

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: **A47-11248**  
Date Received: 11/ 3/1988  
Receipt No: S003511  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MARGARET I. BURKS 208-733-5560  
Address: 3072 BOEHM ESTATES  
TWIN FALLS ID 83301
2. Date of Priority: JAN 1, 1958
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:  

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 10S      | 17E   | 24      | SW     | NW     | NW  |     | TWIN FALLS |
5. Description of diverting works:  
WELL & PUMP
6. Water is used for the following purposes:  

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| COMMERCIAL | 01/01 | 12/31 | 0.040 |      |        |
7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:  
C/BURK'S TRACTOR CO, INC.
10. Place of Use:  

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S      | 17E   | 24      | NW     | NW  |     | COMMER |       |
11. Place of use in counties: TWIN FALLS

**MICROFILMED**  
**OCT 28 1994**

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

13. Other Water Rights Used:

A47-11247

14. Remarks:

WELL USED FOR BURK'S TRACTOR CO, INC.  
OWNERSHIP CHANGE MADE 6-24-94 BY TLB

15. Basis of Claim: BENEFICIAL USE

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): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**MICROFILMED**  
**OCT 28 1994**

Form 42-1409(7)

RECEIVED

# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

MAY 03 1994

Department of Water Resources  
Southern Region Office

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township N/A Range \_\_\_\_\_  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, B.M. \_\_\_\_\_  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: A47-11239 A47-11247 A47-11248

☐ Name and Address of Former Owner/Claimant(s)(Seller): Douglas P. &/or Margaret I. Burks  
Rt 3 Box 6555  
Boehm Estates Dr Twin Falls ID 83301

☐ New Owner/Claimant (Purchaser): Margaret I. Burks

☐ New Mailing Address: 3072 Boehm Estates  
Twin Falls ID 83301

☐ New Telephone Number: (208) 733-5560

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: N/A

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Margaret I. Burks Date 4-30-94

☐ Signature of Former Owner/Claimant(s): Margaret I. Burks Date 4-30-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: 6-24-94 By: HLB

Claim Numbers of Split, if any:

MICROFILMED  
OCT 28 1994

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

10-May-1994 09:25

MARGARET I BURKS  
3072 BOEHM ESTATES  
TWIN FALLS, ID 83301

RE: ADJUDICATION CLAIM(S): A47-11239, A47-11248, & A47-11247  
DOUGLAS P BURKS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. PLEASE REVIEW THE RECORD(S) FOR ACCURACY.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND  
RECORDS CLERK

/TLB  
ENCLOSURE

MICROFILMED  
OCT 28 1994

## COMMUNICATION DOCUMENTATION

Claim No. A47-11247-11248

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent 7HDate 03-31-95Contact Person(s) MRS. MARGARET BURKSNature of Contact proving pri. data - COMMERC.Substance of Communication reviewed material w/ her  
and suggested contacting ASSESSOR for  
data Township - she plans to do so.

MICROFILMED

NOV 29 1995

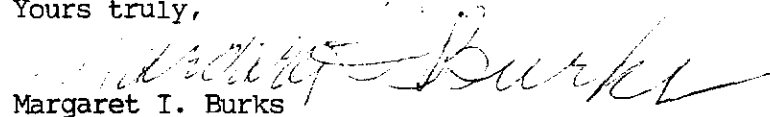
May 9, 1995

STATE OF IDAHO  
DEPT. OF WATER RESOURCES  
222 SHOESHONE ST. EAST  
TWIN FALLS, ID. 83301

TO WHOM IT MAY CONCERN.

Enclosed are two notarized statements concerning the wells on the property at 3140 Kimberly Road and the property at 3785 North 200 East. Leagel description of each piece of property is attached to each letter.

Yours truly,

  
Margaret I. Burks

MICROFILMED  
NOV 29 1996

A47-11247, A47-11248

A47-11248



GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON  
Director

January 10, 1995

A47-11248  
MARGARET I. BURKS  
3072 RUEHM ESTATES  
TWIN FALLS

ID 83301

RE: Evidence of Priority

\*\*\*\*\*  
\* RESPONSE DEADLINE \*  
\* MARCH 15, 1995 \*  
\*\*\*\*\*

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

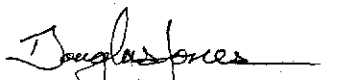
**SPECIAL NOTE:** The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995  
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

  
Douglas Jones, P.E.  
Water Rights Supervisor

Enc.

MICROFILMED  
NOV 29 1998

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: A47-11248  
Date Received: 11/03/1988  
Receipt No: S003511  
Received By: tw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS P. BURKS 208-733-5560  
Address: RT 3 BOX 6555  
BOEHM ESTATES DR  
TWIN FALLS, ID 83301

AND/OR

Name: MARGARET I. BURKS 208-733-5560  
Address: RT 3 BOX 6555  
BOEHM ESTATES DR  
TWIN FALLS, ID 83301

2. Date of Priority: JAN 01, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 10S      | 17E   | 24      | SW     | NW     | NW     |     | TWIN FALLS |

5. Description of diverting works:  
WELL & PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| COMMERCIAL | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
C/BURK'S TRACTOR CO, INC.

A47-11248

Page 1

Date: 11/03/88

MICROFILMED

MAR 12 1993

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 10S      | 17E   | 24      | NW NW      |     | COMMER |       |

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:  
A47-11247

14. Remarks:  
WELL USED FOR BURK'S TRACTOR CO, INC.

15. Basis of Claim: BENEFICIAL USE

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):

Margaret J. Burke Date: 11-3-88  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )

County of TF )

SS.

Subscribed and sworn (or affirmed) before me this 3<sup>rd</sup> day

of Nov 19 88

Lon W. White  
Notary Public

Seal

Residing at TF

My Commission Expires 5/95

GOVERNOR  
Governor PHILIP E. BATTR. KEITH HIGGINSON  
Director

January 10, 1995

A47-11258  
GUERRY, INC.  
RT. 2 BOX 99  
BUHL

ID 83316

RE: Evidence of Priority

\*\*\*\*\*  
\* RESPONSE DEADLINE \*  
\* MARCH 15, 1995 \*  
\*\*\*\*\*

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

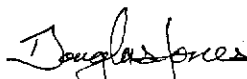
**SPECIAL NOTE:** The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995  
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

  
Douglas Jones, P.E.  
Water Rights Supervisor

Enc.