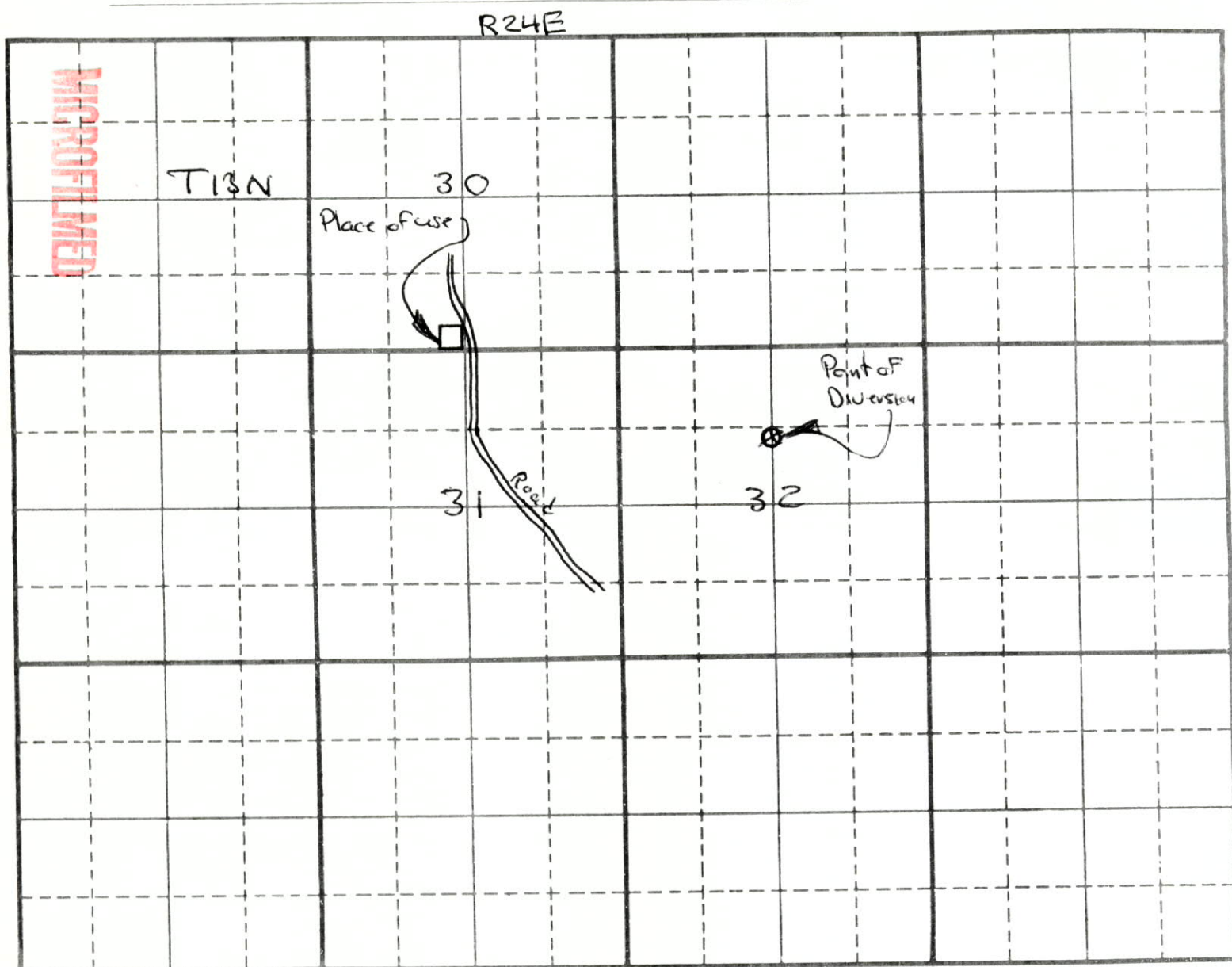


(8) Remarks A second home was added in 1959 and a third in 1974. This same spring is the point of diversion for James & Theta Whittier for their own home also.



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 Bonneville) 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 6th day of February, 1984.

[Signature]
(Claimant)

Calvin Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>HWJ</u>	Date <u>2-6-84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Kaw</u>	Date <u>2-7-1984</u>		claimant by:	
\$30.00 fee received by <u>HWJ</u>	Date <u>2-6-84</u> # <u>33431</u>			
Published in <u>Custer Publ. Co.</u>				
Dates <u>2/16 & 2/23/84</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2

consecutive weeks, commencing with the issue dated FEB 16

1984 and ending with the issue dated FEB 23 1984.

Margaret Parks

Subscribed and sworn to before this 27 day of February

1984

Ethel M. Beck

Notary Public, residing at Challis,

Idaho. My commission expires on

Life

MICROFILMED

**NOTICE OF CLAIMS
TO WATER RIGHTS**
The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

73-4100

CUNNINGHAM, WAYNE E.

HC 62, BOX 2150, MAY, ID 83253

Source: SPRING trib. to SINKS

Priority Date: 11/09/1916

Diversion Pt: SWNE SENW Sec 32 T 13N R 24E

Use: STOCKWATER (0.02 CFS) DOMESTIC (0.02 CFS)

In: SESW Sec 30 T 13N R 24E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

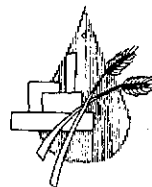
Published 2/16 & 2/23/84.

RECEIVED

FEB 28 1984

Department of Water Resources
Eastern District Office

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 Wayne E. Cunningham
(Name of Claimant)
HC 62, Box 2150 May, ID 83253 Telephone No. 876-4471
(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) November 9, 1916

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)
Spring tributary to Sinks

(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>0.02cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.02cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.02 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 32 Twp. 13N Rge. 24E B.M., County of Custer
Additional points of diversion: SENW, Sec. 32, T. 13N, R. 24E

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. Collection headbox to gravity system to claimants home.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	24E	30												D/S					

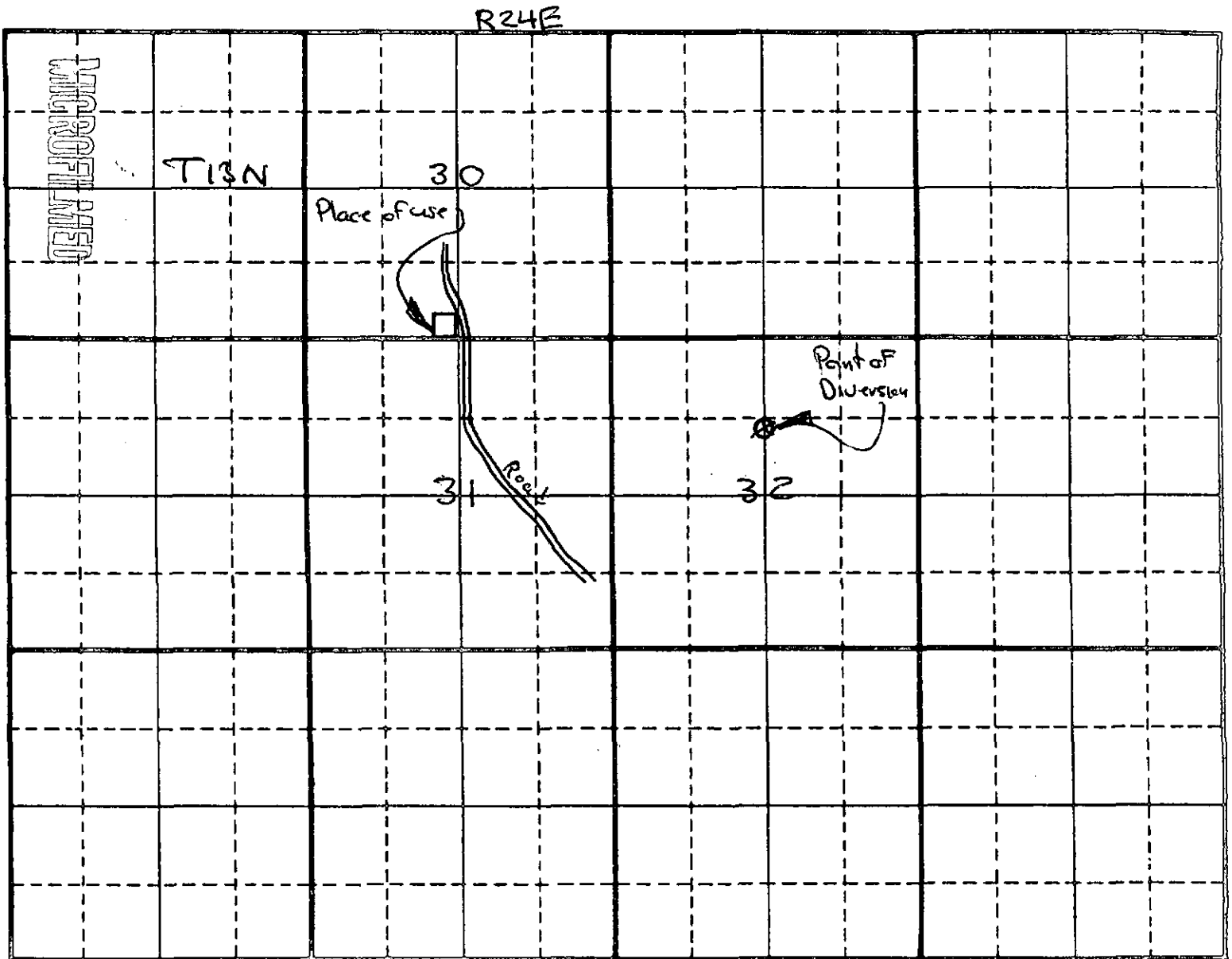
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stock 1500 head of sheep and 250 head of cows.

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:

(8) Remarks A second home was added in 1959 and a third in 1974. This same
spring is the point of diversion for James & Theta Whittier for their own
home also.



Scale: 2 inches equal 1 mile.

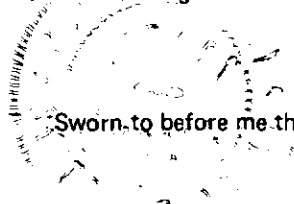
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Bonneville)

) 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

6th

day of

February

1984

[Signature]
(Claimant)

Calvin Aray
Notary Public

Residing at Idaho Falls

My commission expires

6-15-85

FOR DEPARTMENT USE ONLY

Received by HWJ

Date 2-6-84

Exception filed by:

Forwarded to

Date

Prelim. check by Kay

Date 2-7-1984

claimant by:

\$30.00 fee received by HWJ

Date 2-6-84 #33431

Published in Custer Publ. Co.

Dates 2/16 & 2/23/84

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS

Publisher of the Challis Messenger, a
weekly newspaper, published at Challis,
Idaho, do solemnly swear that the notice
hereto attached and made a part hereof,
was published in the regular and entire
issue of the Challis Messenger for
consecutive weeks, commencing with
the issue dated FEB. 16
19. 84 and ending with the issue
dated FEB 23 1984.

Margaret Parks

Subscribed and sworn to before
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19. 84

Evel M. Beck

Notary Public, residing at Challis,
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73-4100

CUNNINGHAM, WAYNE

E.
HC 62, BOX 2150, MAY, ID
83253

Source: SPRING trib. to
SINKS

Priority Date: 11/09/1916

Diversion Pt: SWNE SENW
Sec 32 T 13N R 24E

Use: STOCKWATER (0.02
CFS) DOMESTIC (0.02 CFS)

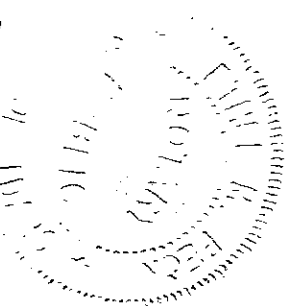
In: SESW Sec 30 T 13N R 24E

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402.

KEN DUNN, Dir.

Published 2/16 & 2/23/84.

RECEIVED



RECEIVED

FEB 28 1984

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 5, 1984

WAYNE E. CUNNINGHAM
HC 62, BOX 2150
MAY

ID 83253

RE: Claim No. 73-4100

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

REPROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C WILSON

Right Number 73 4100 Applicant Wayne E. 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.

March 5, 1984

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date March 12, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 3/21/84

RECEIVED

Department of Water Resources

RECEIVED
MAR 13 1983

Department of Water Resources

MICROFILMED

73 4100

73 4100

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 1984

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

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 MARCH 5, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED

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KEN DUNN, Dir.

Published 2/16 & 2/23/84.

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NOV 19 1916