

AMENDED

After

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/22/2019

Water Right 31-10138

Owner Type **Name and Address**
Current Owner KAYLENE BURTONSHAW
1758 N 1000 E
TERRETON, ID 83450
(208) 663-4520

Current Owner LYNN BURTONSHAW
1758 N 1000 E
TERRETON, ID 83450
(208) 663-4520

Priority Date: 4/25/1936

Basis: Decreed

Status: Active

Source
CAMAS CREEK

Tributary
MUD LAKE

Beneficial Use
STOCKWATER

From **To**
04/15 10/15

Diversion Rate
0.070 CFS

Volume

Total Diversion

0.070 CFS

Source and Point(s) of Diversion

CAMAS CREEK	SENW	Sec. 30, Twp 10N, Rge 38E, CLARK County
CAMAS CREEK	SENW	Sec. 2, Twp 09N, Rge 37E, CLARK County(E)
CAMAS CREEK	NENW	Sec. 30, Twp 10N, Rge 38E, CLARK County(B)

Place Of Use

STOCKWATER within CLARK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	37E	2		X L2						X									
09N	38E	6													X				
10N	37E	25												X	X	X			
10N	37E	35																X	
10N	37E	36					X		X										
10N	38E	30					X		X	X								X	
10N	38E	32				X													

Conditions of Approval:

1. X02 Stockwater use is for 1000 range cattle.
2. Parcel Nos. 09N37E20010, 10N37E251510, 10N37E352260, 10N37E362410, 10N38E300010 Stockwater

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3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 31.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 108 This water right includes a point of diversion established in accordance with a notice filed under the provisions of Idaho Code § 42-113(3). Diversion and use of water from this point of diversion shall not exceed 13,000 gallons per day for stockwater use. The water delivery system established in accordance with this notice shall be fully enclosed and shall be equipped with an automatic shutoff valve or a mechanism for returning unused water to the source through an enclosed water system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system.
8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 6/18/1998

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
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12/20/2018

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From **To**
4/15 10/15

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Total Diversion

0.070 CFS

Source and Point(s) of Diversion

CAMAS CREEK
CAMAS CREEK

NENW
SWNE

Sec. 30, Twp 10N, Rge 38E, CLARK County(B)
Sec. 2, Twp 09N, Rge 37E, CLARK County(E)

Place Of Use

STOCKWATER within CLARK County

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	37E	2		X L2					X										
10N	37E	25												X	X	X			
10N	37E	35																X	
10N	37E	36					X		X										
10N	38E	30					X		X L2	X									

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NOS. 09N37E020010, 10N37E251510, 10N37E352260, 10N37E362410, 10N38E300010 STOCKWATER, 1000 RANGE CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/20/2018

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Decreed Date: 6/18/1998
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State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

AMENDED

Form 113
12/07

Ident No. 31-10138

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**NOTICE OF DIVERSION AS AN ALTERNATIVE TO
INSTREAM STOCKWATER USE**

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks as an alternative to instream use for the watering of livestock)

1. Name of right holder Lynn Burtenshaw Phone 208-663-4520
Mailing address 1758 N 1000 E, Terreton, ID Email lynnwburt@yahoo.com
2. Source of water supply Camas Creek tributary to Mud Lake
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 31-10138

If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot , 1/4 NE 1/4 NW 1/4,
Section 30, Township 10N Range 38E, B.M.,
Clark County.

Ending point is in Gov't. Lot , 1/4 SE 1/4 NW 1/4,
Section 2, Township 9N Range 37E, B.M.,
Clark County.

- b) Alternate point of diversion is in Gov't. Lot , 1/4 SE 1/4 NW 1/4,
Section 30, Township 10N Range 38E, B.M.,
Clark County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Pump to pipeline

- b) Describe the delivery system Pipeline to troughs

- c) Describe the number, type and total capacity of troughs or tanks 6 tire troughs,
holding approx. 1000 gallons each, 64,000 gal. tank storage.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Generator has timed shutoff, will set for 5 hours every 3rd day.
- e) Describe how the system is designed to allow measurement of the rate of diversion NRCS will engineer pumping rate by pump size & rate & hours of pumping.

5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
9N	37E	2		X						X								
9N	38E	6													X			
10N	37E	25											X		X	X		
10N	37E	35																X
10N	37E	36					X		X									
10N	38E	30					X		X	X								X
10N	38E	32				X												

6. Priority date claimed or established 4/25/1936
7. Rate of diversion .07 cfs
8. Season of use: from 4/15 to 10/15
9. a) Who owns the property at the point of diversion? Lynn & Kaylene Bortenshaw
b) Who owns the property at the place of use? "
10. When will construction occur? Scheduled for summer of 2020
11. Comments (include number and type of stock) _____

12. Map of project required - Attach an 8½"x11" map clearly identifying the location of the instream stockwater use and the locations of the alternative point(s) of diversion and stock trough(s). A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

I hereby assert the following:

- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the stream as described in this notice is for watering livestock and will not injure other water rights.
- c) I will not alter the bed and banks of the source as the term is defined in section 42-3802, Idaho Code. I understand that I may place an inlet conduit into the source in a manner that does not require excavation or obstruction of the stream channel, unless the director of the department of water resources approves a stream channel alteration permit for additional work.
- d) I understand that upon determination of interference with other water rights, the Director may order curtailment of diversion or use of water under this notice or may require the diversion and delivery system to be modified to prevent injury.
- e) I will not divert more than 13,000 gallons per day for livestock watering from this diversion, and I will not use more than one point of diversion under this notice.
- f) I am authorized to make the changes described in this notice and that if the notice involves a federal grazing allotment, the permittee consents to the changes described in this notice.
- g) I understand that any willful misrepresentation on this notice will void any right to divert water for livestock under this notice.

Dated this 14 day of Feb., 2019


Right Holder or Authorized Representative

FOR DEPARTMENT USE

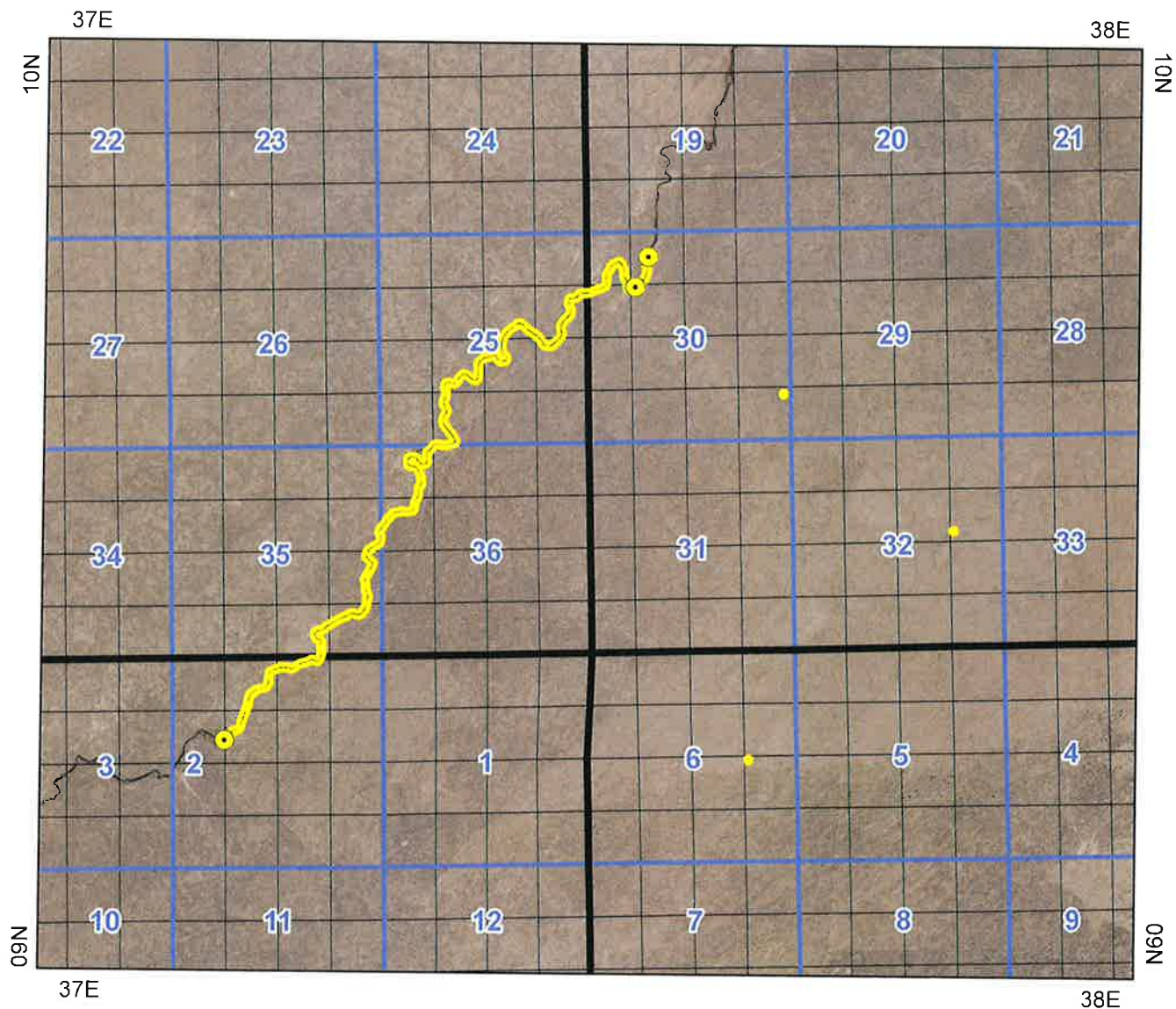
Received by _____ Date _____ Preliminary check by _____
Fee: \$ _____ Receipted by _____ Receipt No. _____ Date _____
Water District No. _____ Entered into data base _____ By _____

State of Idaho
Department of Water Resources

Water Right 31-10138

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.5 1 2 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SUPERCEDED

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INSTREAM STOCKWATER USE**

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks as an alternative to instream use for the watering of livestock)

1. Name of right holder Lynn Burtenshaw Phone 208-663-4520
208-716-1500 (cell)
Mailing address 1758 N 1000 E, Terreton, ID Email lynnwburt@yahoo.com
2. Source of water supply Camas Creek tributary to Mud Lake
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 31-10138

If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot , 1/4 NE 1/4 NW 1/4,
Section 30, Township 10N Range 38E, B.M.,
Clark County.

Ending point is in Gov't. Lot , 1/4 SW 1/4 NE 1/4,
Section 2, Township 9N Range 37E, B.M.,
Clark County.

- b) Alternate point of diversion is in Gov't. Lot , 1/4 SE 1/4 NW 1/4,
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Clark County. (Proposed)

4. Description of diversion and delivery system:

- a) Describe the type of diversion Pump to pipeline

- b) Describe the delivery system Pipeline to troughs

- c) Describe the number, type and total capacity of troughs or tanks 6 Tire Troughs,
holding approximately 1000 gallons each, 64,000 gallons
tank storage.

SUPPLEMENTED

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Generator has timed shutoff, will set for 5 hours every 8th day.
- e) Describe how the system is designed to allow measurement of the rate of diversion MCS will engineer pumping rate by pump size & rate & hours of pumping.

5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
9N	37E	2		X					X									
9N	38E	6													X			
10N	37E	25											X	X	X			
10N	37E	35																X
10N	37E	36					X		X									
10N	38E	30					X		X	X								X
10N	38E	32				X												

6. Priority date claimed or established 4/25/1936
7. Rate of diversion 0.07 cfs
8. Season of use: from 4/15 to 10/15
9. a) Who owns the property at the point of diversion? Lynn & Kaylene Burtenshaw
b) Who owns the property at the place of use? "
10. When will construction occur? Scheduled for summer of 2020
11. Comments (include number and type of stock) 1000 head of stock cows
all have to water at Camas Creek currently,
which is on west end of pasture. This development will
allow us to cross fence, pasture one mile from Creek
to disperse grazing to 2 1/2 miles from Camas Creek & move
cattle off creek for
50% less
bank & time on stream
invasion.
12. Map of project required - Attach an 8 1/2"x11" map clearly identifying the location of the instream stockwater use and the locations of the alternative point(s) of diversion and stock trough(s). A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

SUPERCEDED

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I hereby assert the following:

- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the stream as described in this notice is for watering livestock and will not injure other water rights.
- c) I will not alter the bed and banks of the source as the term is defined in section 42-3802, Idaho Code. I understand that I may place an inlet conduit into the source in a manner that does not require excavation or obstruction of the stream channel, unless the director of the department of water resources approves a stream channel alteration permit for additional work.
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- e) I will not divert more than 13,000 gallons per day for livestock watering from this diversion, and I will not use more than one point of diversion under this notice.
- f) I am authorized to make the changes described in this notice and that if the notice involves a federal grazing allotment, the permittee consents to the changes described in this notice. N/A
- g) I understand that any willful misrepresentation on this notice will void any right to divert water for livestock under this notice.

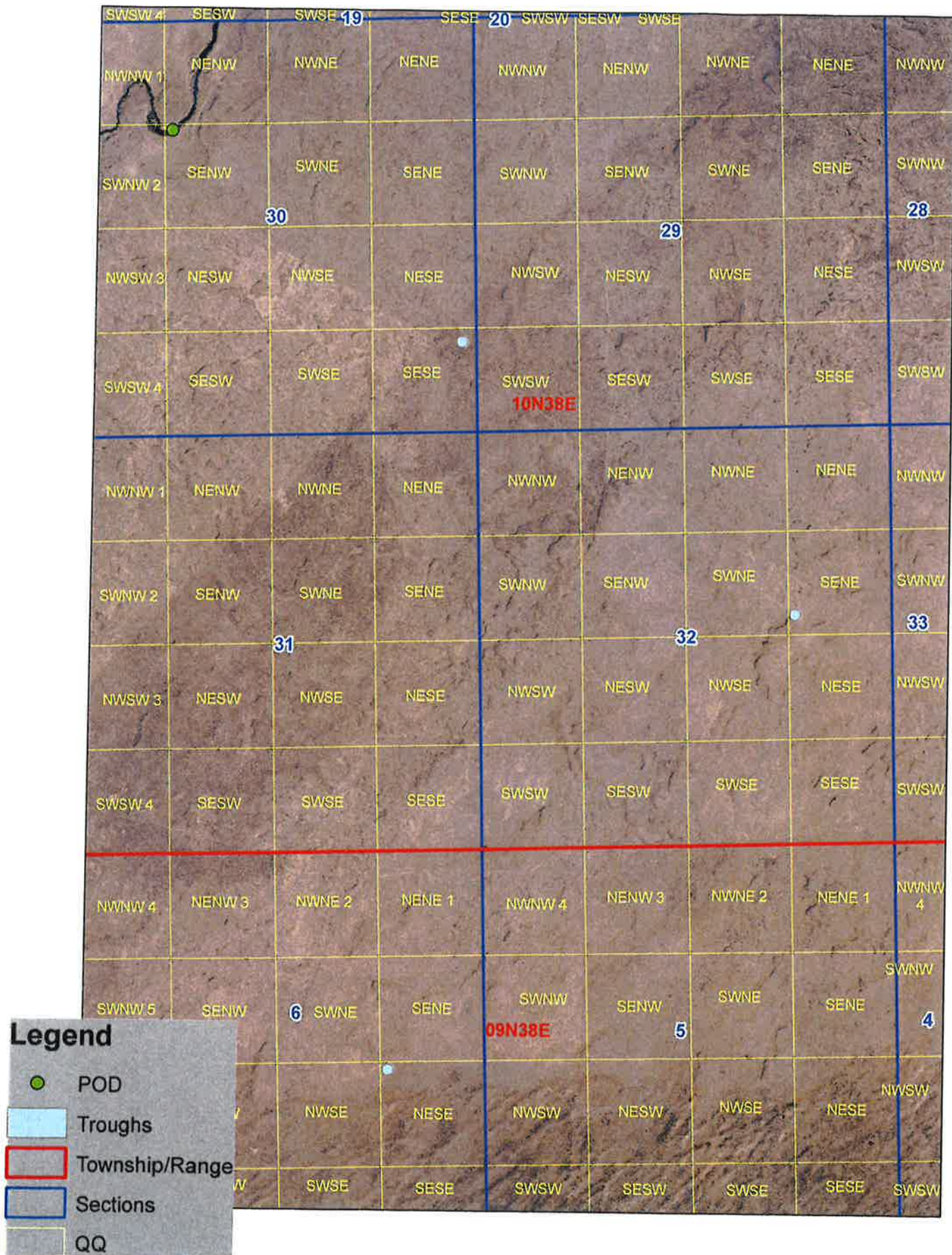
Dated this 28 day of December, 2018

John W. Burtenshaw
Right Holder or Authorized Representative

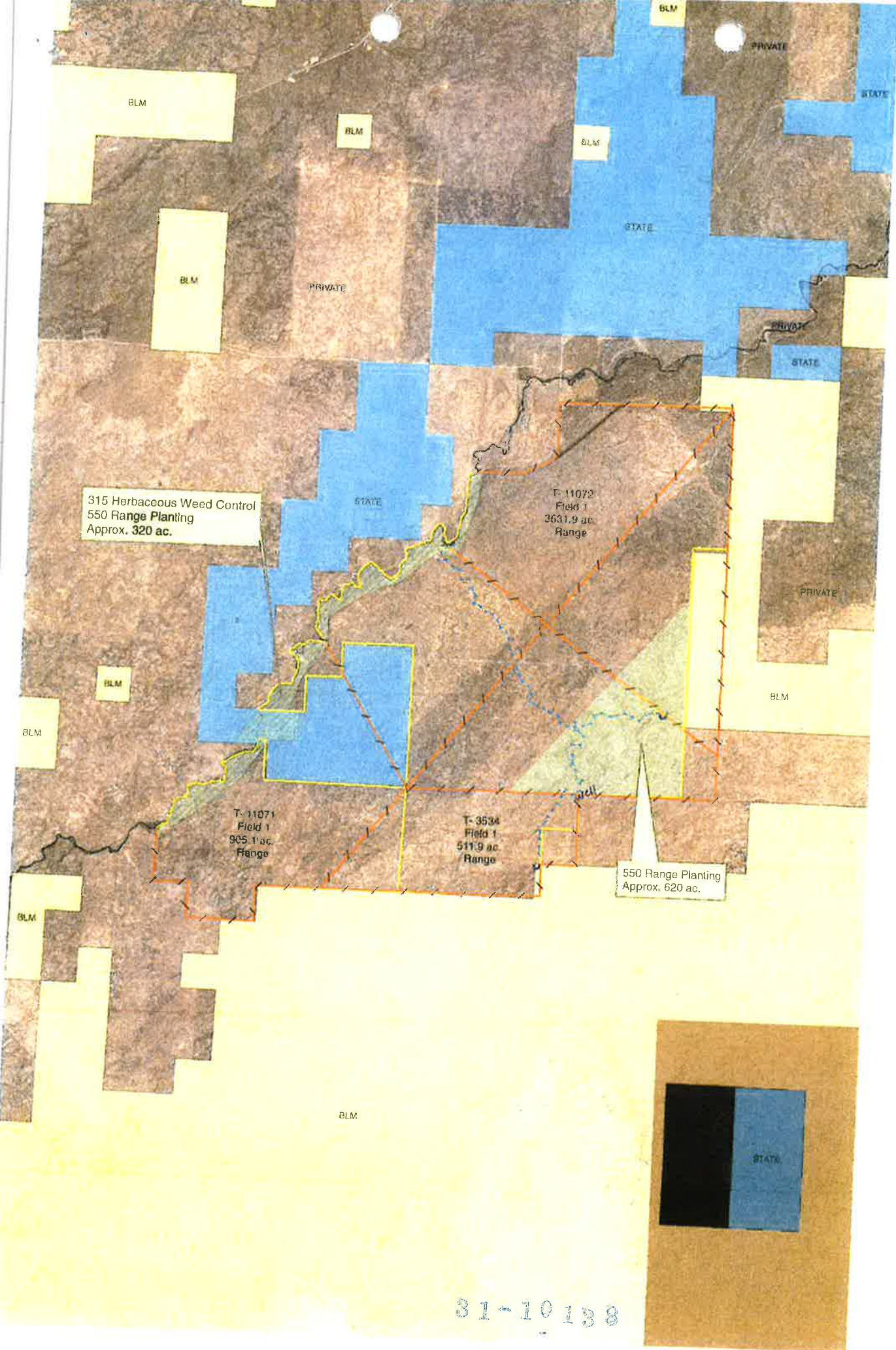
FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Received by [Signature] Receipt No. E044614 Date 12-28-2018
Water District No. _____ Entered into data base _____ By _____

WR 31-10138 POD and Troughs



31-10138



315 Herbaceous Weed Control
550 Range Planting
Approx. 320 ac.

T- 11072
Field 1
3631.9 ac.
Range

T- 11071
Field 1
905.1 ac.
Range

T- 3534
Field 1
511.9 ac.
Range

550 Range Planting
Approx. 620 ac.



31-10138

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

Before

12/20/2018

Water Right 31-10138

Owner Type **Name and Address**
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1758 N 1000 E
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Beneficial Use
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From **To**
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CAMAS CREEK

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Place Of Use

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Proof Report

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State or Federal: S
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Mitigation Plan: False

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N/A

SubCase:

N/A

Water Supply Bank:

N/A

RECEIVED

DEC 28 2018

Form 113
12/07Department of Water Resources
Eastern RegionIdent No. 31-10138STATE OF IDAHO
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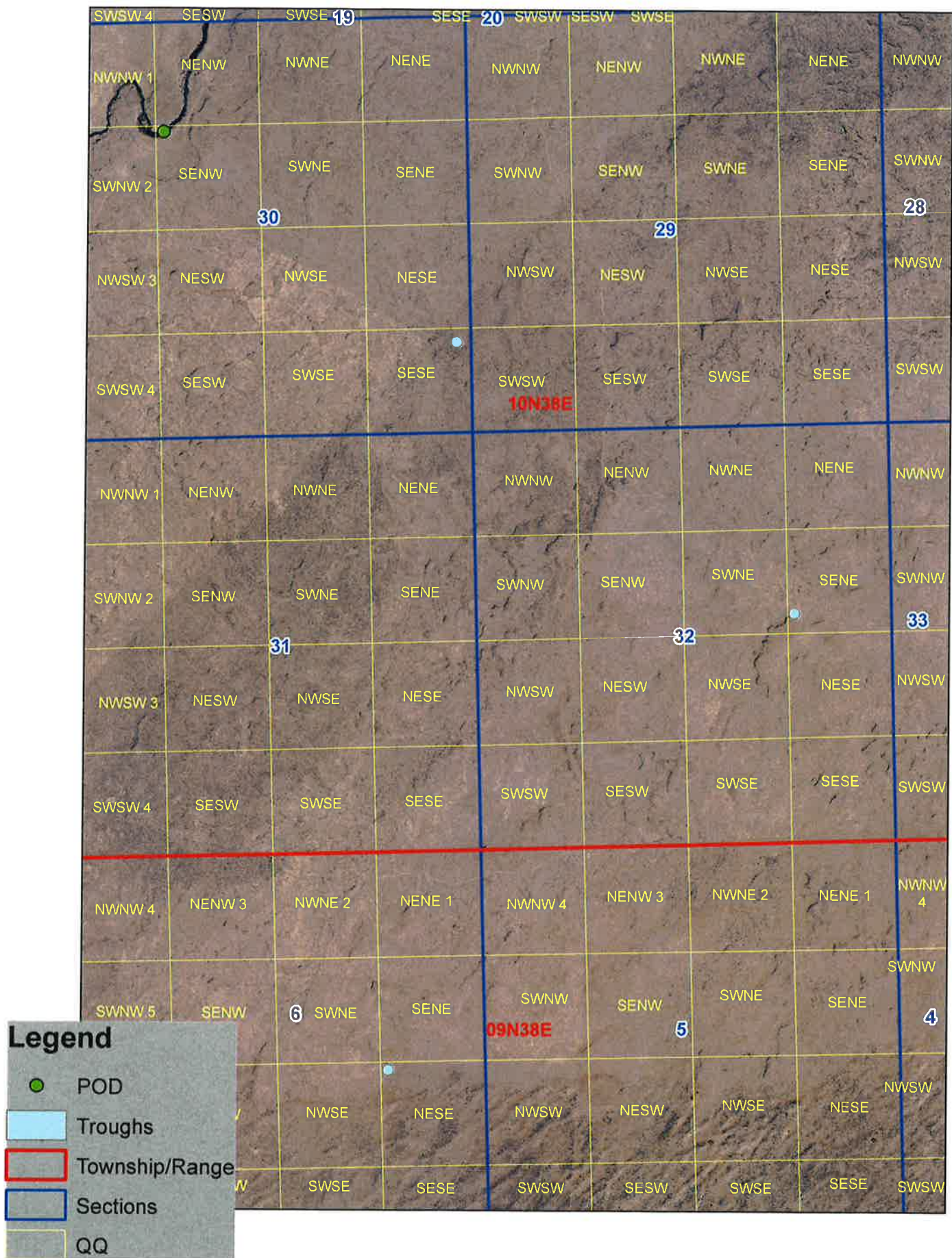
Dated this 28 day of December, 2018


Right Holder or Authorized Representative

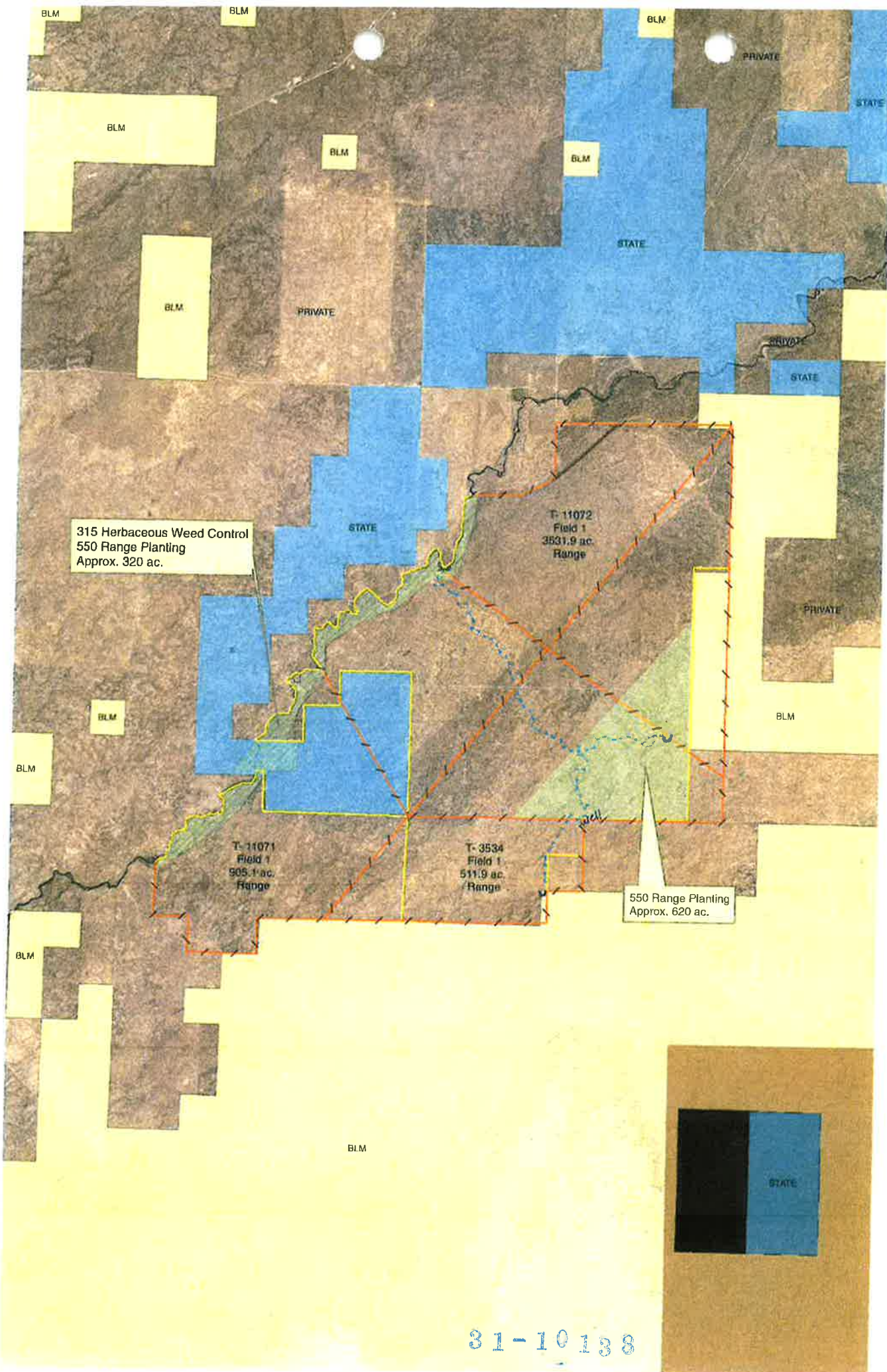
FOR DEPARTMENT USE

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Fee: \$ 25.00 Receipted by AS Receipt No. E044614 Date 12-28-2018
Water District No. _____ Entered into data base _____ By _____

WR 31-10138 POD and Troughs



31-10138



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550 Range Planting
Approx. 320 ac.

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Range

T- 11071
Field 1
905.1 ac.
Range

T- 3534
Field 1
511.9 ac.
Range

550 Range Planting
Approx. 620 ac.



31-10138