

05/03/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-10155

NAME AND ADDRESS: NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T02N R37E S12 NWNENW Within BONNEVILLE County

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE:

27920 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the boundary of New Sweden Irrigation District pursuant to Section 43-323, Idaho Code.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Great Western Canal and Porter Canal.

This right is old Right No. 1-83AA.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-10155

WATER RIGHT NUMBER: 1-10155

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW SWEDEN IRRIGATION DIST 2350 W 1700 S IDAHO FALLS, ID 83402 (208)523-0175

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	5.080 CFS	
	<u>Total Diversion:</u>		5.080 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NE1/4NE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
BONNEVILLE County		

Place of UseIRRIGATION Within BONNEVILLE County

T02N R37E S04	NWNW	30.0	T02N R37E S04	SWNW	25.0
T02N R37E S04	NWSW	21.0	T02N R37E S04	SWSW	19.0

Total Acres: 95

Conditions of Approval:

1. 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.

Remarks:Comments:

08/23/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-10155

NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402
Telephone Number: (208)523-0175

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

SCANNED
MAY 10 2007

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Sept 11, 2006

SIGNATURE:

Louis Thiel

Please print your name:

Louis Thiel

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

RECEIVED

SEP 11 2006

Department of Water Resources
Eastern Region

kmj
10702

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT TRANSFERRED RIGHT NO. 1025

THIS IS TO CERTIFY, That C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, all of Route #5, Idaho Falls, Idaho; Loran Morris of Idaho Falls, Idaho; Nelma McNeil of Heyburn, Idaho; Adrian Crossley Burke of Springer, Oklahoma; and Leora Flynn of Philadelphia, Pennsylvania; are the owners of and using a certain water right of the waters of Snake River as follows; and under State of Idaho, Department of Reclamation, Certificates of Transfer of Water Right Nos. 614, 764, 809, and 934, or portions thereof, arising out of the Decree of Judge J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATION COMPANY, et al

Plaintiffs

vs.

TETON IRRIGATION CANAL CO., et al

Defendants

said Decree bearing date of December 16, 1910, said transferred rights being in the following amounts and dates of priority, and all standing in the name of C. W. Burke, and for use on the following described lands:

Transfer No. 614: 1.00 cubic foot per second
Priority date: June 1, 1891, for use on the
East half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$)
and Northeast Quarter of Southeast Quarter
($NE\frac{1}{4}SE\frac{1}{4}$) of Section Five (5), Township Two
(2) North, Range Thirty-seven (37) East of
the Boise Meridian;

01-0083H

Transfer No. 764: 1.30 cubic feet per second (Ralph Moss)
Priority date: June 1, 1885, for use on the
West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$)
of Section Five (5), Township Two (2) North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-00035

Transfer No. 809: 2.05 cubic feet per second
Priority date: April 30, 1900, for use on
Lots Three (3) and Four (4), the South Half
of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section
Five (5), Lot One (1) and the Southeast
Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of
Section Six (6), all in Township Two (2), North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-0125C

Transfer No. 934: 0.60 cubic foot per second
Priority date: June 1, 1891, for use on the West
Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Sec-
tion Five (5), Township Two (2) North, Range
Thirty-seven (37), East of the Boise Meridian;

01-0083T

SCANNED
MAY 10 2007

PROFILED

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 3 of Decrees at Page 450 thereof;

That said C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke and Leora Flynn, have become the owners of said water rights by purchase or by deeds of gift;

And that now upon the application of C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke, and Leora Flynn, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 4.95 cubic feet per second of the waters of Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water rights HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

NS1D
TED RAY HOOPES: 0.80 cubic foot from Transfer No. 614:

Beginning at a point on the section line common to Sections 4 and 5 of Township 2 North, Range 37 East of the Boise Meridian; which point is North 0°12'51" East, 24 feet from the Southwest corner of the aforesaid Section 4, Township 2 North, Range 37, East of the Boise Meridian; thence running North 0°12'51" East along the West line of Section 4, a distance of 3768.51 feet; thence turning and running South 89°03'46" East a distance of 639.59 feet; thence South 0°17'46" East 185.80 feet; thence South 23°05'02" West 551.0 feet; thence South 0°29'32" West 541.20 feet; thence South 13°27'33" East 358.50 feet; thence South 3°35'23" East 231.60 feet; thence South 9°38'57" West 303.3 feet; thence South 1°46'03" East 383.70 feet; thence South 5°21'33" East 675.6 feet; thence South 30°03'27" West 224.40 feet; thence South 3°57'33" East 131.0 feet; thence South 28°50'53" East 203.3 feet; thence South 0°21'30" West 92.0 feet; thence North 89°24' West a distance of 549.8 feet, more or less, to the point of beginning. Containing a calculated area of 43.23 acres, more or less.

SWNW
NW SW
SW SW
4

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MAY 10 2007

Beginning at a point which is 24.0 feet North 0°12'15" East of the Southeast Corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian, said point being coincident with the East line of said Section 5; thence running North 89°33' West and parallel to the South line of the said Section 5, a distance of 1315.8 feet; thence turning and running North 0°07'33" East a distance of 2669.32 feet; thence North 57°39'30" East 1057.7 feet; thence North 24°18'20" East 625.2 feet; thence South 89°03'46" East 173.01 feet; thence turning and running South 0°12'51" West a distance of 3768.51 feet, more or less, to the point of beginning. Containing a calculated area of 94.34 acres, more or less, and being in Bonneville County, Idaho;

PROTECTED
SE NE
E 1/2 SE
5

NS1D
DARREL W. BURKE: 0.60 cubic feet from Transfer No. 934; 01-0083 Z
1.30 " " " " " 764; 01-00035 AF
0.80 " " " " " 809; 01-0125 D

Beginning at a point that is North 89°33'20" West along the section line 54.91 feet from the Northeast corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian; thence

North 89°33'20" West along said section line 2391.56 feet;
thence South 14°01' West 2360.89 feet; thence South 30.0 feet;
thence South 89°15' East 1722.9 feet; thence North 30.0
feet; thence North 57°39'30" East 1057.20 feet; thence North
24°18'20" East 616.70 feet; thence North 14°24'40" East 497.60
feet; thence North 0°11'15" East 666.50 feet to the point of begin-
ning. Containing 127.7 acres, and located in Bonneville County,
Idaho;

C. W. BURKE: 0.20 cubic feet from Transfer No. 809 01-0125 E
0.20 " " " " " 614 01-0083 V (AB)

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
of Section Thirty-three (33), Township Three (3) North,
Range Thirty-seven (37), East of the Boise Meridian, in
Bonneville County, Idaho;

A. N. ISOM: 1.05 cubic feet from Transfer No. 809; 01-0125 F

The North half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section
Sixteen (16), Township Two (2) North, Range Thirty-seven
(37), East of the Boise Meridian, in Bonneville County,
Idaho;

That the said water is to be limited at any given time to an amount actually
needed and beneficially used for such purposes, and shall not exceed the following
amount, to-wit:

DARREL W. BURKE: 0.60 cfs, priority June 1, 1891 01-0083
1.30 cfs, priority June 1, 1885 01-00035
0.80 cfs, priority April 30, 1900 01-0125 D

C. W. BURKE: 0.20 cfs, priority April 30, 1900 01-0125 E
0.20 cfs, priority June 1, 1891 01-0083 V (AB)

A. N. ISOM: 1.05 cfs, priority April 30, 1900 01-0125 F

TED RAY HOOPES: 0.80 cfs, priority June 1, 1891 01-0083

That the water rights hereby transferred have heretofore been conducted
from Snake River to the first above described lands as follows:

Transfer No. 614: Through the Great Western Canal with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 764: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 809: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 934: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

PROVIDED

SCANNED
MAY 10 2007

NE 4
5

NSID

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the rights to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

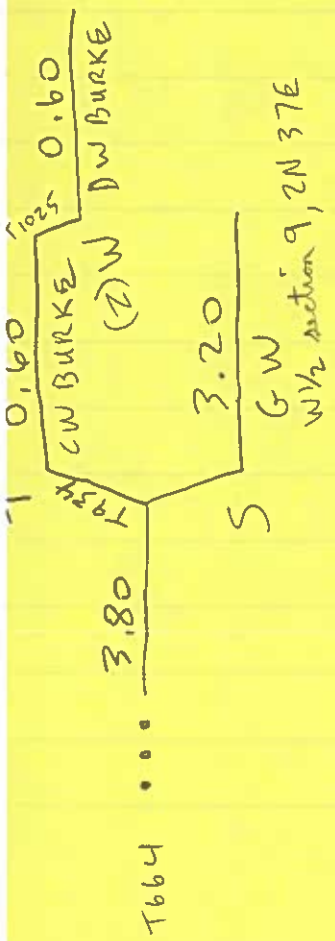
IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 20th day of March, 1964.

Carl E. Tappan

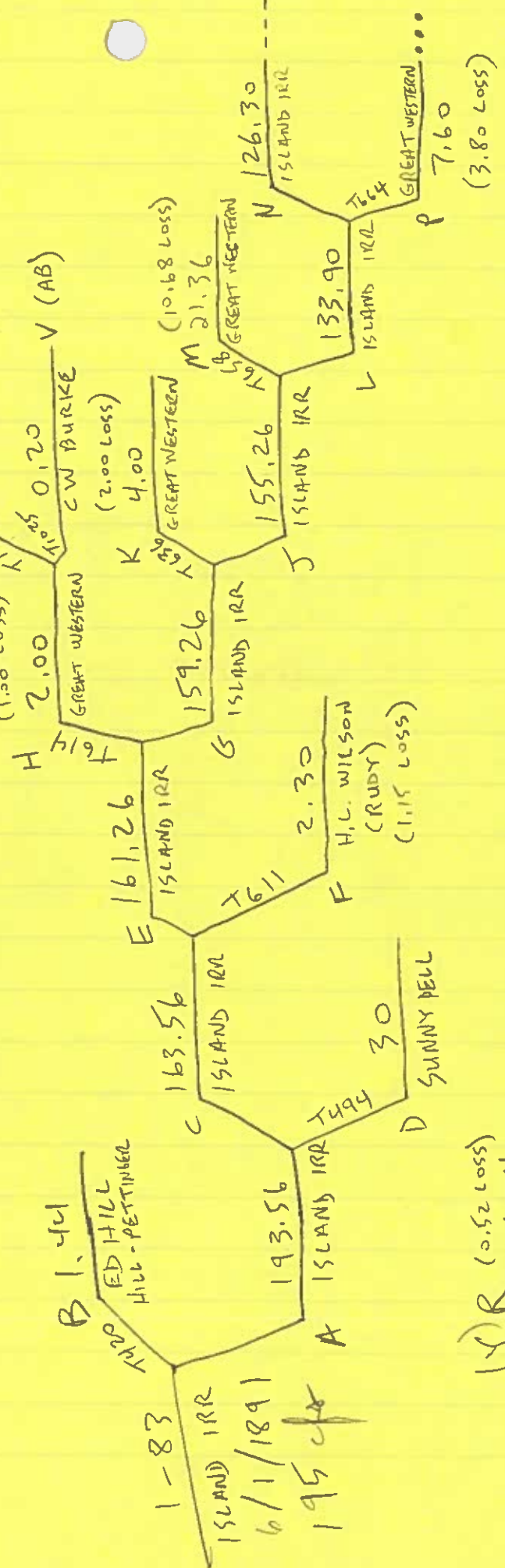
CARL E. TAPPAN
State Reclamation Engineer

PROFILED

SCANNED
MAY 10 2007

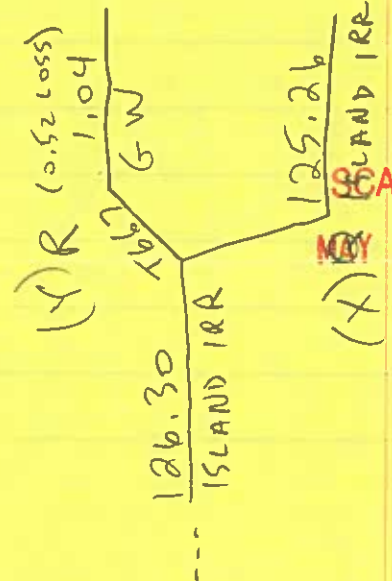


0.80 T.B. Hoopes U (AA)



B 1.41 ED HILL Hill-Pettinella

1-83 ISLAND IRR 6/1/1891 195



PROFILED

SCANNED MAY 10 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

April 19, 2005

DAVE KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT

Dear Claimant:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Katy Jackson
Office Specialist 1

Enclosure

PROFILED

APR 26 2005
SCANNED

RECEIVED

MAR 10 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DELOG MH
 RECEIVED 3/10/05
 MAR 9 2005
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Department of Water Resources
 Eastern Region

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
01-10134	_____	___	01-164G	_____	___
01-116AM	_____	___	01-165G	_____	___
01-162G	_____	___	01-10154 ~~01-10153~~	_____	___
01-163G	_____	___	01-10155 ~~01-10153~~	_____	___
01-10135	_____	___	01-10154	_____	___
			01-10155	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Hansen Farms, Inc.
4512 N 26th W Idaho Falls ID 83402
4. New Owner/Claimant(s) New Sweden Irrigation District
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2350 W 1700 S
 City, State and ZIP Code Idaho Falls ID 83402
 New Telephone Number (208) 523-0175
5. Date you acquired the property 9-14-2004

CHANGE COMPLETED
 DATE: 4/19/05
 KMD

2/11/04

PMO100 - PARCEL MASTER INQUIRY

11:16:38

PARCEL: RP 02N37E043145

F9=MS

F17=DD

F23=AG

HANSEN FARMS INC

Bruce 529-3078

4329 N 26TH W

IDAHO FALLS ID 83402

83402

LEGAL DESCRIPTION

LOT 4, SW1/4 NW1/4,
W1/2 SW1/4 LESS 49.41 A,
SEC 4, T 2N, R 37 (WR) (WR05)

ProVal Area Number 1

CODE AREA 9-0000 OWNER CD

PARC TYPE RL LOC CODE

EFFDATE 10/1992 EXPDATE

PREV PARCEL RP02N37E043144A

x for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	1999	89910	AC	33087				
5	1999	3000	AC	45				
19	1999	5000	AC					

TOTALS

97910

33132

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

New owners of Dwyer farm

PROFILED

SCANNED

APR 26 2005

FILED OF PETITION OF ANNEXATION

Notice is hereby given that the following named petitioners have each filed a petition of annexation with the Sweeten Irrigation District, an irrigation district with its principal place of business located at 50 W. 17th S., Idaho Falls, Idaho 83402 (hereinafter "District"). The names, addresses and description of lands proposed to be annexed to the District are described below. Below described lands (most of which are commonly referred to as outside Mutual) include all water rights appurtenant to said lands together with all storage rights, all of which are proposed to be assigned to the District should annexation be ordered by the board of the District. The District has heretofore been delivering said water rights through its District canal system pursuant to carrying agreements with Petitioners.

Persons interested in or that may be affected by such change of boundaries of the district, may appear at the office of the board of directors at the District's address, at 10 o'clock a.m., on September 14, 2004, and show cause in writing, if they have, why the lands above mentioned should not be annexed to the District.

The names, addresses and descriptions of lands petitioned to be annexed to the District are as follows, to-wit: Lands described below are located in Twp. 2 North, Range 37th East Boise Meridian;

Michael Cates: 5.57 acres in Lot 1, Sec. 3; 2503 West 49th North, Idaho Falls, Idaho 83402.

Reed Hansen: .77 acre in Lot 1, Sec. 3; 4512 North 28th West, Idaho Falls, Idaho 83402.

Brad Snarr: 76.64 acres in NE1/4, Sec. 3; and 41.88 acres NE1/4SW1/4, Sec. 4; 8977 North 11th West, Idaho Falls, Idaho 83402.

Wayne Snarr: 1.58 acres in NE1/4SW1/4, Sec. 3; 3400 West 78 North, Idaho Falls, Idaho 83402.

Robert Snarr: 5.72 acres in NE1/4SW1/4, Sec. 3; 3414 West 78 North, Idaho Falls, Idaho 83402.

Bryon Reed: 162.28 acres in NE1/4SW1/4 and SE1/4SW1/4, lying West of the Great Western Canal, Sec. 3; 77 North 35th West, Idaho Falls, Idaho 83402.

Basil Barna: 1.65 acres in NE1/4SW1/4, Sec. 3; 3040 West 78 North, Idaho Falls, Idaho 83402.

Hansen Farms, Inc.: 7 acres in NE1/4NW1/4, lying West of the Great Western Canal, Sec. 2; 253.77 acres in NE1/4, Sec. 3; and 184.51 acres in Lots 1-2, S1/2NE1/4, NE1/4SW1/4, Sec. 4; 82 acres in NE1/4SW1/4 lying east of the Great Western Canal, Sec. 4; 128 acres in Lot 3, NE1/4NW1/4, S1/2SW1/4, Sec. 4; 78 North 26th West, Idaho Falls, Idaho 83402.

Von White: 8.0 acres in NE1/4SW1/4, Sec. 4; 4134 West 78 North, Idaho Falls, Idaho 83402.

Tom Bailey: 4.89 acres in NE1/4SW1/4, Sec. 4; 4292 West 78 North, Idaho Falls, Idaho 83402.

Ted Trillhaase: 4.5 acres in NE1/4SW1/4, Sec. 4; 4058 West 78 North, Idaho Falls, Idaho 83402.

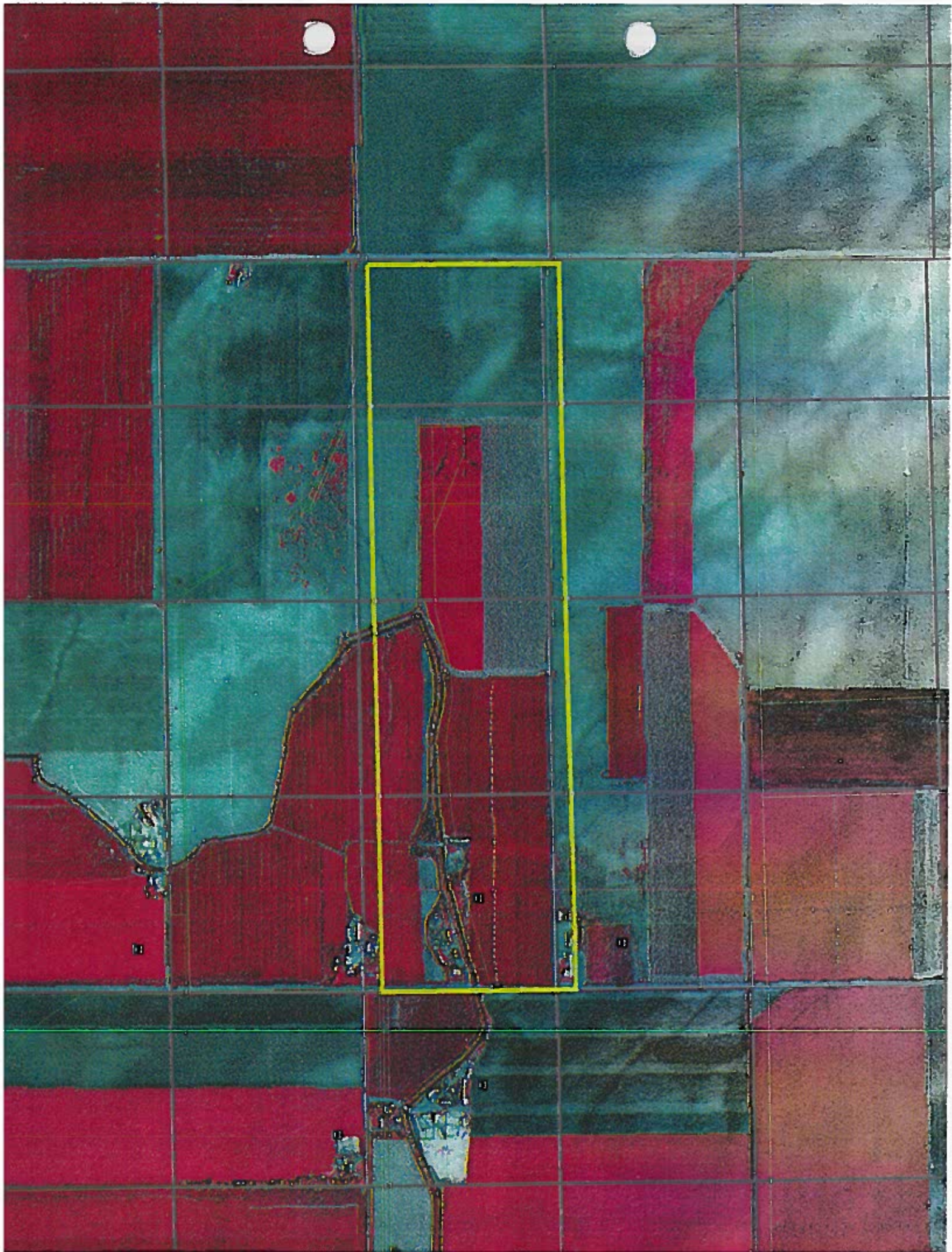
John & Carolina Newman Trust: .64 acres in S1/2SE1/4, Sec. 4; 49 North 85th West, Idaho Falls, Idaho 83402.

John & Carolyn Newman Trust: .64 acres in S1/2SE1/4, Sec. 4; 49 North 85th West, Idaho Falls, Idaho 83402.

John & Carolyn Newman Trust: .64 acres in S1/2SE1/4, Sec. 4; 49 North 85th West, Idaho Falls, Idaho 83402.

PROFILE

SCANNED
APR 26 2005





SCANNED

AUG 27 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402-7000 (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

OCT 19 1989

Department of Water Resources
Eastern District OfficeDate: October 3, 1989Murland J. Burke
1552 East Terry
Pocatello, ID 83201RE: 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

MICROFILMED

OCT 20 1992

Enclosure

*of 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 HOOPE,
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 HOOPE IN I.F.
522-3095.

MICROFILMED

OCT 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

September 1, 1989

RECEIVED

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MURLAND J. BURKE

OCT - 2 1989

~~Merlin J. Burke~~

1552 E Terry
Pocatello, ID 83201

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.

MICROFILMED

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

MICROFILMED
OCT 20 1992

SCANNED

AUG 27 2000

NO DATE 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

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~MERRIN~~ ^{MULLAND} 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	Lot
04N	37E	35			NE		NE	

County
JEFFERSON

A0110155



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	Lot	Use	Acres
02N	37E	4	NW		NW		IRR	30.0
			SW		NW		IRP	25.0
			NW		SW		IRP	21.0

A01-10155

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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

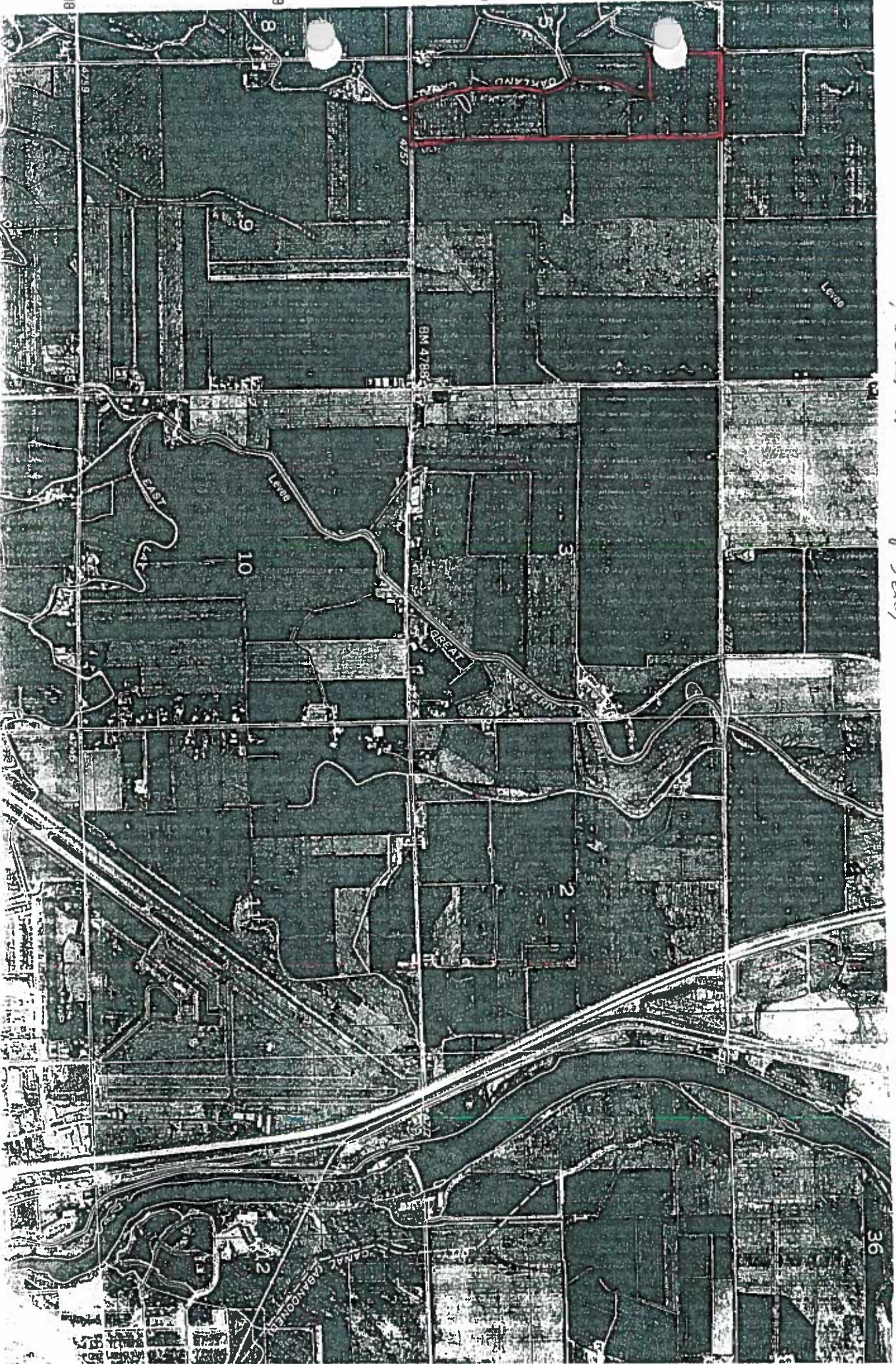
vs

TETON IRRIGATION CANAL CO.
Decree Defendant

MICROFILMED

OCT 20 1992

7-60 N. B. East
Pacastello 8-3201



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): *Mark J. Burke* Date: 9.25.89
Michelle Collins Date: 9.25.89

State of Idaho)
County of BANNOCK) SS.

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

of Sept 19 89

Michelle Collins
Notary Public

Seal

Residing at POCATELLO, IDAHO
My Commission Expires 10-29-93