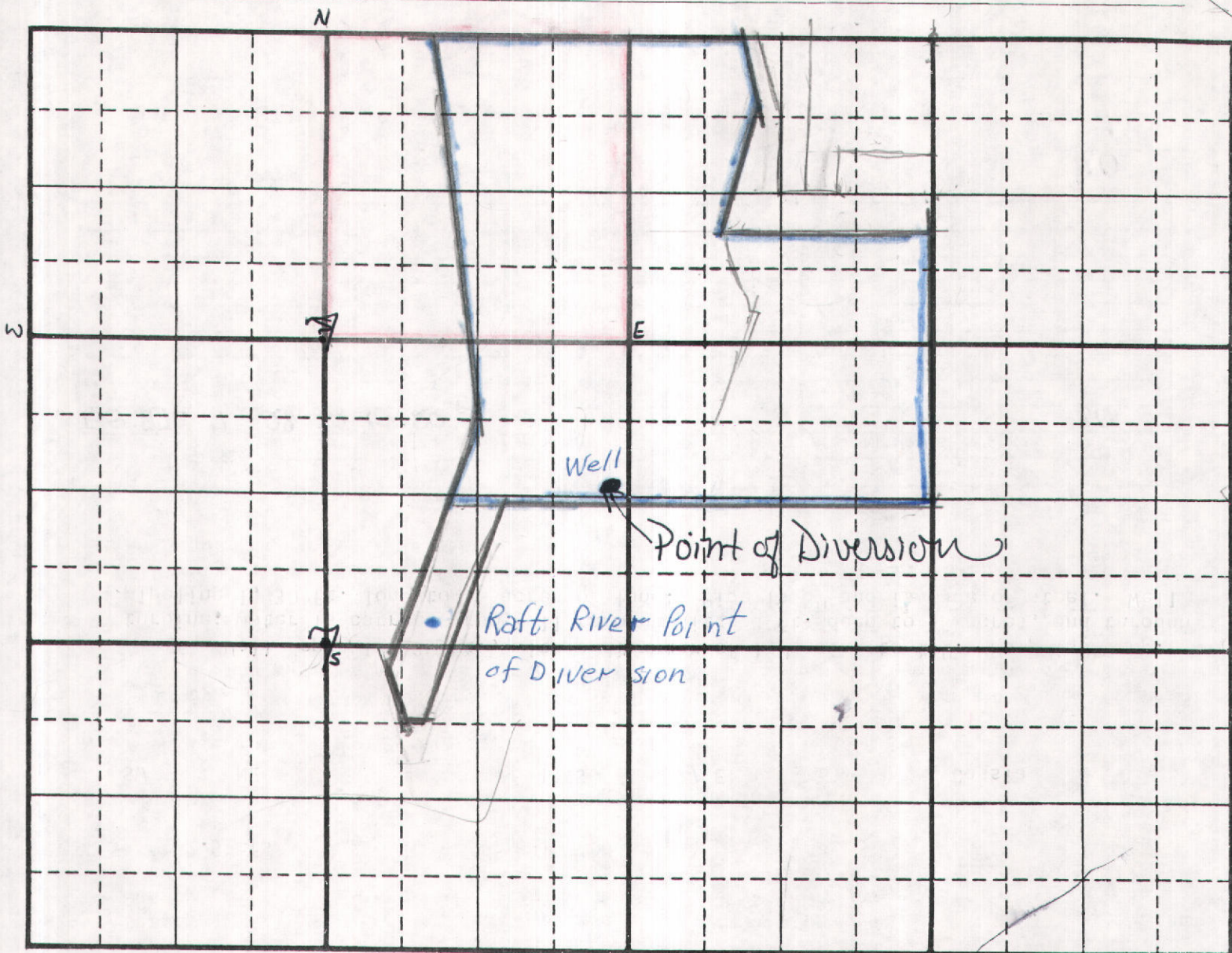


MICROFILMED

(8) Remarks This well is fairly shallow, and the water level drops as the irrigation season progresses. The water from the surface claim made together with this claim supplement each other during the irrigation season, and the water from both sources is used on the same land.



Scale: 2 inches equal 1 mile.

See attached Warranty Deed and Detailed Map

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Cassia) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Gen R Kuman
(Claimant)

Sworn to before me this 24th day of June, 19 83.

Judith C. Maier
Notary Public
Residing at Burley, Idaho

My commission expires July 2, 1986

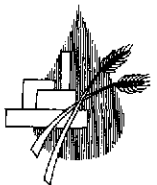
FOR DEPARTMENT USE ONLY

Received by <u>LH</u>	Date <u>6/29/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LH</u>	Date <u>7/9/84</u>		claimant by:	
\$30.00 fee received by <u>LH</u>	Date <u>6/29/83 #29080</u>			
Published in <u>South Idaho Press</u>				
Dates <u>7/19 + 7/26/84</u>				

Wake-well

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



JUN 29 1983

CLAIM TO A WATER RIGHT

Department of Water Resources

Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that GLEN R. KUNAU
1941 Miller Ave. Burley, Idaho 83318 (Name of Claimant) Telephone No. 678-5310
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 15, 1959

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity		Use		(Mo., Day)	(Mo., Day)
<u>2.5 cfs</u>		<u>Irrigation</u>		<u>Mar. 1</u>	<u>To Nov. 15</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 2.5 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 7 Twp. 13 S Rge. 27 E B.M., County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well depth is 225 ft., with a diameter of 18" going to 14". Pump is 20 hp. turbine; water is carried from well through ditch 4 ft. deep to 55 acres, and through pipeline 1,430 ft. long to 25 acres of land. Pipe is 8" and is made of steel.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13S</u>	<u>27E</u>	<u>7</u>	<u>28</u>	<u>22</u>	<u>10</u>	<u>20</u>													<u>80</u>

No. of acres 80

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

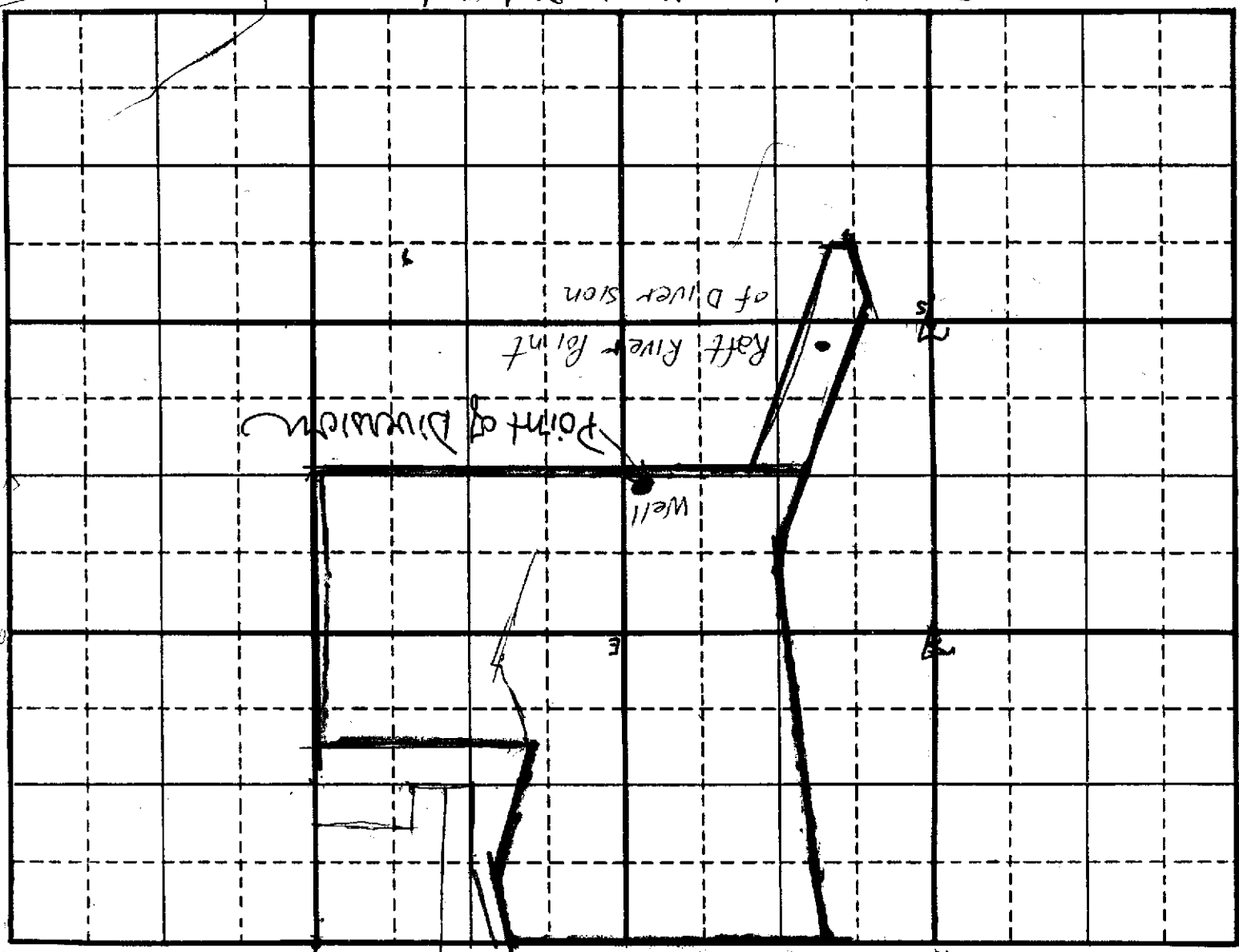
NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

1983 JUN 29

RECORDED

(8) Remarks This well is fairly shallow, and the water level drops as the irrigation season progresses. The water from the surface claim made together with this claim supplement each other during the irrigation season, and the water from both sources is used on the same land.



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
County of Cassia
ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 24th day of June, 1983.
(Claimant)
Ben F. Hume

Notary Public
Residing at Burley, Idaho
Judith C. Moore

My commission expires July 2, 1986

FOR DEPARTMENT USE ONLY

Received by *JH*
Prelim. check by *JH*
Date *4/24/83*
Exception filed by: _____
Date *7/9/84*
Date *6/24/83* # *29080*
Forwarded to _____
Date _____
Published in _____
Dates *7/19 & 7/26/84*

RECEIVED

JUN 29 1983

Department of Water Resources
Southern District Office

WARRANTY DEED

THIS INDENTURE, Made this 21st day of January in the year of our Lord one thousand nine hundred and sixty, between JAY E. WAKE and THORA G. WAKE, husband and wife, of Burley, Cassia County, Idaho, parties of the first part, and GLEN R. KUNAU, whose wife is Dona Kunau, and LEX H. KUNAU, whose wife is Celia Kunau, as tenants in common, all of Burley, County of Cassia, State of Idaho, parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the conveyance to them of certain real estate by the parties of the second part, and of the payment to them from the parties of the second part of the sum of One Thousand Eight Hundred Fifty Dollars (\$1,850.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate situated in the County of Cassia, State of Idaho, and particularly described as follows, to-wit:

Tract No. 1:

Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Six (6), Township Thirteen (13) South, Range twenty-seven (27) East, Boise Meridian.

Tract No. 2:

Commencing at the Northeast corner of Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, running thence South 3926.4 feet to the Southeast corner of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Seven (7), thence South 89° 7' West along the South line of said Government Subdivision 2,000 feet, thence North 15° 47' West 1286.8 feet, thence North 17° 20' East 1174.5 feet, thence North 6° 40' West 1585 feet, thence North 89° 23' East 2184 feet to the place of beginning, excepting and excluding therefrom

the following specified tracts, to-wit:

1. Commencing at the Northeast corner of said Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, running South on the East line of said Section 466.67 feet, thence South $89^{\circ} 23'$ West 520 feet, thence North 466.67 feet, thence North $89^{\circ} 23'$ East 520 feet to the place of beginning.
2. Beginning at a point on the East boundary line of said Section Seven (7), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, 1963.2 feet South of the Northeast corner thereof, running thence West parallel with the North boundary line of said Section 1912 feet, thence in a generally southerly direction parallel with the West boundary line of the land in said section, township and range heretofore conveyed by Wells Hadfield and Sylvia A. Hadfield, his wife, to the parties of the first part, a distance of 1018 feet, thence West 30 feet to the West boundaryline of the said tract conveyed by the said Hadfields, thence South along the West boundary line of the said Hadfield land to the South boundary line of the Northwest quarter of the Southeast quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of said Section Seven (7), thence East along the South boundary line of the North half of the Southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$) of said Section Seven (7) to the East boundary line of said section, thence North along the East boundary line of said Section 1963.2 feet to the place of beginning.

TOGETHER With all improvements upon the premises hereby conveyed and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest of the said parties of the first part therein, including without limitation thereto the following appurtenances to-wit: (1) The right to the use of two (2) second feet of the waters of Raft River with date of priority of April 1, 1894; (2) The irrigation well located upon the premises hereby conveyed, together with the right to the water pumped therefrom for irrigation of said premises, the irrigation pump and electric motor for the operation thereof, as well as all other apparatus and equipment of every kind or nature used in connection with

the said well, pump and motor and all right of the parties of the first part in and to capital credits with the Raft River Rural Electric Cooperative, Inc., in connection with the sale by said company of electric energy for use in consumption upon the said premises; (3) All grazing privileges owned or held by the parties of the first part for the grazing of livestock on the public domain of the United States of America under the supervision and management of the Bureau of Land Management as well as all grazing privileges so owned or held for the grazing of livestock upon the National Forest of the United States under the supervision and control of the United States Forest Service.

This deed is made subject to the following: (1) All taxes, levies and assessments taxed, levied or assessed against the said premises for the year 1960 and all subsequent years. (2) That certain mortgage, dated the 26th day of May, 1955, between the parties of the first part herein as Mortgagors and Kales E. Lowe, Executor of the Estate of S. T. Lowe, deceased, as Mortgagee, given to secure the payment of the principal sum of \$6,000.00, filed for record and recorded in the office of the County Recorder of Cassia County, Idaho, on the 3rd day of June, 1955, in Book 43 of Mortgage Records at pages 384-386. The parties of the first part certify and declare that they have paid all of the interest accruing upon the indebtedness secured by such mortgage from the date thereof until the 15th day of December, 1959, and that there is, at the date of this deed, unpaid upon the principal amount of the said mortgage debt the sum of \$2,500.00 principal, together with interest thereon from the 15th day of December, 1959, until paid, at the rate of seven per cent (7%) per annum. The parties of the second part hereto by the acceptance of this deed do undertake, assume and agree to pay the principal and interest remaining unpaid and secured by said mortgage as herein specified.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

UNRECORDED

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Jay E. Wake (SEAL)
Jay E. Wake

Thora G. Wake (SEAL)
Thora G. Wake

STATE OF IDAHO)
) ss.
County of Cassia)

On this 20th day of January, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared Jay E. Wake and Thora G. Wake, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Wm. A. Brown
Notary Public for Idaho,
residing at Burley, Idaho.

NOTARY PUBLIC
IDAHO

206024 COMBAT

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CASSIA COUNTY, ALABAMA

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62 Deeds

pages 341-42

343

Hyder Ali Deputy

CASSIA COUNTY ABSTRACT CO.

and attached by me

Sub 25 day of May 1920

John C. Campbell

Deputy

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Patty Staker being first

duly sworn, deposes and says that he is the

Ex. Secretary of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue dated July 19th 19.84., and ending with the issue dated July 26th 19.84..

Patty Staker
Subscribed and sworn to before me this 16th day of August 19.84.

Cost of Publication \$60.72
Notary Fee
Total Cost \$60.72

Notary Public
MAKING SET 1984
may
Department of Water Resources
Southern District Office

84-154

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4209

KUNAU, GLEN R.
1941 MILLER AVE., BURLEY, IDAHO 83318
Source: GROUNDWATER
Priority Date: 08/07/1940
Diversion Pt: SWNW Sec 19 T 13S R 27E
Use: IRRIGATION (3.50 CFS)
In: NWNE SWNE NENW NWNW SWNW SENW Sec 19 T 13S R 27E SENE Sec 24 T 13S R 26E FOR 236 ACRES

43-4210

KUNAU, GLEN R.
1941 MILLER AVE., BURLEY, ID 83318
Source: RAFT RIVER trib. to SNAKE RIVER
Priority Date: 04/01/1970
Diversion Pt: SWNW Sec 19 T 13S R 27E
Use: IRRIGATION (2.00 CFS)
In: NWNE SWNE NENW NWNW SWNW SENW Sec 19 T 13S R 27E SENE SESW SWSE Sec 24 T 13S R 24E NWNE NENW Sec 25 T 13S R 26E FOR 342 ACRES

43-4211

KUNAU, GLEN R.
1941 MILLER, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 08/07/1940
Diversion Pt: NWNW Sec 19 T 13S R 27E
Use: IRRIGATION (1.40 CFS)
In: NENE SENE Sec 24 T 13S R 26E FOR 67 ACRES

43-4212

KUNAU, GLEN R.
1941 MILLER AVE., BURLEY, ID 83318
Source: RAFT RIVER trib. to SNAKE RIVER
Priority Date: 04/01/1894
Diversion Pt: SWNE Sec 07 T 13S R 27E
Use: IRRIGATION (2.00 CFS)
In: NENE NWNE SWNE SENE Sec 07 T 13S R 27E FOR 82 ACRES

43-4213

KUNAU, GLEN R.
1941 MILLER AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/15/1959
Diversion Pt: SWNE Sec 07 T 13S R 27E
Use: IRRIGATION (2.50 CFS)
In: NENE NWNE SWNE SENE Sec 07 T 13S R 27E FOR 80 ACRES

43-4214

KERR, JR., JAMES G.
P.O. BOX 26773, SALT LAKE CITY, UT 84126
Source: RAFT RIVER trib. to SNAKE RIVER
Priority Date: 01/01/1909
Diversion Pt: SESE Sec 30 T 14S R 27E
Use: IRRIGATION (1.16 CFS) STOCKWATER (0.02 CFS)
In: SESW SWSE Sec 29 T 14S R 27E FOR 58 ACRES
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN Director

Published in the South Idaho Press on July 19 and 26, 1984.

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 29 1984

GLEN R. KUNAU
1941 MILLER AVE.
BURLEY

ID 83318

RE: Claim No. 43-4213

Dear Claimant:

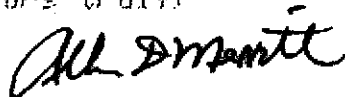
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4213-

KUNAU, GLEN R.

1941 MILLER AVE., BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 04/15/1959

Diversion Pt: SWNE Sec 07 T 13S R 27E.

Use: IRRIGATION (2.50 CFS)

In: NENE NWNE SWNE SENE Sec 07 T 13S R 27E FOR 80 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

R. KENNETH DUNN

Director

Published 7/19 & 7/26/84.

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 12, 1984

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before AUGUST 6, 1984.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: gdc

Right Number 43-4213 Applicant Allen R. Homan

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use. NWSE
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By ADm Date 8/20/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/29/84

RECEIVED
AUG 29 1984
Department of Water Resources