

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

RECEIVED
 SEP 05 2006
 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
	<u>A7510240</u>				

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)

Clifford and Nancy Cummings
P.O. Box 810 North Fork, ID 83466

4. New Owner/Claimant(s)

JILL FAIRBANK AND/or CLAUDIA MAXWELL

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. Box 1

City, State and ZIP Code

NORTH FORK, ID. 83466

New Telephone Number

208) 865-2422

5. Date you acquired the property

AUG. 21., 2003

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 AUG 31 2006

Department of Water Resources
 Boise, ID

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)

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

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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: A75-10240
Date Received: 4/24/1990
Receipt No: FOI3584
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 83466
NORTH FORK, ID
OR
Name: NANCY CUMMINGS 208-865-2422
Address: BOX 810 83466
NORTH FORK, ID

2. Date of Priority: APR 01, 1908

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	9	SW	SW			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	0.030		

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-10240

Page 1

Date: 04/24/90

MICROFILMED

DEC 15 1992



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	17	SW NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 X 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): Gary Cummings Date: 4/24/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of april 19 90

Betty J. Thompson
Notary Public

Seal

Residing at PO BOX 1000, NOTARY PUBLIC
BOONVILLE, IDAHO
My Commission Expires 6-30-94

Tim Jones

06/06/2001 04:01 PM

To: Patty Bates/R4/USDAFS@FSNOTES
cc: (bcc: Tim Jones/R4/USDAFS)
Subject: Re: North Fork Admin Site Water Rights 

No easement to the US. The reservation for a ditch easement across NF to his property is for his use. I will send you a map.

Patty Bates

Patty Bates

06/06/2001 12:04 PM

To: Tim Jones/R4/USDAFS
cc: bschuckert
Subject: Re: North Fork Admin Site Water Rights 

Thanks Tim - I think what we're trying to track down is the portion of the ditch that appears to be on Cummings property north/west of the admin site, not necessarily our water rights. Is there an easement to the US from Cummings for the ditch crossing his property. And does that easement provide some sort of water use for him?

Patty Bates
District Ranger
North Fork: 208/865-2731
Middle Fork: 208/879-4101
cell: 208/940-0388

Patty Bates

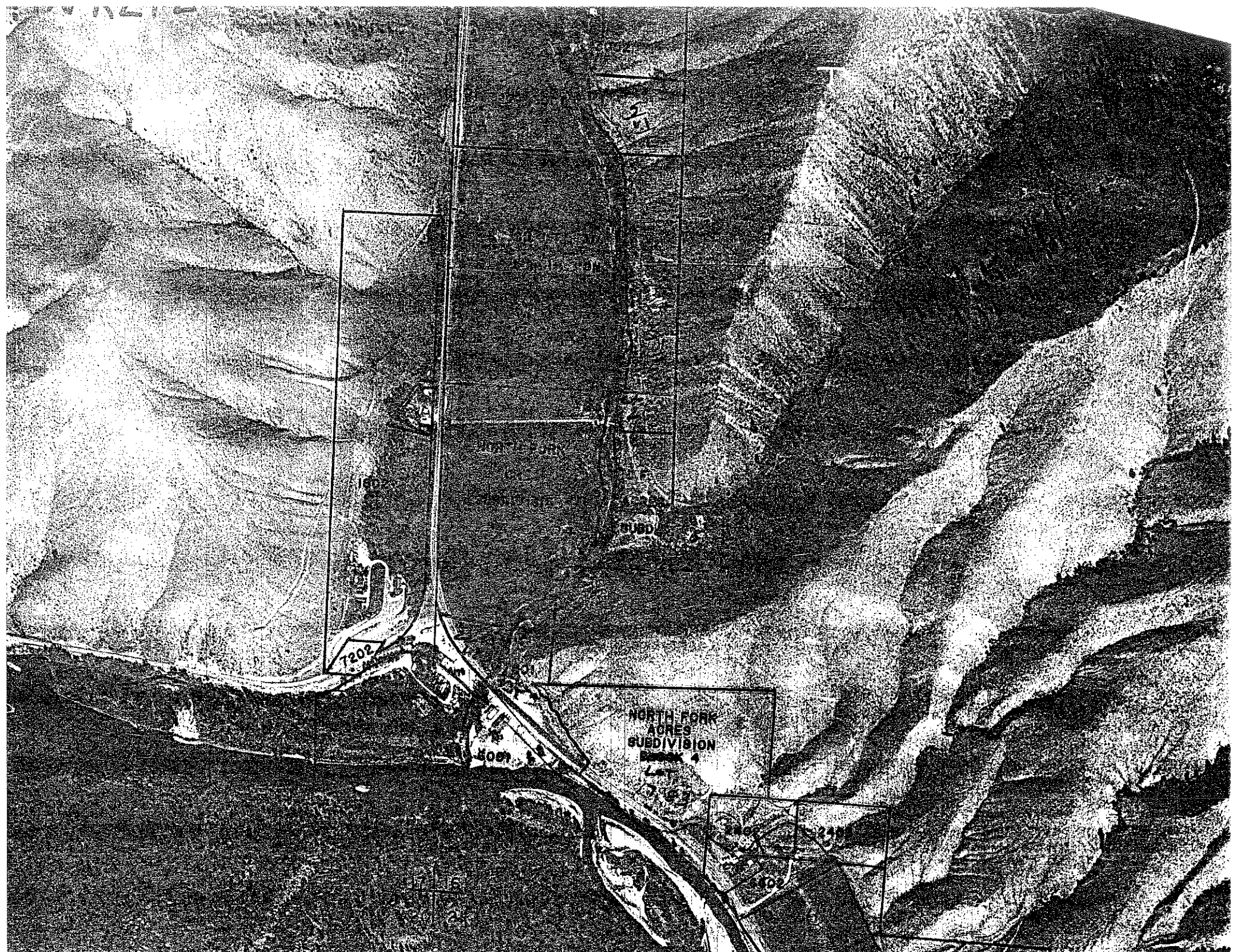
06/05/2001 03:38 PM

To: Patty Bates/R4/USDAFS@FSNOTES
cc:
bcc:
Subject: North Fork Admin Site Water Rights

A couple of deeds pertaining water rights within the North Fork Admin Site are in Instrument No. 20865 dated November 18, 1918, which indicates in paragraph three that all water, water rights, ditches, flumes and aquaducts thereto belonging or in any wise thereto appertaining to are conveyed with the property. Instrument No. 76360 is a right-of-way deed for the State highway in the North Fork junction area. Included in the right-of-way deed in paragraph three is a description of lands adjacent to the Administrative Site and in paragraph eight is recognition of right-of-way for irrigation and drainage ditches.

Upon purchase of 30.7 acres on January 14, 1965 from Dyke and Alice Powers for the North Fork Admin Site, a ditch was reserved by the Powers beginning at the north boundary of the tract and runs southerly approximately parallel to U.S. Highway 93 to a 0.89 acre tract of land, being a distance of approximately 969 feet, transporting approximately twenty miners inches of water.

Sounds like we have the right to all ditches and water within the admin site parcels except for the one ditch reserved.



Dyke Powers Tract
North Fork, Idaho

Section 17

T 24 N, R 21 E, B M

200 ft

Ditch was reserved
in sale to US

Lot 9

1320

E 2 NE SE

912.0 ft

TV Repeater
Radius 2866

388.62

N 62.0

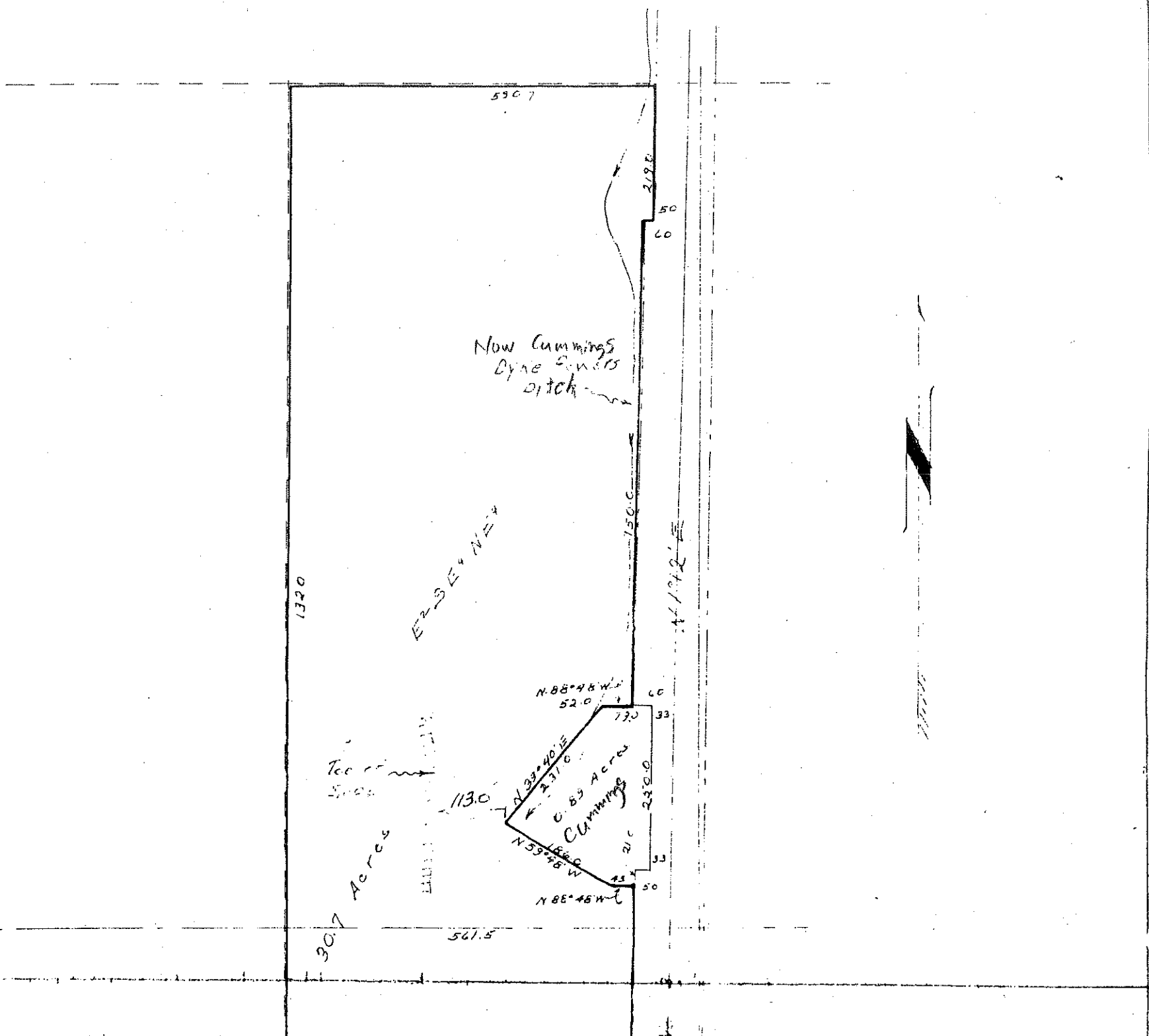
E 206.7

N 49°00' E 105.7

Lot 10

Salmon River

W 20
Dyke
North Fork Idaho
Site



A FRACTION OF THE EAST HALF SOUTHEAST QUARTER NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 24 NORTH, RANGE 21 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY OF THE EAST HALF SOUTHEAST QUARTER NORTHEAST QUARTER OF SECTION 17, AND THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93, AND RUNNING THENCE SOUTH 1 DEGREE 12' WEST ALONG SAID RIGHT OF WAY LINE, 219.00 FEET; THENCE NORTH 88 DEGREES 48' WEST, 10.0 FEET; THENCE SOUTH 1 DEGREE 12' WEST, 750.0 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 48' MINUTES EAST, 27.0 FEET; THENCE SOUTH 1 DEGREE 12' WEST, 250.0 FEET; THENCE NORTH 88 DEGREES 48' WEST, 17.0 FEET; THENCE SOUTH 1 DEGREE 12' WEST, 21.0 FEET; THENCE NORTH 88 DEGREES 48' WEST, 43.0 FEET; THENCE NORTH 59 DEGREES 48' WEST, 186.0 FEET; THENCE NORTH 39 DEGREES 40' EAST, 231.0 FEET; THENCE SOUTH 88 DEGREES 48' EAST, 52.0 FEET TO THE POINT OF BEGINNING ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93.

EXCEPTING THEREFROM THE LEMHI TELEPHONE COMPANY TRACT, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17 AND RUNNING THENCE SOUTH ALONG THE EAST BOUNDARY OF SECTION 17, A DISTANCE OF 2,520.0 FEET; THENCE NORTH 88 DEGREES 48' WEST, 46.2 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93; CONTINUING THENCE NORTH 88 DEGREES 48' WEST, 77.0 FEET; THENCE SOUTH 1 DEGREE 12' WEST, 30.6 FEET; THENCE SOUTH 59 DEGREES 48' EAST, 19.4 FEET; THENCE SOUTH 88 DEGREES 48' EAST, 43.0 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 93; THENCE ALONG SAID RIGHT OF WAY NORTH 1 DEGREE 12' EAST, 21.0 FEET; THENCE SOUTH 88 DEGREES 48' EAST, 17.0 FEET; THENCE NORTH 1 DEGREE 12' EAST, 19.0 FEET TO THE POINT OF BEGINNING.