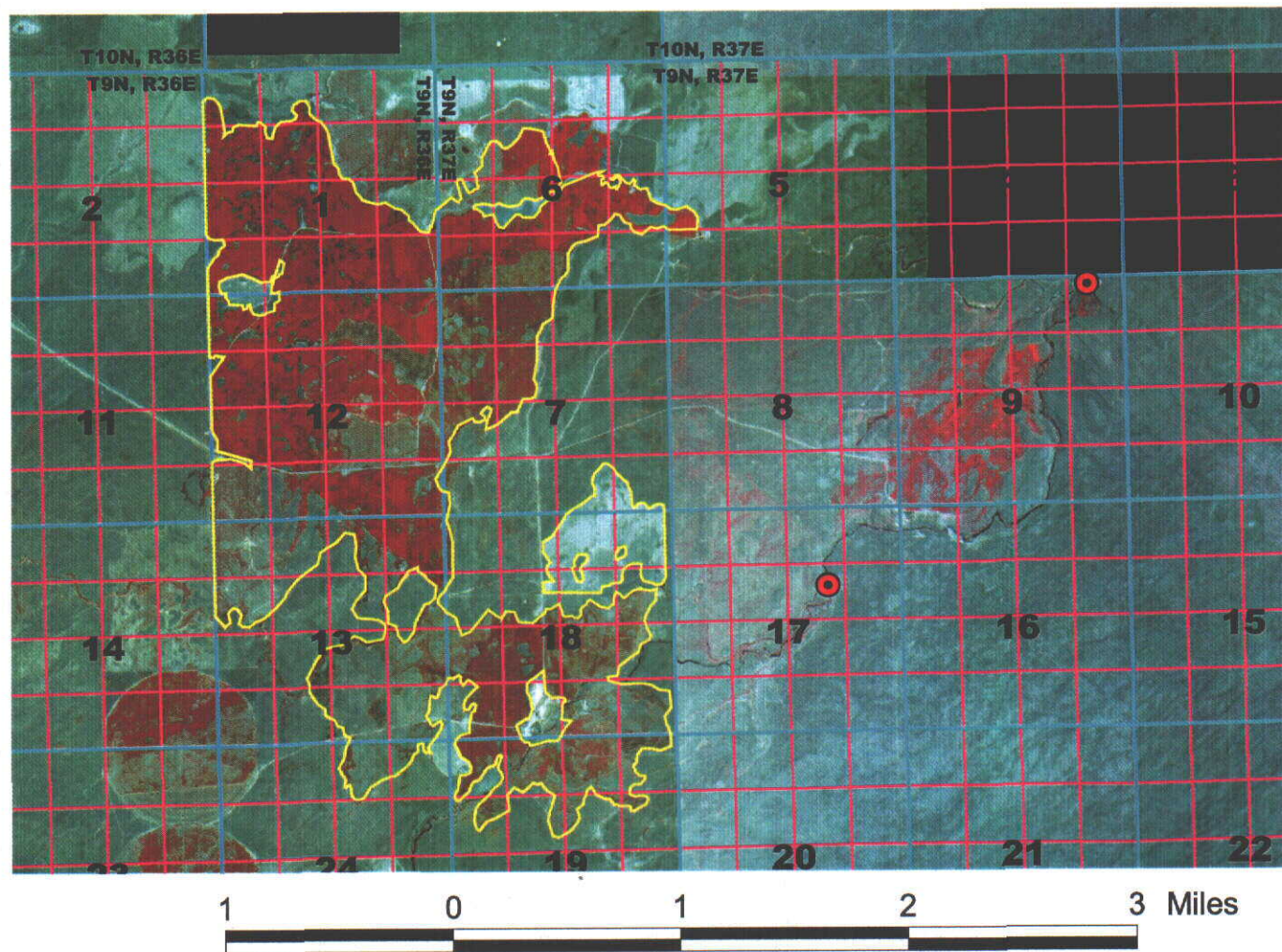
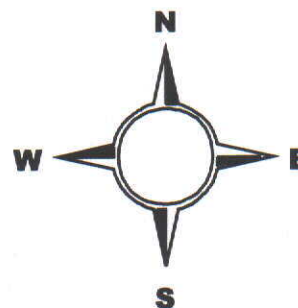


31-00238, 31-00239, 31-11600

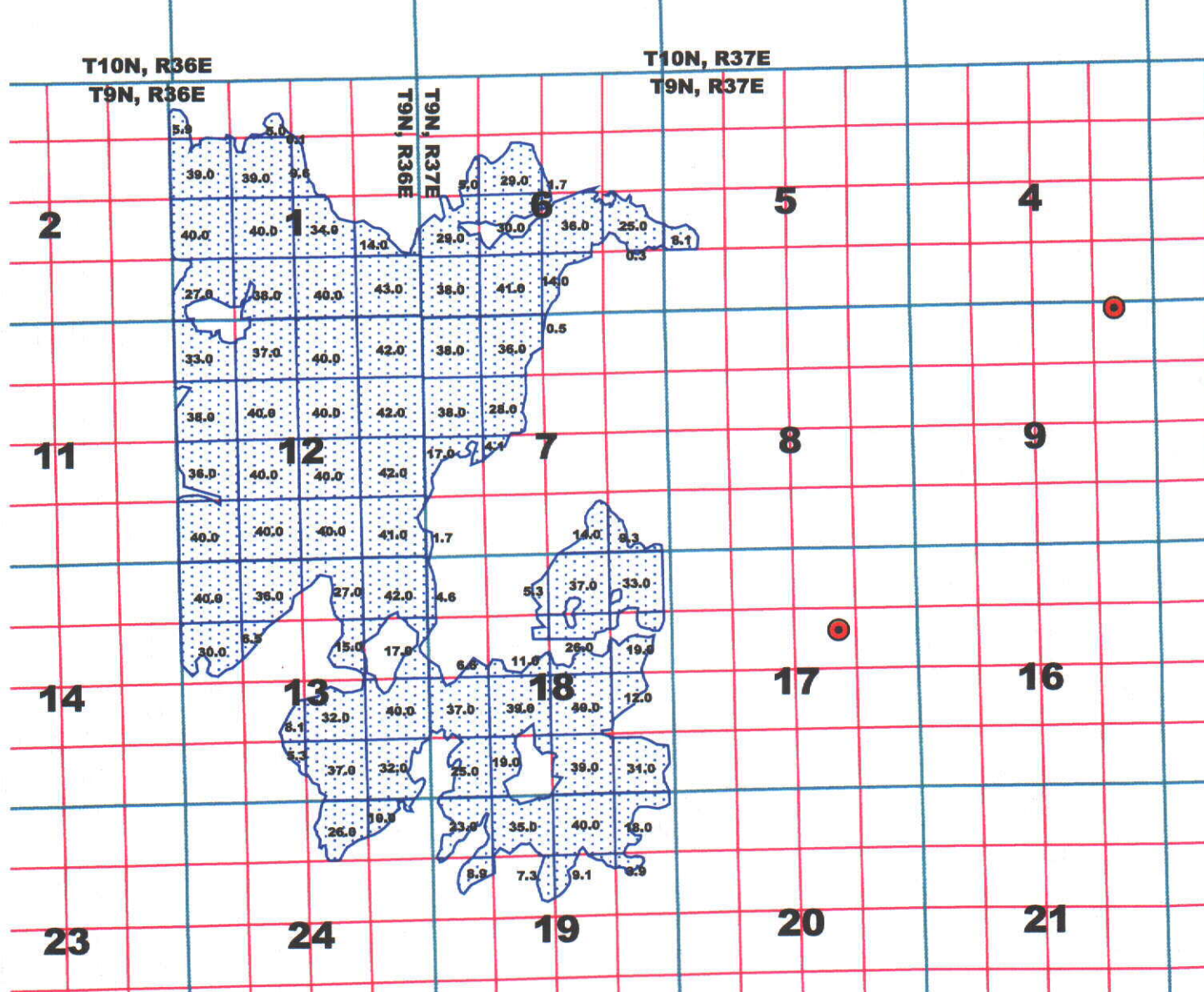


Total Irrigated Acres: 2382.8

-  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



Total Irrigated Acres: 2382.8

Permissible Place of Use

Acreage Distribution

Prepared By: Craig Saxton
January 2001

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE
QUANTITY: 13.15 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 25.36 CFS. COMBINED RIGHT NOS.:
31-124, 31-125, 31-126, 31-127, 31-128, 31-167, 31-238, 31-239
and 31-11600,

PRIORITY DATE: 05/01/1951

POINT OF DIVERSION: T09N R17E S09 NWNENE Within Clark County
S17 NESWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	13.15 CFS
	Stockwater	04-01 TO 10-31	0.58 CFS

PLACE OF USE:	Irrigation	Within Clark County
	T09N R36E S01 LOT 02 (NWNENE) 0.1	SWNE 9.6
	LOT 03 (NENW) 5.0	LOT 04 (NWNW) 5.9
	SWNW 39.0	SENE 39.0
	NESW 40.0	NWSW 40.0
	SWSW 27.0	SESW 38.0
	LOT 06 (NESE) 14.0	NWSE 34.0
	SWSE 40.0	LOT 07 (SESE) 43.0
	S12 LOT 01 (NENE) 42.0	NWNE 40.0
	SWNE 40.0	LOT 02 (SENE) 42.0
	NENW 37.0	NWNW 33.0
	SWNW 38.0	SENE 40.0
	NESW 40.0	NWSW 36.0
	SWSW 40.0	SESW 40.0
	LOT 03 (NESE) 42.0	NWSE 40.0
	SWSE 40.0	LOT 04 (SESE) 41.0
	S13 LOT 01 (NENE) 42.0	NWNE 27.0
	SWNE 15.0	LOT 02 (SENE) 17.0
	NENW 36.0	NWNW 40.0
	SWNW 30.0	SENE 6.5
	NESW 8.1	SESW 5.3
	LOT 03 (NESE) 40.0	NWSE 32.0
	SWSE 37.0	LOT 04 (SESE) 32.0
	S24 LOT 01 (NENE) 10.0	NWNE 26.0
	R17E S05 NWSW 8.1	
	S06 SWNE 1.7	LOT 05 (SWNW) 4.9
	SENE 29.0	NESW 30.0
	LOT 06 (NWSW) 29.0	LOT 07 (SWSW) 38.0
	SESW 41.0	NESE 25.0
	NWSE 36.0	SWSE 14.0
	SESE 0.3	
	S07 NWNE 0.5	NENW 36.0
	LOT 01 (NWNW) 38.0	LOT 02 (SWNW) 38.0
	SENE 28.0	NESW 4.1

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

CERTIFICATE OF MAILING

Water Right(s): 31-11600

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 31-11600 was mailed
on July 18, 2002, with sufficient first-class postage prepaid
to the following:

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

BEVERLY BURTENSHAW
DON & BEVERLY BURTENSHAW
Represented by:
GORDON S THATCHER
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

DON M BURTENSHAW
1603 N 1000 E
TERRETON, ID 83450
Phone: 208-663-4493

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/18/02

In Re SRBA)
) ORDER OF PARTIAL DECREE
Case No. 39576)
) For Water Right 31-11600
)
_____)

On May 1, 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 31-11600 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 18, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

SOURCE: CAMAS CREEK TRIBUTARY: MUD LAKE

QUANTITY: 13.150 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.36 CFS. COMBINED RIGHT NOS.: 31-124, 31-125, 31-126, 31-127, 31-128, 31-167, 31-238, 31-239 and 31-11600,

PRIORITY DATE: 05/01/1951

~~THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.~~

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	13.150 CFS
STOCKWATER	04/01 10/31	0.580 CFS

PLACE OF USE:

IRRIGATION Within CLARK County

T09N R36E S01 Lot 2 NWNE	0.1	T09N R36E S01	SWNE	9.6
T09N R36E S01 Lot 3 NENW	5.0	T09N R36E S01 Lot 4 NWNW		5.9
T09N R36E S01 SWNW	39.0	T09N R36E S01 SENW		39.0
T09N R36E S01 NESW	40.0	T09N R36E S01 NWSW		40.0
T09N R36E S01 SWSW	27.0	T09N R36E S01 SESW		38.0
T09N R36E S01 Lot 6 NESE	14.0	T09N R36E S01 NWSE		34.0
T09N R36E S01 SWSE	40.0	T09N R36E S01 Lot 7 SESE		43.0
T09N R36E S12 Lot 1 NENE	42.0	T09N R36E S12 NWNE		40.0
T09N R36E S12 SWNE	40.0	T09N R36E S12 Lot 2 SENE		42.0
T09N R36E S12 NENW	37.0	T09N R36E S12 NWNW		33.0
T09N R36E S12 SWNW	38.0	T09N R36E S12 SENW		40.0
T09N R36E S12 NESW	40.0	T09N R36E S12 NWSW		36.0
T09N R36E S12 SWSW	40.0	T09N R36E S12 SESW		40.0
T09N R36E S12 Lot 3 NESE	42.0	T09N R36E S12 NWSE		40.0
T09N R36E S12 SWSE	40.0	T09N R36E S12 Lot 4 SESE		41.0
T09N R36E S13 Lot 1 NENE	42.0	T09N R36E S13 NWNE		27.0
T09N R36E S13 SWNE	15.0	T09N R36E S13 Lot 2 SENE		17.0
T09N R36E S13 NENW	36.0	T09N R36E S13 NWNW		40.0
T09N R36E S13 SWNW	30.0	T09N R36E S13 SENW		6.5
T09N R36E S13 NESW	8.1	T09N R36E S13 SESW		5.3
T09N R36E S13 Lot 3 NESE	40.0	T09N R36E S13 NWSE		32.0
T09N R36E S13 SWSE	37.0	T09N R36E S13 Lot 4 SESE		32.0
T09N R36E S24 Lot 1 NENE	10.0	T09N R36E S24 NWNE		26.0
T09N R37E S05 NWSW	8.1	T09N R37E S06 SWNE		1.7
T09N R37E S06 Lot 5 SWNW	4.9	T09N R37E S06 SENW		29.0

T09N R37E S07 Lot 3	NWSW	17.0	T09N R37E S07 Lot 4	SWSW	1.7
T09N R37E S07	SWSE	14.0	T09N R37E S07	SESE	9.3
T09N R37E S18	NENE	33.0	T09N R37E S18	NWNE	37.0
T09N R37E S18	SWNE	26.0	T09N R37E S18	SENE	19.0
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	SENE	11.0
T09N R37E S18	NESW	39.0	T09N R37E S18 Lot 3	NWSW	37.0
T09N R37E S18 Lot 4	SWSW	25.0	T09N R37E S18	SESE	19.0
T09N R37E S18	NESE	12.0	T09N R37E S18	NWSE	40.0
T09N R37E S18	SWSE	39.0	T09N R37E S18	SESE	31.0
T09N R37E S19	NENE	18.0	T09N R37E S19	NWNE	40.0
T09N R37E S19	SWNE	9.1	T09N R37E S19	SENE	3.9
T09N R37E S19	NENW	35.0	T09N R37E S19 Lot 1	NWNW	23.0
T09N R37E S19 Lot 2	SWNW	8.9	T09N R37E S19	SENE	7.3

STOCKWATER 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 857.8 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 RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 31-124, 31-125, 31-126, 31-127, 31-128, 31-167, 31-238, 31-239 PURSUANT TO SECTION 42-1426, IDAHO CODE.~~

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 - Beneficial Use

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

~~THIS RIGHT IS FOR AN ENLARGEMENT OF 857.8 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEVERLY BURTONSHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 83450-5033

DON M BURTONSHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 83450-5033

2. Date of Priority: 01/01/1999 (Amended to 5/1/1951 by Don B.)

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

4. Point of Diversion:

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

5. Description of diverting works:

CONCRETE DIVERSIONS WITH SCREW GATES OFF MAIN CHANNEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	13.15	
STOCKWATER	04/01	10/31	0.58	

7. Total Quantity Appropriated is:

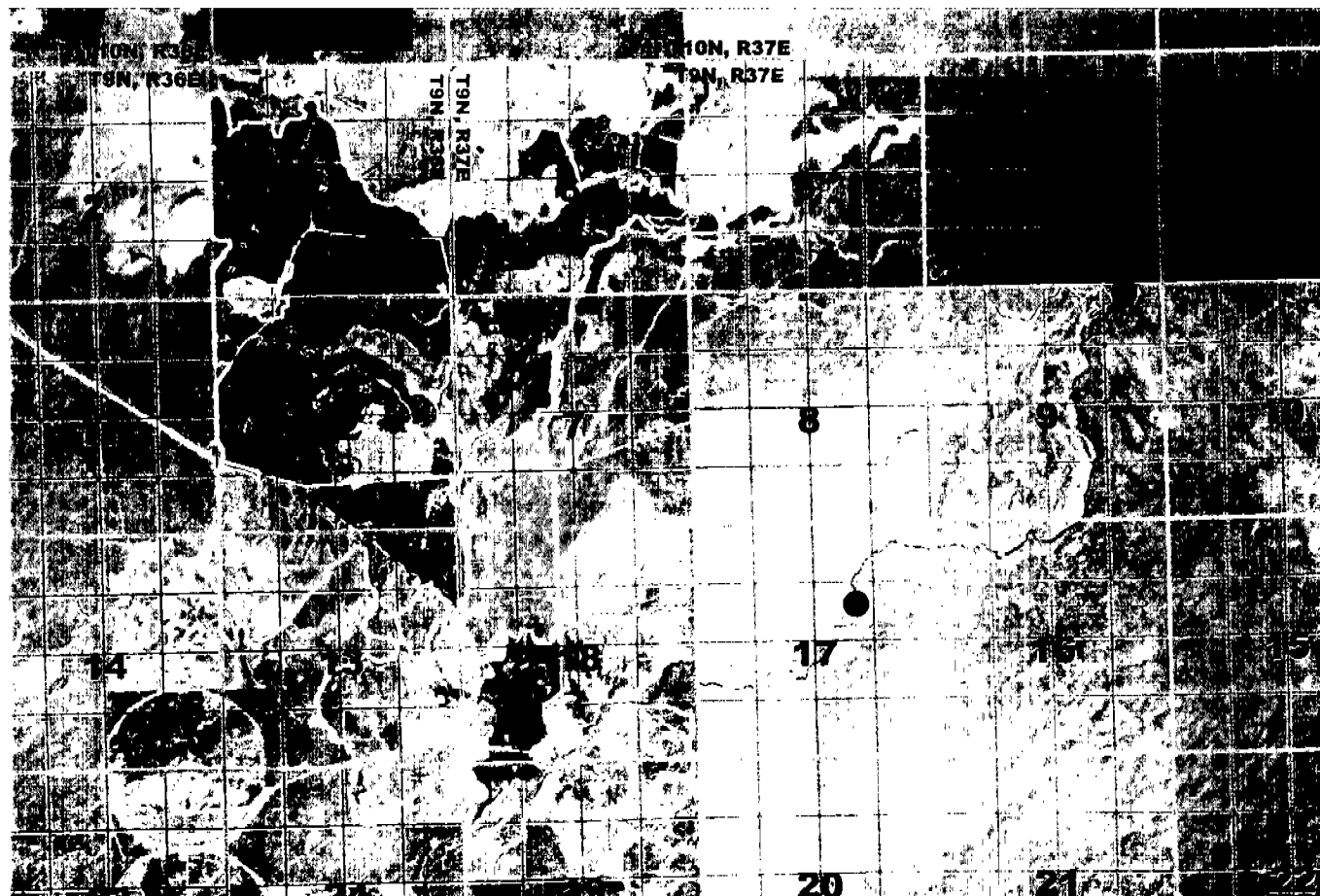
(Q not added.. should read 13.15 cfs)

8. Total consumptive use:

9. Non-irrigation uses:

Forwarded to Annex 116H
2/1/02


31-00238, 31-00239, 31-11600



1 0 1 2 3 Miles

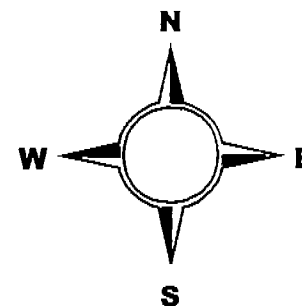
Total Irrigated Acres: 2332.3

⊙ Point(s) of Diversion

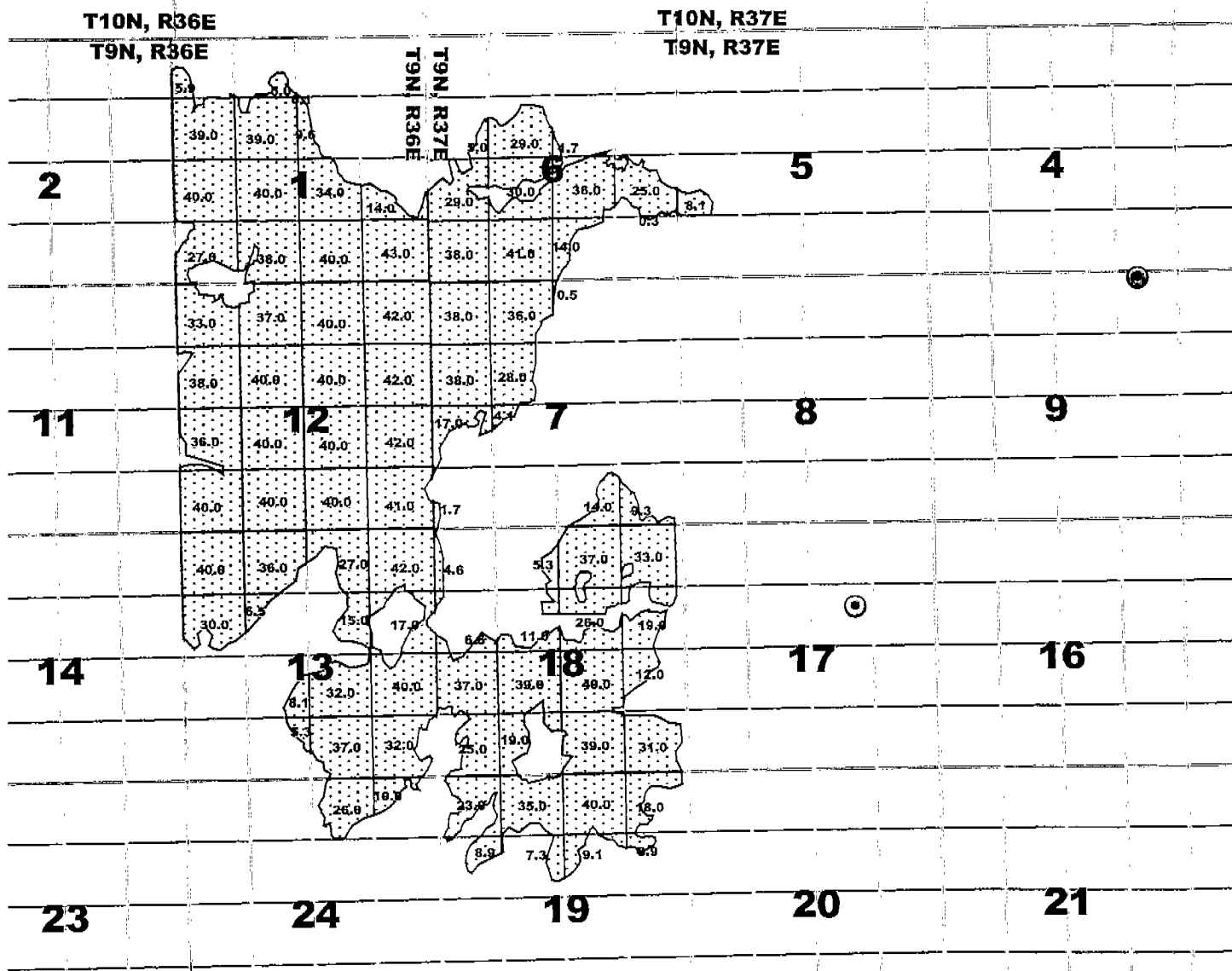
Place of Use

□ Quarter Section Lines

□ Section Lines



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



Total Irrigated Acres: 5382.0

Permissible Place of Use

Acreage Distribution

Prepared By: Craig Saxton
January 2001

FAX NO. (208) 525-7177

TRANSMITTAL COVER SHEET

OMNIFAX

TO: CANDICE FROM: A

DOCUMENT DESCRIPTION: Burtonshaw

31-11600

TOTAL NUMEER OF PAGES (Including this page): 7

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* BILLING ADDRESS: _____*
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* NO. OF PAGES _____ COST/PAGE _____ TOTAL CHARGE _____*
*

SOURCE:

CAMAS CREEK

TRIBUTARY: MUD LAKE

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

PRIORITY DATE: 05/01/1951

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

A3111600

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	13.15 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		SWNE	9.6
T09N R36E S1	LOT 3	NENW	5	T09N R36E S1	LOT 4	NWNW	5.9
T09N R36E S1		SWNW	39	T09N R36E S1		SESW	39
T09N R36E S1		NESW	40	T09N R36E S1		NWSW	40
T09N R36E S1		SWSW	27	T09N R36E S1		SESW	38
T09N R36E S1	LOT 6	NESE	14	T09N R36E S1		NWSE	34
T09N R36E S1		SWSE	40	T09N R36E S12	LOT 1	NENE	42
T09N R36E S12		NWNE	40	T09N R36E S12		SWNE	40
T09N R36E S12	LOT 2	SENE	42	T09N R36E S12		NENW	37
T09N R36E S12		NWNW	33	T09N R36E S12		SWNW	38
T09N R36E S1	LOT 7	SESE	43	T09N R36E S12		SESW	40
T09N R36E S12		NESW	40	T09N R36E S12		NWSW	36
T09N R36E S12		SWSW	40	T09N R36E S12		SESW	40
T09N R36E S12	LOT 3	NESE	42	T09N R36E S12		NWSE	40
T09N R36E S12		SWSE	40	T09N R36E S12	LOT 4	SESE	41
T09N R36E S13	LOT 1	NENE	42	T09N R36E S13		NWNE	27
T09N R36E S13		SWNE	15	T09N R36E S13	LOT 2	SENE	17
T09N R36E S13		NENW	36	T09N R36E S13		NWNW	40
T09N R36E S13		SWNW	30	T09N R36E S13		SESW	6.5
T09N R36E S13		NESW	8.1	T09N R36E S13		SESW	5.3

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 857.8 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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-00124 PURSUANT TO SECTION 42-1426, IDAHO CODE.

NO!
NOT BY 42-1426

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Priority Date: 05/01/1951
Basis: Beneficial Use
Status: Valid

Source
CAMAS CREEK

Tributary to
MUD LAKE

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	13.15 CFS		
STOCKWATER	04/01	10/31	0.58 CFS		

Location of Point(s) of Diversion:

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

IRRIGATION Use:
Acre Limit: 857.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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		SENW	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		SENW	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		SENW	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		SENW	7.3
		5		NWSW	8.1									

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-00124 PURSUANT TO SECTION 42-1426, IDAHO CODE.
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.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 857.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Explanatory STOCKWATER IS FOR 3500 SHEEP, 2000 HEAD STOCK, 50 HORSES.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	1/8/01	Enlargement Claim	This an enlargement of 31-00124 for 857.8 acres W/I POU Described. Permissible POU with 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.

Dates:

Licensed Date:
 Claim Received Date: 12/18/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/8/01 11:17:47 AM	csaxton			In Process
POD	1/8/01 11:19:15 AM	csaxton			In Process
POU	1/8/01 11:24:30 AM	csaxton			In Process
Priority Date	1/8/01 11:18:54 AM	csaxton			In Process

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:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Contacts	1/8/01 11:17:44 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Allen Ruberry met with claimants on 12/29/00. Edited point location Edited point location
POD	1/8/01 11:20:26 AM	csaxton	1. (YES) The basis is beneficial use.
POD	1/8/01 11:20:09 AM	csaxton	4. (NO) There is not evidence that there has been a change in the Point of Diversion.
POD	1/8/01 11:19:14 AM	csaxton	6. (YES) The file contains all the necessary information to verify the POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required. 1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
POU	1/8/01 11:24:28 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (YES) The claim file contains sufficient evidence of priority date. 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.
Priority Date	1/8/01 11:18:51 AM	csaxton	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: See file 31-00124 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Quantity	1/8/01 11:27:51 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.
Season	1/8/01 11:26:42 AM	csaxton	

Summary	1/8/01 11:47:20 AM	csaxton
Use	1/8/01 11:22:58 AM	csaxton

1. (YES) The basis of the claim is beneficial use.
2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.
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.
1. (YES) The basis of claim is beneficial use.
4. (NO) There is not evidence that there has been a change to the purpose of use.
9. (YES) The file contains all the necessary information to verify the purpose of use.
11. (NO) Purpose of Use remark was not required.
12. (NO) Purpose of Use condition was not required.

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

1. Name of Claimant(s)

BEVERLY BURTONSHAW Phone: (208)663-4493

1603 N 1000 E
TERRETON ID USA 93450

DON M BURTONSHAW Phone: (208)663-4493

1603 N 1000 E
TERRETON ID USA 93450

2. Date of Priority: 01/01/1999

Don B 5/1-51

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 SCREW GATES OFF MAIN CHANNEL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.
IRRIGATION	04/01	10/31	13.15
STOCKWATER	04/01	10/31	0.58

(or) A.F.A

7. Total Quantity Appropriated is:

8. Total consumptive use:

9. Non-irrigation uses:

# of pages	Date	From	Co.	Phone #	Fax #
1	7671	To	Co./Dept.	Phone #	Fax #

			SW	NW		IRRIGATION	39
			NE	SE	6	IRRIGATION	14
			NW	SE		IRRIGATION	34
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SE	SE	7	IRRIGATION	43
			SW	SE		IRRIGATION	40
			SE	SW		IRRIGATION	38
						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	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
			SE	SE	4	IRRIGATION	32
			SW	SE		IRRIGATION	37
			SE	SW		IRRIGATION	5.3
						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

			SW	SE		IRRIGATION	14
			SE	SW		IRRIGATION	41
			SW	SW	7	IRRIGATION	38
						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	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
			SW	SE		IRRIGATION	39
			SE	SW		IRRIGATION	19
			SW	SW	4	IRRIGATION	25
						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

THIS IS AN ENLARGEMENT CLAIM OF 31-00124 FOR 857.8 ACRES W/I POU DESCRIBED.
PERMISSIBLE POU WITH 31-00124, 125, 126, 127, 128, 167, 238 AND 239.

15. Basis of Claim: Beneficial Use

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): Wm M. Burtenshaw Date: 12-29-2000

Date:

State of Idaho)
County of BONNEVILLE) SS.

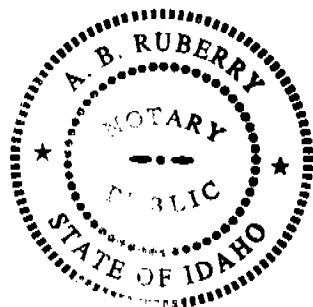
Subscribed and sworn (or affirmed) before me this 29th
of Dec. 2000

Allen B. Ruberry

Notary Public

Residing at Boano Falls Rd

My commission Expires 09/23/03



In Re SRBA

Subcase 31-11600

(insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Don M. Burtenshaw & Beverly Burtenshaw

Address: 1603 N. 1000 E.

Terreton, Idaho 83450

Daytime Phone: 208-250-4498(M) 208-663-4493

Name & Address of Attorney, if any:

Gordon Thatcher

25 N. 2nd E.

Redding, Idaho 83440

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

Name: Don M. Burtenshaw & Beverly Burtenshaw

Address: 1603 N. 1000 E.

Terreton, Idaho 83450

2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: In the quantity portion of Director's Report no quantity was listed. It should say 13.150 CFS as it states in the purpose & period of use, we think this is a typographical error.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place 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): Candice McCue from IAWR

noticed this mistake & brought it to our attention. She thinks it was left out by mistake, either by data entry error or computer software malfunction.

erthat 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.

(Signature of person filing objection)

Stephen S. Thattley
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 30, 2002



Marsha L. Mahary
Notary Public for IDAHO
Residing at: Reynoldsburg
My Commission Expires: 4-10-2006

G.

CERTIFICATE OF MAILING

I certify that on January 30, ²⁰⁰²~~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

Attn: Dianna Delaney

Also by FAX : 208-736-2121

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

Name: Don M. Burtenshaw or Beverly Burtenshaw
Address: 1603 N. 1000 E.
Terreton, Idaho 83450

3. Copies to:

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

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

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

Jason S. Hallock

Signature of Objector or attorney
mailing on Objector's behalf

*Attorney for
Objector*

Right Number: 31-11600

Name and Address: BEVERLY BURTONSHAW
DON M BURTONSHAW
1603 N 1000 E
TERRETON, ID 83450

LATE DGS RAN TO SRBA

*X PLAN: WAIT ON SF-S TILL
COUNT APPROVES MOTION.*

Source: CAMAS CREEK Tributary: MUD LAKE

Quantity: 13.15 cfs omitted

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 25.36 CFS. COMBINED RIGHT NOS.:
31-124, 31-125, 31-126, 31-127, 31-128, 31-167, 31-238, 31-239
and 31-11600,

Priority Date: 05-01-1951

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

Diversion Point: T09N R37E S09 NWNENE Within Clark County
S17 NESWNE

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	13.15 CFS
	Stockwater	04-01 TO 10-31	.58 CFS

Place of Use:	Irrigation	In Clark County
T09N R36E S01 L		SWNE 9.6
L		LOT 4 (NWNW) 5.9
		SENW 39
	NESW 40	NWSW 40
	SWSW 27	SESW 38
LOT 6 (NESE) 14		NWSE 34
SWSE 40		LOT 7 (SESE) 43
S12 LOT 1 (NENE) 42		NWNE 40
SWNE 40		LOT 2 (SENE) 42
NENW 37		NWNW 33
SWNW 38		SENW 40
NESW 40		NWSW 36

S06	SWNE 1.7	LOT 5 (SNNW) 4.9
	SENW 29	NESW 30
LOT 6 (NWSW) 29		LOT 7 (SWSW) 38
	SESW 41	NESE 25
	NWSE 36	SWSE 14
	SESE 0.3	
S07	NWNE 0.5	NENW 36
LOT 1 (NWNW) 38		LOT 2 (SWNW) 38
	SENW 28	NESW 4.1
LOT 3 (NWSW) 17		LOT 4 (SWSW) 1.7
	SWSE 14	SESE 9.3
S18	NENE 33	NWNE 37
	SWNE 26	SENE 19
	NENW 5.3	LOT 1 (NWNW) 4.6
LOT 2 (SWNW) 6.6		SENW 11
	NESW 39	LOT 3 (NWSW) 37
LOT 4 (SWSW) 25		SESW 19
	NESE 12	NWSE 40
	SWSE 39	SESE 31
S19	NENE 18	NWNE 40
	SWNE 9.1	SENE 3.9
	NENW 35	LOT 1 (NWNW) 23
LOT 2 (SWNW) 8.9		SENW 7.3
2382.8 Acres Total		

Stockwater
Same as Other Use

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 / Administration of this Water Right:

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 31-124, 31-125, 31-126, 31-127, 31-128, 31-167, 31-238, 31-239 PURSUANT TO SECTION 42-1426, IDAHO CODE.

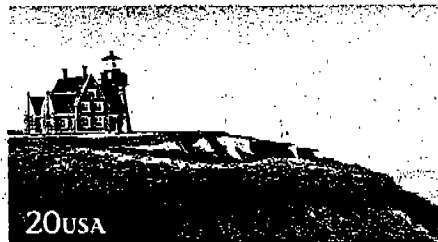
Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER IS FOR 3500 SHEEP, 2000 HEAD STOCK, 50 HORSES. THIS RIGHT IS FOR AN ENLARGEMENT OF 857.8 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



DON & BEVERLY BURTENSHAW
1603 N 1000 E
TERRETON ID 83450-5033

[] 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

Water right number: 31-11600

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:

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

DATE: 3-3-01 SIGNATURE: Don M. Burtenshaw

Please print your name: DON M. BURTENSHAW

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

Payer	BURTENSHAW, DON M
Comment	Enlargement Claim 31-11600

Fee Detail

Amount	Description	Fund	FD	PCA	SO
<u>\$100.00</u>	<u>ADJUDICATION FILING FEE 0337</u>			<u>43503</u>	<u>1155</u>



Signature Line (Dept. Representative)

FAX TRANSMITTAL SHEET

DATE: 12-19-00

TO: NAME: Al Ruberry

COMPANY: Idaho Dept. Water Resources

FAX #: 525-7177

PHONE #: 525-7172

FROM: NAME: Joe Laird

CITY OF REXBURG
P O BOX 280
REXBURG, IDAHO 83440
FAX # (208) 359-3022
PHONE # (208) 359-3020, Ext. 324

*Enclosed are Priority
and Priority Data*

Please forward this fax transmittal to the above named individual.

Additional message: Info on putting land
under cultivation using Camas
on Water Rights

THIS IS PAGE 1 OF 2 PAGES

TO: Mr. Al Ruberry
Idaho Water Resources Department

December 19, 2000

FROM: Joe Laird, President
Laird & Sons, Inc.

SUBJECT: Expansion of irrigated lands using Camas Cr water rights.

To the best of my recollection the following list describes which year various portion of land became irrigated with Camas Creek water rights.

1951 & 1952 — That portion SW1/4 Sec. 5, T9N, R37E and that portion of SE1/4 Sec. 6, T9N, R37E lying southerly of the main irrigation ditch.

1953 ————— That portion of SW 1/4 Sec. 6, T9N, R37E lying southerly of the main irrigation ditch.

1954 ————— A portion of the W1/2 Sec. 7, T9N, R37E lying north of the main County Road.

1955 ————— That portion of SE1/4 Sec 1, T9N, R36E lying southerly of the main irrigation ditch.

1956 ————— The E1/2, Sec. 12, T9N, R36E, lying north of the main County Road.

1957 ————— A portion of S1/2, Sec. 12 and NE 1/4, Sec. 13, T9N, R36E lying south of the main County Road.

1958 ————— The SW1/4, Sec. 1, T9N, R36E.

1959 ————— That portion of the W1/2 of Sec. 12, T9N, R36E lying north of the main County Road.

1960 & 1961 — The SE1/4, Sec 2, T9N, R36E.

1962 ————— The NW1/4, Sec. 1, T9N, R36E and that portion of the SE1/4, Sec. 35, T10N, R36E lying south of the main irrigation ditch.

1963 ————— Portions of the NE1/4, Sec. 2, T9N, R36E.

1964 ————— Portions of the SW1/4, Sec. 12, and NW1/4 Sec. 13, T9N, R36E, lying south of the main County Road.

Dec. 19. 2000 2:48PM

CITY OF REXBURG

No. 5584 P. 2