

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3511

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

~~AMENDED~~
D.B. 3-21-89

Name of applicant Burley Irrigation District
Post Office address Rt 1 Box 1416 Burley, Idaho 83318

Phone 678-2511 **RECEIVED**

MAY 18 1989

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use Department of Water Resources
☐ Change nature of use ☐ Change period of use ☐ Other _____ Southern Region Office
2. Describe the reason for the proposed changes To add a point of diversion for a private pump
to deliver water to lands within the District. The diversion on the Herbert property
will reduce pumping costs to the District and improve the efficiency of distribution.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-----------|-----------------------|------------------|----------------|
| 01-0211 B | 3/26/1903 | 655.88 | Irrigation | _____ to _____ |
| 01-0214 B | 8/6/1908 | 380.00 | Irrigation | _____ to _____ |
| 01-0007 | 4/1/1939 | 163.4 | Irrigation | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1199.28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion: ~~* As per telephone conversation w/ Rasmussen and Darrington 1-9-89~~

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	1	9S	25E	Cassia	Southside Main Canal
1	SW	SE	SE	30	10S	24E	Cassia	Herbert Pump
	NW	SE	SE	19	10S	22E	Cassia	Carey Pump
	NE	SE	NW	22	10S	22E	Cassia	Coors Pump

5. Lands irrigated or place of use: ^{DRJ}

[illegible]

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MAR 20 1993
Total acres _____

PART 1**6. General Information:**

- a. Description of diversion system 1. Minidoka Southside Main Canal
delivers water to 2. Herbert Pump near Springdale
these tail end farms, 3. Coors Pump
other land not included 4. Carey Pump
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Any changes in lands irrigated are made to be pursuant to Title 43, Chapters 10
and 11 of the Idaho Code.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 01-0007/0211B/0214B

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the
department shall be permanently installed and maintained as part of the diverting
works. 2. The Burley Irrigation District shall collect and provide average daily
diversion rates for the Herbert Pump to the Water District 01 watermaster. 3. Use of
water under these rights is subject to control by the watermaster of State Water
District 01, Snake River.

Witness my hand this

day of

May 5th

19

89J. Glen Saxton
Chief, Water Alloc. Bureau

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MAR 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: _____
- a. Decree No. 01-0214B Decreed to US Dept. of Interior
 in case of Twin Falls Canal Co. vs. Charles N. Foster
 dated June 13, 1913 in 4th Jud. District county of Twin Falls
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3246 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
- ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Snake River Water tributary to Columbia River
4. Date or priority 8/6/1908
5. Water is used for the following purpose:
- amount 380 cfs. for Irrigation purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
6. Total amount of water under right 380 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	1	95	25E	Cassia	Southside Main Canal
	NW	SE	SE	19	105	22E	Cassia	Carey Pump
	NE	SE	NW	22	105	22E	Cassia	Coors Pump

8. Lands irrigated or place of use: Lands within the Burley Irrigation District

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above

45-0512; 39,300 AF Palisades Storage; 155,395 AF American Falls Storage

01-0007, 01-0214B, 45-2005

MAR 20 1993

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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MAR 20 1993
 Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 01-0211B Decreed to US Dept. of Interior
in case of Twin Falls Canal Co. vs. Charles N. Foster
dated June 20, 1913 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3246 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority _____

5. Water is used for the following purpose:

amount 655.88 cfs. for Irrigation purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 655.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	1	9S	25E	Cassia	Southside Main Canal
	NW	SE	SE	19	10S	22E	Cassia	Carey Pump
	NE	SE	NW	22	10S	22E	Cassia	Coors Pump

8. Lands irrigated or place of use: Lands within the Burley Irrigation District

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

9. Describe any other water rights used for the same purpose as described above 01-0007; 01-0214B; 45-2005;

45-0512; 39,200 AF Palisades storage; 155,395 AF American Falls storage

MAR 20 1993

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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MAR 20 1993

Total acres _____

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 01-0007 Decreed to Burley Irrigation District
in case of Burley Irrigation District vs. Henry Eagle
dated July 10, 1968 in 4th Judicial Dist. county of Twin Falls
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3246 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 4/1/1939

5. Water is used for the following purpose:

amount 163.4 cfs. for Irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 163.4 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	1	9S	25E	Cassia	Southside Main Canal
	NE	SE	NW	22	10S	22E	Cassia	Coors Pump
	NW	SE	SE	19	10S	22E	Cassia	Carey Pump

8. Lands irrigated or place of use: Lands within the Burley Irrigation District

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

9. Describe any other water rights used for the same purpose as described above 01-0211B; 01-024B; 15-2605;

45-0512; 39,200 AF Palisades storage; 155,395 AF American Falls storage MAR 20 1993

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

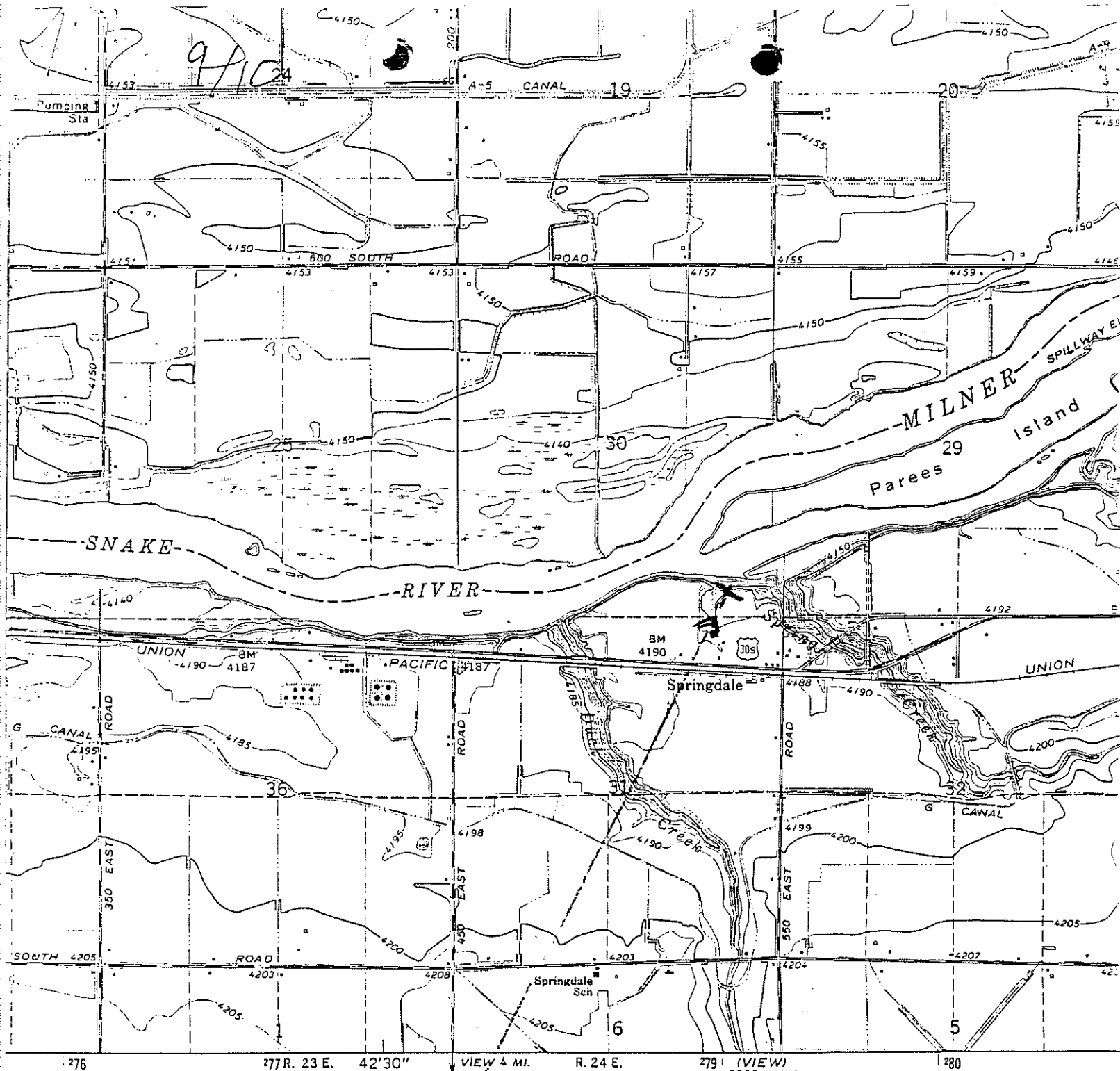
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

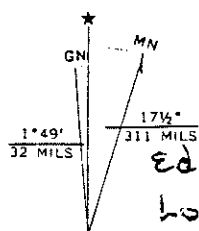
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____ MAR 20 1983



al Survey



UTM GRID AND 1964 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

Ed Herbert pump installation & new point of diversion
located at SW 1/4, SE 1/4, SE 1/4, Sec. 30, Twp 10 S, Rge 24 East Cassia County, Ida

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 2
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

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MAR 20 1933

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Gayle Richnis
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of March, 19 89.

Janet Rasmussen
(Notary Public)

My commission expires September 23, 1992

FOR DEPARTMENT USE ONLY

First rec'd 12-14-88
2nd rec'd 12-29-88

Transfer contains 10 pages and 1 attachments check attached
Received by IC Date 3/20/89 Protest filed by _____
Prelim. check by IRS Fee 50.00 R# 5005940
Receipted by M. Baldwin Date _____
Published in So. ID Press Copies of protest forwarded by _____
Pub. dates 2/9 & 2/16/1989 Hearing held by _____ Date _____
Watermaster recommendation requested on 3-21-89 Recommended for ☒ approval ☐ denial
_____ rec'd. 4/5/89 by LH Gary
Copy of transfer sent to lien holder _____

MICROFILMED**MAR 20 1989**

19-May-1989

Mr. Bob Carleson
Watermaster
District 01 Snake River
150 Shoup Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Carleson,

Find attached for your information an approved Application for transfer of water right in favor of Burley Irrigation District. This transfer consists of three water right numbers 01-0211 B, 01-0214 B, and 01-0007 all under transfer no. 3511.

Very truly yours,

Lloyd R. Payne
Clerk

Encl.

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MAY 20 1989

1 of ea

ROUTIN. SLIP

no add. of file

TO:

Anna Southern

FROM:

Don

DATE:

1/21/92

TIME:

PER:	
Our Conversation	
Your Request	
The Attached	☒

FOR YOUR:

REVIEW AND:

Information		Take Proper Action	☒
Approval		Comment	
Signature		Draft A Reply	

ATTACHED TO BE:

Posted		Returned To Me	☒
Circulated		Filed	
Distributed		Copied (_____ copies)	

LING, NIELSEN & ROBINSON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

Copy
1
2 ROGER D. LING
3 LING, NIELSEN & ROBINSON
4 Attorneys at Law
5 P. O. Box 396
6 Rupert, Idaho 83350
7 Telephone No. (208) 436-4717

8
9 Attorneys for Big Lost River Irrigation District
10 Burley Irrigation District

RECEIVED
JAN 17 1992

Department of Water Resources

RECEIVED

JAN 20 1992
Department of
Southern Region

11
12 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
13 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
14

15 In Re the General Adjudication)
16 of Rights to the Use of Water)
17 from the Snake River Basin)
18 Water System)

Case No. 39576

19 The State of Idaho, ex rel.)
20 R. Keith Higginson in his)
21 official capacity as Director)
22 of the Idaho Department of)
23 Water Resources,)

NOTICE OF APPEARANCE OF
ATTORNEY

24
25 Petitioner,)

Category: I-7-a
Fee: \$33.00

26 vs.)

27 The United States; the State)
28 of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System.)

29
30 TO: THE CLERK OF THE DISTRICT COURT, AND LARRY ECHOHAWK,
31 ATTORNEY GENERAL FOR THE STATE OF IDAHO:

32 You are hereby notified that Big Lost River Irrigation
33 District and Burley Irrigation District, both claimants to the

34
35 NOTICE OF APPEARANCE OF ATTORNEY - 1

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MAR 20 1993

A01-0000720

A45-10963

1
2 use of water from the Snake River Basin Water System, have
3 retained Roger D. Ling of the firm of Ling, Nielsen and Robinson
4 to represent them in said cause and that I hereby appear for said
5 defendants in said cause.

6 You are further notified that all papers in said cause
7 are to be served on me at P.O. Box 396, Rupert, Idaho 83350.

8 DATED this 16th day of January, 1992

9 LING, NIELSEN & ROBINSON

10
11 By: Roger D. Ling

12 Roger D. Ling
13 Attorneys for Big Lost River
14 Irrigation District and Burley
15 Irrigation District

16 CERTIFICATE OF MAILING

17 I hereby certify that on the 16th day of January,
18 1992, I served a copy of the foregoing NOTICE OF APPEARANCE OF
19 ATTORNEY upon:

20 See Exhibit "A" attached hereto and made a part hereof
21 as though fully set forth herein.

22 by depositing a copy thereof in the United States mail, postage
23 prepaid, in an envelope addressed to said attorney at the forego-
24 ing address.

25
26 Roger D. Ling

27 Roger D. Ling
28 Attorney for Big Lost River
Irrigation District and Burley
Irrigation District

EXHIBIT "A"

Scott L. Campbell
David B. Lincoln
Elam Burke, & Boyd
P.O. Box 1539
Boise, Idaho 83701

Peter G. Monson
Indian Resources Section
Environment & Natural
Resources Division
U.S. Department of Justice
P.O. Box 44378
Washington, DC 20026-4378

Roy L. Eiguren
Josephine P. Beeman
Davis, Wright & Tremaine
Suite 700
702 West Idaho Street
Boise, Idaho 83702

Raymond D. Givens
Jeffrey C. Fereday
Givens, Pursley, Webb
& Huntley
P.O. Box 2720
Boise, Idaho 83701

John A. Rosholt
James C. Tucker
Rosholt, Robertson & Tucker,
Chartered
P.O. Box 1906
Twin Falls, ID 83303-1906

Jeanette Wolfley
Candy L. Jackson
Tribal Attorneys Office
Shoshone-Bannock Tribes
P.O. Box 36
Fort Hall, Idaho 83203

James Annest, Esq.
P.O. Box 686
Burley, Idaho 83318

Craig R. Zaiss, Esq.
P.O. Box 628
Parma, Idaho 83660-0628

Bruce M. Smith
Rosholt, Robertson & Tucker, Chtd.
P.O. Box 2139
Boise, Idaho 83701-2139

Rebecca Craven
Elliott L. Moffett
Douglas R. Nash
Daniel C. Picard
Nez Perce Tribe
P.O. Box 365
Lapwai, Idaho 83540

Albert P. Barker
Don A. Olowinski
Steven R. Ormiston
Hawley, Troxell, Ennis & Hawley
P.O. Box 1617
Boise, Idaho 83701

William F. Ringert
David Hammerquist
Ringert, Clark, Harrington, Reid,
Christensen & Kaufman, Chtd.
P.O. Box 2773
Boise, Idaho 83701

Wayne B. Slaughter, Jr.
Terry T. Uhling
J.R. Simplot Company
P.O. Box 912
Pocatello, Idaho 83204

Kent W. Foster
Holden, Kidwell, Hahn & Crapo
P.O. Box 50130
Idaho Falls, Idaho 83405

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MAR 20 1993

Blair J. Grover
Grover & Walker, Chtd.
P.O. Box 36
Rigby, Idaho 83442-0036

Douglas R. Whipple
Byington, Holloway, Whipple
& Jones, Chtd.
P.O. Box 188
Burley, Idaho 83318

Carolyn M. Minder
Snake River Basin Adjudication
7283 Obsidian
Boise, Idaho 83709

Bert L. Osborn, Esq.
P.O. Box 158
Payette, Idaho 83661

Randall C. Fredricks
Cosho, Humphrey, Greener &
Welsh
815 West Washington
Boise, Idaho 83702

Albert M. Franco
Franco, Asia, Bensussen & Coe
720 Olive Way, Suite 1300
Seattle, WA 98101-1812

Marilyn Broek, P.E.
1316 West Hayes
Boise, Idaho 83702

Jack Hockberger
U.S. Department of Interior
Room 462, Federal Building
550 West Fort Street
Boise, Idaho 83724

W. Kim Claussen
Legal Department
City of Pocatello
P.O. Box 4169
Pocatello, Idaho 83205

Cecil D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, Idaho 83330

Larry Sullivan
Schroeder, Hutchens & Sullivan
P.O. Box 220
Vale, Oregon 97918

Richard A. Cummings
Meulman, Miller, Strother &
Cummings
P.O. Box 955
Boise, Idaho 83701

Steven L. Herndon
Legal Department
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707

John D. Hansen
Hansen, Beard, St. Clair,
Peterson & Sullivan, Chtd.
P.O. Box 51718
Idaho Falls, Idaho 83405-1718

Dana L. Hofstetter
Holland & Hart
P.O. Box 2527
Boise, Idaho 83701

Robert T. Anderson
Native American Rights Fund
310 "K" Street, Suite 708
Anchorage, AK 99501

Kenneth S. Gallant
Associate Professor
College of Law
University of Idaho
Moscow, Idaho 83843

David B. Shaw, Chief
Adjudication Bureau
Idaho Department of Water
Resources
1301 North Orchard
Boise, Idaho 83706

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MAR 20 1993

Janet O'Crowley
Committee for Idaho's High
Desert
P.O. Box 664
Picabo, Idaho 83348

Lynn R. Collins
Regional Solicitor
U.S. Department of Interior
Suite 6201, Federal Building
Salt Lake City, UT 84138-1180

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MAR 20 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

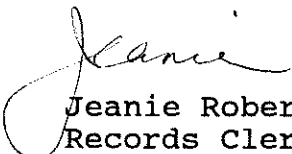
16-Dec-1992 16:27

RANDY BINGHAM
BURLEY IRRIGATION DISTRICT
RT 1 BOX 1416
BURLEY ID 83318

Dear Randy,

Enclosed are the copies of the Original Claims filed by the Burley Irrigation District as you requested so long ago. I'm sorry for the delay. If you have any questions or I can be of any further assistance in this matter, please feel free to call our office.

Sincerely,


Jeanie Robertson
Records Clerk

Enclosures: A45-10963
A01-00007
A01-00007Z0
A01-00007Z1

MICROFILMED

MAR 20 1993

STATE

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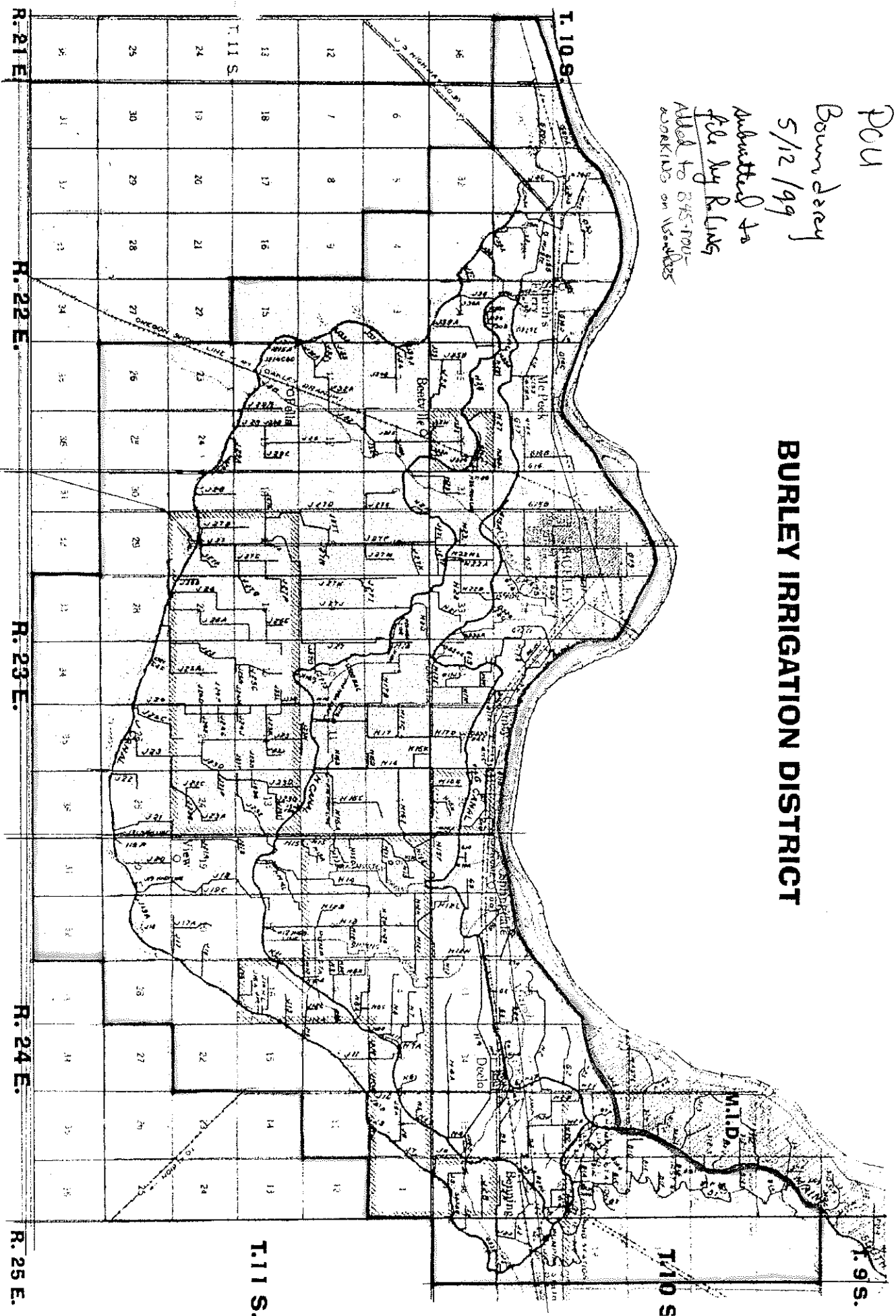
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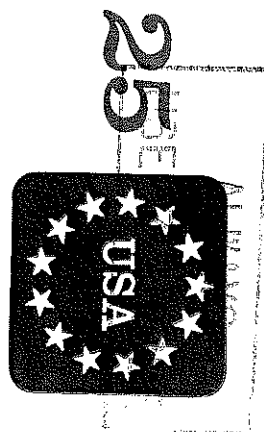
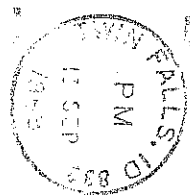
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file by R. Link
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BURLEY IRRIGATION DISTRICT



BURLEY IRRIGATION DISTRICT
ROUTE 1 BOX 1416
BURLEY, IDAHO 83318

Payroll & L Rec.



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Department of Water Resources

RECEIVED

APR 08 1993

Department of Water Resources
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6 Telephone No. (208) 436-4717

7 Attorneys for Big Lost River Irrigation District
8 Burley Irrigation District

9 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
10 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
11

12 In Re the General Adjudication)
13 of Rights to the Use of Water)
14 from the Snake River Basin)
15 Water System)

Case No. 39576

16 The State of Idaho, ex rel.)
17 R. Keith Higginson in his)
18 official capacity as Director)
19 of the Idaho Department of)
20 Water Resources,)

NOTICE OF APPEARANCE OF
ATTORNEY

21 Petitioner,)

Category: I-7-a
Fee: \$33.00

22 vs.)

23 The United States; the State)
24 of Idaho; and all Claimants to)
25 the use of water from the Snake)
26 River Basin Water System.)

27 TO: THE CLERK OF THE DISTRICT COURT, AND LARRY ECHOHAWK,
28 ATTORNEY GENERAL FOR THE STATE OF IDAHO:

You are hereby notified that Big Lost River Irrigation
District and Burley Irrigation District, both claimants to the

NOTICE OF APPEARANCE OF ATTORNEY - 1

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

RUPERT, IDAHO 83350

R & A 45-10963
AOK 0000720

1
2 use of water from the Snake River Basin Water System, have
3 retained Roger D. Ling of the firm of Ling, Nielsen and Robinson
4 to represent them in said cause and that I hereby appear for said
5 defendants in said cause.

6 You are further notified that all papers in said cause
7 are to be served on me at P.O. Box 396, Rupert, Idaho 83350.

8 DATED this 16th day of January, 1992

9 LING, NIELSEN & ROBINSON

10
11 By: Roger D. Ling
12 Roger D. Ling
13 Attorneys for Big Lost River
14 Irrigation District and Burley
15 Irrigation District

16 CERTIFICATE OF MAILING

17 I hereby certify that on the 16th day of January,
18 1992, I served a copy of the foregoing NOTICE OF APPEARANCE OF
19 ATTORNEY upon:

20 See Exhibit "A" attached hereto and made a part hereof
21 as though fully set forth herein.

22 by depositing a copy thereof in the United States mail, postage
23 prepaid, in an envelope addressed to said attorney at the forego-
24 ing address.

25 Roger D. Ling
26 Roger D. Ling
27 Attorney for Big Lost River
28 Irrigation District and Burley
Irrigation District

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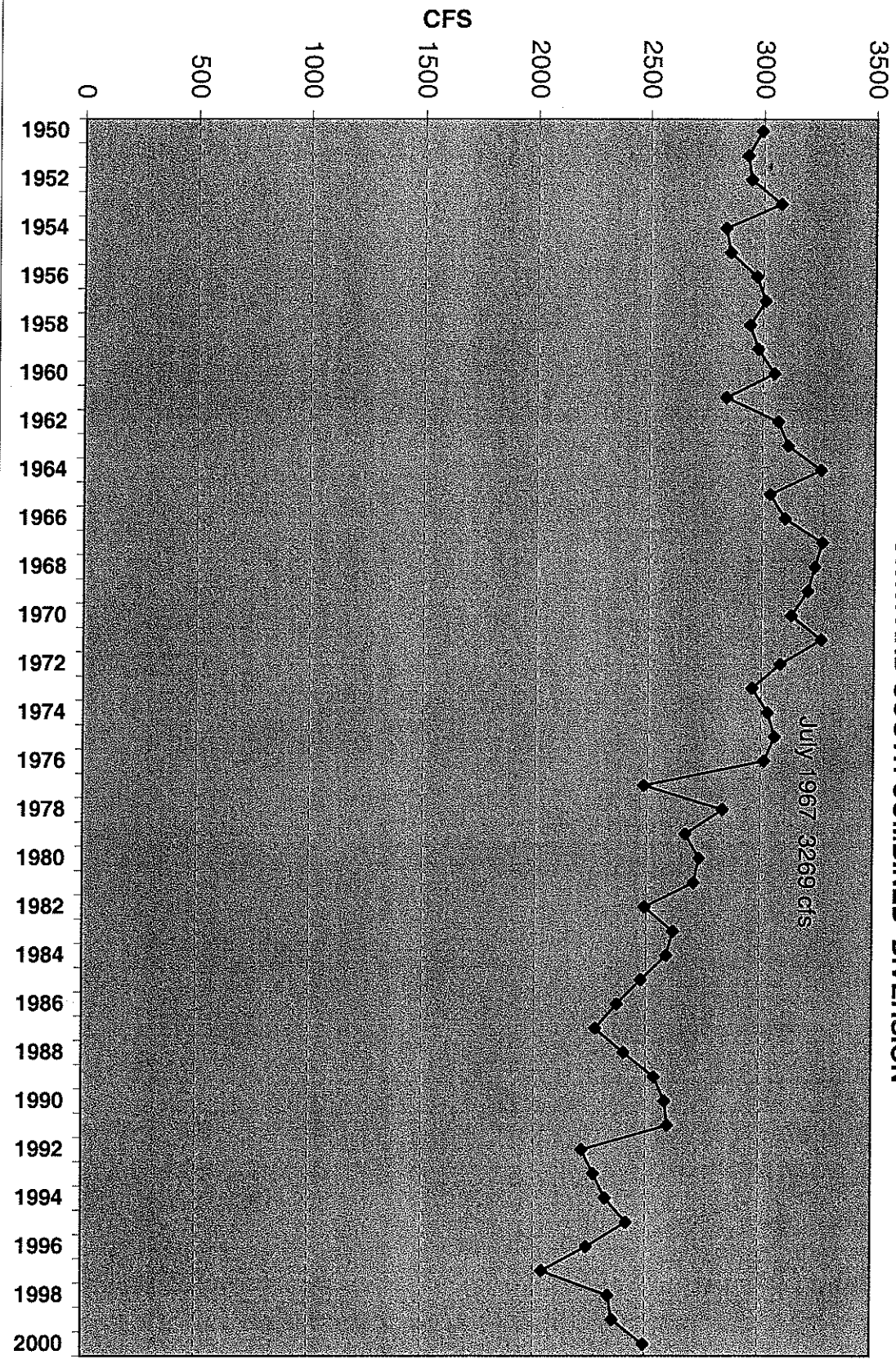
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P.O. Box 450
Fruitland, Idaho 83619

MAXIMUM MONTHLY DIVERSION 1950-2000
MINIDOKA NORTH AND SOUTH COMBINED DIVERSION



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-7

WATER RIGHT NUMBER: 1-7

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BURLEY IRRIGATION DIST 246 E 100 S BURLEY, ID 83318 (208)678-2511

Priority Date: 04/01/1939

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	163.400 CFS	
	<u>Total Diversion:</u>	163.400 CFS	

Location of Point(s) of Diversion

SNAKE RIVER CASSIA County	NW1/4SE1/4SE1/4	Sec. 19, Twp 10S, Rge 22E, B.M. ✓ <i>canal</i>
SNAKE RIVER CASSIA County	NE1/4SE1/4NW1/4	Sec. 22, Twp 10S, Rge 22E, B.M. ✓ <i>canal</i>
SNAKE RIVER CASSIA County	SW1/4SE1/4SW1/4	Sec. 1, Twp 09S, Rge 25E, B.M. ✓ <i>canal</i>
SNAKE RIVER CASSIA County	L1 (SW1/4SE1/4SE1/4)	Sec. 30, Twp 10S, Rge 24E, B.M. ✓ <i>hand post</i>

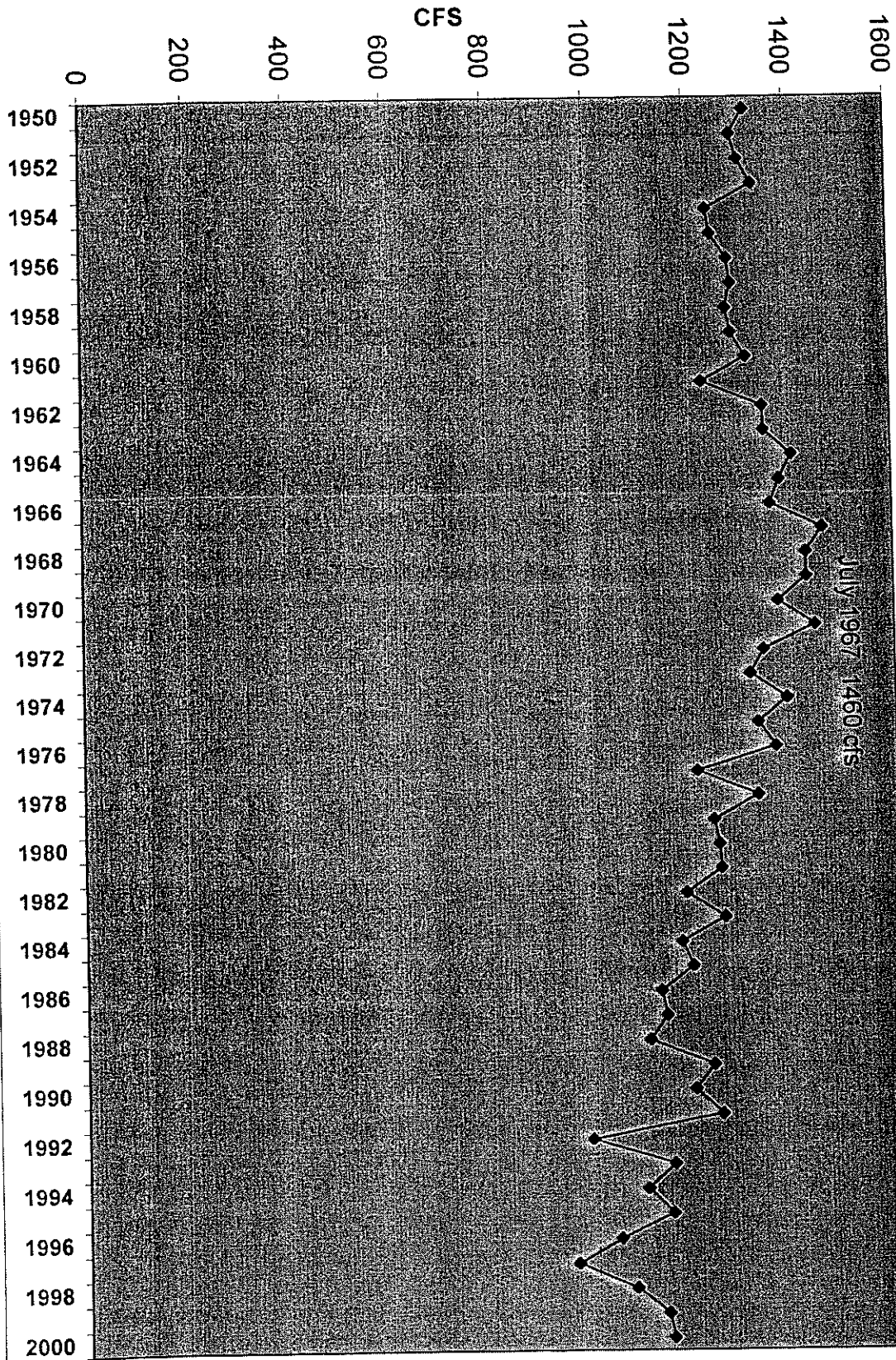
Place of UseConditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

Remarks:

1. General LANDS IRRIGATED WITHIN BURLEY IRRIGATION DISTRICT.
TRANS. 3511.
A MEASURING DEVICE & LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPT. SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS PART OF THE DIVERTING WORKS. THE BURLEY IRRIGATION DISTRICT SHALL COLLECT & PROVIDE AVERAGE DAILY DIVERSION RATES FOR THE HERBERT PUMP TO THE WATER DISTRICT 01 WATERMASTER.

MAXIMUM MONTHLY DIVERSION 1950-2000
13080500 BURLEY SOUTH SIDE CANAL CANAL



13080500 HISTORIC DIVERSION BURLEY SOUTH SIDE CANAL (4000 AC-FT) (CFS)

W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	221	0	0	0	0	0	306	1093	1076	1324	1215	748	5982
1951	335	0	0	0	0	0	437	768	1175	1295	1023	865	5897
1952	345	0	0	0	0	0	133	1145	1158	1309	1252	849	6190
1953	499	0	0	0	0	0	299	852	847	1337	1246	785	5865
1954	441	0	0	0	0	0	350	1130	918	1244	1221	852	6156
1955	371	0	0	0	0	0	138	1028	1097	1252	1132	852	5870
1956	359	0	0	0	0	0	504	1106	1138	1285	1168	753	6313
1957	296	0	0	0	0	0	165	759	1188	1291	1212	847	5758
1958	208	0	0	0	0	0	124	1173	1149	1280	1231	728	5893
1959	322	0	0	0	0	0	531	802	1225	1290	1140	684	5994
1960	143	0	0	0	0	0	314	1189	1255	1319	1181	891	6292
1961	208	0	0	0	0	0	128	1202	1230	1203	1012	239	5222
1962	168	0	0	0	0	0	134	894	1057	1350	1218	934	5756
1963	299	0	0	0	0	0	104	665	961	1351	1216	763	5361
1964	450	0	0	0	0	0	22	901	755	1404	1347	950	5827
1965	529	0	0	0	0	0	44	958	1244	1379	999	887	6039
1966	377	0	0	0	0	0	430	1241	1139	1361	1132	620	6301
1967	302	0	0	0	0	0	66	716	976	1460	1314	723	5735
1968	439	0	0	0	0	0	267	1199	1153	1428	743	723	5952
1969	267	0	0	0	0	0	460	1386	1087	1428	1321	702	6651
1970	255	0	0	0	0	0	225	790	981	1373	1296	639	5560
1971	314	0	0	0	0	0	155	764	1076	1443	1308	766	5825
1972	371	0	0	0	0	0	363	1212	1091	1343	1195	650	6225
1973	306	0	0	0	0	0	145	1028	1141	1316	1127	603	5665
1974	163	0	0	0	0	0	128	1212	1249	1387	1143	807	6088
1975	346	0	0	0	0	0	3	361	1165	1330	1114	832	5152
1976	364	0	0	0	0	0	118	1033	1207	1363	992	689	5765
1977	171	0	0	0	0	54	691	759	975	1208	934	511	4873
1978	106	0	0	0	0	0	89	759	1161	1327	994	460	4897
1979	355	0	0	0	0	0	213	1002	1239	1195	888	728	5619
1980	231	0	0	0	0	0	314	720	913	1249	1005	711	5143
1981	322	0	0	0	0	0	387	859	1148	1252	1052	827	5846
1982	270	0	0	0	0	0	138	904	1118	1182	948	607	5167
1983	169	0	0	0	0	0	249	724	1257	1213	751	827	5190
1984	210	0	0	0	0	0	202	707	1151	1171	917	655	5014
1985	316	0	0	0	0	0	198	1112	1171	1192	1036	612	5637
1986	262	0	0	0	0	0	412	945	1052	1129	948	573	5320
1987	257	0	0	0	0	0	721	894	1139	1007	943	605	5567
1988	298	0	0	0	0	0	388	1003	1096	1106	961	555	5407
1989	244	0	0	0	0	0	213	903	1106	1192	842	645	5183
1990	286	0	0	0	0	0	576	795	914	1192	916	600	5280
1991	281	0	0	0	0	0	237	351	1060	1244	989	635	4798
1992	324	0	0	0	0	0	706	992	897	851	786	474	5029
1993	190	0	0	0	0	0	76	693	862	1150	821	644	4436
1994	325	0	0	0	0	0	402	732	1097	1072	823	620	5071
1995	120	0	0	0	0	0	235	405	682	1145	909	639	4136
1996	171	0	0	0	0	0	336	626	1013	1044	838	585	4613
1997	272	0	0	0	0	28	323	842	907	961	764	560	4657
1998	221	0	0	0	0	0	301	563	706	1073	934	533	4330
1999	187	0	0	0	0	0	185	564	916	1134	820	610	4415
2000	276	0	0	0	0	0	464	893	1143	1086	907	583	5353
AVERAGE:						2	277	881	1068	1246	1044	693	5496
1950-2000	286	0	0	0	0	0							