

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: A63-02669A
Date Received: 2/27/1990
Receipt No: 0014990
Received By: RAW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARIEN PARTNERSHIP 208-375-2845
Address: 1360 ROLLING HILL
MERIDIAN, ID 83642

2. Date of Priority: AUG 12, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	11	NE	NE			CANYON

5. Description of diverting works:
WELL, 58' DEEP, 12" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		

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

8. Total consumptive use is 164.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	11	NE	NE		IRR	7.0
			NW	NE		IRR	40.0
Section Acres							47.0

10. Place of Use: Continued

Total Acres 47.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
PIONEER IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20153

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: 1

For Organizations:

I do solemnly swear or affirm that I am GENERAL PARTNER of
Title
DARIEN PARTNERSHIP, that I have signed the foregoing
Organization
document in the space below as GENERAL PARTNER of
Title
DARIEN PARTNERSHIP and that the statements contained in the
Organization
foregoing document are true and correct.

Gwendolyn M. Henry
Signature of Authorized Agent

GENERAL PARTNER
Title and Organization

2/27/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of February 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

R3W R2W

LAKE LOWELL QUADRANGLE

IDAHO

7.5-MINUTE SERIES (ORTHO PHOTOQUAD)

116° 37' 30" 43° 37' 30"

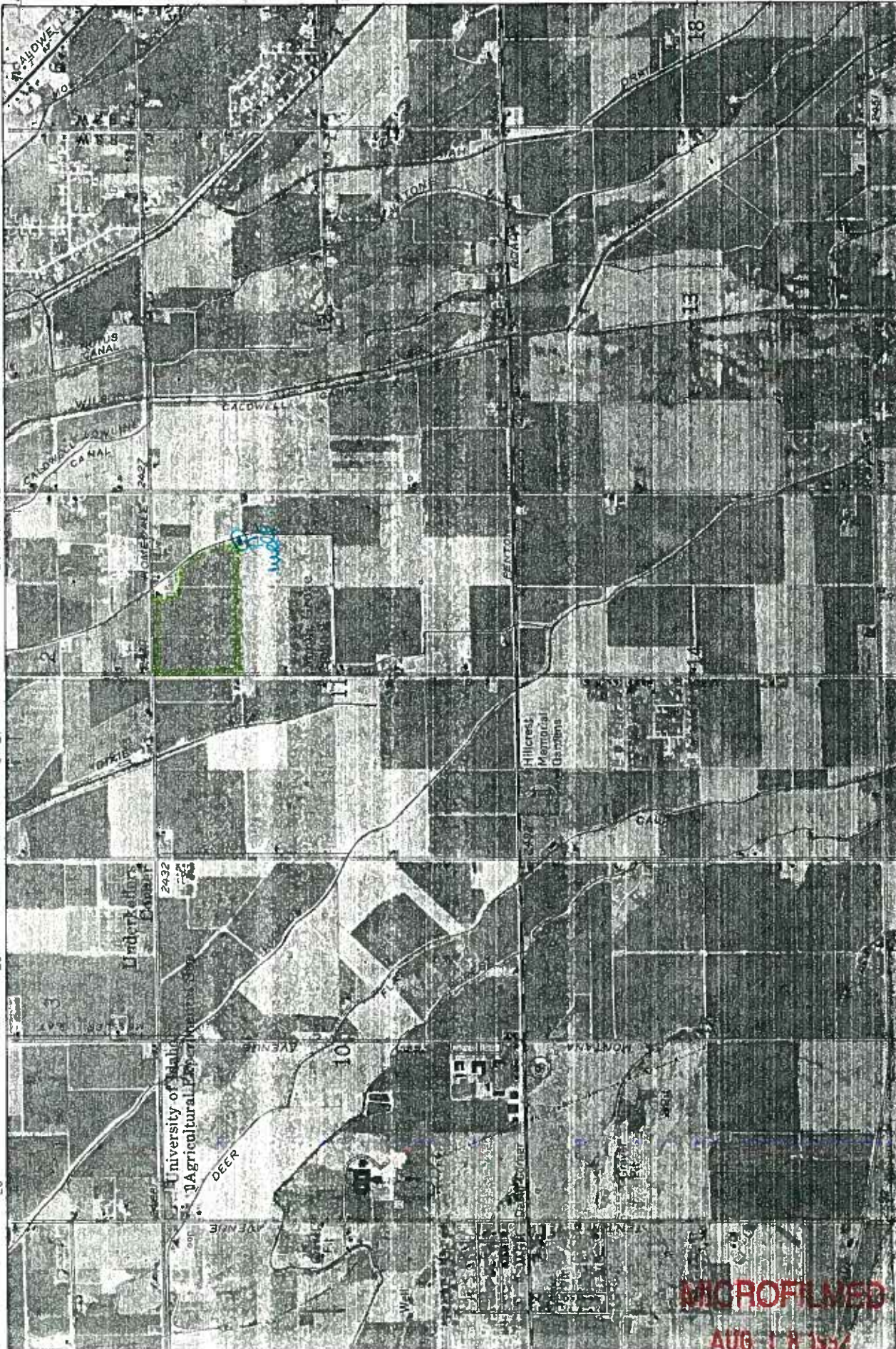
29

260 000 FEET

40° 37'

26

25



MICROFILMED

AUG 18 1964

09/06/2006

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

RIGHT NUMBER: 63-2669A

NAME AND ADDRESS: DARIEN PARTNERSHIP
1360 ROLLING HILL
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.940 CFS
211.500 AFY

PRIORITY DATE: 08/12/1947

POINT OF DIVERSION:

T03N R03W S11 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.940 CFS 211.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S11	NENE	11.00	T03N R03W S11	NWNE	36.00
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47 ACRES TOTAL

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

Use of this right is combined with water from Pioneer Irrigation District.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

V Pedigree



Idaho Department of Water Resources

SRBA Recommendation:

63-2669A

(Irrigation)

Acres = 47

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Wednesday, September 6, 2006
1987/88 Aerial Photography

R03W



0 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2669A

WATER RIGHT NUMBER: 63-2669A ✓

Owner Type Name and AddressOriginal Owner J G BURBACK
RT 3
CALDWELL, ID 83605Current Owner DARIEN PARTNERSHIP ✓
1360 ROLLING HILL
MERIDIAN, ID 83642
(208)375-2845

Priority Date: 08/12/1947 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Beneficial Use ✓

IRRIGATION ✓

Not on Lic-
Rec Standard
SeasonFrom To
3/15 to 11/15

tributary

Diversion Rate

0.940 CFS ✓

Annual Volume

211.5 ✓

211.5 ✓

Total Diversion:

0.940 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NE1/4NE1/4 ✓

Sec. 11, ✓ Twp 03N, ✓ Rge 03W, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	11	2.0	40.0															47.0
			11	36															

Total Acres: 47 ✓

Conditions of Approval:Remarks:Comments:

R65
Pioneer - W40
claim on "B" station
claims for
"private" irrig. in
NENE, Sec 11

per
GIS
shape

in office
review by kw
a/6/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2669

WATER RIGHT NUMBER: 63-2669

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J G BURBACK RT 3 CALDWELL, ID 83605

Priority Date: 08/12/1947

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 11, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	03W	11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			40.0	40.0															80.0

Total Acres: 80

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2669A

03/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2669A	Claim	03N	03W	11	NE	NE		IRRIGATION	7/47	DARIEN PARTNERSHIP
2669	Water Right	03N	03W	11	NE	NE		IRRIGATION	40/80	J G BURBACK
21098	Water Right	03N	03W	11	NE	NE		STOCKWATER		HILDEGARD ROLLER
23387	Water Right	03N	03W	11	NE	NE		STOCKWATER		JOHN L PERONI
21098	Water Right	03N	03W	11	NE	NE		DOMESTIC		HILDEGARD ROLLER
23387	Water Right	03N	03W	11	NE	NE		DOMESTIC		JOHN L PERONI
2669A	Claim	03N	03W	11	NW	NE		IRRIGATION	40/47	DARIEN PARTNERSHIP
2669	Water Right	03N	03W	11	NW	NE		IRRIGATION	40/80	J G BURBACK
28445	Water Right	03N	03W	11	NW	NE		STOCKWATER		BENJAMIN F FREELAND
28445	Water Right	03N	03W	11	NW	NE		DOMESTIC		BENJAMIN F FREELAND

Ø OL
Ø filed on "B" (unclaimed)
of 63-2669 portion

Receipt Details for ID C014996

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/27/1990 9:03:41 AM	2/27/1990	State	\$97.00	Check
Payer		DARIEN PARTNERSHIP		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1096			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$97.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2669	A	\$97.00	Claim

OK

Print Report

State of Idaho
License and Certificate of Water Right

Water License No. 20153

Amount 1.6 second feet

Water District No. _____

Priority August 12, 1947

THIS IS TO CERTIFY that J. G. BURBACK

of Caliswell, Idaho

, made application for a permit to appropriate the public waters of the State of Idaho, dated August 12, 1947; that Permit No. 20153 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on October 2, 1947, showing that said works were completed on the 16th day of September 1947; and that on the 23rd day of August 1949,

J. G. BURBACK

of Caliswell

State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

underground (subterranean flow), for the purpose of irrigation

, under Use Permit No. 20153 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

5 of Licenses at page 4668, on the 31st day of December 1950:

The right hereby confirmed dates from August 12, 1947:

The Point of Diversion is located

in the NE 1/4 NE 1/4 Sec. 11, T₃ N., R. 3 W., R. M. Canyon County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	11	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			Number of Acres actually irrigated	-	80

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

31st day of December 1950.

MARK B. KULP

State Reclamation Engineer

(SEAL.)

63 2009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20153This proof is for beneficial use In Water District No. _____

1. Name of applicant J. G. Burbach, Route 3, Caldwell, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11
T. 3 N. R. 3 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:
- Well 58' deep with 58' of 12" casing. Pomona Deep Well pump with 6"
discharge. Westinghouse motor, 7 $\frac{1}{2}$ H.P., 3 phase, 60 cycle 220/440 volts,
21/10.5 amps. per terminal, 1750 R.P.M. @ full load, 50 cycle 1458 R.P.M.,
22/11 amps, Serial 26 EM 1232.

5. Water is used for: irrigation.
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11, Township 3 North, Range 3 West, B. M.

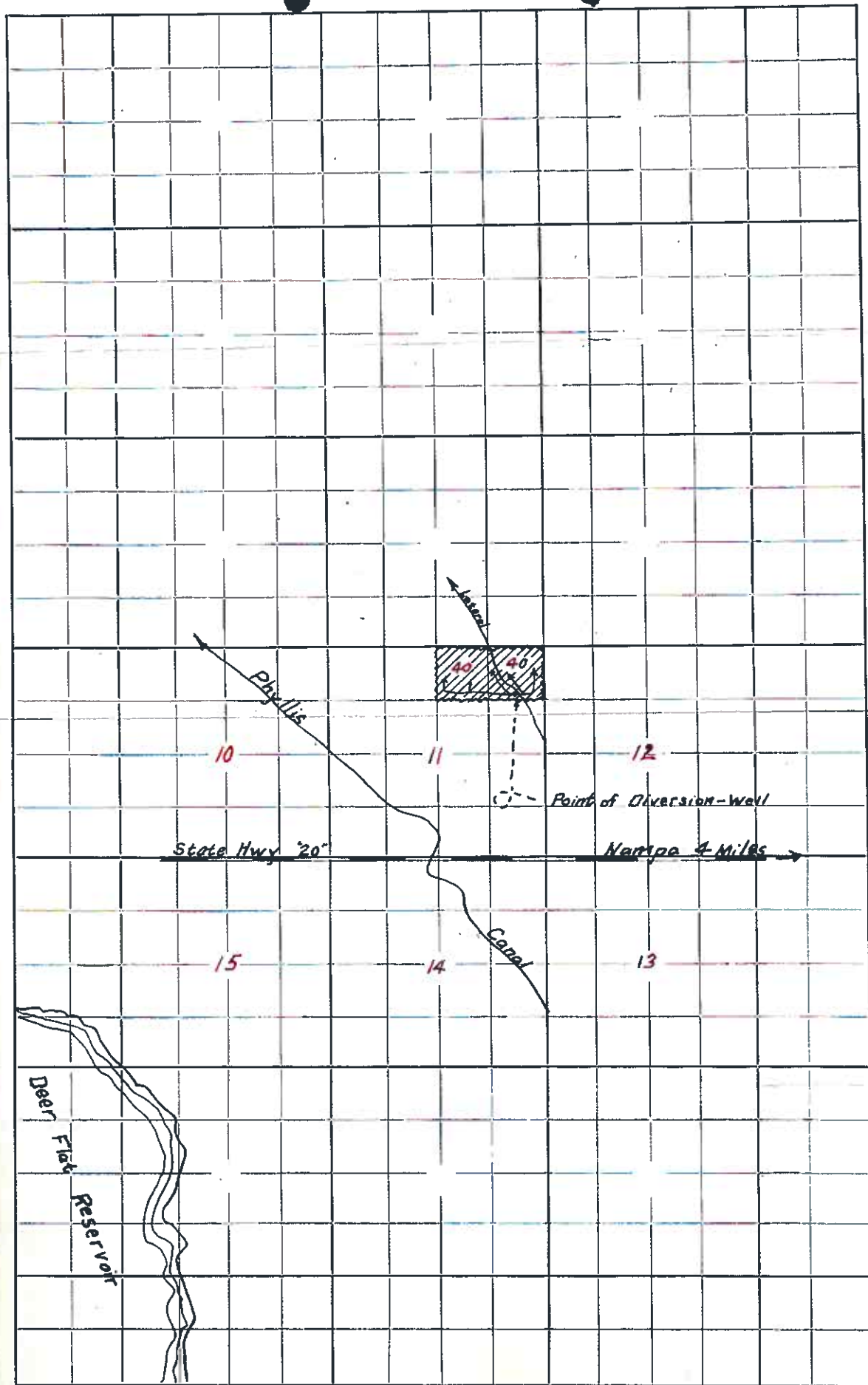
(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Unknown

Remarks: _____

This examination was made on the 4th day of November, 19 49(Signed) F. A. Schuman Examiner.

20153



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

20153

N^o 20153
2669

**APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho**

Application No. 27753
Permit No. 20153
District No.

1. Name of Applicant: J. G. MURBACK

Postoffice address: R. R. 3, Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 80 inches or 1.6 cubic feet per second.

3. Source of water supply: Subterranean (well) which is a tributary of

4. Location of point of diversion: 656 Ft. E. & 1304 Ft. S. ~~feet distant from the~~ N E
corner of Section 11, T. 3 N., R. 3 W., B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 11, T. 3 N., R. 3 W., B.M., County of Canyon

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.
(b) Amount of power generated: H.P. under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$1,750.00

8. Kind of works: Well and pump (Pomona pump turbine type)

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 2 $\frac{1}{2}$ feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Completed years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Pioneer Canal (Phyllis)

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. G. SURBACK

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M. August 12, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20153

Recorded in Book 72 Page 20153 Approved August 23, 1947

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before: -

The whole of said work to be completed on or before November 23, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before August 25, 1949

Witness my hand this 23rd day of August, 1947

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROEDS

Governor of the State of Idaho,

and J. D. "CV" PRICE Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be herunto affixed, this 23rd

day of August 19 47

STATE OF IDAHO

Countersigned:

(SEAL)

By..... J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

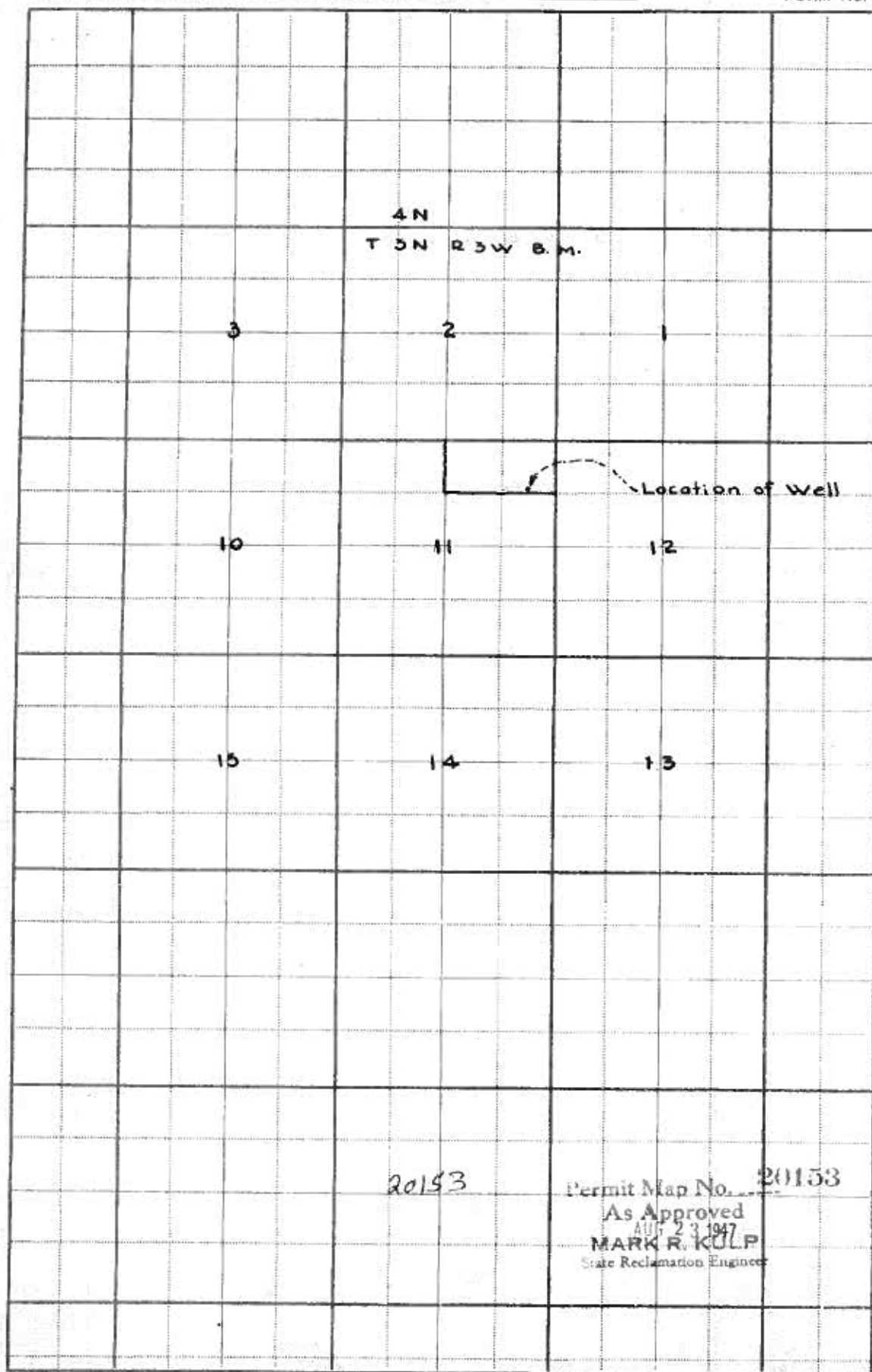
Remarks: This is for supplemental water, to be used when other water is short.

14.

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
			NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	
3 N.	3 W.	11	40 40				80
PERMIT NO. 20153 Certificate of Completion of Works To All Whom it May Concern: This is to certify that J. G. BURBACH, of Caldwell, Idaho, the holder of Permit No. 20153, issued upon Application No. 27753, bearing date of priority of August 12, 1947, authorizing the diversion of 1.6 second feet of the waters of (subterranean), County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of or the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters well; that the point of diversion of said waters is in the NE 1/4 Section 11, Township 3 North, Range 3 West, B.M. that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE 1/4 Section 11 Township 3 North, Range 3 West, B.M. Witness my hand this 2nd day of October, A. D. 1947. Proof of completion of works made September 16, 1947 Certificate of completion of works issued October 2, 1947 MARK R. KULP State Reclamation Engineer							

NAME OF APPLICANT J. G. BURBACK

FORM No. O



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

NAME OF APPLICANT

J. G. Burbach.

FORM No. 0

Twp 3 N. R 3 W B.M.



Well located
656' from
East section line.
14' from South
property line

10

11

N.

20153