



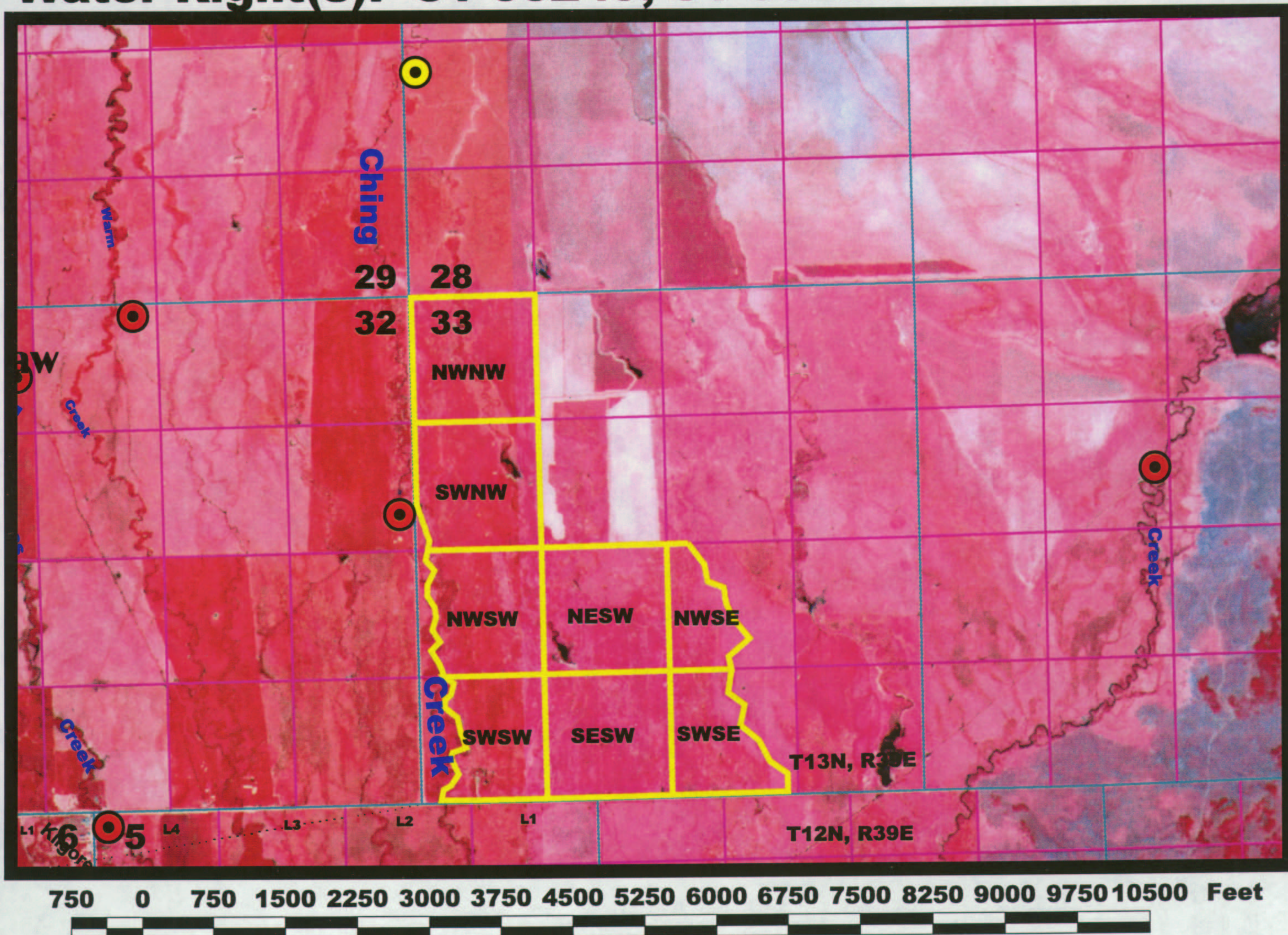
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Don Burtenshaw

Water Right(s): 31-00249, 31-00250



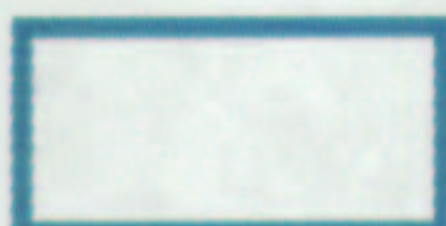
LEGEND



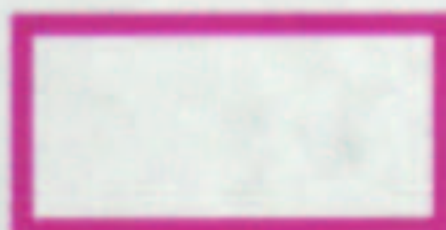
Point of Diversion

SESE

Place of Use



Section Line



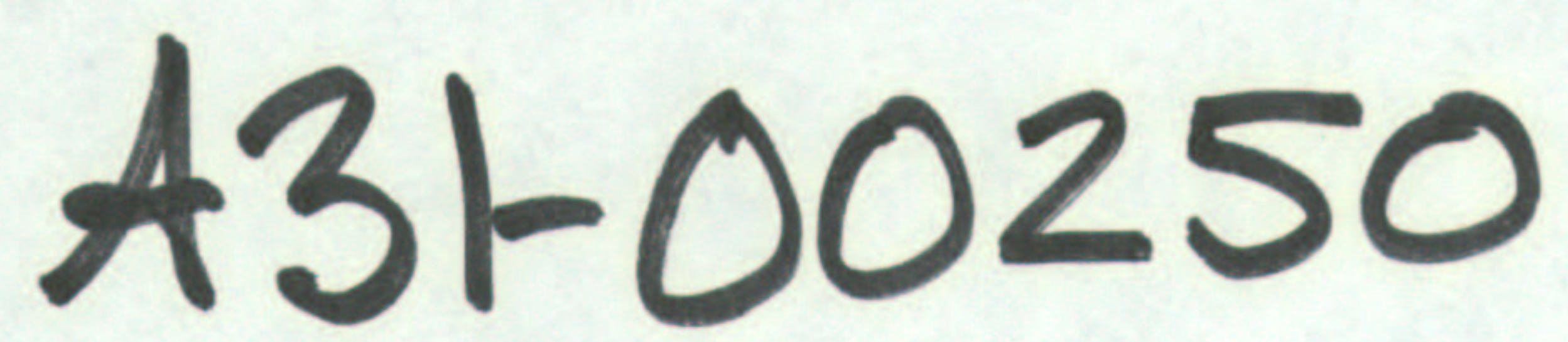
Quarter-section line

**Legal Description: T13N, R39E
Sec.33 W2NW, SW, W2SE**

**Point(s) of Diversion: T13N,R39E
Sec.28 NWNWSW**



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



NOV 17 1992

20 21

29 28

Ching

29 28

32 33

NWNW
39

Don Burtenshaw
31-00249
31-00250

SWNW
38

NWSW
35

NESW
40

NWSE
17

Creek

SWSW
29

SESW
39

SWSE
26

T13N, R39E

T12N, R39E

Creek

Creek

5

L4

L3

L2

L1

01/19/2001

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

RIGHT NUMBER: 31-250

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

SOURCE: CHING CREEK

TRIBUTARY: SPRING CREEK

QUANTITY: 2 CFS

PRIORITY DATE: 05/15/1901

POINT OF DIVERSION: T13N R39E S28 NWNWSW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05-01 10-31	2.00 CFS
STOCKWATER	05-01 10-31	0.12 CFS

PLACE OF USE:

IRRIGATION Within CLARK County				
T13N R39E S33	NWNW	39	T13N R39E S33	SWNW 38
T13N R39E S33	NESW	40	T13N R39E S33	NWSW 35
T13N R39E S33	SWSW	29	T13N R39E S33	SESW 39
T13N R39E S33	NWSE	17	T13N R39E S33	SWSE 26

STOCKWATER Use same as IRRIGATION

263 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-00249 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 263 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
STOCKWATER 450 CATTLE

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: A31-00250
Date Received: 6/ 9/1988
Receipt No: M000086
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE T. SMITH 208-778-5341
Address: KILGORE RT.
DUBOIS ID 83423

2. Date of Priority: MAY 15, 1901

3. Source: CHING CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	39E	28	NW	NW	SW		CLARK

5. Description of diverting works:
HEADGATE W/ RECTANGULAR WEIR TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		
STOCKWATER	05/01	11/01	0.030		

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

8. Total consumptive use is 710.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 150 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	39E	5	NE	NE	1	IRR	20.0
			NW	NE	2	IRR	20.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
13N	39E	33	NW	NW	IRR	38.0
			SW	NW	IRR	38.0
			NE	SW	IRR	38.0
			NW	SW	IRR	36.0
			SW	SW	IRR	37.0
			SE	SW	IRR	38.0
			NW	SE	IRR	4.0
			SW	SE	IRR	15.0
					Section Acres	244.0
					Total Acres	284.0

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:
32-00249

14. Remarks:

P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.

15. Basis of Claim: DECREED *Please note. Land list was incorrectly labeled on original plan. Data entered & copy on 10/2/92. per C.F. & J.T.*

Case Number:

Court :

Decree date: / /

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT.

vs 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A31-00250
Date Received: 6/09/1988
Receipt No: M000086
Received By: 88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE T. SMITH
Address: KILGORE RT.
DUBOIS, ID 83423 208-778-5341

2. Date of Priority: MAY 15, 1901

3. Source: CHING CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	39E	28	NW	NW	SW		CLARK

5. Description of diverting works:
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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		
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7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 710.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 150 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	39E	5	NE	NE	1	IRR	20.0
			NW	NE	2	IRR	20.0

Section Acres 40.0

A31-00250

Page 1

Date: 06/09/88

MICROFILMED

NOV 17 1992

A3100250



10. Place of Use: Continued

No 00249 32-00249

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	39E	33	NE	SW		IRR	38.0
			NE	SW		IRR	38.0
			SE	SW		IRR	38.0
			SE	SW		IRR	38.0
			NW	SE		IRR	36.0
			NW	SE		IRR	4.0
			SW	SE		IRR	37.0
			SW	SE		IRR	15.0

Section Acres 244.0

Total Acres 284.0

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:
32-00249

14. Remarks:

P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): B. Lore & Smuck Date: 6-9-88
_____ Date: _____

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of June 19 88

John Dale Carson
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 6/2/94

R 39 E	38		
	38		
PLACE OF USE T13N	36 37	38 44 38 15	

T12N	40 40

A31-00250



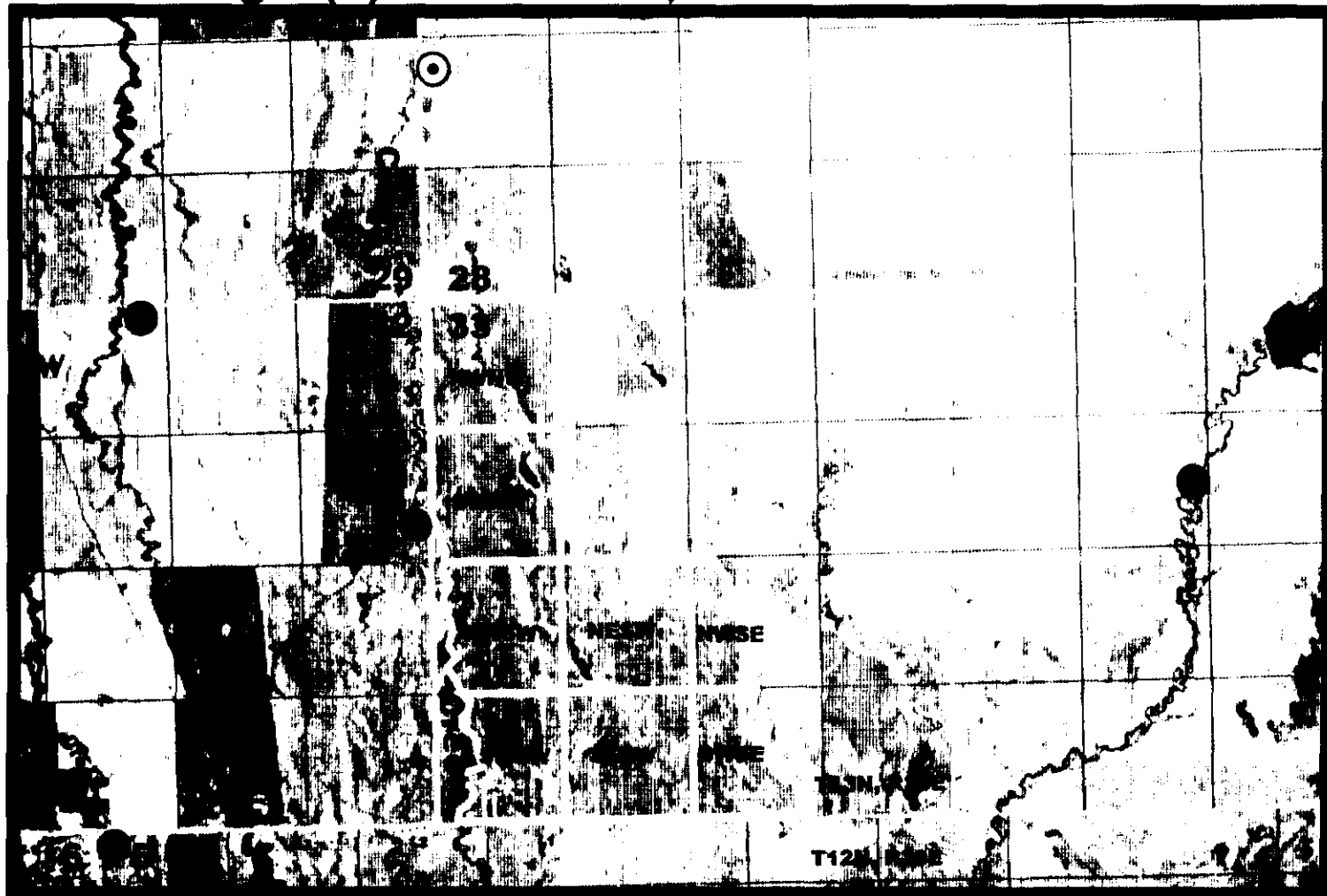
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Don Burtenshaw

Water Right(s): 31-00249, 31-00250



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 Feet

LEGEND



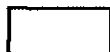
Point of Diversion

SESE

Place of Use



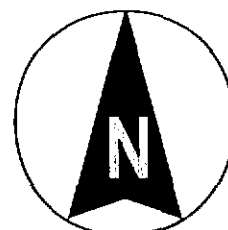
Section Line



Quarter-section line

**Legal Description: T13N, R39E
Sec.33 W2NW, SW, W2SE**

**Point(s) of Diversion: T13N,R39E
Sec.28 NWNWSW**



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-90250

LAST: SMITH
ADDRESS: KILGORE RT.
CITY: OJIBOIS
PHONE NUMBER: 208-778-5341

FIRST: BLAINE T.

STATE: ID ZIP: 83423

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.

NEEDS C/O TO Don Burfongsham
DONE 7/26/24

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

DATE OF FIELD EXAM: ___/___/___

ACCOMPANIED BY: _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

PHONE NUMBER: (___) ___-___

TIME: ___:___ A(___) P(___)

PHONE NUMBER: (___) ___-___

A. AJ CLAIM: # A31-00250 PRIORITY DATE: 05-15-1901 STAGE: D

B. WR RECORD: # 31-00250 PRIORITY DATE: 05-15-1901 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: DECEASED AS 1901-MAY 15

RECOMMENDED PRIORITY DATE: 01
05-15-1901

REVIEWED BY MARL

DATE 3/15/2K

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	R6E.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00250	15N	39E	23	NW	NW	SW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-00249 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CHING CREEK

TRIB: SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

310250 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CHING CREEK

TRIB: SPRING CREEK

C. FIELD EXAM REQUIRED?

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

NOTES:

"DUGOUT RIGGS" NEAR FOOTHILLS ON CHING CR ... " ? This POD was probably
MOVED MANY YEARS AGO. IT IS WHERE CLAIMED - MADE OF CONCRETE.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

THP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	22	NW	NW	SW	---	Clark	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----
---	---	---	---	---	---	---	---	-----

SOURCE: CHING CREEK

TRIB: SPRING CREEK

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

CONCRETE HEAD GATES OFF MAIN CHANNEL Ching Cr. BEHIND Check Dam

A. ROOT WATER RIGHT NUMBERS: A31-00250

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
12N	39E	5	NE	NE	1	SMITH, BLAINE T.	A31-00250 /20.0	-	/		15.0
			NE	NE	1	SMITH, BLAINE T.	A31-00249 /20.0	-	/		
12N	39E	5	NW	NE	2	SMITH, BLAINE T.	A31-00250 /20.0	-	/		15.0
			NW	NE	2	SMITH, BLAINE T.	A31-00249 /20.0	-	/		
13N	39E	33	NW	NW		SMITH, BLAINE T.	A31-00250 /38.0	-	/		25.0
			NW	NW		SMITH, BLAINE T.	A31-00249 /38.0	31-00249	/		
13N	39E	33	SW	NW		SMITH, BLAINE T.	A31-00250 /38.0	-	/		34.0
			SW	NW		SMITH, BLAINE T.	A31-00249 /38.0	31-00249	/		
13N	39E	33	NE	SW		SMITH, BLAINE T.	A31-00250 /38.0	31-00250	/		39.0
			NE	SW		SMITH, BLAINE T.	A31-00249 /38.0	-	/		
13N	39E	33	NW	SW		SMITH, BLAINE T.	A31-00250 /36.0	-	/		37.0
			NW	SW		SMITH, BLAINE T.	A31-00249 /36.0	31-00249	/		
13N	39E	33	SW	SW		SMITH, BLAINE T.	A31-00250 /37.0	-	/		30.0
			SW	SW		SMITH, BLAINE T.	A31-00249 /37.0	31-00249	/		
			SW	SW		SMITH, BLAINE T.	A31-10062 /	-	/		
13N	39E	33	SE	SW		SMITH, BLAINE T.	A31-00250 /38.0	31-00250	/		40.0
			SE	SW		SMITH, BLAINE T.	A31-00249 /38.0	-	/		
13N	39E	33	NW	SE		SMITH, BLAINE T.	A31-00250 / 4.0	31-00250	/		40.0
			NW	SE		SMITH, BLAINE T.	A31-00249 / 4.0	-	/		
13N	39E	33	SW	SE		SMITH, BLAINE T.	A31-00250 /15.0	31-00250	/		38.0
			SW	SE		SMITH, BLAINE T.	A31-00249 /15.0	-	/		
TOTAL ACRES							A31-00250	284.50			311.50

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

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: CLARK

Permissions POJ
w/ 31-00249

See GPS for
Ac and Dist.

No DISCREPANCY BL.
ENLARG. CLAIM?

PRESUMPTION FLAG:

NOTES:

Full is Duerodo Except Lots 142 or 500. 5. Enlargement when?

NO IRMS

CPS

united

Enlargement claim?

NO!

RECOMMENDATIONS:

K06-160

TOTAL ACRES:

2630

REVIEWED BY:

Don

DATE:

11/30/21

Formal Review
w/31-00249

31-249 -

A. AJ CLAIMED USES:

PURPOSES
A31-00250 IRRIGATION
A31-00250 STOCKWATER

5/1 10/31
MONTH/DAY
FROM 04-31 TO 11-01
FROM 08-31 TO 11-01

DIVERSION QUANTITY
2.000 CFS
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.000 CFS

B. WR RECORDED USES:

PURPOSES
31-00250 IRRIGATION
31-00250 STOCKWATER
31-00250 DOMESTIC

MONTH/DAY
FROM 05-31 TO 09-01
FROM TO
FROM TO

DIVERSION QUANTITY
2.000 CFS
2.000 CFS
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.000 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)

DATABASE FIELD
EXAMINER
Y
Y
Y

Stockwater is defined by decree.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

Period of Use unspecified by Decree. Recommended May 1 to Oct 31, per
DEPT. STD.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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 UM DELIVERIES, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 32-00249

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A11-00250	CHING CREEK	SMITH, BLAINE T.	2.000	0.007		
A11-00249	CHING CREEK	SMITH, BLAINE T.	3.000	0.010		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A11-00250	STOCKWATER	SMITH, BLAINE T.	FROM 05-01 TO 11-01	.030 CFS	
A11-10052	DOMESTIC	SMITH, BLAINE T.	FROM 01-01 TO 12-31	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

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

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

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

1B. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 710.0 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()

P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AFYA	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>PRAG</u>	<u>SL 10/31</u>	<u>2.0</u>	_____	_____
<u>Stack</u>	<u>SL 10/31</u>	<u>0.03</u>	_____	_____
TOTAL FOR THIS RIGHT		<u>2.0</u>	_____	_____

REVIEWED BY: SLR

DATE: 6/13/21

NEEDS ENLARGING claim for T.12N, R.39E. SEC. 5 Lots 142 (NENE 1 NWNE). ⇒ NOT RAISED

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

NEEDS
REVIEW

*1/15/00's c/o to
D. Buntanishaw
c/o 7/26/00
Done*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00250

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A31-00250

2.000

-

31-00250

2.000

TOTAL CFS

2.000

2.000

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:

DERIVED AS CLAIMED. NO APPARENT SPLITS, Q'S OR TX'S

AUTHENTICATION:

SIGNATURE: *[Signature]*

DATE: *3/15/00*

NAME OF FIELD EXAMINER: *Andrew B. Buntanishaw*

TITLE: *SA. Asst.*

*PERMISSIONED FOR
4/ 31-00249*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/11/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-00250

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

TOPD MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP 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

08:15:57
03/14/93

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A31-30250

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLAINE T. SMITH KI. GORE RT. DUBOIS ID 83423 (208) 773-5341	05/15/1901	IRRIGATION STOCKWATER	04-01 11-01 05-01 11-01 5/1 10/31	2.00 CFS 0.03 CFS	
TOTAL DIVERSION:					2.00 CFS	
CONSUMPTIVE USE:						180.0 ARA

WATER SOURCE: CHING CREEK

TRIBUTARY TO: SPRING CREEK

STAGE: DECREED

POINT(S) OF DIVERSION:

T13N R39E S28

NNWWSW

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
13N	39E	:	?	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
TOTAL ACRES																	284.0	

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR: IRRIGATION

POU COUNTY:

NON-IRRIGATION USES: STOCKWATER FOR 150 HEAD OF RANGE CATTLE

OTHER RIGHTS: 32-00249

REMARKS: P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: 31

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

31-250

JULY 23, 2001

DEAR MR. & MRS. BURTENSHAW;

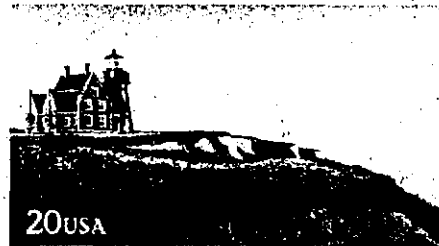
ALL WATER RIGHTS IN YOUR NAMES HAVE BEEN CHANGED TO
REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

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
REPLY

Department of Water Resources
Bureau of Reclamation

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: 31-250

BEVERLY BURTENSHAW

1603 N 1000 E

TERRETON ID 83450

Telephone Number: (208) 663-4493

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:

☒ 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

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Don Burtenshaw

31-00249

31-00250

NESW

40

NWSE

17

SES

38

SWSE

26

T13N, R3E

T12N, R39E



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

August 7, 2000

DON AND BEVERLY BURTENSHAW
1603 N 1000 E
MONTEVIEW ID 83435

RE: CHANGE IN OWNERSHIP FOR A31-00058, A31-00060B,
A31-00249, A31-00250

Dear Claimant:

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(s).

Enclosed is a copy 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 this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

*Sub 31-00249 File for
Additional Documents*

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 31-00250
Date Received: 6/9/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: DON BURTENSHAW Phone:

Address: 1603 N 1000 E
MONTEVIEW ID USA 83435

Name: BEVERLY BURTENSHAW Phone:

Address: 1603 N 1000 E
MONTEVIEW ID USA 83435

2. Date of Priority: 05/15/1901

3. Source: CHING CREEK Trib. to: UnknownSpring Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	39E	28	NW NW	SW 0	CLARK

5. Description of diverting works:

HEADGATE W/ RECTANGULAR WEIR TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2	0
STOCKWATER	5/01	11/01	0.03	0 .12 11-16-00

W.B.

7. Total Quantity Appropriated is:
2 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
12N	39E	5	NE NE	1	IRRIGATION	20
			NW NE	2	IRRIGATION	20
Section Acres						40
13N	39E	33	NW NW		IRRIGATION	38
			SW NW		IRRIGATION	38
			NE SW		IRRIGATION	38
			NW SW		IRRIGATION	36
			SW SW		IRRIGATION	37
			SE SW		IRRIGATION	38
			NW SE		IRRIGATION	4
			SW SE		IRRIGATION	15
Section Acres						244
Total Acres						284

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:

P/D NEAR FOOTHILLS ON CHING CR. RIGHT BELOW J. H. COCHRAN FLUME.
CHANGED ADDRESS PER REQUEST CV/08/07/00

450 CATTIE 40B

15. Basis of Claim: Decreed

16. Signature(s)

DELOG
AR 8/7/00
MAR

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: A31-00249, A31-00250

☐ Name and Address of Former
Owner/Claimant(s)(Seller): _____

☐ New Owner/Claimant
(Purchaser): DON AND BEVERLY BURTONSHAW

☐ New Mailing Address: 1603 N. 1000 E.
MONTICELLO IDAHO 83435

☐ New Telephone Number: () _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: Deeds

(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. Burtonshaw Date 7-26-00

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

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

SMITH PIECE

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

C18284

Microfilm No. 45714
20 Day April 1995
At 13:05 O'Clock PM
JO ANN S. TAVENNER
Clark Co. Recorder
Fee \$ 6.00
Marcie A. Blah Deputy
Recorded at Request of
First American Title

WARRANTY DEED

FOR VALUE RECEIVED, MARYE L. WELCH, an unmarried woman, dealing with her sole and separate property, Grantor, does hereby Grant, Bargain, Sell and Convey unto DON and BEVERLY BURTENSCHAW, husband and wife, Grantees, whose address is 1603 N. 1000 E., Montevue, Idaho 83435, her undivided one-half interest in the following described real property in Clark County, Idaho:

Township 12 North, Range 39 East of the Boise Meridian,
Clark County, Idaho
Section 5: Lots 1 and 2
Township 13 North, Range 39 East of the Boise Meridian,
Clark County, Idaho
Section 33: W1/2NW1/4, SW1/4, W1/2SE1/4

Together with all water rights and ditch rights appurtenant thereto and structures thereon.

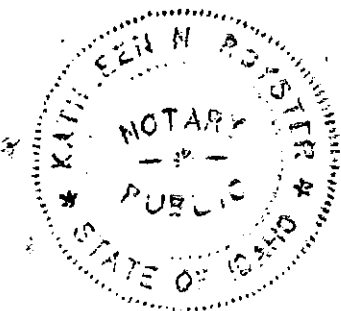
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances except as provided hereinabove, and that she will warrant and defend the same from all lawful claims whatsoever.

Marye L. Welch
MARYE L. WELCH, Grantor

STATE OF IDAHO)
) ss
County of Ada)

On this 21st day of December, 1993, before me, a Notary Public in and for said State, personally appeared **MARYE L. WELCH**, known of identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me to be the person who executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Kathleen R. Ryster

Notary Public for Idaho
Residing at: BOLSA, ID
Commission Expires: 7-19-94

FIRST AMERICAN TITLE

WARRANTY DEED

Microfilm No. 45783

17 Day Mar 19 95

At 16:00 O'Clock PM

JOANN S. TAVENNER

Clark Co. Recorder

Fee \$ 3.00

Marcia J. Bolger Deputy

Recorded at Request of

First American Title

C 18284
For Value Received ELAINE SMITH

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DON BURTENSHAW and BEVERLY BURTENSHAW, husband and wife

whose address is: 1603 NORTH 1000 EAST, MONTEVIEW, ID, 83435

Hereinafter called the Grantee, the following described premises situated in CLARK County, Idaho, to-wit:

Township 12 North, Range 39 East of the Boise Meridian, Clark County, Idaho
Section 5: Lots 1 and 2.

EXCEPTING THEREFROM: Public road right of ways as they exist.

Township 13 North, Range 39 East of the Boise Meridian, Clark County, Idaho
Section 33: W 1/2 NW 1/4.

SW 1/4.

W 1/2 SE 1/4.

EXCEPTING THEREFROM: Public road right of ways as they exist.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: APRIL 25, 1995

Elaine Smith
ELAINE SMITH

Township 13 North, Range 33 East of the Boise Meridian, Clark County, Idaho
Section 33: W 1/2 NW 1/4.

SW 1/4.

W 1/2 SE 1/4.

EXCEPTING THEREFROM: Public road right of ways as they exist.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: APRIL 25, 1995

Elaine Smith
ELAINE SMITH

STATE OF OREGON

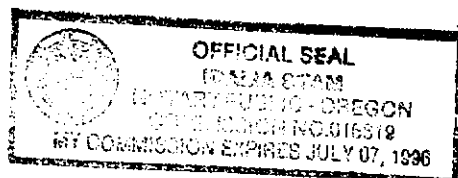
)

: ss

COUNTY OF) Malheur

On this 27th day of April, in the year 1995, before me, a Notary Public in and for said State, personally appeared ELAINE SMITH, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Italia Stark
Notary Public
Residing at: Malheur County
Commission Expires: July 7, 1996