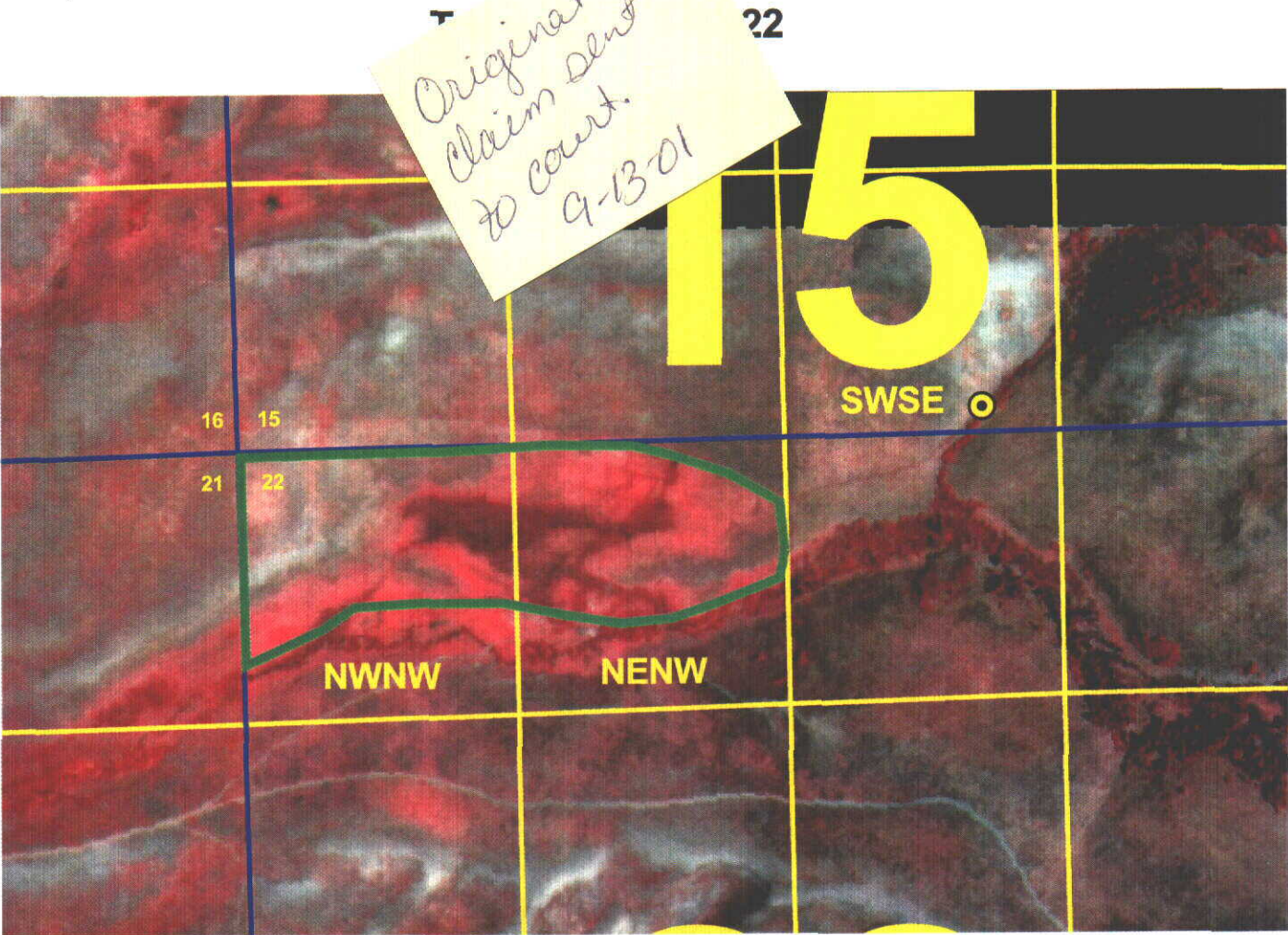


IDAHO DEPARTMENT OF WATER RESOURCES

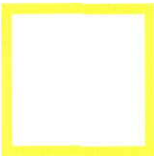
31-10032

Original
claim sent
to court.
9-13-01



POINT OF DIVERSION

ACRES IRRIGATED- 45



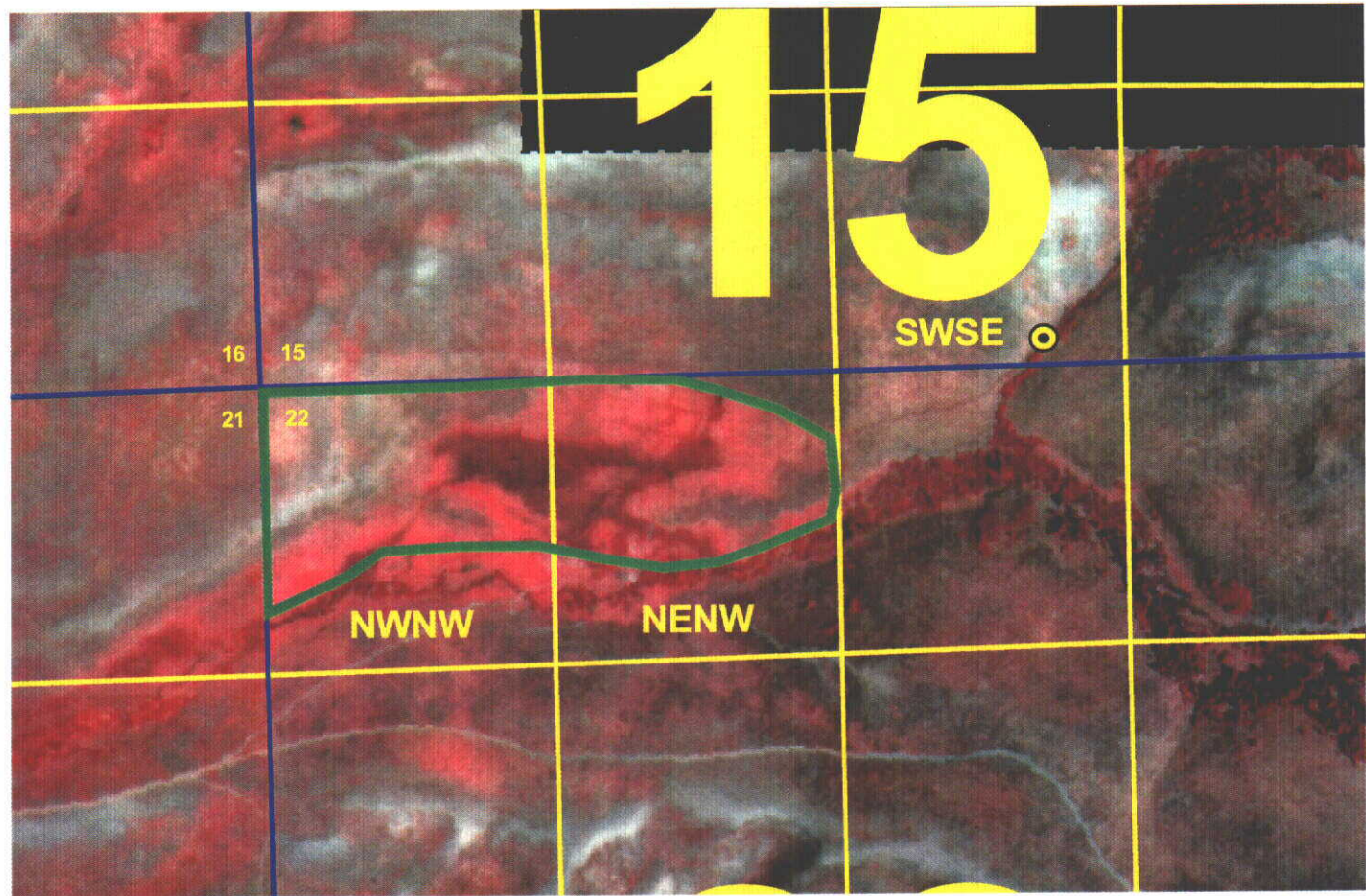
PLACE OF USE

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

IDAHO DEPARTMENT OF WATER RESOURCES

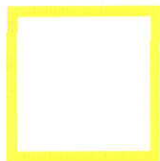
31-10032

T14N, R36E SEC 22



POINT OF DIVERSION

ACRES IRRIGATED- 45



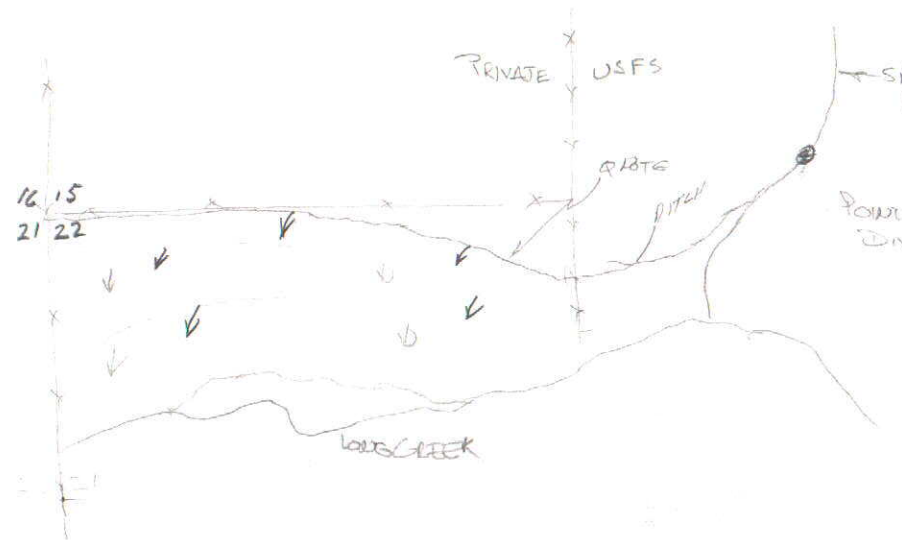
PLACE OF USE

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: 6/4/93 APPOINTMENT MADE: Y(____) N(____) TIME: 9:30 A(____) P(____)
ACCOMPANIED BY: CLEVE BURNSIDE PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: New owner
DIRECTIONS TO PROPERTY / NOTES:

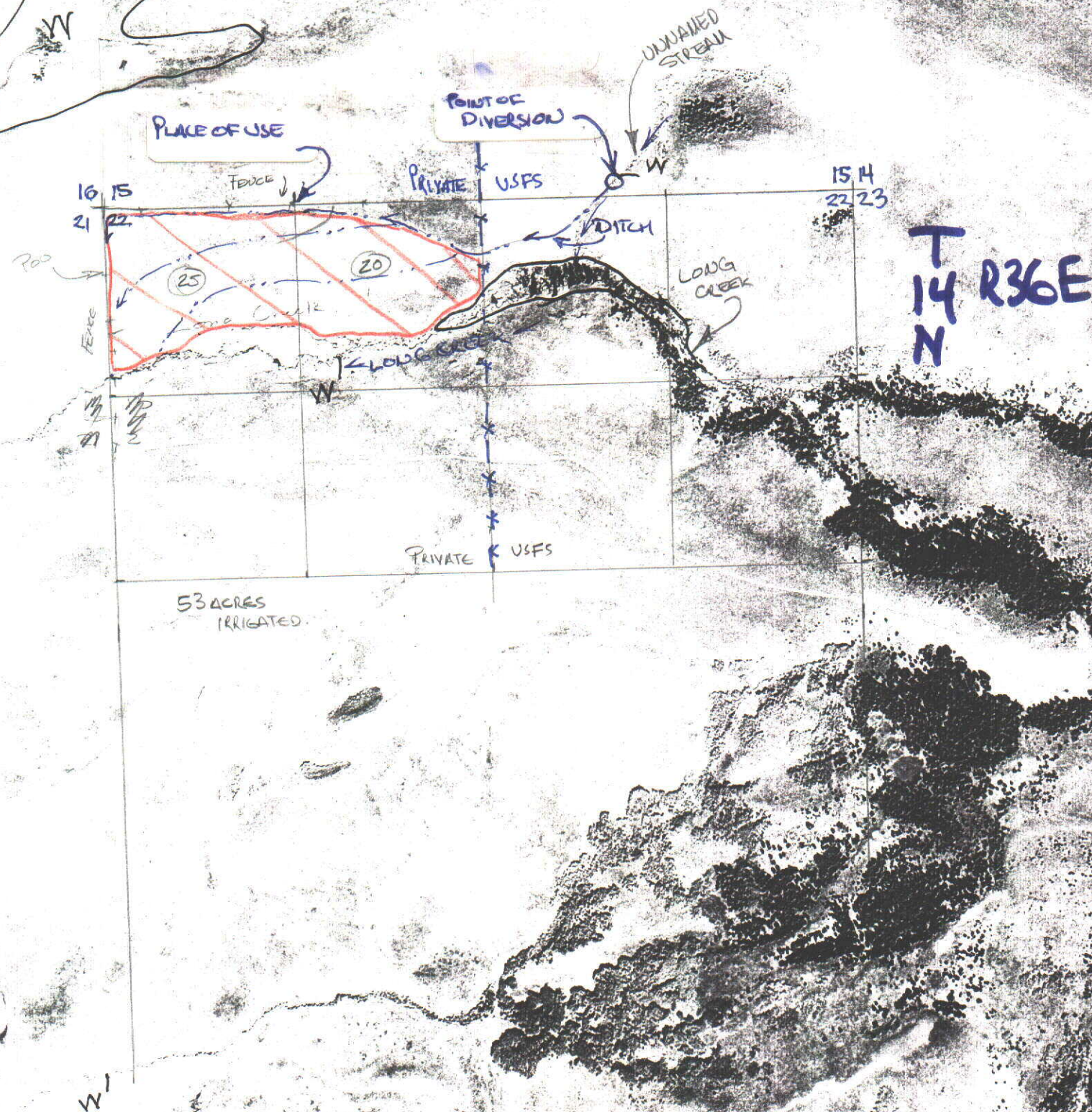
MEET @ SPENCER EXIT, I-15.
OWNER SHOWED ME THE IRRIGATION SYSTEM. A DITCH FROM UNNAMED STREAM
CARRIES WATER FROM TO PLACE OF USE. CHECKS IN DITCH FORCE WATER TO FLOOD
IRRIGATE POU BELOW DITCH. ESTIMATE AVG. SLOPE BELOW DITCH TO BE 4 TO 5%. DITCH
TRAVELER WITHIN OF PROPERTY FROM EAST TO WEST. DOWN SLOPE, THERE ARE 3 OTHER
"CONTROLLING" DITCHES THAT AID IN FLOOD IRRIGATING POU TO THE CREEK BANK @ THE
BOTTOM.

TRACED FROM ASCS PHOTO, 1980 FLIGHT (#112)
6/4/93 SS



CLAIM NO(S). A31-10032
DATE: 6-4-93 T 14N R 36E
SOURCE OF DOC: 1980, ASCS PHOTO
SIGNATURE: Eric S. Weaver

CORINGS ABSTRACTED
FROM FENCE LINES 1
CQ T91



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 31-10032

2002 AUG -1 PM 12:58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CLEVE BURNSIDE
MARVA BURNSIDE
400 N 3813 E
RIGBY, ID 83442

SOURCE: UNNAMED STREAM TRIBUTARY: LONG CREEK

QUANTITY: 0.90 CFS

PRIORITY DATE: 11/02/1930

POINT OF DIVERSION: T14N R36E S15 SESWSE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.90 CFS

PLACE OF USE: Irrigation Within Clark County
T14N R36E S22 NENW 25.0 NWNW 20.0
45.0 Acres Total

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. 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

2002 AUG 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-10032

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-10032 was mailed
on August 01, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLEVE BURNSIDE
MARVA BURNSIDE
400 N 3813 E
RIGBY, ID 83442
Phone: 208-745-7358

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/01/02

RECEIVED
2002 AUG 1 12:55
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 AUG -1 PM 12:55
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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) ORDER OF PARTIAL DECREE
) For Water Right 31-10032
)

On June 6, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-10032 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 1, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

03/28/2002

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

2002 APR 12 AM 10:27
DISTRICT CLERK
TWIN FALLS CO. IDAHO
FILED

RIGHT NUMBER: 31-10032
NAME AND ADDRESS: MARVA BURNSIDE
400 N 3813 E
RIGBY ID 83442
CLEVE BURNSIDE
400 N 3813 E
RIGBY ID 83442

SOURCE: UNNAMED STREAM TRIBUTARY: LONG CREEK
QUANTITY: 0.90 CFS
PRIORITY DATE: 11/02/1930
POINT OF DIVERSION:

T14N R36E S15 SESWSE 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	0.900 CFS

PLACE OF USE: IRRIGATION Within CLARK County

T14N R36E S22	NENW	25.0	T14N R36E S22	NWNW	20.0
---------------	------	------	---------------	------	------

45 ACRES TOTAL

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.

EXPLANATORY MATERIAL: Beneficial Use

03/28/2002

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

RIGHT NUMBER: 31-10032

NAME AND ADDRESS: MARVA BURNSIDE
400 N 3813 E
RIGBY ID 83442

CLEVE BURNSIDE
400 N 3813 E
RIGBY ID 83442

SOURCE: UNNAMED STREAM TRIBUTARY: LONG CREEK

QUANTITY: 0.90 CFS

PRIORITY DATE: 11/02/1930

POINT OF DIVERSION:

T14N R36E S15 SESWSE 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	0.900 CFS

PLACE OF USE: IRRIGATION Within CLARK County

T14N R36E S22	NENW	25.0	T14N R36E S22	NWNW	20.0
---------------	------	------	---------------	------	------

45 ACRES TOTAL

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

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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.

EXPLANATORY MATERIAL: Beneficial Use

03/28/2002

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

RIGHT NUMBER: 31-10032

NAME AND ADDRESS: MARVA BURNSIDE
400 N 3813 E
RIGBY ID 83442

CLEVE BURNSIDE
400 N 3813 E
RIGBY ID 83442

SOURCE: UNNAMED STREAM TRIBUTARY: LONG CREEK

QUANTITY: 0.90 CFS

PRIORITY DATE: 11/02/1930

POINT OF DIVERSION:
T14N R36E S15 SESWSE 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	0.900 CFS

PLACE OF USE: IRRIGATION Within CLARK County

T14N R36E S22	NENW	25.0	T14N R36E S22	NWNW	20.0
---------------	------	------	---------------	------	------

45 ACRES TOTAL

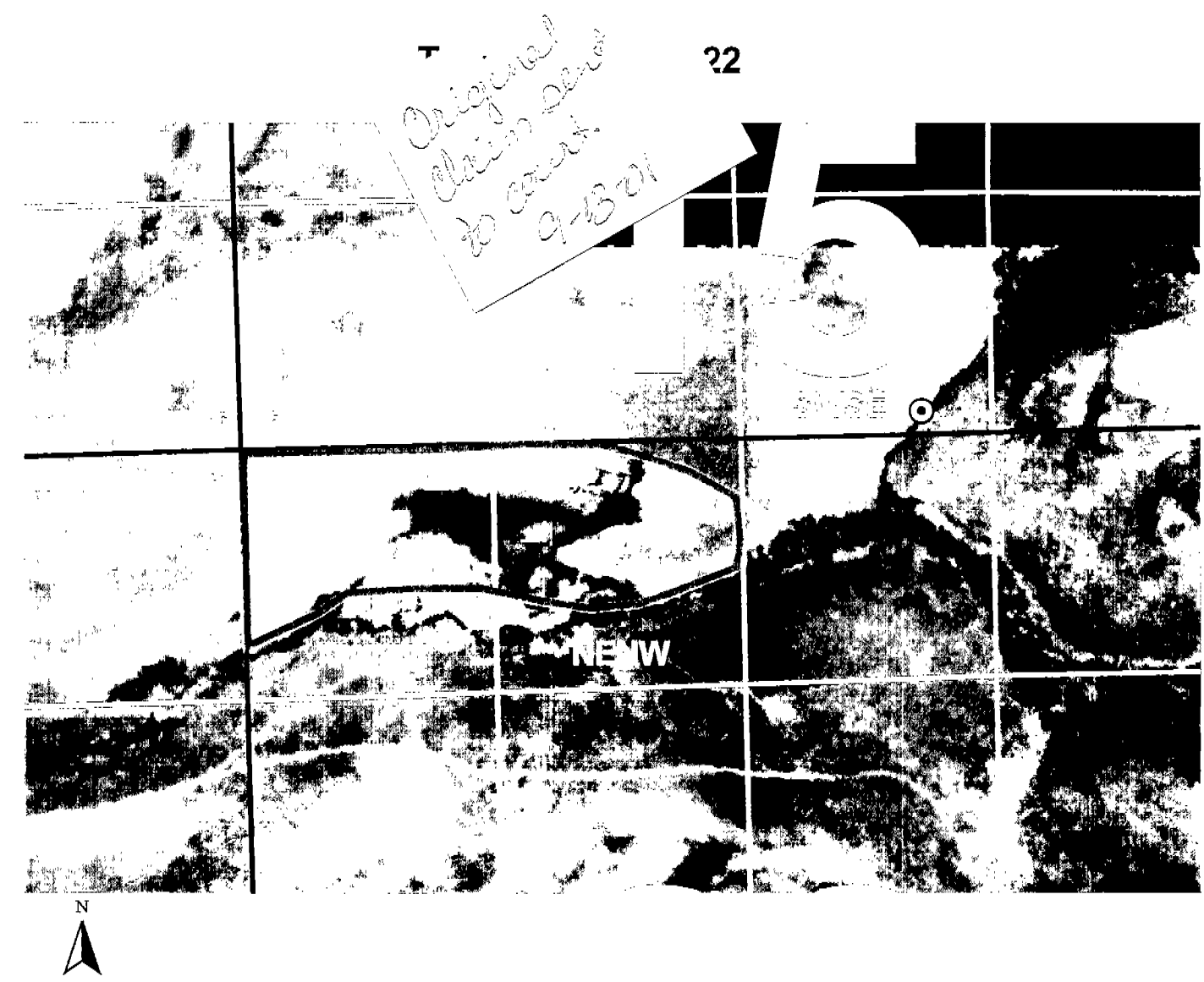
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

31-10032



⊙ POINT OF DIVERSION

ACRES IRRIGATED - 42

PLACE OF USE

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

IDAHO DEPARTMENT OF WATER RESOURCES

31-10032

T14N, R36E SEC 22



⊙ POINT OF DIVERSION

ACRES IRRIGATED - 48

PLACE OF USE

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON



EASTERN REGION

RIGHT NUMBER:

31-10032

NAME AND ADDRESS:

CLEVE BURNSIDE
MARVA BURNSIDE
400 N 3813 E
RIGBY, ID 83442

DIRK KEMPTHORNE

GOVERNOR

KARL J. DREHER

DIRECTOR

SOURCE:

UNNAMED STREAM

TRIBUTARY:

LONG CREEK

QUANTITY:

0.9 CFS

PRIORITY DATE:

11/02/1930

POINT OF DIVERSION:

T14N R36E S22

SESWSE

Within CLARK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

05-01 10-31

QUANTITY

0.90 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T14N R36E S22

NENW

25

T14N R36E S22

NWNW

20

45 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: A31-10032
Date Received: 6/27/1988
Receipt No: E000533
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CLEVE BURNSIDE 208-745-7358
Address: 400 N 3813 E
RIGBY ID 83442
AND/OR
Name: MARVA BURNSIDE 208-745-7358
Address: 400 N 3813 E
RIGBY ID 83442

2. Date of Priority: DEC 31, 1880
3. Source: UNNAMED STREAM Trib. to: LONG CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	36E	22	NE	NW	NE		CLARK

5. Description of diverting works:
OPEN GRAVITY FLOW DITCH 3' WIDE 2' DEEP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.900		

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

8. Total consumptive use is 112.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	36E	22	NE	NW		IRR	25.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	36E	22	NW NW		IRR	20.0
Section Acres						45.0
Total Acres						45.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:
ALL THE WATER IN THE STREAM IS DIVERTED AND RUNS ACROSS CLAIMANTS
PROPERTY. EXCESS WATER RUNS INTO LONG CREEK.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
APR 14 1994

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: A31-10032
Date Received: 6/27/1988
Receipt No: E000533
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CALVIN KINGHORN
Address: P.O. BOX 214
LEWISVILLE, ID 83431
AND/OR
Name: KARL KINGHORN
Address: BOX 49, ROUTE 1
RIGBY, ID 83442
AND/OR
Name: KATHLEEN KINGHORN
Address: P.O. BOX 214
LEWISVILLE, ID 83431
- 208-754-4524

208-754-8812

208-754-4524



2. Date of Priority: DEC 31, 1880
3. Source: UNNAMED STREAM Trib. to: LONG CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	36E	22	NE	NW	NE		CLARK

5. Description of diverting works:
OPEN GRAVITY FLOW DITCH 3' WIDE 2' DEEP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.900		

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

8. Total consumptive use is 112.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	36E	22	NE	NW		IRR	25.0
			NW	NW		IRR	20.0
Section Acres							45.0
Total Acres							45.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:
ALL THE WATER IN THE STREAM IS DIVERTED AND RUNS ACROSS CLAIMANTS
PROPERTY. EXCESS WATER RUNS INTO LONG CREEK.

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

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Kathleen Lindgren Date: Jun 27/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of June 19 88 Dana Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 1
GENERAL INFORMATION

63
CLAIM NUMBER: A31-10032

LAST: KINGHORN
ADDRESS: P.O. BOX 214
CITY: LEWISVILLE
PHONE NUMBER: 208-754-4524

FIRST: CALVIN

STATE: ID ZIP: 83431

OWNER CODE: C

LAST: KINGHORN
ADDRESS: BOX 49, ROUTE 1
CITY: RIGBY
PHONE NUMBER: 208-754-9812

FIRST: KARL

STATE: ID ZIP: 83442

OWNER CODE: C

LAST: KINGHORN
ADDRESS: P.O. BOX 214
CITY: LEWISVILLE
PHONE NUMBER: 208-754-4524

FIRST: KATHLEEN

STATE: ID ZIP: 83431

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: ALL THE WATER IN THE STREAM IS DIVERTED AND RUNS ACROSS CLAIMANTS
PROPERTY. EXCESS WATER RUNS INTO LONG CREEK.

Handwritten notes:
1. All Rights to Groundwater Use Reserved
2. 11/11/91 12:15 CONTACT ~~DETA~~ RE INTERVIEW

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 6/4/93

APPOINTMENT MADE: V(☒) N(☐)

TIME: 9:30 A(☒) P(☐)

ACCOMPANIED BY: CLEVE BURNSIDE

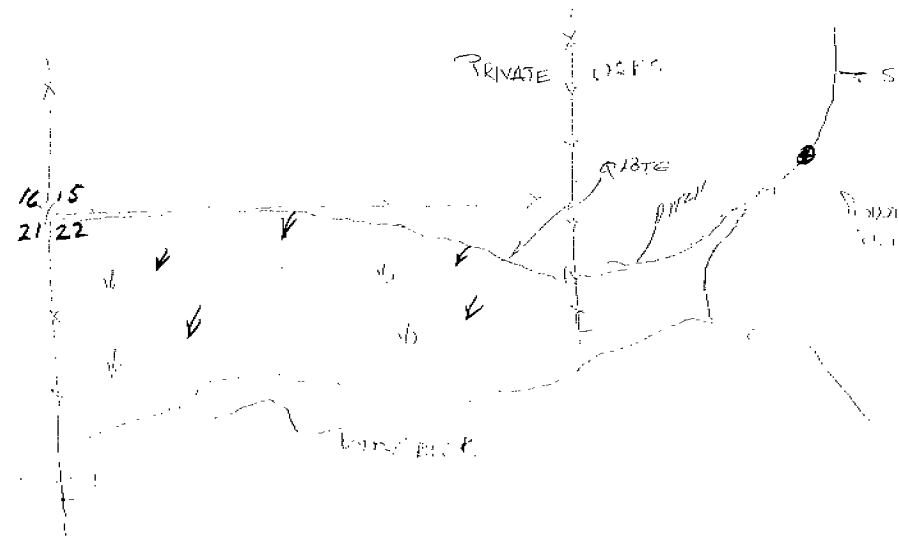
PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: Neighbor

DIRECTIONS TO PROPERTY / NOTES:

MEET @ SPENCER EXIT I-15.
OWNER SHOWED ME THE IRRIGATION SYSTEM. A DITCH FROM UNNAMED STREAM
CARRIES WATER FROM TO PLACE OF USE. CHECKS IN DITCH FORCE WATER TO FLOOD
IRRIGATE POU BELOW DITCH. ESTIMATE AVG. SLOPE BELOW DITCH TO BE 4 TO 5%. DITCH
TRAVERSES WIDTH OF PROPERTY FROM EAST TO WEST. DOWN SLOPE, THERE ARE 3 OTHER
"CONTROLLING" DITCHES THAT AID IN FLOOD IRRIGATING POU TO THE CREEK BANK @ THE
BOTTOM.

TRACED FROM ASCS PHOTO, 1980 FLIGHT (#112)
6/4/93 ES



A. AJ CLAIM: # A31-10032 PRIORITY DATE: 12-31-1890 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER ~~X~~

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

NOTES: EARLIEST DATE THAT CAN BE RECOMMENDED IS 1922 ACCORDING
TO AFFIDAVIT FROM HARRIET BOATMAN WATKINS.
• FIRST DAY OF IRRIGATION SEASON OF THAT YEAR IS USED FOR PRIORITY DATE.

RECOMMENDED PRIORITY DATE:
4-15-1922

REVIEWED BY AT DATE 1-8-96

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-10032	14N	36E	22	NE	NW	NE		CLARK
OTHER AJ CLAIMS WITH SAME AJ POD & PREFIX				WR RECORDS IN SAME 40 ACRE TRACT				
NONE				NONE				

SOURCE: UNNAMED STREAM TRIB: LONG CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

NOTES:

VERIFIED POD IN FIELD. LOCATION VERIFIED W/ AQ³ ASCS PHOTO TO BE W/ ~~NW 1/4 SEC 22 14N 36E~~ ^{SE SW SE SEC 15}
AS CLAIMED. EARTH BERM IN STREAM DIVERTS WATER INTO DITCH. HAS BEEN IN A LONG
TIME ONLY VERY VERY HIGH FLOODS WILL PASS DIVERSION. @ TIME OF EXAM. ALL CREEK FLOW
WAS DIVERTED. ESTIMATED FLOW TO EXCEED 1.20 CFS. SEE P. 7. MEASURED 0.30 CFS COMING
ONTO THE PROPERTY. POD IS ON USFS PROPERTY - USE RECORDED UNDER SPECIAL USE PERMITAL. SOURCE OF AS CLAIMED.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
~~14N~~	~~36E~~	~~22~~	~~NE~~	~~NW~~	~~NE~~		~~CLARK~~	
14N	36E	15	SE	SW	SE		CLARK	
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

* P.D. was found to be in sec. 15 according to ES.V.1 mps and photos.

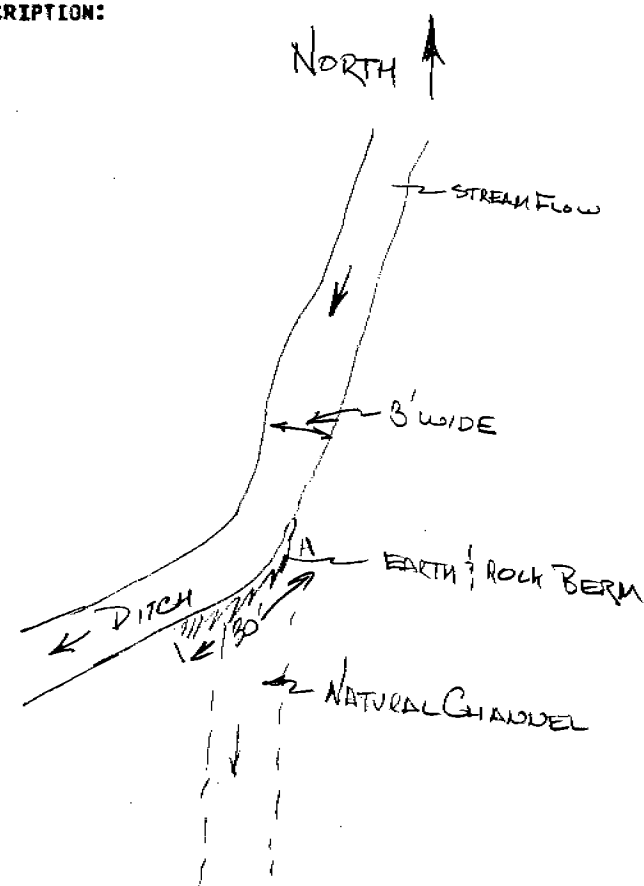
SOURCE: UNNAMED STREAM

TRIB: LONG CREEK

REVIEWED BY: EB

DATE: 6-4-93

SYSTEM DESCRIPTION:



METHOD OF IRRIGATION - FLOOD (WILD FLOODING)



A. ROOT WATER RIGHT NUMBERS: A31-10032

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	36E	22	NE	NW		KINGHORN, CALVIN	A31-10032 725.0	- 1		25	25
14N	36E	22	NW	NW		KINGHORN, CALVIN	A31-10032 720.0	- 1		20	20
TOTAL ACRES							A31-10032	45.00			

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

C. FIELD EXAM REQUIRED?
DUE TO POB DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER ✓ POB COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

Based on the ASCS photo that E.S.V. outlined the P.O.U. in the field,
it appears that the # of acres in 40 acre tracts are correct as claimed.
PER NAPP, OO, ASCS & Field Exam

RECOMMENDATIONS:

TOTAL ACRES: 45⁰
REVIEWED BY: MT

DATE: 1-8-96

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-10032 IRRIGATION	FROM 04-01 TO 11-01	.900 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.900 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

5/1-10/31

• PERIOD OF USE RECOMMENDED STANDARD IS 4-15 TO 10-15

• Q: AT POD TRIED PORTABLE WEIR. FLOW TOO FAST TURBID FOR CORRECT MEASUREMENT. FLOW EXCEEDED CAPACITY OF A 1.5' X 6" CIPLET WEIR 6" OR A 1.5' CIPLET WEIR. EQUALS 1/20 CFS (SEE RATING TABLE).

USED CURRENT METER TO MEASURE WATER IN DITCH AS IT CAME OUT OF PROPERTY IN THE NEW SEC 22. DISCHARGE = 0.30 CFS / SHOWS AN ESTIMATED 30%+ CONVEYANCE LOSS. MEASUREMENT WAS PROBABLY NOT @ HIGHEST FLOW OF SEASON.

• DITCH IS OBVIOUSLY CAPABLE OF CARRYING 0.90 cfs. RECOMMEND

1" / Acre on 45 ACRES → 0.90 cfs.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 0.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

B/RIGHT

*** 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

~~Y~~

B.

FLOW MEASUREMENT

MEASUREMENT METHOD PIEDMONT WEIR / CURRENT WEIR SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POB AND IRRIGATION USAGE

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 45 X 0.02 CFS/ACRE = 90 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DOES 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 = 112.5 AF/A

ACRES 45 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 112.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 45 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 157.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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
IRRIGATION	4-15 10-15 ~~04-01 11-01~~	DATABASE EXAMINER 0.900 0.90	DATABASE EXAMINER 152.5	DATABASE EXAMINER 112.5 112.5
TOTAL FOR THIS RIGHT	5/1-10/31	0.900		112.5

REVIEWED BY: HT

DATE: 1-8-96

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-10032

TOTAL DIVERSION RATE OF WR SPLITS DATABASE EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-10032	0.900	-		-	
TOTAL CFS		0.900				

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 FIELD
N EXAMINER

NOTES:

3/4 RIGHT

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 1-8-96
NAME OF FIELD EXAMINER: G.T. Taylor TITLE: SWA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 12
QUICKLOOK INFORMATION

71
CLAIM NUMBER: A31-10052

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	Y							
POINT OF DIV	Y		8/6/93	5214	5214	1-8-96		
SOURCE	Y			N	5214			
PLACE OF USE	Y			Y	52			
DIV. AMOUNT CFS/VOLUME	Y			Y	5			
CONSUMPTIVE USE	-							
PURPOSES				N	5			
PERIOD OF USE				Y	6			
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

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

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

00:05:49
03/24/93
72

CLAIM NUMBER: A31-10032

745-7000 KEI
 ← CLEVE BURNSIDE =
 Doyle 745-7358

STAGE: BENEFICIAL USE

CLARK COUNTY

PLEASE USE THESE DESIGNATIONS FOR EMERGENT				NE				NW				SW				SE				SUM				
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE		NWSE	SWSE	SESE	:
			:	LT AC	LT AC	LT AC	LT AC	:	LT AC	LT AC	LT AC	LT AC	:	LT AC	LT AC	LT AC	LT AC	:	LT AC	LT AC	LT AC	LT AC	:	
14N	36E	22	:					:	25	20			:					:					:	45.0
																							TOTAL ACRES	45.0

OTHER RIGHTS: NONE

DATE: EXAM MADE DATE: VERIFIED DATE:

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

COPY

RECEIVED

APR 15 2002

Department of Water Resources

2002 APR 12 AM 10:27

DISTRICT COURT-ADJ.
TWIN FALLS CO., IDAHO
FILED

AMENDED DIRECTOR'S REPORT

Subcase No. 31-10032

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill, Jr., Adjudication Bureau Chief

April 10, 2002

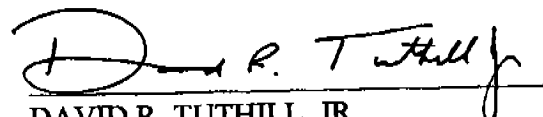
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Special Master Bilyeu's *Order Requesting Amended Director's Report and Setting Subcase Deadlines on Record* issued March 27, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 10th day of April, 2002.


DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF MAILING

I certify that on April 10, 2002, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Chief, Natural Resource Division
Office of the Attorney General
Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Cleve and Marva Burnside
400 N. 3813 E.
Rigby, ID 83442

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Clark County Clerk
320 W. Main
P.O. Box 205
Dubois, ID 83423

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person delivering form

RECEIVED
APR 15 2002
Department of Water Resources
Eastern Region

AMENDED DIRECTOR'S REPORT

Subcase No. 31-10032

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

April 10, 2002

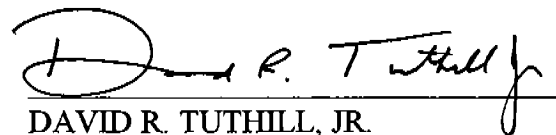
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Adjudication Bureau Chief

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United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

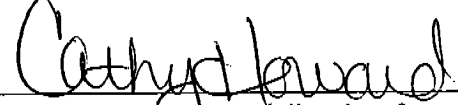
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400 N. 3813 E.
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☐ Overnight Mail
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Clark County Clerk
320 W. Main
P.O. Box 205
Dubois, ID 83423

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person delivering form

RECEIVED

SEP - 7 2001

Department of Water Resources

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

A. Subcase: _31-10032_
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:
David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Cleve Burnside
Address: Marva Burnside
400 N 3813 E
Rigby, ID 83442

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: See E below.

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☐ **Places of Use**

Should be:

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The point of diversion for this water right is on National Forest System land. The point of diversion shown in the Directors Report is incorrect and needs to be changed from Section 22 to Section 15.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

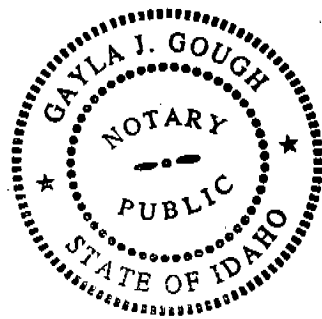
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette
(Signature of person filing objections)

David Z. Noyce
(Attorney signing in representative capacity)

Subscribed and sworn before me on: Sep 6, 2001

Gayla J. Gough
Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted.
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Sep 6, 2001, I mailed the original and copies of this
objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

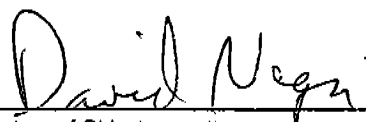
Name: Cleve Burnside
Address: Marva Burnside
400 N 3813 E
Rigby, ID 83442

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

14N
36E

A31-10032
CALVIN KINGHORN
P.O. BOX 214
LEWISVILLE

ID 83431

NEW OWNER -

ALLEN 20012100 745-7358

17-9:30 FRI MEET @ SHOWER OFF RAMP

T91

14N 36E 22 4500

754-4824
OR

754-8812

STREAMFLOW @ 100 exceeded by 6" V-notch weir - 6/4/93 LSC

Flow @ 6" = 0.445 cfs

6" 1' c/p = 1.20 cfs



A3110032

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water District 01

Meas. No. 1

Comp. by _____

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. A31-10032 UNNAMED STREAM

Date 6-4-93, 19____ Party ERIK VERNER

Width 2.00 Area 0.455 Vel. 0.56 G. H. _____ Disch. 0.30 cfs

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. _____

Method coef. _____ Hor. angle coef. _____ Susp. coef. 1.00 Meter No. 090168

GAGE READINGS				
Time	Recorder	Inside	Outside	
				Type of meter <u>PYGMY</u>
				Date rated _____ for rod, other.
				Meter _____ ft. above bottom of weight.
				Spin before meas. <u>YES</u> after <u>YES</u>
				Meas. plots _____ % diff. from rating
				Wading, cable, ice, boat, upstr., downstr., side
				bridge _____ feet, mile, above, below
				gage, and _____
				Check-bar, found _____
				changed to _____ at _____
				Correct _____
				Levels obtained _____
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section SHALLOW, SOFT BOTTOM

Flow _____ Weather CLOUDY

Other _____ Air 65 °F @ SPILL

Gage _____ Water _____ °F @ _____

Record removed _____ Intake flushed U

Observer _____

Control _____

Remarks MEASURED 25 YDS INSIDE OWNERS PROPERTY
AS DITCH ENTERS ON EAST SIDE

G. H. of zero flow _____ ft.

A31-10032

Dillon, Montana
March 2, 1994

TO WHOM IT MAY CONCERN:

Water, from a spring located on U.S. Forest land above the former Robert T. Boatman ranch 3 miles north east of ~~Dun~~phrey Idaho, was used for domestic purposes, irrigating a hay meadow and a truck garden raised by the Boatman family.

The water from this spring was used continuously on this property from the year 1922 to the 1960's by the Boatman family.

By

Harriet Boatman Watkins
daughter of Robert T Boatman

Pamela J. Mathson
NOTARY PUBLIC for the State of Montana
Residing at Dillon, Montana
My Commission Expires September 16, 1994

MICROFILMED

APR 14 1994

FEBRUARY 14, 1994

*****FINAL REMINDER*****

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date. This letter is the final reminder that the above documentation needs to be provided.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

MICROFILMED

APR 14 1994

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by MARCH 14, 1994, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Dave Carlson
Water Right Agent, Adjudications

DC:jt

File: To Claim

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Additional water rights needing documentation:

MICROFILMED
APR 14 1994

JULY 6, 1993

CLEVE BURNSIDE
400 N 3813 E
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR A31-10032

Dear Mr. Burnside:

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

Enclosed is a typed Notice 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,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice of Claim

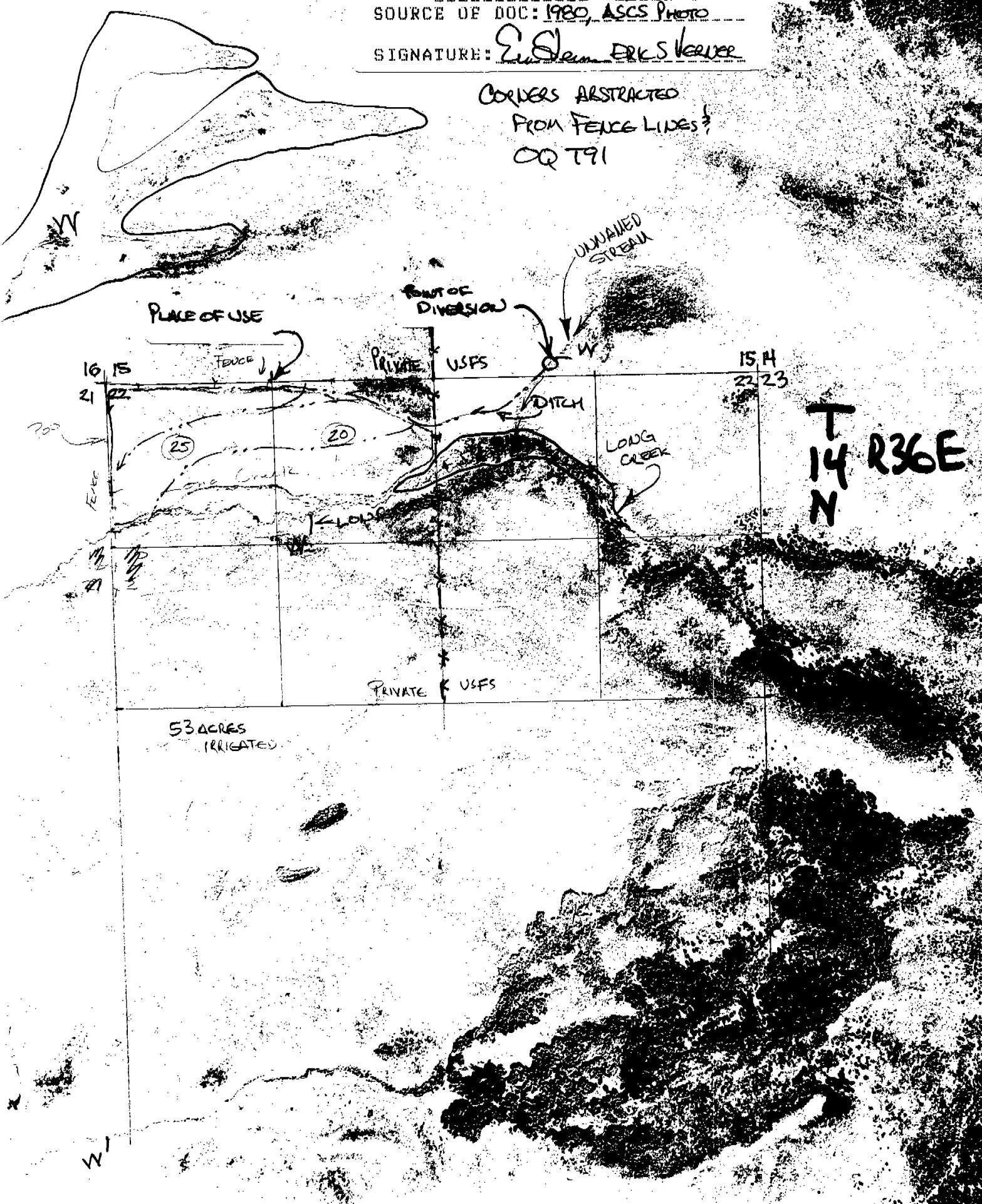
File: P

MICROFILMED

APR 14 1994

CLAIM NO(S). A31-10032
DATE: 6-4-93 T 14N R 36E
SOURCE OF DOC: 1980, ASCS PHOTO
SIGNATURE: *E. J. Van der Vliet*

CORNERS ABSTRACTED
FROM FENCE LINES
CQ T91



INTER-DEPARTMENT MEMO

TO: Thompson

SUBJECT: Change in ownership

FROM: Paul Burnside

DATE: 3-93

Mrs. Burnside:

The attachment you sent does not indicate in any way that you purchased Mr. Kinghorn's property. Only a Warranty ~~Deed~~ Deed will show the legal description and will have Kinghorn's name granting property to Burnside.

MICROFILMED

APR 14 1994

() For your information

() Response required

signature



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 08 1993

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 14 North Range 36 East of Range 36 East of 14 North
 Section 15, 22 1/4 of S 1/2 SW 1/4 of NW 1/4 SW 1/4, Govt. Lot _____, _____
 Lot 1 & 2, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

JUN 23 1993

☐ 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: _____

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

☐ New Owner/Claimant
(Purchaser): _____

☐ New Mailing Address: _____

☐ New Telephone Number: _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached: _____

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

☐ Signature of New Owner/Claimant(s) _____ Date 6/7/93

☐ 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:

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

MICROFILMED

APR 14 1994

does grant, bargain, sell and convey and confirm unto the said Party of the Second Part, and to Party of the Second Part's heirs and assigns, forever, all the following described real estate situated in the County of Clark, State of Idaho, to-wit:

Township 14 North, Range 36, East of the Boise Meridian, Clark County, Idaho:

Section 15: Lots 1 and 2; South Half of the Southwest Quarter (S1/2SW1/4); Northwest Quarter of the Southwest Quarter (NW1/4SW1/4).

Section 22: Northwest Quarter (NW1/4).

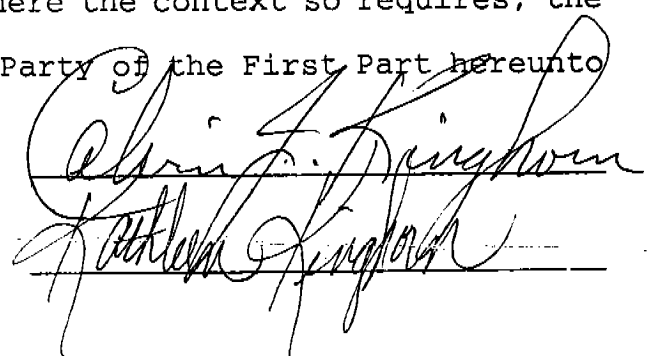
Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining including any water claims filed or pending in the current Snake River Basin Adjudication.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

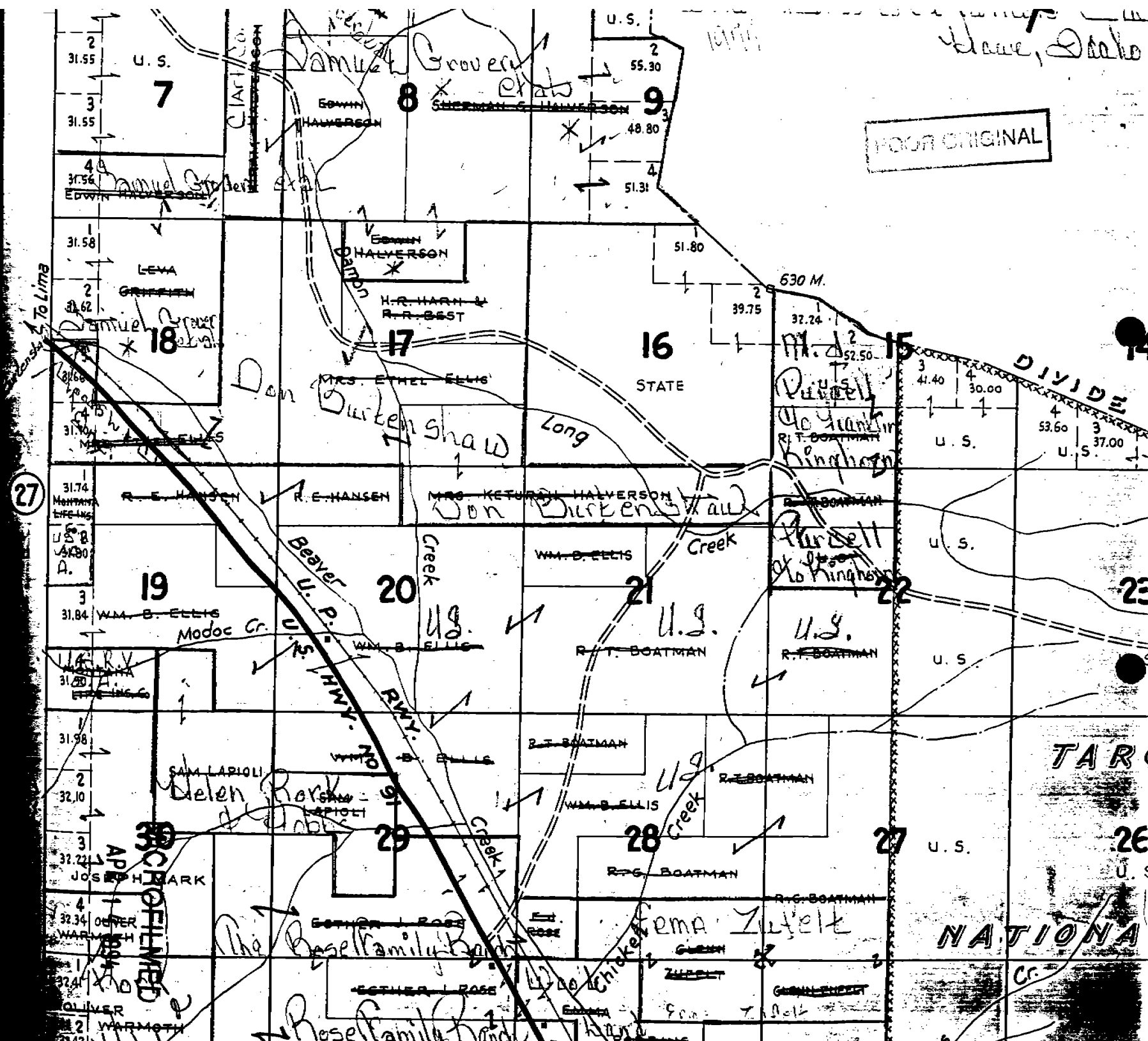
IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.



STATE OF IDAHO)
) ss
County of Jefferson)

On this 29 day of April, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared CALVIN KINGHORN and KATHLEEN KINGHORN known to me to be the persons





EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994

MONTANA

365

KING-ORIN
DAIG-
A-24
OTA
TSS

ARGENT NATIONAL FOREST

71410

16
5.22

CATTLE				HORSES, MULES, ASSES			
Block	Common	Best, Full Blood Cows, Bulls	Yearlings	Grade or Work	Stock, Range, Common		
No.	Value	No.	Value	No.	Value	No.	Value

11 160 50 1100 20 200 4 200 8 120

4 80 4 40 7 100

3 60 7 120

3 1 40 35 700 15 150 4 200 20 300

2 4 80 4 50 7 20 7 100 7 30

0

5

2 3 120 3 60 7 100 4 60

0 4 80 15 300 4 400 10 150

0 4 160 6 150 5 50 4 100 6 70

1172 R. J. Boatman	Ida	Ida	Sw ⁴ W ⁴	15				80	560				
1121 Ernest B. Halverson	Ida	Ida	W ⁴ W ⁴ NE ⁴ NE ⁴ W ⁴ W ⁴	17				60	300	20	20		
1123 Hiram Halverson	Ida	Ida	Sw ⁴ E ⁴	17		80	800					150 4	80 4
1106 Bert H. Caud	Ida	Ida	Lat 1-2 4-SE ⁴ W ⁴ NE ⁴ NE ⁴	19				130	910				
1107 R. P. Ellis	Ida	Ida	SE ⁴ W ⁴ NE ⁴ NE ⁴ NE ⁴ NE ⁴	19	200	3000							
700 Sam Lapoli	Ida	Ida	Sw ⁴ SE ⁴	19				40	240				3
1178 Thos. B. Whorton	Cocatello, Ida	Ida	Lat 3 NE ⁴ SW ⁴	19				80	560				
1107 R. P. Ellis	Monida, Mont	Ida	W ⁴ W ⁴ NE ⁴ NE ⁴ SW ⁴ SW ⁴	20				160	800			600 1	40 35
697 Lester M. Shanton	Humphrey, Ida	Ida	W ⁴ W ⁴ NE ⁴ NE ⁴ NE ⁴ NE ⁴	20		40	400	110	530	10	10	100 4	80 4
1123 Hiram Halverson	Monida, Mont	Ida	W ⁴ SE ⁴	20				80	400				
653 Hiram Halverson	Ida	Ida	W ⁴ W ⁴	21				100	500	60	60		
654 Laurence B. Hatfield	Humphrey, Ida	Ida	SW ⁴ NE ⁴ NE ⁴ NE ⁴ SE ⁴	21				140	500			100	
655 Laurence B. Hatfield	Ida	Ida	SW ⁴	22				160	800				
1177 R. J. Boatman	Monida, Mont	Ida	W ⁴ W ⁴ W ⁴	22				80	560			50	
1174 Byron J. Hatfield	Blackfoot, Ida	Ida	W ⁴ W ⁴ W ⁴	27				50	250	30	30		
698 Franklin C. Robbins	Humphrey, Ida	Ida	Sw ⁴ W ⁴	27				80	600				
698 Franklin C. Robbins	Ida	Ida	Sw ⁴ SE ⁴	28				80	600				
1124 Byron J. Hatfield	Blackfoot, Ida	Ida	SE ⁴ NE ⁴	28		50	500	30	150			100	
1175 Chas. E. Jenkins	Humphrey, Ida	Ida	SW ⁴ SW ⁴	28				40	320				
655 Laurence B. Hatfield	Blackfoot, Ida	Ida	W ⁴ W ⁴ W ⁴	28				40	200	40	40		
1103 R. P. Ellis	Monida, Mont	Ida	W ⁴ W ⁴ NE ⁴ NE ⁴	29				120	600	40	40		
700 Chas. E. Jenkins	Humphrey, Ida	Ida	SE ⁴ SE ⁴	29		60	600	50	100				
700 Sam Lapoli	Monida, Mont	Ida	SW ⁴ W ⁴ NE ⁴ SW ⁴	29				120	720				
700 Sam Lapoli	Ida	Ida	NE ⁴	30				160	960				
1101 Clayton E. Kooler	Humphrey, Ida	Ida	SE ⁴ NE ⁴	31		50	500	30	150			100	
750 Albert E. Miller	Blackfoot, Ida	Ida	SE ⁴ SE ⁴	31		40	400	40	200				
750 Albert E. Miller	Ida	Ida	W ⁴ W ⁴ SW ⁴ SW ⁴	34				160	800	40	40	50	
1175 Chas. E. Jenkins	Humphrey, Ida	Ida	NE ⁴ NE ⁴	32				20	100	20	20	100 3	120 3
1101 Clayton E. Kooler	Ida	Ida	W ⁴ W ⁴ NE ⁴ SW ⁴	34				400	1000				
1101 Clayton E. Kooler	Ida	Ida	W ⁴ W ⁴ W ⁴	33				20	100	20	20		

List Number	NAME OF TAXPAYER	ADDRESS	Subdivision or Tax Number	Section	CLASSIFICATION OF LANDS								IMPROVEMENTS ON LANDS				CATTLE				HORSES, MULES, ASSES				
					Irrigated		Dry		Grazing		Waste		Class	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.	Value	
					Acres	Value	Acres	Value	Acres	Value	Acres	Value													
1171	Ernest B. Halverson	Monida, Mont	S 1/4 NW 1/4	8	100	2000			140	1400			150	11	160	50	1100			20	200	4	200	8	120
1172	R. T. Boatman	do	do	15					50	500															
1121	Ernest B. Halverson	do	do	17					60	300	20	20													
1173	Hyram Halverson	do	do	17			80	800					150	4	80	4	40			2	100				
1106	Bert H. Cress	do	do	19					130	910															
1107	R. P. Ellis	do	do	19	200	2000																			
700	Sam Lapioli	do	do	19					410	240			50		3	60			2	100					
1178	Thos. B. Whorton	Pocatello, Ida	do	19					80	560															
1109	R. P. Ellis	Monida, Mont	do	20					160	800			600	1	40	35	700	15	150	4	200	10	300		
1177	Lester H. Shambour	Humphrey, Ida	do	20			40	400	110	550	10	10	100	1	80	4	80	2	20	2	100	2	30		
1179	Hyram Halverson	Monida, Mont	do	20					80	400															
1175	Hyram Halverson	do	do	21					100	500	60	60													
654	Laurence B. Wakefield	Humphrey, Ida	do	21					40	5000															
655	Laurence B. Wakefield	do	do	22					100	800															
1172	R. T. Boatman	Monida, Mont	do	22					80	560			50												
1174	Byron J. Wakefield	Blackfoot, Ida	do	27					50	250	20	30													
696	Franklin C. Robbins	Humphrey, Ida	do	27					80	600															
698	Franklin C. Robbins	do	do	28					80	600															
1124	Byron J. Wakefield	Blackfoot, Ida	do	28			50	500	30	150		10	100												
1175	Chas. E. Jenkins	Humphrey, Ida	do	28					40	320															
653	Laurence B. Wakefield	Blackfoot, Ida	do	28					150	200	40	40													
1103	R. P. Ellis	Monida, Mont	do	29					120	600	50	40													
1176	Chas. E. Jenkins	Humphrey, Ida	do	29			60	600	20	100															
700	Sam Lapioli	Monida, Mont	do	29					120	720															
1101	Clayton E. Kooler	do	do	30					100	960															
1101	Clayton E. Kooler	Humphrey, Ida	do	31			50	500	30	150		100													
750	Albert E. Miller	Blackfoot, Ida	do	31			40	400	40	200															
1177	Chas. E. Jenkins	Humphrey, Ida	do	32					20	100	20	20	100	3	120	3	60			2	100	4	60		
1121	Clayton E. Kooler	do	do	32					400	1000															
1121	Clayton E. Kooler	do	do	33					20	100	20	20													
750	Albert E. Miller	Blackfoot, Ida	do	33					40	200															
700	Andrew J. Batt	Humphrey, Ida	do	33	40	800			100	800	20	20	200	2	80	15	300			4	200	10	150		
697	Franklin C. Robbins	Blackfoot, Ida	do	33	120	1200			40	200			100												
1101	Clayton E. Kooler	Humphrey, Ida	do	33			50	500	50	250	20	20	100	2	160	6	200			2	100	2	70		

1177 Ernest B. Halverson do
1177 R. T. Boatman do
1121 Ernest B. Halverson do
1173 Hyram Halverson do
1106 Bert H. Cress do
1107 R. P. Ellis do
700 Sam Lapioli do
1178 Thos. B. Whorton Pocatello,
1107 R. P. Ellis Monida,
1177 Lester H. Shambour Humphrey
1123 Hyram Halverson Monida,
1123 Hyram Halverson do
654 Laurence B. Wakefield Humphrey
655 Laurence B. Wakefield do
1172 R. T. Boatman Monida,
1174 Byron J. Wakefield Blackfoot,
696 Franklin C. Robbins Humphrey
698 Franklin C. Robbins do
1124 Byron J. Wakefield Blackfoot,
1175 Chas. E. Jenkins Humphrey
653 Laurence B. Wakefield Blackfoot,
1103 R. P. Ellis Monida,
1176 Chas. E. Jenkins Humphrey
700 Sam Lapioli Monida,
700 Sam Lapioli do
1101 Clayton E. Kooler Humphrey
750 Albert E. Miller Blackfoot
1177 Chas. E. Jenkins Humphrey
1121 Clayton E. Kooler do
1101 Clayton E. Kooler do