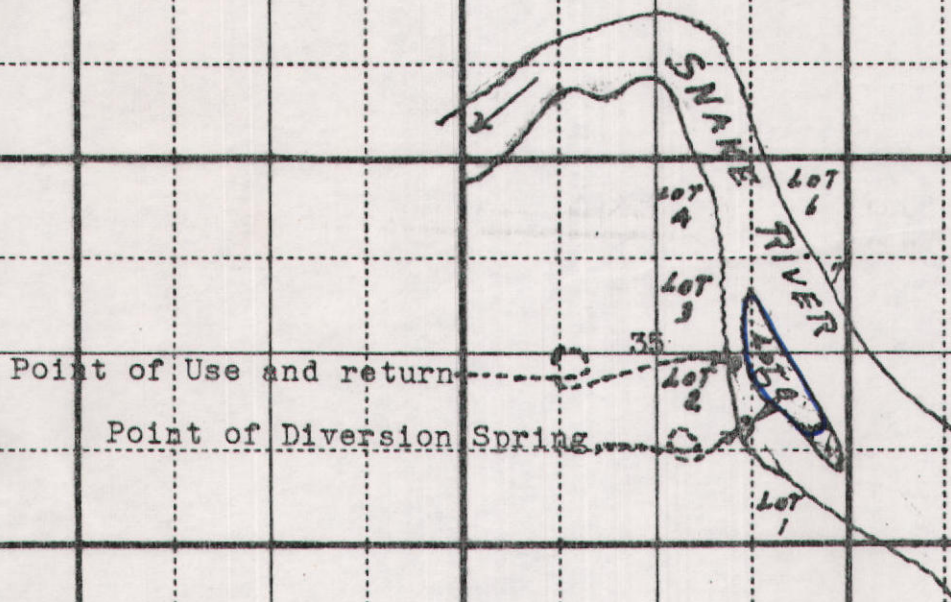


Twp. 5.S. R.9.E.



MICROFILMED

**NOTICE OF CLAIM
TO WATER RIGHT**

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

51-4035 ✓ *KS*

CUNNINGHAM, ROBERT C. &/or
ELAINE I.

P.O. BOX 237, HAGERMAN, ID
83332

Source: SPRING tributary to
SNAKE RIVER

Priority Date: 01/01/1951

Amount: 0.24 CFS

Diversion Point: LOT 02 (NWSE)
Sec 35 T 05S R 09E, ELMORE Co.

Use: IRRIGATION (0.20 CFS) from
03/15 to 11/15; STOCKWATER (0.02
CFS) from 01/01 to 12/31; DOMESTIC
(0.02 CFS) from 01/01 to 12/31

Place of Use: LOT 08 (SWNE) LOT
08 (SENE) LOT 08 (NESE) Sec 35 T 05S
R 09E FOR 10 ACRES

Diversion Means: HEADBOX,
PIPELINE & GRAVITY IRR.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709 on or before March 1,
1982.

A. KENNETH DUNN

Director

Published 2/11 & 2/18/82.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Lloyd S. Waters*..... do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

...*2*... consecutive weeks, the first publica-
tion having been made on the ...*11*... day
of ...*Feb*..., 19*82*, and
the last publication having been made on the
...*18*... day of ...*Feb*...
19...*82*...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this *18th*...

day of *February*..., 19*82*

Allen W. Swenson
Notary Public

RECEIVED
FEB 22 1982

Department of Water Resources
Western Regional Office

MICROFILMED

**NOTICE OF CLAIM
TO WATER RIGHT**

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

51-4035

CUNNINGHAM, ROBERT C. &/or
ELAINE I.

P.O. BOX 237, HAGERMAN, ID
83332

Source: SPRING tributary to
SNAKE RIVER

Priority Date: 01/01/1951

Amount: 0.24 CFS

Diversion Point: LOT 02 (NWSE)
Sec 35 T 05S R 09E, ELMORE Co.

Use: IRRIGATION (0.20 CFS) from
03/15 to 11/15; STOCKWATER (0.02
CFS) from 01/01 to 12/31; DOMESTIC
(0.02 CFS) from 01/01 to 12/31

Place of Use: LOT 08 (SWNE) LOT
08 (SENE) LOT 08 (NESE) Sec 35 T 05S
R 09E FOR 10 ACRES

Diversion Means: HEADBOX,
PIPELINE & GRAVITY IRR.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

A. KENNETH DUNN
Director

Published March 11 & 18, 1982.

MAR 22 1982

Department of Water Resources
Western Regional Office

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 11 day
of March, 1982, and
the last publication having been made on the
18 day of March,
1982; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 18th

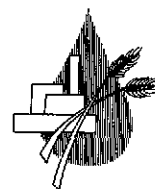
day of March, 1982

Dean W. Swenson
Notary Public

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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 Robert C. &/or Elaine I. Cunningham
(Name of Claimant)

Box 237, Hagerman, ID 83332
(Mailing Address)

Telephone No. 837-4952
(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) 1951

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)

Unnamed Spring tributary to Snake River

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>0.20 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity <u>0.02 cfs</u>	Use <u>livestock</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.24 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

Lot 2 (NW 1/4 SE 1/4, Sec. 35 Twp. 5S Rge 9E B.M., County of Elmore
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. Headbox & pipeline (6" steel line from spring, under Snake R. to island), concrete pipe w/risers for gravity irrigation. Stock drank from risers. Bucket system for domestic use was replaced by cistern & pump in 1981.

(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	
5S	9E	35			S1	S2									7SD				10
					Lt8	Lt8									Lt8				
										S= Livestock Use									
										D= Domestic Use									

No. of acres 10

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

Include here the type and number of stock watered 10-15 sheep or 8-10 cattle

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

[illegible]

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.

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.

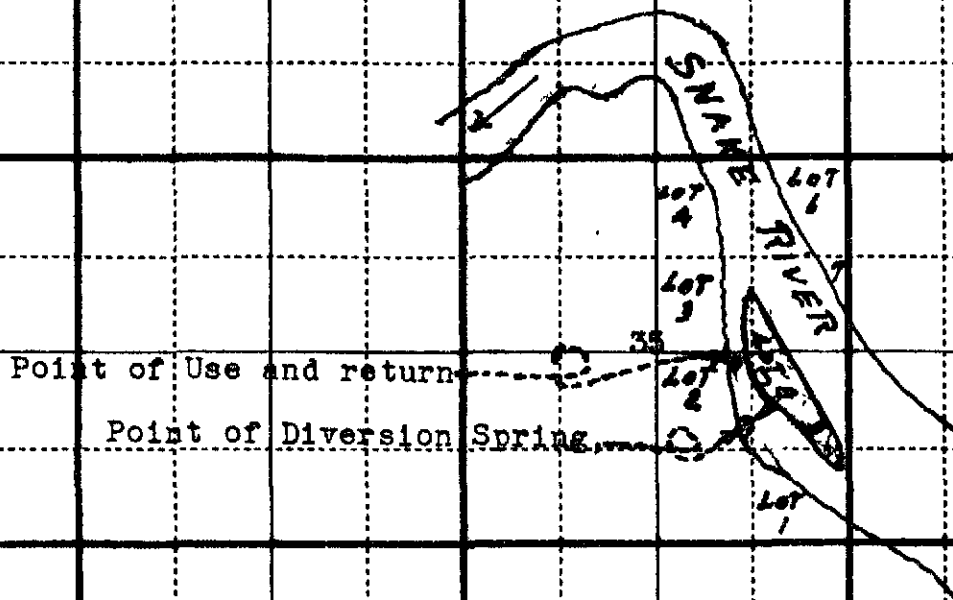
Sworn to before me this 5th day of January, 19 82

Commission expires Life

Received by JF Stanton Date 1-5-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JG Date 1-20-82 claimant by: _____
\$20.00 fee received by people Date 1-5-82 # 20745
Published in Rocky Home News _____
Dates 2/11 & 2/18/82 _____

RECEIVED

Twp. 5.S. R.9.E.



MICROFILMED

**NOTICE OF CLAIM
TO WATER RIGHT**

Notice is hereby given that the following claim to water right has been established by diversion and application to beneficial use:
51-4035 ✓

CHANNINGHAM, ROBERT C. & or
MAINE L.
P.O. BOX 237, HAGERMAN, ID
83302
Source: SPRING tributary to
SHARPE CREEK
Priority Date: 01/01/1951
Amount: 0.24 CFS
Diversion Point: LOT 02 (NWSE)
Sec 35 T45S R09E ELMORE Co.
Use: IRRIGATION (0.20 CFS) from
HOME to 171/2 STOCK WATER (0.02
CFS) from 01/01 to 12/31; DOMESTIC
0.02 CFS from 01/01 to 12/31
Place of Use: LOT 03 (SWNE) LOT
08 (NWSE) LOT 09 (NESE) Sec 35 T05S
R09E FOR 10 ACRES
Diversion Means: HEADBOX,
PRESSURE & GRAVITY IRR.
Application to any claim of water
right made in accordance with the Director of
the Idaho Department of Water
Resources, U. S. Dist. Court, Boise,
Idaho 83702 March 1,
1982.
Published

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters..... do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

...2... consecutive weeks, the first publica-
tion having been made on the ...11... day
of ...Feb..., 1982, and
the last publication having been made on the
...18... day of ...Feb...
19...82...; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 18th...
day of ...February..., 1982

Allen W. Swenson
Notary Public

RECEIVED

FEB 22 1982

Department of Water Resources
Western Regional Office

MICROFILMED

**NOTICE OF CLAIM
TO WATER RIGHT**

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

SI-4035

CUNNINGHAM, ROBERT C. & for
ELAINES
P.O. BOX 237, HAGERMAN, ID
83832

Source: SPRING tributary to
SNAKE RIVER

Priority Date: 01/01/1961

Amount: 0.24 CFS

Diversion Point: LOT 02 (NWSE)

Sec. 35 T 06S R 09E, ELMORE Co.

Use: IRRIGATION (0.20 CFS) from
03/15 to 11/15; STOCKWATER (0.02
CFS) from 01/01 to 12/31; DOMESTIC
(0.02 CFS) from 01/01 to 12/31

Place of Use: LOT 06 (SWNE) LOT
06 (SENE) LOT 06 (NENE) Sec. 35 T 06S
R 09E FOR 10 ACRES

Diversion Means: HEADBOX,
PIPELINE & GRAVITY IRR.

Any objection to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

A. KENNETH DUNN

Director

Published March 11 & 12, 1982

MAR 22 1982

Department of Water Resources
Western Regional Office

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do
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a weekly newspaper of general circulation,
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IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

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of ... March ... , 1982, and
the last publication having been made on the
... 18 ... day of March ...
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during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this ... 18th ...
day of ... March ... , 1982

Robert W. Swenson
Notary Public

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. J. J.

Right Number 51-4035 Applicant Cunningham

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. 2/22/82 3/22/82
- ☒ Claim published correctly. Home News 3000 20745
- ☐ Exceptions processed. 2/11/82 2/18/82 2/22/82

By DBS Date 3/29/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 4/1/82

MICROFILMED

CODE

272.0

REACH

535.4

RECEIVED

APR 9 1982

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MARCH 3, 1982

ROBERT C. CUNNINGHAM
ELAINE I. CUNNINGHAM
P.O. BOX 237
HAGERMAN

ID 83332

RE: Claim No. 51-4035

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,

DAVID B. SHAW
Western Region Supervisor

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 2/11 & 2/18/82.

MICROFILMED

CUNNINGHAM, ROBERT C. &/or ELAINE I.

P.O. BOX 237, HAGERMAN, ID 83332

Source: SPRING tributary to SNAKE RIVER

Priority Date: 01/01/1951

Amount: 0.24 CFS

Diversion Point: LOT 02 (NWSE) Sec 35 T 05S R 09E, ELMORE Co.

Use: IRRIGATION	(0.20 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: LOT 08 (SWNE) LOT 08 (SENE) LOT 08 (NESE) Sec 35 T 05S R 09E
FOR 10 ACRES

Diversion Means: HEADBOX, PIPELINE & GRAVITY IRR.

MICROFILMED