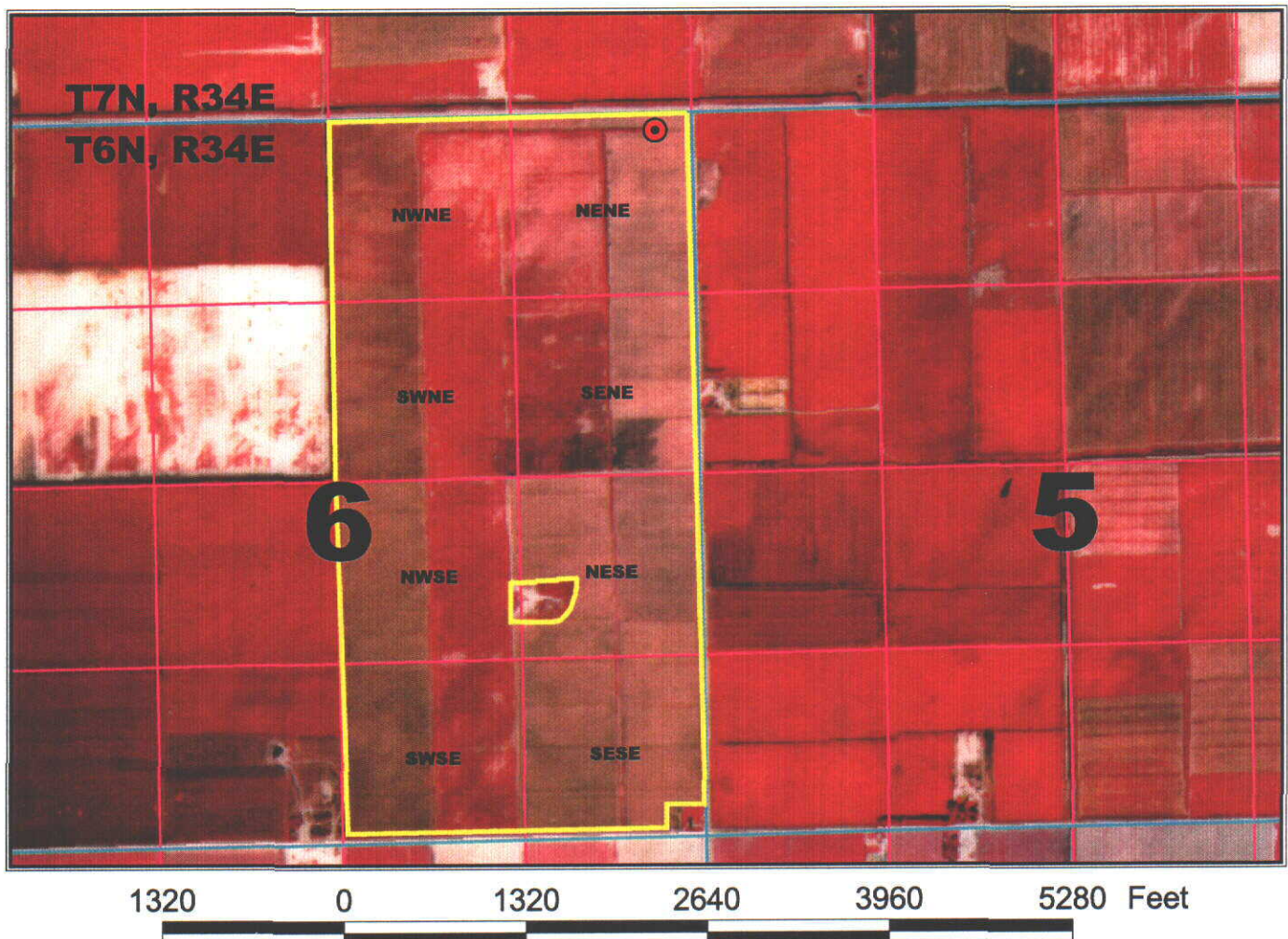




STATE OF IDAHO

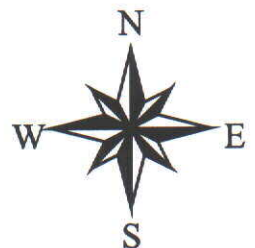
Department of Water Resources
Eastern Region

Water Right(s): 31-07012 and 31-11663



Total Irrigated Acres: 308

- 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: March 2001

03/21/2001

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

RIGHT NUMBER: 31-11663

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

SOURCE: GROUND WATER

QUANTITY: 6.75 CFS
1078 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-07012 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.75 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1078 AF.

PRIORITY DATE: 12/31/1945

POINT OF DIVERSION: T06N R34E S6 NENENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	6.75 CFS 1,078.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T06N R34E S6	LOT 1	NENE	39	T06N R34E S6	LOT 2	NWNE	40
T06N R34E S6		SWNE	40	T06N R34E S6		SENE	39
T06N R34E S6		NESE	37	T06N R34E S6		NWSE	39
T06N R34E S6		SWSE	37	T06N R34E S6		SESE	37

308 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-07012 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 308 ACRES IN A SINGLE
IRRIGATION SEASON.

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

Water Right 31-11663

A31-11663



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 31-11663

Date Received: 3/9/01

Receipt No:

Received By:

502653,
Bac

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

1. Name of Claimant(s)

DON M BURTENSCHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 83450

BEVERLY BURTENSCHAW Phone: (208) 663-4493

1603 N 1000 E
TERRETON ID USA 83450

2. Date of Priority: 12/31/1945

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	34E	6	NE NE NE	JEFFERSON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	6.75	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

06N	34E	6	NE	NE	1	IRRIGATION	40
			NW	NE	2	IRRIGATION	40
			SE	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
						Section Acres	320
						Total Acres	320

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A CLAIM FOR EARLIER PRIORITY DATE AND ADDITIONAL CFS ON THE SAME LANDS AS LICENSED UNDER 31-7012. AFFIDAVITS IN FILE ESTABLISH PRIORITY DATE, AND ESTABLISH THAT SYSTEM IN LICENSING EXAM WAS SYSTEM IN PLACE PRIOR TO 1961.

LICENSING EXAM ESTABLISHES CLAIMED DIVERSION CAPACITY AND LETTER FROM NRCS CONSERVATIONIST ESTABLISHES NEED FOR MORE THAN ONE INCH PER ACRE.

ACRES PAID FOR UNDER CLAIM 31-7012.

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: NRCS letter and calculations, 3 pages. Five affidavits.

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):

Lynn W. Burtenshaw

Date: 3/9/01

Lynn W. Burtenshaw,
representative of Don and Beverly
Burtenshaw.

State of Idaho)

County of

Bonneville

) SS.

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

of March, 2001

Bryce A. Contor

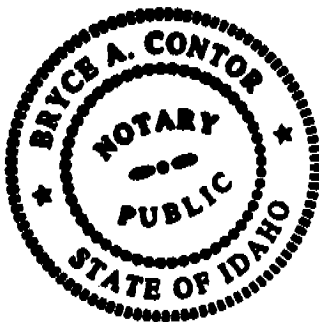
Notary Public

Residing at

Mud Lake ID

My commission Expires

10/14/05

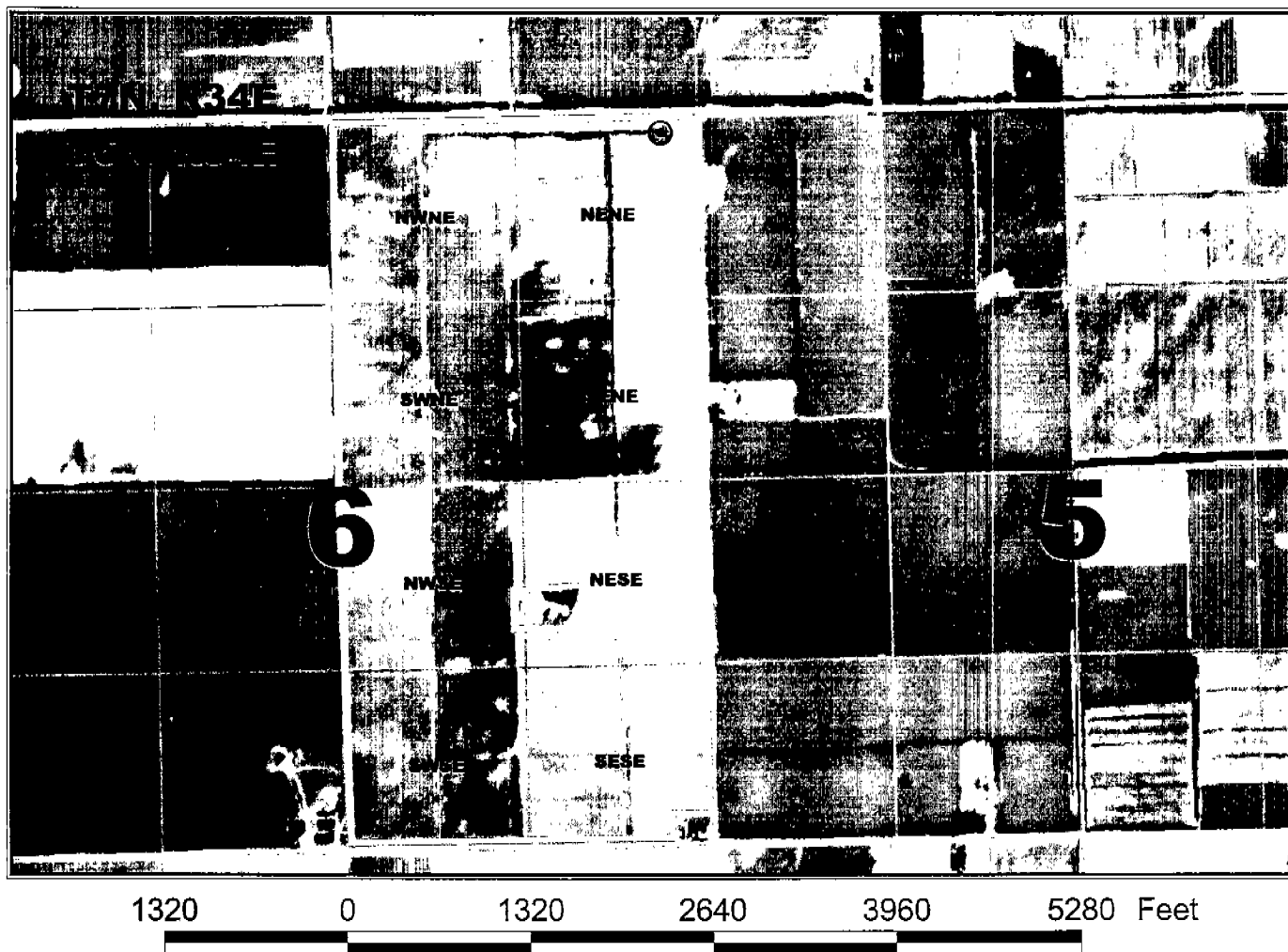




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-07012 and 31-11663



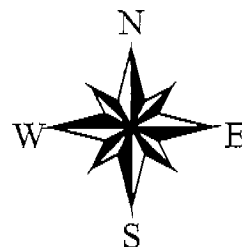
Total Irrigated Area: 100

⊙ Point(s) of Diversion

Place of Use

Quater Section Lines

Section Lines



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

31-11663

JULY 23, 2001

DEAR MR. & MRS. BURTENSHAW;

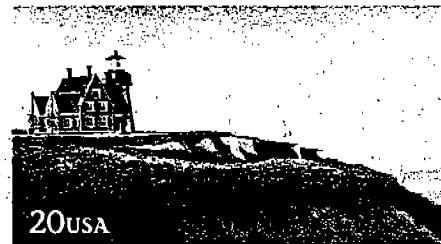
ALL WATER RIGHTS IN YOUR NAMES HAVE BEEN CHANGED TO
REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

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.
Montevieu, 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: Don 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



United States
Department of
Agriculture

Natural
Resources
Conservation
Service

182 East Fremont
Rigby, ID 83442

3/9/01

Bryce Contor
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Idaho 83402

Dear Bryce,

I received a request from Don Burtenshaw to evaluate his farm which is 2 miles northwest of Terreton, presently operated by Steve Burtenshaw, Water Right Number 31-07012. The legal description of this farm is: E1/2 Sec 6, T 6 N, R 34 E. The farm is identified using our records as Farm Number 2859, Tract Number 352. The farm contains 306 acres of cropland. The primary crops grown are alfalfa, barley, wheat and occasionally potatoes. The soils are identified as primarily as Terreton loamy sand and Terreton sandy loam in the Jefferson County Soil Survey.

The farm is irrigated with 2 center pivots and the corners are flooded out of the mainline. The pump is 250 hp, with a 100 hp booster. High winds of long duration in this area reduce irrigation efficiencies and increase crop moisture requirements. Approximately 16% of acres are flooded and 84% are sprinkled. I evaluated the irrigation requirements of this farm using a program called the Farm Irrigation Rating System (FIRI). FIRI provides a uniform and objective evaluation method for determining irrigation water requirements. A copy of the FIRI evaluation is attached. Using the combined data for the two irrigation types I have determined that it takes approximately 64 inches of water to produce alfalfa at this location. Using a seasonal consumptive requirement of 28.5 inches for alfalfa would result in a 44% efficiency. Using present system and irrigation management FIRI shows that it could take up to 2.3 inches/acre for the highest consumptive use crops i.e. alfalfa, potatoes. It would be reasonable to assume that grain crops will require less water, but would still require a minimum of 1.5 inches/acre to adequately meet peak demand.

Please feel free to contact me at 208-745-6664 ext. 3 if you have any questions.

Sincerely,

J. Howard Johnson
District Conservationist

Farm Irrigation Rating System

page 1

The following evaluation is for : Lynn Burtenshaw

Farm ID : 2859

Field ID : T352

Area irrigated : 306.00 acres

Crop grown : Alfalfa

NIR : 28.50 inches per acre

Soil series name : Terreton loamy sand

Intake family : 1.50 inches

FACTOR	Present	Year1	Year2	Year3	Year4	Year
-----	-----	-----	-----	-----	-----	-----
Method of irrigation	Flood	Sprinkle				
Potential efficiency	60	80				
Water measurment	0.95	1.00				
Soil/moisture scheduling	0.95	0.95				
Irr. skill and action	0.95	0.95				
System maintenance	0.93	0.93				
Water delivery	0.98	0.99				
Soil condition	0.94	0.94				
Water control	1.00	0.97				
Conveyance efficiency	0.99	0.99				
Surface topograghy	0.85					
Water reuse factor						
Climate (sprinkler only)		1.00				
Wind (sprinkler only)		0.94				
	-----	-----	-----	-----	-----	-----
Eff. - Conv. & Field (%)	37.23	56.63				
Gross Irrig. Req. (Inch)	76.55	50.33				
Total acre feet required	1951.90	1283.37				
Field efficiency (%)	40.3	63.2				
Total water loss (AF)	1077.5	510.5				
Seasonal Water Loss (Ft)	3.5	1.4				
Deep Perc (Ft.)	2.29	0.93				
Run off (Ft.)	1.23	0.50				

The following evaluation is for : Lynn Burtenshaw

Farm ID : 2859
 Field ID : T352
 Area irrigated : 306.00 acres
 Crop grown : Alfalfa
 NIR : 28.50 inches per acre
 Soil series name : Terreton loamy sand
 Intake family : 1.50 inches

FACTOR -----	Present -----	Improved -----
Method of irrigation	Flood	Sprinkler
Potential efficiency (per cent)	60	80
MANAGEMENT FACTORS -----		
Water measurement	0.95	1.00
Soil/moisture scheduling	No change	No change
Irr. skill and action	No change	No change
System maintenance	No change	No change
Water delivery	0.98	0.99
Soil condition	No change	No change
SYSTEM FACTORS -----		
Water control	1.00	0.97
Conveyance efficiency	0.99	0.99
Surface topograghy	No change	No change
Water reuse factor	No change	No change
Climate (sprinkler only)	0.00	1.00
Wind (sprinkler only)	0.00	0.94
System efficiency (%)	37.23	56.63
Gross Irrigation Requirement (In)	76.55	50.33
Total acre feet required	1951.90	1283.37

March 5, 2001

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

To Whom it May Concern:

I am writing this letter concerning Water Right No. 31-07012. I purchased the farm with this water right in 1961 from Joe Rammell who told me that he had bought the farm from Bruce Reising, the person who had drilled the well and started to develop the ground on this 320 acres. Joe told me that Bruce Reising drilled the well in 1942. Joe rented the farm to Gaylin Petersen and his brother-in-law in 1960 and decided to sell it to me in 1961. At the time, all of the 320 acres was being farmed with the exception of about a 3 acre sand bump in the south 160 acres. The pump, bowls and well that I purchased from Joe Rammell were the same that I sold to Garth Soderquist, and I believe the pump motor was 200 horse power. In May of 1962, I surveyed and re-leveled the last of the rougher ground and farmed the entire 320 acres except that one sand bump. I sold the farm to Garth Soderquist in 1968 and he and his sons farmed it until 1996 when I bought it back from Keith Soderquist, Garth's son. I farmed it that season and sold it to my son Steve Burtenshaw in December of 1996.

Sincerely,

A handwritten signature in cursive script that reads "Don M. Burtenshaw". The signature is written in dark ink and is positioned below the word "Sincerely,".

Don M. Burtenshaw
1603 N. 1000 E.
Terreton, ID 83450
(208) 663-4493 Home
(208) 250-4498 Mobile

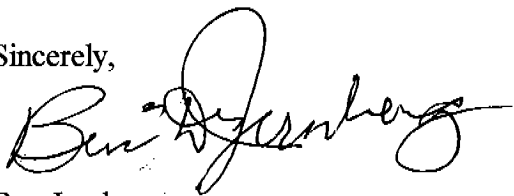
February 21, 2001

Roxanne Brown
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706-2237

Dear Roxanne:

I am writing this affidavit concerning Water Right No. 31-07012 at T06N, R34E, Section 6, NE and SE Quarters. To the best of my recollection, Bruce Reising drilled the well that waters this 320 acres in about 1945 and farmed as much as he could before selling it to Dan Rammell who developed and farmed more of the ground until 1960 when he leased it to Galen Petersen who farmed it one year. Don Burtenshaw bought it in 1960 and leveled the ground and farmed it until 1968 when he sold it to Garth Soderquist.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ben Jernberg". The signature is written in black ink and is positioned above the printed name.

Ben Jernberg

February 21, 2001

Roxanne Brown
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706-2237

Dear Roxanne:

I am writing this affidavit concerning Water Right No. 31-07012 at T06N, R34E, Section 6, NE and SE Quarters. To the best of my memory, the well was drilled on this farm in the late 1940's. I live a mile and a half east of the well and have lived in this area for over 70 years.

Sincerely,

Mildred Staley

Mildred Staley

*1130 E 1800 N
Jerniston, Idaho 83450*

February 21, 2001

Roxanne Brown
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID. 83706-2237

Dear Roxanne,

I am writing this affidavit at the request of Lynn W. Burtenshaw, agent of Don M. Burtenshaw concerning Water Right No. 31-07012 at T06N, R34E, Section 6, NE and SE Quarters. My wife and I moved to this area in 1948, the well that sits in the north east corner of this 320, was there and being used to develop farm ground in the area at that time. That year I was employed by the Production Management Association (known today as the Soil Conservation Service) to do crop and field surveys from Mud Lake up into the Birch Creek area and know the pump was in production at that time. Bruce Rising drilled the well some time before we moved to the area. Don Burtenshaw bought the farm in 1961, I believe. We bought the farm from Don Burtenshaw in 1968 and farmed it until 1987. In 1971 we updated to a 4 stage, 250 hp pump, because the column broke away from the head of the pump and fell down the well. We rented the farm to my son, Kieth Soderquist, in 1987; he put the circles and a 100 hp booster pump on in 1988, then bought the farm from us in 1990. He, in turn sold it to Don Burtenshaw in 1996, and he sold it to his son, Steve Burtenshaw, the same year.

Sincerely,



Garth Soderquist
Terreton, Idaho 83450
(208) 663-4538