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DEPARTMENT OF
WATER RESOURCES

AMENDED DIRECTOR'S REPORT

Subcase Nos. 36-4080, 45-4085, 45-4086, 45-4087, 45-4089,
45-4090, 45-4091, 45-4092, 45-4093, 45-4094, 45-4095, 45-4096,
45-4097, 45-4098, 45-4099, 45-7092, 45-7114, 45-7436, 45-11133 and 45-13895

DIRECTOR'S REPORT

Subcase No. 45-14083

DRAFT RECOMMENDATION

Water Right No. 45-7269

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
David R. Tuthill, Director
Donald V. Shaff, Adjudication Bureau Chief

September 30, 2008

DESCRIPTIVE SUMMARY

This is an Amended Director's Report and Director's Report submitted by the Director of the Idaho Department of Water Resources (IDWR).

DISCUSSION

Pursuant to the Special Master's *Order Resetting Deadlines* issued July 22, 2008, the Director submits for filing with the Court, an Amended Director's Report for subcases 36-4080, 45-4085, 45-4086, 45-4087, 45-4089, 45-4090, 45-4091, 45-4092, 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-4098, 45-4099, 45-7092, 45-7114, 45-7436, 45-11133 and 45-13895. IDWR notes that water right 45-4086 was originally recommended for disallowal. There has been no change to that recommendation, and the right remains recommended for disallowal.

Amended claim 45-13895 is not currently before the SRBA Court per se, but the right originates from the amendment of water right 45-4097. The Motion to File Amended Notice of Claim No. 45-4097 was granted by the Court on January 28, 2005; however the claimant submitted the amendment of claim 45-4097 with two different priority dates. To deal with this anomaly in the amendment, IDWR planned to recommend the original claim of 45-4097 both as right 45-4097 and as 45-13895. The Motions to File Amended Notice of Claim filed on March 3, 2008 in subcases 45-4096 and 45-4097 appear to switch the priority dates of these rights, which describe two wells within the same pump house. IDWR is now recommending the amendment of claim 45-4096 as rights 45-4096 and 45-13895 and also recommending claim 45-4097.

IDWR is also submitting a Director's Report for water right 45-14083 at this time. The Motion to File Late Notice of Claim for right 45-14083 was granted on August 20, 2008. IDWR

is recommending this right in advance of the upcoming Late Claims Director's Report to assure that all related City of Burley water rights proceed together.

A Motion to File Amended Notice of Claim for water right 45-7269 was filed on March 3, 2008. While IDWR believes this Motion was granted on the record during the status conference on the City's rights held February 28, 2008, the right number is not listed on the Order Granting Motion to Amend Claim and Setting Deadlines issued the same day. Because it is unclear that the motion to amend claim 45-7269 has been granted, IDWR is submitting a draft recommendation of claim 45-7269 to assist the claimant and the SRBA Court envision the role of the water right in the City's system.

To avoid any further confusion with the City of Burley water rights, IDWR suggests all City rights proceed forward together.

Respectfully submitted this 30th day of September, 2008.


DONALD V. SHAFF
Adjudication Bureau Chief

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

RIGHT NUMBER: 36-4080

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.670 CFS

PRIORITY DATE: 11/01/1962

POINT OF
DIVERSION:

T10S R23E S17 NENENW Within MINIDOKA County
T10S R23E S20 NWSWSE Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County
T10S R23E S32 SWSENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	2.670 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system, which is also known as the culinary system. Combined rights 45-4098, 45-4099, 45-7269, and 36-4080.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the City Well # 4 located in T10S, R23E, S17, NENENW.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2008

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

RIGHT NUMBER: 45-4085

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS
280.00 AFY

PRIORITY DATE: 12/31/1959

POINT OF
DIVERSION:

T10S R23E S22 SWSWSW Lot 1 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	0.890 CFS 280.00 AFY

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. This right and 45-7092 are used for the irrigation of the Municipal Golf Course

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/30/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
45-4086	CITY OF BURLEY PO BOX 1090 BURLEY ID 83318	Disallowed	FORFEITED/ABANDONED due to the claimed facilities are now served by the municipal culinary system.

09/29/2008

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

RIGHT NUMBER: 45-4087

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
22.00 AFY

PRIORITY DATE: 06/01/1940

POINT OF
DIVERSION:

T10S R23E S28 SWNWNE Within CASSIA County
T10S R23E S28 SENENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	0.120 CFS 24.00 AFY

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system for the irrigation of the Pleasant View Cemetery. Combined rights 45-4087 and 45-7114.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the west well located in T10S, R23E, S28, SENENW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4089

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.230 CFS

PRIORITY DATE: 05/31/1947

POINT OF
DIVERSION:

T10S R23E S20 SESWNE Within CASSIA County
T10S R23E S20 NESWNW Within CASSIA County
T10S R23E S20 SESENE Within CASSIA County
T10S R23E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	1.230 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system north of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4089, 45-4090, 45-4091, and 45-4092.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Snow Well # 9 located in T10S, R23E, S20, SESWNE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4090

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.450 CFS

PRIORITY DATE: 04/01/1944

POINT OF
DIVERSION:

T10S R23E S20 SESWNE Within CASSIA County
T10S R23E S20 NESWNW Within CASSIA County
T10S R23E S20 SESENW Within CASSIA County
T10S R23E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	2.45 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system north of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4089, 45-4090, 45-4091, and 45-4092.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Northside Park Well # 8 located in T10S, R23E, S20, SESENW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4091

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.720 CFS

PRIORITY DATE: 04/01/1955

POINT OF
DIVERSION:

T10S R23E S20 SESWNE Within CASSIA County
T10S R23E S20 NESWNW Within CASSIA County
T10S R23E S20 SESENW Within CASSIA County
T10S R23E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	1.720 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system north of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4089, 45-4090, 45-4091, and 45-4092.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Larsen Well located in T10S, R23E, S20, NESWNW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4092

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

PRIORITY DATE: 04/01/1928

POINT OF
DIVERSION:

T10S R23E S20 SESWNE Within CASSIA County

T10S R23E S20 NESWNW Within CASSIA County

T10S R23E S20 SESENE Within CASSIA County

T10S R23E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

03/15 11/15

1.340 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system north of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4089, 45-4090, 45-4091, and 45-4092.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Drake well or irrigation well # 6 located in T10S, R23E, S20, NWNWSW.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4093

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS

PRIORITY DATE: 12/31/1934

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 - 11/15	2.000 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Keller well # 5 located in T10S, R23E, S29, NWNENW.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4094

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.660 CFS

PRIORITY DATE: 12/31/1949

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	1.660 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Carlson well also known as the irrigation well # 4 located in T10S, R23E, S29, NWSWNW.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2008

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

RIGHT NUMBER: 45-4095

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS

PRIORITY DATE: 04/01/1917

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.110 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Hogan well also known as the irrigation well # 5 located in T10S, R23E, S29, NENWNE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4096

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS

PRIORITY DATE: 12/31/1917

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.110 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the irrigation well # 12 located in T10S, R23E, S29, NWNWSW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2008

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

RIGHT NUMBER: 45-4097

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 04/14/1905

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	0.890 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Pump house well # 1 located in T10S, R23E, S29, NWNWNE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4098

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.670 CFS

PRIORITY DATE: 09/30/1960

POINT OF
DIVERSION:

T10S R23E S17 NENENW Within MINIDOKA County
T10S R23E S20 NWSWE Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County
T10S R23E S32 SWSENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	2.670 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system, which is also known as the culinary system. Combined rights 45-4098, 45-4099, 45-7269, and 36-4080.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Service Department Well # 3 located in T10S, R23E, S32, NESENE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-4099

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.670 CFS

PRIORITY DATE: 12/31/1941

POINT OF
DIVERSION:

T10S R23E S17 NENENW Within MINIDOKA County
T10S R23E S20 NWSWSE Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County
T10S R23E S32 SWSENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	2.670 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system, which is also known as the culinary system. Combined rights 45-4098, 45-4099, 45-7269, and 36-4080.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from The culinary Well # 2 located in T10S, R23E, S20, NWSWSE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-7092

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.440 CFS
88.00 AFY

PRIORITY DATE: 03/10/1972

POINT OF
DIVERSION:

T10S R23E S27 NWNWNW Lot 4 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 11/01	0.440 CFS 88.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. This right and 45-4084 are used for the irrigation of the Municipal Golf Course

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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

RIGHT NUMBER: 45-7114

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
36.00 AFY

PRIORITY DATE: 12/07/1972

POINT OF
DIVERSION:

T10S R23E S28 SWNWNE Within CASSIA County
T10S R23E S28 SENENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 11/01	0.180 CFS 36.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system for the irrigation of the Pleasant View Cemetery. Combined rights 45-4087 and 45-7114.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the east well located in T10S, R23E, S28, SWNWNE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

09/29/2008

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

RIGHT NUMBER: 45-7436

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.690 CFS

PRIORITY DATE: 02/15/1980

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 11/01	0.690 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Almo well # 3 located in T10S, R23E, S29, NWSENE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

09/29/2008

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

RIGHT NUMBER: 45-11133

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.880 CFS

PRIORITY DATE: 12/31/1954

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	0.880 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Salmon Park well also known as the irrigation well # 11 located in T10S, R23E, S30, NESENE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2008

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

RIGHT NUMBER: 45-13895

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.670 CFS

PRIORITY DATE: 10/30/1926

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	0.670 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the irrigation well # 12 located in T10S, R23E, S29, NWNWNE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

RIGHT NUMBER: 45-14083

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

PRIORITY DATE: 03/31/1939

POINT OF
DIVERSION:

T10S R23E S29 NENWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWNWNE Within CASSIA County
T10S R23E S29 NWSENE Within CASSIA County
T10S R23E S29 NWNENW Within CASSIA County
T10S R23E S29 NWSWNW Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	03/15 11/15	1.340 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-7436, 45-11133, 45-13895, and 45-14083.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Hogan well also known as the irrigation well # 5 located in T10S, R23E, S29, NENWNE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2008

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

RIGHT NUMBER: 45-7269

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

DRAFT

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.560 CFS

PRIORITY DATE: 05/25/1976

POINT OF
DIVERSION:

T10S R23E S17 NENENW Within MINIDOKA County
T10S R23E S20 NWSWSE Within CASSIA County
T10S R23E S30 NESENE Within CASSIA County
T10S R23E S32 SWSENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	3.560 CFS

PLACE OF USE:

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho Law. The rights listed below share a common delivery system, which is also known as the culinary system. Combined rights 45-4098, 45-4099, 45-7269, and 36-4080.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the culinary Well # 5 located in T10S, R23E, S32, SWSENE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on 9/30, 2008, I caused to be served a true and correct copy of this Amended Director's Report, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☒ Electronic Mail

2. Copies to:
Chief, Natural Resources Div.
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Cassia County Courthouse
1459 Overland Ave.
Burley, ID 83318

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Randolph C. Stone
P.O. Box 910
Burley, ID 83318

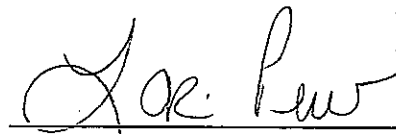
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

City of Burley
P.O. Box 1090
2020 Parke Ave.
Burley, ID 83318

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Minidoka County Courthouse
P.O. Box 368
Rupert, ID 83350

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered



Signature of person delivering form