

07/28/2006

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

RIGHT NUMBER: 1-10093

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.

QUANTITY: 10.798 CFS

PRIORITY DATE: 06/10/1887

POINT OF DIVERSION:

T03N R37E S13 NWSESW Within BONNEVILLE County

T04N R37E S23 SWSESW Lot 2 Within JEFFERSON County

T04N R37E S23 SESESW Lot 4 Within JEFFERSON County

T04N R37E S36 NWNWNW Lot 1 Within JEFFERSON County

T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County

T04N R37E S36 NWSESW Within JEFFERSON County

T04N R40E S20 SESESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

10.798 CFS

PLACE OF USE:

20875 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Burgess Canal & Irrigating Company.

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 - Decreed

07/28/2006

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

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

Water is delivered through Burgess Canal, Carlson north pump, Carlson south pump, Offutt pump, Hansen pump, Butikofer pump, and Idaho Canal. Water diverted into the Idaho Canal is rediverted at the Cenell pump, the Yorgenson (Gray) pump, and the Mackay pump.

This right is a combination of old Right Nos. 1-30 and 1-116AP.



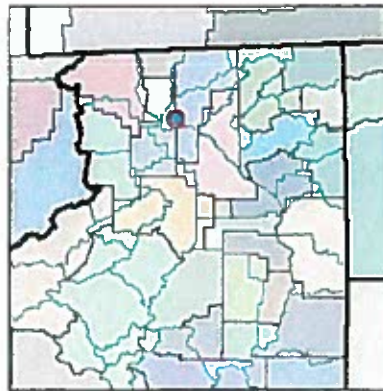
Burgess Canal & Irrigating Co

SRBA Recommendations: 1-29, 1-31, 1-32, 1-33, 1-35P, 1-117P, 1-249, 1-353, 1-10093, 1-10418

Service Area Boundary
GIS Place of Use Illustration

Legend

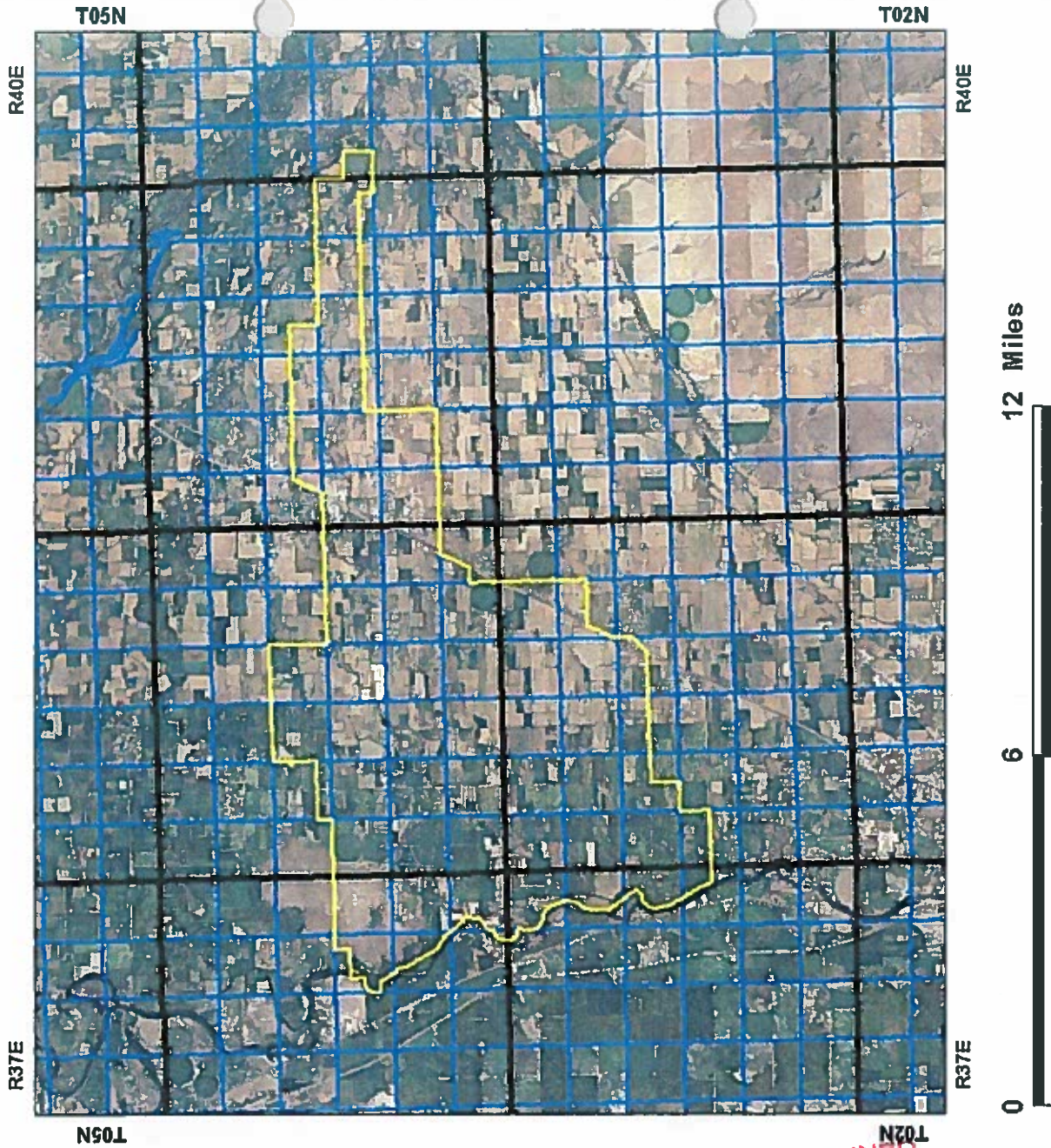
-  Service Area
-  Townships
-  PLS Sections



Bonneville, Jefferson Counties
IDWR Basin 1



SCANNED
MAY 27 2006
PROFILED



Prepared by C. Moore
On Monday, November 27, 2006
2004 Aerial Photography

12/03/2006

**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: November 30, 2006

Water right number: 1-10093

BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY ID 83442
Telephone Number: (208)745-1486

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/5/06 SIGNATURE: Lloyd Hicks

Please print your name: LLOYD HICKS

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROTILED

**SCANNED
MAY 07 2007**

KMD
117

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 478

01-00116 AP

THIS IS TO CERTIFY that Henry E. Miller, of Lorenzo, County of Jefferson and State of Idaho, has a right to the use of the waters of the South Fork of Snake River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of "Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants", J. M. Stevens, District Judge, wherein 39.9 inches of the waters of the South Fork of Snake River, in Water District No. 36, were decreed to the Long Island Irrigation Company for the irrigation of the South half of Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 22, Township 5 North, Range 38 East of Boise Meridian, said right bearing date of priority of June 1, 1887; that said decree has been entered in the records of the Department of Reclamation of Idaho, in Book 3 of Decrees, at page 450:

THAT Henry E. Miller is the holder of certain shares of the capital stock of the Long Island Irrigation Company entitling him to the use of 39.9 inches of water and that, upon the application of the said Henry E. Miller for a transfer of water right, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 39.9 inches of the waters of the South Fork of Snake River upon the lands above described is hereby abandoned and a description of the land to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is given below, said water to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit: 798 cfs

39.9 inches, dated June 1, 1887;

South half of Northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$), Section 6, Township 3 North, Range 38 East, Boise Meridian.

THAT the water to be transferred has heretofore been diverted from the South Fork of Snake River at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Twp. 4 N., Range 39 E., B.M., and carried through the Long Island Canal, but will hereafter, by virtue of this certificate, be diverted at a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Twp. 4 N., Range 40 E., B.M., and carried through the Burgess Irrigation Company's Canal.

THAT the right to the use of the waters aforesaid and hereby confirmed is restricted to the lands last above described as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of Idaho, affixed at Boise, this 19th day of December, 1929.

G. M. Carter
Commissioner of Reclamation.

SCANNED
MAY 07 2007

PROFILED

AUG 27 1989

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: A01-10093
Date Received: 6/23/1989
Receipt No: E010933
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURGESS CANAL & IRRIGATING CO. 208-745-7711
Address: P.O. BOX 507
RIGBY, ID 83442

2. Date of Priority: JUN 10, 1887

3. Source: SNAKE RIVER, DRY BED Trib. to: SNAKE RIVER
SNAKE RIVER COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	37E	23	SE	SE	NW		JEFFERSON
			SW	SE	SW		JEFFERSON
		26	SE	SE	SE		JEFFERSON
		36	SE	NW	NW		JEFFERSON
			NW	NE	SW		JEFFERSON
	40E	20		SE	SW		JEFFERSON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.800		

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

8. Total consumptive use is 55500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER/ APPROXIMATELY 1000 LIVESTOCK.

A01-10093

Page 1

Date: 09/19/89

COPY

MICROFILMED
OCT 20 1992



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	37E	1	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	35.0
			SE		NE		IRR	38.9
			NE		NW		IRR	13.8
			SE		NW		IRR	6.0
			NE		SE		IRR	38.9
			NW		SE		IRR	34.0
			SW		SE		IRR	30.0
			SE		SE		IRR	38.9
			Section Acres					312.7
		12	NE		NE		IRR	38.9
			NW		NE		IRR	39.5
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		SW		IRR	6.0
			SE		SW		IRR	4.0
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	33.5
			SE		SE		IRR	38.9
			Section Acres					317.6
		13	NE		NE		IRR	38.9
			NW		NE		IRR	24.0
			SW		NE		IRR	1.0
			SE		NE		IRR	36.4
			NE		SE		IRR	25.4
			SE		SE		IRR	17.4
			Section Acres					143.1
38E		4	NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			Section Acres					154.4
		5	NE		NE		IRR	38.3
			NW		NE		IRR	38.4
			SW		NE		IRR	39.0
			SE		NE		IRR	38.9

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	38E	5	NE		NW		IRR	38.4
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.4
			NE		SE		IRR	38.9
			NW		SE		IRR	39.0
			SW		SE		IRR	38.4
			SE		SE		IRR	38.3

Section Acres 618.4

6	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

7	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	38E	7	SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
							Section Acres	622.4
		8	NE		NE		IRR	37.6
			NW		NE		IRR	38.2
			SW		NE		IRR	39.5
			SE		NE		IRR	38.6
			NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
							Section Acres	620.7
		17	NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
							Section Acres	234.0
		18	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	38E	18	NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
			Section Acres					622.4
		19	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		NW		IRR	38.9
			NW		NW		IRR	30.9
			SW		NW		IRR	7.5
			SE		NW		IRR	37.5
			Section Acres					270.4
04N	37E	23	NE		NE		IRR	39.5
			NW		NE		IRR	39.5
			SW		NE		IRR	39.5
			SE		NE		IRR	39.5
			NE		NW		IRR	13.0
			SE		NW		IRR	16.0
			NE		SW		IRR	38.5
			NW		SW		IRR	27.0
			SW		SW		IRR	36.0
			SE		SW		IRR	32.7
			NE		SE		IRR	39.5
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.9
			Section Acres					478.0
		24	NE		NE		IRR	39.5
			NW		NE		IRR	39.5
			SW		NE		IRR	39.5
			SE		NE		IRR	39.5
			NE		NW		IRR	39.5
			NW		NW		IRR	39.5
			SW		NW		IRR	39.5

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	37E	24	SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	39.5
			SW		SW		IRR	38.9
			SE		SW		IRR	38.9
			NE		SE		IRR	39.5
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.9
			Section Acres 629.6					
		25	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		NW		IRR	38.9
			NW		NW		IRR	38.9
			SW		NW		IRR	39.5
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	39.5
			SW		SW		IRR	39.5
			SE		SW		IRR	39.5
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
			Section Acres 626.0					
		26	NE		NE		IRR	38.9
			NW		NE		IRR	38.9
			SW		NE		IRR	32.0
			SE		NE		IRR	39.5
			NE		NW		IRR	8.8
			NE		SE		IRR	39.5
			NW		SE		IRR	14.0
			SE		SE		IRR	20.0
			Section Acres 231.6					
		36	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	37E	36	SE		NE		IRR	38.9
			NE		NW		IRR	39.5
			NW		NW		IRR	18.0
			SE		NW		IRR	35.0
			NE		SW		IRR	33.0
			SE		SW		IRR	19.8
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
			Section Acres					456.5
38E	15	SW		SW		IRR	38.3	
		SE		SW		IRR	38.9	
			Section Acres					77.2
		16	NE		SW		IRR	39.5
	NW			SW		IRR	38.9	
	SW			SW		IRR	38.3	
	SE			SW		IRR	38.9	
	NE			SE		IRR	38.9	
	NW			SE		IRR	39.5	
	SW			SE		IRR	38.9	
	SE			SE		IRR	38.3	
			Section Acres					311.2
		17	SE		SW		IRR	38.4
	SW			SE		IRR	38.4	
	SE			SE		IRR	38.3	
			Section Acres					115.1
		19	NE		NE		IRR	38.9
	NW			NE		IRR	39.5	
	SW			NE		IRR	39.5	
	SE			NE		IRR	38.9	
	NE			NW		IRR	39.5	
	NW			NW		IRR	39.5	
	SW			NW		IRR	39.5	
	SE			NW		IRR	39.5	
	NE			SW		IRR	39.5	
	NW		SW		IRR	39.5		

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	19	SW		SW		IRR	38.9
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3

Section Acres 627.2

20	NE	NE	IRR	38.3
	NW	NE	IRR	38.4
	SW	NE	IRR	39.0
	SE	NE	IRR	38.9
	NE	NW	IRR	38.4
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.0
	NE	SW	IRR	39.0
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.4
	NE	SE	IRR	38.9
	NW	SE	IRR	39.0
	SW	SE	IRR	38.4
	SE	SE	IRR	38.3

Section Acres 618.4

21	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	22	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3

Section Acres 622.4

23	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

24	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	24	SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3
Section Acres								622.4
		25	NE		NE		IRR	36.0
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	34.3
			NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	36.6
			NW		SE		IRR	37.2
			SW		SE		IRR	34.3
			SE		SE		IRR	38.3
Section Acres								606.3
		26	NE		NE		IRR	38.3
			NW		NE		IRR	38.9
			SW		NE		IRR	39.5
			SE		NE		IRR	38.9
			NE		NW		IRR	38.9
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	39.5
			NE		SW		IRR	39.5
			NW		SW		IRR	38.9
			SW		SW		IRR	38.3
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	26	NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3

Section Acres 622.4

27	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

28	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

29	NE	NE	IRR	38.3
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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	29	NW	NE		IRR	38.4
			SW	NE		IRR	39.0
			SE	NE		IRR	38.9
			NE	NW		IRR	38.4
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.4
			NE	SE		IRR	38.9
			NW	SE		IRR	39.0
			SW	SE		IRR	38.4
			SE	SE		IRR	38.3
						Section Acres	618.4
		30	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3
						Section Acres	622.4
		31	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	31	NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3
						Section Acres	622.4
		32	NE	NE		IRR	38.3
			NW	NE		IRR	38.4
			SW	NE		IRR	39.0
			SE	NE		IRR	38.9
			NE	NW		IRR	38.4
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.4
			NE	SE		IRR	38.9
			NW	SE		IRR	39.0
			SW	SE		IRR	38.4
			SE	SE		IRR	38.3
						Section Acres	618.4
		33	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9

10. Place of Use: Continued

Township 04N	Range 38E	Section 33	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 38.3
						Section Acres	622.4
		34	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3
						Section Acres	622.4
		35	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	35.4
						Section Acres	619.5
		36	NE	NW		IRR	28.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	36	SE	NW		IRR	13.5
			NW	SW		IRR	26.9
			SW	SW		IRR	9.2
			Section Acres				155.7
	39E	15	NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			Section Acres				155.6
		16	NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3
			Section Acres				311.2
		17	NE	SW		IRR	39.5
			NW	SW		IRR	38.9
			SW	SW		IRR	38.3
			SE	SW		IRR	38.9
			NE	SE		IRR	38.9
			NW	SE		IRR	39.5
			SW	SE		IRR	38.9
			SE	SE		IRR	38.3
			Section Acres				311.2
		18	NE	SE		IRR	22.9
			SW	SE		IRR	4.8
			SE	SE		IRR	37.3
			Section Acres				65.0
		19	NE	NE		IRR	38.3
			NW	NE		IRR	36.7
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	19	NE		NW		IRR	37.4
			NW		NW		IRR	38.3
			SW		NW		IRR	38.9
			SE		NW		IRR	35.8
			NE		SW		IRR	37.7
			NW		SW		IRR	37.0
			SW		SW		IRR	34.9
			SE		SW		IRR	38.9
			NE		SE		IRR	38.9
			NW		SE		IRR	39.5
			SW		SE		IRR	38.9
			SE		SE		IRR	38.3

Section Acres 607.9

20	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	SW	SW	IRR	38.3
	SE	SW	IRR	38.9
	NE	SE	IRR	38.9
	NW	SE	IRR	39.5
	SW	SE	IRR	38.9
	SE	SE	IRR	38.3

Section Acres 622.4

21	NE	NE	IRR	38.3
	NW	NE	IRR	38.9
	SW	NE	IRR	39.5
	SE	NE	IRR	38.9
	NE	NW	IRR	38.9
	NW	NW	IRR	38.3
	SW	NW	IRR	38.9
	SE	NW	IRR	39.5
	NE	SW	IRR	39.5
	NW	SW	IRR	38.9
	NE	SE	IRR	38.9

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	21	NW	SE		IRR	39.5
						Section Acres	468.0
		22	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NW	SE		IRR	2.0
						Section Acres	313.2
		23	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3
			SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SE		IRR	25.7
			NW	SE		IRR	10.0
						Section Acres	346.9
		24	SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	12.0
			NW	SW		IRR	10.8
			NE	SE		IRR	15.9
			NW	SE		IRR	21.5
			SE	SE		IRR	27.0
						Section Acres	165.6
		29	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			SW	NE		IRR	39.5
			SE	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	38.3

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	29	SW	NW		IRR	38.9
			SE	NW		IRR	39.5
			NE	SW		IRR	39.5
			NW	SW		IRR	38.9
						Section Acres	389.6
		30	NE	NE		IRR	38.3
			NW	NE		IRR	38.9
			NE	NW		IRR	38.9
			NW	NW		IRR	31.9
						Section Acres	148.0
	40E	19	NE	SW		IRR	39.5
			NW	SW		IRR	30.9
			SW	SW		IRR	21.6
			SE	SW		IRR	30.0
						Section Acres	122.0
						Total Acres	22200.6

11. Place of use in counties: BONNEVILLE, JEFFERSON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A01-00029/00031/00033/00249/00313/00032/00117P.

14. Remarks:

THE PLACE OF USE IS OWNED BY INDIVIDUALS HOLDING STOCK IN THE COMPANY.

THE POINTS OF DIVERSION CONSIST OF THE HEADING FOR THE BURGESS CANAL AND SEVERAL PUMPS. EACH DIVERSION IS IDENTIFIED BELOW:

T4N, R37E, SEC. 23, SESENW - CARLSON NORTH PUMP.

SEC. 23, SWSESW - CARLSON SOUTH PUMP.

SEC. 26, SESESE - MARTIN PUMP.

SEC. 36, SENWNW - LYNN HANSEN EAST PUMP.

SEC. 36, NWNESW - MC KAY PUMP.

SEC. 36, NWNESW - HEGSTED-WILSON GREY PUMP.

T4N, R40E, SEC. 20, SESW - HEADING FOR BURGESS CANAL.

SEE NOTICE A01-00029 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO.
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Burgess Canal & Irrig Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
Burgess Canal & Irrig Co. and that the statements contained in the
Organization
foregoing document are true and correct.
Signature of Authorized Agent
Secretary - Burgess Canal & Irrig Co.
Title and Organization
9-28-89
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of Sept. 19 89

Seal

Residing at Bigby Idaho
My Commission Expires 8/99