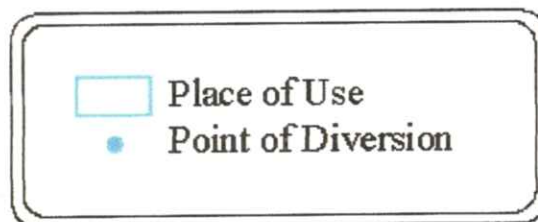
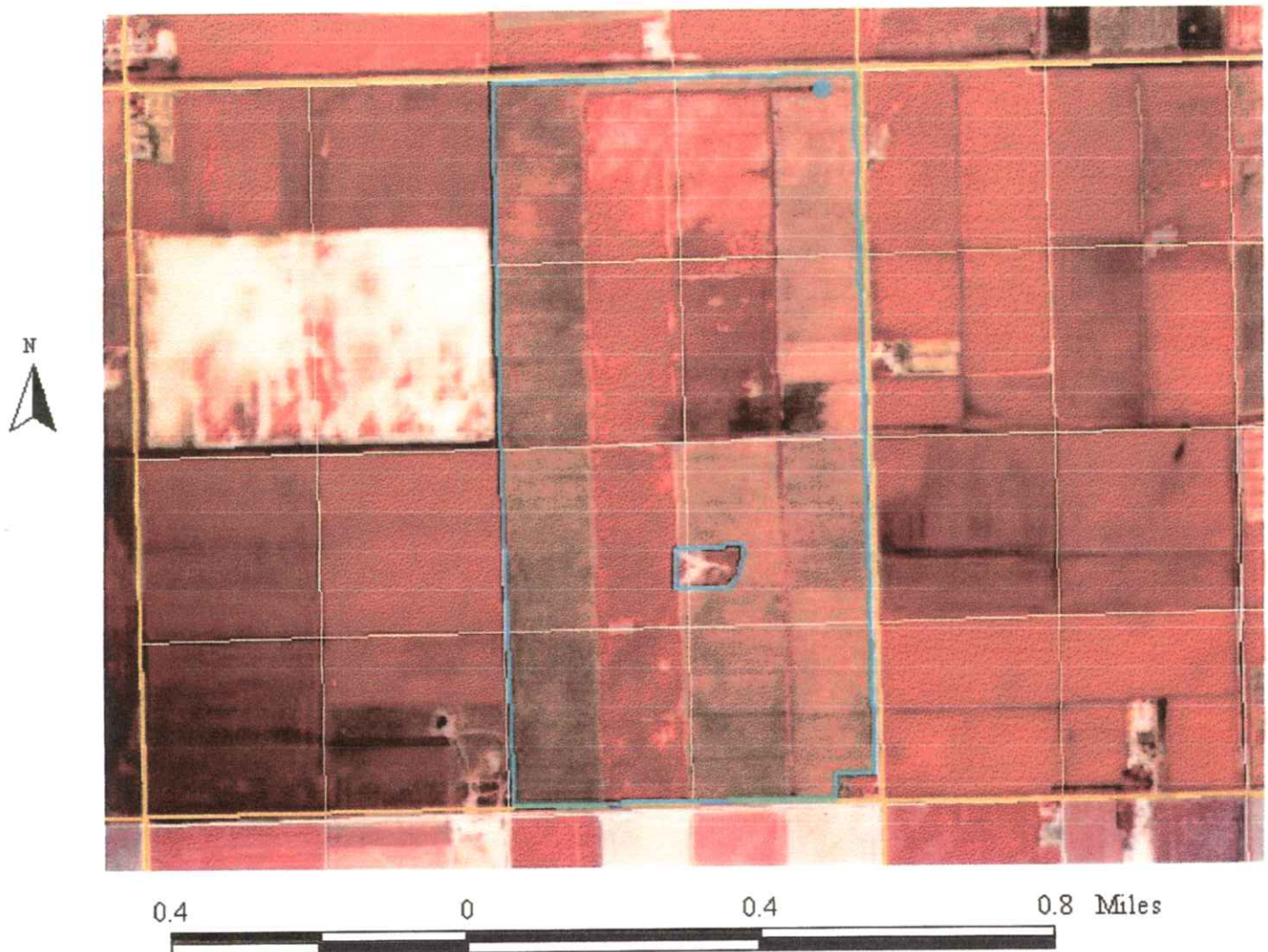


Water Right No. 31-07012

T06N, R34E, Section 6
NE and SE Quarters



01/24/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-7012

DON M BURTENSHAW
1603 N 1000 E
TERRETON ID 83450
Telephone Number: (208) 663-4493

BEVERLY 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):

You have priority Dated 1968. We have supplied Affidavit showing usage and Dripping began in the 1940's. There is a portion not irrigated by your maps that has been for several years needing to be listed

2. Describe the changes you wish to make in the proposed recommendation:

Make Priority Date 6-1-1945. Spread water over entire property except where the house sits in south east corner.

3. Give a brief explanation as to why you disagree with these portions:

The well & ground were developed in the 1940's, the reason the priority is 1968 is because it wasn't licensed until the ground changed hands in the 1960's.

☒ 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

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,

A handwritten signature in cursive script that reads "Mildred Staley". The ink is dark and the handwriting is fluid, with the first letters of each name being capitalized and prominent.

Mildred Staley

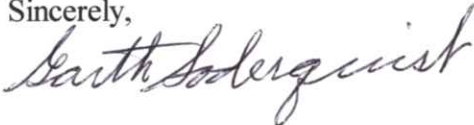
February 21, 2001

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,

A handwritten signature in cursive script that reads "Garth Soderquist". The ink is dark and the signature is fluid, with the first and last names being more prominent than the middle name.

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

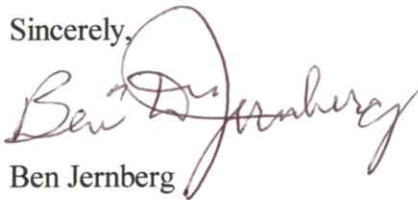
February 21, 2001

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 red ink that reads "Ben Jernberg". The signature is stylized with a large, looping "B" and "J".

Ben Jernberg

AJ0749NP
No. R31-07012

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

DATE: 04/20/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARTH E SODERQUIST	07/03/1968	IRRIGATION	04-15 10-15	6.16 CFS	1078.00 AFA
C	MARVETTA SODERQUIST		STOCKWATER	01-01 12-31	0.09 CFS	
	PO BOX 94					
	TERRETON ID 83450					
	(208) 663-4538					
					TOTAL DIVERSION:	1078.00 AFA
					CONSUMPTIVE USE:	770.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06N R34E S06

NENENE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SE	SW	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: SUM
06N 34E 6	: 01-38	: 02-40	: 40	: 39	: 308.0
					TOTAL ACRES 308.0

Place of use Legal Description for: STOCKWATER

	NE	NW	SE	SW	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: SUM
06N 34E 6	: 01-S	: 02-S	: S	: S	: S

POU County: JEFFERSON

Non-Irrigation Uses: STOCKWATER, 350 RANGE CATTLE

Other Rights: NONE

Remarks: A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

Dates: Exam Made Date: 04/20/1994

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

Comments: Date: 04/20/1994 User-ID: FOSTER Subject: COPIED FROM REMARKS
2 ACRES IN SESE WERE SOLD TO PRIVATE INDIVIDUAL FOR HOME LOT.

Date: 04/20/1994 User-ID: FOSTER Subject: COPIED FROM REMARKS

Date: 04/20/1994 User-ID: FOSTER Subject: COPIED FROM REMARKS

Audit: 04/20/94 FOSTER

04-20-94
Rk

NOTICE OF CLAIM NO. A31-07012

A31-07012

"R" RECORD

R. Foster
04-20-94

DATA ENTRY COMPLETED BY RF DATE 09/20/09

FINAL RECOMMENDATION

BY _____ DATE _____

T 06N
R 34E
S 06

A31-07012
GARTH E. Soderquist
310.0 ac 6.20 cfs
///-as licensed

40.0

38.0

40.0

39.0

40.0

36.0

38.0

28.0

CANAL

MAP BY R. FISH
04.20.94
LAKE

A
57.0T 06N
R 34E
S 06

A-253 (A405)

B
44.1C
14.5D
19.0A31-07012
GARTH E. Soderquist
310.0 AC 6.20 CFS
///- as licensed

A254 (A406)

39.5

11.1

40

38

40

39

40

36

39

38

Map by R Foster
04-20-94

A
57.0

T 06N
R 34E
S 06

A-253 (A405)

B
44.1

14-5

D
19.0

A31-07012

GARTH E. Sodequist
308.0 AC 6.20 cfs
111- as claimed

A254 (A406)

39.5

16.1

6

7

MAP by R. Foster
04-20-54

40

42.3

34.0

38

40

39

B252

A404

~~25.9~~

26.4

40

37.8

33.5

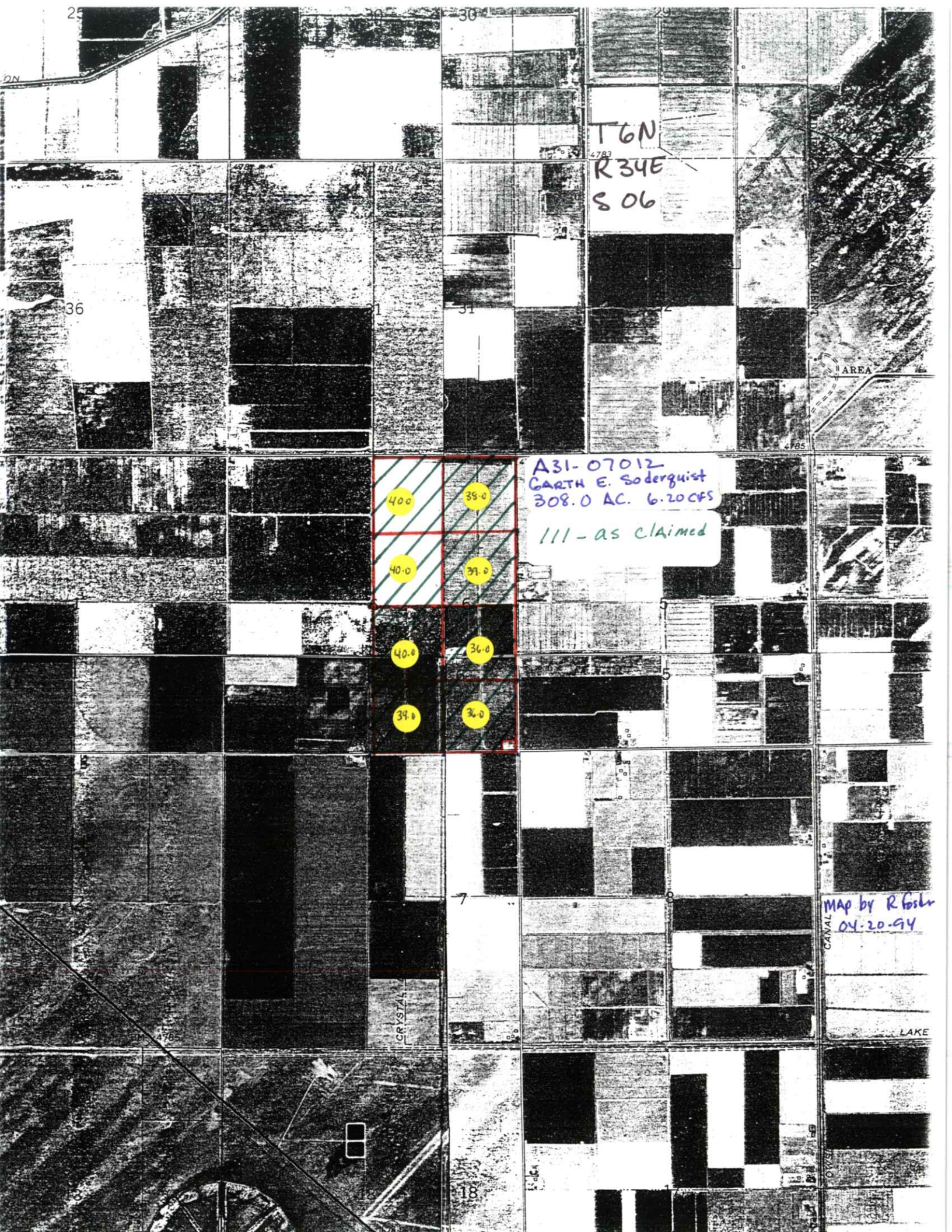
39.6

39

36

9.3

6	5
7	8



T6N
R34E
S06

A31-07012
GARTH E. Soderquist
308.0 AC. 6.20CFS
111 - as claimed

Map by R. Fisher
04-20-94

CRYSTAL

CANAL

LAKE

18

LAST: SODERQUIST
ADDRESS: P.O. BOX 96
CITY: TERRETON
PHONE NUMBER: 208-663-4538

FIRST: GARTH E.
STATE: ID ZIP: 83450

OWNER CODE: C

LAST: SODERQUIST
ADDRESS: P.O. BOX 96
CITY: TERRETON
PHONE NUMBER: 208-663-4538

FIRST: MARVETTA
STATE: ID ZIP: 83450

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD
Y EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: 2 ACRES IN SESE WERE SOLD TO PRIVATE INDIVIDUAL FOR HOME LOT.

CONTACT PERSON: None

PHONE NUMBER: () - -

DATE OF FIELD EXAM: - / - / -

APPOINTMENT MADE: V() W() TIME: : A() P()

ACCOMPANIED BY: -

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: -

DIRECTIONS TO PROPERTY / NOTES:

see office verification

A. AJ CLAIM: # A51-07012 PRIORITY DATE: 07-03-1958 STAGE: L
B. WR RECORD: # 31-07012 PRIORITY DATE: 07-03-1958 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE N
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

IF YES EXPLAIN.

NOTES: *priority date claimed as licensed*

RECOMMENDED PRIORITY DATE:

07-03-1968

REVIEWED BY

RP

DATE

04-20-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-07012	05N	34E	6	NE	NE	NE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-07012	05N	34E	6	NE	NE	NE		JEFFERSON

OTHER MR RECORDS WITH SAME MR POD
AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

POD claimed as licensed, ten acre tract further clarification of POD
Confirmed on ASES photo + completed field report dated 5-17-73

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:	IMP.	RBE.	SEC.
	1/4	1/4	

DIVERSION NAME

COUNTRY

Don 346 De

NE

NE

A3E

Thyphoid

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

04-20-94

A. ROOT WATER RIGHT NUMBERS: A31-07012

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
06N	34E	6	NE	NE	1	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 38.0	- / 31-07012 / 38.0	40.0	38.0	38.0
06N	34E	6	NE	NE	1	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 38.0	40.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 40.0	- / 31-07012 / 40.0	37.0	40.0	40.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 40.0	37.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 40.0	- / 31-07012 / 40.0	41.0	40.0	40.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 40.0	41.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 39.0	- / 31-07012 / 39.0	39.0	39.0	39.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 39.0	39.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 35.0	- / 31-07012 / 35.0	41.0	36.0	36.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 35.0	41.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 40.0	- / 31-07012 / 40.0	37.0	40.0	40.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 40.0	37.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 39.0	- / 31-07012 / 39.0	42.0	39.0	39.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 39.0	42.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 38.0	- / 31-07012 / 38.0	42.0	42.0	42.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 38.0	42.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 36.0	- / 31-07012 / 36.0	40.0	36.0	36.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 36.0	40.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 40.0	- / 31-07012 / 40.0	40.0	40.0	40.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 40.0	40.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 308.00	- / 31-07012 / 308.00	308.00	308.0	308.0
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 308.00	308.00		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 / 310.0	- / 31-07012 / 310.0	310.0		
06N	34E	6	NE	NE	2	SODERQUIST, GARTH E. SODERQUIST, GARTH E.	A31-07012 /	- / 31-07012 / 310.0	310.0		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER N

POU COUNTY: JEFFERSON

PRESUMPTION FLAG:

NOTES:

Recommend Pay acres as claimed, reduction in area due to
Sale of 2.0 acres in SE SE SE Sec 806 T66N R34E. (see remarks.)

RECOMMENDATIONS:

TOTAL ACRES: 308.0

REVIEWED BY: ET

DATE: 04-20-94

A. A3 CLAIMED USES:

PURPOSES
A31-07012 IRRIGATION
A31-07012 STOCKWATER

MONTH/DAY
FROM ~~04-01~~ TO ~~11-01~~ *04-15 to 10-15*
FROM 01-01 TO 12-31

DIVERSION QUANTITY
6.200 CFS
-090 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

6.290 CFS

B. WR RECORDED USES:

PURPOSES
31-07012 IRRIGATION
31-07012 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
6.200 CFS 1085.00 AF/A
-090 CFS 5.40 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

6.290 CFS 1090.40 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

*Recommend new IDWR standard 04-15 to 10-15 for irrigation.
Recommend Stockwater use as licensed + claimed*

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 6.290 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.290 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y FIELD
DATABASE EXAMINER

B. FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(✓) IF YES COMPLETE OVERLAP REVIEW.
OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 308.0 X 0.02 CFS/ACRE = 6.16 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 770.0 AF/A

ACRES 308.0 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 770.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 308.0 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 1078.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

WR RECORD CONDITIONS/REMARKS:

ROI - A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL
- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

irrigation diversion volume + consumptive use calculations based on
new DWR standard. stockwater use not included in calculations. diversion amount
reduced accordingly with reduction of acre.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-01	11-01	DATABASE EXAMINER 6-200 <u>6.16</u>	DATABASE EXAMINER <u>1078.6</u>	DATABASE EXAMINER 770.0 <u>770.0</u>
STOCKWATER	01-01	12-31	0-090 <u>6.09</u>	<u>1078.0</u>	<u>770.0</u>
TOTAL FOR THIS RIGHT			6-290 <u>6.25</u>	<u>1078.0</u>	<u>770.0</u>

REVIEWED BY: RF DATE: 04-26-94

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/~~RANDOM~~
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
() ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07012

TOTAL DIVERSION RATE OF MR SPLITS

DATABASE
6.290

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	MR RIGHT NUMBERS	DIVERSION RATE
-	A31-07012	6.290	-	6.25	31-07012	5.290
TOTAL CFS		6.290		6.25		5.290

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER
F

NOTES:

No split

diversion rate reduced accordingly with reduction of acre.

AUTHENTICATION:

SIGNATURE: *Robert E. Foster*

DATE: *04-20-94*

NAME OF FIELD EXAMINER: *Robert E. Foster*

TITLE: *W.R. Agent*