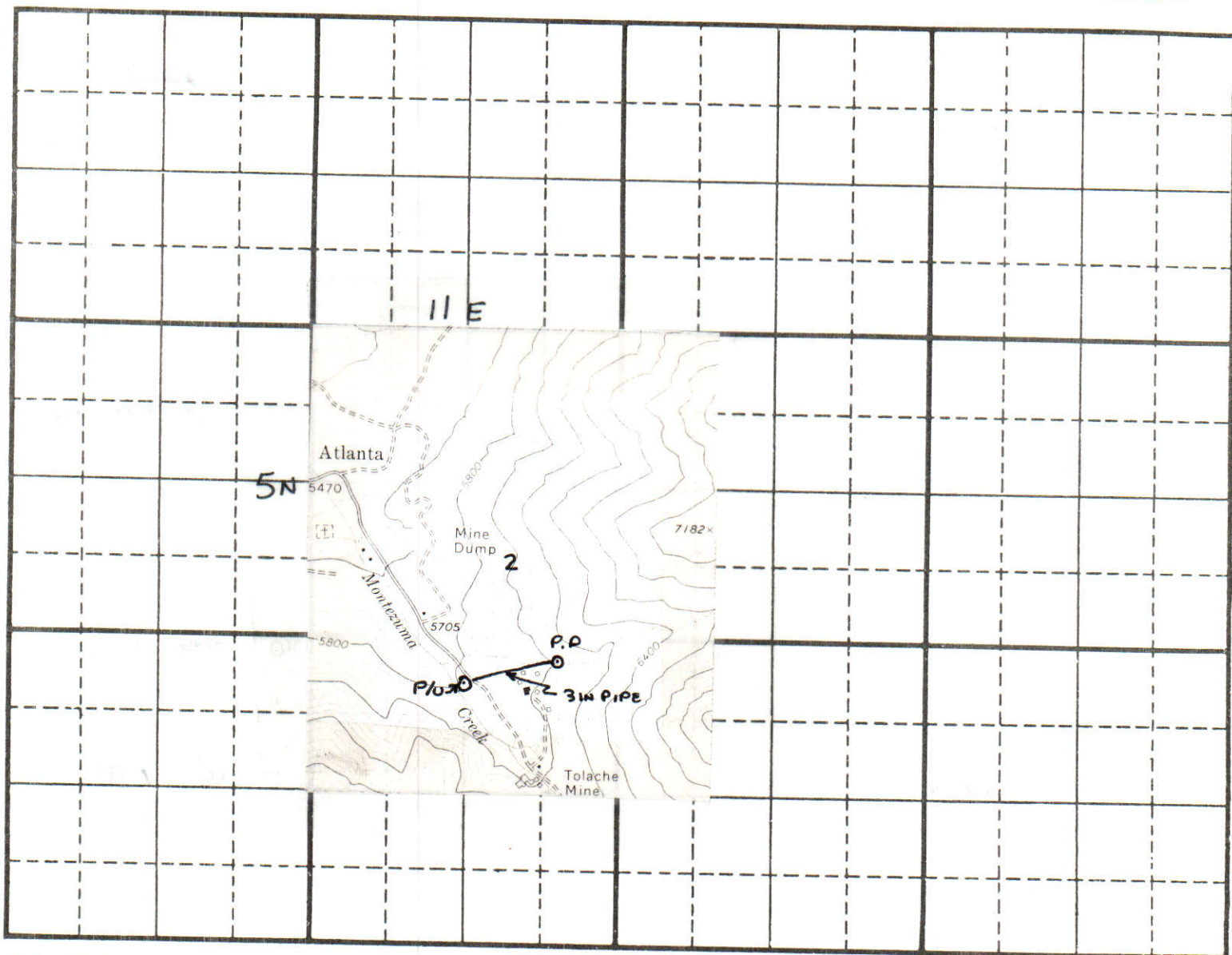


(8) Remarks _____



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 ADA) 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 17 day of JUNE

Harold Lanning
(Claimant)
19 83

Donald Shaff
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by <u>AMS</u>	Date <u>6/17/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RS</u>	Date		claimant by:	
\$30.00 fee received by <u>J</u>	Date <u>6/17/83 #31061</u>			
Published in <u>Mountain Home News</u>				
Dates <u>8/25 & 9/1/83</u>	<u>12/29 & 1/5/84</u>			

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 HAROLD AND/OR BILLIE J LANNING
(Name of Claimant)
BOX 112 ATLANTA, ID 83601 Telephone No. NONE
(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) SEPTEMBER 15, 1948

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)
EAST FORK MONTEZUMA CREEK tributary to MONTEZUMA CREEK

(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>.04 CFS</u>	Use	<u>DOMESTIC</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
Quantity		Use		Period of Use From	To

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

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 2 Twp. 5N Rge. 11E 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.
SMALL DIVERSION DAM AND 3 IN DIA PIPE.

(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	
5N	11E	2									X								

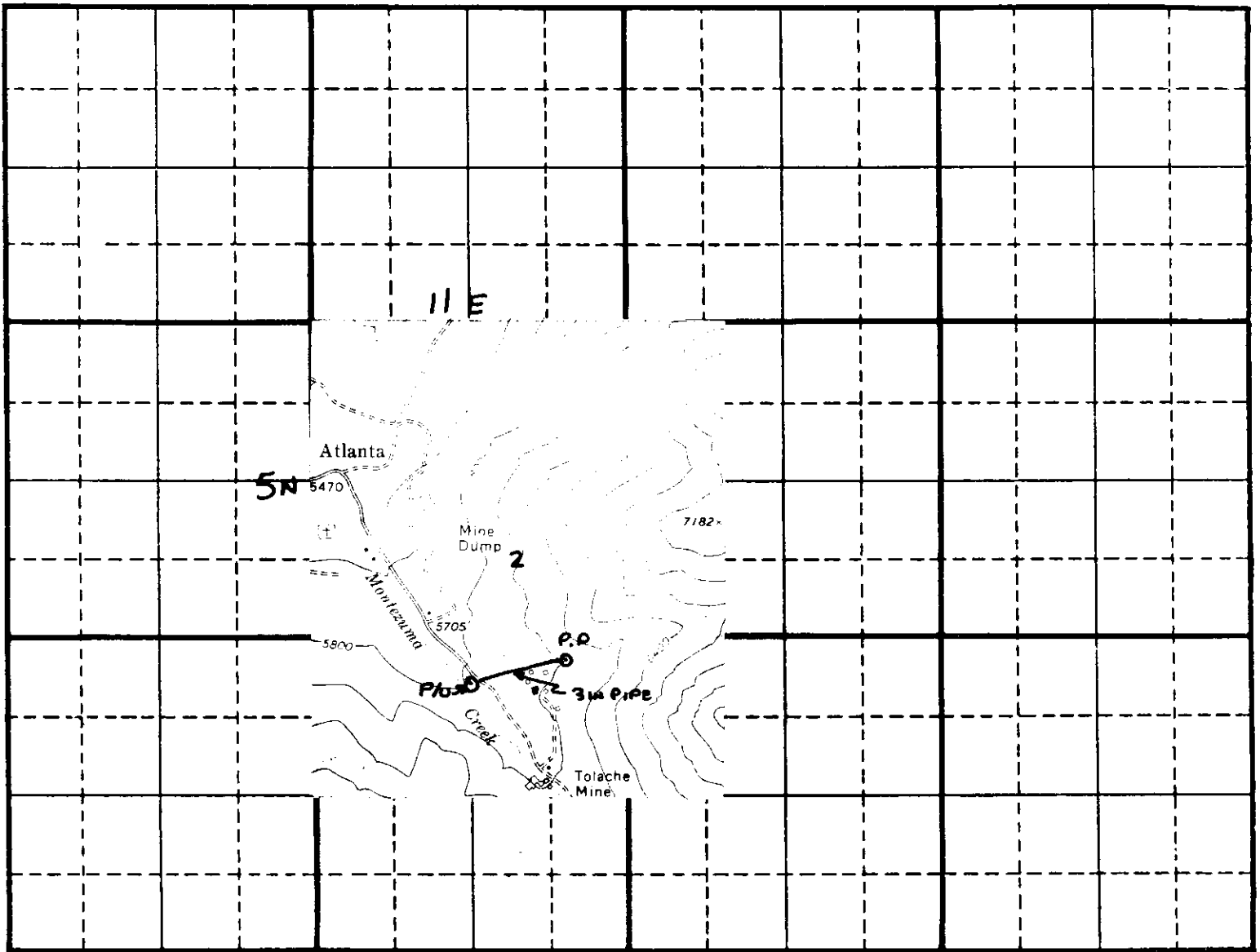
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1 DOMESTIC HOME

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 _____



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 ADA) 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 17 day of JUNE

Donald Lanning
(Claimant)
19 83
Donald Lanning
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by <u>AMS</u>	Date <u>6/17/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DL</u>	Date		claimant by:	
\$30.00 fee received by <u>P</u>	Date <u>6/17/83</u>	<u>*9061</u>		
Published in <u>Mountain Home News</u>				
Dates <u>8/25 & 9/1/83</u>	<u>12/19 & 1/5/84</u>			

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claims have been
filed on water rights created by div-
ersion and beneficial use:

61-4119

ALDAZABAL, EMETERIA
380 W. 7th S., MOUNTAIN
HOME, ID 83647
Source: GROUNDWATER
Priority Date: 03/10/1929
Diversion Pt: NWNW Sec 36 T 03S
R 06E
Use: IRRIGATION (0.09 CFS);
DOMESTIC (0.04 CFS)
In: NWNW Sec 36 T 03S R 06E
FOR 3 ACRES

61-4120

MOUNTAIN HOME SCHOOL
DIST. NO. 193
P.O. BOX 890, MOUNTAIN
HOME, ID 83647
Source: GROUNDWATER
Priority Date: 05/01/1960
Diversion Pt: SESE Sec 26 T 03S R
06E
Use: IRRIGATION (0.02 CFS)
In: SESE Sec 26 T 03S R 06E FOR
5 ACRES

61-4121

CALDWELL, JOHN W.
P.O. BOX 51, MOUNTAIN
HOME, ID 83647
Source: GROUNDWATER
Priority Date: 01/01/1907
Diversion Pt: LOT 06 (NWNW)
Sec 36 T 03S R 06E
Use: IRRIGATION (0.06 CFS);
STOCKWATER (0.02 CFS)
In: LOT 06 (NWNW) Sec 36 T 03S
R 06E FOR 2 ACRES

61-4122

JANOUSEK, CLARENCE D.
&/or BECKIE J.
2031 PANDORA DR., BOISE, ID
83702
Source: GROUNDWATER
Priority Date: 07/01/1950
Diversion Pt: SWNE Sec 23 T 03S
R 06E
Use: IRRIGATION (0.03 CFS);
DOMESTIC (0.04 CFS)
In: SWNE Sec 23 T 03S R 06E
FOR 1 ACRE

61-4123

BLAIR TRAIL PTR.
P.O. BOX T, GLENN'S FERRY,
ID 83623
Source: LITTLE CANYON
CREEK trib. to SNAKE RIVER
Priority Date: 03/02/1957
Diversion Pt: SWNW Sec 28 T 04S
R 10E
Use: IRRIGATION STORAGE
(143.0 AF); WILDLIFE STORAGE
(63.0 AF); FISH PROP. (63.0 AF)
In: SWNW Sec 28 T 04S R 10E

63-5117 / 38

LANNING, HAROLD &/or BIL-
LIE J.
P.O. BOX 112, ATLANTA, ID
83601
Source: MONTEZUMA CREEK,
EAST FORK trib. to MONTEZU-
MA CREEK
Priority Date: 09/15/1948
Diversion Pt: NWSE Sec 02 T 05N
R 11E
Use: DOMESTIC (0.04 CFS)
In: NESW Sec 02 T 05N R 11E
Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Western Region, State-
house, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 12/29 & 01/06/84.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd 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 29 day
of December, 1983, and
the last publication having been made on the
5 day of January,
1984; 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.

Floyd S. Waters

Subscribed and sworn to me this 5th

day of January, 1984

Charles S. Sorenson
Notary Public

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been
filed on water rights created by div-
ersion and beneficial use:

61-4108

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE, 3380
AMERICAN TERRACE, BOISE,
ID 83706

Source: UNNAMED STREAM
trib. to SINKS

Priority Date: 08/01/1959

Diversion Pt: SESE Sec 09 T 02S R
07E

Use: STOCKWATER STORAGE
(1.3 AF); STOCKWATER FROM
STORAGE (1.3 AF); WILDLIFE
STORAGE (1.3 AF); WILDLIFE
FROM STORAGE (1.3 AF)

In: SESE Sec 09 T 02S R 07E

61-4109

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE, 3380
AMERICAN TERRACE, BOISE,
ID 83706

Source: UNNAMED STREAM
trib. to SINKS

Priority Date: 04/30/1940

Diversion Pt: SENE Sec 27 T 03S
R 07E

Use: STOCKWATER STORAGE
(5.0 AF); STOCKWATER FROM
STORAGE (5.0 AF); WILDLIFE
STORAGE (5.0 AF); WILDLIFE
FROM STORAGE (5.0 AF)

In: SENE Sec 27 T 03S R 07E

63-5117

LANNING, HAROLD &/or BIL-
LIE J.

BOX 112, ATLANTA, ID 83601

Source: MONTEZUMA CREEK
EAST FORK trib. to MONTEZU-
MA CREEK

Priority Date: 10/15/1948

Diversion Pt: NESE Sec 02 T 05N
R 11E

Use: DOMESTIC (0.04 CFS)

In: NESW Sec 02 T 05N R 11E

63-5120

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: SPRING trib. to COT-
TONWOOD CREEK

Priority Date: 07/01/1940

Diversion Pt: SWNE Sec 34 T 02N
R 06E

Use: STOCKWATER (0.01 CFS)

In: SWNE Sec 34 T 02N R 06E

63-5121

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: SPRING trib. to BOISE
RIVER MIDDLE FORK

Priority Date: 07/01/1930

Diversion Pt: NWSE SESE
SESE Sec 35 T 06N R 11E

Use: DOMESTIC (1.00 CFS)

In: NESE NWSE SESE Sec 35 T
06N R 11E

63-5124

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: UNNAMED SPRINGS
trib. to TRAIL CREEK

Priority Date: 07/01/1969

Diversion Pt: NESW Sec 05 T 03N
R 06E NWNW SENW SESW
SESE Sec 04 T 03N R 06E

Use: STOCKWATER (0.02 CFS)

In: NESW Sec 05 T 03N R 06E
NWNW SENW SESW SESE Sec
04 T 03N R 06E

63-5125

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: SPRING trib. to HONEY
CREEK

Priority Date: 07/01/1950

Diversion Pt: NENW Sec 03 T 01N
R 10E

Use: STOCKWATER (0.01 CFS)

In: NENW Sec 03 T 01N R 10E

63-5128

ALDAZABAL, EMETERIA
380 WEST 7TH S., MOUNTAIN
HOME, ID 83647

Source: GROUNDWATER

Priority Date: 03/10/1929

Diversion Pt: NWNW Sec 36 T 03S
R 06E

Use: IRRIGATION (0.09 CFS);
DOMESTIC (0.04 CFS)

In: NWNW Sec 36 T 03S R 06E
FOR 3 ACRES

63-5144

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: TATE SPRING trib. to
LAKE CREEK; WHITSON
SPRING trib. to LAKE CREEK

Priority Date: 07/01/1940

Diversion Pt: SESE SESW Sec 10
T 01N R 09E

Use: STOCKWATER (0.02 CFS)

In: SESW SESE Sec 10 T 01N R
09E NENW Sec 15 T 01N R 09E

63-5145

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT
84401

Source: LIGHT SPRING trib. to
SINKS

Priority Date: 07/01/1940

Diversion Pt: NENW Sec 10 T 01N
R 09E

Use: STOCKWATER (0.01 CFS)

In: NENW Sec 10 T 01N R 09E

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Western Region, State-
house, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 08/25 & 09/01/83.

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Gladys 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 25 day
of August, 1983, and
the last publication having been made on the
1 day of Sept.....
1983...; 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.

Subscribed and sworn to me this 1st.....
day of September, 1983

Dean W. Swanson
Notary Public

WRR100
63-5117

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5117

02 OLD (D) NUMBER -

LAST NAME
03001 - LANNING ✓
03002 - LANNING ✓

FIRST NAME
04001 - HAROLD ✓
04002 - BILLIE J. ✓

ORIG. OWNER
05001 - C
05002 - C

06 ADD LINE 1 - P.O. BOX 112 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - ATLANTA ✓

10 STATE - ID ✓ 11 ZIP - 83601 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - MONTEZUMA CREEK, EAST FORK ✓

TRIBUTARY OF
15001 - MONTEZUMA CREEK ✓

16 DIVERSION MEANS - DAM & PIPE ✓

17 COUNTY - 39 ELMORE ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----															
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S									
22001 - NWSE	23001 - 02	24001 - 05N	25001 - 11E	26001 - 27001 -	28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC ✓	31001 - 05N	32001 - 11E	33001 - 02	34001 - NESW	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 - 0.040 ✓	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 15-SEP-1948 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 OLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		

WRR100
63-5117

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----

54 LAST UPDATE - 3-JAN-1984

62 DATE_2 -

1/29/86
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: DS

Right Number 63-5117 Applicant LANNING

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. DS

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 9/8/83
 - ☒ Claim published correctly. mountain Home Pump
 - ☒ Exceptions processed. 30131081 8-25/91 12/29 & 1/5/83
- By DBS Date 1/16/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.
- By pc Date 1/18/84

RECEIVED
JAN 18 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 18, 1984

HAROLD LANNING
BILLIE J. LANNING
P.O. BOX 112
ATLANTA

ID 83601

RE: Claim No. 63-5117

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

Sent by _____

63-511Z

LANNING, HAROLD &/or BILLIE J.

P.O. BOX 112, ATLANTA, ID 83601

Source: MONTEZUMA CREEK, EAST FORK trib. to MONTEZUMA CREEK

Priority Date: 09/15/1948

Diversion Pt: NWSE Sec 02 T 05N R 11E

Use: DOMESTIC (0.04 CFS)

In: NESW Sec 02 T 05N R 11E

10

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

SEPTEMBER 3, 1983

HAROLD LANNING
BILLIE J. LANNING
BOX 112
ATLANTA

ID 83601

RE: Claim No. 63-5117

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

MIC

SEP 10 1983

63-511Z-

LANNING, HAROLD &/or BILLIE J.

BOX 112, ATLANTA, ID 83601

Source: MONTEZUMA CREEK EAST FORK trib. to MONTEZUMA CREEK

Priority Date: 10/15/1948

Diversion Pt: NESE Sec 02 T 05N R 11E

Use: DOMESTIC (0.04 CFS)

In: NESW Sec 02 T 05N R 11E

REFILE

