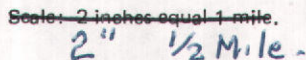


MICROFILMED



State of Idaho)
) ss.
County of Cassia)

Glen R Kuman
(Claimant)

Judith C. Maier
Notary Public
Residing at Burley, Idaho

FOR DEPARTMENT USE ONLY

Received by LH Date 6/29/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LH Date 7/9/84 claimant by: _____
\$30.00 fee received by LH Date 6/29/83 #29080
Published in South side press _____
Dates 7/9 + 7/26/84 _____

Exhibit A

RECEIVED

JUN 29 1983

PARCEL NO. 1: Township 13 South, Range 29, East of the Boise Meridian
Section 31: $E\frac{1}{2}SE\frac{1}{4}$ and the $SE\frac{1}{4}NE\frac{1}{4}$
Section 32: $SW\frac{1}{4}$
Department of Water Resources
Southern District Office

Township 14 South, Range 29, East of the Boise Meridian
Section 4: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$ and the $SW\frac{1}{4}SE\frac{1}{4}$
Section 5: $W\frac{1}{2}$ of Lot 3, Lot 4, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ and the $SW\frac{1}{4}NW\frac{1}{4}$
Section 6: $W\frac{1}{2}$, $NE\frac{1}{4}$ and the $SW\frac{1}{4}SE\frac{1}{4}$
Section 7: $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$ and the $NW\frac{1}{4}NE\frac{1}{4}$

PARCEL NO. 2: Township 14 South, Range 29, East of the Boise Meridian
Section 5: Lot 1

PARCEL NO. 3: Township 13 South, Range 27, East of the Boise Meridian
Section 18: Lot 4 and the $SE\frac{1}{4}SW\frac{1}{4}$
Section 19: Lots 1 and 2, $NE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}$

Township 13 South, Range 26, East of the Boise Meridian
Section 24: $E\frac{1}{2}NE\frac{1}{4}$ EXCEPT that part deeded to the Raft River Rural Electric Cooperative, Inc., a corporation, described as follows, to-wit: Commencing at the NE cor. of the $NE\frac{1}{4}NE\frac{1}{4}$, running thence 100 feet South along the E. boundary line of the said $NE\frac{1}{4}NE\frac{1}{4}$ thence West 100 feet, thence North 100 feet to the N. boundary line thereof, thence East along said North boundary line to the point of beginning. TOGETHER with an easement for a roadway 20 feet wide, being 10 feet on the center line thereof extending over and across the said $NE\frac{1}{4}NE\frac{1}{4}$ of the said Sec. 24, from the real estate hereinabove described to the existing roadway upon the said premises, together with the right of ingress and egress to the premises first above described over the existing roadway and the right of way hereby conveyed.

Township 13 South, Range 29, East of the Boise Meridian
Section 27: $SW\frac{1}{4}SW\frac{1}{4}$
Section 28: $W\frac{1}{2}SW\frac{1}{4}$ and the $SE\frac{1}{4}$

PARCEL NO. 4:
Township 13 South, Range 29, East of the Boise Meridian
Section 19: $S\frac{1}{2}NW\frac{1}{4}$ and the $SW\frac{1}{4}NE\frac{1}{4}$
Section 28: $NW\frac{1}{4}$ and the $E\frac{1}{2}SW\frac{1}{4}$
Section 32: $E\frac{1}{2}$
Section 33: $W\frac{1}{2}$, $SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$ and the $SE\frac{1}{4}NE\frac{1}{4}$

PARCEL NO. 5:
Township 13 South, Range 29, East of the Boise Meridian
Section 33: $NE\frac{1}{4}NE\frac{1}{4}$

MICROFILMED

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

(Name of Claimant)

1941 Miller Ave. Burley, Idaho

83318

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) August 7, 1940

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)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>3.5 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Mar. 1</u>	To <u>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) 3.5 cfs TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NW 1/4, Sec. 19 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 was dug in 1940; 40' deep, with 36" concrete perforated well casings. Well was deepened in 1955 to 400' deep, with 20" casing going down to 8" casing. 100 HP pressure turbine pump w/pivot of sprinklers and hand lines

(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.

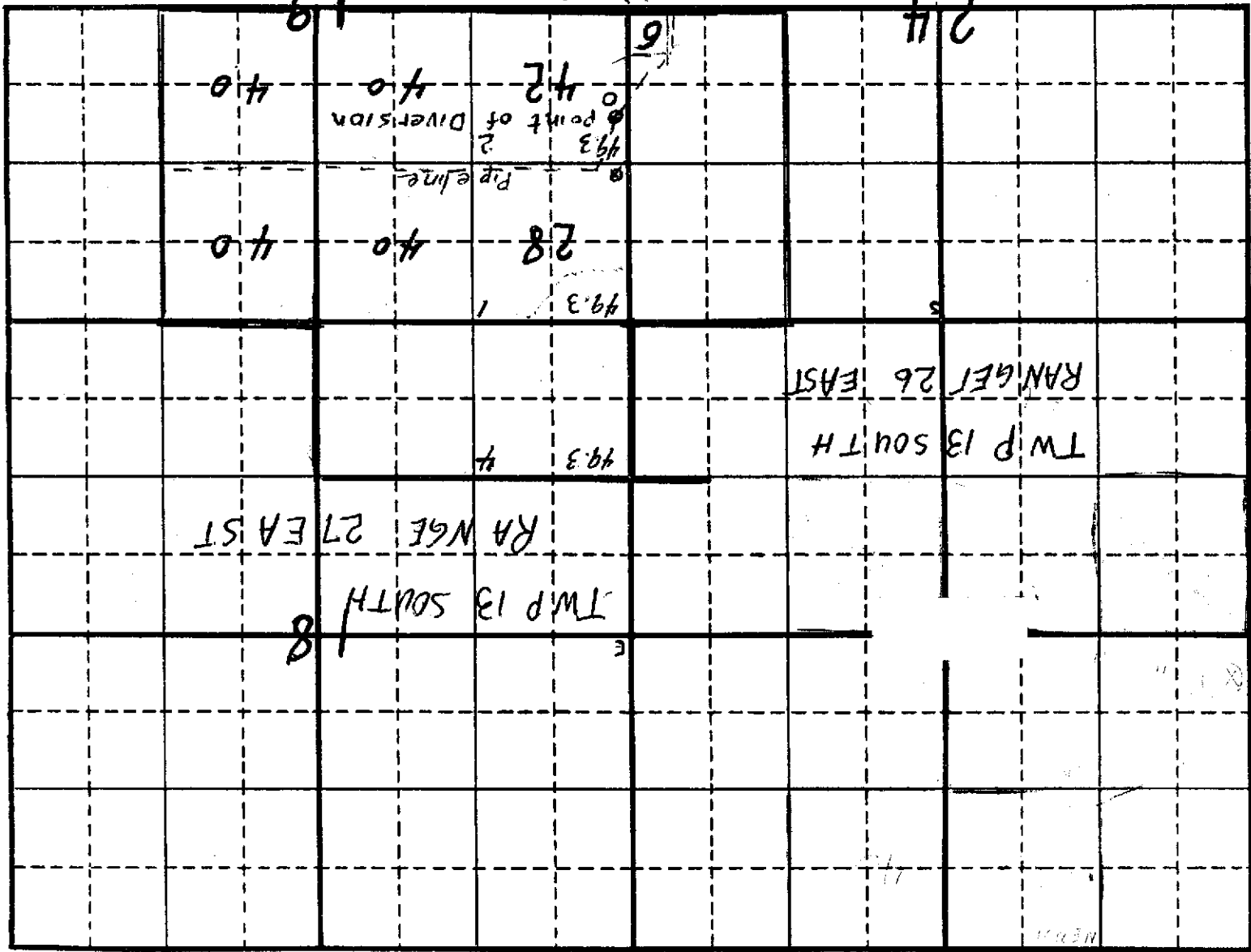
T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>13S</u>	<u>27E</u>	<u>19</u>		<u>40</u>	<u>40</u>		<u>40</u>	<u>28</u>	<u>42</u>	<u>40</u>									<u>230</u>
<u>13S</u>	<u>26E</u>	<u>24</u>				<u>6</u>													<u>6</u>

No. of acres 236

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

NOTE: Include here the type and number of stock watered: N/A

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



Scale: 2 inches equal 1 mile.
2" 1/2 mile.

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) *Allen J. Kumar*

Judith C. Moore
Notary Public
Residing at Burley, Idaho

My commission expires July 2, 1986

FOR DEPARTMENT USE ONLY

Received by *TL* Date *6/22/83* Exception filed by: _____
Prelim. check by *TL* Date *7/9/84* Forwarded to _____
\$30.00 fee received by *TL* Date *6/22/83* #29080
Published in *South Idaho News* _____
Dates *7/19 + 7/26/84*

RECEIVED

JUN 29 1983

Department of Water Resources
Southern District Office

A F F I D A V I T

STATE OF IDAHO)
 : ss.
County of Cassia)

SHIRLEY HITT, being first duly sworn, upon oath, deposes and says
as follows:

1. That he is the nephew of Jon C. Hitt;
2. That Jon C. Hitt was the owner of the real property more fully described in Exhibit A, attached hereto and incorporated by reference herein as though fully set forth at this point, which said real property is the location of the wells referred to in the Claims to Water Rights attached hereto;
3. That affiant was familiar with said real property, and has personal knowledge concerning the time when the said wells mentioned in the Claims attached hereto were dug; and that said wells were dug during the summer and fall months of 1940;
4. That affiant observed his uncle, Jon C. Hitt, making use of the water from said wells for the purposes of irrigation; and
5. That affiant has had personal knowledge of the said real property even after said property was sold, and that he knows, of his own personal knowledge that water from the wells described in the Claims attached hereto has been used consistently for purposes of irrigation of crop land since the fall of 1940.

Further, affiant sayeth not.


Shirley Hitt

WILSON 11-1-83

SUBSCRIBED AND SWORN to before me this 24th day of June,
1983.

Judith C. Maier
NOTARY PUBLIC in and for the
State of Idaho, residing at
Burley, Idaho.

RECEIVED

RECEIVED

JUN 29 1983

Department of Water Resources
Southern District Office

A F F I D A V I T

STATE OF IDAHO)
 : ss.
County of Cassia)

WAYNE NEWCOMB, being first duly sworn, upon oath, deposes and says as follows:

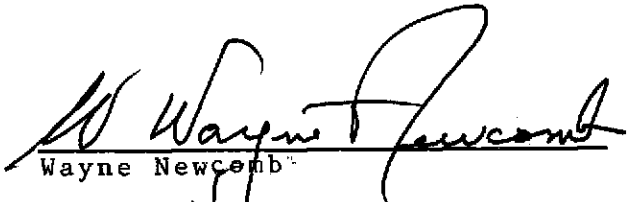
1. That he is a resident of Cassia County, and has personal knowledge of the real property more fully described in Exhibit A, attached hereto and incorporated by reference herein as though fully set forth at this point.

2. That affiant farmed said real property during the 1950's, and grew potatoes on said real property.

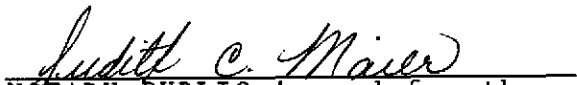
3. That affiant used the wells more fully described in the Claims of Water Rights for purposes of irrigating his crops; and that the wells described in said Claims are the same wells used by affiant for the irrigation of his crops during the 1950's.

4. That affiant used said water consistently during the 1950's for the purpose of crop irrigation.

Further, affiant sayeth not.


Wayne Newcomb

SUBSCRIBED AND SWORN to before me this 24th day of June, 1983.


NOTARY PUBLIC in and for the
State of Idaho, residing at
Burley, Idaho.

7-11-83

Exhibit A

RECEIVED

JUN 20 1907

Department of Water Resources
Southern District Office

PARCEL NO. 1: Township 13 South, Range 29, East of the Boise Meridian
Section 31: $E\frac{1}{2}SE\frac{1}{4}$ and the $SE\frac{1}{4}NE\frac{1}{4}$
Section 32: $SW\frac{1}{4}$

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Section 4: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$ and the $SW\frac{1}{4}SE\frac{1}{4}$
Section 5: $W\frac{1}{2}$ of Lot 3, Lot 4, $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ and the $SW\frac{1}{4}NW\frac{1}{4}$
Section 6: $W\frac{1}{2}$, $NE\frac{1}{4}$ and the $SW\frac{1}{4}SE\frac{1}{4}$
Section 7: $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$ and the $NW\frac{1}{4}NE\frac{1}{4}$

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Section 5: Lot 1

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Section 18: Lot 4 and the $SE\frac{1}{4}SW\frac{1}{4}$
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Township 13 South, Range 26, East of the Boise Meridian
Section 24: $E\frac{1}{2}NE\frac{1}{4}$ EXCEPT that part deeded to the Raft River Rural Electric Cooperative, Inc., a corporation, described as follows, to-wit: Commencing at the NE cor. of the $NE\frac{1}{4}NE\frac{1}{4}$, running thence 100 feet South along the E. boundary line of the said $NE\frac{1}{4}NE\frac{1}{4}$ thence West 100 feet, thence North 100 feet to the N. boundary line thereof, thence East along said North boundary line to the point of beginning. TOGETHER with an easement for a roadway 20 feet wide, being 10 feet on the center line thereof extending over and across the said $NE\frac{1}{4}NE\frac{1}{4}$ of the said Sec. 24, from the real estate hereinabove described to the existing roadway upon the said premises, together with the right of ingress and egress to the premises first above described over the existing roadway and the right of way hereby conveyed.

Township 13 South, Range 29, East of the Boise Meridian
Section 27: $SW\frac{1}{4}SW\frac{1}{4}$
Section 28: $W\frac{1}{2}SW\frac{1}{4}$ and the $SE\frac{1}{4}$

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Township 13 South, Range 29, East of the Boise Meridian
Section 19: $S\frac{1}{2}NW\frac{1}{4}$ and the $SW\frac{1}{4}NE\frac{1}{4}$
Section 28: $NW\frac{1}{4}$ and the $E\frac{1}{2}SW\frac{1}{4}$
Section 32: $E\frac{1}{2}$
Section 33: $W\frac{1}{2}$, $SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$ and the $SE\frac{1}{4}NE\frac{1}{4}$

PARCEL NO. 5:
Township 13 South, Range 29, East of the Boise Meridian
Section 33: $NE\frac{1}{4}NE\frac{1}{4}$

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 1984, and ending with the issue dated July 26th 1984.

Subscribed and sworn to before me this 16th day of August 1984.

Cost of Publication \$60.72

Notary Fee

Total Cost \$60.72

Notary Public

Department of Water Resources
Southern District Office

84-154

NOTICE OF CLAIM 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 30 1984

GLEN R. KUNAU
1941 MILLER AVE.
BURLEY

ID 83318

RE: Claim No. 43-4209

Dear Claimant:

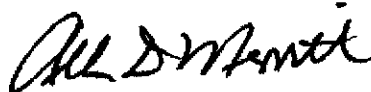
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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:

43-4209.

KUNAU, GLEN R.

1941 MILLER AVE., BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 08/07/1940

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In: NWNE SWNE NENW NWNW SWNW SENW Sec 19 T 13S R 27E SENE Sec 24 T 13S R 26E
FOR 236 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.

43-4209

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 billing 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 43-4209 Applicant Glen R. Flanagan

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.
- ☒ 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

UNRECORDED