



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 23, 2006

Special Master Theodore R. Booth
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 57-10163

Dear Special Master Booth:

In accordance with your *Order Requesting Additional Information from IDWR and Setting Guidelines* issued on February, 10, 2006, I am enclosing a copy of a water description using underline/strikeout format to correctly describe the point of diversion, place of use, and combined use remarks.

Also, the *Notice of Completed Administrative Proceeding* reflecting the change in ownership was filed with the SRBA Court on February 17, 2006.

If you should have any questions, or if I can be of further assistance, please don't hesitate to contact me at (208) 287-4810.

Very Truly Yours,

A handwritten signature in cursive script, reading "Candice M. McHugh".

Candice M. McHugh
Deputy Attorney General, IDWR

Enclosure

cc: Cunningham Family Limited Partnership

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

WATER RIGHT NUMBER: 57-10163

NAME AND ADDRESS:

CUNNINGHAM FAMILY LIMITED
PARTNERSHIP
909 HEARTLAND DR
NAMPA ID 83686

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.070 CFS
4.500 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE:

01/01/1910

POINT OF DIVERSION:

~~T04S R02E S27 Lot 2 SENENW~~
~~Within OWYHEE County~~

T04S R02E S27 Lot 3 SENW
Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	3/01 11/15	0.030 CFS 4.50 AFY
STOCKWATER	1/01 12/31	0.050 CFS
DOMESTIC	1/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION	within OWYHEE County
	T04S R02E S27 Lot 2 NENW 1.0
	<u>T04S R02E S27 Lot 3 SENW 1.0</u>
STOCKWATER	within OWYHEE County
	T04S R02E S27 Lot 2 NENW
	<u>T04S R02E S27 Lot 3 SENW</u>
DOMESTIC	within OWYHEE County
	T04S R02E S27 Lot 2 NENW
	<u>T04S R02E S27 Lot 3 SENW</u>

1 ACRES TOTAL

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

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. 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 ~~BASIS OF CLAIM - Deceed~~
 STOCKWATER, 100 RANGE CATTLE & 10 HORSES