

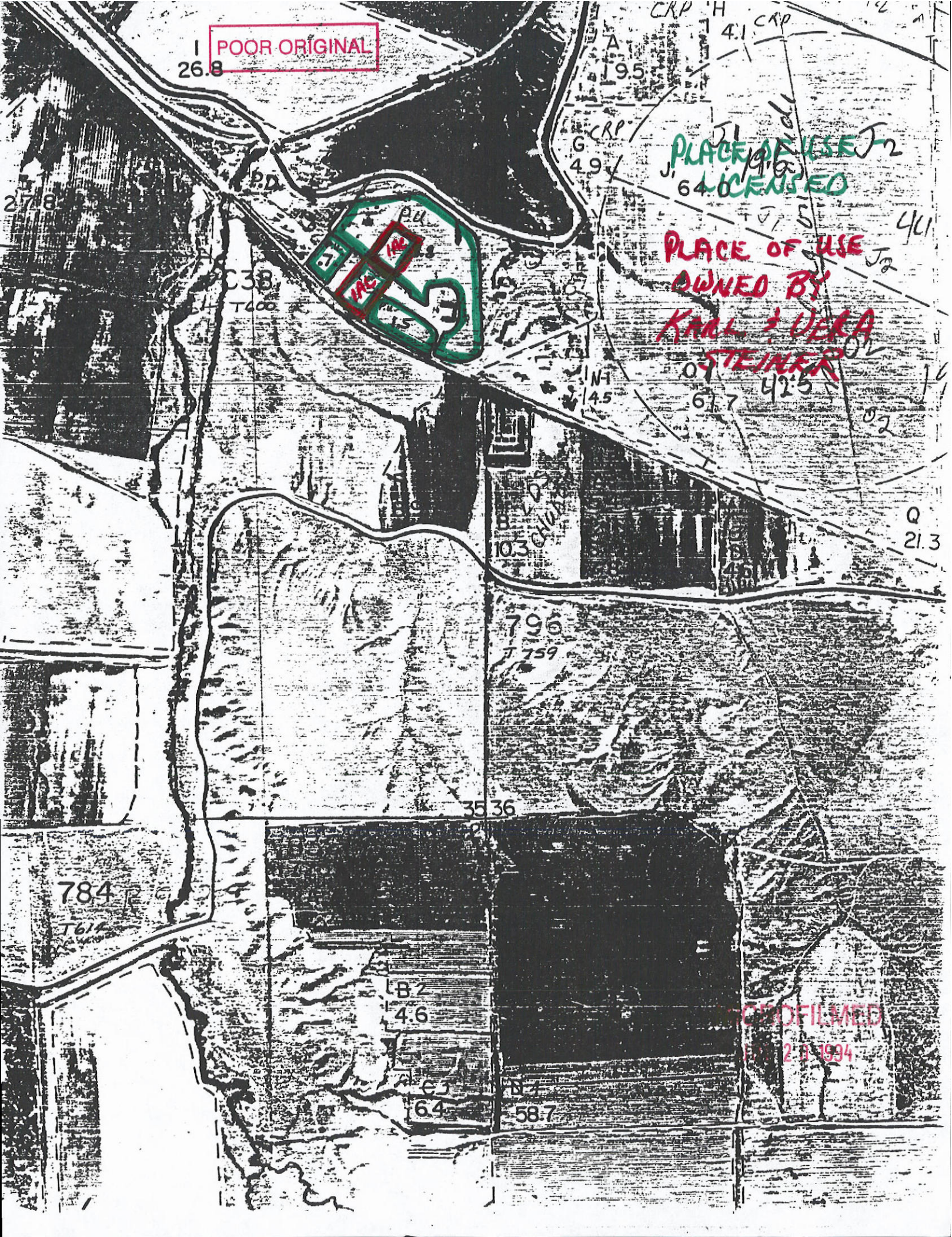
POOR ORIGINAL

26.8

PLACE OF USE
64 LICENSED

PLACE OF USE
OWNED BY
KARL & UERA
STEINER

RECORDED
2 11 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: A57-07286
Date Received: 11/28/1988
Receipt No: CM001981
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT BURGHARDT 208-834-2941
Address: P.O. BOX 277
GRAND VIEW, ID 83624-0000

Name: JULIE A. BURGHARDT 208-834-2941
Address: P.O. BOX 277
GRAND VIEW, ID 83624-0000

2. Date of Priority: JUN 25, 1981

3. Source: SHOOFLY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
05S	03E	35	NE	SW	NE		OWYHEE

5. Description of diverting works:
PUMPING PLANT & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/30	0.300		

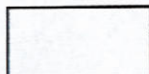
7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

Idaho Department of Water Resources

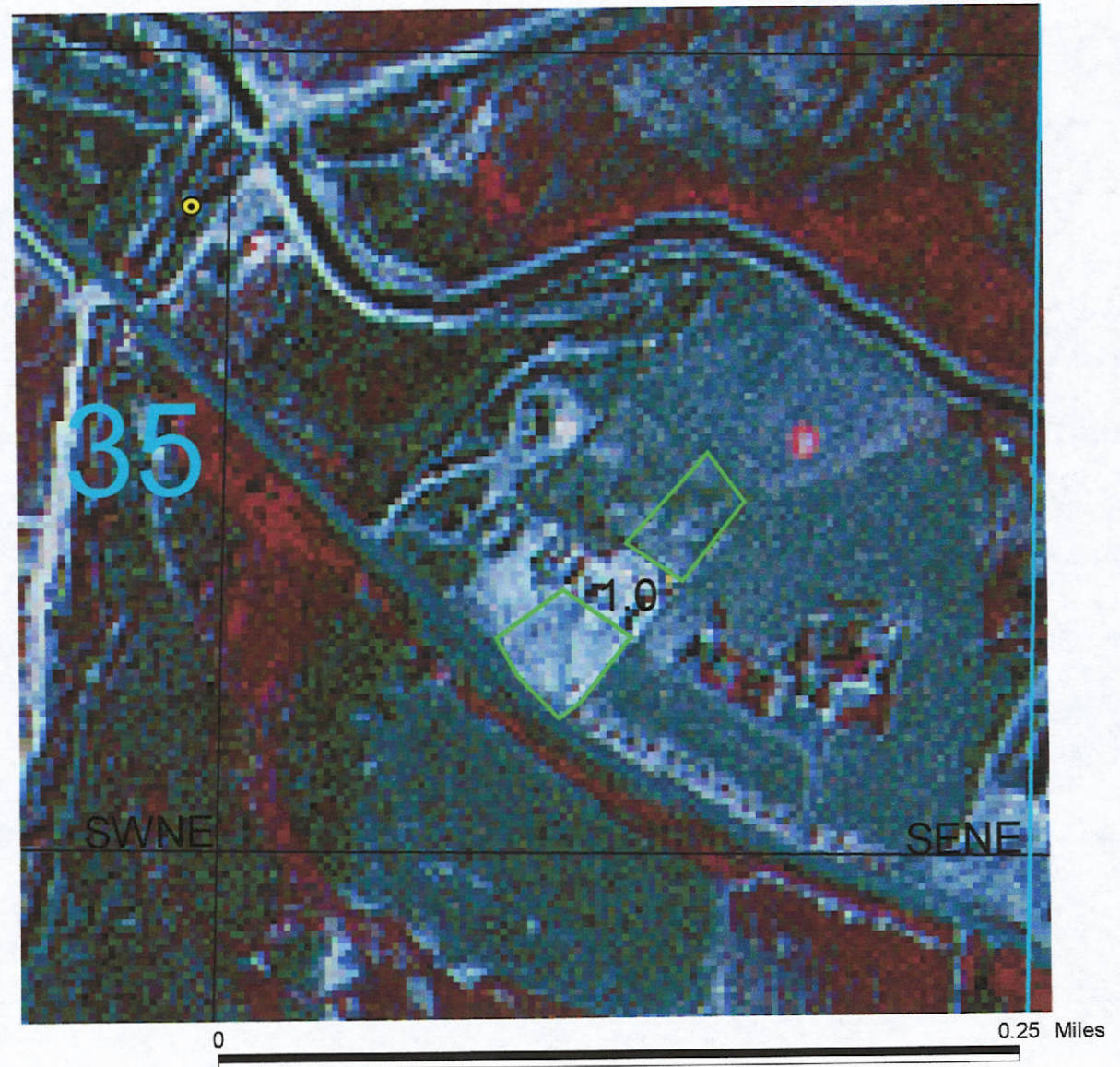
Claim Number: 57-07286B
Legal: T05S, R03E, S35
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



4/03

1987 Napp Photo



T55 R3E Section 35
NE SW NE

POOR ORIGINAL

JUL 20 1994

MICROFILMED

3

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DITCH

Shoofly

plu

36

3403

2580

CANYON

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: **A57-07286B**
Date Received: 11/28/1988
Receipt No: X77777
Received By: [Signature]

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

1. Name: KARL STEINER 208-834-2930
Address: HC 85 BOX 325
GRANDVIEW ID 83624
AND/OR
Name: VERA STEINER 208-834-2930
Address: HC 85 BOX 325
GRANDVIEW ID 83624

2. Date of Priority: JUN 25, 1981

3. Source: SHOOFLY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	03E	35	NE	SW	NE		OWYHEE

5. Description of diverting works:
PUMPING PLANT & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/30	0.020		

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

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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JUL 20 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	35	SE	NE		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP OF A PORTION OF
A57-07286. JS

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED
JUL 20 1994

State of Idaho)
County of _____) SS.

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

Seal

Notary Public

Residing at _____

My Commission Expires _____

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JUL 20 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 23 1993

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 55 Range 3E
 Section 35, — 1/4 of SE 1/4 of NE 1/4 Govt. Lot _____, BM _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 57-07286

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

☐ New Owner/Claimant (Purchaser): PO BOX 277
GRANDVIEW, ID 83624

☐ New Mailing Address: KARL & OR VERA STEINER
HC 85 BOX 325
GRANDVIEW, ID 83624

☐ New Telephone Number: 808.834-2930

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
1 ACRE WITHIN THE SENE, S. 35, T. 50,
R. 3E, B.M. PT. OF DIVERSION - SAME
AS LICENSE/DEGREE

☒ 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): Karl D. Steiner Date 2-19-93
Vera H. Steiner Date 2-19-93

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

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JUL 20 1994

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

A. AGENT I.D. NO.:	202	F. SAFECO CONTROL NO. OP-600856
B.		G. SIMUL. WITH NO.:
C. PREVIOUS LIAB.:	\$	H. PRIOR CONTROL NO.:
D.		
E. PRICING CODE:	1010	REMARKS:
SPEC. DR/CR	\$	\$
CODE	CODE	CODE

THIS INFORMATION IS NOT A PART OF THE POLICY

Agent Order/ File No. 5737

Premium: \$290.50

Amount of Insurance: \$ 50,498.00

Date of Policy: August 15, 1986
5:00 P. M.

1. Name of Insured:

KARL D. STEINER and VERA H. STEINER

2. The estate or interest in the land described herein and which is covered by this policy is

Fee Simple

3. The estate or interest referred to herein is at Date of Policy vested in:

KARL D. STEINER and VERA H. STEINER, husband and wife

4. The land referred to in this policy is described as follows:

A tract of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 5 South, Range 3 East, B. M., Owyhee County, Idaho, more particularly described as follows:

BEGINNING at the quarter corner common to Sections 35 and 36, T5S, R3E, B. M.; thence North 47°56'35" West a distance of 691.70 feet (formerly of record North 48°02'50" West 629.2 feet) to an iron pin, the TRUE POINT OF BEGINNING; thence North 38°29'56" East a distance of 190.68 feet (formerly of record North 38°41'10" East 191 feet) to a point; thence North 49°32'16" West 288.78 feet (formerly of record North 51°18'50" West 290.00 feet) to a point; thence South 38°41'10" West a distance of 450 feet, more or less, to an iron pin on the northerly right of way of the Bruneau to Grand View Highway (State Highway No. 78); thence Southeasterly along the Northerly right of way of said highway along a 03° curve to the left, having a central angle of 21°29' a distance of 290 feet to an iron pin; thence North 39°01'08" East a distance of 259.10 feet (formerly of record North 38°41'10" East 259 feet) to an iron pin, the TRUE POINT OF BEGINNING.

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JUL 20 1994

SCHEDULE A (Owners - Purchasers - Lessee)

ALTA Single Form Policy - 1970

SAFECO Stock No. IDP-0302A (7-84)

 **SAFECO**
TITLE INSURANCE

SCHEDULE B - PART B

(Special Exceptions)

1. General taxes for the year 1986 are a lien, but not yet payable.

2. Power Line Easements over and across said premises, for the erection and continued operation, maintenance, repair, alteration, inspection, relocation and replacement of the electric transmission, distribution and telephone lines and circuits, as granted the Idaho Power Company, a corporation, by deed(s) recorded February 4, 1954 in Book 45 of Deeds, page 61 and on April 18, 1962, in Book 55 of Deeds, page 61, Owyhee County Records.

3. Easement for underground pipeline, dated June 28, 1981, to Keith Bybee and Eleonore Bybee, and subject to the conditions therein; recorded July 9, 1981, as Instrument No. 169335, Owyhee County Records.

4. A Deed of Trust to secure an indebtedness of \$50,498.00 and any other amounts as therein provided,

Recorded: August 12, 1986, as Instrument No. 189670,
Owyhee County Records

Dated: August 7, 1986

Grantor: Karl D. Steiner and Vera H. Steiner, husband
and wife

Trustee: Owyhee County Title Company

Beneficiary: First Security Realty Services Corp

(End of Schedule B)

MICROFILMED

JUL 20 1994

This Policy is not Valid without Schedule B, Part A

SCHEDULE B - PART B, (Special)

ALTA Single Form Policy - 1970 with ALTA Endorsement - Form 1 coverage
SAFECO Stock No. ID-304B (4-83)



1 POOR ORIGINAL
26.8

PLACE OF USE
64 LICENSED

PLACE OF USE
OWNED BY
KARL J. VERA
09 TENER
617 423

REFILMED
2 1994



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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: A57-07286
Date Received: 11/28/1988
Receipt No: LM001981
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT BURGHARDT 208-834-2941
Address: P.O. BOX 277
GRAND VIEW, ID 83624-0000

Name: JULIE A. BURGHARDT 208-834-2941
Address: P.O. BOX 277
GRAND VIEW, ID 83624-0000

2. Date of Priority: JUN 25, 1981

3. Source: SHOOFLY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	03E	35	NE	SW	NE		OWYHEE

5. Description of diverting works:
PUMPING PLANT & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/30	0.300		

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	35	SE	NE		IRR	14.0
			NE	SE		IRR	1.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

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):

X Robert S. Inghardt

Date:

X 11-28-88

Date: _____

State of Idaho)

) SS.

County of

Owyhee

Subscribed and sworn (or affirmed) before me this 28th day

of Nov 19 88

Michael Gene Gibson
Notary Public

Seal

Residing at

Boise, ID

My Commission Expires

9-2-1994

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-24-1997
PAGE: A-2

RIGHTS FROM:	SOURCE: SHOOFLY CREEK	TRIBUTARY: SNAKE RIVER	

RIGHT NUMBER:	57-072868		
NAME & ADDRESS:	KARL STEINER VERA STEINER HC 85 BOX 325 GRANDVIEW ID 83624		
SOURCE:	SHOOFLY CREEK	TRIBUTARY: SNAKE RIVER	
QUANTITY:	0.018 CFS 4.5 AFY		
PRIORITY DATE:	06/25/1981		
POINT OF DIVERSION:	T05S R03E S35	SWNE	Within Owyhee County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 0.018 CFS 4.5 AFY
PLACE OF USE:	IRRIGATION T05S R03E S35 1 ACRES TOTAL	Within Owyhee County SENE 1	
EXPLANATORY MATERIAL:	BASIS OF CLAIM - LICENSE		

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07286 B Date: 4-1-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	3E	35				1													1
GIS							1													1
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 1

Overlapping EOU Claim #'s:

Total GIS Acres: 1

COMMENTS:

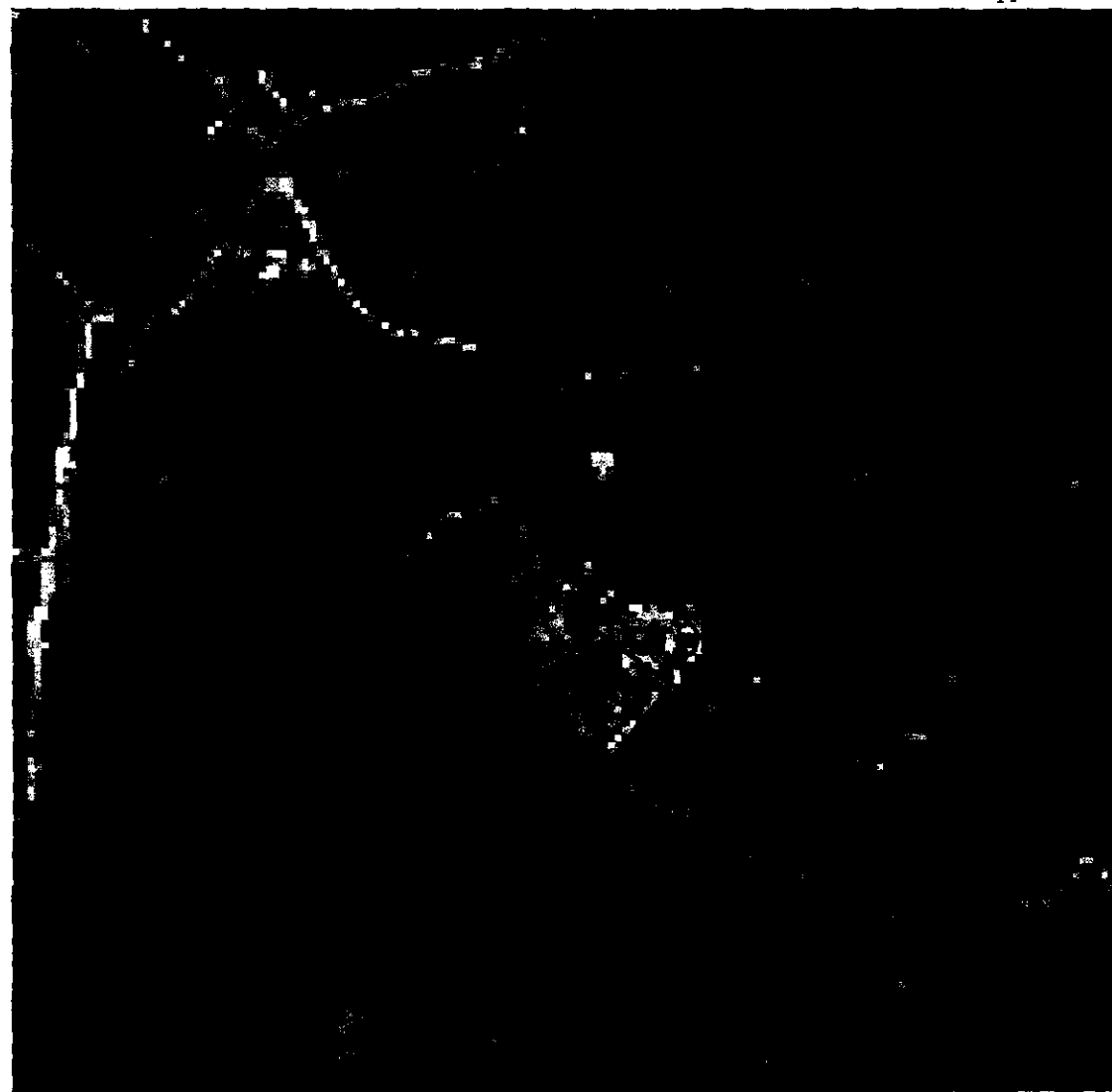
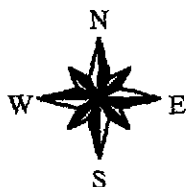
Per claim map & image interpretation

Idaho Department of Water Resources

Claim Number: 57-07286B
Legal: T05S, R03E, S35
Reviewed By:

1987 Napp Photo

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines
- Township/Range Lines



0 0.25 Miles

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 57-072868

1997 DEC 15 PM 3:11
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: KARL STEINER
VERA STEINER
HC 85 BOX 325
GRANDVIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.018 CFS
4.5 AFY

PRIORITY DATE: 06/25/1981

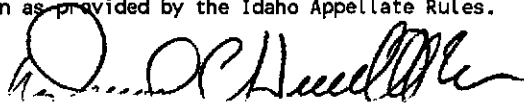
POINT OF DIVERSION: T05S R03E S35 SWNE Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.018 CFS 4.5 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County
T05S R03E S35 SENE 1
1 ACRES TOTAL

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

AJ0749NP
No. R57-07286B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/05/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KARL STEINER	06/25/1981	IRRIGATION	03-15 11-15	0.01 CFS	4.50 AFA
C	VERA STEINER					
	HC 85 BOX 325					
	GRANDVIEW ID 83624					
	(208) 834-2930					
				TOTAL DIVERSION:	0.01 CFS	4.50 AFA

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T05S R03E S35

SWNE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
05S	03E	35	:					01	:					:					:						:	1.0
																							TOTAL ACRES	:	1.0	

POU County: OWYHEE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/13/1993 User-ID: SHURTE Subject: SPLIT OF ORIGINAL RIGHT - OWNERSHIP CHANGE
RIGHT NO 57-07286 HAS BEEN SPLIT PER A CHANGE OF OWNERSHIP. THE
ORIGINAL RIGHT 57-07286 HAS BEEN SUBMITTED TO THE COURT IN THE
DIRECTOR'S REPORT FOR BASIN 57. THE OWNERSHIP CHANGE WAS
SUBMITTED AFTER SUBMITTAL TO THE COURT.

Audit: 11/05/97 KWALKER



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KARL STEINER
VERA STEINER
HC 85 BOX 325
GRANDVIEW ID 83624

Re: Original Water Right No. 57-07286

Renumbered Water Right No. 57-07286B

Dear Mr. & Mrs. Steiner:

We have received and processed a Change of Ownership for a portion of the original water right number as referenced above. This Change of Ownership required a split of the original water right resulting in renumbering this water right by adding alpha suffixes to represent each split. The new water right number for your portion is referenced above and a copy is enclosed. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Adjudication Court to notify them of the change.

Your portion of this water right has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your right, then no further action is required at this time.

Please feel free to contact this office if you have any questions concerning your water right or this letter.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:1

Enclosures

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 57-07286

IDWR has completed the following Administrative Proceeding:

☐	Change of Address
☒	Substitution of Party
☐	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☒ No

Water Right(s): 57-07286

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
11/25/1997

57-07286

PAGE 1

From (Claimant/Seller):

Water Right Number: 57-07286

Name of Claimant: ROBERT BURGHARDT
JULIE A BURGHARDT
Address: PO BOX 277
GRAND VIEW ID 83624
Phone: (208) 834-2941

To (Claimant/Purchaser):

Water Right Number: 57-07286A

Name of Claimant: ROBERT BURGHARDT
JULIE A BURGHARDT
Address: PO BOX 277
GRAND VIEW ID 83624-0000
Phone: (208) 834-2941

Water Right Number: 57-07286B

Name of Claimant: KARL STEINER
VERA STEINER
Address: HC 85 BOX 325
GRANDVIEW ID 83624
Phone: (208) 834-2930

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 25, 1997



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *November 25, 1997* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

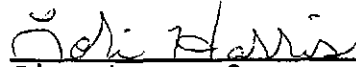
1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

ROBERT BURGHARDT
JULIE A BURGHARDT
PO BOX 277
GRAND VIEW ID 83624
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

ROBERT BURGHARDT
JULIE A BURGHARDT
PO BOX 277
GRAND VIEW ID 83624-0000

KARL STEINER
VERA STEINER
HC 85 BOX 325
GRANDVIEW ID 83624
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-05-1997

PAGE: A-1

 RIGHTS FROM: SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-072868

NAME AND ADDRESS: KARL STEINER
VERA STEINER
HC 85 BOX 325
GRANDVIEW ID 83624

~~ROBERT BURBARDT~~
~~AULIE A BURBARDT~~
~~PO BOX 277~~
~~GRAND VIEW ID 83624~~

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.018 CFS
~~0.12 CFS~~
4.5 AFY
~~49.18 AFY~~

PRIORITY DATE: 06/25/1981

POINT OF DIVERSION: T05S R03E S35 SWNE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY	
IRRIGATION		<u>Irrigation Season</u>	<u>0.018</u>	<u>CFS</u>
		~~03/18 11/18~~	~~0.12~~	~~CFS~~
			~~4.5~~	~~AFY~~

PLACE OF USE: IRRIGATION Within Owyhee County

T05S R03E S35

SENE 1~~SENE 11~~1 ACRES TOTAL~~11 ACRES TOTAL~~CONSUMPTIVE USE: ~~38.18~~ AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ0729NP
No. R57-07286B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/30/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KARL STEINER	06/25/1981	IRRIGATION	03-15 11-15	0.01 CFS	4.5 AFA
C	VERA STEINER					
	HC 85 BOX 325			TOTAL DIVERSION:	0.01 CFS	4.5 AFA
	GRANDVIEW ID 83624			CONSUMPTIVE USE:		3.5 AFA
	(208) 834-2930					

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T05S R03E S35

SWNE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	03E	35	:																	:	1.0
			:																	:	1.0
			:																	:	1.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/13/1993 User-ID: SHURTE Subject: SPLIT OF ORIGINAL RIGHT - OWNERSHIP CHANGE
RIGHT NO 57-07286 HAS BEEN SPLIT PER A CHANGE OF OWNERSHIP. THE
ORIGINAL RIGHT 57-07286 HAS BEEN SUBMITTED TO THE COURT IN THE
DIRECTOR'S REPORT FOR BASIN 57. THE OWNERSHIP CHANGE WAS
SUBMITTED AFTER SUBMITTAL TO THE COURT.

Audit: 07/13/93 SHURTE

MICROFILMED
JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 30, 1993

Re: Original Notice of Claim to a Water Right No. 57-07286

Renumbered to Notice of Claim to a Water Right No. 57-07286A

Robert & Julie A Burghardt
PO Box 277
Grandview, ID 83624

Dear Mr. & Mrs. Burghardt:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Enclosure

MICROFILMED
JUL 20 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT BURGHARDT	06/25/1981	IRRIGATION	03-15 11-15	0.20 CFS	49.5 AFA
C	JULIE A BURGHARDT					
	PO BOX 277					
	GRAND VIEW ID 836240000			TOTAL DIVERSION:	0.20 CFS	49.5 AFA
	(208) 834-2941			CONSUMPTIVE USE:		38.5 AFA

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T05S R03E S35

SWNE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	03E	35	:					11	:											:	11.0
																				TOTAL ACRES	11.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:
A57-07226 R57-07259

Other Water Rights Listing Overlapping Place(s) of use:
A02-00071 A02-04027 A02-07344 A02-10031 A57-02304B A57-02327 A57-04000 A57-07226 A57-07286 A57-07449
R57-02304A R57-02304B R57-04000 R57-04106 R57-07226

Dates: Exam Made Date: 01/29/1991 Verified Date: 09/03/1992

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/14/1992 User-ID: SCHULTZ Subject: DATA ENTRY CHANGE
ADDED TOTAL DIVERSION VOLUME: 38.5 AFA
ADDED WATER USE AMOUNT: 38.5 AFA

Date: 08/11/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/11/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/03/1992 User-ID: HOWERTON Subject: CHANGED RECOMMENDATIONS
NEW IRRIGATION REQUIREMENT/SEASON OF USE MAP CHANGED THE BELOW:
1. PERIOD OF USE: HAS BEEN EXTENDED FROM 10/30 TO 11/15.
2. ANNUAL VOLUME: THE FIELD HEAD GATE VOLUME REQUIREMENT HAS
CHANGED FROM 5.0 AFA TO 4.5 AFA THEREFORE, REDUCED FROM 55 AFA TO
49.5 AFA.

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JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

SEPTEMBER 3, 1992

CECIL D. ANDRUS
GOVERNOR

RE: CLAIM TO A WATER RIGHT NO. 57-07286

R. KEITH HIGGINSON
DIRECTOR

ROBERT S BURGHARDT &/OR
JULIE A BURGHARDT
PO BOX 277
GRAND VIEW ID 83624

Dear Robert and Julie:

We are in receipt of the Notice of Error submitted on the above referenced claim.

The basis for this recommendation is the Water Right License. When you filed your claim, it was still in permit stage and hadn't had a field exam done on it yet. See pages 3 & 4 of the enclosures. The total acres licensed only reflect the 11 acres that you own. Apparently, there is an easement to allow other land users access to the water, but they still are required to have a water right to divert the water upon their lands. See page 5 of the enclosures. (This is a copy from the actual field exam). NOTE: These folks that you have given the right to access the water, must also obtain a water right to use on their lands, without a water right, they are illegally diverting water! This is why the license only reflected 11 acres and not 15.

On page 3, please note that two items have changed with our new Irrigation and Season requirements. (Refer to page 2, that shows the new requirement map).

1. Period of Use: Has been extended from 10/30 to 11/15.
2. Annual Volume: The field head gate requirement has changed from 5.0 AFA to 4.5 AFA per acre. Therefore, has been slightly reduced from 55 AFA to 49.5 AFA.

These 2 changes will be reflected on our recommendation for this right and are marked on page 3 of the enclosures.

If we do not hear from you or receive additional information from you by September 14, 1992, we will assume you now agree with our recommendations and will take no further action on the Notice of Error submitted in regard to this claim.

Sincerely,

Ron Howerton
Senior Water Agent
Adjudication Bureau

Enclosures: Copy of Your Notice
Copy of Irrig./Season of Use Map
Copy of License
Copy from Field Exam

MICROFILMED
JUL 20 1994

JUL-20-1992

NOTICE OF ERROR FORM

RECEIVED

AUG 11 1992

Please type or print clearly, fill out completely, and return to:
Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: 57-07286
2. Name: Robert S Burghardt
Address: P.O. Box 277
Grand View, Id. 83624
Weekday Telephone Number: 834-2747

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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JUL 20 1994

POOR ORIGINAL

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Total Acres Watered
Acre feet per year used

POOR ORIGINAL

4. Describe the changes you wish to have made in the proposed recommendation:

It should show 15 acres watered
It should show 52.50 Acre feet per year

5. Describe why you disagree with the proposed recommendation:

Although I only have eleven acres deeded to me.
there are four other acres that my neighbors water
from my system, that I promised them, to allow me a
Date: right away through their property when the water
pipe line was layed

8-10-92

SIGNATURE

Robert S. Burghardt

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JUL 20 1994

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A57-07286

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	Rdh 1/29/91	6	N		
PT. OF DIV.						DATA ENTRY COMPLETED
SOURCE						BY <u> </u> DATE <u>2-6-91</u>
PL. OF USE						FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF						BY <u> </u> DATE <u> </u>
CONSUMPTIVE USE			ADD CU			
NATURE OF USE			6			
PERIOD OF USE						
BASIS OF CLAIM						
REMARKS						

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: CLAIM WAS MADE WHILE IN PERMIT
 STAGE. RECOMMEND AS LICENSED (LIC IN LAST 5 YEARS) (AFTER 1982)
 -SEE CLAIM ENTER AS MARKED.
 IN-OFFICE MATCH

JUL 20 1994

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET(use in place of the CVR for ~~small Domestic/Stock~~ exams)

MATCH

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME AS PER 12 LK.
☐ Incomplete on claim, the total is, -- -- _____ cfs _____ af
☐ Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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10. ☒ No Change - PLACE OF USE: (If changed, list below.)

Use	Twp.	Rge.	Sec.	1/4,	1/4,
AS PER LIC,					

Remarks: (Comments pertinent to field examination)

CLAIM WAS FILED ON PERMIT, RECOMMEND:
AS LICENSED, CES AND ACRES ARE REFLECTED
ON "R" FILE.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 1/29/91

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

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JUL 20 1994

T55 R3E Section 35
NE SW NE

POOR ORIGINAL



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JUL 20 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 11 x 0.02 CFS/ACRE = 0.22 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 11 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 38.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 11 x DIVERSION VOL. AF/A FOR AREA 4.5 =

TOTAL DIVERSION VOLUME 49.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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JUL 20 1994

1b. CALCULATIONS

State of Idaho
Department of Water Resources

POOR ORIGINAL

RECEIVED
OCT 23 1990

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07286

Department of Water Resources
Western Regional Office

Priority: June 25, 1981

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume:¹ 55.0 AF

This is to certify, that ROBERT BURGHARDT
P.O. BOX 277

GRAND VIEW, ID 836240000 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 25, 1981; and
has submitted Proof of Beneficial Use on July 30, 1986. An examination indicates
that the works have a diversion capacity of .480 cfs of water from:

SHOOFLY CREEK tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 10/30	0.20 CFS	55.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 35, Township 05S, Range 03E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	03E	35	SENE	11		11

Total number of acres irrigated: 11

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

JUL 20 1994

State of Idaho
Department of Water Resources

POOR ORIGINAL

WATER RIGHT LICENSE

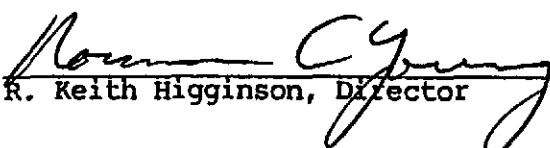
WATER RIGHT NO. 57-07286

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of OCTOBER, 1970.

Acting for


R. Keith Higginson, Director

MICROFILMED

JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

Robert Burghardt
P.O. Box 277

GRAND VIEW Id 83624

CECIL D. ANDRUS

Date: 7-19-90

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit and/or Adjudication Claim No.s A57-07286

Dear Claimant(s):

The Department of Water Resources will be conducting beneficial use examinations and water right adjudication claim verification examinations for Owyhee County from July thru November 1990. Once the beneficial use examination or claim verification is made, your water rights will be recommended for licencing by the department or decree by Judge Hurlbutt in the Fifth District Court. The recommendations will be based on our findings in the field.

Information on your permit or claim that may need to be verified, includes source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication. Some of your claims may only need a small amount of verification if there are no changes in the manner in which they were previously documented and examined in accordance with the State's permitting, licencing and/or decree process.

Although it is not mandatory that you accompany the field examiner, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available for a short time during the field exam. This would help speed up our findings and help collect information for your rights to be recommended to the court.

A field examiner will be calling or writing you for the scheduling of this (these) field exam(s). We can either meet you at the place of use or a place of your convenience. This may be determined at the time we contact you.

If you have questions regarding this letter or prior to scheduling, please call 334-2190 and ask for either Steve Lester or Ron Howerton.

Sincerely,

Ron Howerton
Senior Water Resource Agent

MICROFILMED

JUL 20 1994

cc:RH:file