

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 31-12008

WATER RIGHT NUMBER: 31-12008

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | BEVERLY F BURTENSHAW<br>1603 N 1000 E<br>TERRETON, ID 83450<br>(208)663-4493  |
| Current Owner     | DON M BURTENSHAW<br>1603 N 1000 E<br>TERRETON, ID 83450-5033<br>(208)663-4493 |
| Original Owner    | NICHOLAS BURGGRAFF<br><br>, ID                                                |

Priority Date: 12/03/1916

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| MUD LAKE      | SINKS            |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION STORAGE      | 01/01 to 12/31        |                       | 22 10 AF             |
| IRRIGATION FROM STORAGE | 04/01 to 10/31        |                       | 22 10 AF             |
| <u>Total Diversion:</u> |                       |                       | 22 10 AF             |

Location of Point(s) of Diversion

|                  |                 |        |          |              |
|------------------|-----------------|--------|----------|--------------|
| MUD LAKE         | NE1/4SE1/4NE1/4 | Sec 3, | Twp 06N, | Rge 34E, B M |
| JEFFERSON County |                 |        |          |              |

Place of Use

IRRIGATION FROM STORAGE

| Twp | Rge | Sec | NE |      |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06N | 34E | 3   |    | 11.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 11 0   |
|     |     |     |    | L 2  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total Acres: 11

Conditions of Approval:

1. This right is a split from former right 31-11702
- 2 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 FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 3 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST) THE CALCULATED VOLUME WAS THEN PROPORTIONATELY SPLIT BETWEEN THIS RIGHT AND RIGHT NO 31-11703
4. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-27
5. C19 THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626

Remarks:Comments:

1 jcrabtre 1/7/2008 OWNERSHIP CHANGE  
Comment: SPLIT 31-11702 BY OWNERSHIP CHANGE

**2. Shelley Keen 1/15/2008 Water Right Pedigree**

**Comment: Right 31-27 was decreed in the SRBA in 2002. It was split into 31-11702 and 31-11703 while still an adjudication record. Adjudication staff also split 31-11702 in 31-12008 and 31-12009. Only the three active records were moved into WR.**

Dates and Other Information:

Licensed Date:  
Decreed Date: 9/27/2002  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector: OR  
Water District Number: 31  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number: 39576  
Judicial District: FIFTH  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Water Supply Bank: