

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 01 2019

Department of Water Resources
Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) Burgess Canal Phone 208 524-4021
 2. MAILING ADDRESS P.O. 536 City Rigby
 State ID Zip 83442 Email g. Luke 76 @ g. com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 1-29, 1-31, 1-32, 1-33, 1-35P, 1-117P, 1-249, 1-353, 1-10093, 1-10418,

- ☐ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 1130 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	SE	8W	13	03N	37E	Bonner	Archie River	
	L4	SE	SE	5W	23	04N	37E	Jefferson	" "	
	L2	SW	SE	NW	28	04N	37E	"	" "	
	L1	NW	NW	SW	36	04N	37E	"	" "	
	L2	NE	SW	NW	36	04N	37E	"	" "	
		NW	SE	NW	36	04N	37E	"	" "	
			SE	SE	8					
		SE	SE	SW	20	04N	40E	"	" "	
X		SW	SW	SW	28	04N	37E			

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Pumping system is installed with a 60 Hp & 40 Hp. The pumps are measured at the power meter and the power is lockable. (4.21) CFS

- b. Who owns the property at the point(s) of diversion? George E. Ellsworth Farms LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Shareholder in Purpose Creek

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. You may create a map at idwr.idaho.gov, [Water Rights](#), [Water Right Transfers](#), [File a Transfer Application](#), [Step 2C](#).

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Luhe Hihis Vice President 8-1-19
Signature of applicant or authorized agent Print name and title if applicable Date

Signature of applicant or authorized agent Print name and title if applicable Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, [Water Right Transfers](#), [Step 4](#) and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 820.00 Date 8-1-19 Received by m. pottu Receipt # E045206

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-29

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/10/1886
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	10.000 CFS	
	Total Diversion		10.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(SWSENW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE, JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
2. 135 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.
3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-29

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

7/16/2018

Proof Report

Water Right 1-31

Owner Type **Name**
 Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/10/1888
Basis: Decreed
Status: Active

Source **Tributary**
 SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	380.000 CFS	
	Total Diversion		380.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(SWSESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Place Of Use**IRRIGATION within BONNEVILLE, JEFFERSON Counties**

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 Total Acres = 19,492.0

Conditions of Approval:

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3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

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Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-31

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-32

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/10/1890
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	240.000 CFS	
	Total Diversion		240.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	NWSENW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(SWSESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE,JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

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3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

IDAHO DEPARTMENT OF WATER RESOURCES
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Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-32

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

7/16/2018

Proof Report

Water Right 1-33

Owner Type **Name**
 Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/1/1895
Basis: Decreed
Status: Active

Source **Tributary**
 SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	160.000 CFS	
	Total Diversion		160.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	NWSENW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(SWSENW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County

Place Of Use**IRRIGATION within BONNEVILLE, JEFFERSON Counties**

Large POU not displayed
 Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
2. 135 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.
3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

IDAHO DEPARTMENT OF WATER RESOURCES
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7/16/2018

Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-33

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-35P

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Original Owner BUTLER ISLAND CANAL CO
Original Owner EZRA A RAPP
Priority Date: 6/1/1885
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.167 CFS	
	<u>Total Diversion</u>		1.167 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(SWSESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE,JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 135 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.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
6. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E

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7. F01 S20 SESESW.
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.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-35P

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-117P

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/1/1888
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.608 CFS	
	Total Diversion		0.608 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	NWSENW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(SWSESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE,JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
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3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-117P

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-249

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 1/22/1916
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	200.000 CFS	
	Total Diversion		200.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(SWSESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE, JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

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3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

IDAHO DEPARTMENT OF WATER RESOURCES
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7/16/2018

Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-249

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

7/16/2018

Proof Report

Water Right 1-353

Owner Type **Name**
 Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/2/1919
Basis: Decreed
Status: Active

Source **Tributary**
 SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	100.000 CFS	
	Total Diversion		100.000 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(SWSENW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Place Of Use**IRRIGATION within BONNEVILLE, JEFFERSON Counties**

Large POU not displayed
 Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
2. 135 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.
3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

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7/16/2018

Mackay pump.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-353

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/16/2018

Water Right 1-10093

Owner Type **Name**
Current Owner BURGESS CANAL & IRRIGATING CO
Priority Date: 6/10/1887
Basis: Decreed
Status: Active

Source **Tributary**
SNAKE RIVER COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	10.798 CFS	
	Total Diversion		10.798 CFS	

Source and Point(s) of Diversion

SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSENW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(SWSENW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County

Place Of Use

IRRIGATION within BONNEVILLE, JEFFERSON Counties

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval:

1. C18 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.
2. 135 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.
3. 129 Place of use is within the area served by Burgess Canal & Irrigating Company.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. E33 Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
6. F01 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

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7. P29 Mackay pump.
This right is a combination of old Right Nos. 1-30 and 1-116AP.

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-10093

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A

7/16/2018

<u>Owner Type</u>	<u>Name</u>
Current Owner	BURGESS CANAL & IRRIGATING CO
<u>Priority Date:</u> 6/13/1970	
<u>Basis:</u> Decreed	
<u>Status:</u> Active	

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	27.427 CFS	
	Total Diversion		27.427 CFS	

SNAKE RIVER	L2(SWSENW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L4(SESESW)	Sec. 23, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	L1(NWNWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSESW	Sec. 13, Twp 03N, Rge 37E,	BONNEVILLE County
SNAKE RIVER	L2(NESWNW)	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	NWSENW	Sec. 36, Twp 04N, Rge 37E,	JEFFERSON County
SNAKE RIVER	SESESW	Sec. 20, Twp 04N, Rge 40E,	JEFFERSON County

Large POU not displayed
Total Acres = 19,492.0

Conditions of Approval		
1.	C18	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.
2.	135	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.
3.	129	Place of use is within the area served by Burgess Canal & Irrigating Company.
4.	E33	Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.
5.	F01	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.

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Combined Use Limits

N/A

SubCase:

SubCaseNumber: 1-10418

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Beneficial Use

Date Filed: 4/16/2007

Objection Status: Active

Water Supply Bank:

N/A



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