

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: **A61-07253B**
Date Received: 11/29/1989
Receipt No: C013091
Received By: _____

AMENDED

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

AMENDED

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

AND/OR

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

2. Date of Priority: JAN 23, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	04E	14	SE	SW			ELMORE

5. Description of diverting works:
WELL, 20" CASING, 1420' DEEP, 550 HP TURBINE PUMP, 60 HP BOOSTER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.320		572.00

7. Total Quantity Appropriated is:
2.320 C.F.S. (and/or) 572.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	04E	14	SW	NW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	04E	14	SE	NW		IRR	1.0
			NE	SW		IRR	36.0
			NW	SW		IRR	35.0
			SW	SW		IRR	33.0
			SE	SW		IRR	35.0
						Section Acres	141.0
		23	NE	NW		IRR	1.0
			NW	NW		IRR	1.0
						Section Acres	2.0
						Total Acres	143.0

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:

14. Remarks:

THE TOTAL COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND
61-07420 SHALL NOT EXCEED 4.58 CFS.

CLAIM AMENDED BY LICENSING APPROVED 5 NOV 92.

RDH 6 OCT 98.

15. Basis of Claim: LICENSE

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

State of Idaho
Department of Water Resources

NOV 23 1992

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07253B

Department of Water Resources
Western Regional Office

Priority: January 23, 1976

Maximum Diversion Rate:

2.32 CFS

Maximum Diversion Volume:

572.0 AF

This is to certify, that GERALD J CUNNINGHAM
GERTRUDE L CUNNINGHAM

RT 2 BOX 230

GRANDVIEW ID 83624

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 23, 1976; and has submitted Proof of Beneficial Use on December 22, 1983. An examination indicates that the works have a diversion capacity of 4.580 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.32 CFS	572.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 14, Township 02S, Range 04E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	04E	14	SWNW 1	SENW 1	NESW 36	
			NWSW 35	SWSW 33	SESW 35	141
		23	NENW 1	NWNW 1		2

Total number of acres irrigated: 143

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07253B

CONDITIONS/REMARKS:

6. The total combined rate of diversion under this right and 61-07420 shall not exceed 4.58 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5th
day of NOVEMBER, 1992.


Acting for R. Keith Higginson, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07253B

RECEIVED
NOV 03 1992

APPROVED

Date of Priority: January 23, 1976

Maximum Diversion Rate: 2.32 CFS
Maximum Diversion Volume: 572.0 AF

Comes now

GERALD J CUNNINGHAM
GERTRUDE L CUNNINGHAM

RT 2 BOX 230
GRANDVIEW ID 83624

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 61-07253B, and requests that the permit be changed as follows:

Source: GROUNDWATER

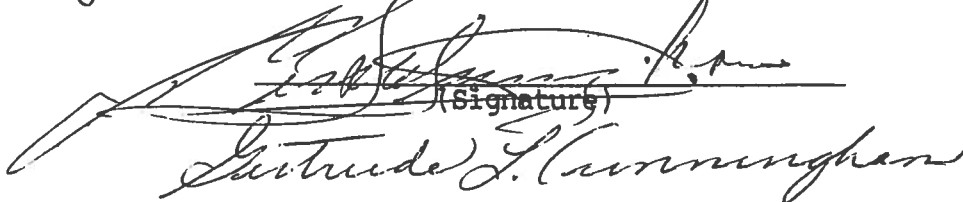
<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.32 CFS	572.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 14, Township 02S, Range 04E
ELMORE County

<u>PLACE OF USE: IRRIGATION</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE SEC</u>				
02S	04E 14	SWNW 1	SENW 1	NESW 36	
		NWSW 35	SWSW 33	SESW 35	141
	23	NENW 1	NWNW 1		2
Total number of acres irrigated:					143

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Grandview, Idaho, this 2nd day of November, 1992


(Signature)
Gertrude L. Cunningham

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07253B

FOR DEPARTMENT USE ONLY

Preliminary check by 28 Fee = \$20.00 Receipted by RG # 40816 Date 11-17-86

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 61-07253B with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The total combined rate of diversion under this right and 61-07420 shall not exceed 4.58 cfs.

Witness my hand this 5TH day of NOVEMBER, 1992.


Acting for R. Keith Higginson, Director

Water Right Number - 61-072538

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***

CUNNINGHAM

1 - RT 2 BOX 230

2 -

3 -

State- ID Zip- 83624

CUNNINGHAM

GERALD J

City- GRANDVIEW

Phone - 208-834-2244

1 - RT 2 BOX 230

2 -

3 -

State- ID Zip- 83624

*** O - ORIGINAL OWNER ***

ZIRKER

RONALD J

City- GRANDVIEW

Phone - 208-834-2244

1 -

2 -

3 -

State- ID Zip- 83624

ZIRKER

SHERRI

City- Phone - 208-000-0000

1 -

2 -

3 -

State- ID Zip-

1 - Priority Date - - +

01/23/1976

14 WESTERN

1 - License

2 -

3 -

State- ID Zip-

1 - Source - - - - - +

GROUNDWATER

1 - Tributary - - - - - +

2 -

3 -

State- ID Zip-

1 - Point of Diversion - - - - - +

County

1 -

2 -

3 -

State- ID Zip-

1 - Description - - - - - +

Period From Period To

10/31

2.320

572.00

1 -

2 -

3 -

State- ID Zip-

1 - Total Div. Rate - - +

2.320

572.00

1 - Total Div. Capacity - +

4.580

1 -

2 -

3 -

State- ID Zip-

1 - Place of Use - - - - - +

County

1 -

2 -

3 -

State- ID Zip-

1 - Tract - - - - - +

Acres

1.0

1.0

36.0

35.0

33.0

35.0

1 -

2 -

3 -

State- ID Zip-

1 - Description - - - - - +

Code

01

01

01

01

01

01

1 -

2 -

3 -

State- ID Zip-

1 -

2 -

3 -

State- ID Zip-

Total Acres: 143.0

+ - - Other Rights for Same Use -

[illegible]

+ - - -	- - +	+ - - -	- - +
Decree Plaintiff			
+ - - - Decree Defendant			
+ - Decree Date			
00/00/0000			

+ - - Audit Fields - 09/22/87 05/01/88 CONVERT 11/04/91 GARRETT 04/14/92 TAYLOR 10/20/92 SKAGGS

Proof Due Date	- 03/01/1982	Field Exam Made	- 10/29/1991	Field Exam Fee	- N
Approved/Denied	- 03/02/1976	Protested Date	- 00/00/0000	Swan Falls	- Z
Proof Made Date	- 12/22/1983	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 04/14/1992	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 11/05/1992	Appl Received	- 01/23/1976	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

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: A61-07253B
Date Received: 11/29/1989
Receipt No: CO/3091
Received By: CA

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

AND/OR

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

2. Date of Priority: JAN 23, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	04E	14	NE	SE	SW		ELMORE

5. Description of diverting works:
WELL, 20" CASING, 1420' DEEP, 550 HP TURBINE PUMP, 60 HP BOOSTER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

RECORDED
NOV 11 1989

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	04E	14	NE		SW		IRR	35.0
			NW		SW		IRR	35.0
			SW		SW		IRR	35.0
			SE		SW		IRR	35.0
							Section Acres	140.0
							Total Acres	140.0

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: PERMIT

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): *Geoffrey L. Cunningham* Date: 11/29/89
[Signature] Date: 11-29-89

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 29th day

of November 19 89

Carter Fritschle
Notary Public

Seal

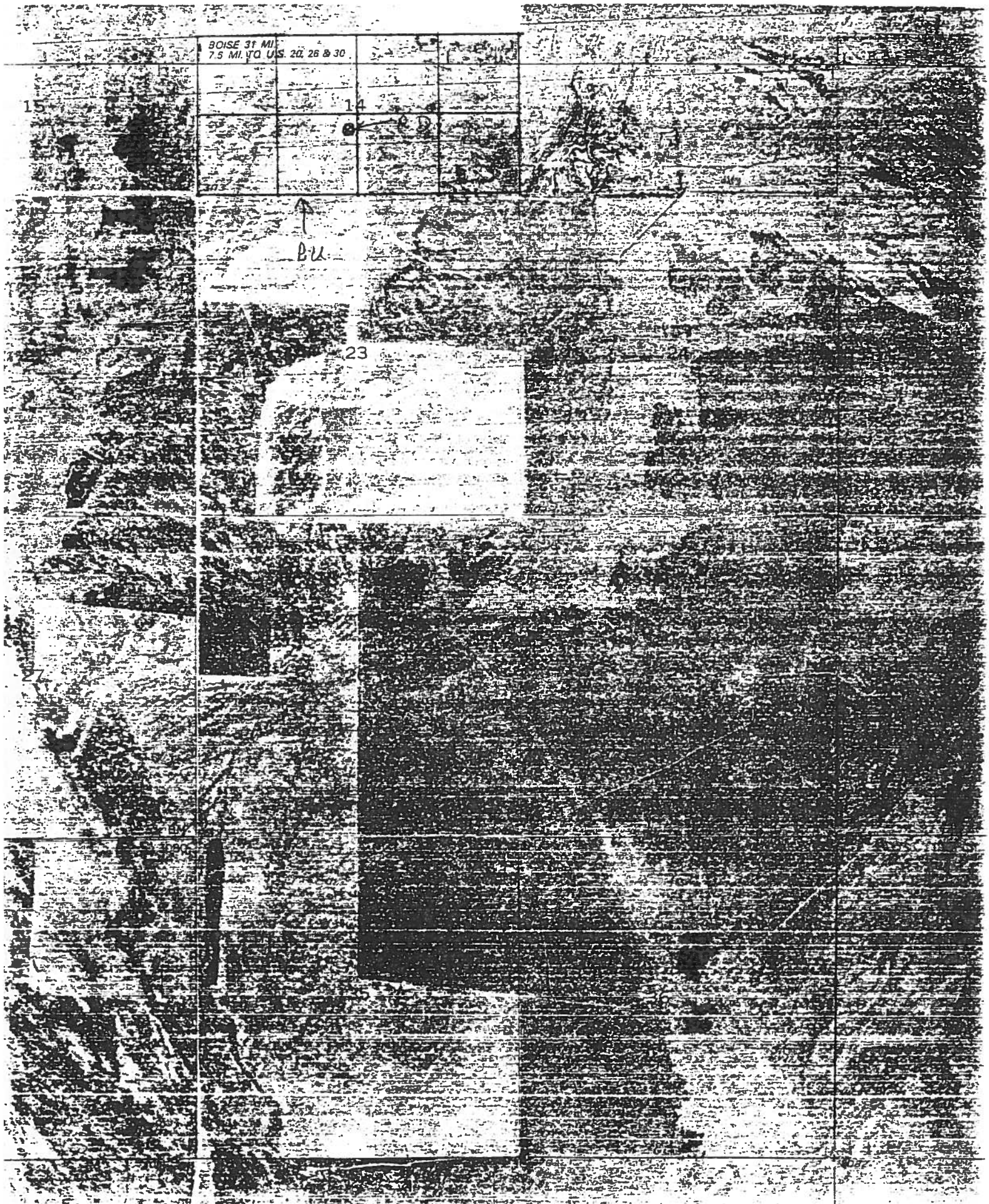
Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

AGI-07253B

T25 R4E R5E



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

RECEIVED

FEB 24 2000

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 61-07420; 61-07253B
 Adjudication Claim No(s): A61-07420; A61-07253B
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 Gertrude Cunningham
909 Hartland Drive, Nampa, ID 83686
4. New Owner/Claimant(s) Cunningham Family Limited Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 909 Hartland Drive, Nampa, ID 83686
Heartland
 City, State and ZIP Code _____
 New Telephone Number (208) 467-7274 or 834-2287
5. Date you acquired the property January 12, 1998
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right	7420-140 7253B-140
Number and type of stock	
Diversion rate in CFS	7420-2.27 7253B-232
Number of homes you acquired	0
Other uses	

7. Signature of New Owner(s) or Claimant(s) Gertrude L. Cunningham
PARTNER

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

OK to change with 159 in SW for 61-07253B

WHEN RECORDED RETURN TO:
McAnaney & Associates
P.O. Box 737
Boise, ID 83701-0737

306622

ELMORE COUNTY, IDAHO ss
Request of

McAnaney & Associates
Time 11:07 P.M.
Date March 13, 1998
Book _____ Page _____
DELORES ROBISON
Recorder
By *[Signature]*
Deputy
Fee 26.00

RE-RECORD TO CORRECT ERROR

QUITCLAIM DEED

Instrument No. 305449
Recorded January 12, 1998

Last line of legal description reads SW¹/₄,
should read SW¹/₄.

GRANTOR, Gertrude L. Cunningham, an individual, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto Cunningham Family Limited Partnership, an Idaho limited partnership, whose current address is 909 Heartland Drive, Nampa, County of Canyon, State of Idaho, as GRANTEE, and to Grantee's successors and assigns forever, all of the real estate situated in the County of Elmore, State of Idaho, as follows:

Southeast Quarter of Section 14, Township 2 South, Range 4 East, Boise Meridian, as the same appears upon the official records of the Elmore County Recorder, Elmore County Courthouse, City of Mtn. Home, State of Idaho.

PLUS

TOWNSHIP 2 SOUTH, RANGE 4 EAST, BOISE
MERIDIAN, ELMORE COUNTY, IDAHO, SECTION 14:
SW¹/₄.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

QUITCLAIM DEED - 1

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 12th day of March, 1998.

Gertrude L. Cunningham
Gertrude L. Cunningham

STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of March, in the year of 1998, before me personally appeared Gertrude L. Cunningham, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me she executed the same.

John E. [Signature]
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 1/29/2004



QUITCLAIM DEED - 2

FACSIMILE COVER SHEET

TO: <u>Bucky</u>	FROM: <u>Julie Sticher</u>
	White, Peterson, Pruss, Morrow & Gigray, P.A.
	104 Ninth Avenue South
	Post Office Box 247
	Nampa, Idaho 83653-0247
	PHONE NUMBER: (208) 466-9272
FAX NUMBER: <u>327-5400</u>	FAX NUMBER: (208) 466-4405

You should receive 4 pages of copy including this cover sheet. If you do not receive all pages, please call back as soon as possible. Our telephone number is (208) 466-9272. Thank you.

CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents. Our telephone number is (208) 466-9272.

Date: 3/15/00Time: 2:30 PM

MESSAGE

Dept. of Water Resources
 Adjudication Bureau
 P.O. Box 83720
 Boise, ID 83720 0098

RETURNED TO SENDER

REASON CHECKED

Incorrect address ☐

Insufficient address ☐

No such street number ☐

No such office or store ☐

To not moved to this address ☐

MAIL

☐ Moved, tell no address

☒ No such number

☒ Moved, not forwarding

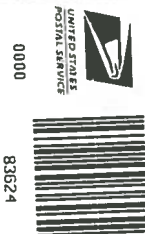
☐ Addressee unknown

Gerald J. Cunningham
 HC 85 Box 230
 Grandview Id 83624

delivered

61-01233 B
 61-07420

RECEIVED
 MAR 23 1999
 Department of Water Resources



U.S. POSTAGE
 PAID
 YUCA VALLEY, CA
 92284
 MAR 12 1999
 PHOENIX
 \$0.77
 00041389-10

Gerald

Soray I didn't get this to you
sooner, but the Dept. of Water
sent them all to me.

The day I got this I was headed to CA.
& just opened them.

Soray but they were Address to me.

Bob Cunningham

Box 760

Glenn Ferry

RECEIVED

MAR 23 1999

Department of Water Resources

Looks like info
was sent out to
Bob Cunningham,
then it was forwarded
to Gerald Cunningham.

61-07253 B

61-07420



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 12, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

61-07253B
GERALD J CUNNINGHAM
GERTRUDE L CUNNINGHAM
HC 85 BOX 230
GRANDVIEW ID 83624

RECEIVED

MAR 23 1999

RE: Water Rights in Reporting Area 6, Basin 61
Snake River Basin Adjudication (SRBA)

Department of Water Resources

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in basin 61 (largely the area of Elmore County south of the Bennett Mountains) a part of Reporting Area 6. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Mountain Home and Boise and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 61-07253B

NAME AND ADDRESS: GERALD J CUNNINGHAM
GERTRUDE L CUNNINGHAM
HC 85 BOX 230
GRANDVIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 2.32 CFS
572.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 61-07420 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.58 CFS.

PRIORITY-DATE: 01/23/1976

POINT OF DIVERSION T02S R04E S14 SESW Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	2.32 CFS
			572.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	IRRIGATION	Within ELMORE County				
	T02S R04E S14	SWNW 1.1	SEnw 1.1	NESW 35	NWSW 35	
		SWSW 34	SESW 35			
	S23	NENW 1	NWNW 0.8			
	143 ACRES TOTAL					

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

61-07253B CONTINUED

RIGHT NO. 61-07420 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

AJ0749NP
No. R61-072538

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD J CUNNINGHAM	01/23/1976	IRRIGATION	04-01 10-31	2.32 CFS	572.00 AFA
C	GERTRUDE L CUNNINGHAM					
	HC 85 BOX 230					
	GRANDVIEW ID 83624					
	(208) 834-2244					
					2.32 CFS	572.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R04E S14

SESW

ELMORE County

Place of use Legal Description for: IRRIGATION

	NE	NESE	SE	SESE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
02S 04E 14	: 01	: 01	: 01	: 01	: 01
02S 04E 23	: 01	: 01	: 01	: 01	: 01
TOTAL ACRES	: 01	: 01	: 01	: 01	: 01

POU County: ELMORE

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 61-07420 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.58 CFS.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP RIGHT NO. 61-07420 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 10/06/1998 Verified Date: Objection filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/06/1998 User-ID: RHOBERTO Subject: COPIED FROM REMARKS
CLAIM AMENDED BY LICENSING APPROVED 5 NOV 92.

AJ0749NP
No. R61-072538

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 2

Comments: Date: 10/06/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
RDH 6 OCT 98.

Audit: 11/20/98 LHARRIS

DATE: 10/06/98
PAGE: 1

DIVERSION RATE 2.32 CFS
DIVERSION VOLUME 572.00

Stage: LICENSE
ELMORE County

ELMORE County

[illegible][illegible]

Audit: 10/06/98 RHOWERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 61-072538

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>	<u>IN-OFFICE</u> <u>Relh/6oct99</u>	<u>5</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.	<u>7</u>	<u>7</u>	<u>4</u>	<u>7</u>	<u>7</u>		
SOURCE	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
PL. OF USE	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
DIV. AMOUNT CFS/AF	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
CONSUMPTIVE USE	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
NATURE OF USE	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
PERIOD OF USE	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
BASIS OF CLAIM	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		
REMARKS	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>	<u>7</u>		

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: Recent License

IDWR T02S, R04E

Claim(s) : 61-07253B
Owner(s) :
Cunningham
Date: 06 Oct 98
Prepared by:
Ron Howerton
Total Acres: 143



POU



POD

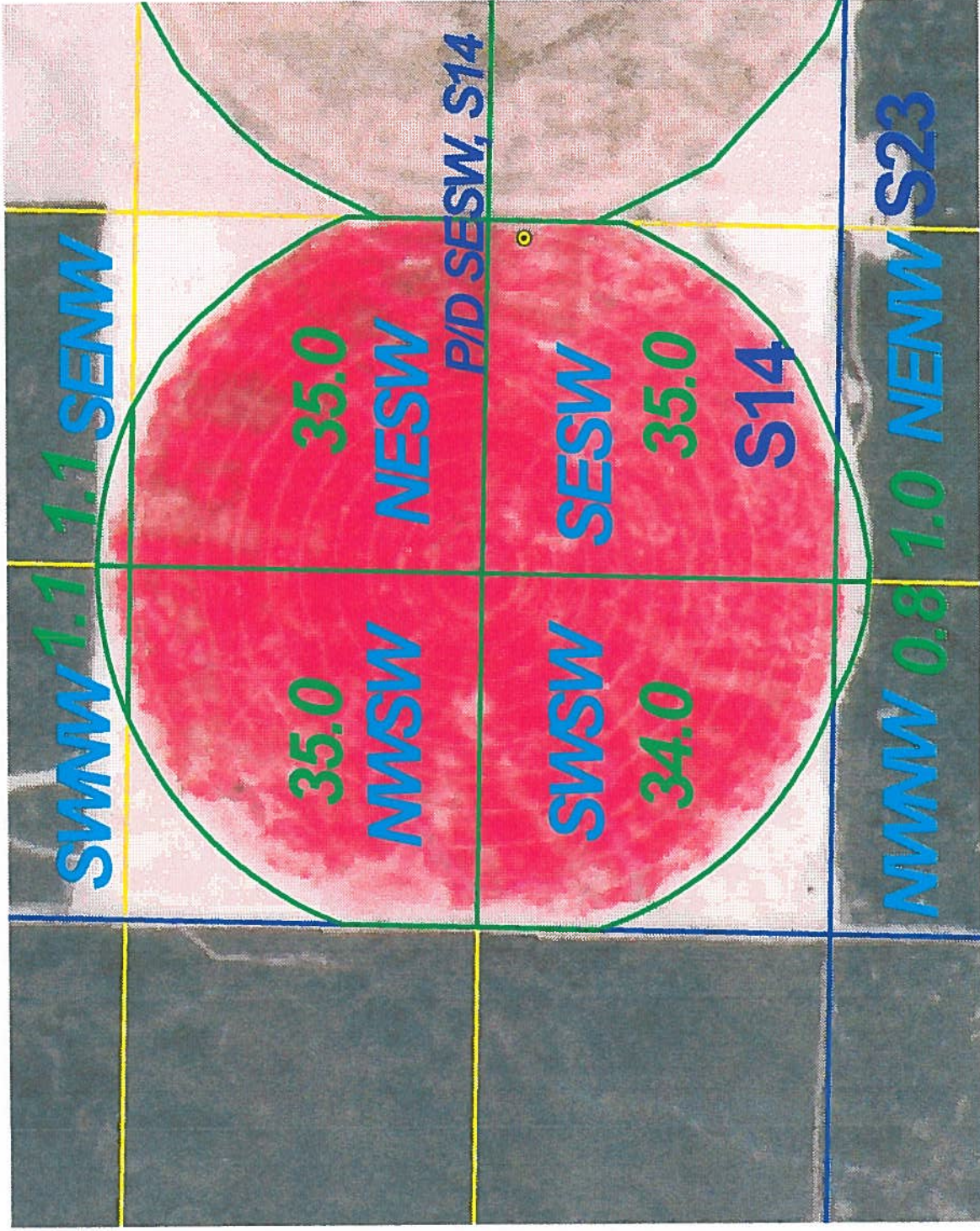


SECTION LINES



1/4 1/4

ACRES



1987 NAPP

0.75 Miles

0.25

0.5

0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

B
p10 25 4E 5.14 5 1/2 SW
p11 " 5W 1/4 140 AC.

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed) *✓ well log*
- ☒ Aerial Photo Required? ☒ yes ☐ no If yes: ☒ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section

NO Don/stock found previous exam
✓ NAPP 211 NW

SRBA Claim Check Received SL 10/22/91 (initial & date)

☐ N/A ☒ Applicable, See Attachment A

☒ Copy of U.S.G.S. Quad *NO 7 1/2' top for N 1/2 of 5.14, used on the*

☒ Check for Government Lots. If so, make a copy of government plat

☒ Check of P/D index SL 10/22/91 (initial & date)

Overlap ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☒ Add acres or uses to existing system 61-07240

☐ Increase rate of flow or volume

☐ Other: 61-07253A copied

☒ Check of P/U index SL 10/22/91 (initial & date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

☒ Scheduling Letter Sent? 1987+1989 SL (initial & date)

☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Copy of SRBA Claim Verification Sheet / ☒ Original Returned to Adjudication Section

C. Review and Processing:

Exam Completed John Linton 2/19/92 (signature of examiner & date)

Exam Reviewed by Senior Water Resource Agent CH 3/3/92 (initial & date)

Exam Reviewed by Manager of Regional Office DW 3/17/92 (initial & date)

Exam Sent to State Office at 4-14-92 (initial & date)

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 20" well was deepened in 1982 from 855' to 1305'. Static level in 1982 was 409' but is now approx. 450' according to owner (no access into well to measure water level). A 360 hp pump (with a 60 hp booster pump) operates at 65 psi to deliver water through a 10" main to two 10" lines running to two center pivots. One pivot is for permit 61-072538, & one pivot is for permit 61-07420. No hard lines are used for corners. No domestic or stockwater is funnel. No change in system since 1983 Exam.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
main pump	US Motors	350	CC1006061	Aurora Vert. Line	no tag; 10" main line
Booster	GE	60	ET213017	Cornwell	Serial 36249, model 6RB-60-4; 11 3/4

***Code to correspond with No. on map and aerial photo**

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination ASCS + NDRP

[illegible]

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

SEE 7/6/83 MEASUREMENT BY JKN IN ORIGINAL EXAM. WAS 3.27 cfs. Note access port only 1.5' from well + 1.2' from major valve.
 IF PSI = 65 (owner) + 2 ≈ 450' (owner; log shows static 409' but has fallen according to owner), TDH = (2.31)(65) + 450 ≈ 600. Seven stages, TDH/stage = $\frac{600}{7} \approx 86$. See pump curve and flow worksheet

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Pump curve shows max. capacity of pump is $\frac{2300}{2090}$ gpm = $\frac{5.12}{4.66}$ cfs.
 Allow 4.58 cfs per HP eq. (Flow worksheet for system capacity)

F. PUMP EFFICIENCY DATA (Optional) N/A

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (143)(4.5) = 643.5$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (2.32)(246)(1.9835) = 1132.0$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 643.5$

2. Volume Calculations for Other Uses:

Flow worksheet: Pro-rate cfs/ac under total system at .0162
 $(.0162)(143) = 2.3166 = 2.32$

1100 - - - - - added to use to 2.86 cfs

A61-07253B

61-07253B
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER SL DATE SUBMITTED 12/22/91
ADJUDICATION AGENT _____ RESPONSE DUE DATE _____
COUNTY Elmore OWNER'S NAME Cunningham
PERMIT DATA T R S Q/Q T R S Q/Q

P/D _____

P/U _____

PROOF SUBMITTED DATE 12/22/82

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing:

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
☒ Claim filed for permit and copy attached *
☐ Claim filed although not required (proof filed after 11-19-87)
☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

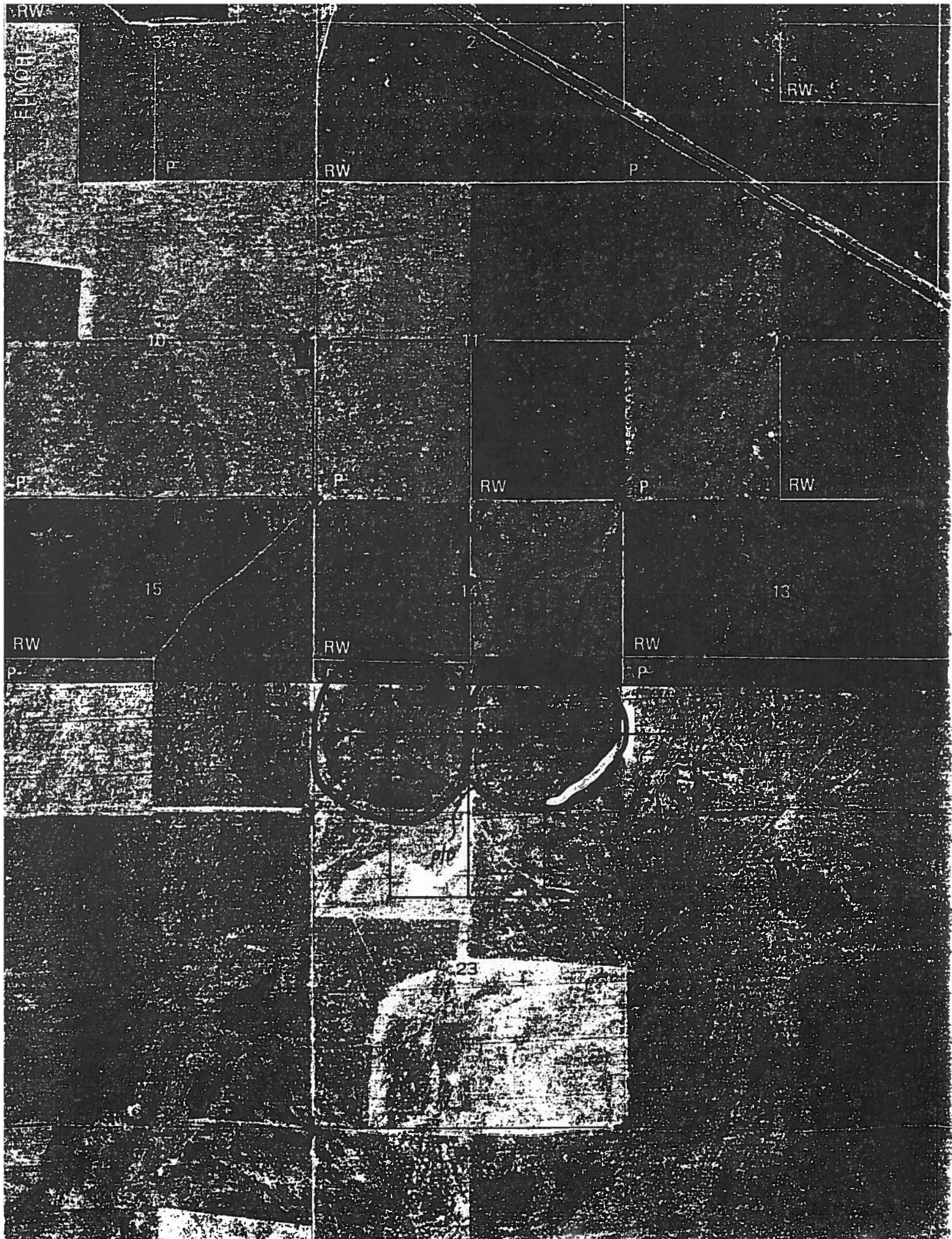
- ☒ Name index search
☐ Legal description search
☒ Non-data entry claims search
☐ Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Exam not Conducted
--------------------------------	------------------------------	---------------------------------	-----------------------

<u>A61-07253B</u> Adj No. <u>10/29/91</u>	☒	☐	☐
_____ Adj No. _____	☐	☐	☐
_____ Adj No. _____	☐	☐	☐

☒ Exam completed date(s) data entered SL 2/12/92 (initial & date)

* copies included only if pertinent to permit field exam



RW

FLINCH

3

2

RW

RW

P

10

11

P

P

RW

P

RW

15

14

13

RW

RW

RW

P

P

P

23

T 495
354

CRP
EE-97
1-160.0

61-07253B
61-07420

1987 photo

T25
R4E

5.14, 13, 23

1 NHEL
160.0

10. 11

12

T 498
355

T 526
376

CRP
EE-97
1-78.0

1991 = BEETS

1 NHEL
78.0

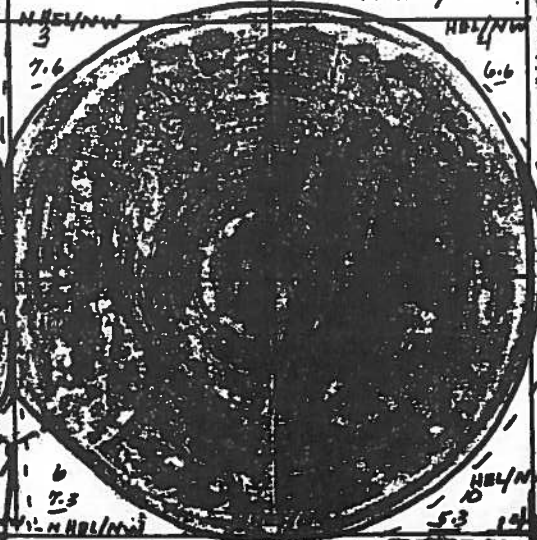
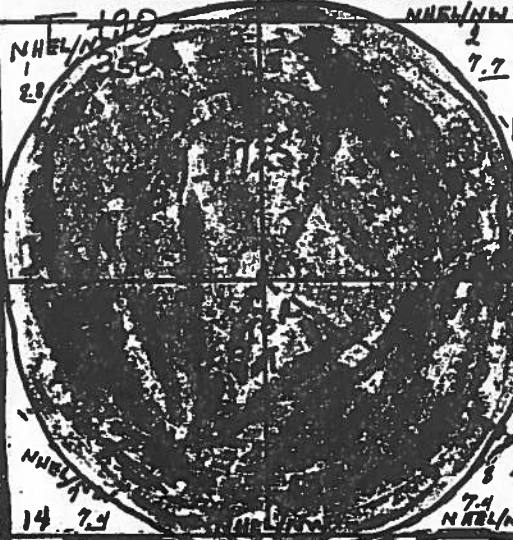
1
79.0 NHEL/NW.

T 190
NHEL/NW
1 35.0

NHEL/NW
1 7.7

NHEL/NW
3 7.6

NHEL/NW
1 6.6



NHEL/NW
14 7.4

NHEL/NW
7.4 7.3
NHEL/NW

NHEL/NW
10 5.3

428-238

31-87

Since Road →

61-07420

NAPP Z11NW

7/31/87 photo

61-07253R
61-07420

61-07253B & 61-07420

LAYNE-AURORA VERTI-Line

CURVE NO.
18-146
9-1-78

No. Stages	Eff. Change	MATERIAL	Eff. Change
1	-2	IMP.—C.I.	-1
2	0	IMP.—NI-RI	-2
3		BOWL—BRZ.	-1
4		BOWL—NI-R.	-1

14 TLC

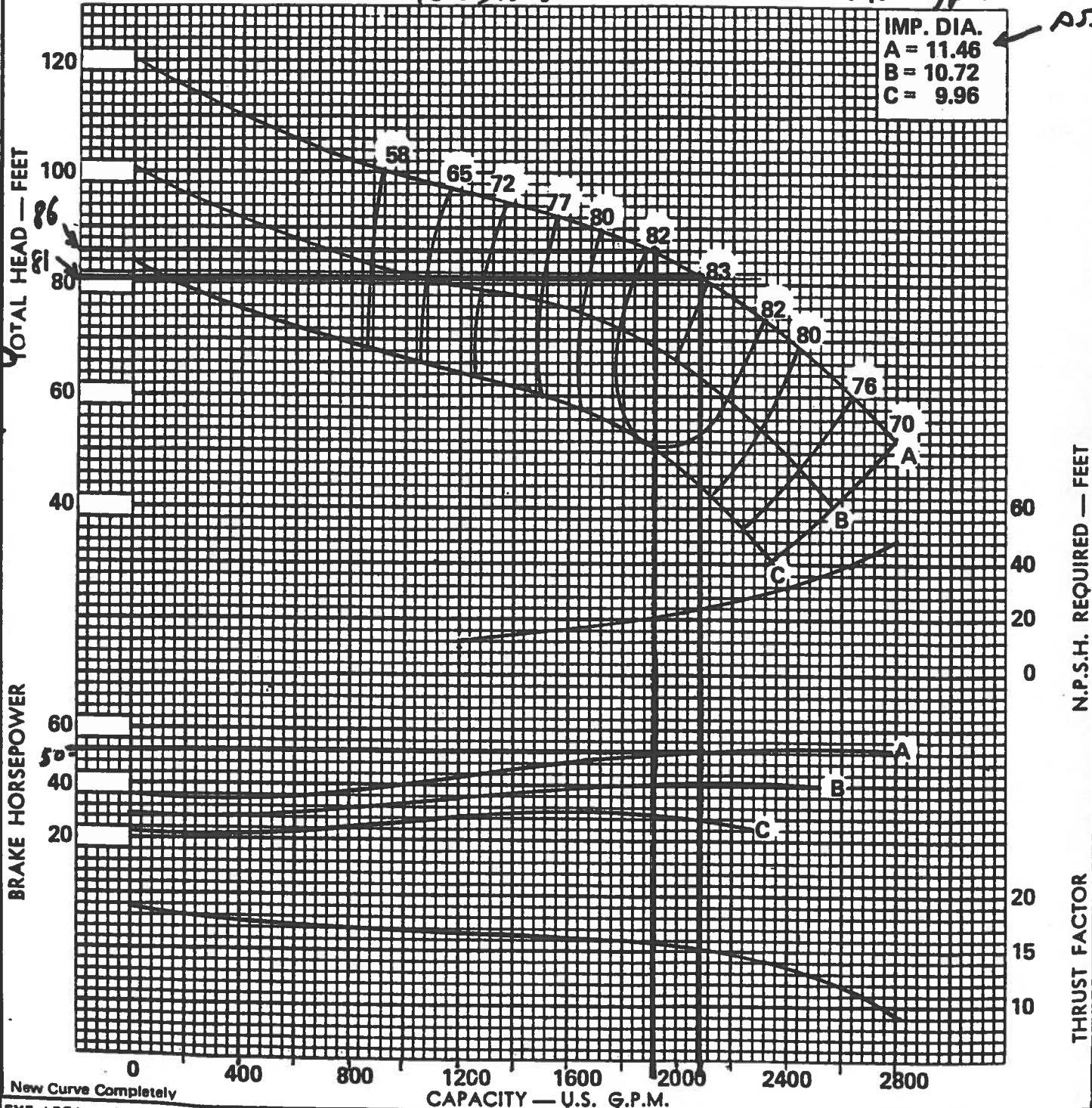
1770 R.P.M.

SINGLE STAGE LAB PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 2 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 2 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

ONE (7)
STAGE STAGES

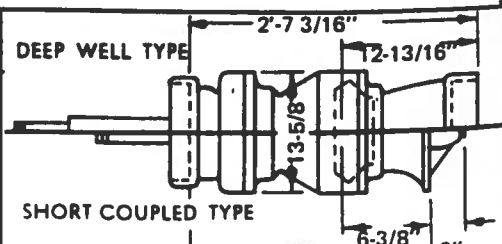
$$\text{If } TQH = (2.31)(65) + 415 = 565, Q \approx 2090 \text{ gpm}$$

$$\text{If } TQH = (2.31)(65) + 450 = 600, Q \approx 1920 \text{ gpm}$$



New Curve Completely

EYE AREA — SQ. IN.	= 34.26	IMPELLER WT.-LBS.	= 32.1
WR ² PER IMPELLER	= 2.72 LB.-FT. ²	ONE STAGE WT.-LBS.	= 435
MAX. SPHERE SIZE	1.25 in.	ADD'L STAGE WT.-LBS.	= 164
MAX. NO. STD. STAGES	7	IMPELLER NUMBER	= 7T13
MAX. OPERATING P.S.I.	390	DISCH. SIZES	= 10, 12
STD. LATERAL	0.78 in.	SUCTION SIZES	= 10
STD. SHAFT DIA.	1.937 in.	MAX. LATERAL	= 1.26 in.
MIN. SUBMERGENCE	2.187 in.	BOWL CONN.	FLANGED—COLLETS



PER TELECON with Layne Pump, Aurora 466-7376 -

Form 238-I
09/90

Department of Water Resources

WELL INSPECTION FORM

61-072588 - ORIGINAL
FILED in

If well is associated with water right, provide WR# 61-07420

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP____, Rge____, Sec.____, ____1/4____1/4
or Lot____.

2. Owner: _____

Address _____, City_____, St_____

3. Casing $\geq$ 12 inches above ground: Yes ____ No ☒ set in concrete pad,
properly sealed

4. Access Port: Yes ____ No ☒ Static Water Level: 409'-450' / ug + owners info
Pressure Gauge: Yes ☒ No ____ Casing Diameter: 20"
Flowing: Yes ____ No ☒ Temperature: cold
Properly Valved: Yes ____ No N/A

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:17:38
07/05/94

PAGE: 1
GENERAL INFORMATION

30
CLAIM NUMBER: A61-07253B

LAST: CUNNINGHAM
ADDRESS: HC 85, BOX 230
CITY: GRANDVIEW
PHONE NUMBER: 208-834-2244
OWNER CODE: C

FIRST: GERALD J.
STATE: ID ID ZIP: 83624

LAST: CUNNINGHAM
ADDRESS: HC 85, BOX 230
CITY: GRANDVIEW
PHONE NUMBER: 208-834-2244
OWNER CODE: C

FIRST: GERTRUDE L.
STATE: ID ID ZIP: 83624

LAST: ZIRKER
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: RONALD J.
STATE: ID ID ZIP: 0

LAST: ZIRKER
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: SHERRI
STATE: ID ID ZIP: 0

FIELD EXAM REQUIRED?

DATABASE N FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __: __ A() P()

ACCOMPANIED BY: IN-OFFICE 6-oct-98

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE B/W REPORT (ATTACHED)

A. AJ CLAIM: # A61-072538 PRIORITY DATE: 01-23-1976 STAGE: P
B. WR RECORD: # 61-072538 PRIORITY DATE: 01-23-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD

EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES:

RECOMMENDED PRIORITY DATE:

01-23-1976

REVIEWED BY

Reh

DATE

6-04-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07253B	02S	04E	14	NE	SE	SW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-07420 NONE

WR RECORDS IN SAME 40 ACRE TRACT
61-07420

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07253B	02S	04E	14		SE	SW		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

61-07420

A61-07420 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? DUE TO SOURCE DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
		X N	

NOTES:

FOS (EXP) SAME POD AS 61-07420
(QNT) EOI COMBINED DIVERSION with ABOVE = 4.58 cfs

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

114

114

174

107

COUNTY

DIVERSION NAME

254E 14

52

52

3

1

ELNORF

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

225

DATE:

60490

SYSTEM DESCRIPTION:

SEE ATTACHED B/c REPORT

A. ROOT WATER RIGHT NUMBERS: A61-072538

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	04E	14	NE	SW		CUNNINGHAM, GERALD J.	A61-072538 /35.0	61-072538 /36.0	40.0		
02S	04E	14	NW	SW		CUNNINGHAM, GERALD J.	A61-072538 /35.0	61-072538 /35.0	37.0		
02S	04E	14	SW	SW		CUNNINGHAM, GERALD J.	A61-072538 /35.0	61-072538 /33.0	39.0		
02S	04E	14	SE	SW		CUNNINGHAM, GERALD J.	A61-072538 /35.0	61-072538 /35.0	40.0		
TOTAL ACRES							140.00	139.00	156.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y/N

YX

NC

SEE NAPP 1907 (ATTACHED) Actual Acres (143)

C. FIELD EXAM REQUIRED?

POU COUNTY: ELMORE

FIELD EXAMINER

DATABASE

DUE TO POU DISCREPANCY? (Y/N)

YX

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

REL

REVIEWED BY:

DATE: 6 Oct 98

(143)

Actual

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-072538 IRRIGATION	FROM 03-15 TO 11-15	3.200 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	3.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-072538 IRRIGATION	FROM 04-01 TO 10-31	2.320 CFS 572.00 AF/A
	TOTAL DIVERSION RATE/VOLUME CLAIMED	2.320 CFS 572.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in notes, below.

NOTES:

Per LIC Amended 60498

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: ~~3.200~~ CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.320 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD EXAMINER *[Signature]*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD SEE B/L Report, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POJ AND IRRIGATION USAGE

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES (143) x 0.02 CFS/ACRE = 2.85 CFS however Lic AT 2.32
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 420.0 AF/A
ACRES (143) x CONSUMPTIVE VOL. AF/A FOR AREA =
TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME AF/A
ACRES (143) (use) x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 572 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

WR RECORD CONDITIONS/REMARKS:

R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
The total combined rate of diversion under this right and 61-07420 shall not exceed 4.58 cfs.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15 4/1-10/31	3.200 3.208	572 572	420.0 420.0

TOTAL FOR THIS RIGHT

REVIEWED BY: RdhDATE: 6 oct 90

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON ☒ ()
ADDITIONAL DIV. AMOUNT _____ ()
()

ACCEPTED AS CLAIMED ☒ ()
NEEDS REVIEW ()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-07253

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 2.320
EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-072538	3.200	-	-	61-072538 61-07253	2.320

TOTAL CFS 3.200

DIVERSION RATE REVIEW

FIELD EXAMINER _____
DATABASE N

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 6 Oct 98
NAME OF FIELD EXAMINER: Ron Howerton TITLE: SR WA AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(X) NAPP	DATE OF PHOTO _____ 1987 _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM _____ 10/29/91 _____	11	
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
() SYSTEM DESCRIPTION	DATE DRAWN _____		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
() OTHER _____	DATE _____		
() OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:17:38
07/05/94

PAGE: 12
QUICKLOOK INFORMATION

41
CLAIM NUMBER: A61-07253B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

CLAIM NUMBER: A61-07253B

NAME & ADDRESS

C GERALD J. CUNNINGHAM
C GERTRUDE L. CUNNINGHAM
HC 85, BOX 230
GRANDVIEW ID 83624
(208) 834-2244

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T02S R04E S14
NESESW

ELMORE County

Place of use Legal Description for: IRRIGATION

NW NE

1

五

10

[illegible]

POW County: ELMORE

Other Rights: NONE

Conditions of Approval:

- The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install and access port or other device as specified by the
- Department.

Dates: Exam Made Date: 10/29/1991

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

A61-07253B

61-07253B
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER SL DATE SUBMITTED 10/22/91

ADJUDICATION AGENT _____ RESPONSE DUE DATE _____

COUNTY Gloucester OWNER'S NAME Cunningham

PERMIT DATA T R S Q/Q T R S Q/Q

P/D _____

P/U _____

PROOF SUBMITTED DATE 12/22/82

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing:

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
☒ Claim filed for permit and copy attached *
☐ Claim filed although not required (proof filed after 11-19-87)
☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- ☒ Name index search
☐ Legal description search
☒ Non-data entry claims search
☐ Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Exam not Attached	Exam not Conducted
--------------------------------	------------------------------	---------------------------------	----------------------	-----------------------

<u>A61-07253B</u> Adj No. <u>10/29/91</u>	☒	☐	☐
_____ Adj No. _____	☐	☐	☐
_____ Adj No. _____	☐	☐	☐

☒ Exam completed date(s) data entered SL 2/12/92 (initial & date)

* copies included only if pertinent to permit field exam

MICROFILMED

AUG 11 1992

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

RECEIVED
MAY 02 2000
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

1. Water Right Number(s) 61-07253B & 61-07420 **MAY 5 - 2000**
Adjudication Claim Number(s) Department of Water Resources
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Cunningham Family Limited Partnership
4. New Owner/Claimant(s) Edward G. & Jeanette VanGrouw
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 5089 S. Debonair Lane
City, State and ZIP Code Meridian, ID 83642
New Telephone Number () -
5. Date you acquired the property May 1, 2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Edward G. Van Grouw Date 5/1/2000
Jeanette Van Grouw Date 5/1/2000
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

CUNNINGHAM FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, Grantor, hereby conveys, grants and warrants to EDWARD G. VanGROUW and JEANETTE VanGROUW, husband and wife, Grantees, whose address is 5089 S. Debonair Ln., Meridian, ID 83642, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 14: S1/2

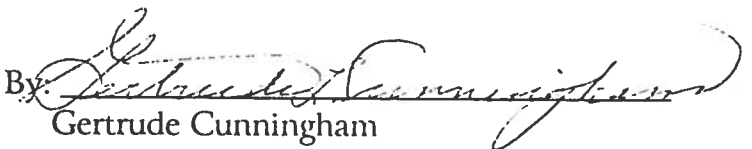
SUBJECT TO taxes and assessments for the year 2000 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantees that it is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that it will warrant and defend the same from all lawful claims.

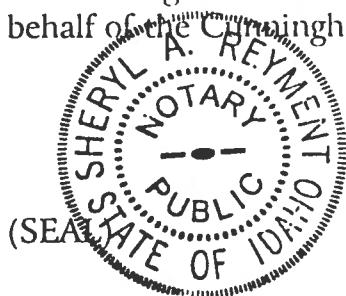
IN WITNESS WHEREOF, the Grantor has executed this instrument on this 1st day of May, 2000.

CUNNINGHAM FAMILY LIMITED
PARTNERSHIP

By: 
Gertrude Cunningham
General Partner

STATE OF IDAHO)
 :SS
County of Elmore)

On this 1st day of May, in the year 2000, before me,
SHERYL A. REYMENT, a Notary Public, personally appeared
Gertrude Cunningham, the General Partner of the CUNNINGHAM FAMILY
LIMITED PARTNERSHIP, an Idaho Limited Partnership, known or identified to me
to be the person whose name is subscribed to the within instrument, and
acknowledged to me that she executed the same as the General Partner for and on
behalf of the Cunningham Family Limited Partnership, an Idaho Limited Partnership.



Sheryl A. Remyment
Notary Public for Idaho
Commission expires: 12-27-05

ja/Z:\Work\C\Cunningham, Gertrude\warrantydeedpshtovangrouw.fm

RECEIVED
APR 14 2000
Department of Water Resources

RECEIVED
APR 10 2000
WATER RESOURCES
WESTERN REGION

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	)	SUBCASE NO.
	)	61-07253B
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 3-17-00

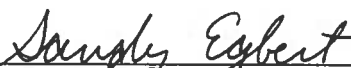


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3-22, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Julie Fisher
Attorney at Law
PO Box 247
Nampa ID 83653
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

DATE: MAR-17-2000

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-072538

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

~~BERARD J CUNNINGHAM~~
~~BERTRUDE K CUNNINGHAM~~
~~HE 89 BOX 230~~
~~BRANDVIER ID 83624~~

SOURCE: GROUNDWATER

QUANTITY: 2.32 CFS
556.0 AFY
~~37210~~ ~~AFY~~

USE OF THIS RIGHT WITH RIGHT NO. 61-07420 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.58 CFS.

PRIORITY DATE: 01/23/1976

POINT OF DIVERSION: T02S R04E S14 SESW Within ELMORE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	2.32 CFS
			<u>556.0</u> <u>AFY</u>
			37210 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	IRRIGATION	Within ELMORE County			
	T02S R04E S14	NESW 35	NWSW 35	SWSW 34	SESW 35
		323	323		
	<u>139 ACRES TOTAL</u>	323	323		
	143 ACRES TOTAL				

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

DATE: MAR-17-2000

PAGE: A-2

61-072538 (CONT.)

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.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED SEPARATELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT NO. 61-07420 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

RECEIVED

JUL 18 2000

Department of Water Resources

2ND JUL 17 AM 8:50

CLERK OF DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

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

ORDER OF PARTIAL DECREE

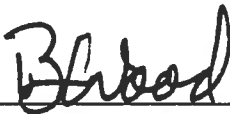
For Water Right 61-07253B

On March 22, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No challenges were filed to the *Special Master's Report and Recommendation* and the time for filing challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 61-07253B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUL 17 2000


BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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 61-07253B

200 JUL 17 AM 8:50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: GROUNDWATER

QUANTITY: 2.32 CFS
556.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 61-07420 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.58 CFS.

PRIORITY DATE: 01/23/1976

POINT OF DIVERSION: T02S R04E S14 SESW Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.32 CFS 556.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

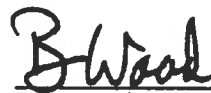
PLACE OF USE:	Irrigation		Within Elmore County
	T02S R04E S14	NESW 35.0	NWSW 35.0
		SWSW 34.0	SESW 35.0
	139.0 Acres Total		

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 JUL 17 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 61-07253B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 61-07253B was mailed
on July 17, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CUNNINGHAM FAMILY LIMITED
Represented by:
JULIE K. FISCHER
PO BOX 247
NAMPA, ID 83651
Phone: 208-466-9272

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

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

RECEIVED
MAY 02 2000
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Paul & Janet B. Allison
901 Eagle Peak Rd. Zillah, WA 98953

4. New Owner/Claimant(s) Edward G. & Jeanette VanGrouw
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 5089 S. Debonair Lane
City, State and ZIP Code Meridian, ID 83642
New Telephone Number () -

5. Date you acquired the property May 1, 2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres actually irrigated _____ Number and type of stock _____

 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Edward G. Van Grouw Date 5/1/2000
Jeanette Van Grouw Date 5/1/2000

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

FOR VALUE RECEIVED

Paul Allison and Janet B. Allison, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Edward G. VanGrouw and Jeanette VanGrouw, husband and wife

GRANTEE(S), whose current address is: 5089 S Debonair Ln Meridian, Id 83642
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

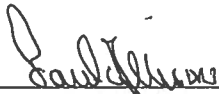
Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

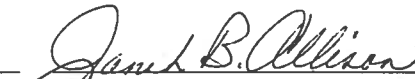
Section 13: SW1/4

TOGETHER with any and all water rights and ditch rights appurtenant
to said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: May 1, 2000


Paul Allison


Janet B. Allison

STATE OF Idaho, County of Elmore, ss.

On this 1st day of May
in the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally known to me,
Paul Allison, Janet B. Allison

known or identified to me to be the person S whose name
are they subscribed to the within instrument, and
acknowledged to the fact that they executed the same.


Signature: Cheryl A. Reymont
Name: Cheryl A. Reymont
(type or print)
Residing at: Mountain Home
My commission expires: 12/27/05