

NO LATE FEE IF RECEIVED
BY 11/3/89 2.0.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A01-10155
Date Received: 8/25/1989
Receipt No: E011038
Received By: TO

RECEIVED

OCT 19 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

MULLAND.
1. Name: ~~MERRILL~~ J. BURKE
Address: 1552 EAST TERRY
POCATELLO, ID

83201

2. Date of Priority: JUN 01, 1891

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	37E	35	NE	NE	NE		JEFFERSON <i>Bound 1911</i>

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.080		

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

8. Total consumptive use is 237.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	37E	4	NW	NW		IRR	30.0
			SW	NW		IRR	25.0
			NW	SW		IRR	21.0

A01-10155

Page

1, 89

A010155

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	37E	4	SW SW		IRR	19.0
					Section Acres	95.0
					Total Acres	95.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A0110154

14. Remarks:

TRANS. 636.
1/2 OF ORIGINAL RT. (2.0 CFS) GIVEN UP FOR CONVEYANCE LOSS.
THIS RIGHT IS A PORTION OF 01-00083K, 0100083U, 0100083AA.
A01-00083K=4.0 CFS. A01-00083U=.53 CFS. A01-00083AA=.55 CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Mustang B. Burke Date: 9-25-89
Michelle Collins Date: 9-25-89

State of Idaho)

County of BRAHMOCK)

SS.

Subscribed and sworn (or affirmed) before me this 25 day

of Sept 1989

Michelle Collins
Notary Public

Seal

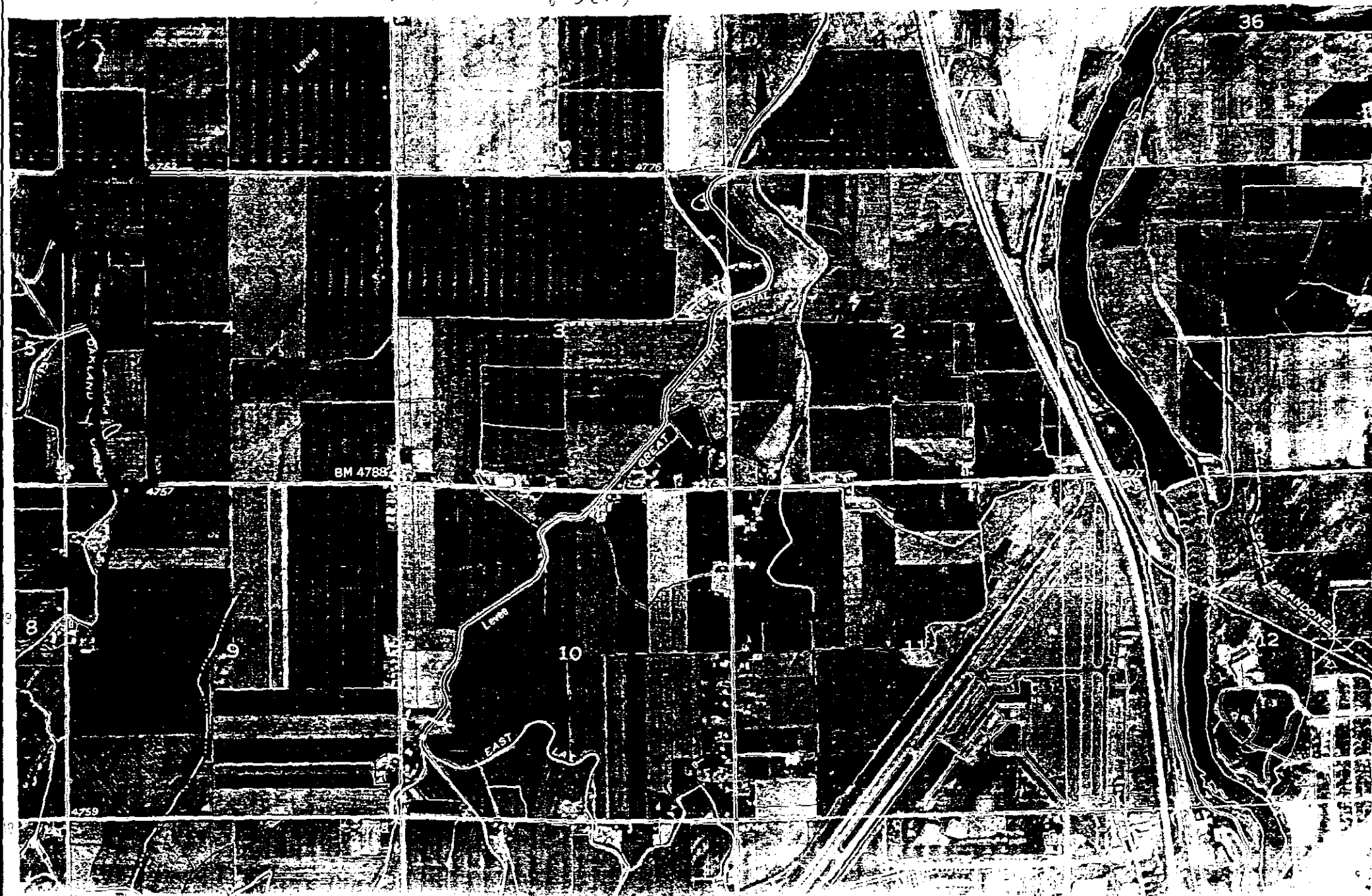
Residing at POCATELLO, IDAHO

My Commission Expires 10-29-93

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East 10th
Private 110 8323





State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 (208) 525-7161

EASTERN REGION

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Department of Water Resources
Eastern District Office

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: October 3, 1989

Murland J. Burke
1552 East Terry
Pocatello, ID 83201

RE: Notice(s) of Claim to a Water Right Returned
A01-10154 and A01-10155

Dear Mr. Burke:

The Idaho Department of Water Resources (IDWR) is returning your check #1716 (\$95.00) and Notices of Claim to a Water Right because of insufficient fees. The IDWR cannot process the claim until the appropriate fees are submitted. The filing fee for each irrigation notice is \$50.00 plus \$1.00 per irrigated acre.

\$90.00 of the \$95.00 irrigated-acre fee was previously paid to the Palisades Water Users, leaving a \$5.00 acreage-fee plus \$50.00 for each Notice of Claim due. The total filing fee for the two notices, A01-10154 and A01-10155, is \$105.00.

Please return the notices with the appropriate fee within 30 days of the date of this letter. Failure to return the notices within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each notice.

If you have any further questions, please call Tony Olenichak, Water Right Agent, at 1-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

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Enclosure

*I hope this is correct - did you read my letter.
I realize it is more important than the process.
If I need to come up and visit you - please
let me know - 234-2909 - my office*

From The Desk of...

M. J. Burke

9.75-89

SRS -

I AM RETURNING THIS -
WITH A CHECK FOR 95⁰⁰ M.
I HAVE SENT 90 TO PALISADES
WATER -

IT APPEARS - THAT - A01-10155
A01-10154

But I don't see ANY PAPERS
FOR A01-10161+

ALSO I CHECKED WITH NOOPES,
RAY. TED. - THEY DO NOT HAVE AS
MUCH ~~WATER~~ WATER AS I DO -
THAT FARM AT ONE TIME WAS
PART OF THE FARM THAT I
OWN - ? ?

I WILL BE OUT OF TOWN TILL
9th OF OCT - IF YOU NEED TO
TALK TO ME AT THAT TIME.
234-2909 - M

TALK TO ARLENE NOOPES IN
522-3095.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION
September 1, 1989

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CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MURLAND J. BURKE
~~Merlin J. Burke~~
1552 E Terry
Pocatello, ID 83201

OCT - 2 1989

Department of Water Resources
Eastern District Office

A01-10161 ?

RE: Adjudication Claim Numbers A01-10154 and A01-10155

Dear Mr. Burke:

Enclosed are three claims to a water right that were generated, based upon the legal description of your property that Mr. Reed Hansen supplied.

As on some of the older decreed rights, legal descriptions were not very detailed as to how many acres they covered, i.e., if only 10 acres of a 1/41/4 were covered by the right, the 1/41/4's were listed as a whole.

Attached to each claim is a copy of a proof report representing the water right that was previously in our records.

There are four water rights, or portions thereof, represented by two adjudication claims.

01-0035AF	}	
01-00083K		A01-10154
01-00083U		A01-10155
01-00083AA		

Three of the water rights were consolidated to one claim as they were splits of one right and with one priority date.

Please compare priority dates (Item #2); quantity of water in CFS (Item 6 & 7); and place of use and acreage (Item #10) to what you are actually doing on the farm.

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OCT 20 1992

Merlin J. Burke
Page - 2 -

If there are any changes or additions, make them on the claims and initial the changes, sign and have notarized, and send in to the department with the claim fee in the amount of \$195.00 by the filing deadline of September 29, 1989.

Respectfully submitted,

by Ernest Carlson.

John Carlson
Water Resources Agent

JC:jt

Enclosure

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