

10/18/2007

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

RIGHT NUMBER: 75-14486

NAME AND ADDRESS: ARTHUR LAWRENCE BURBANK
213 S ST CHARLES
SALMON ID 83467

HOLLY BURBANK
213 S ST CHARLES RD
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.210 CFS

PRIORITY DATE: 02/23/1895

POINT OF DIVERSION:

T21N R22E S19 NENW Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.210 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T21N R22E S19 Lot 1 NENW 9.20 T21N R22E S19 Lot 2 SENW 1.20

10.4 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 - Beneficial Use

75-14486

T21N R22E Section 19



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 75-14486
Date Received: 10/18/2007
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ARTHUR LAWRENCE BURBANK or
HOLLY BURBANK
213 S ST CHARLES RD
SALMON ID USA 83467

Phone: 208-756-8365

2. Date of Priority: 02/23/1895

3. Source: WASTE WATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	22E	19	NE NW 1	LEMHI	

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	10/31	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	19	SE	NW 2	IRRIGATION	1.2
			NE	NW 1	IRRIGATION	10.1
Section Acres						11.3

Total Acres 11.3

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks: .

This claim is a portion of 75-4092A. The change of ownership was not processed for the Burbanks because the recommendations for previous rights 14110 and 14111 recieved all of the right in error.

15. Basis of Claim: Beneficial Use

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

RECEIVED
 JUN 15 2006
 DEPARTMENT OF
 WATER RESOURCES

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

1. 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
	75-14110		ownership changed for this one		
	75-10679				

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) Mart G Wyrick TRUST
639 N. Main St. Gilbert AZ 85234
4. New Owner/Claimant(s) Arthur & Holly Burbank
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 213 S. St. Charles Rd
 City, State and ZIP Code Salmon, ID 83467
 New Telephone Number 208 756-8385
5. Date you acquired the property 10-16-01

14111 in Salmon

SCANNED
 JUN 15 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

SCANNED
JUN 15 2006

WARRANTY DEED

Order No.:307010918L-C

FOR VALUE RECEIVED

Juanita Wyrick, Co-Trustee, and John Lilburn Wyrick, Successor Co-Trustee, of the Mart G. Wyrick Trust dated October 14, 1988,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Arthur Lawrence Burbank, Jr. and Holly Ann Randles Burbank, Husband and Wife

whose current address is

213 S. St. Charles Rd. Salmon, ID 83467

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A PARCEL OF LAND LOCATED IN LOT 1, SECTION 19, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N1/4 CORNER OF SAID SECTION 19, FROM WHICH THE N1/4 CORNER OF SECTION 18 BEARS N. 00° 05' 59" E., 5285.36 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 02° 27' 16" W. A DISTANCE OF 553.37 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SOUTH SAINT CHARLES STREET;

THENCE S. 00° 08' 06" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 400.00 FT. TO THE POINT OF BEGINNING.

THENCE CONTINUING S. 00° 08' 06" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 242.41 FT.;

THENCE N. 82° 38' 23" W., 942.99 FT. TO A POINT ON THE EASTERLY BANK OF THE SALMON RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID BANK;

N. 17° 54' 30" W., 116.08 FT.; N. 29° 18' 57" W., 183.76 FT.;

N. 33° 55' 46" W., 157.82 FT.;

THENCE S. 76° 17' 48" E. A DISTANCE OF 1182.05 FT. TO THE POINT OF BEGINNING;

ALSO INCLUDING:

A PARCEL OF LAND LOCATED IN LOTS 1 AND 2, SECTION 19, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N1/4 CORNER OF SAID SECTION 19, FROM WHICH THE N1/4 CORNER OF SECTION 18 BEARS N. 00° 05' 59" E., 5285.36 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 02° 27' 16" W. A DISTANCE OF 553.37 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SOUTH SAINT CHARLES STREET;

THENCE S. 00° 08' 06" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 642.41 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING S. 00° 08' 06" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 128.68 FT. TO THE END OF SAID STREET;

THENCE N. 89° 51' 54" E. A DISTANCE OF 25.00 FT. TO A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 2;

THENCE S. 00° 08' 06" E., 154.73 FT. ALONG SAID BOUNDARY;

THENCE N. 83° 13' 06" W. A DISTANCE OF 970.13 FT. TO A POINT ON THE EASTERLY BANK OF THE SALMON RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID BANK;

N. 06° 09' 14" E., 155.33 FT.; N. 05° 59' 45" W., 135.91 FT.;

THENCE S. 82° 38' 23" E. A DISTANCE OF 942.99 FT. TO THE POINT OF BEGINNING.

SCANNED

JUN 15 2006

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/16/2001

Mart G. Wyrick Trust dated October 14, 1988

By: Juanita Wyrick
By: Juanita Wyrick, Trustee

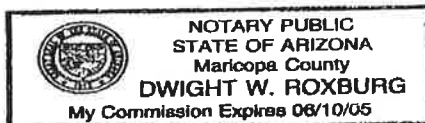
By: John Lilburn Wyrick, Trustee

State of ARIZONA)
County of MARICOPA) ss.

On this 18 day of October, 2001, before me, a Notary Public in and for said state, personally appeared Juanita Wyrick

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Trustee of the Mart G. Wyrick Trust dated October 14, 1988, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Juanita W. Wyrick
Notary Public for the State of ARIZONA
Residing at: GILBERT
Commission Expires: 6-10-05

248632

State of Idaho) SS No. _____
County of Lemhi)

This instrument was filed for record at the request
of Alliance Title
at 11:40 o'clock Am 10-25 2001

and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

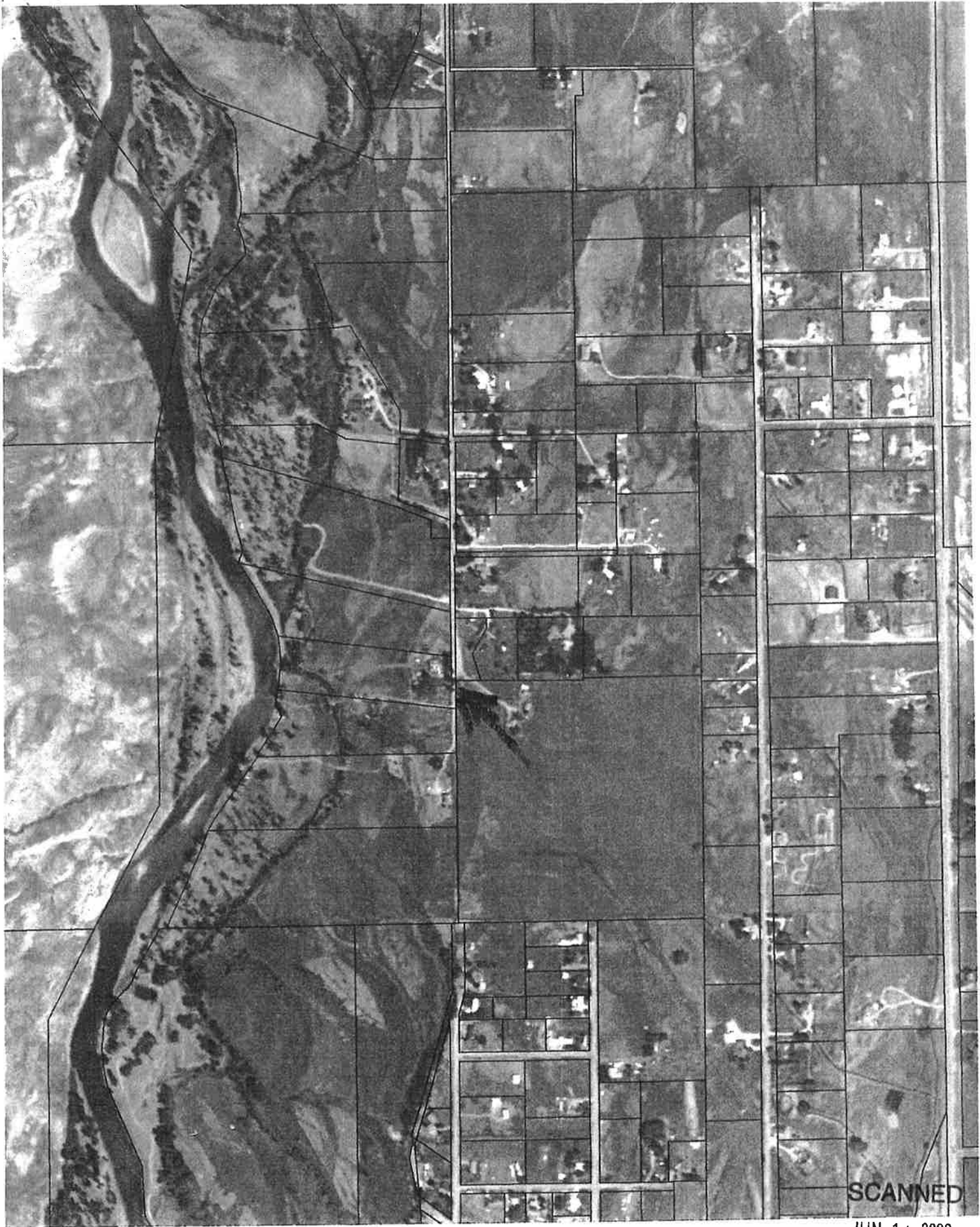
By Juan Eagle Deputy

Fee 9.00

Return to A.T.

SCANNED

JUN 15 2006



SCANNED

JUN 15 2006

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/16/2001

Mart G. Wyrick Trust dated October 14, 1988

By: Juanita Wyrick, Trustee

John Lilburn Wyrick, Trustee

State of California }
County of San Diego } ss.

On this October 19, 2001, before me, a Notary Public in and for said state, personally appeared John Lilburn Wyrick

~~known or~~ identified to me to be the person(s) whose name(s) subscribed to the within instrument as Trustee of the Mart G. Wyrick Trust dated October 14, 1988, and acknowledged to me that ~~he/she/they~~ executed the same as Trustee.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Kay A. Garcia, Notary Public
Notary Public for the State of California
Residing at: Chula Vista, Ca
Commission Expires: September 21, 2005

SCANNED

JUN 15 2006

The number of acres on claim were data-entered
~~past~~ based on 18.3 ac. remaining after first
split in 2002 to Pappini and 7 acres for Henrys
as a portion of the 18.3. $18.3 - 7 = 11.3$
Q is a pro-rata share based on acreage

Recommendation is for acres irrigated
according to aerial photo and Q is
1" / acre.



PUGLISI, STEVE V

This is an aerial photograph of a river valley. A river flows from the bottom left towards the bottom right. The valley is divided into several property parcels by red lines. A yellow line outlines a specific area in the center. Several names are printed vertically on the map, identifying the owners of the parcels. There are also small blue square markers scattered throughout the image.

BUREANK, ARTHUR LAWRENCE JR

BURBANK, ARTHUR LAWRENCE JR

HENRY, WILLIAM