

DEC-16-1998
0350

1

RIGHT NUMBER: 84-10825

NAME AND ADDRESS: WILLIAM G CUMMINGS
PO BOX 1150
OROFINO ID 83544

SOURCE: SPRING TRIBUTARY: OROFINO CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/31/1958

POINT OF DIVERSION: T36N R02E S06 SESE Within CLEARWATER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.02 CFS

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

OTHER MATTERS 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

CA 12-30-98

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: **A84-10825**
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: WILLIAM G CUMMINGS
Address: PO BOX 1150
OROFINO ID

208-476-7379

83544

2. Date of Priority: MAY 31, 1958

3. Source: SPRING

Trib. to: OROFINO CREEK

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:

SPRING BOX CONSTRUCTED WITH 6"X10' CONCRETE RINGS, 2" PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOMES

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

DO NOT FILM

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

13. Other Water Rights Used:
84-10820

14. Remarks:
DEFINE SINGLE OWNERSHIP DURING FIELD EXAM ON PERMIT

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 184-10825

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) 476-7379Mailing Address PO BOX 1150 OROFINO IDAHO Zip 835442. Date of Priority (Only one (1) per claim) May 19583. Source of water supply (a) Spring
which is tributary to (b) Orofino Creek

JUN 28 1989

NORTHERN REGION

4. a. Location of existing point of diversion is: Township 36 N Range 2 E Section 6,N 1/4 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Clearwater.Additional 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.Spring Box constructed with
6" dia concrete rings 10 ft deep 2" pump & pipe to15 m.c. storage tank~~15 m.c. storage tank~~

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Copies: White State, Yellow Claimant

Scale: 2 inches equals 1 mile

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

[illegible]

Last Name Cummings

Ident No. A84-10825

APR 25 1993
Copies: White-State, Yellow-Claimant

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APR 25 1993

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) _____

Date _____

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 _____

Title

of _____

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 _____)

SS.

Subscribed and sworn (or affirmed) before me this _____

23

day of _____

19 89

SEAL

Notary Public _____

Residing at _____

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 _____

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APR 25 1993

Last Name _____

Ident. Number

A84-10825

Copies White-State, Yellow-Claimant

7/28/1988

SRDA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Tom G. Cu mingo CLAIM ENT. NO. A84-10825
 DATE RECEIVED 9-29-88 CK # 4153 AMOUNT \$ 75.00
(3 claims)

YES NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
 2. Is priority date entered? ☒ YES ☐ NO

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? ☒ YES ☐ NO
 (b) Is a tributary to entered? (if required) ☒ YES ☐ NO
 4. Is the legal description of the p.d. complete? ☒ YES ☐ NO
 5. Is there a description of the diverting works? ☒ YES ☐ NO
 6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. used long form ☒ YES ☐ NO
 Is the period of use included? ☒ YES ☐ NO
 Is a quantity claimed for each use? ☒ YES ☐ NO
 7. Is a total quantity claimed entered? ☒ YES ☐ NO
 8. Is the consumptive use correct? ☒ YES ☐ NO
 If required is a consumptive use entered? ☒ YES ☐ NO
 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. ☒ YES ☐ NO
 10. Is (are) the place(s) of use entered? ☒ YES ☐ NO
 11. Is (are) the county(ies) entered? ☒ YES ☐ NO
 12. Is the ownership of p.u. checked? ☒ YES ☐ NO
 13. Are other water rights listed or "none" checked? ☒ YES ☐ NO
 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.) ☒ YES ☐ NO
 15. Is the basis of the claim checked? ☒ YES ☐ NO
 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?) ☒ YES ☐ NO
 Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
 Is the fee enclosed correct? ☒ YES ☐ NO
 If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO
 Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: SG

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APR 25 1993

Comments:

A84-10829

A84-10825

✓A84-10826

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 filled 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

OLD (O) NUMBER -

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

PHONE - 208-476-7379

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +
DROFINO CREEK

JAN 17 1995

PREFIX TRANSLATION: ADJUDICATION CLAIM

+-----COMMENTS-----
NO COMMENTS FOUND

[illegible]

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 06/28/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- N003125	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 36 N 02 E 06 9000

PROOF
MAR 09 1992

CERTIFIED
JUL 22 1992
WATER EXAMINER

DATA ENTRY

ENTERED 11-27-93

CHECKED

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