

03/29/2006

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

RIGHT NUMBER: 2-10027

NAME AND ADDRESS: CUNNINGHAM FAMILY LIMITED PARTNERSHIP
909 HEARTLAND DR
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.030 CFS

Right Nos. 2-10027 and 57-10163 are limited to a total combined diversion rate of 0.03 cfs for irrigation purposes.

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION:

T04S R02E S27 SWNE Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.030 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T04S R02E S27 Lot 2 NENW 0.40 T04S R02E S27 Lot 3 SENW 1.10

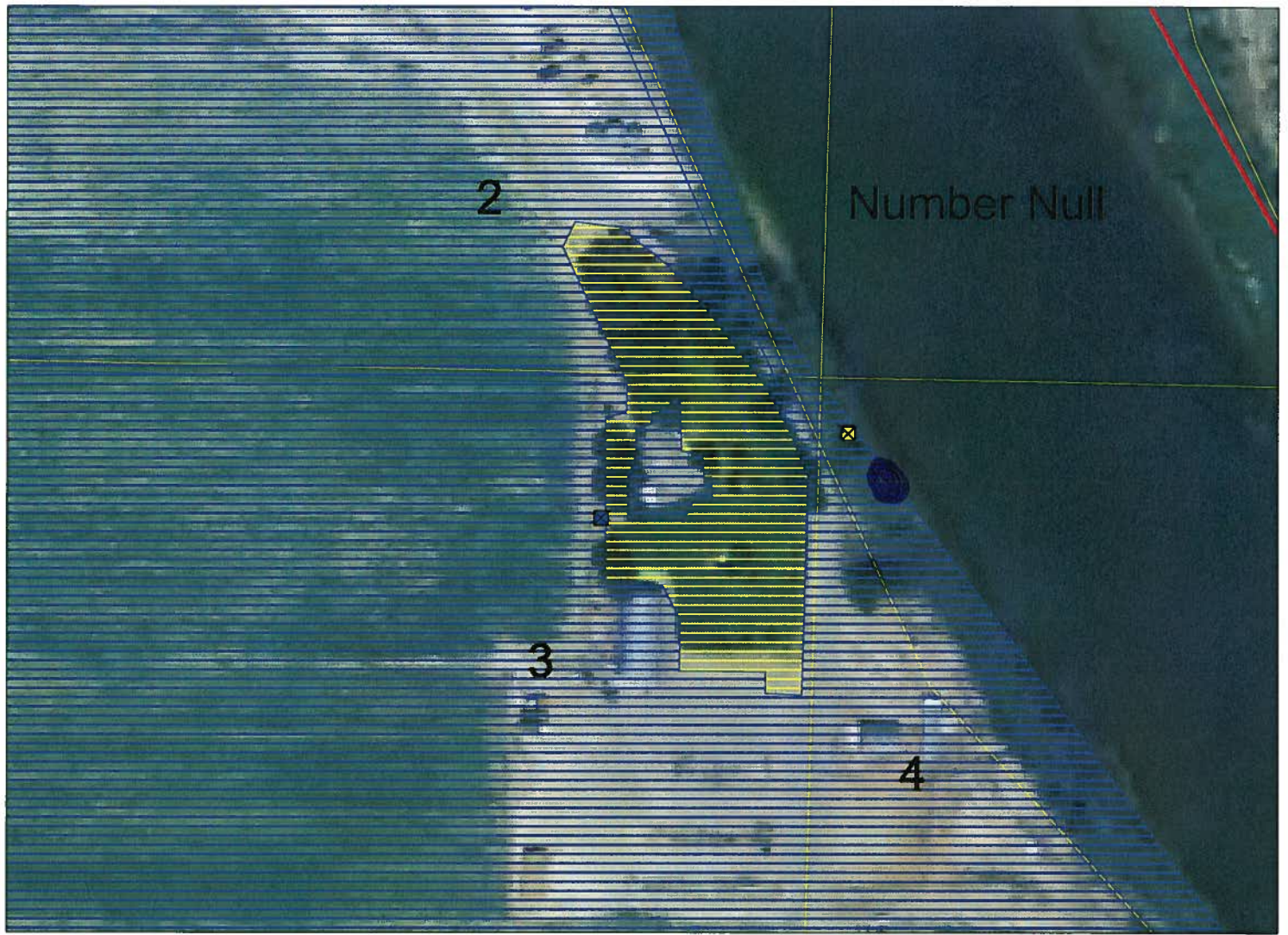
1.5 ACRES TOTAL

Right Nos. 2-10027 and 57-10163 are limited to the irrigation of a combined total of 1.5 acres in a single irrigation season.

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

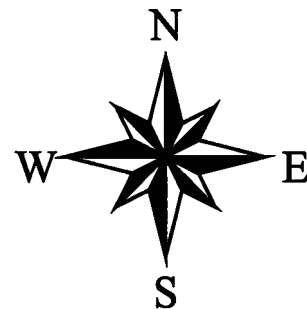
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



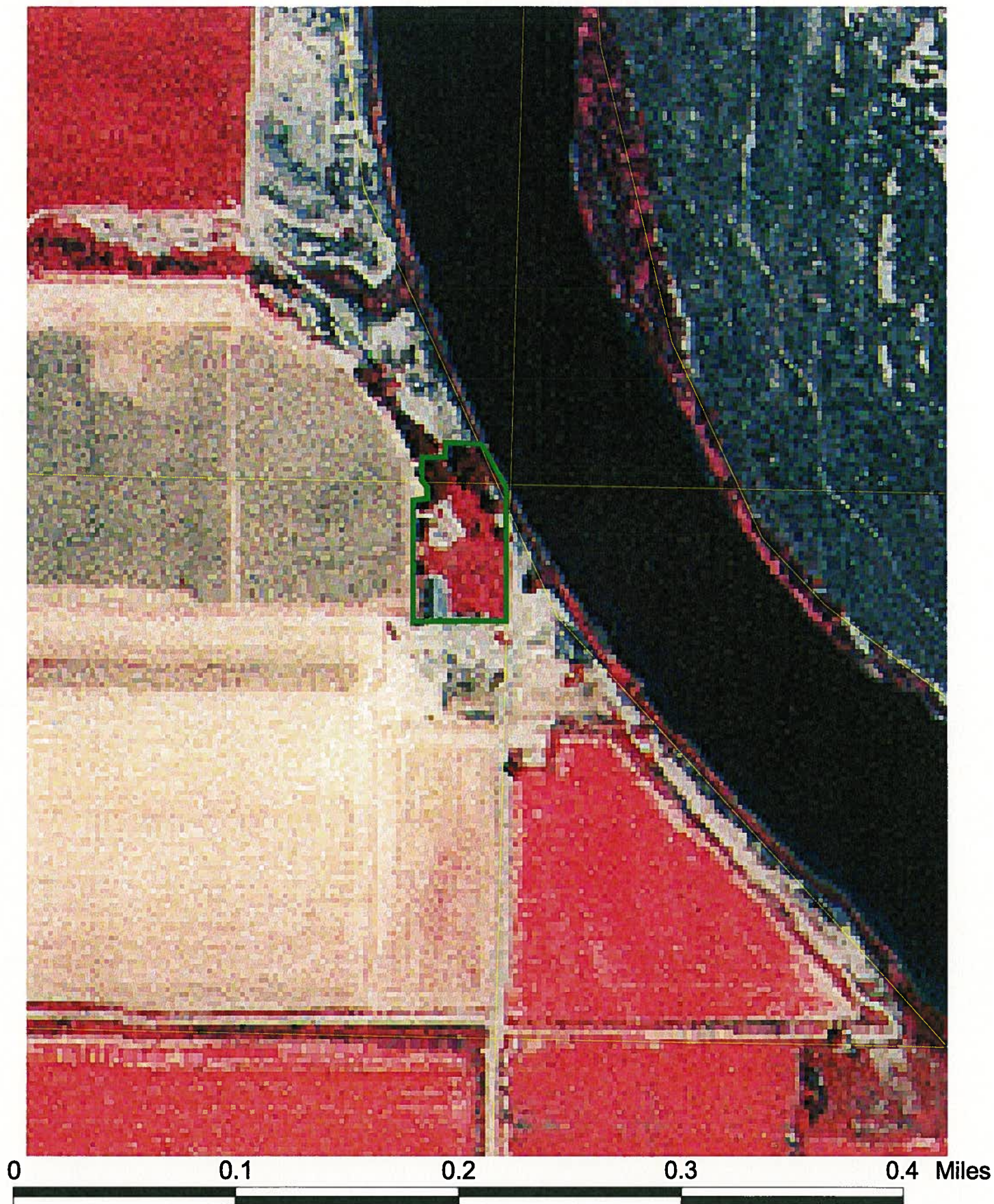
*Pump is Due East of
end of House. 3/29/06*

- Recommendation POD
- ▨ Recommendation POU
- ▭ Administrative Basins Adminbas.shp
- ▭ Sections
- ▭ QQ



2-10027 View

3/29/06

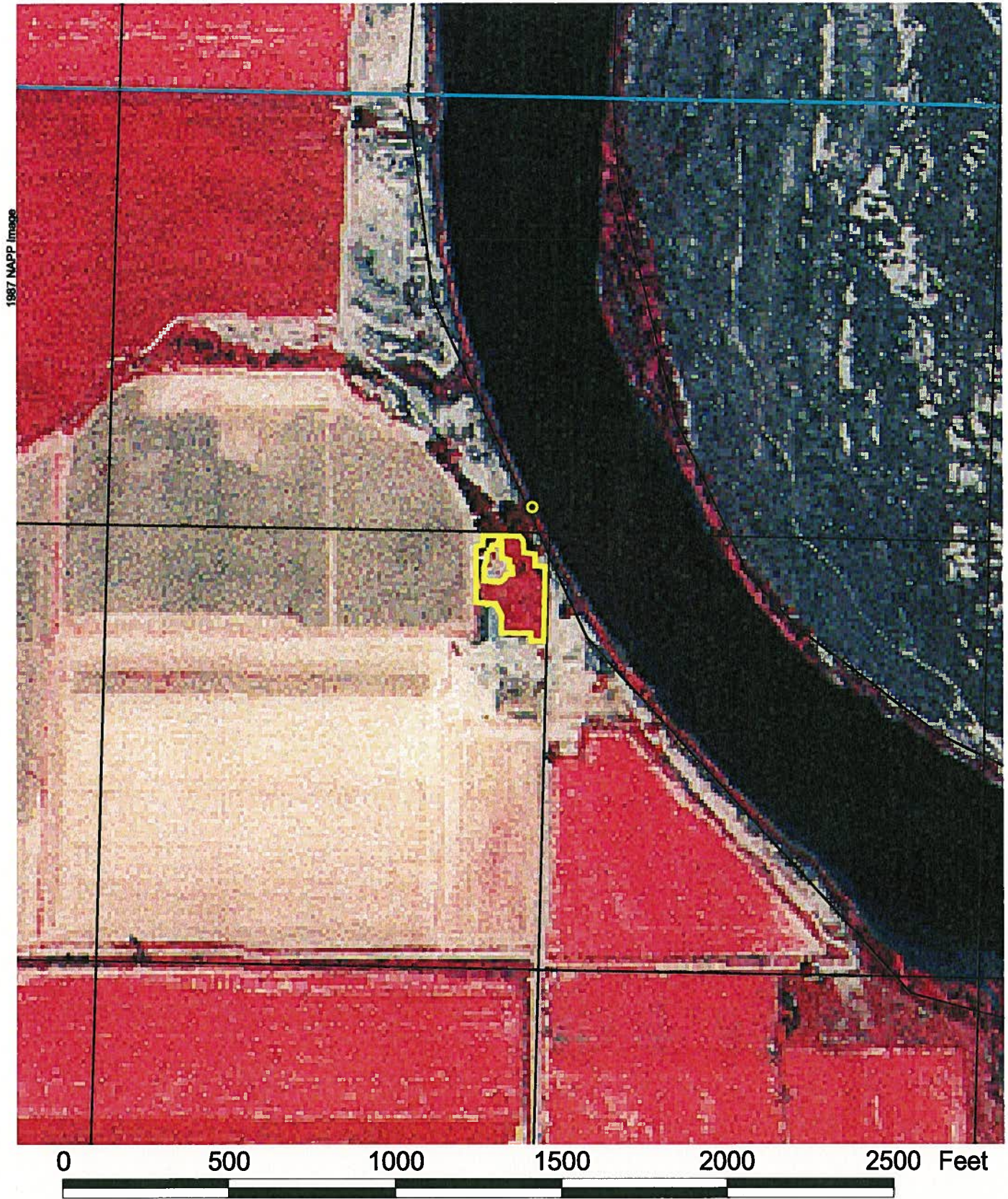


Claim Number: 02-10027
Reviewed By: SJR 10/3/05

 02_10027_claim_pou.shp
 Sections
 GCDB04S02E GCDB



Idaho Department of Water Resources



Claim Number: 02-10027
Legal: T04S, R02E, S27
Reviewed By: SJR 10/19/05

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



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

1

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-10163

1997 DEC 15 AM 10:59

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS:

GERTRUDE L CUNNINGHAM
GERALD J CUNNINGHAM
HC 85 BOX 230
GRAND VIEW ID 83624

SOURCE:

GROUNDWATER

QUANTITY:

0.07 CFS
4.5 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 (SENEW)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.03 CFS
4.5 AFY
0.05 CFS
0.02 CFS

STOCKWATER
DOMESTIC 1 HOME

01-01 12-31
01-01 12-31

PLACE OF USE:

IRRIGATION
T04S R02E S27 Lot 2 Within Owyhee County
1 ACRES TOTAL (NENW) 1

STOCKWATER
T04S R02E S27 Lot 2 Within Owyhee County
(NENW)

DOMESTIC
T04S R02E S27 Lot 2 Within Owyhee County
(NENW)

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

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10163

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: A02-10027
Date Received: 12/09/1988
Receipt No: M002115
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD J. CUNNINGHAM 208-834-2244
Address: HC 85 BOX 230
GRANDVIEW, ID 83624

OR
Name: GERTRUDE L. CUNNINGHAM 208-834-2244
Address: HC 85 BOX 230
GRANDVIEW, ID 83624

2. Date of Priority: APR 01, 1968

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	02E	27	SE	NE	NW		OWYHEE

5. Description of diverting works:
2 HP PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK 100 HEAD BEEF, 6 HORSES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	02E	27	NE		NW		IRR	2.0
			NE		NW		STOCK	

Section Acres 2.0

Total Acres 2.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-10163

14. Remarks:

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: _____

MICROFILMED

AUG 10 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

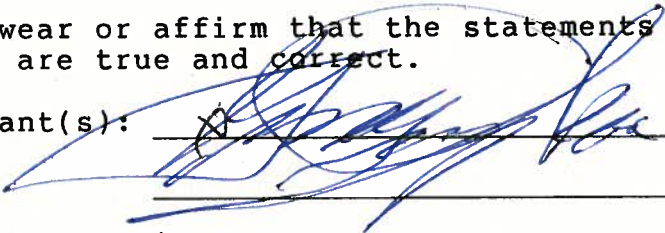
16. Signature(s)

(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: 9/2 9-88
Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of DEC 19 88 
Notary Public

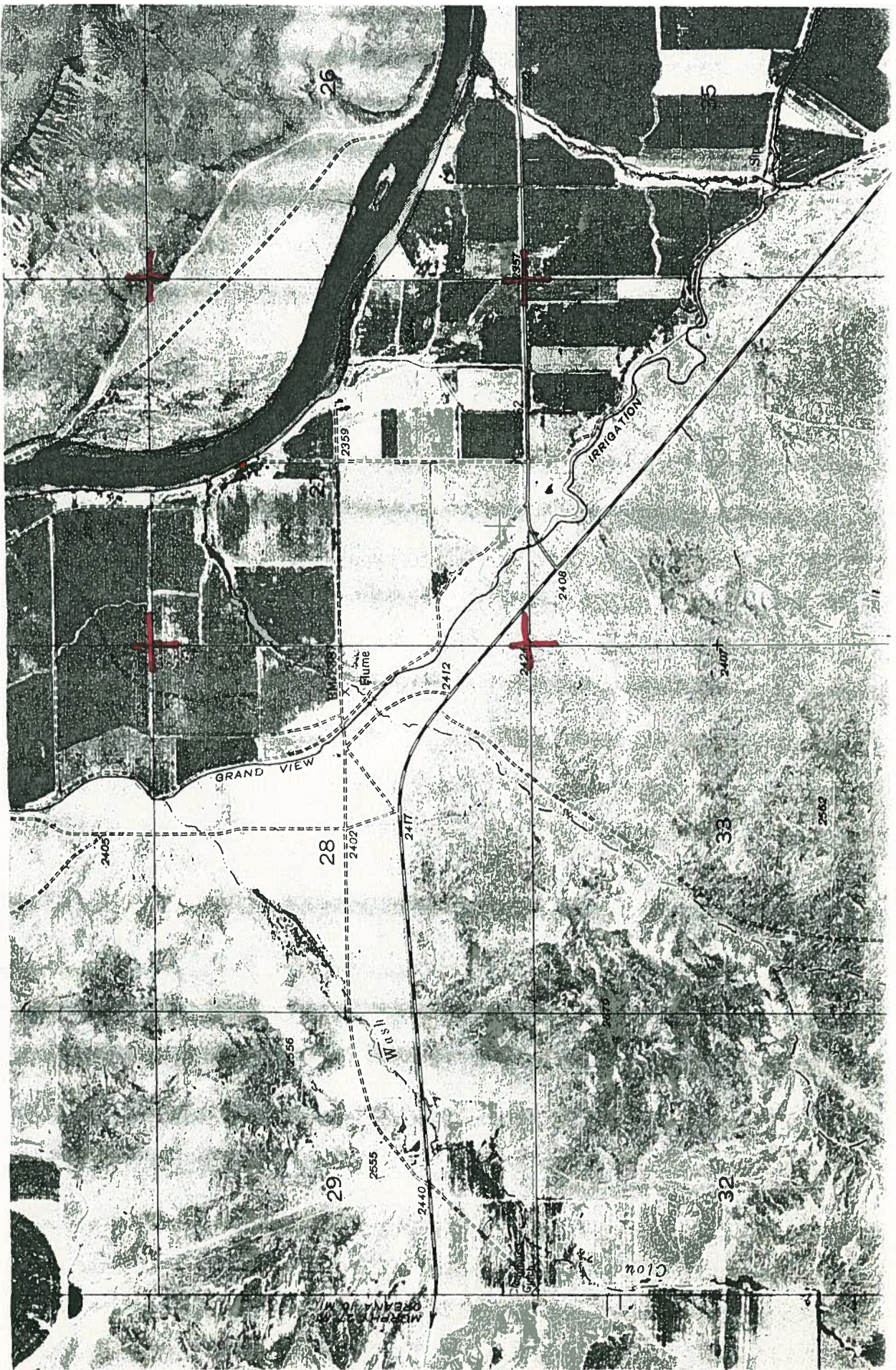
Seal

Residing at BOISE, ID
My Commission Expires 9-2-1994

note:
this sheet not
for this claim

IAA

T4S R2E
SECTION 27
SENECA



MICROFILMED

AUG 10 1992

S

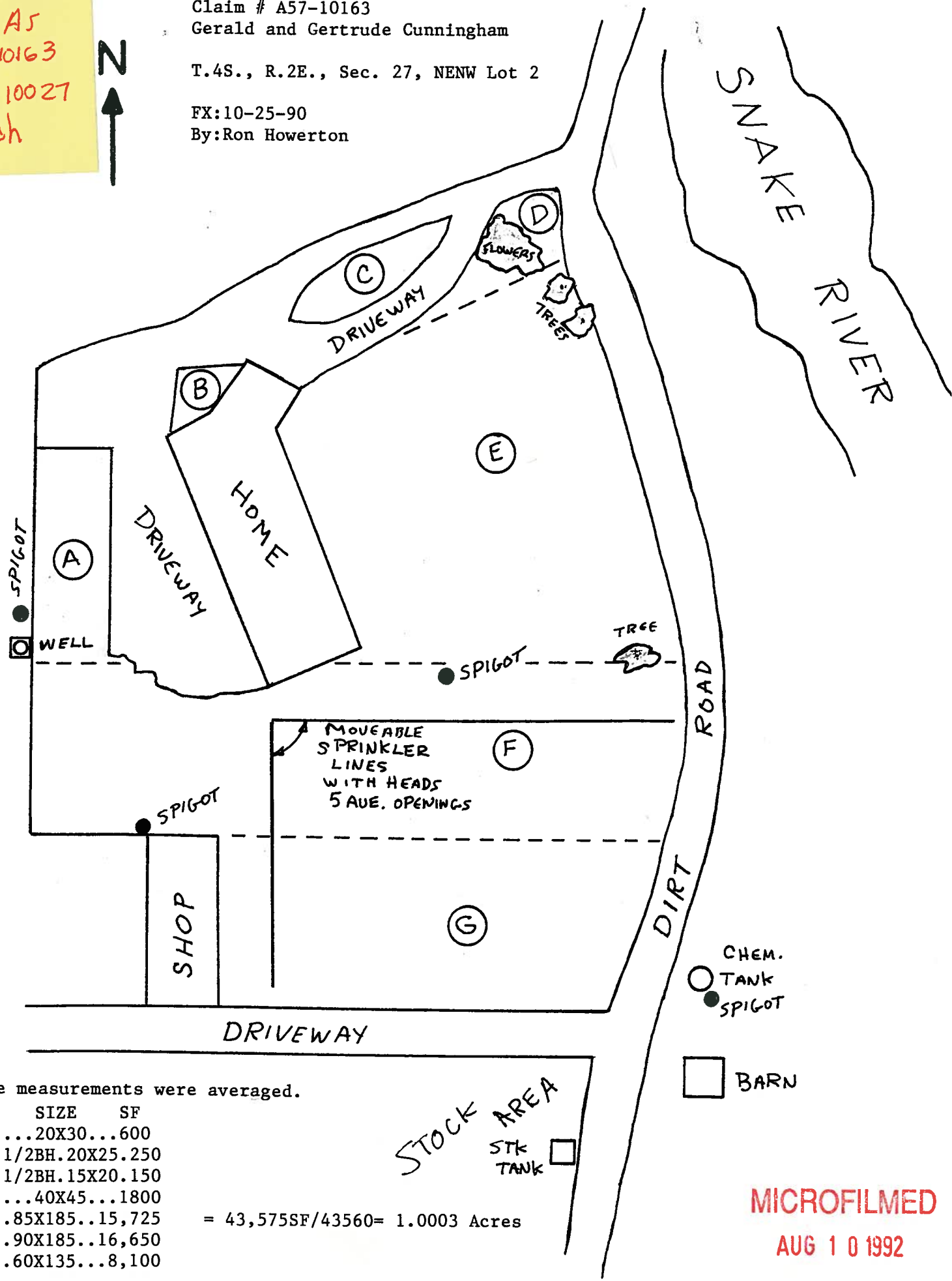
This is the
same IRRIG-
LAND AS
A 57-10163
& A02-10027
Rdh



Claim # A57-10163
Gerald and Gertrude Cunningham

T.4S., R.2E., Sec. 27, NENW Lot 2

FX:10-25-90
By:Ron Howerton

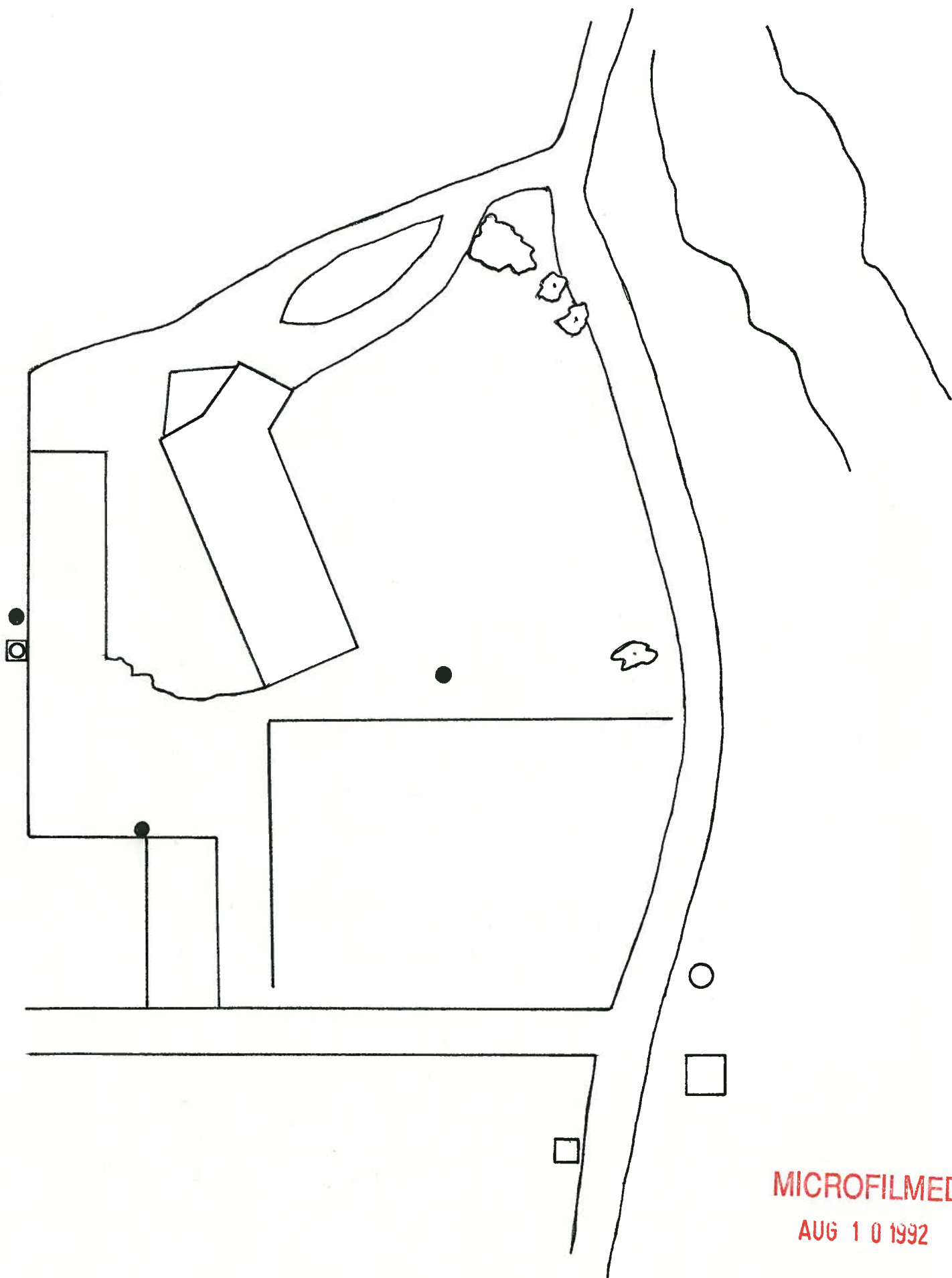


NOTE: The measurements were averaged.

AREA	SIZE	SF
A.....	20X30...	600
B....	1/2BH. 20X25.	250
C....	1/2BH. 15X20.	150
D.....	40X45...	1800
E.....	85X185..	15,725
F.....	90X185..	16,650
G.....	60X135...	8,100

= 43,575SF/43560= 1.0003 Acres

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AUG 10 1992



MICROFILMED
AUG 10 1992

25	NE	SW	30.0	01	02-02118	GARBUTT BOLTZ	J.R. SIMPLOT CO.	L	02/22/1904	BRUNEHU RIVER
	NE	SW	1.0	01	02-02139	BOLTZ	J.R. SIMPLOT CO.	L	11/09/1954	SNAKE RIVER
	SW	SW	17.0	01	02-02139	BOLTZ	J.R. SIMPLOT CO.	L	03/05/1957	SNAKE RIVER
	SW	SW	20.0	01	02-02053	BOLTZ	J.R. SIMPLOT CO.	L	03/05/1957	SNAKE RIVER
	SE	SW	40.0	01	02-02053	BOLTZ	J.R. SIMPLOT CO.	L	02/22/1946	SNAKE RIVER
	NE	SE	15.0	01	02-02053	BOLTZ	J.R. SIMPLOT CO.	L	02/22/1946	SNAKE RIVER
	NE	SE	12.0	01	02-02139	BOLTZ	J.R. SIMPLOT CO.	L	02/22/1946	SNAKE RIVER
	NW	SE	12.0	01	02-02118	BOLTZ	J.R. SIMPLOT CO.	L	03/05/1957	SNAKE RIVER
	NW	SE	1.0	01	02-02139	BOLTZ	J.R. SIMPLOT CO.	L	11/09/1954	SNAKE RIVER
	SW	SE	40.0	01	02-02053	BOLTZ	J.R. SIMPLOT CO.	L	03/05/1957	SNAKE RIVER
	SE	SE	40.0	01	02-02053	BOLTZ	J.R. SIMPLOT CO.	L	02/22/1946	SNAKE RIVER
26	SW	NW	15.0	01,43	02-02015	HEFFNER	J.R. SIMPLOT CO.	L	02/22/1946	SNAKE RIVER
	SW	NW	40.0	01	63-11076	EDWARDS		L	07/17/1912	SNAKE RIVER
	NW	SW	14.0	01,43	02-02034	GRANDVIEW IRRIGATI		A	12/04/1989	GROUNDWATER
	NW	SW	12.0	01	63-11076	EDWARDS		L	02/12/1920	SNAKE RIVER
	SW	SW	40.0	01,43	02-02034	GRANDVIEW IRRIGATI		A	12/04/1989	GROUNDWATER
	SE	SW	31.0	01,43	02-02034	GRANDVIEW IRRIGATI		L	02/12/1920	SNAKE RIVER
27	NE	NE	40.0	01	63-11076	EDWARDS		L	02/12/1920	SNAKE RIVER
	NW	NE	30.0	01	63-11076	EDWARDS		A	12/04/1989	GROUNDWATER
	SW	NE	12.0	01,43	02-02034	GRANDVIEW IRRIGATI		L	02/12/1920	SNAKE RIVER
	SW	NE	15.0	01	63-11076	EDWARDS		A	12/04/1989	GROUNDWATER
	SE	NE	43.0	01	63-11076	EDWARDS		A	12/04/1989	GROUNDWATER
	NE	NW	31.0	01,43	02-02034	GRANDVIEW IRRIGATI		L	02/12/1920	SNAKE RIVER

H 8

WR4001NP
(OD-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 09/22/90
PAGE: 6031

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	WATER SOURCE
04S	02E	27	NH	NH	40.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			SW	NH	40.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			SE	NH	40.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			NE	SW	40.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			NH	SW	37.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			SW	SW	9.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			NE	NE	40.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			SW	NE	32.0	01	57-02190	EVANS	L	06/28/1948	GROUNDWATER
			SE	NE	32.0	01,43	02-02034	GRANDVIEW IRRIGATI	L	02/12/1920	SNAKE RIVER
			SW	NH	40.0	01	02-07065	LAURENCE	L	05/14/1970	SNAKE RIVER
			SE	NH	40.0	01	02-07065	LAURENCE	L	05/14/1970	SNAKE RIVER
			NE	SW	40.0	01	02-07065	LAURENCE	L	05/14/1970	SNAKE RIVER
			NH	SW	40.0	01	02-07065	LAURENCE	L	05/14/1970	SNAKE RIVER
			NW	SE	40.0	01	02-07065	LAURENCE	L	05/14/1970	SNAKE RIVER

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AUG 10 1992

Idaho Department of Water Resources



Claim Number: 02-10027
Legal: T04S, R02E, S27
Reviewed By: SJR 10/19/05

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



CONTRACTOR: Karan Waters

CLAIM/ID: 02-10027

Date: 5-21-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	45	2E	27					2												2
GIS								.4			1.6									2
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 2

Overlapping FOU Claim #'s:

Total GIS Acres: 2

COMMENTS:

POU - No county data. Mapped what looks like two acres irrigated w/ home + shop. However its not all in NENW.

POD per claim.

Grand View, Idaho
Nov. 26, 1990

State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED
NOV 26 1990

att: Jan Shurtz

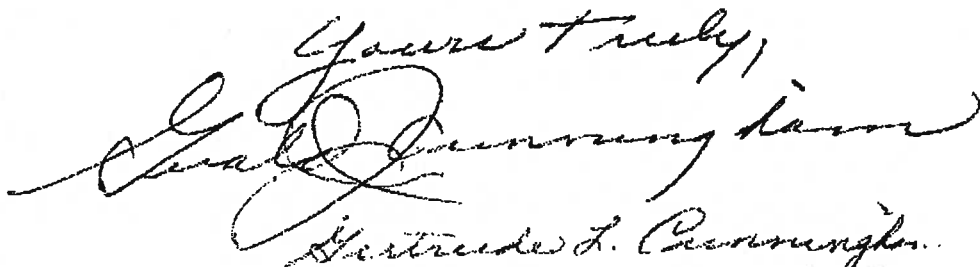
Re: Claim # A 57-10163

DEPARTMENT OF WATER RESOURCES
1000 N. 10th St. Boise, ID 83705

In regard to your letter of Oct 12, 1990 -
in reference to claim # A 57-10163 requesting
the priority date -

I moved onto this property in
February 1952. I have no knowledge of
date of well. Over the years I had
heard at different times that the
irrigation water came to the Grand View
Valley about 1910. I, naturally assumed
that when the irrigation came, the
domestic wells were drilled.

I have no positive proof that
there was a well here until the
day I moved onto this farm,
which was in February 1952.

Yours truly,

Gertrude L. Cunningham

MICROFILMED

OCT 17 1992

Claim # A57-10163
Gerald and Gertrude Cunningham

T.4S., R.2E., Sec. 27, NENW Lot 2

FX:10-25-90

By:Ron Howerton



NOTE: The measurements were averaged.

AREA	SIZE	SF
A.....	20X30...	600
B....	1/2BH. 20X25.	250
C....	1/2BH. 15X20.	150
D.....	40X45...	1800
E.....	85X185...	15,725
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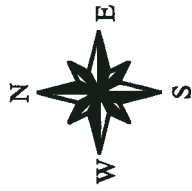
= 43,575SF/43560= 1.0003 Acres

MICROFILMED
OCT 07 1992

Idaho Department of Water Resources

Claim Number: 02-10027
Legal: T04S, R02E, S27
Reviewed By:

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



Idaho Department of Water Resources

Claim Number: 02-10027

Legal: T04S, R02E, S27

Reviewed By:

-  Point of Diversion
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