

08/14/2003

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

RIGHT NUMBER: 2-10000

NAME AND ADDRESS: DONNA L CARNAHAN
PO BOX 93
GLENNS FERRY ID 83623

DONALD R CARNAHAN
PO BOX 93
GLENNS FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 07/01/1937

POINT OF DIVERSION:

T05S R10E S32 NESENW Lot 3 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.090 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R10E S32 Lot 3 SENW 3.0

3 ACRES TOTAL

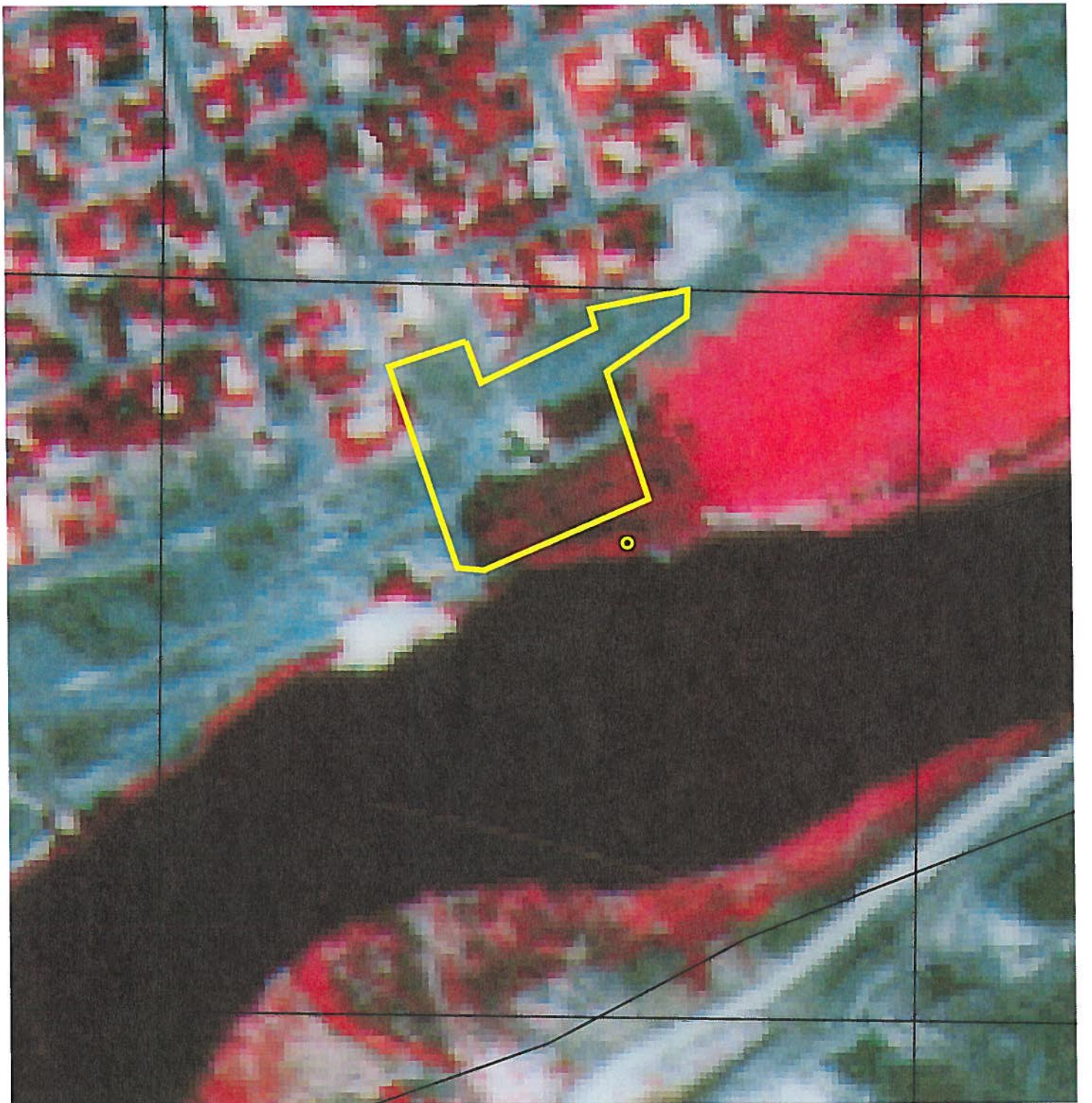
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

Idaho Department of Water Resources

1987 NAPP Photo



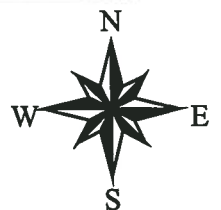
0 0.1 0.2 0.3 Miles

Claim Number: 02-10000

Legal: T05S, R10E, S32

Reviewed By: Scott King 8/14/03

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

Place of Use Layout 2-10000

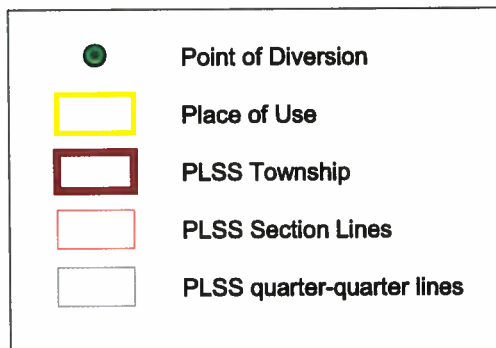


0 0.25 0.5 Miles

Township 5S Range 10E Section 32 SENW Lot 3



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: August 14, 2003



MEMO TO FILE

To: 2-10000, 2-10000A, 2-10000B
From: Scott King 
Date: August 14, 2003

Subject: Recommendations

2-10000 was originally filed by Cunningham for irrigation of 3 acres with a 1937 priority date.

Cunningham later sold a portion of the property to Carnahan. The claim was split into parts A & B in 1998 with Carnahan holding part B. Carnahan later purchased the remainder of the property from Cunningham, and a change of ownership was filed in 2000. At this point, Carnahan owns all of the property and right.

Evidence of priority was sought from Carnahan. Donna Carnahan submitted two affidavits, with the second supporting the claimed 1937 priority date. The property used to be her grandparents, and she recalls taking gas to the pump, irrigation of trees and grass, and picking fruit from the trees. The current pump is a 3-hp centrifugal and theoretical calculations supported the claimed diversion rate. Per our telephone conversations on 8/13/2003, it appears that there is not a good cause to recommend the rights as split into parts A & B; Carnahan's own the complete property, they do not intend to sell the portions, and the system is operated as one with only one point of diversion. She agreed that recommending as one part is more appropriate than the split.

Therefore, parts A & B are disallowed, recommended together and recombined as 2-10000. The right is recommended in full as claimed.

Water Right Number - A02-10000 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - + - - - -

*** C - CURRENT OWNER ***
SPLIT RIGHT

*** O - ORIGINAL OWNER ***
CUNNINGHAM

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

1 - PO BOX 760
2 -
3 -
City- GLENNS FERRY State- ID Zip- 83623
Phone - 208-366-2937

1 - PO BOX 760
2 -
3 -
City- GLENNS FERRY State- ID Zip- 83623
Phone - 208-366-2937

CUNNINGHAM ELAINE I

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/01/1937 ERROR IN REGION

+ - - Source - - - - - + + - - Tributary - - - - - +
SNAKE RIVER COLUMBIA RIVER
SPLIT RIGHT SEE REMARKS

+ - - - - - - - - - - - Point of Diversion - - - - - +

| Twn | Rng | Sec | Tract | Lot | Rflg | County |
|-----|-----|-----|----------|------|--------|--------|
| 05S | 10E | 32 | NE SE NW | (39) | ELMORE | |

+ - - - - - - - - - - - Water Use - - - - - +

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 03/15 | 11/15 | 0.090 | |

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 0.090 10.5

+ - - - - - - - - - - - Place of Use - - - - - +

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------------|-------------|-------------|
| 05S | 10E | 32 | SE NW | 3.0 | 01 | IRRIGATION | | (39) ELMORE |

Total Acres: 3.0

+ - - Diversion Means - CENTRIFUGAL PUMP WITH SUCTION PIPE, U.G. PIPE, SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Prefix Translation: ADJUDICATION CLAIM

Remarks

GEN SEE NOS. A02-10000A & A02-10000B.

- - - Old Water Right Numbers

- - - Conditions of Approval - - -
No Conditions of Approval found.

+ - - - Decree Defendant - - +

- - -Comments- - -
No Comments Found

+ 12/15/98 DBUFFING

Indication Rights Dates and Flags Area

| | | |
|-------------------------|---|-------|
| Civil Case Number | - | 39576 |
| Old Case Number | - | |
| Old Judicial District | - | |
| Temporary Right | - | P |
| Water District | - | |
| Federal/State Indicator | - | S |
| Presumption Flag | - | |
| Notice of Error Flag | - | |



First American Title Company

RECEIVED

NOV 25 1998

Department of Water Resources

RECEIVED

NOV 25 1998

WATER RESOURCES
WESTERN REGION

November 24, 1998

Idaho Department of Water Resources
Attn: Adjudication Bureau
Statehouse Mail
Boise, ID 83720-9000

Re: Order No. 7844

A parcel of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T5S, R10E
Carnahan/Cunningham

Dear Ladies and Gentlemen:

In connection with the above mentioned order please find attached copies/originals of the following document(s):

| | |
|--------------|---|
| <u> x </u> | Notice of Change of Water Right Ownership |
| <u> x </u> | Legal description and plat map |

Please contact me if you have any questions or if I may be of further assistance.

Sincerely,

FIRST AMERICAN TITLE COMPANY

LeeAnna Ralls
Escrow Assistant

lr

SERVING ELMORE COUNTY

190 North Third East, Mountain Home, ID 83647 • (208) 587-8428 • Fax (208) 587-3325



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

NOV 27 1998

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: 11/23/98

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 10E
Section 32, SE 1/4 of NW 1/4 of 1/4, Govt. Lot , BM.
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: A02-10000 → A02-10000 A + B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ROBERT C. & ELAINE I. CUNNINGHAM
PO BOX 760
GLENNS FERRY, ID 83623
- ☐ New Owner/Claimant (Purchaser): DONNA CARNAHAN
- ☐ New Mailing Address: PO BOX 62, RR1,
KING HILL, ID 83633
- ☐ New Telephone Number: (208) 366 - 2192
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? x yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
1.22 ACRES TRANSFERRED TO NEW OWNER.

- ☐ Attach proof of ownership, describe proof attached:
(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): Donna R. Carnahan Date 11/23/98
- ☐ Signature of Former Owner/Claimant(s): Robert C. Cunningham Date 11/13/98
Elaine Cunningham Date 11/13/98

(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: By:

Claim Numbers of Split, if any:

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

Exhibit "A"

A parcel of land being a portion of the Southeast ¼ of the Northwest ¼ of Section 32, Township 5 South, Range 10 East, Boise Meridian, Glens Ferry, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a 2 inch pipe and brass cap marking the Northwest corner of Section 32 T.5S., R.10E., B.M., Elmore County, Idaho; thence, S.8°01'E. 106.54 feet to a point on the centerline of the old main track of the Oregon Short Line Railroad; thence, N.71°59'E. 996.30 feet along the said railroad centerline to a point on the centerline of Commercial Street extended; thence, S.18°01'E. 1705.4 feet along the centerline of Commercial Street extended to a ½" x 24" rebar marking the intersection of Snake River Avenue; thence, N.71°59'E. 290.00 feet along the centerline of Snake River Avenue to a point; thence, S.18°01'E. 30.00 feet to an iron pin; thence, N.71°59'00"E. 75.00 feet along the right-of-way of said Snake River Avenue to an iron pin;

thence, S.18°01'00"E. 197.00 feet to an iron pin;

thence, N.64°38'10"E. 47.37 feet to an iron pin;

thence, S.22°58'15"E. 220.17 feet to an iron pin, said point being the REAL POINT OF BEGINNING;

thence along the following courses and distances to iron pins:

N.66°41'46"E. 158.69 feet;

thence, S.17°57'52"E. (formerly S.18°01'E.) 182.26 feet;

thence, S.80°38'59"W. 178.20 feet (formerly S.80°21'55"W. 179.22 feet);

thence, S.69°34'00"W. 178.68 feet;

thence, N.18°01'00"W. 56.32 feet;

thence, N.20°21'00"W. 99.62 feet;

thence, S.83°10'34"E. 51.84 feet;

thence, N.66°41'46"E. 154.50 feet to the REAL POINT OF BEGINNING

SUBJECT TO:

Any easements or rights-of-way of record or in use.

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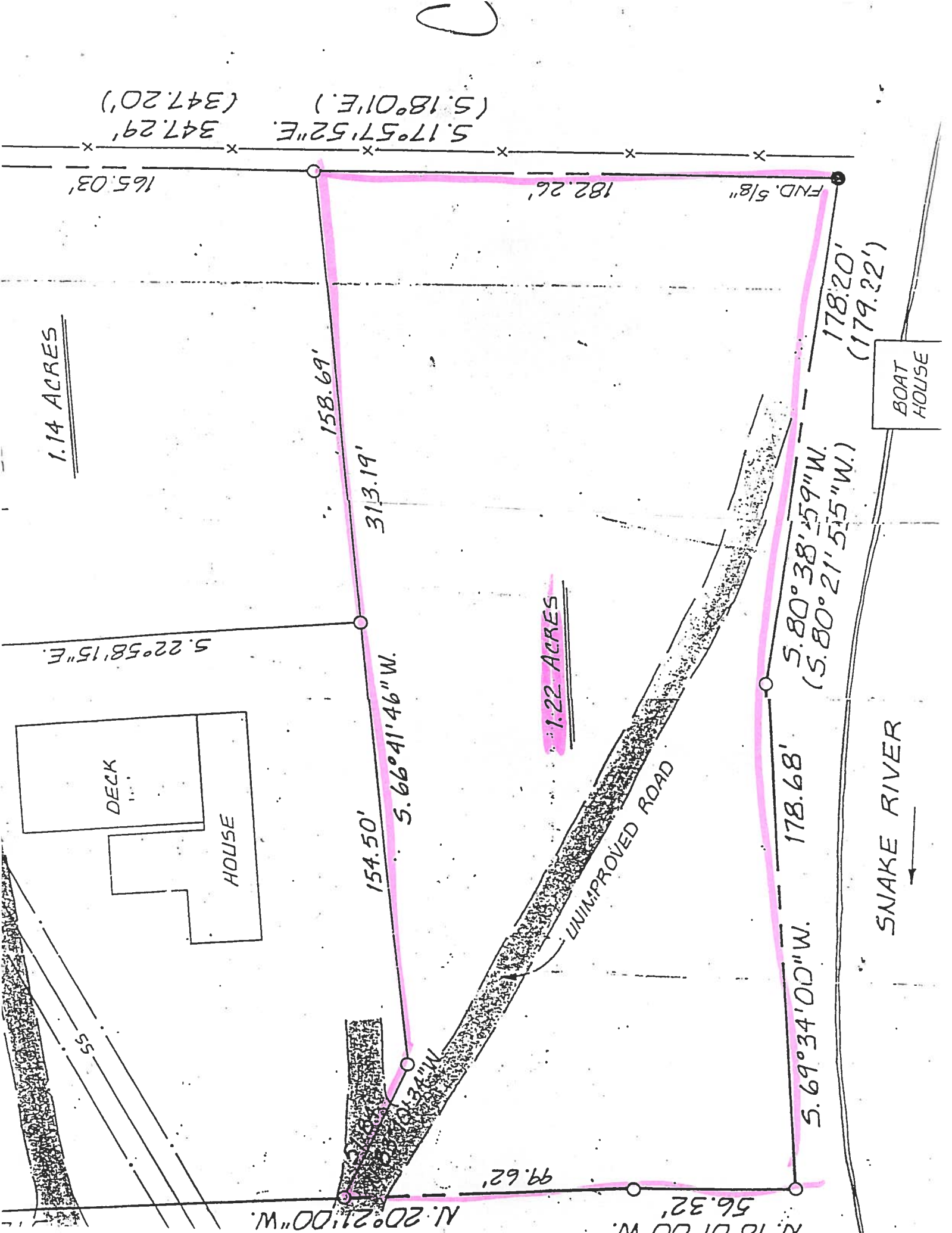
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SUBJECT TO:

Any easements or rights-of-way of record or in use.



N. 18° 01' 00" W.
56.32'

N. 20° 21' 00" W.

99.62'

5.69° 34' 00" W.

178.68'

5.80° 38' 59" W.
(5.80° 21' 55" W.)

FND. 5/8"

182.26'

S. 17° 57' 52" E.
(S. 18° 01' E.)

347.29'
(347.20')

154.50'
5.66° 41' 46" W.

313.19'

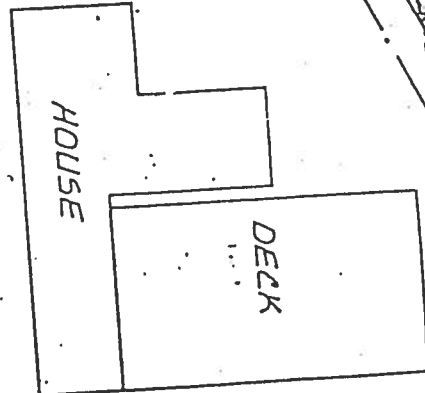
158.69'

S. 22° 58' 15" E.

1.14 ACRES

1.22 ACRES

UNIMPROVED ROAD



SNAKE RIVER



BOAT
HOUSE

178.20'
(179.22')

N. 18° 01' 00" W.
56.32'

N. 20° 21' 00" W.

99.62'

5.69° 34' 00" W.

178.68'

5.80° 38' 25" W.
(5.80° 21' 55" W.)

178.20'
(179.22')

FND. 5/8"

182.26'

S. 17° 57' 52" E.
(S. 18° 01' E.)

347.29'
(347.20')

154.50'

5.66° 41' 46" W.

313.19'

158.69'

165.03'

HOUSE

DECK

S. 22° 58' 15" E.

1.14 ACRES

1.22 ACRES

UNIMPROVED ROAD

SNAKE RIVER

BOAT
HOUSE

AJ5809NP
No. A02-10000

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/15/98
PAGE: 1

**OWNER
CODE**

NAME & ADDRESS

C ROBERT C CUNNINGHAM
C ELAINE I CUNNINGHAM

PRIORITY
DATE

WATER USE

07/01/1937 IRRIGATION

USE PERIOD
FROM TO

03-15 11-15

| | |
|---------------------------|-----------------------------|
| DIVERSION
RATE | DIVERSION
VOLUME |
|---------------------------|-----------------------------|

0.09 CFS SPLIT

0.09 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R10E S32 NESENV

ELMORE County

Place of use Legal Description for: IRRIGATION

FINE

| | | | |
|---------|-------------------|-------------|-------|
| | NENE | NWNE | SENE |
| T R S : | Lt AC Lt AC Lt AC | Lt AC Lt AC | Lt AC |

| | | | | |
|---|------|------|-----|-----|
| : | NENW | NNNW | SNW | SEW |
| : | Lt | Ac | Lt | Ac |
| : | --- | --- | --- | --- |

NESH NASH Lt AC Lt AC Lt

```

: NESE NWSE SWSE SESE
: Lt AC Lt AC Lt AC Lt AC
: -----

```

SUM **---**

05S 10E 32 : :

03

TOTAL ACRES

POU County: ELMORE

Other Rights: NONE

Dates: _____ **Exam Made Date:** _____

Misc: _____
Water District Number: _____

Verified Date:

Field Inspection Flag:
Presumption Flag:

Objection Filed Date:

Split into $A = \text{Cunningham}$ 1.0 ac

$\beta = \text{Carnahan}$ 1.2 ac 0.04 cfs $\leftarrow$ 4.2 AFA con use

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: A02-10000
Date Received: 6/08/1988
Receipt No: 0001211
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT C. CUNNINGHAM 208-366-2937
Address: P.O. BOX 760
GLENN'S FERRY, ID 83623

AND/OR

Name: ELAINE I. CUNNINGHAM 208-366-2937
Address: P.O. BOX 760
GLENN'S FERRY, ID 83623

2. Date of Priority: JUL 01, 1937

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05S | 10E | 32 | NE | SE | NW | | ELMORE |

5. Description of diverting works:
CENTRIFUGAL PUMP WITH SUCTION PIPE, U.G. PIPE, SPRINKLERS.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.090 | | |

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A02-10000

Page 1

Date: 06/08/88

MICROFILMED

AUG 10 1992

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 05S | 10E | 32 | SE | NW | | IRR | 3.0 |
| Section Acres | | | | | | | 3.0 |
| Total Acres | | | | | | | 3.0 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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 2 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -2-

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): Elaine Dunningham Date: 6-8-88
Elaine Dunningham Date: 6-8-88

State of Idaho)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day

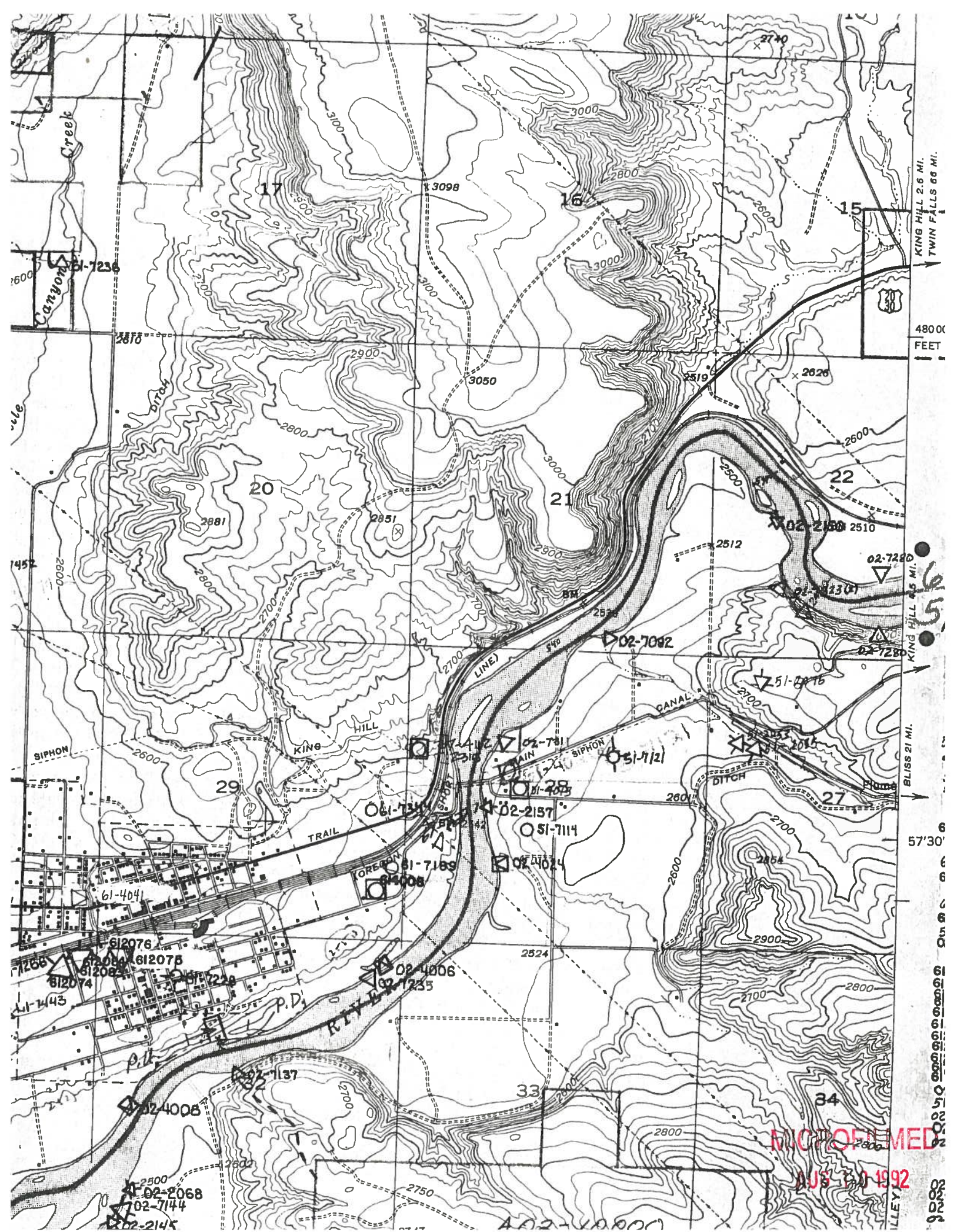
of June 19 88

Carter Fritschel
Notary Public

Seal

Residing at Eagle, Id

My Commission Expires 3-21-94

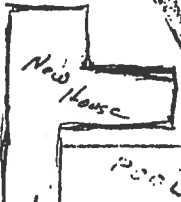


CITY OF GLENN'S FERRY

Tax 30
JAMES E. WILLIAM

Place of
use

JOHN C. LOGAN



Domestic Well

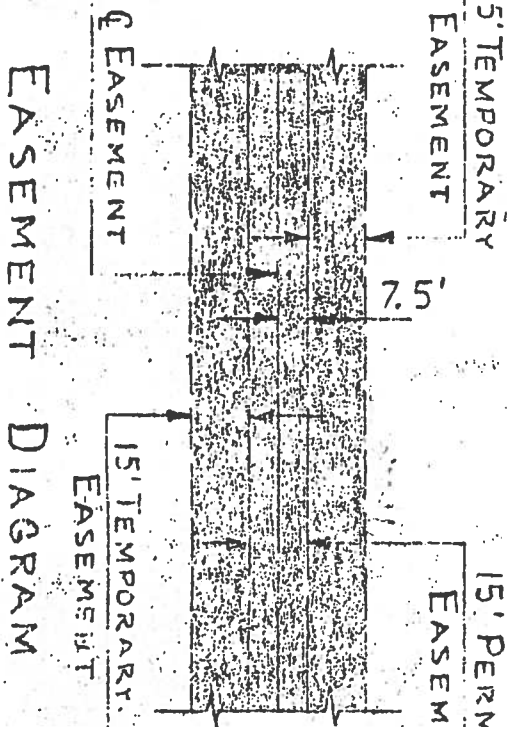
Geothermal Well

PRISCILLA
BELNAP

BLOCK
74

BLOCK
75

CLAUDE
JOHN



CLAUDE
TAX 3

Snake River Port
Diverging

1 m. - 80'