

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-02125
Date Received: 4/24/1990
Receipt No: E013584
Received By: ALJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD O. CUMMINGS 208-865-2422
Address: BOX 810
NORTH FORK, ID 83466

OR
Name: NANCY M. CUMMINGS 208-865-2422
Address: BOX 810
NORTH FORK, ID 83466

2. Date of Priority: NOV 12, 1954

3. Source: HULL CREEK Trib. to: SALMON RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	20E	24	NW	SE			LEMHI

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A7502125



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	20E	24	NW SE		IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A75-02166 IS ADJACENT

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25271

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Nancy Cummings Date: 4/24/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of Apr 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT KATO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

A75-02125
R20E R21E

ULYSSES MTN I
IDAHO-L
7.5 MINUTE SERI

(345-4 I)
(PIQUETT MTN SE)

2'30" R. 20 E. R. 21 E.



AJ0749NP
No. A75-02125

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/03/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD F OVERCAST BOX 245 NORTH FORK ID 83466 (208) 865-2424	11/12/1954	IRRIGATION	04-01 11-01	0.150 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.150 CFS 7.50 AFA

Water Source: HULL CREEK

Tributary to: SALMON RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion: T25N R20E S24 NWSE

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---
25N	20E	24	:																	:	
																			03	:	3.0
																			TOTAL ACRES	:	3.0

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: A75-02166 IS ADJACENT

Remarks: GEN OWNERSHIP CHANGED 1/3/00 PER WARRANTY DEED. BCONTOR.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 5, 2000

RICHARD F OVERCAST
PO BOX 245
NORTH FORK ID 83466

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-02125, A75-02166

Dear Mr. Overcast:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG BC/

RECEIVED

8-4-99

OR bac 1/3/00

JUN 11 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): SF5 75-10554, 75-02125, 75-02166
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR see SF 5
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant CLIFFORD Cummings
4. New Owner/Claimant(s) Richard F. OVERCAST
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address Box 245
 City, State and ZIP Code NORTH Fork, ID 83466
 New Telephone Number (208) 865-2424
5. Date you acquired the property 4/26/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 400 Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses water for electric
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) [Signature]
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

RECEIVED

JUN 11 1999

Department of Water Resources

WARRANTY DEED

FOR VALUE RECEIVED, CLIFFORD O. CUMMINGS, SR., a single man, the Grantor, does hereby grant, bargain, sell and convey unto RICHARD F. OVERCAST, a married man dealing with his sole and separate property, whose current address is 5145 Highway 93 S., Missoula, MT 59804, the Grantee, the following described premises, in Lemhi County, Idaho, to-wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: April 26, 1999.

Clifford O. Cummings Sr.
Clifford O. Cummings, Sr.

State of Idaho) SS No. 240347
County of Lemhi)
This instrument was filed for record at the request
of Lemhi Title
at 10:55 clock A m. 4-28-1999
and duly filmed and indexed in the records of Lemhi
County Terri J. Monon
Ex-Officio Recorder
By Brenda Anderson Deputy
Fee 12.00
Return to _____

STATE OF IDAHO)
) SS
County of Lemhi)

On this 27th day of April, 1999, before me, a Notary Public in and for said State, personally appeared CLIFFORD O. CUMMINGS, SR., known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.



A handwritten signature in cursive script, appearing to read "Will Allen", written over a horizontal line.

Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-19-2003

EXHIBIT "A"

TRACT 39, TOWNSHIP 25 NORTH, RANGE 20 E., BOISE MERIDIAN, UNSURVEYED, LEMHI COUNTY, IDAHO.

H.E. SURVEY NO. 277, EMBRACING A PORTION OF THE UNSURVEYED PUBLIC DOMAIN, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1, IDENTICAL WITH U.S. LOCATION MONUMENT NO. 277; THENCE S. $58^{\circ}54'W.$, 19.85 CHAINS TO CORNER NO. 2; THENCE N. $19^{\circ}37'W.$, 24.75 CHAINS TO CORNER NO. 3; THENCE S. $73^{\circ}42'E.$, 20.51 CHAINS TO CORNER NO. 4; THENCE S. $37^{\circ}16'E.$, 9.21 CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXCEPTING THEREFROM; CUMMINGS LAKE SUBDIVISION NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN BOOK 2 OF PLATS AT PAGE NO. 16, RECORDS OF LEMHI COUNTY, IDAHO.

TOGETHER WITH THE FOLLOWING LOTS IN CUMMINGS LAKE SUBDIVISION NO. 1; LOTS 2 THROUGH 19.

RESERVING to Grantor, his heirs and assigns, an easement over an existing road from the U.S. Forest Service Road No. 60005 to Lots 20-35 of Cummings Lake Subdivision No. 1.

THE YANKEE AND DOODLE CONSOLIDATED LODE MINING CLAIMS, DESIGNATED BY THE SURVEYOR GENERAL AS LOT NO. 1804 EMBRACING A PORTION OF THE UNSURVEYED PUBLIC DOMAIN.

EXCEPTING THEREFROM: FOREST SERVICE ROAD RIGHT-OF-WAY, AS DESCRIBED IN DEED RECORDED IN BOOK 45 OF DEEDS AT PAGE 652, ON SEPTEMBER 6, 1956, RECORDS OF LEMHI COUNTY, IDAHO.

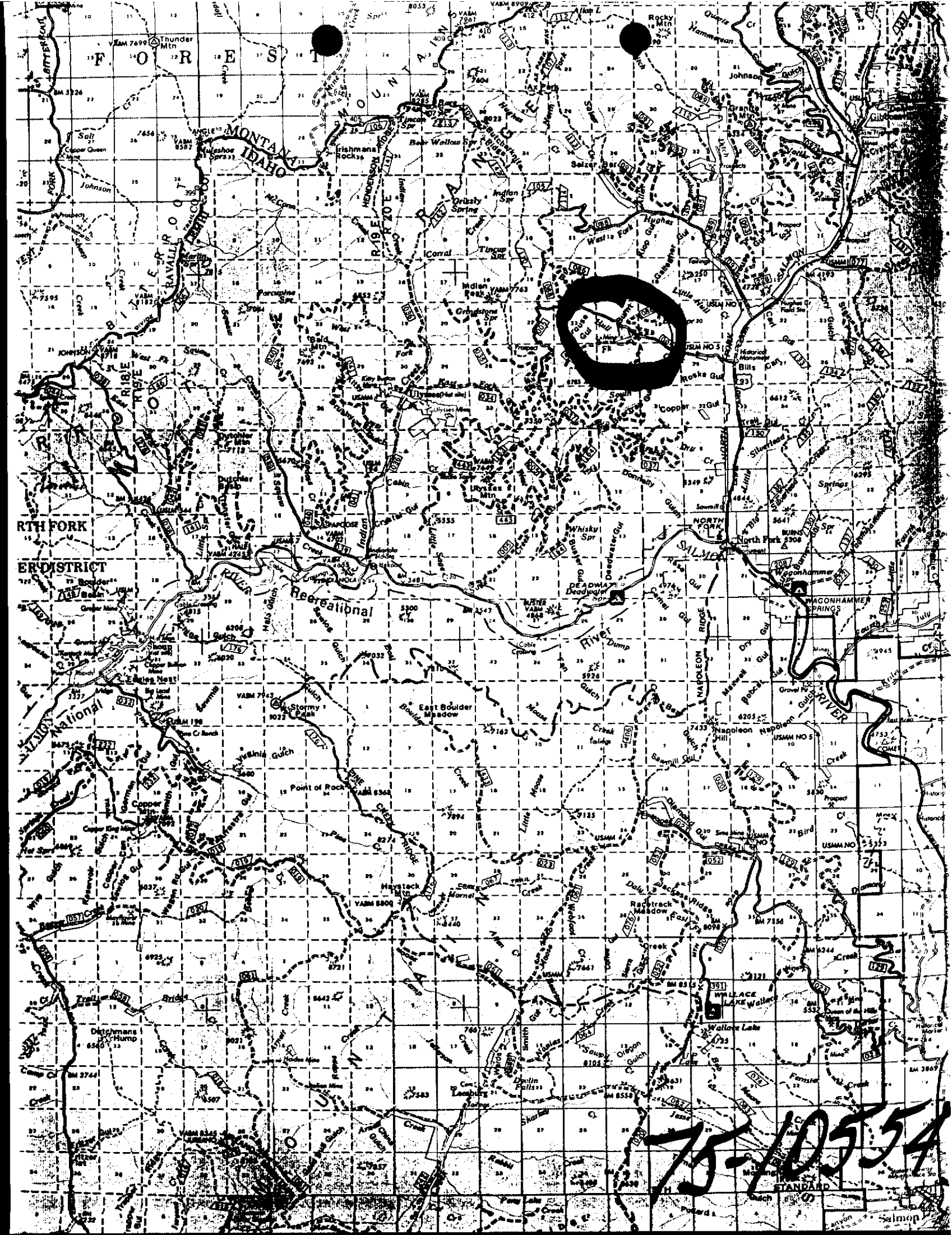
ALSO TOGETHER WITH THE FOLLOWING: A PARCEL OF LAND LOCATED IN H.E.S. 89, TRACT "A", NW $\frac{1}{4}$, SECTION 28, T. 25 N., R. 21 E.B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 16 OF SAID H.E.S. 89, RUN THENCE S. $84^{\circ}14'06''W.$, ALONG LINE 16-17, H.E.S. 89, A DISTANCE OF 57.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY; 833.89 FEET ALONG A CURVE TO THE RIGHT HAVING A CHORD OF N. $05^{\circ}50'42''E.$, 833.37 FEET A DELTA OF $7^{\circ}00'00''$, A RADIUS OF 6825.49 FEET, S. $80^{\circ}39'18''E.$, 10.00 FEET; 400.99 FEET ALONG A CURVE TO THE RIGHT HAVING A LONG CHORD OF N. $11^{\circ}01'50''E.$, 400.93 FEET, A DELTA OF $3^{\circ}22'16''$, A RADIUS OF 6815.49 FEET TO A POINT ON LINE 16-15, OF SAID H.E.S. 89; THENCE S. $05^{\circ}22'42''W.$, ALONG LINE 15-16, A DISTANCE OF 1220.56 FEET TO THE POINT OF BEGINNING

SUBJECT TO:

1. Easements, reservations, restrictions and dedications as the same appear on the official plat of Cummings Lake Subdivision No. 1.
2. The right, title and interest of the public in and to those portions of the above-described premises falling within the bounds of roads, and highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.
3. Subject to easement described in Warranty Deed recorded October 16, 1996, under Instrument No. 231454, records of Lemhi County, Idaho.

4. Record of Survey M.S. 18 recorded September 28, 1989, in Book 4 of plats at Page 152, records of Lemhi County, Idaho.
5. Record of Survey H.E.S. 277 & Tract 39 Dependent Survey, recorded July 6, 1990, under Instrument No. 207083, records of Lemhi County, Idaho.
6. Record of Survey, H.E. S. 39, Tract "A," recorded December 13, 1995, under Instrument No. 228485, records of Lemhi County, Idaho.
7. Access is by way of U.S. Forest Service Road No. 60005, and is subject to terms and conditions of the access across said lands.
8. Any claim that may arise that the waterfront boundary of said land has shifted because of the alluvial action, erosion or change in the level of the waters of Cummings Lake.



Change of ownership
Cummings / Overcast

75-10554

A75-02125

A75-02166

1/3/00 BAC

1) 75-10554

Per IWATRS, PD issued in name of Overcast. No
action needed

2) A75-02125

Deed covers claimed POA, ownership changed.

3) A75-02166

Deed transfers all of shoreline within Homestead Entry 277
except Lot 1. Per Ernie, ownership changed.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 9, 1990

Mr. & Mrs. John W. Jackson
2111 - 29th Avenue W.
Seattle, WA 98199

RE: Snake River Basin Adjudication (SRBA)
Lemhi County - #A75-02124

Dear Mr. & Mrs. Jackson:

Thank you for your letter of March 2, 1990. I have enclosed a data-entered Notice of Claim to a Water Right for your files, and highlighted the identification number, receipt number and date filed.

No further action is required on your part; thank you for checking with us.

Sincerely,

Sally Frazee
Secretary, Adjudication Section

SF:state
Enclosure:

Notice to Water Right #A75-02124

MICROFILMED

DEC 15 1992

2111 29th Av W
Seattle, Wa 98199
Mar 2, 1990

Idaho Dept of Water Resources
Adjudication Bureau
Statehouse
Boise, Id 83720

RECEIVED
MAR 5 1990

Department of Water Resources

Water Rights

Gentlemen:

In regard to the water rights for our property in Lemhi County, Idaho, we will not be able to meet with your representatives as set forth in your flyer received recently,

Our water right is No. 25270. We had mailed Form #42-1409(2)6 9/88 with our check last July. Enclosed is a copy of the check #4112, July 17, 1989.

We trust this is what is needed to comply with requirements so that we are eligible to keep our rights to water in force above Gibbonsville. Please let us know if further action on our part is needed.

Thank you.

John W. Jackson

Marion I. Jackson

John W. Jackson

Marion I Jackson

MICROFILMED

DEC 15 1992

W/R 75-02124
E009581

JOHN W. JACKSON
MARION I. JACKSON

2111 - 29TH AVE. W. 282-3279
SEATTLE, WA 98199

4112

2/17 19 87 19-10 8
1250

Pay To The Order Of State of Washington - Dept of Water Resources \$ 25.00

Twenty five & 00/100 Dollars



U.S. BANK
MAGNOLIA BRANCH
3124 WEST MCGRAW, P.O. BOX 98087
SEATTLE, WASHINGTON 98199-0087
U.S. BANK OF WASHINGTON, NATIONAL ASSOCIATION

For _____

John W. Jackson

⑆ 125000105⑆ 0081 070773⑈ 4112 ⑈0000002500⑈

MICROFILMED

DEC 15 1992

JY '89 27

1240-0031-3²

JY '89 27

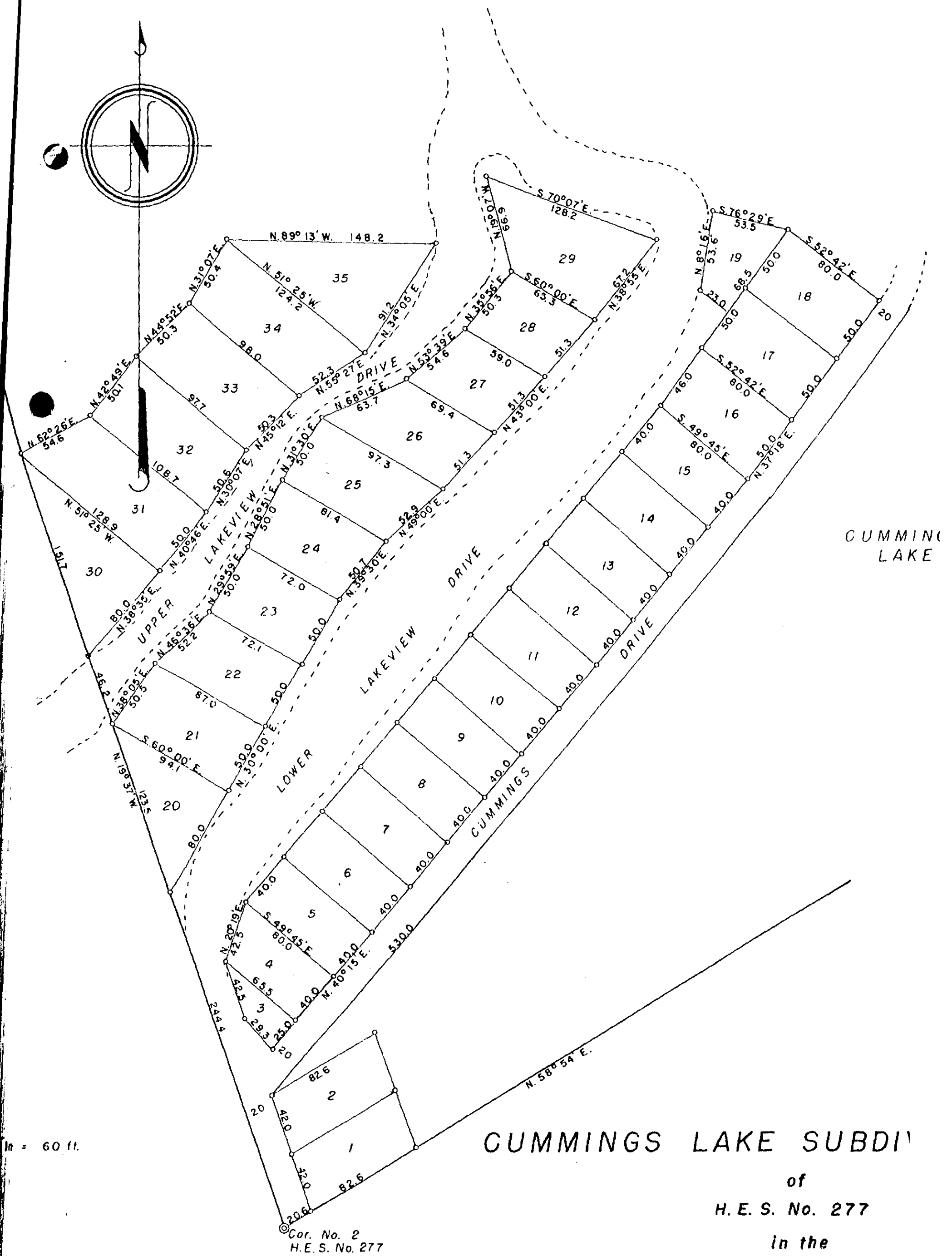
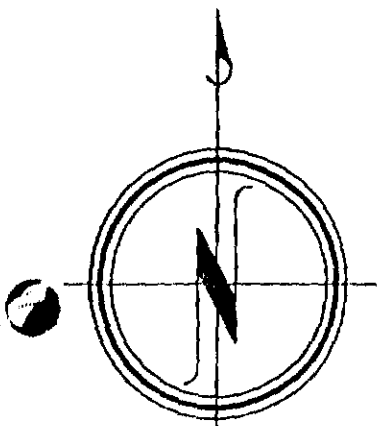
PROCESSED

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10-97-00
1000000000

FOR DEPOSIT ONLY
TO THE IDAHO STATE
TREASURER'S ACCOUNT
By Department of Water Resources

MICROFILMED
DEC 15 1992



1 in = 60 ft.

CUMMINGS LAKE SUBDI'

of
H. E. S. No. 277

in the

Salmon National Forest

Lemhi County, Idaho

CLAIM NO(S). A75-02166, 2125, 10554
DATE: 1/3/00 T. 25N R. 20E
SOURCE OF INFO: Deanne Gray, Lemhi Co. Assessor
SIGNATURE: Bryce A. Contor