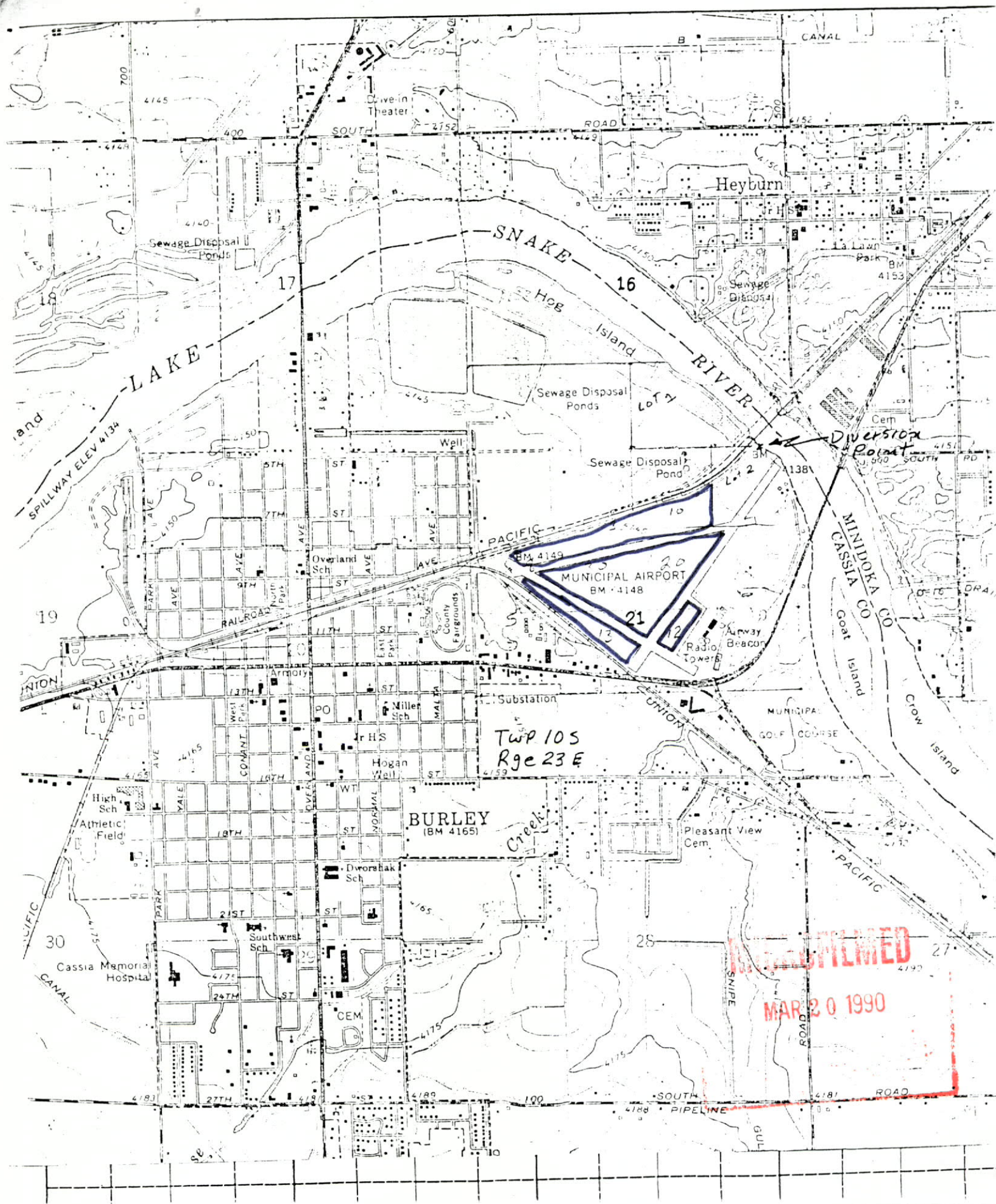


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Township and Range number: T10S R23F

SEC. 21

SNAKE RIVER

PUMP

NW 1/4 NE 1/4

21

SW 1/4 SE 1/4

MICROFILMED

MAR 20 1990

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

CITY OF San Jose
Wesley Parsons
Station (Applicant)

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

... Cheryl Blauer ... being first
duly sworn, deposes and says that, she is the

... clerk ... of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for ... two (2) ...
consecutive weeks, commencing with the issue
dated ... July 16, 1989, and ending
with the issue dated ... July 13, 1989.

... Cheryl Blauer ...

STATE OF IDAHO

COUNTY OF

On this 25th day of July in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer
known or identified to me to be the person whose name subscribed to the within instrument
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Marge Barnard
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: 2-1-94

Cost of Publication 20.88
Notary Fee 50
Total Cost 27.38

OK MB
7/28/89

89-338

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

01-07099

CITY OF BURLEY
P.O. BOX 1090
BURLEY, ID 83318
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 2 (NENENE) Sec 21
T 10S R 23E

Use: IRRIGATION (1.900 CFS)
Date Filed: 6/20/1989
In: T10S R23E S21 NWNE SWNE
NENW SWNW SENW NESW NWSE
96.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before
JULY 24, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

JUL 27 1989

Department of Water Resources
Southern Region Office

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 23 1992

Department of Water Resources

A. GENERAL INFORMATION

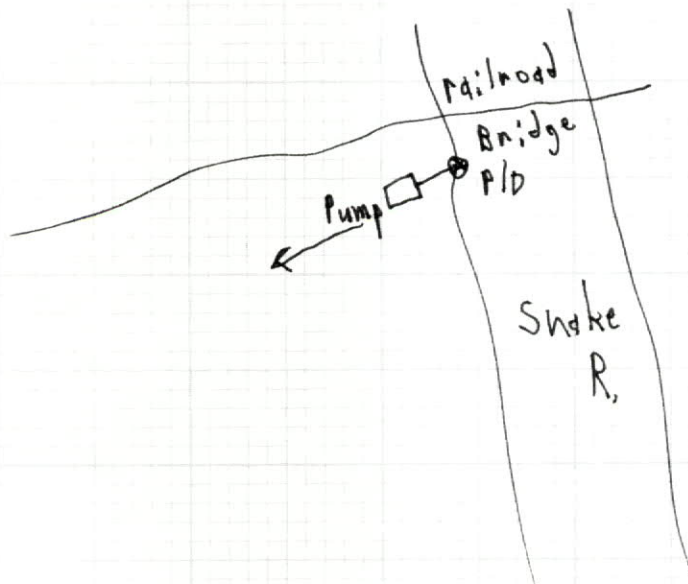
Permit No. 01-07099
Phone No. _____
1. Owner: City of Burley
Current Address: P.O. Box 1090, Burley, ID 83318
2. Accompanied by: — EXAM. DATE: 7-30-90
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Snake R. tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED

JAN 21 1993

R 23 NAPP 160

16

21

7335
T8728

1
22.2

2
8.7

3
33.1

JAN 1 1993

4
12.3

5
4.2

6
4.3

2090
T8265

2090
T8264

2369
T567

1143
T568

21 14.5 20.0

3
3.0

21 22

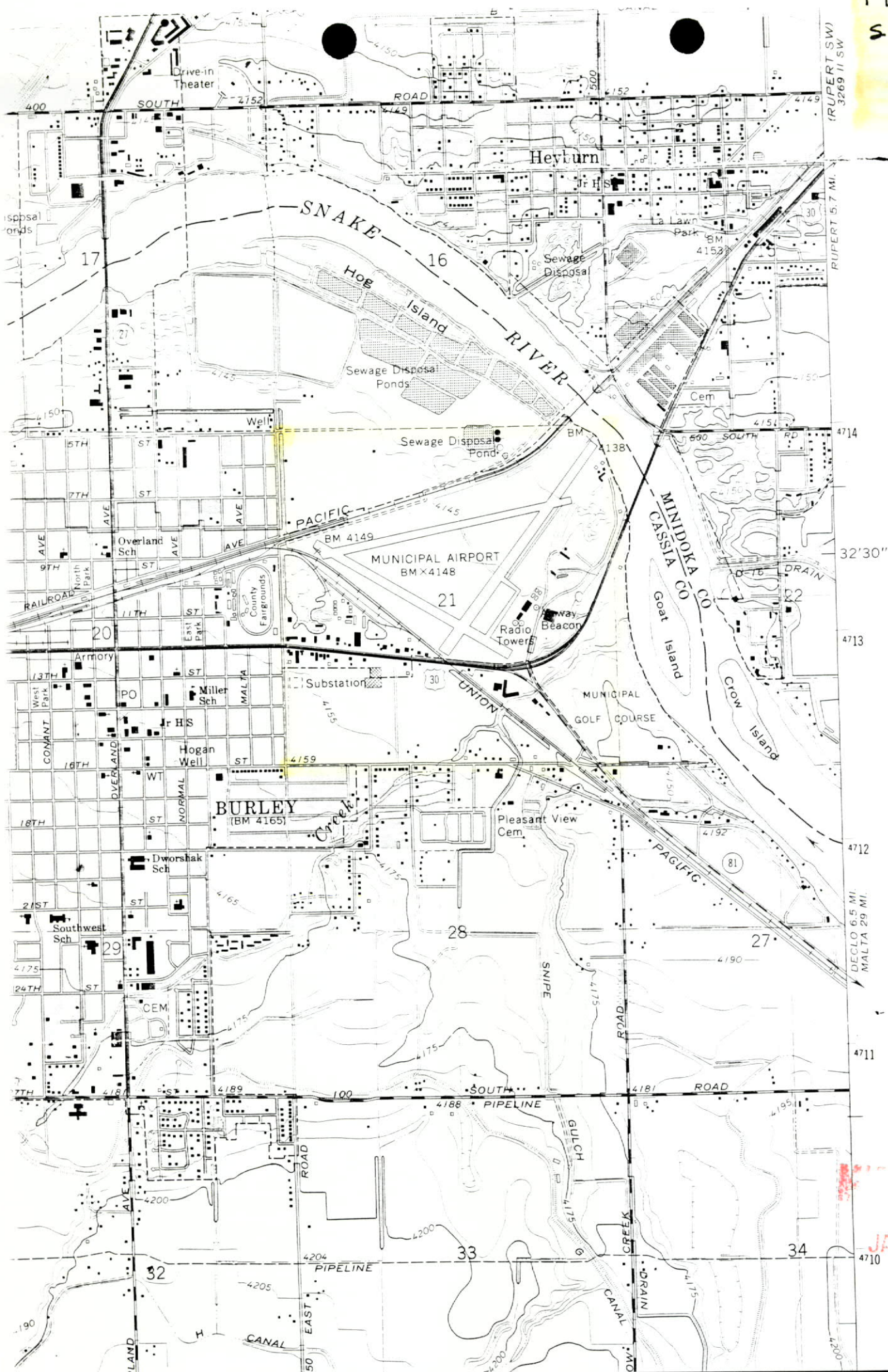
26 27

T105 R23E

S21

01-7099

City of Burley



RUPERT 5.7 MI.
3269 II SW

32'30"

DECLO 6.5 MI.
MALTA 29 MI.

JAN 21 1993

01-7099



Pump & Flow Meter



P/U

NOTED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 01-07099

Priority: June 20, 1989

Maximum Diversion Rate: 1.19 CFS
Maximum Diversion Volume: 288.0 AF

This is to certify, that CITY OF BURLEY

PO BOX 1090

BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 20, 1989; and has submitted Proof of Beneficial Use on April 19, 1990. An examination indicates that the works have a diversion capacity of 1.190 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	1.19 CFS	288.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NENE), Sec. 21, Township 10S, Range 23E
CASSIA 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>
10S	23E	21	NWNE 10	SWNE 19.5	NENW 3.7	
			SWNW 6	SENE 27	NESW 9	
			NWSE 9			84.2

Total number of acres irrigated: 84.2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECORDED

JAN 21 1993

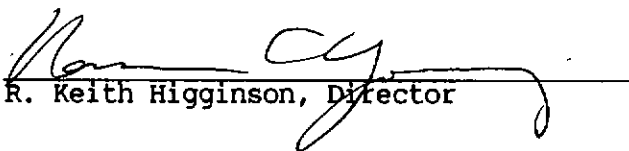
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 01-07099

CONDITIONS/REMARKS:

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
9. 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.
10. Water shall not be diverted under this right until supplemental storage water in the amount of 288 acre-feet, comprised of yield from storage owned or storage rented, has been obtained from the upper Snake River water supply bank.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of DECEMBER, 1992.

Acting for  R. Keith Higginson, Director

RECORDED

JAN 21 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 01-07099

Proposed Priority: June 20, 1989

Maximum Diversion Rate:

1.90 CFS

This is to certify, that CITY OF BURLEY

P.O. BOX 1090

BURLEY, ID 83318

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/15

1.90 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 2(NENENE), Sec. 21, Township 10S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	23E	21	NWNE 10	SWNE 20	NENW 3		
			SWNW 8	SENE 30	NESW 13		
			NWSE 12				96

Total number of acres irrigated: 96

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1990.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 1.92 cubic feet per second for each acre of land.

MICROFILMED
MAR 20 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 01-07099

CONDITIONS/REMARKS:

8. Water shall not be diverted under this permit until supplemental storage water in the amount of 288 acre-feet, comprised of yield from storage owned or storage rented, has been obtained from the upper Snake River water supply bank.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

23rd day of January, 1990

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

~~Case 39576~~
~~01-07099~~
Ident. No. ~~A45-11130~~
~~Original Permit~~
~~# 01-07074~~

To appropriate the public waters of the State of Idaho

1. Name of applicant CITY OF BURLEY Phone (208) 678-2224

Post office address P.O. Box 1090 Burley, Idaho 83318

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2

Sec. 21 Township 10S Range 23 E B.M. Cassia County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1,900 for Irrigation purposes from 4/01 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.9 and/or (b) N/A
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 50 HP Pump Pipe Lines and
Sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

MAR 20 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	23E	21		10.0	20.0		3.0		8.0	30.0	13.0				12.0				96.0

Total number of acres to be irrigated 96.0

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? City of Burley

b. Who owns the land to be irrigated or place of use? City of Burley

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: To be used for irrigation of 96.0 acres of the City of Burley Airport

The original permit lapsed by mistake -
has been continuously used each year

MICROFILMED

MAR 20 1990

This is a detailed topographic map of Burley, Idaho, and its surrounding areas. The map shows the Snake River flowing through the center, with Heyburn to the north and Burley to the south. Key features include the Municipal Airport (BM 4148), several sewage disposal ponds, and various schools and churches. The map is overlaid with a grid of townships and ranges, with 'Twp 10S Rge 23E' clearly marked. A date stamp 'MAR 20 1990' is visible in the bottom right corner.

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

township and range number.						T10S	R23F	SEC. 21
							PUMP	SNAKE RIVER
		NW 1/4					NE 1/4	
		SW 1/4					SE 1/4	

21

MICROFILMED
MAR 20 1990

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

City of Burlington
Hella Parus
Station (Applicant)

Received by AL Date 6/20/89 Time 9:30 AM Preliminary check by attached
Fee \$ 65 Receipted by DRJ # 5008317 Date 6-20-89
Publication prepared by M. Baldwin Date 6/26/89 Published in So. ID. Press
Publication approved M. Baldwin Date 7/28/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

MAR 20 1990

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
..... Cheryl Blauer being first
duly sworn, deposes and says that she is the
..... clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated July 12, 1989 and ending
with the issue dated July 13, 1989
..... Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 25th day of July in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer
known or identified to me to be the person whose name subscribed to the within instrument
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Marge Davenport
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires 2-1-94

Cost of Publication 26.88
Notary Fee 50
Total Cost 27.38

OK MB
7/28/89

89-338

NOTICE OF APPLICATION FOR
WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

01-07099

CITY OF BURLEY
P.O. BOX 1090
BURLEY, ID 83318
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 2 (NENENE) Sec 21
T10S R23E
Use: IRRIGATION (1.900 CFS)
Date Filed: 6/20/1989
In: T10S R23E S21 NWNE SWNE
NENW SWNW SENW NESW NWSE
96.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before
JULY 24, 1989.

R. Keith Higginson, Director
Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

MICROFILMED JUL 27 1989
Department of Water Resources
MAR 20 1990 Southern Region Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1992

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07099

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cZ

Enclosure

MICROFILMED

JAN 21 1993

Stage: LICENSE

Water Source: SNAKE RIVER

1.19 CFS

Lot 02(NE NE)

IRIGATION

SE	SE	SW	SE		
SE	SW	SE			
AC	Lt	AC	Lt	AC	
---	---	---	---	---	
					SUM
					84.2
					84.2
09					
TOTAL ACRES					

nty: CASSIA

place(s) of use:

of Approval:

- The use of water under this right shall not give rise to any
- claim against the holder of a senior water right based upon the
- theories of forfeiture, abandonment, adverse possession, waiver,
- equitable estoppel, estoppel by laches or customary preference.
- The Director retains jurisdiction of the right and any license
- subsequently issued to incorporate the use into a water district,
- require streamflow augmentation or other action needed to protect
- prior surface water and groundwater rights.
- A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.
- Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.
- 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.

Water shall not be diverted under this right until supplemental storage water in the amount of 288 acre-feet, comprised of yield from storage owned or storage rented, has been obtained from the upper Snake River water supply bank.

No Amendment Recd. - Reduced -
CS 12-16-92

Dates: App. Received: 06/20/1989 Priority Date: 06/20/1989
Proof Due Date: 12/01/1990 Proof Made Date: 04/19/1990
Exam Made Date: 07/30/1990 Exam Sent to S.O.: 02/25/1992
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Audit: 12/16/92 SKAGGS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 24, 1992

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07099

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 21 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 30, 1992

CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07099

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

A faint, circular official stamp, likely from the Idaho Department of Water Resources, located at the bottom center of the page.

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 01-07099

Date 10-26-92
38

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☒	☐	Disagree with Theoretical?
	☒	☐	Limited by Capacity? <u>1.19 cfs</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>4-1 to 10-15</u> Per Permit Season Recommended
	☒	☐	Disagree with Examiner's Calculations?
	☒	☐	Limited by Flow? <u>1.19 x 197 x 1.9835 = 465 > 288</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source
	☐	☒	Notice of Intent to Void.
P/D	☐	☒	Verify with Map
	☐	☒	Amendment Needed?
	☐	☒	Is Overlap Analysis a Consideration?
P/U	☒	☐	Verify with Map
	☐	☒	Amendment Needed? <u>ADD NENE, S21</u>
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use?
	☐	☒	Amendment Needed?
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4?
	☐	☒	Non-Irr. Uses
	☐	☒	Special Overlap Condition
	☐	☒	Other
CONDITIONS	<u>R39</u>	☐	Measuring Device
	<u>R04</u>	☐	W/Master Control
	<u>R31</u>	☐	Overlap
	☐	☒	Water Quality
		☒	DATES/MISC
		☒	<u>01</u> Water Dist.
		☒	App Rec'd
		☒	Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced Acres, rate Amend P/U</u>		
	<u>288 af = 3 af per acre for original 90 acres</u>		
License	☐	☐	☒ Special Correspondence

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

RECEIVED
FEB 23 1992

A. GENERAL INFORMATION

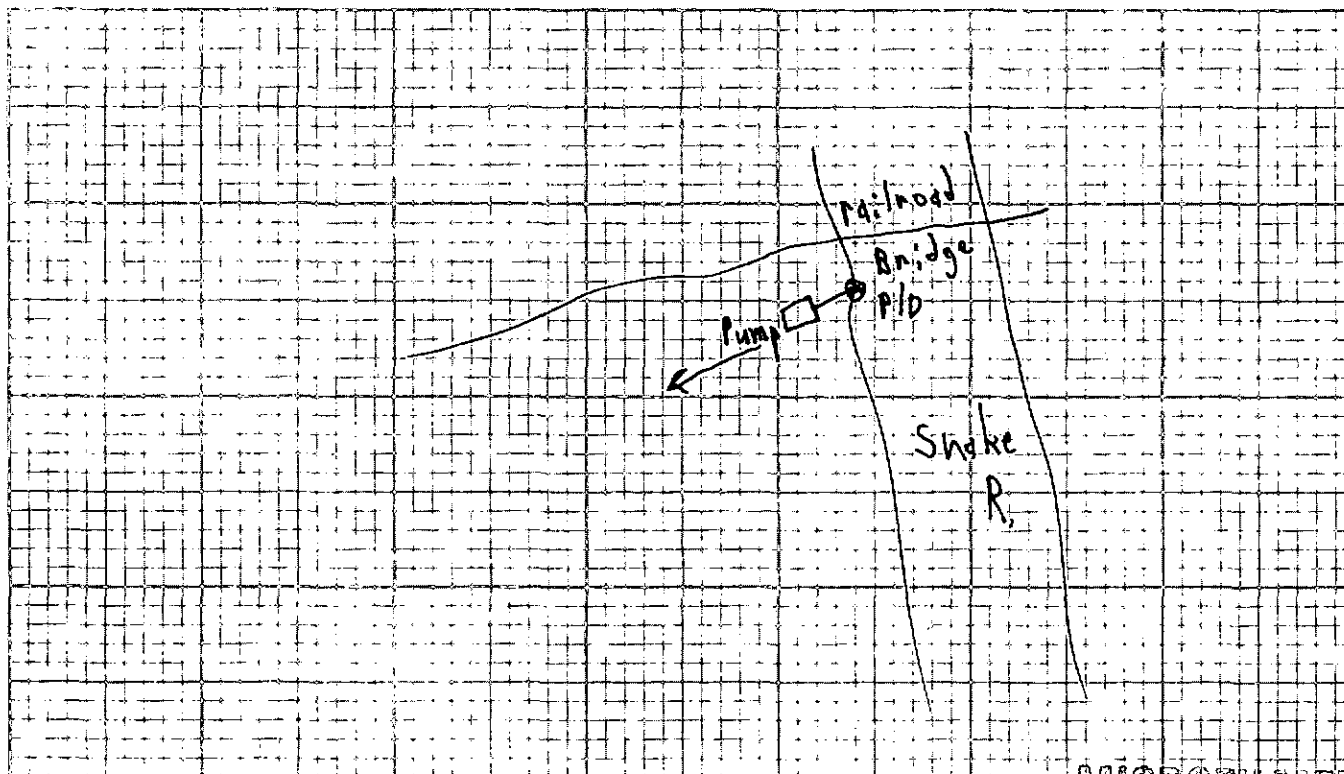
1. Owner: City of Burley Permit No. 01-07099
Current Address: P.O. Box 1090, Burley, ID 83318 Phone No. _____
2. Accompanied by: — EXAM. DATE: 7-30-90
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Snake R. tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JAN 21 1993

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Inlet in Snake R., pump to pressurize sprinkler system.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	50	FTJ603305	Goulds	400111

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	NE	21	10S	23E	Cassia	

6. **Place(s) of Use:**

Indicate Method of Determination

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	
			5	10	19.5	3.7	4	6	3.7	9					9				
10S	23E	21	5	10	19.5	3.7	6	3.7	9						9				84.8
			172																

JAN 21 1993

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
McGrometer				85-8-1158	8"	

2. Measurements:

1000 gal/112 sec. on totalizer. 400-450 gpm on needle.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

1000 gal/112 sec. = 535.7 gpm = 1.19 cfs

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 84.8 \times 4 = 339.2 \text{ AFA}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.19 \times 198 \text{ days} \times 1.9835 = 467.4 \text{ AFA}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 339.2 \text{ AFA permitted}$

2. Volume Calculations for Other Uses:

RECEIVED

JAN 21 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

System irrigates hay ground around Burley airport.
Limited to ~~288~~ 288 AFA allowed under permit (this is less than the standard of 4.0 AFA/acre).
Dot grid shows about 88 acres irrigated, but ASCS photo shows 84.8 acres. Figures were adjusted to agree with aerial photo.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-15	1.19	288
Totals:			1.19	288

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date 4/10/91
Field Report Preparation Date 10-5-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAN 21 1993

R 23 NAPP 160

16

21

16

1
22.2

2
8.7

3
33.1

JAN 5 1 1993

4
12.3

5
4.2

6
4.3

2090 2090
78265 78264

21 145 200

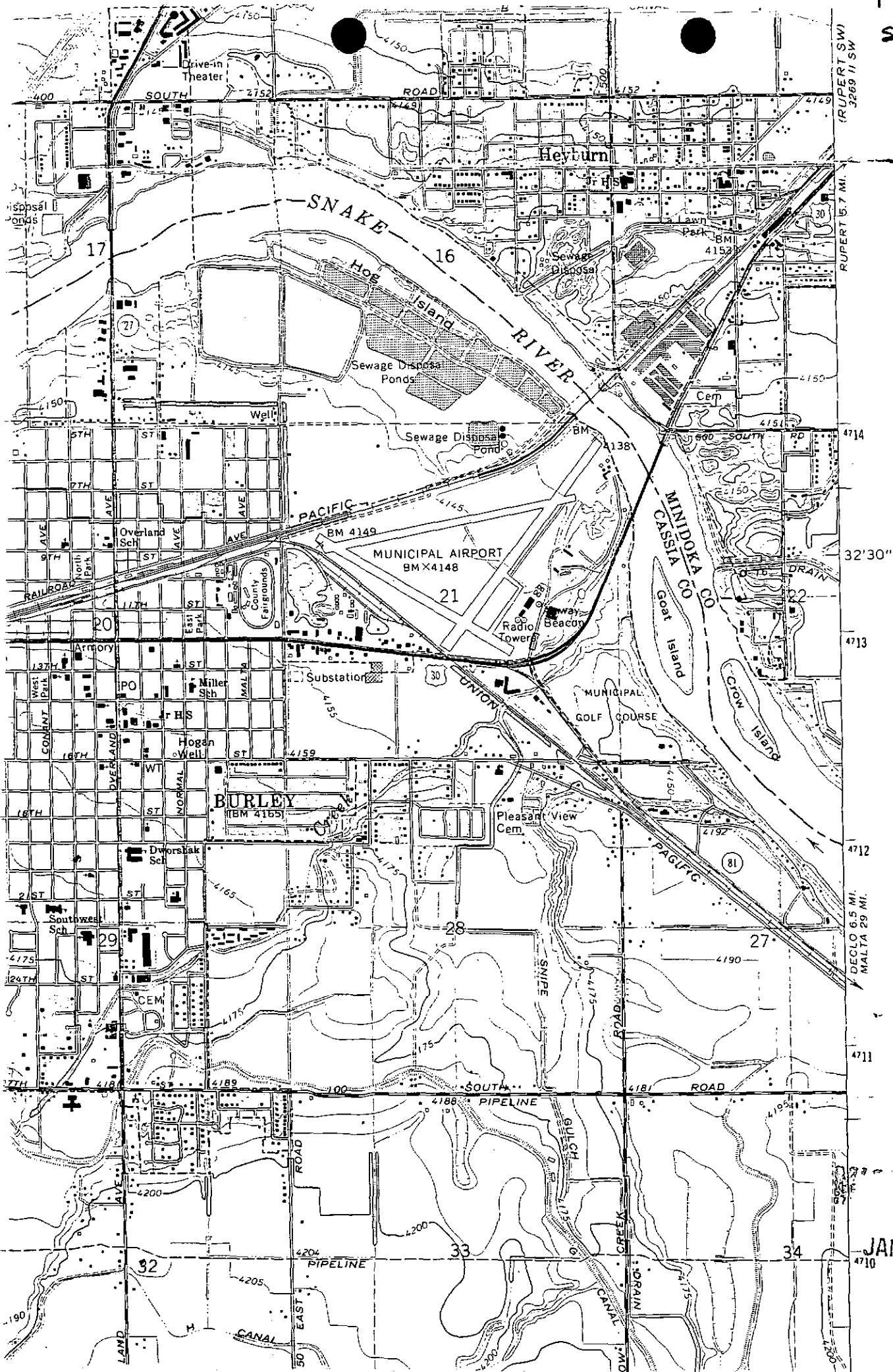
1143
24 T568

21 22

26 27

T10S R23E
S 21

01-7099
City of Burley

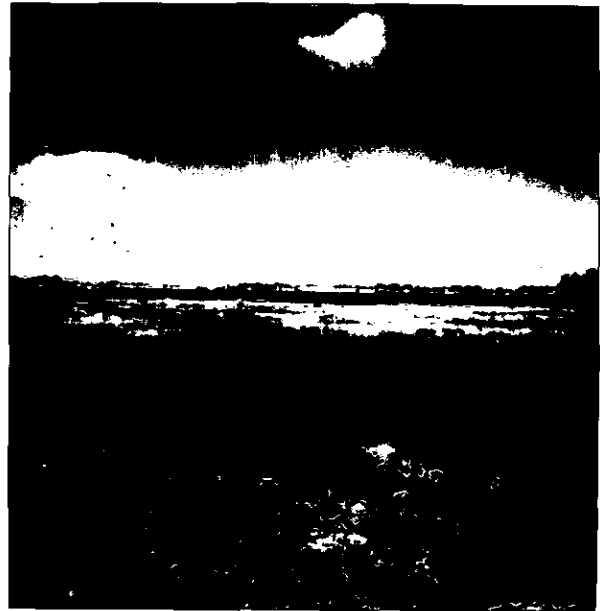


JAN 21 1993

01-7099



Pump • Flow Meter



P/U

JAN 21 1993

July 17, 1990

CITY OF BURLEY
P.O. BOX 1090
BURLEY, ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 01-07099

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 23 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 01-7099

Date: 7-10-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☒ Surface water
☒ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

JP
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

APR 19 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 125.00
Date 4-14-90
Receipt No. C016424
Received by Julie
4-10-90

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 01-07099 Telephone No. 678-2256Name(s) of Permit Holder(s): CITY OF BURLEY, IDAHOPost Office Address: P.O. BOX 1090 BURLEY, ID. 83318Source of Water: SNAKE RIVER

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 96 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 1.90 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: JUNE 1982

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ NoFee Enclosed: \$ \$125.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

DONALD HILL678-2535 2538

Name

CITY OF BURLEY

Telephone No.

Address

RECEIVED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUL 23 1990

4-3-90
DateDonald R. Hill Utilities Director
Signature (and title if on behalf of a company or organization)

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 24, 1990

CITY OF BURLEY
P.O. BOX 1090
BURLEY, ID 83318

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P01-07099

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM

MAR 20 1990

MEMORANDUM

TO: File No. 01-07099
FROM: Gary Spackman *Gary*
DATE: December 12, 1989

RE: Supplemental Water for Direct Diversion from the Snake River

The City of Burley has irrigated 96 acres at the Burley City Airport for approximately eight or nine years. Application no. 01-07099 proposes diversion of 1.90 cfs for irrigation from the Snake River. With a priority date of 1989, water will not be available for appropriation during much of the irrigation season. Lyle Swank in Eastern Region has informed Jim Johnson that the city has been renting water and owns a small amount of storage allocated in their name from Palisades Reservoir. The permit should be conditioned as follows:

Water shall not be diverted under this permit until supplemental storage water in the amount of 288 acre-feet, comprised of yield from storage owned or storage rented, has been obtained from the upper Snake River water supply bank.

MICROFILMED

MAR 20 1990

MEMORANDUM

TO: GARY SPACKMAN

FROM: JIM JOHNSON

RE: TELECON WITH MR. BRINEGAR, CITY CLERK

DATE: November 14, 1989

=====

Mr. Brinegar informed me that the system identified under this application has been in use for about eight (8) or nine (9) years. The Snake River is the sole supply for the irrigation of the airport lands. He said they drilled a well for this irrigation but the well did not produce any water.

Since the diversion had existed for several years I called Lyle Swank in Eastern, who informed me that the City was renting water and had a small portion of storage allocated in their name from Palisades Reservoir. The storage amount, however, is too small to provide full irrigation supply.

A condition should be placed on the application which requires the City to continue to rent water when natural flow is not available.

Such as;

<<11A>> No water may be diverted under this permit until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.

MICROFILMED

MAR 20 1990

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	SUM
0107099	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	105	23E	21	:	:	:	:	:
0100219	CITY OF BURLEY	A	SNAKE RIVER	105	23E	21	10	20	:	3	8
0107099	LANGOIS	L	GROUNDWATER	105	23E	21	5	:	:	35	:
4502179	CITY OF BURLEY	S	GROUNDWATER	105	23E	21	10	20	:	3	8
4504085	CITY OF BURLEY	P	SNAKE RIVER	105	23E	21	38	39	:	40	34
P0107099	MAPPING DATA	-	-	105	23E	21	:	:	:	40	34
										34	36
										30	30
										13	13
										19	19
										36	36
										39	39
										41	41
										32	32
										37	37
										39	39
										995	995

MICROFILMED

MAR 20 1990

PAGE:	1	PLACE OF USE LOTS OVERLAP REPORT												10/30/89				
WR-NUMBER	NE	NW	NE	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT + SUM
0107099	T10S	R23E	S21															
MAPPING:	1L33	1L31	2L16	2L20														100

Microfilm

MAR 20 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. Stanton DATE 6-21-89 APPLICATION NUMBER 01-07099

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested SEP 25 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded, on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No ~~Publication dates & paper, recorded on application~~
☐ Yes ☒ No Protests received - See TRC letter
Final date for protest 7/24/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01
☒ Yes ☐ No Special conditions of approval or cover letter below.

01J, 05 (01) - Snake R., 48

See below for additional information

Date of priority recommended 6/20/89

By Loren O'Halloran Date 9/20/89

STATE OFFICE REVIEW

P08, P03, P16 05(01) 01J 48 49

See below for additional information

By tw Date 10/23/89

ADDITIONAL INFORMATION

App. in TRUST area - per Tim - app. is
above Milner Dam - ok to process as "NON-TRUST"



TWIN FALLS CANAL COMPANY

POST OFFICE BOX 326

TWIN FALLS, IDAHO, 83303-0326

July 12, 1989

RECEIVED

JUL 13 1989

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Subject: Application 01-07099/ City of Burley

We have recently become aware of the above referenced application to appropriate water for irrigation. We are prior right holders. We respectfully request that the following language proposed by you in your letter dated February 17, 1989, be inserted in the "conditions" section of the permit, if approved:

std cond
48

"The right to the use of water acquired under this permit shall be subject to all prior rights and shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches, or customary preference."

If you do not intend to include such language as part of the "conditions", please advise us at your earliest convenience.

Very Truly Yours,

Jack H. Eakin
Jack H. Eakin
General Manager

JHE:cs

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MAR 20 1990

RECEIVED

JUL 19 1989

Department of Water Resources
Southern Region Office

01-7099

26-Jun-1989

City of Burley
P.O. Box 1090
Burley, ID 83318

Re: Application for Permit No. 01-07099

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the South Idaho Press on 7/6 & 7/13/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JUNE 26, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 24, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

MAR 20 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

MAR 20 1990

01-07099

CITY OF BURLEY
P.O. BOX 1090
BURLEY, ID 83318

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 2 (NENENE) Sec 21 T 10S R 23E

Use: IRRIGATION (1.900 CFS)

Date Filed: 6/20/1989

In: T10S R23E S21

NWNE
SENE

SWNE
NESW

NENW
NWSE

SWNW

96.0 ACRES TOTAL

MICROFILMED

MAR 20 1990

89-338

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

01-07099

CITY OF BURLEY

P.O. BOX 1090

BURLEY, ID 83318

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 2 (NENENE) Sec 21

T 10S R 23E

Use: IRRIGATION (1.900 CFS)

Date Filed: 6/20/1989

In: T10S R23E S21 NWNE SWNE

NENW SWNW SENW NESW NWSE

98.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Southern Region, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before
JULY 24, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on
July 6 and 13, 1989.

RECEIVED

JUL - 3 1989

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 20 1990

OK
MB
7/5/89

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JULY 24, 1989.

R. KEITH HIGGINSON, Director

Published 7/06/1989 & 7/13/1989

MicroFILMED

MAR 20 1990

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-4435

June 19, 1989

State of Idaho
Department of Water Resources
2148 - 4th Avenue East
Twin Falls, Idaho 83301

RE: City of Burley

Gentlemen:

Enclosed is the Application for Permit for City of Burley,
and a check in the sum of \$65.00 in payment thereof.

Thank you.

Very truly yours,

William A. Parsons
William A. Parsons

WAP:rt
Enc.

MICROFILMED

MAR 20 1990

01-07099