

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



- ☐ Not Following As Addressed
☐ Return To Forward
☐ Return to Addressee
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receipts
☒ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
\$00.87
0004310839 AUG 22 2006
MAILED FROM ZIP CODE 83702

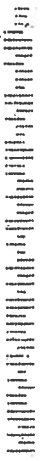
RECEIVED
AUG 29 2006
DEPARTMENT OF
WATER RESOURCES

19-4017
19-4055A

BERTHA G BURNS
PO BOX 112

~~WATER RES ID 83720~~





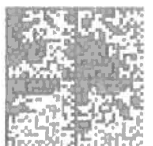
Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

79-4055A ✓
79-4056A R.D. ✓
79-1001A R.D. ✓

BERTHA G BURNS
PO BOX 112
WHITE BIRD ID

☐ No Mail Item
☐ Box Closed
☐ Returned to Sender
☐ Postage Due

FIRST CLASS



UNITED STATES
POSTAGE
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DEPARTMENT OF
WATER RESOURCES

03/09/2006

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

RIGHT NUMBER: 79-4055A
NAME AND ADDRESS: BERTHA G BURNS
PO BOX 112
WHITE BIRD ID 83554
SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 05/01/1968
POINT OF DIVERSION:
T28N R01E S22 NWNW Lot 3 Within IDAHO County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.040 CFS

PLACE OF USE: IRRIGATION Within IDAHO County
T28N R01E S22 Lot 3 NWNW 1.40

1.4 ACRES TOTAL

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

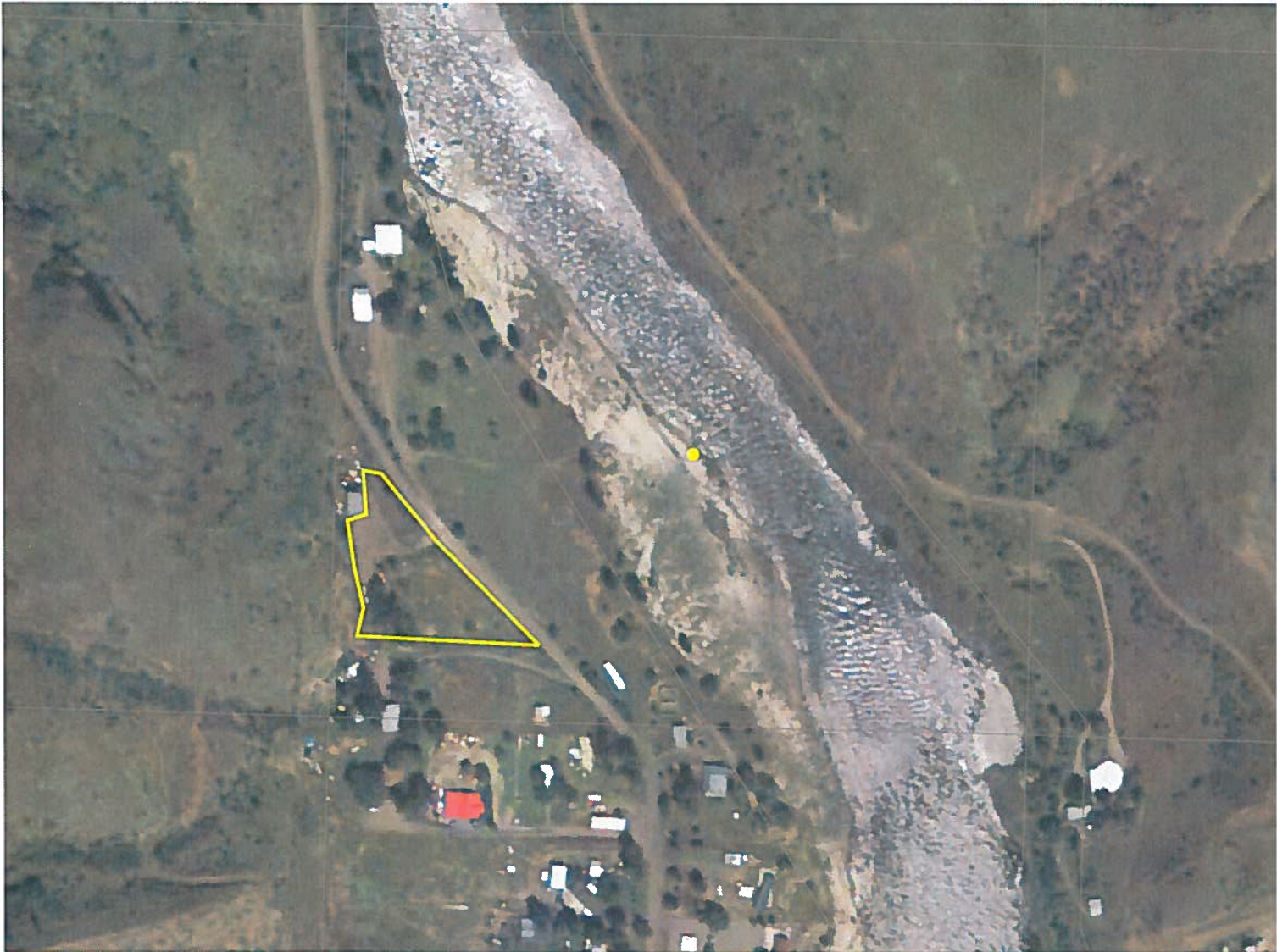
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THIS SPLIT IS A RESULT OF APPROVED TRANSFER NO. 4546
TRANSFERRING 2 ACRES AND .04 CFS TO BRUMLEY'S UNDER
A79-04055B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

79-4055A

T28N R01E
Section(s) 22

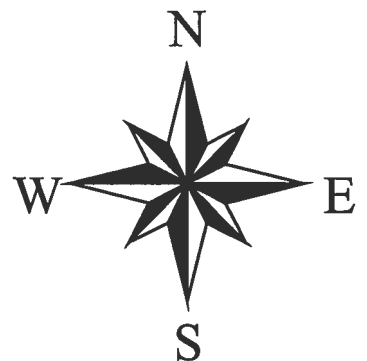


Place of Use



Point of Diversion

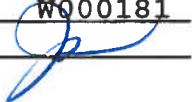
**Layout prepared on March 9, 2006
By Greg Taylor
Idaho Department of Water Resources**



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: **A79-04055A**
Date Received: 5/13/1988
Receipt No: W000181
Received By: 

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

1. Name: BERTHA G BURNS 208-839-2327
Address: BOX 112
WHITEBIRD ID 83554

2. Date of Priority: MAY 1, 1968

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NE	SW	NW	3	IDAHO

5. Description of diverting works:
3 HP PUMP IN RIVER TO MAINLINE & SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	SW	NW	3	IRR	8.0

Section Acres 8.0

Total Acres 8.0

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11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
79-04017;DIFFERENT PUMP & P.O.U.

14. Remarks:
THIS SPLIT IS A RESULT OF APPROVED TRANSFER NO. 4546 TRANSFERRING
2 ACRES AND .04 CFS TO BRUMLEY'S UNDER A79-04055B.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 794055

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/08/95 08:25:11
Page 1

Water Right Number - 79-04055A Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BURNS

VERNON H
1 - PO BOX 112
2 -
3 -
City- WHITEBIRD State- ID Zip- 83554
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1968 14 WESTERN S - STATUTORY CLAIM

+ - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
TwN Rng Sec Tract Lot RFlg County (49) IDAHO

28N 01E 22 SE NW
+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To
01 - IRRIGATION 05/01 10/01 0.160

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.160

+ - - - - - - - - - - - Place of Use - - - - - Description County
TwN Rng Sec Tract Lot Acres Code
28N 01E 22 SW NW 8.0 01 IRRIGATION (49) IDAHO
Total Acres: 8.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
No Remarks found.

+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - - +

00/00/0000

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WATER RIGHT

[illegible]

The original point of diversion as recorded in this right appears to be incorrect or has changed over time. The correct point of diversion will be resolved in the SRBA process.

+ - - Audit Fields - 01/27/95 CHODGES 04/07/95 PSKAGGS

Water Rights Dates and Flags Area

| | | | | | | | |
|-------------------|---|------------|-----------------|---|------------|--------------------|---|
| Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Suan Falls | - |
| Exam Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 02/20/1985 | DLE/Carey Act | - |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | W018550 | Water District | - |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| Decree Date | - | 00/00/0000 | Name Connector | - | - | POU Ownership Flag | - |
| Presumption Flag | - | - | - | - | - | - | - |

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MEMORANDUM

TO: FILE NO. 79-04055
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4546
DATE: April 7, 1995

=====

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APR 14 1995

WATER RESOURCES
WESTERN REGION

Transfer No. 4546 was filed to add a separate point of diversion for use under a portion of Right No. 79-04055, splitting the right into parts A and B.

Review of the statutory claim, Snake River Basin Adjudication Claim and the transfer application and related maps shows either errors or changes in the legal description of the historical point of diversion. Since the focus of this transfer application is to add a new point of diversion as identified for Part B, the correct location of the unchanged portion, Part A, should be resolved through the SRBA process. The point of diversion for Part A of the right will reflect the original, unchanged legal description from the statutory claim. (See region analysis sheet for more information.)

Recommended conditions include irrigation overlap, non-confirmation of claim, right-of-way and standard transfer conditions.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4546
WATER RIGHT NO. 79-04055B

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WESTERN REGION

This is to certify that: BONNER BRUMLEY
DARLA BRUMLEY
HC 01 BOX 115A
WHITEBIRD ID 83554

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION | 03/01 to 11/30 | 0.04 CFS | 8.0 AF |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| SALMON RIVER | SNAKE RIVER |

Priority: 05/01/1968

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNW), Sec. 22, Township 28N, Range 01E
IDAHO 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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 28N | 01E | 22 | Lot 4(SWNW) | 2 | | 2 |
| Total number of acres irrigated: | | | | | | 2 |

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Approval of this transfer in no way confirms the right(s) claimed.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

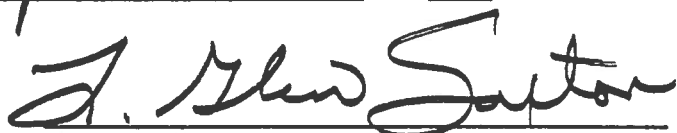
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OCT 24 1996

TRANSFER NO. 4546
WATER RIGHT NO. 79-04055B

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 12th day of April, 1995.


Chief, Water Alloc. Bureau

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OCT 24 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR ORIGINAL

TRANSFER ANALYSIS SHEET

T. 4546

INITIAL REVIEW BY: JRAPPLICANT Bonner/Orin Brunkey

1. Right number 79-04055
2. Type of right: ☐ Decree ☐ License ☒ Claim for split portion
3. Purpose of transfer: ☐ Change of point of diversion ☒ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☒ SRBA claim

b. ☒ Description of original point of diversion.c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☐ All of right.b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).c. ☒ Check description of point(s) of diversion.d. ☒ Check description of place of use.e. ☒ Check map (shows p.d. and p.u. after transfer).f. ☒ Check for correct signature, notarization, and fee.g. ☒ Check proof of ownership of right &/or land from which water is transferred. - Attach A re: split portionh. ☒ Check for expansion in use of right. Comments none Apparenti. ☒ Check for existing water rights from same source, on land water is being transferred to.Right number(s) N/Aj. ☒ SRBA claim. Comments A 79-04055k. ☒ Is use within Water District? ☐ Yes ☒ NoIf yes, what district? _____ Comment letter sent ☐ Yes ☐ Nol. ☐ Legal notice electronically transmitted to DWR03::Vault?

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions * _____

4. By _____ Date _____

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OCT 24 1996

See
attached
note &
p/d

T. 4546 Analysis, Continued

POOR ORIGINAL

RE: P/O Location, note inconsistencies

WR

AJ

written v. map

written v. map

SENW

SENW

L3 (NESW)

L3 (NWNW)

agreement appears
incorrect

this appears to be recording error
on original hand claim since
L3 = NWNW, not SENW. So
probably should have been L3 (NWNW)

From 7 1/2' quad, cannot direct on W. side of River in
SENW.

Appears AJ file corrects historic location of this pump.

Transfer appl. confirms the correction.

Advertised with AJ correction for public notice.

Options

① Contact original owner (Gladys widow) & revise Brumby filing
with sufficient documentation from original owner to agree at
79-04055A (Beans) with corrected P/O in L3 (NWNW).

② allow transfer to continue ^{as} is, will result in:

4055A Beans Pld SENW (incorrect)

4055B Brumby " SWNW (correct)

Then let SRBA correct 4055A in due time.

Avoids confusion for 'A' party.

CAN document WR & AJ file with S.O.'s ^{OCT 24 1996} post-transfer
memo that summarizes the situation.

I Recommend ② - no value in putting Mrs Beans through
the transfer confusion at this time.

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-----------------|------------------|------------|--------------------------------------|-------------------|---------------------|---------|----|--|----|--|------|------|------|------|------|------|------|------|---|---|---|---------|-------|-------|-------|---------|-----|-----|----|---|---|---|---|-------|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--------|--|--|--|--|--|--|--|--------|-------------|--|
| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C | BERTHA G. BURNS | 05/01/1968 | IRRIGATION | 04-01 11-01 | 0.20 CFS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | TOTAL DIVERSION:
CONSUMPTIVE USE: | | 40.00 AFA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Water Source: SALMON RIVER | | | | Tributary to: SNAKE RIVER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Point(s) of Diversion:
T28N R01E S22 Lot03(NESWNW) | | | | Stage: BENEFICIAL USE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Place of use Legal Description for: IRRIGATION | | | | IDAHO County | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0"> <tr> <td colspan="2">NE</td> <td colspan="2">NW</td> <td colspan="2">SW</td> <td colspan="2">SE</td> </tr> <tr> <td>MENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SESW</td> </tr> <tr> <td>T</td> <td>R</td> <td>S</td> <td>: Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>: Lt Ac</td> </tr> <tr> <td>28N</td> <td>01E</td> <td>22</td> <td>:</td> <td>:</td> <td>:</td> <td>:</td> <td>: SUM</td> </tr> <tr> <td colspan="7"></td> <td>:</td> </tr> <tr> <td colspan="7"></td> <td>: 10.0</td> </tr> <tr> <td colspan="7"></td> <td>: 10.0</td> </tr> </table> | | | | NE | | NW | | SW | | SE | | MENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | T | R | S | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | 28N | 01E | 22 | : | : | : | : | : SUM | | | | | | | | : | | | | | | | | : 10.0 | | | | | | | | : 10.0 | TOTAL ACRES | |
| NE | | NW | | SW | | SE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| T | R | S | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28N | 01E | 22 | : | : | : | : | : SUM | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | : | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | : 10.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | : 10.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

POU County: IDAHO

Other Rights: 79-04017; DIFFERENT PUMP & P.O.U. ← for A79-04017 = 5 hp. NWNWNW for

Other Water Rights With Same Point(s) of Diversion and Source:
A79-04013 A79-04096

Dates: Exam Made Date: Verified Date:

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

p/d different than is stat claim (JENW in 79-04055)

Note 79-04055 written JENW 3 hp, 2" map NW of JENW

A79-04055 written NW of JENW map ~ center of NWNW - the correct pt.

T. 4546 written JENW map NWNW - the correct pt.

Conclude

Attachment 1 (1 p)

Total acres 2

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .04 for IRR purposes from 4/1 5/1 to 10/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

* 2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 28N | 1E | 22 | | | | | | | 2 | | | | | | | | | | 2 |
| | | | | | | | | | 4.4 | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 2

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

1. amount .16 for IRR purposes from 5/1 to 10/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

* 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--|
| | | | | | | | | |
| | | | | | | | | REMAINS AS EXISTING pump in Lot 3 (NW 1/4) |
| | | | | | | | | per file review |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 28N | 1E | 22 | | | | | | | 8 | | | | | | | | | | 8 |
| | | | | | | | | | 4.4 | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

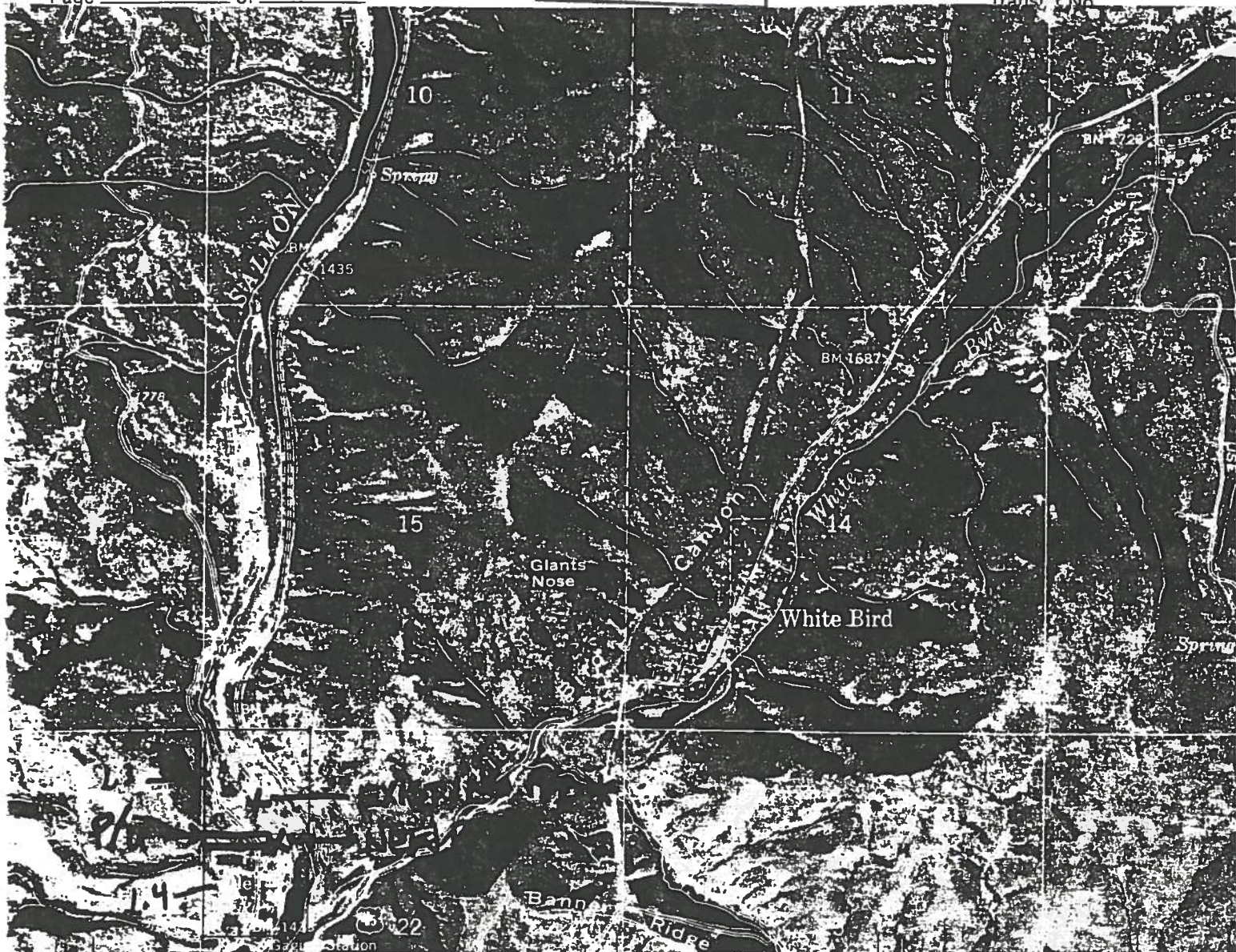
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Total acres 8

POOR ORIGINAL

Page 5 of 6

Transf. No.



20' 52"

53

54

17' 30"

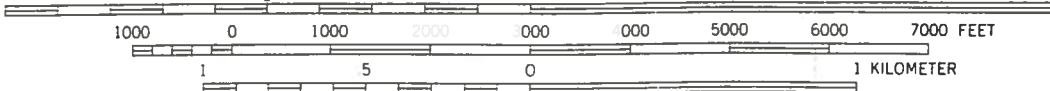
56

79-4055B

SCALE 1:24000

NEW WHITE BIRD HILL ROAD

1 MILE



28N 1E Sec 22

* EXISTING P/D INCORRECTLY CLAIMED

OZALID PRINTS MAY BE PURCHASED FROM
IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720



QUADRANGLE LOCATION

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SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

SPLIT INTO A79-04055A & B
Ident. Number: A79-04055
Date Received: 5/13/1988
Receipt No: W000181
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERTHA G. BURNS 208-839-2327
Address: BOX 112
WHITEBIRD, ID 83554

2. Date of Priority: MAY 01, 1968

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 28N | 01E | 22 | NE | SW | NW | 3 | IDAHO |

5. Description of diverting works:
3 HP PUMP IN RIVER TO MAINLINE & SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.200 | | |

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 28N | 01E | 22 | SW | NW | 3 | IRR | 10.0 |

Section Acres 10.0

Total Acres 10.0

A79-04055

Page 1

Date: 07/08/88

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~~OCT 10 1987~~

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
79-04017;DIFFERENT PUMP & P.O.U.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 794055

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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OCT 24 1986

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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: 39356

Ident. Number AP-04055Date Received 5-13-88Receipt Number W000181

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) BERTHA G. BURNS Phone (208) 839-2327Mailing Address Box 112, WHITEBIRD, ID. Zip 835542. Date of Priority (Only one (1) per claim) MAY 1, 19683. Source of water supply (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 28N Range 1E Section 22,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, 3 B.M., County of IDAHO

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 3 HP PUMP IN RIVER TOMAINLINE 3 SPRINKLER IRR.

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRR. purposes from 4/1 to 11/1 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 40 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 28W | 1E | 22 | | | | | | | 10 | | | | | | | | | | 10 |
| | | | | | | | | | L3 | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
79-04017 DIFFERENT PUMP & POW. or None (X)

14. Remarks:

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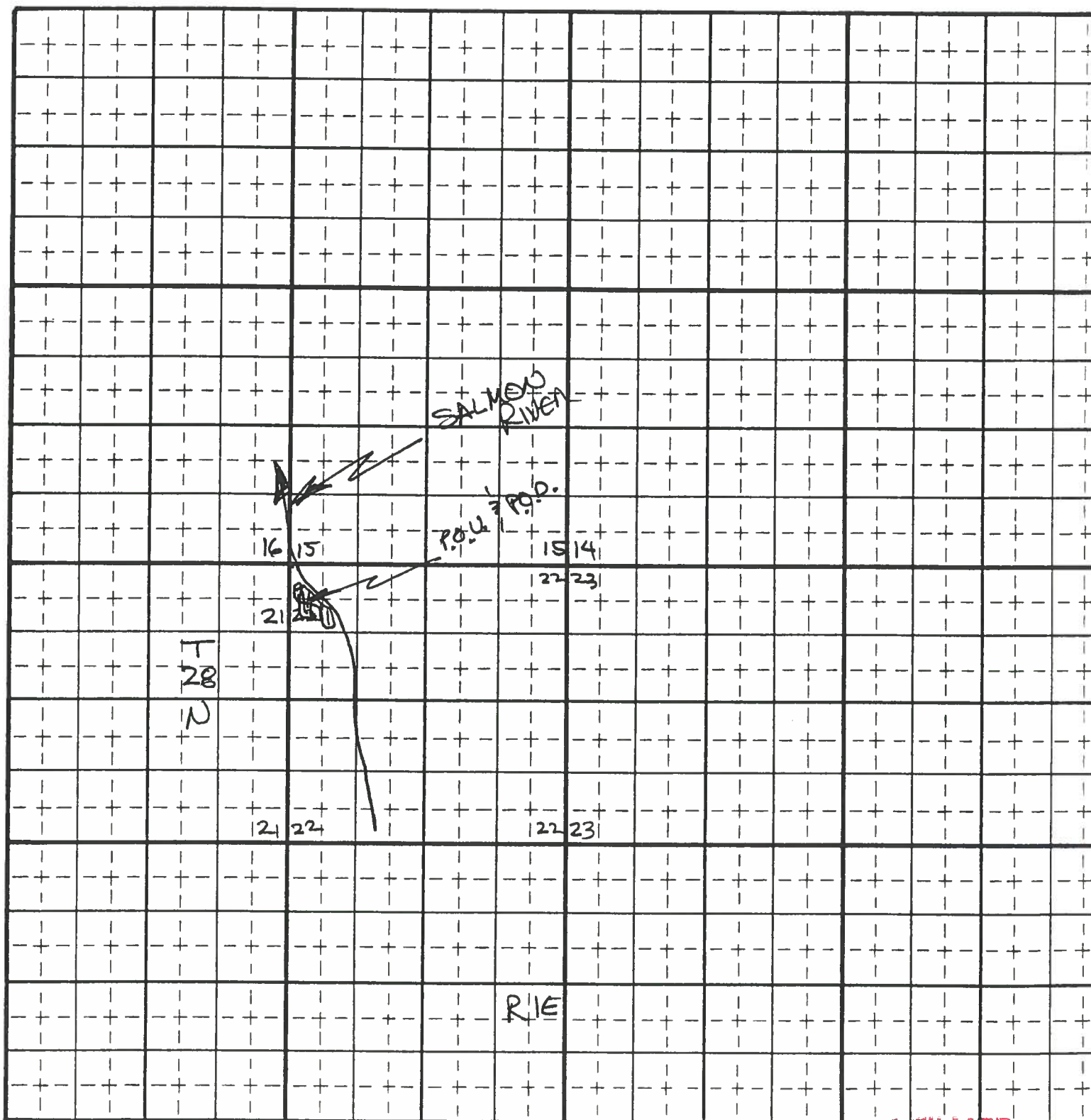
Last Name _____ Ident No. _____

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Copies Made From Yellow Claimant

~~OCT 06 1996~~

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name _____ Ident No. _____

Copies: White State, Yes ~~MICROFILMED~~

~~OCT 24 1996~~

POOR ORIGINAL

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number 79-4056 4055
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Beth H. Burns Date May 9 1988
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 9th day of May 1988

SEAL

Notary Public Patricia M. Cope

Residing at White Birch

My Commission Expires 10-2-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies of this State, Yellow Claimant

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OCT 24 1996