 50 HD. HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09N	36E	1				IRR	4.0
						Section Acres	4.0

A31-00238

Page 1

Date: 06/10/88

MICROFILMED
NOV 17 1992

A3100238

10. Place of Use: Continued

Total Acres 4.0

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:

3100124,00125,00126,00127,00128,00167,00239,00323.

14. Remarks:

TRANS. 1629.

.76 CFS NOT TRANSFERRED BECAUSE OF CONVEYANCE LOSSES.

THE PLACE OF USE IS THE SAME AS FOR A31-00124.

15. Basis of Claim: DECREED

Water Right Number:

Case Number:

Court :

Decree date:

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): *J. Allen Bond* Date: *6/10/88*
_____ Date: _____

State of Idaho)
County of *Clark*) SS.

Subscribed and sworn (or affirmed) before me this *10th* day

of *June* 19 *88*

John Dale Carlson
Notary Public

Seal

Residing at *Boise Id.*

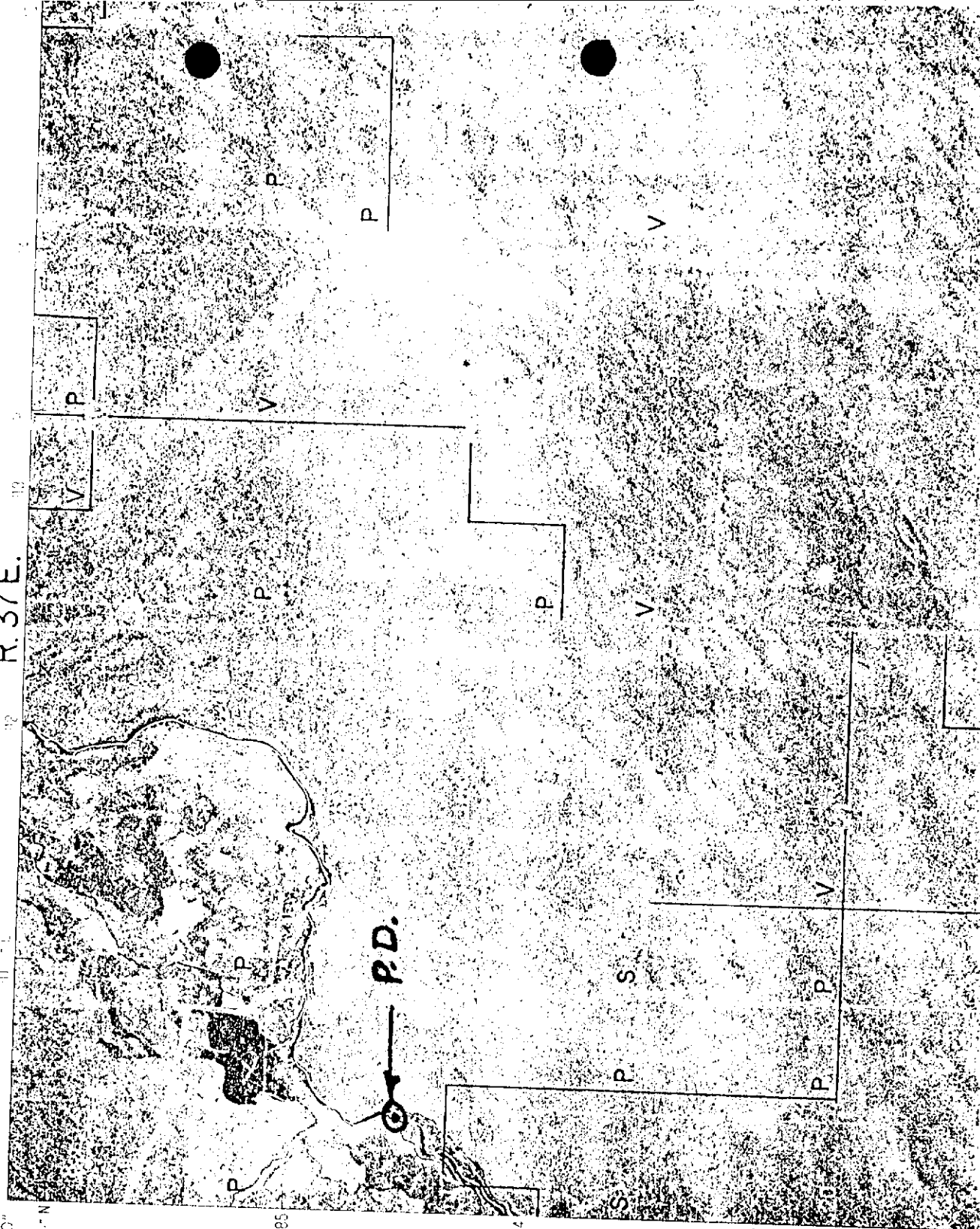
My Commission Expires *6/2/94*

17 20 14 14 14 - 200 11
T. 9 N. - R. 36 E. 3M

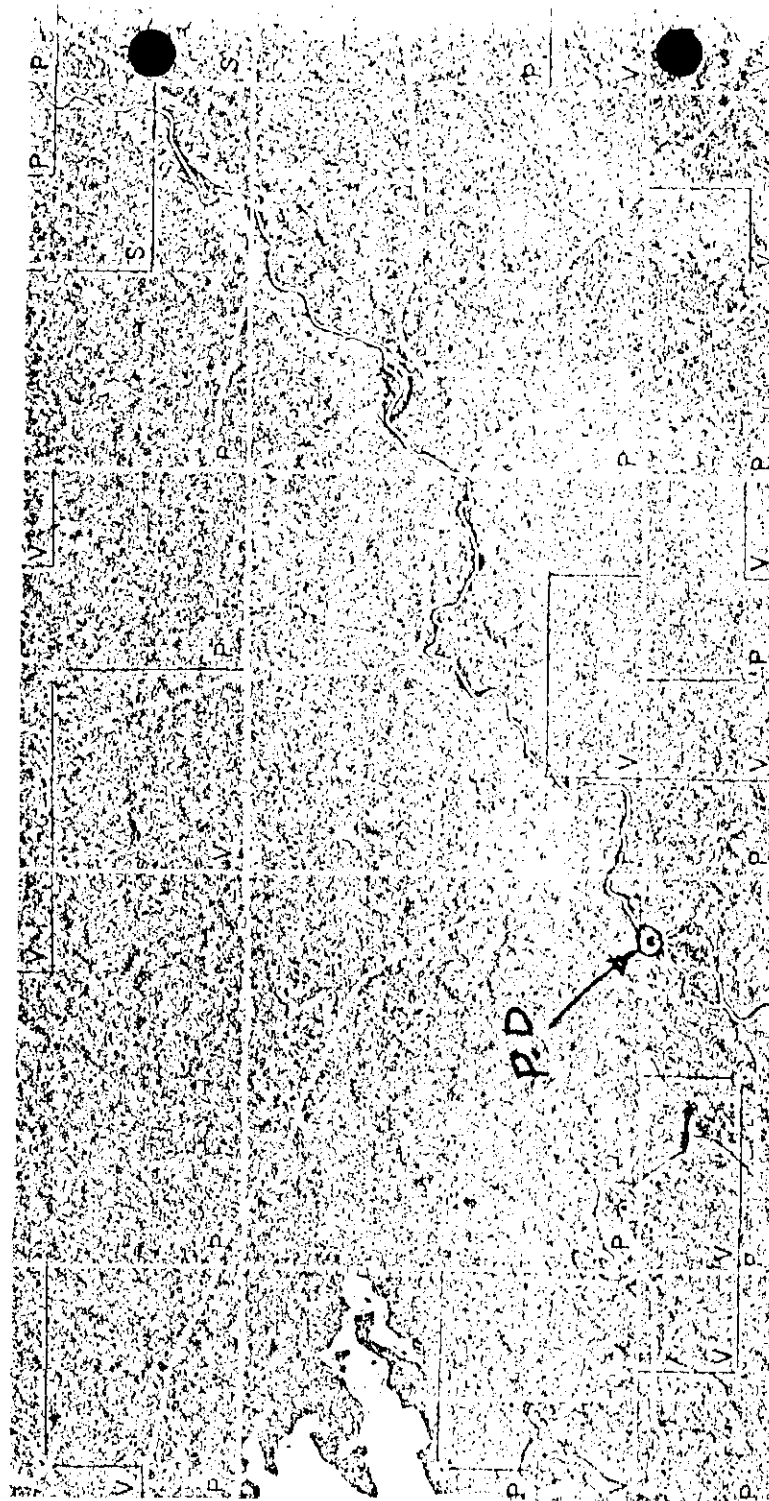
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

112° 07' 30"
44° 07' 30"

R. 37 E.

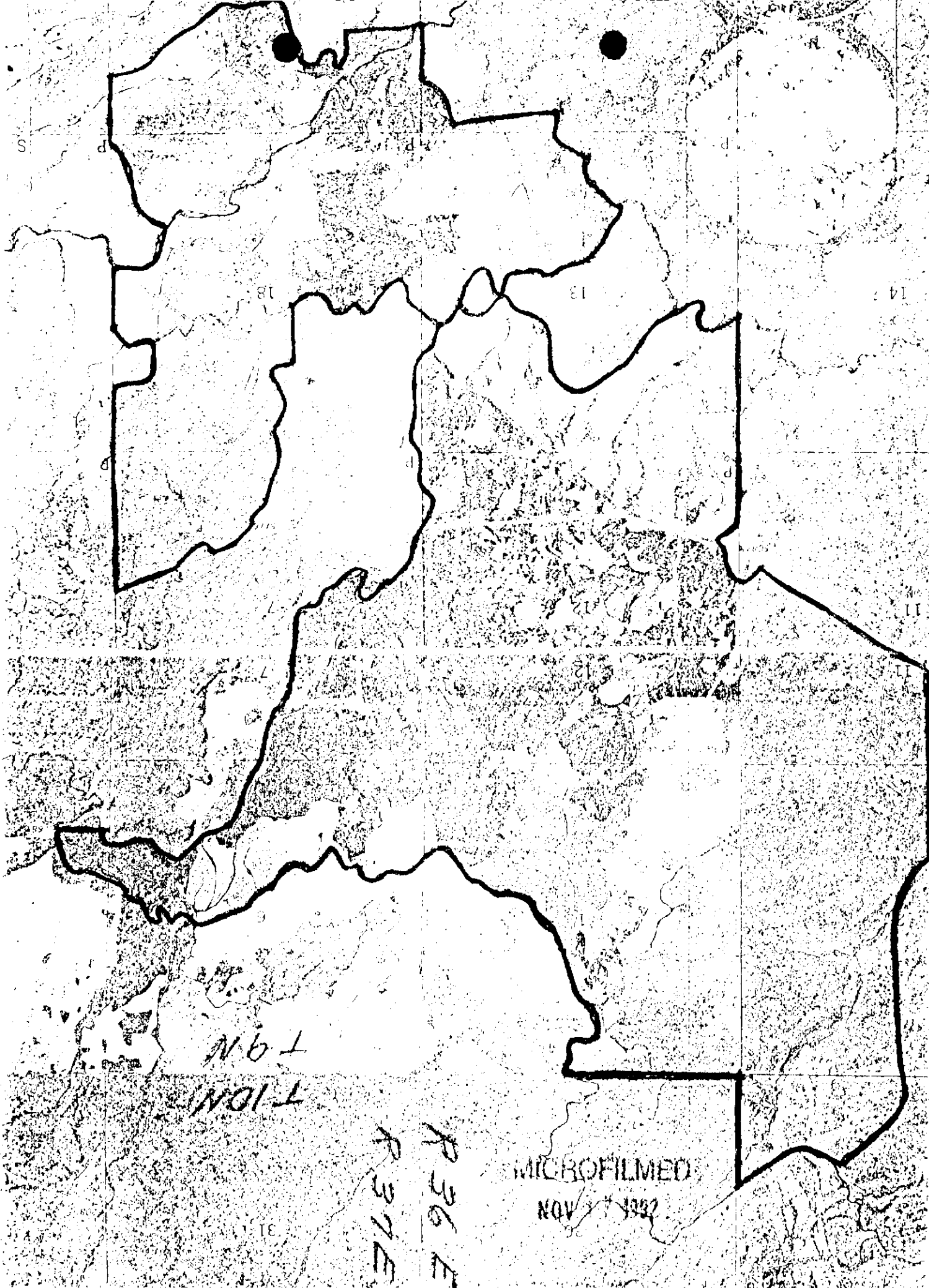


MICROFILMED
NOV 17 1992



R 37 E

RECEIVED
1971



TIDAL
T 9 N

R 36 E
R 37 E

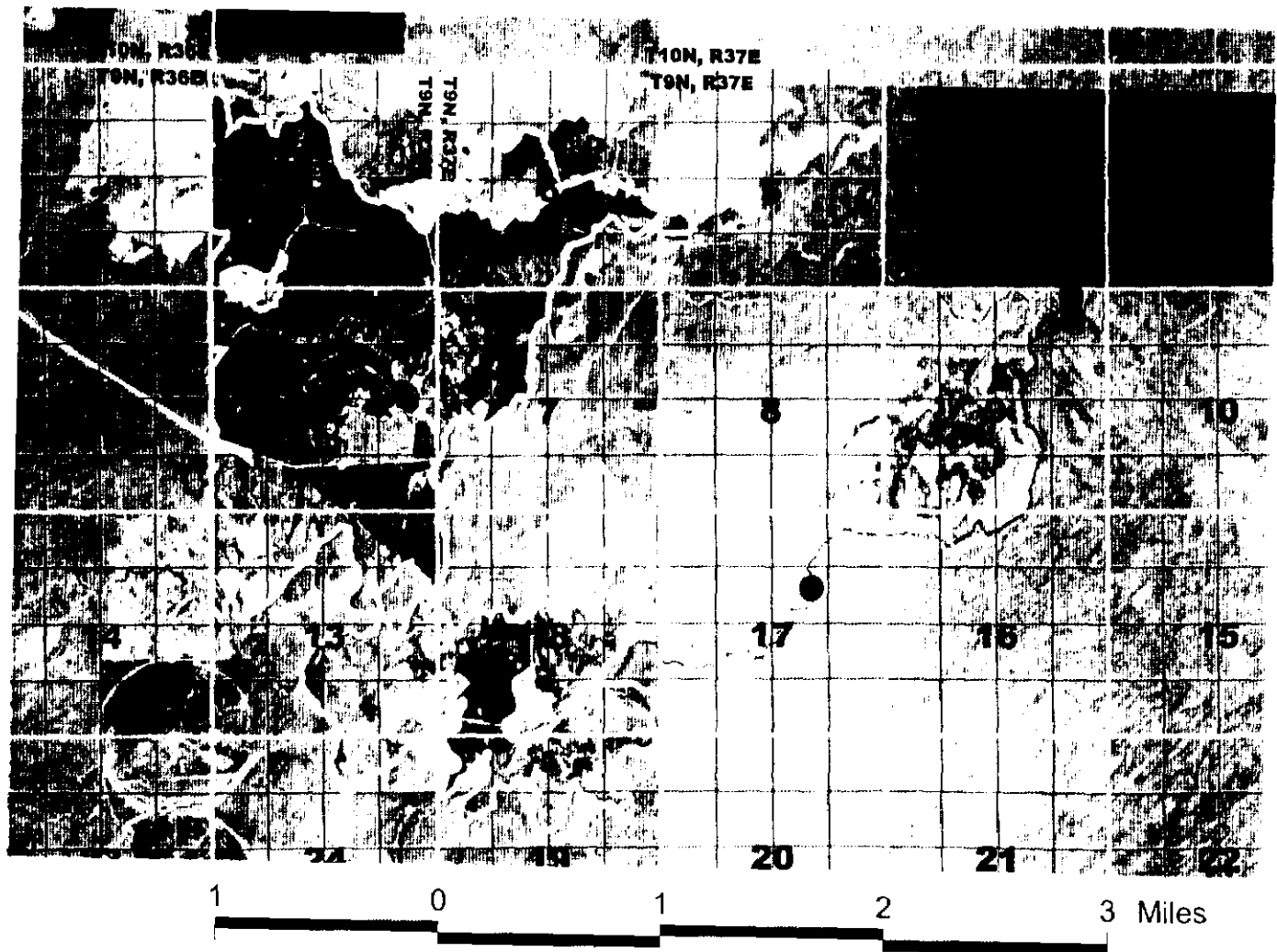
MICROFILMED
NOV 1982



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-00124, 31-00125, 31-00126
31-00127, 31-00128, 31-00167
31-00238, 31-00239, 31-11600.



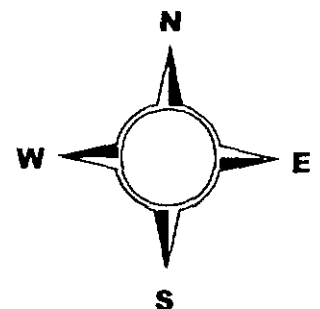
Total Irrigated Acres: 2382.8

● Point(s) of Diversion

Place of Use

Quater Section Lines

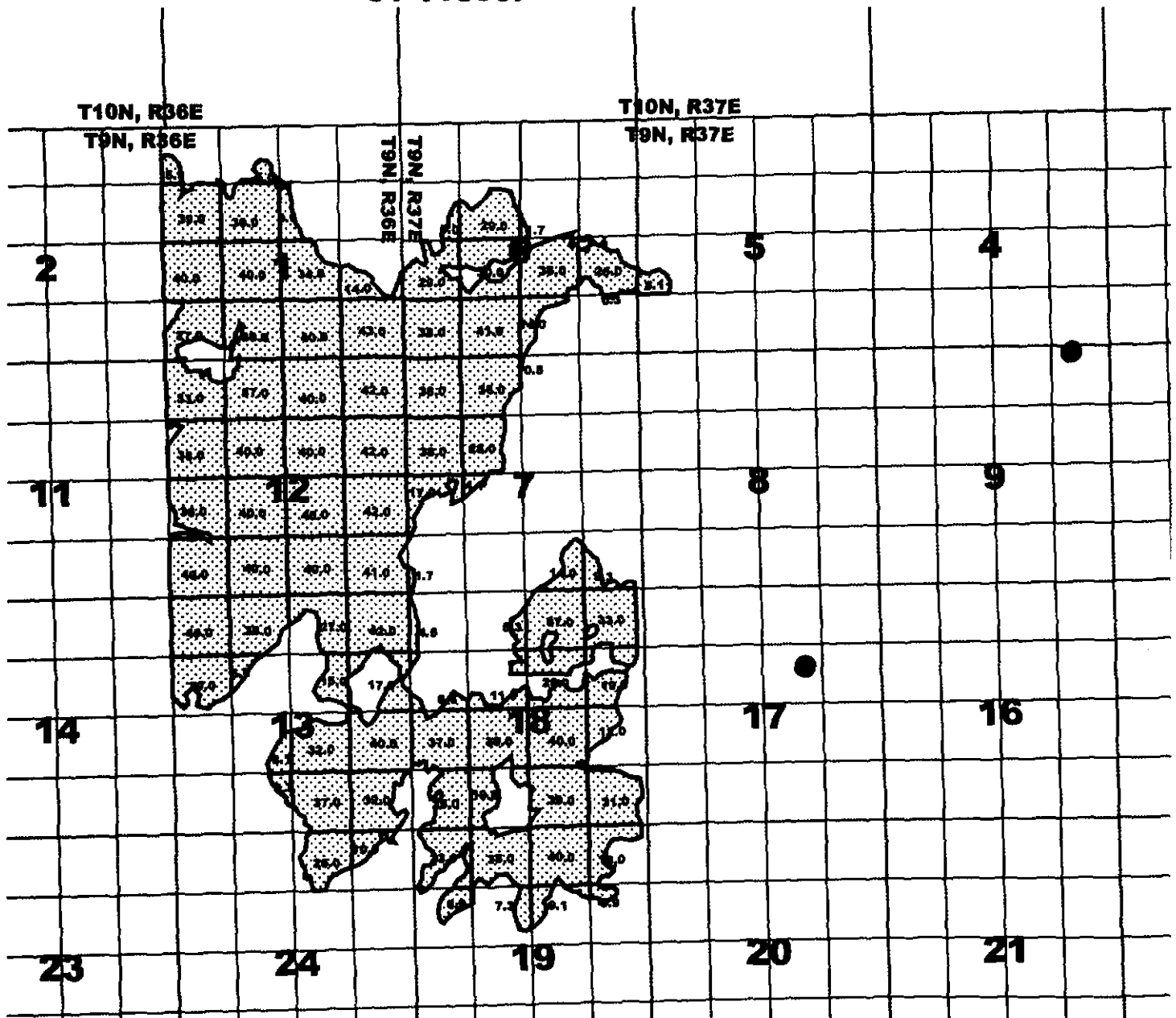
Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: January 2001

Don and Beverly Burtenshaw

WR # (s): 31-00124, 31-00125, 31-00126
31-00127, 31-00128, 31-00167
31-00323, 31-00238, 31-00239
31-11600.



Total Irrigated Acres: 2382.8

Permissible Place of Use

Acreage Distribution

Prepared By: Craig Saxton
January 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-90258

LAST: STATE OF IDAHO
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83720

OWNER CODE: 0

LAST: LAIRD & JONES INC.
ADDRESS:
CITY: DUBOIS
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83423

OWNER CODE: 0

LAST: LAIRD & SONS INC.
ADDRESS: P.O. BOX 145
CITY: DUBOIS
PHONE NUMBER: 208-374-5257

FIRST:

STATE: ID ZIP: 83423

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS:

TRANS. 1629.
75 CFS NOT TRANSFERRED BECAUSE OF CONVEYANCE LOSSES.
THE PLACE OF USE IS THE SAME AS FOR A31-00124.

TX 1629, AS APPROVED, 14 FEB 1972

23% loss

See Tx

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONS4IP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A31-00238 PRIORITY DATE: 05-15-1898 STAGE: D

B. WR RECORD: # 31-00238 PRIORITY DATE: 05-15-1899 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: _____

RECOMMENDED PRIORITY DATE:
05-15-1899

REVIEWED BY _____ DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00238	07N	36E	9	NW	NE	NE		CLARK
A31-00238	07N	36E	17	NE	SW	NE		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
& PREFIX R PREFIX
A31-00124 NONE
A31-00125
A31-00126
A31-00127
A31-00128
A31-00167
A31-00239
A31-00323

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
31-00238	07N	37E	17		SW	NE		CLARK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

31-00128
31-00239

NONE NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

C. FIELD EXAM REQUIRED?

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

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-00238

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LIMOSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	36E	1				LAIRD & SONS INC.	A31-00238 / 4.0	-	/		
			N4	NE	2	LAIRD & SONS INC.	A31-00124 / 5.0	-	/		
						LAIRD & SONS INC.	A31-00125 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00126 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00127 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00128 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00167 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00239 / 4.0	-	/		
						LAIRD & SONS INC.	A31-00323 / 4.0	-	/		
			S4	NE		LAIRD & SONS, INC.	A31-07220 / 3.0	-	/		
			NE	NW	3	LAIRD & SONS INC.		31-07220 / 5.0			
TOTAL ACRES							A31-00238	4.00			

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00238 IRRIGATION	FROM 04-01 TO 11-01	2.460 CFS
A31-00238 STOCKWATER	FROM 01-01 TO 12-31	.580 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.460 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00238 IRRIGATION	FROM 05-01 TO 09-01	2.460 CFS
31-00238 STOCKWATER	FROM TO	2.460 CFS
31-00238 DOMESTIC	FROM TO	2.460 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.460 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	---
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:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.460 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.460 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 _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 3100124,00125,00126,00127,00128,00167,00239,00323.

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00238	CANAS CREEK	LAIRD & SONS INC.	2.460	0.615		
A31-00124	CANAS CREEK	LAIRD & SONS INC.	6.400	0.001		
A31-00125	CANAS CREEK	LAIRD & SONS INC.	1.400	0.350		
A31-00126	CANAS CREEK	LAIRD & SONS INC.	6.200	1.550		
A31-00127	CANAS CREEK	LAIRD & SONS INC.	3.000	0.750		
A31-00128	CANAS CREEK	LAIRD & SONS INC.	1.500	0.400		
A31-00167	CANAS CREEK	LAIRD & SONS INC.	2.580	0.595		
A31-00239	CANAS CREEK	LAIRD & SONS INC.	1.920	0.480		
A31-00323	CANAS CREEK	LAIRD & SONS INC.	10.000	2.500		
A31-07220	GROUNDWATER	LAIRD & SONS, INC.	5.220	0.004		

NO RIGHTS WITH SAME POB 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 = _____ 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()

TRANS. 1629.

.76 CFS NOT TRANSFERRED BECAUSE OF CONVEYANCE LOSSES.

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	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
-----	-----		-----		-----		-----
-----	-----		-----		-----		-----
TOTAL FOR THIS RIGHT			-----		-----		-----
REVIEWED BY: -----		DATE: -----					

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: 31-00230

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.450

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00230	2.450	-		31-00230	2.450
TOTAL CFS		2.450				2.450

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
Y

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-30238

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	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 MAPS P40TOS = 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.

03:03:47
03/14/95

CLAIM NUMBER: A51-20238

MISC: WATER DISTRICT NUMBER: 31 FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

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

RECEIVED

MAR 05 2001

01/24/2001

NOTICE OF ERROR Department of Water Resources
REPLY Eastern Region

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: 31-238

BEVERLY BURTONSHAW

1603 N 1000 E

TERRETON ID 83450

Telephone Number: (208) 663-4493

DON M BURTONSHAW

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. Burtonshaw

Please print your name: DON. M. BURTONSHAW

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

State of Idaho
(a public corporation)

1888 - May 15

3.2 c.f.s.

Source: Camas Creek, a tributary of Mud Lake.

formerly 31-0004

31 238✓

T. 1629

Point of Diversion: Water is diverted from Camas Creek at a point 1200 feet north 80° West from the East Quarter corner of Section 7, Township 12 North, Range 39 East.

For use on the following described land, to-wit: The East Half of the Northeast Quarter, the East Half of the Southeast Quarter, of Section 18, Township 12 North, Range 39 East, B.M.

1897 - June 1

2.5 c.f.s.

Source: Camas Creek, a tributary of Mud Lake.

formerly 31-0003

31 239✓

T. 1628

Point of Diversion: Water is diverted from Camas Creek at a point 200 feet north of the Northeast corner of Section 19, Township 12 North, Range 39 East.

For use on the following described lands, to-wit: The East Half of the Northeast Quarter of Section 19; the West Half of the Northwest Quarter of Section 20,-- all in Township 12 North, Range 39 East, B.M.

Q: How did 31-0003 TURN IN TO 31-0239? TK DOES NOT CHANGE WATER RIGHT NUMBETC. CHANGED ON WPC SIDE WITH NO EXPLANATION OF WHY. JUST DONE. SEE MEMO MAY 8, 1985, ROBERTA

No. 128

file 31-0238

MEMORANDUM

TO: Transfer Files 1628, 1629, State Office Routing & Eastern Region
FROM: Roberta
SUBJECT: Decree Number Changes
DATE: May 8, 1985

Please change your records accordingly.

<u>OLD NO.</u>	<u>NEW NO.</u>	<u>NAME</u>
31-0003 (T. 1628)	31-0239 (T. 1628)	Laird & Jones Inc. (T. 1628)
31-0004 (T. 1629)	31-0238 (T. 1629)	Laird & Jones Inc. (T. 1629)

AJ0749NP
No. A31-00124

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/08/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAIRD & SONS INC	09/21/1911	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	6.400 CFS 0.580 CFS	
TOTAL DIVERSION:					6.400 CFS	

Water Source: CAMAS CREEK

Tributary to: MUD LAKE

Stage: DECREED

Point(s) of Diversion:

T09N R36E S09
S17

NWNE
NESWNE

CLARK County
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	36E	1	:			02-05		10				03-37	04-40		40	40		40	40	460.0
09N	36E	2	:	01-40		02-40		40	40						06			16		342.0
09N	36E	11	:	40		40		31	40			18			06					189.0
09N	36E	12	:	40		40		40	40			40	40	40	40			40	40	634.0
09N	36E	13	:	40		36		17	36			36	40	28	06			08	06	390.0
09N	36E	24	:	10		06														16.0
09N	37E	5	:												13					13.0
09N	37E	6	:					02						13	17	40	40	32	36	194.0
09N	37E	7	:			01				37	40	40	29	04	17	01	03	25	08	282.0
09N	37E	18	:	37		40		40	37			08	05	07	16			40	38	485.0
09N	37E	19	:	36		40		22	04			38	40	11	09					200.0
10N	36E	35	:															05	02	82.0
																			TOTAL ACRES	3287.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CLARK

Non-Irrigation Uses: 3500 SHEEP, 2000 HD. STOCK, 50 HORSES.

Other Rights: 3100125, 3100126, 3100127, 3100128, 3100167, 3100238, 3100239, 0323

Remarks: GEN SUPERCEDES 31-2081.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 31

Field Inspection Flag:
Presumption Flag:

31-00238

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

RECEIVED

FEB 20 1972

IN THE MATTER OF Transfers of Water)
Right No. 31-0003 and 31-0004 in the name)
of LAIRD & JONES, INC.)

ORDER

Department of Water Administration
District Office

WHEREAS, on July 29, 1971, the above-numbered transfers of water right were approved by the Department of Water Administration; and,

WHEREAS, the Department failed to enter, as a part of the approval of the transfers, the conveyance losses of twenty-three (23) per cent as agreed to by the applicant and protestants; and,

WHEREAS, on September 24, 1971, the Department requested that Laird & Jones, Inc. return their approved copies of the above-numbered transfers for correction; and,

WHEREAS, the Department has not received the approved copies for correction;

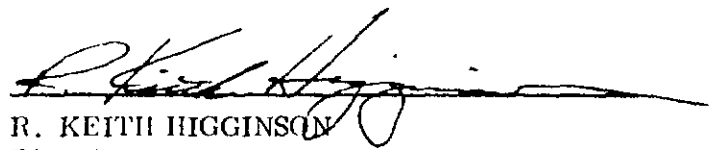
IT IS, THEREFORE, HEREBY ORDERED that the approval of Transfers of Water Right No. 31-0003 and 31-0004 dated July 29, 1971, be RESCINDED.

IT IS FURTHER ORDERED that the above-numbered transfers be APPROVED subject to the following conditions:

1. That an adequate measuring device of a type approved by the Department of Water Administration be permanently installed and maintained as part of the diverting works.
2. That the quantity of water diverted at the new points of diversion be reduced by twenty-three (23) per cent. The quantity of water diverted shall not exceed 1.92 cfs under 31-0003 and 2.46 cfs under 31-0004.

Dated this 14 day of February, 1972.

31-0003 SUFFERS 0.575 cfs CONVEYANCE LOSS - ⇒ 31-00239
31-0004 SUFFERS 0.736 cfs CONVEYANCE LOSS - ⇒ 31-00238


R. KEITH HIGGINSON
Director

February 16, 1972 CERTIFIED MAIL

Re: Transfers of Water Right No. 31-0003 & 31-0004

RECEIVED

FEB 22 1972

Department of Water Administration
Eastern District Office

Laird & Jones, Inc.
Dubois,
Idaho 83423

Gentlemen:

Enclosed please find an Order which rescinds the approval of the above referenced transfers of water right and approves said transfers subject to conditions of approval, of which please take note.

We are also enclosing departmental receipt No. 4065 in the amount of \$40.00 covering the filing fees for the above-numbered transfers.

If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Order
Receipt #4065

cc: Eastern District Office ✓

RECEIVED

AUG 10 1971

Department of Water Administration
Eastern District Office

Identification No.

31.0004

Transfer No.

1629

RECEIVED

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATIONAPPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder LAIRD & JONES, INC., a corporation,
Post office address Dubois, Idaho 83423
2. Right obtained by:
a. Decree to State of Idaho in Case of Sauve
(Name)
vs. Abbott, Dated _____ in U.S. District Court for District
(Name of Court)
of Idaho, Eastern Division
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Camas Creek tributary to Mud Lake
(Name of stream or source)
4. Date of Priority May 15, 1888 ✓
5. Amount of water a. 3.2 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for irrigation from April 15 to November 1
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE 1/4 NE 1/4 of Section 7,
Township 12 North, Range 39 East, B.M., in Clark County;
Additional points of diversion, if any _____

B. Lands presently irrigated or place of use:

TWP.	RANGE	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	
12 N	39 E	18	40			40									40			40	160

Total number of acres presently irrigated 160

If applicant was not the original holder of this right explain how it was acquired:

land and water purchased from State of Idaho.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 3.2 c.f.s. and/or acre feet

b. New point of diversion: SW 1/4 NE 1/4, Section 17, Township 9 N, Range 37 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Headgate and open ditch from point of diversion to place of use.

d. Is water to be conveyed to the lands previously irrigated? Yes No X

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

To divert water to dry land now owned by applicant which will be more fertile and productive than land on which water is presently used.

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	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	
9 N	37 E	18									20	20	20	20	20	20	20	20	160

Total number of acres to be irrigated 160

R 36 E

R 37 E

13

18

17th Pl. of Diversion

↙ ↘ ↙ ↘
↙ ↘ ↙ ↘

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

Will no longer irrigate the lands previously irrigated by
this right, as the new land will be more productive when
irrigated.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

LAIRD & JONES, INC., a corporation,

By X J. H. Laird
(signature of applicant) President

Subscribed and sworn to before me this 8th day of January, 1970

De W. F. Edwards
(notary public)

My commission expires November 11, 1971

ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0004/1629,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

That an adequate measuring device of a type approved by this Department
be permanently installed and maintained.

2. Denial of said application is for the following reasons: _____

Witness my hand this 29th day of July, 19 71

[Signature]
DEPUTY DIRECTOR

MEMORANDUM

TO: FILE 31-6238

FROM: PAM SKAGGS

RE: TRANSFER # 5188

DATE: 1-14-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 31-00124.

MEMORANDUM

TO: FILE 31-0238

FROM: PAM SKAGGS

RE: TRANSFER # 4488

DATE: 11/23/94

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 31-0124.