

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-365

RIGHT NUMBER: 84-10826

NAME & ADDRESS: WM G CUMMINGS
PO BOX 1150
OROFINO ID 83544

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/01/1953

POINT OF DIVERSION: T36N R02E S06 SESE Within CLEARWATER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CLEARWATER County
T36N R02E S06 SESE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP36N02E069000

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1106

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: **A84-10826**
Date Received: 6/28/1989
Receipt No: N003125
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WM G. CUMMINGS
Address: PO BOX 1150
OROFINO ID

208-476-7263

83544

2. Date of Priority: NOV 1, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
36N	02E	6		SE	SE		CLEARWATER

5. Description of diverting works:
75'X6" WELL, 1" PIPE, 15 MG STORAGE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOMES, SINGLE OWNERSHIP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
36N	02E	6	SE	SE		DOMEST	

11. Place of use in counties: CLEARWATER

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

13. Other Water Rights Used:
NONE

14. Remarks:
SPRING, WELL AND STORAGE TANK ARE A CONNECTED SYSTEM

15. Basis of Claim: BENEFICIAL USE

DO NOT FILM

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: 39356

Ident. Number 484-10826

Date Received _____

Receipt Number N 3125

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) Wm G. Cummings Phone (208) 476-7263Mailing Address PO BOX 1150 ORFIND IDAHO Zip 835442. Date of Priority (Only one (1) per claim) Nov. 1, 19533. Source of water supply (a) water Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 36 N Range 2-E Section 6,
N 1/2 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ClearwaterAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well & Submersible Pump.Depth of Well is 75 ftSize - 6"Size of pipe 1"15 MG StorageNote this a part of the permit attached here to. Reservoiring
2- Spring in 6' concrete rings 10' deep.

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec 31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 2 Households Both owned by Cummings

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
36 N	7-E	6																	.05

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? Cleburne

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A Spring used Pond for Stockwater or None (X)
Fire Protection

14. Remarks: Spring # well & Storage Tank are a Connected System

Last Name Cummings

Ident No.

A84-10826

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Scale: 2 inches equals 1 mile

SECTION 6 - TWP 36-N - R. 2-E B.M.

1st Quadrant

2nd Quadrant

3rd Quadrant

4th Quadrant

Last Name Cummings

Ident No. A84-10826

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) *M. A. Cummings* Date 6/23/89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Clearwater) SS.

Subscribed and sworn (or affirmed) before me this 23 day of June 19 89

SEAL

Notary Public *Debra J. Smith*

Residing at *Online*

My Commission Expires 10-10-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Cummings Ident. Number A84-10826

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Copies White-State, Yellow-Claimant
APR 23 1993

7/28/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Kim S. C. King CLAIM ENT. NO. A84-10826
DATE RECEIVED 6-28-89 CK # 4153 AMOUNT \$ 75.00
9-29-88 (3 claims)

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ |
| 4. Is the legal description of the p.d. complete? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. Is the consumptive use correct? | ☒ | ☐ |
| If required is a consumptive use entered? | ☒ | ☐ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. | ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" checked? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ |
| 15. Is the basis of the claim checked? | ☒ | ☐ |
| 16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

N/A

Claim checked by: LS

Comments:

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A84-10824
✓ A84-10824
A84-10824

November 2, 1988

William Cummings
P.O. Box 1150
Orofino, ID 83544

RE: Snake River Basin Adjudication Claims

Dear Claimant:

We are returning your 7 claim(s) to water rights within the Snake River Basin Adjudication along with check(s) no.92-1 for the amount of \$150.00.

We have received your claims with out any priority dates.

Please enter the priority dates by month, day, and year. Spell out the month. If the basis of you claim is a **decree, permit, or license** the priority date is the date shown on this document. If the basis of your claim is **beneficial use**, enter the date that the water was first applied to that use. If the exact date is not known, indicate your best estimate of that date since this essential part of the claim to a water right.

If the basis of your claim is a **posted notice**, the priority date is the date of the posting, if the right was diligently developed after the posting notice, and has been used continuously. A copy of this document may be obtained from the county recorders office where is was recorded.

There can only be one priority date per claim. Water rights with different priority dates must be filed on separate claim forms because each is a separate water right.

The Application for Permit system for establishing water rights became mandatory for water uses developed from groundwater after March 25, 1963 (except for single family domestic or stockwater uses that do not exceed 13,000 gallons per day) and uses developed from surface water after May 20, 1971 (except for stock watering directly from surface water). If your use began after March 25, 1963 for groundwater or May 20, 1971 for surfacewater and is not one of the exceptions above and a water right was not perfected under the Permit system an "Application for Permit" form should be filed instead of a claim.

If the system is for domestic use for more than one household, and the houses are not under the single ownership you have the following options: Each owner may file a separate claim for their own water right on Form No. 42-1409 (2)b. Or one water right may be filed that shows all of the uses with the earliest priority date on Form No. 42-1409 (2)a.

If needed you may contact this office for the Application for Permit forms.

Please sign the claim on the space provided on Item 16. The signatures must be

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notarized.

If there is more than one name on the claim form (item 1) and the signatures have an "and" between them, all of the parties must sign the claim. If the names have a "and/or" between them, all of the named parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is an organization, an authorized agent of the organization must sign the claim for the organization.

The total filing fee for your 7 claims is \$ 175.00.

After everything is in order please send the claim(s) back to this office with the proper filing fee within 30 days of the date on this letter to avoid any late charges.

If I can be of further assistance please feel free to contact me at this office.

Thank you,

Allen Beardslee
Sr. Water Resource Agent

Enc. - claims/check

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APR 25 1993

A84-10826

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-476-7263

+ - - - STATUS - - - - +

+ - - - - - - - - TRIBUTARY - - - - - - - - - - - - - +

+ - - AUDIT FIELDS - 09/26/89 TIPPETT 10/03/89 REFUNDML

JAN 17 1995

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

RP 36N02E069000

PROOF
c. 1882

CERTIFIED
JUL 22 1992
WATER EXAMINER

DATA ENTRY
ENTERED 11-27-93
CHECKED 45
3/29/94

☒ "Verified By"
☐ Topo Map/Ortho-PQ
☐ ASCS Map
☐ Watermaster Records
☐ NAPP Photos
☐ Field Exam
☒ Other (See Remarks)
☐ County Records
☐ Witness Statement
☐ Project Records
☐ IDWR Records

VERIFIED
MAY 02 1992