

WHITE PETERSON

ATTORNEYS AT LAW

KEVIN E. DINIUS
JULIE KLEIN FISCHER
CHRISTOPHER D. GABBERT
WM. F. GIGRAY, III
T. GUY HALLAM **
JILL S. HOLINKA
JOHN R. KORMANIK *
WILLIAM A. MORROW
WILLIAM F. NICHOLS **

WHITE PETERSON, P.A.
CANYON PARK AT THE IDAHO CENTER
5700 E. FRANKLIN RD., SUITE 200
NAMPA, IDAHO 83687-7901

TEL (208) 466-9272
FAX (208) 466-4405

Email: dallen@whitepeterson.com

May 6, 2004

RECEIVED

MAY 07 2004

Department of Water Resources

CHRISTOPHER S. NYE
PHILIP A. PETERSON
TODD A. ROSSMAN
TERRENCE R. WHITE ***

* Also admitted in CA
** Also admitted in OR
*** Also admitted in WA

Hand Delivered

Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 87706-2237

RE: Gertrude Cunningham

Dear Sir:

We represent Gertrude Cunningham and Cunningham Family Limited Partnership. Mrs. Cunningham has asked that we file with the Idaho Department of Water Resources the Notice of Change in Water Right Ownership from Gertrude Cunningham to Cunningham Family Limited Partnership. Please process the notice accordingly.

If you have any questions, please contact me at the above telephone number. Thank you for your assistance in this matter.

Sincerely,

WHITE PETERSON, P.A.
*Dictated by Julie Klein Fischer
and delivered without signature
to avoid delay*
Julie K. Fischer

Enclosure

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

RECEIVED

MAY 07 2004

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
2-10027					
57-10163 P.D.					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gerald & Gertrude Cunningham
- 909 Heartland Dr. Nampa, ID 83686
4. New Owner/Claimant(s) Cunningham Family Limited Partnership
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- 909 Heartland Dr.
- New Mailing Address
- City, State and ZIP Code Nampa, ID 83686
- New Telephone Number (208) 467-7274
5. Date you acquired the property Transfer to family partnership

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Arthur L. Cunningham

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WHEN RECORDED RETURN TO:
McAnaney & Associates
P.O. Box 737
Boise, ID 83701-0737

FILED-RECORDED
98 JUN 12 PM 1 20
JIM HUBBARD JR.
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REQUEST OF
[Signature]
FOR

223759

QUITCLAIM DEED

GRANTOR, Gertrude L. Cunningham, an individual, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto Cunningham Family Limited Partnership, an Idaho limited partnership, whose current address is 909 Heartland Drive, Nampa, County of Canyon, State of Idaho, as GRANTEE, and to Grantee's successors and assigns forever, seventy-five six hundred seventy-fifths (75/675) interest in the real estate situated in the County of Owyhee, State of Idaho, as follows:

SEE ATTACHED EXHIBIT A.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 30 day of December, 1997.

[Signature: Gertrude L. Cunningham]
Gertrude L. Cunningham

STATE OF IDAHO)
) ss.
County of Ada)

On this 30th day of DECEMBER, in the year of 1997, before me personally appeared Gertrude L. Cunningham, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me she executed the same.

[Signature: James E. Hansen]
Notary Public for Idaho
Residing in Boise, Idaho
My commission expires: 12/1/98
NOTARY PUBLIC
STATE OF IDAHO

QUITCLAIM DEED - 1

EXHIBIT A

LEGAL DESCRIPTION

112 SE 4
The SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 35, T. 4S., R. 2E., B.M. The North 12 acres of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 6 & 7, and Lot 4 of Section 27, T. 4S., R. 2E., B.M., and the following: SW NE

Commencing at the center of Section 27, in T. 4S., R. 2E., B.M., and running thence North along the East line of the NW $\frac{1}{4}$ of said Section 27, a distance of 72 rods to the South bank of Snake River; thence following the bank of said Snake River to a point 110 rods North of the South line and 13 rods West of the East line of said quarter section to the center of a wash; thence following the center of said wash in a Southwesterly direction crossing the East line of the West Half of said quarter section at a point 100 rods North of the South line thereof, following the center of the wash to the West line of said quarter section at a point 57 $\frac{1}{2}$ rods North of the SW corner thereof; thence South along the West line of said quarter section to the SW corner thereof; thence East along the South line of said quarter section to the point of beginning, situate in Owyhee County, Idaho, containing 90 acres.