



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-8098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 02 1998

PHILIP E. BATT
GOVERNOR

March 11, 1998

KARL J. DREHER
DIRECTOR

RECEIVED

MAR 16 1998

Department of Water Resources

MARVIN E FOREMAN
HELLEN M FOREMAN
22 E 220 S
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 45-11257
Change of Address

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water right claims you have, and return the letter by March 31, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

The address is correct as shown above or as otherwise changed.

Marvin E Foreman
Claimant Signature

45-11258

records modified - NCAP prepared.
Connected misspelled
Name (Hellen). 3-17-98

AJ0749NP
No. 45-11258

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARVIN E FOREMAN	09/01/1963	DOMESTIC	01-01 12-31	0.04 CFS	
C	HELEN M FOREMAN					
	22 E 220 S					
	BURLEY ID 83318					
	(208) 677-2115					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11S R23E S05

NENWNE

CASSIA County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11S	23E	5	:																	:
			:																	:

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 000020020080

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 01/04/1993 User-ID: WELSH Subject: COPIED FROM REMARKS
LOT 8, BLOCK 2, BIRCH ACRES SUBDV., CASSIA CO.

Date: 04/27/1995 User-ID: KCHRISTE Subject: OWNERSHIP CHANGE-ADDRESS CHANGE

see Comment →

AJ0749WP
No. 45-11258

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/27/98
PAGE: 2

=====

Comments: Date: 04/27/1995 User-ID: KCHRISTE Subject: OWNERSHIP CHANGE-ADDRESS CHANGE
THE FOREMANS BROUGHT IN AN ADDRESS CHANGE ON 4-19-95. IN UPDATING
THE RECORDS I FOUND THAT THE R RECORD WAS MISSED WHEN THE
OWNERSHIP CHANGE WAS DATA ENTERED ON 3-14-94. THIS UPDATE TO THE
R RECORD INCLUDES THE CHANGE OF ADDRESS AS WELL AS THE
OWNERSHIP CHANGE. KKC 4-27-95

Date: 08/20/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
PROPERTY ALSO KNOWN AS LOT 8, BLOCK 2, BIRCH ACRES SUBDIVISION.
PARCEL NO. 000020020080

Date: 03/19/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
~~ADDRESS CHANGE BY CLAIMANT LETTER.~~

Date: 03/27/1998 User-ID: JROBERTS Subject: WELL IS FOR LAWN USE ONLY
CLAIMANT HAS TWO WELLS, 45-11257 IS SHARED WITH A NEIGHBOR FOR
HOUSEHOLD USE (45-11247), AND EACH HAVE AN ADDITIONAL WELL FOR
LAWN USE ONLY. jr

Audit: 03/27/98 JROBERTS

AJ0749NP
No. R45-11248

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/15/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEE R BINGHAM 438 E 42ND RT 2 BURLEY ID 83318 (208) 678-7650	05/17/1988	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R23E S05 NENWNE

CASSIA County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11S	23E	5	:			D														:

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: 45-11247

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 000020020060

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/16/1993 User-ID: SMITH Subject: COPIED FROM REMARKS
LT 6, BLK 2, BIRCH SUBDIVISION

Date: 08/20/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
PARCEL NO. 000020020060
PROPERTY ALSO KNOWN AS LOT 6, BLOCK 2, BIRCH SUBDIVISION

Date: 01/15/1998 User-ID: JROBERTS Subject: CORRECTED POU

see Comments →

AJ0749NP
No. R45-11248

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/15/98
PAGE: 2

=====

Comments: Date: 01/15/1998 User-ID: JROBERTS Subject: CORRECTED POU
CORRECTED POU TO NWE AS PER CASSIA COUNTY COURTHOUSE. jr

Audit: 01/15/98 JROBERTS

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997
PAGE: A-861

RIGHT NUMBER: 45-11258

NAME & ADDRESS: MARVIN E FOREMAN
HELEN M FOREMAN
22 E 42ND ST
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/01/1963

POINT OF DIVERSION: T11S R23E S05 NENWNE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T11S R23E S05 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 000020020080

Claim proofread by: *CM*

Date: *9-23*

6/9/94

COMMUNICATION DOCUMENTATION

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 JEANIE M ROBERTSON

DATE

March 26, 1998 2:34pm

CUSTOMER

MARVIN FOREMAN

45-11257, 45-11258

SUBJECT: WHY DIDN'T HE GET DIRECTOR'S REPORT RECOMMENDATION??
phone call (X) walk-in (.)

Said his neighbor received his recommendation and they share the same well but he didn't receive his? I checked the computer and Sally made an address correction last week (3/19/98). I told him to give it a few days or a week and to call me back if he still didn't receive them...

45-11247, 45-11248

A few minutes later, the neighbor, Dee Bingham, called and explained a little more about the well that is shared. It looks like 45-11247 (Bingham) and 45-11257 (Foreman) share the same well for domestic purposes. He said the well actually sits on the line that divides Lots 6 & 7, Block 2 of the Birch Acres Subdivision. Then they each have an additional well and claim for irrigation they do on their lots. Perhaps the claims for these two 45-11248 (Bingham) and 45-11258 (Foreman) should not make mention of "1 Home" in Remarks as they would appear to be just for the grounds...

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: A45-11258
Date Received: 6/ 9/1989
Receipt No: S007701
Received By: SC

*changed
4-27-95
KRC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN E FOREMAN
Address: 458 E 42ND ST
BURLEY ID

208-677-2115

AND/OR

Name: HELEN M FOREMAN
Address: 458 E 42ND ST
BURLEY ID

208-677-2115

*Non filmed docs. Attached
See A45-11257 for
thru 2008.
Kelly*

2. Date of Priority: SEP

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	23E	5	NE	NW	NE		CASSIA

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	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:
D/1 HOUSE.

MICROFILMED

OCT 28 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	23E	5	NW NE		DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 8, BLOCK 2, BIRCH ACRES SUBDV., CASSIA CO.

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

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A45-11257 &
A45-11258

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 Kelly K Christensen

DATE	CUSTOMER
April 19, 1995 11:00am	MARVIN E FORMAN

SUBJECT: RESPONSE TO FEDERAL INSTREAM FLOW DIR REPORT FILING
phone call (.) walk-in (X)

They brought in the fed notice with the former owner's name on it. I did an ajql search on MARTIN and found A45-11257 and A45-11258 in Forman as current owner and Martin as original owner. The R records were not updated. They also indicated that the address has been changed by the P O. They filled out an address change form. I gave my generic standard reply relating to the federal reserve rights.

NOTE: The address was updated on 4-27-95 kkc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~CECIL D. ANDRUS~~ Phil Batt
Governor

R. KEITH HIGGINSON
Director

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM IN THE SNAKE RIVER BASIN ADJUDICATION

[] Water Right Number(s): A45-11257

A45-11258

[] Old Mailing Address:

Martin E & Helen M. Foreman

458 E. 42nd St.

Burley, Id. 83319

[] New Mailing Address:

Martin E. & Helen M. Foreman

22 E. 42nd St.

Burley, Id. 83319

[] New Telephone Number: () _____

[] Signature of Claimant(s): Martin E. Foreman

Date: 4/19/95

For IDWR use only:

Initial Review and Data Entry

Date: By:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

Further Action Needed:



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY Township 11 S Range 23 E
Section 5, NW 1/4 of NE 1/4 of NE 1/4 Govt. Lot _____, BM.
Lot 1 + 2, Block, _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet. MAP

- ☐ 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: A45-11257 & A45-11258
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MAX W. MARTIN
458 E 42ND ST
BURLEY ID
- ☐ New Owner/Claimant (Purchaser): MARVIN E & OR HELEN M FOREMAN
- ☐ New Mailing Address: 458 E 42ND ST
BURLEY ID 83318
- ☐ New Telephone Number: (208) 677-2115
- ☐ 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: WARRANTY DEED
(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) Marni E. Foreman Date 3/14/94
- _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
- _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 3-14-94 By: Sam

Further Action Needed:

NONE

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

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

WARRANTY DEED

For Value Received

MAX W. MARTIN and VIRGINIA MARTIN, husband and wife

COPY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
MARVIN E. FOREMAN and HELEN M. FOREMAN, husband and wife
Address:

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

Lots 7 and 8 in Block 2 of Birch Acres Subdivision, Cassia
County, Idaho, as the same is platted in the official plat
thereof, now of record in the office of the Recorder of said
County.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1992 and subsequent years.

Assessments of the Burley Irrigation District and the rights
and powers of said District as by law provided.

Restriction contained in Warranty Deeds from Dorothy Kunau,
a widow, recorded November 26, 1962 as Instrument No. 9750
and recorded February 9, 1965 as Instrument No. 22516, records
of Cassia County, Idaho.

Easement as shown on the recorded plat of Birch Acres Subdivision.

Reciprocal Easement Agreement, between Dee R. Bingham and Bessie
Bingham, husband and wife and Max W. Martin and Virginia Martin,
husband and wife, dated June 19, 1991 and recorded July 8,
1991 as Instrument No. 214235 on Film No. 226, records of Cassia
County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: January 27, 1992

Max W. Martin
MAX W. MARTIN

Virginia Martin
VIRGINIA MARTIN

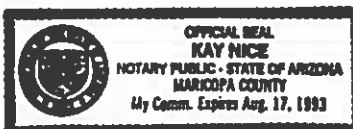
ARIZONA

STATE OF ~~IDAHO~~ COUNTY OF *Maricopa*
On this *28th* day of January, 1992.
before me, a notary public in and for said State, per-
sonally appeared

Max W. Martin and
Virginia Martin

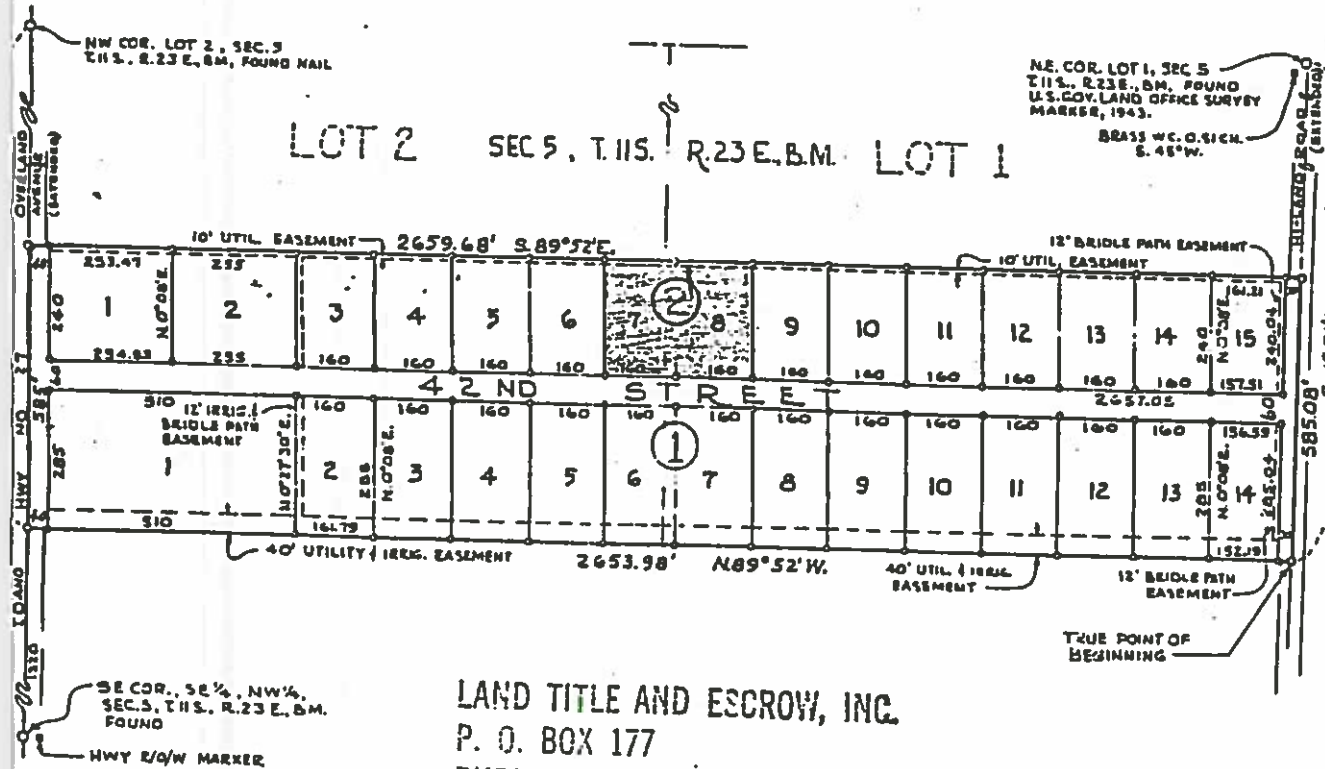
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Kay Niece
Notary Public
Residing at *Phoenix*, Arizona, ~~Idaho~~
Commission expires: *August 17, 1993*



BIRCH ACRES

SUBDIVISION
CASSIA COUNTY, IDAHO



LAND TITLE AND ESCROW, INC.
P. O. BOX 177
BURLEY, IDAHO

LEGAL DESCRIPTION:

KNOW ALL MEN BY THESE PRESENTS:
THE PORTION OF LAND TO BE KNOWN AS THE "BIRCH ACRES"
DIVISION "IS DESCRIBED AS FOLLOWS:
IN CASSIA COUNTY, IN LOTS 1 & 2 IN SECTION 5, T. 11S., R. 23E., B.M.
BEGINNING AT A POINT 1,373.5 FEET SOUTH $1^{\circ} 01'$ WEST
ALONG THE SECTION LINE FROM THE NORTHEAST CORNER
LOT 1, SAID SECTION 5, AND AT THE SOUTHEAST
CORNER OF SAID LOT 1, WHICH POINT SHALL BE KNOWN AS
THE TRUE POINT OF BEGINNING;
THENCE ON A BEARING OF $N. 89^{\circ} 52' W.$ FOR A DISTANCE OF
2653.98 FEET ALONG THE SOUTH BOUNDARIES OF LOTS 1 & 2, SAID
SECTION 5, TO A POINT ON THE QUARTER SECTION LINE OF
SAID SECTION 5;
THENCE ON A BEARING OF $N. 0^{\circ} 27' 30'' E.$ ALONG THE
QUARTER SECTION LINE FOR A DISTANCE OF 585 FEET;
THENCE ON A BEARING OF $S. 89^{\circ} 52' E.$ FOR A DISTANCE
2659.68 FEET TO THE EAST BOUNDARY OF LOT 1,
SAID SECTION 5;
THENCE ON A BEARING OF $S. 1^{\circ} 01' W.$ FOR A DISTANCE OF
1373.5 FEET TO THE TRUE POINT OF BEGINNING.

DEDICATION:

STATE OF IDAHO > SS.
COUNTY OF CASSIA

KNOW ALL MEN BY THESE PRESENTS:
THAT THE UNDERSIGNED ARE THE OWNERS OF THE REAL
PROPERTY AS SHOWN ON THIS PLAT. BE IT FURTHER
KNOWN THAT THE OWNERS AGREE TO THE DESIGNATIONS OF
THE REAL PROPERTY AS SHOWN HEREON AS THE "BIRCH
ACRES" SUBDIVISION AND THAT THE PLAT IS A TRUE
AND CORRECT PLAT THEREOF.
FURTHER THAT THE OWNERS GRANT, GIVE AND DEDICATE
TO THE PUBLIC SUCH PORTIONS OF LAND AS SHOWN ON SAID
PLAT AS SET APART FOR STREETS AND EASEMENTS
FOR THE PUBLIC USE FOREVER IN ADDITION TO THOSE
NOW OF RECORD OF RECORD ESTABLISHED.

NOTARY PUBLIC'S CERTIFICATION

STATE OF IDAHO > SS.
COUNTY OF CASSIA

ON THIS 19 DAY OF OCTOBER 1961, BEFORE ME,
UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE
STATE OF IDAHO, PERSONALLY APPEARED
DOROTHY KUNAU, THURMAN A. BURCH, TESSIE
BURCH, DONALD J. HOLMES & NAOMI HOLMES
KNOWN TO ME AS THE PERSONS WHOSE NAME APPEAR
ON THIS INSTRUMENT AND ACKNOWLEDGED BY ME,
THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC RESIDING IN BURLEY, IDAHO.

CITY OF BURLEY CERTIFICATION

ACCEPTED BY THE MAYOR AND COUNCIL OF BURLEY,
IDAHO AT THEIR MEETING ON OCTOBER 18, 1961.

APPROVED: Mayor

ATTEST: City Clerk

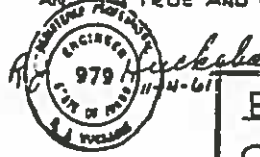
APPROVED: City Engineer

COUNTY COMMISSIONER'S APPROVAL

THIS IS TO CERTIFY THAT THE PLAT DEPICTED
HEREON HAS BEEN ACCEPTED AND APPROVED ON
THIS 6 DAY OF November, 1961, BY THE BOARD OF
COUNTY COMMISSIONERS OF CASSIA COUNTY, IDAHO.
CHAIRMAN

ENGINEER'S CERTIFICATION

I, R. J. HUCKABEE, A REGISTERED PROFESSIONAL
ENGINEER, IDAHO LICENSE NO. 979, DO HEREBY
ATTEST THAT THE PLAT DEPICTED HEREON WAS
SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION
AND IS A TRUE AND CORRECT REPRESENTATION THEREOF.



BIRCH ACRES
SUBDIVISION
CASSIA COUNTY, IDAHO

OLD (D) NUMBER -

+ MICROFILMED - ADDRESS - - - - - +

PHONE - 208-678-9709

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - +

STREAM INDEX (BLANK IF NO INDEX CODE)

(31) CASSIA

+ - - AUDIT FIELDS - 06/29/89 WORSTELL

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

0000 200 20080

ENTERED 1/4/93
CHECKED 2/6/93

VERIFIED
NOV 06 1991

PROOF
SEP 16 1991

CERTIFIED
DEC 28 1991
WATER EXAMINER

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: A45-11258
Date Received: 6/06/1989
Receipt No: S007701
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX W. MARTIN 208-678-9709
Address: 458 E. 42ND ST.
BURLEY, ID 83318

2. Date of Priority: SEP 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 11S | 23E | 5 | NE | NW | NE | | CASSIA |

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 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:
D/1 HOUSE.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 11S | 23E | 5 | NW | NE | | DOMEST | |

11. Place of use in counties: CASSIA

A45-11258

Page 1

Date: 06/29/89

MICROFILMED

MAR 09 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 8, BLOCK 2, BIRCH ACRES SUBDV., CASSIA CO.

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 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A45-11258Date Received 6-6-89Receipt Number 5007701**RECEIVED NOTICE OF CLAIM
TO A
WATER RIGHT**

JUN 6 1989

Department of Water Resources
Southern Region OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) MAX W. MARTIN Phone (208) 678-9709Mailing Address 458 E 42ND ST. BURLEY, ID Zip 833182. Date of Priority (Only one per claim) 9-1-63 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 11 S Range 23 E B MSection 5, NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, BM.,County of CASSIA BIRCH ACRES LOT 8 BIK 2

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from JAN 1 to Dec 31 amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, Stockwater: Type and Number of livestock) DNE - DOMESTIC

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10. Place of use is: Township: 115 Range 23 EBM BIRCH ACRE
Section 5 NW 1/4 of NE 1/4, Govt. Lot _____ B.M., Lot 8 - BIK
County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____
11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes L No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above. None X

14. Remarks: LOT 8 Block 2 BIRCH ACRES SUBDIVISION

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____
16. Signature (s) _____
Number of Attachments _____
By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES _____ NO X

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) Max W. Martin Date 6-1-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____
_____ Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____ }
County of Cassia } SS.

Subscribed and sworn (or affirmed) before me this 15th day of June 1989

SEAL Notary Public Arvid W. ...
Residing at Burley, ID 83318
My Commission Expires 5-15-92

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. July 3, 1989

A45-11257
A45-11253

- Max W. Martin
- 458 E. 42nd St.
- Burley, Idaho 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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